



2007-2008 ASUC Senate

200 Eshleman Hall #4500, Berkeley CA 94720-4500 • 510.642.1431 • www.asuc.org

ASUC REGULAR SENATE MEETING AGENDA SPRING 2008 SESSION – WEEK 14 WEDNESDAY APRIL 30, 2008 7:00PM, SENATE CHAMBERS

SPECIAL ORDER: “ASUC AUDIT COMMITTEE”
ASUC Attorney Mark Himelstein

7:30PM-8:00PM

- I. APPROVAL OF THE MINUTES FROM APRIL 23, 2008
- II. APPROVAL OF THE AGENDA FOR MAY 7, 2008
- III. NEW BUSINESS
- IV. GUEST ANNOUNCEMENTS
- V. REPRESENTATIVES TO THE ASUC REPORTS
 - Faculty Representative (Professor Lieu)
 - Chancellor’s Representative (Dean Poullard)
 - UCPD Representative (Sergeant Tucker)
 - Graduate Assembly (GA President Daniels)
- VI. ASUC STORE OPERATIONS BOARD REPORT (Auxiliary Director Permaul)
- VII. ELECTED OFFICIAL ANNOUNCEMENTS
- VIII. STANDING COMMITTEE REPORTS
 - Standing Committee on Finance (Shen)
 - Standing Committee on Constitutional and Procedural Review (Patel)
 - Standing Committee on University and External Affairs (Rhoads)
 - Standing Committee on the Advocacy Agenda (Allbright)
 - Advocacy Committee on Diversity & Inclusion through the MCC (Ureña)
 - Advocacy Committee on Campus Safety (Winston)
 - Advocacy Committee on Academic Services (Jackson)
- IX. CONSENT CALENDAR
- X. APPOINTED OFFICIAL REPORTS
 - Attorney General (Kozak)
 - Judicial Council Representative (Day)
 - CAL Housing Director (Stevens)
 - SUPERB Representative (Chow, Mazur)
 - Public Relations Director per Title I (Lam)
 - Finance Officer (Chaney)
 - Elections Council Chair (Luce)
- XI. IMMEDIATE CONSIDERATION

XII. OLD BUSINESS

XIII. APPOINTMENTS

XIV. EXECUTIVE OFFICER REPORTS

President (Nguyen)
Executive Vice President (Allbright)
External Affairs Vice President (Montes)
Academic Affairs Vice President (Lee)
Student Advocate (Krishnamurthy)

XV. SPECIAL COMMITTEE REPORTS

Services Board Director Selection Committee (Osmeña)
Temporary Committee on the ASUC Website (Kunert)
ASUC Outstanding Student Recognition Program Evaluation Committee (Seaty)
ASUC Recognition Awards Committee (Shams)
Temporary Committee for the Selection of the ASUC Lawyer
Temporary Committee to Study UCSA Membership (Osmeña)
Undergraduate Representative to the Store Operations Board Nomination Committee

XVI. ASUC REPRESENTATIVES

Representatives to the Residence Hall Assembly (Shen, Weiner, Winston)
Representatives to the Inter-Fraternity Council (Osmeña, Louie)
Representatives to the College Panhellenic Association (Osmeña, Louie, Shen)
Representatives to ASUC SUPERB (Jackson, Wong)
Representatives to the Graduate Assembly (Duong, Rhoads)
Representatives to the Committee on Student Fees and Budget Review (Kunert, Louie, Jackson)
Representatives to the Re-Entry and Transfer Students' Association (Weiner, Ureña)
Representatives to the Student Athlete Advisory Committee (Wu, Kunert, Patel)
Representatives to the Haas Business School Association (Patel, Wu, Shams, Silver)
Representative to the Berkeley Student Cooperative (Coleman)
Representatives to the Engineering Joint Council (Kuo, Louie)
Representatives to the Recreational Sports Advisory Board (Wu, Wong)
Representatives to the Ethnic Studies Fifth Account Committee (Ureña, Seaty)
Representative to the National Pan-Hellenic Council (Winston)
Representative to the SUPERB Oversight Board (Patel)
Representatives to the ASUC Committee for Academic Opportunity (Patel, Osmeña)
Representatives to the ASUC Committee for Intellectual Community (Ureña, Shams)
Representatives to the ASUC Committee for Educational Enhancement (Ureña, Shams)
Representatives to the C.A.L. Housing Commission (Shen, Rhoads)
Representatives to the ASUC Lobby Corps Commission (Jackson, Osmeña)
Representatives to the ASUC Committee for the Fund for Culture Shows (Shams, Galeon)
Representatives to the RISE Scholarship Evaluation Committee (Wu, Weiner, Galeon, Kunert)
Representatives to the Berkeley Students Foundation (Winston, Seaty, Rhoads, Kuo, Duong)
Representative to the Multicultural Center Programming Board (Ureña)



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DRAFT

**ASUC REGULAR SENATE MEETING AGENDA
SPRING 2008 SESSION – WEEK 15
WEDNESDAY MAY 7, 2008
7:00PM, ESHLEMAN LIBRARY**

Note: approximately every 2 hours, there will be a five minute recess.

- XVI. APPROVAL OF THE MINUTES FROM APRIL 30, 2008
- XVII. APPROVAL OF THE AGENDA FOR SPECIAL MEETING ON MAY 12, 2008
- XVIII. NEW BUSINESS
- XIX. GUEST ANNOUNCEMENTS
- XX. ELECTED OFFICIAL ANNOUNCEMENTS
- XXI. STANDING COMMITTEE REPORTS
 - Standing Committee on Finance (Shen)
 - Standing Committee on Constitutional and Procedural Review (Patel)
 - Standing Committee on University and External Affairs (Rhoads)
- XXII. CONSENT CALENDAR
- XXIII. APPOINTED OFFICIAL REPORTS
 - Finance Officer (Chaney)
- XXIV. OLD BUSINESS
- XXV. IMMEDIATE CONSIDERATION
- XXVI. CONSIDERATION OF THE 2008-2009 ASUC BUDGET

A Bill In Support of Hip Hop in the Park Event

**Authored by Committee Director Brian Lau and Senator Christopher Wong
Sponsored by Senator Seaty, Louie, and Wong**

- WHEREAS,** Hip Hop in the Park is an all day show held every year in People's Park,
- WHEREAS,** this event is the 12th annual event and that has, year after year, drawn out members of the community, including many high school youth,
- WHEREAS,** this event provides a diverse space that allows people of all backgrounds to build community and dialogue with each other under the banner of hip hop,
- WHEREAS,** the objective is to promote diversity in the community by encouraging, supporting, and showcasing artists of all ethnicities from within the Hip Hop community,
- WHEREAS,** from its beginnings, hip hop has given voice and representation to peoples of all colors in a musical, poetic, and artistic form,
- WHEREAS,** hip hop is both multicultural and international, and more importantly, influences and unites all peoples across boundaries of ethnicity or nationality
- WHEREAS,** this event is in collaboration with Students for Hip Hop, SUPERB Productions, CalPIRG, bridges Multicultural Resource Center, and a number of other student organizations,
- WHEREAS,** this event emphasizes the value of providing a safe and positive space for people of all backgrounds to come together,
- WHEREAS,** this event is at the same time a public forum for contemporary issues and a possibility to discuss these issues collectively
- WHEREAS,** this event celebrates hip hop's true roots in resistance and community through a showcase of: DJ'ing, lyricism, graffiti art, and break dancing,
- WHEREAS,** the projected budget for the upcoming semester is below,
- THEREFORE BE IT RESOLVED,** that the ASUC Senate recognize Hip Hop in the Park as an ASUC Sponsored Event,
- BE IT FURTHER RESOLVED,** that the ASUC allocate \$ 1335.00 (one thousand three hundred and thirty-five dollars) from the Senate Contingency Fund to Hip Hop in the Park Event.

BUDGET PROPOSAL FOR HIP HOP IN THE PARK 2008

Expenditure	Description	Amount
Honoraria	Professional Artists <ul style="list-style-type: none"> • 2 headliner acts • 4 midliner acts • 4 opener acts • 1 host 	\$5,175
	<i>Honoraria Subtotal</i>	<i>\$5,175</i>
Publicity	Club Card Flyers	\$200
	Posters	\$330
	<i>Publicity Subtotal</i>	<i>\$530</i>
Graffiti/Art Supplies	Paint	\$200
	Primer	\$50
	Tarp	\$25
	Plywood Boards	\$125
	<i>Graffiti/Art Supplies Subtotal</i>	<i>\$400</i>
Equipment	U-Haul	\$50
	Generator	\$100
	<i>Equipment Subtotal</i>	<i>\$150</i>
Personnel	Sound	\$400
	Security	\$400
	<i>Personnel Subtotal</i>	<i>\$800</i>
Miscellaneous	Water	\$100
	Parking	\$80
	<i>Miscellaneous Subtotal</i>	<i>\$180</i>
Total		\$7,235

Income

Confirmed	Expected
ASUC accounts - \$1300	ASUC Grants - \$600
Ethnic Studies 5 th Account - \$2000	Student Opportunity Fund - \$500
Unit 2 Hall Association - \$100	Dept. of Ethnic Studies - \$300
	Dept. of African American Studies - \$500
	RHA Grant - \$600
Total	\$5900

A Bill in Support of Correctly Allocating Funds Previously Misallocated into the Carry Forward Account

**Authored by Finance Officer Nathaniel Chaney and Senator Shawn Kumar Jain
Sponsored by Senator Jain**

WHEREAS, on June 30, 2007 all unspent Senate allocations from the 2006-2007 ASUC Budget were returned to the Carry Forward account; and

WHEREAS, due to an accounts payable input error some 2006-2007 budget expenditures were charged against the 2007-2008 fiscal year; and

WHEREAS, this mistake was discovered when a Cal Corp account went into deficit and the problem was researched; and

WHEREAS, in total there are six (6) disbursements totaling \$9,592.39 that have been charged to the 2007-2008 fiscal year in error; and

WHEREAS, the accounts effected by this error are the Senate Only, Judicial Council, Election Council, Intellectual & Social Comm. Fund, Open Computing Facility, and Cal Corps Main Account; and

WHEREAS, if the funds are not returned to these groups this year, their budgets will be short because these invoices from last fiscal year have been charged against this year's allocations;

THEREFORE BE IT RESOLVED, that the Senate allocate money from the Carry Forward account to these groups in the following amounts:

Senate Only: \$237.95 (two hundred and thirty seven dollars and ninety-five cents)

Judicial Council: 80.48 (eighty dollars and forty-eight cents)

Election Council: 500.00 (five hundred dollars)

Intellectual & Social Comm. Fund: 250.00 (two hundred and fifty dollars)

Open Computing Facility: 162.07 (one hundred and sixty-two dollars and seven cents)

Cal Corps Main Account: 8,361.89 (eight thousand three hundred and sixty-one dollars and eighty-nine cents).

A Bill in Support of San Mateo Youth Foundation at Berkeley

**Authored by Senator Shawn Kumar Jain
Sponsored by Senators Jain and Winston**

- WHEREAS,** The San Mateo Youth Founation (SMYF) is a college scholarship incentive program that assists students with their academic, financial, and social needs; and
- WHEREAS,** many promising students believe that higher education is not a realistic option for them due to circumstances in their lives; and
- WHEREAS,** it is important to catch these students as early as possible and assist them with getting to college; and
- WHEREAS,** The SMYF targets low-income, high achieving middle-school students, many of whom have already experienced hardships in their lives; and
- WHEREAS,** most of these students come from single-parent families or are living with guardians, and a number of them are ESL students or have parents who speak little or no English; and
- WHEREAS,** SMYF hosts an overnight stay at UC Berkeley for SMYF Scholarship recipients; and
- WHEREAS,** the budget for this overnight stay is as follows (only items eligible for ASUC funding have been included):

Item	Number	Cost of each unit	TOTAL
Table	1	\$50.00	\$50.00
Chair	1	\$50.00	\$50.00
Reams of Paper	4	\$12.00	\$48.00
Banner	1	\$20.00	\$20.00
Media Equipment Rental for Four Rooms in Dwinelle	4	\$25.00	\$100.00
Supplies			\$20.00
TOTAL BUDGET			\$288.00

THEREFORE BE IT RESOLVED, That the ASUC Senate shall allocate \$288 from the Senate Contingency Fund to the San Mateo Youth Foundation at Berkeley.

A Bill in Support of Birlik

**Authored by Senator Shawn Kumar Jain
Sponsored by Senators Jain and Winston**

WHEREAS, a new student-run publication is being created by the Turkic Student Association at Berkeley called Birlik; and

WHEREAS, it is difficult to start new publications because printing costs are so high; and

WHEREAS, Birlik plans on publishing once each semester; and

WHEREAS, it is the charge of the ASUC to support students in their endeavors; and

WHEREAS, the budget for Birlik is as follows:

Item	Number	Cost of each unit	TOTAL
Photocopying (color)	2000	\$0.45	\$900
Publishing Tax			\$81.00
TOTAL BUDGET			\$981.00

THEREFORE BE IT RESOLVED, That the ASUC recognize Birlik as a first-year publication group;
and

BE IT FURTHER RESOLVED, That the senate shall allocate \$981 from the Senate Contingency Fund to Birlik.

A Resolution in Support of Senate Leadership Network Training

**Authored by Senator Kuo
Sponsored by Senator Kuo**

- WHEREAS,** The ASUC senate positions are slated to last for a full school year, but there is a hiatus during the summer which some senators may want to take advantage of to work on projects; and
- WHEREAS,** The current ASUC by-laws does not support a system that allows for full transition and continuity of projects that were worked on by past senators; and
- WHEREAS,** While Senate Leadership Network Training (hereby known as “Training”) is meant as a transition tool, many of the information provided could be more easily learned outside of training. For example, identifying the appropriate administrators and their work, ASUC history, and public documents; and
- WHEREAS,** With the creation of a feedback system, senators may document the work they have done and pass on that knowledge to incoming senators, which would act as a supplement to Training; and
- WHEREAS,** Senators are highly encouraged to document the work they have done in collaboration with student leaders and administrators, or pass on the knowledge verbally to future senators;
- THEREFORE BE IT RESOLVED,** that the following subsection be inserted in *Title I, Article XII*
– *Senate Leadership Network Training*:

Article XII – SENATE LEADERSHIP NETWORK TRAINING

- 12.8** At the end of his or her term, the incumbent Executive Vice President shall be responsible for collecting documented feedback from senators regarding their experience, and relay this information to the succeeding Executive Vice President by the Executive Officer training session. The succeeding Executive Vice President shall then make this information available to all incoming senators by Senate Leadership Network Training.

A Resolution in Support of Dance Marathon

**Authored by Senator Kuo
Sponsored by Senator Kuo, Wu**

WHEREAS, Dance Marathon has been supported by the ASUC for the past three years as a Programs line item, but was never recognized as student group; and

WHEREAS, The Dance Marathon coordinators have the desire to eventually sustain this program independently of ASUC offices, and a first year SAG status does not do justice to the long history Dance Marathon has had with the ASUC; and

WHEREAS, Dance Marathon is both a fun and philanthropic event that has raised approximately \$60,000 for the Elizabeth Glaser Pediatric AIDS Foundation since founding in 2006, and students have had very positive feedback about the event; and

WHEREAS, The budget for Dance Marathon is as follows:

EXPENSES		REVENUE	
Black & white flyers (3000 @ 0.08)	\$240	Community Building Fund	\$1,000
Posters (500 @ \$0.68), Postcards (5000 @ 0.04)	\$540	Donations (unknown)	\$1,500
Banners (2 @ \$170)	\$340	Residence Hall Assembly	\$1,000
Promotional t-shirts (500 @ \$5)	\$2,500	Various Hall Associations	\$1,500
Website (\$200), photography (\$150)	\$350	Total	\$5,000
Pauley Facility	\$350		
Security (UCPD)	\$4,500		
Food (for 12 hrs)	\$700		
Decorations/Lighting	\$5,000		
Activities & Game supplies	\$650		
DJ (12 hrs)	\$1,800		
Fundraising incentives	\$1,100		
Parking	\$300		
Pediatric AIDS Educational materials	\$500		
Supplies (table cloths, name tags, pens/markers)	\$200		
Total	\$19,070		

THEREFORE BE IT RESOLVED, that the ASUC Senate allocate \$4,300 from Carry Forward to the 2008-2009 budget.

BE IT FURTHER RESOLVED, that Dance Marathon be recognized as a 4th year student group for the 2008-2009 school year be allocated \$4,500 as their budget.

A Resolution in Support of ASUC Study Rooms

**Authored by Senator Kuo
Sponsored by Senator Kuo**

- WHEREAS,** With the soon onset of finals, students will require more study space for both quiet study sessions, discussions, and group review sessions; and
- WHEREAS,** The libraries have limited availability for conference rooms, and demand often exceeds supply for space; and
- WHEREAS,** Classroom Scheduling in 123 Sproul Hall has agreed to extend classroom reservations until Saturday, May 17 of final exams, for ASUC's use in the interest of student groups
- WHEREAS,** Student organizations registered through Campus Life and Leadership are eligible to sign up to host a Study Room, and over 50 groups with academic-focused orientation were contacted via e-mail;
- WHEREAS,** Co-sponsorship of a Study Room involves monitoring the classroom for 3-4 hour shifts to ensure that rooms are kept in good order, and the following groups have already been committed to co-sponsoring a Study Room: Bioengineering Honor Society, Cal Queer & Asian, American Medical Students Association, Hermanos Unidos, Phi Sigma Pi, and Gates Millennium Scholars Association;
- WHEREAS,** As an additional service to students, free exam blue books, scantrons, and snacks will be provided to students, and the budget for these items are as follows:

Item	Unit Price	Qty	Subtotal
Bluebooks	\$0.50	150	\$75
Scantrons	\$0.25	150	\$37.50
Snacks	\$20.00	1	\$20
Publicity (color paper)	\$0.10	200	\$20
TOTAL			\$153

THEREFORE BE IT RESOLVED, that the ASUC Senate move \$152.50 from the Advocacy Agenda on Academic Services account to ASUC Study Rooms.

A Bill in Support of Suicide Awareness Week

**Authored by Senator Danielle Duong
Sponsored by Senator Danielle Duong**

WHEREAS, Suicide Awareness Week, organized by Student to Student Peer Counseling and Active Minds at Berkeley, will be taking place at UC Berkeley from May 5th to May 7th,

WHEREAS, Suicide Awareness Week has been organized to raise awareness and educate students on the issues of suicide on college campuses; and

WHEREAS, This event strives to combat the stigma associated with suicide and mental health issues and to encourage students to begin dialogue about suicide in a constructive way; and

WHEREAS, The bracelet that will be distributed for sales during the event is a visual symbol that brings light to the issue of suicide on campus;

WHEREAS, Information regarding referral information for suicide hotlines and on/off campus counseling services as well as general information about suicide; and

WHEREAS, The need for Suicide Awareness Week is very urgent and timely considering that just in the month of April alone, there have been two suicides and an additional three suicide attempts by Cal students; and

WHEREAS, The main events for the event include speakers sharing their stories, fact boards on Sproul Plaza, a lecture by Professor Hinshaw, and a film screening of “The Bridge” followed by a discussion led by CPS;

WHEREAS, the budget for Suicide Awareness Week is as follows:

Item	Quantity	Total
Suicide Awareness Bracelets	5000	\$950.00
Postcards for Bracelets	5000	\$500.00
Flyers	1000	\$250.00
Large Posters for Sproul	4	\$200.00
Total		\$1,900.00

THEREFORE BE IT RESOLVED, that the ASUC Senate allocates \$1,200 (one-thousand two hundred dollars) to Suicide Awareness Week from the Senate Contingency Fund.

A Bill Supporting ASUC Input in Democratic Reviews of the Academic Senate

Authored by Senator Shams
Sponsored by Senator Shams

WHEREAS, the ASUC is the recognized voice of the University of California, Berkeley of the undergraduate and graduate student body; and

WHEREAS, the ASUC has not been included in any controversial negotiations concerning corporate research funding and the University of California, Berkeley such as approaches from Novartis and British Petroleum; and

WHEREAS, following the negotiation process between Novartis and the University an external review of the Novartis deal was commissioned by UC-Berkeley; and

WHEREAS, the commission supported the processional requirement of conducting a democratic review with students, faculty, and staff; and

WHEREAS, it is recognized that for any corporate research funding negotiations it is necessary to provide an interdisciplinary perspective from humanities, social science, and scientific fields;

THEREFORE LET IT BE RESOLVED, that the ASUC openly support the input of elected officials into Academic Senate dialogue and the democratic review process; and

THEREFORE LET IT FURTHER BE RESOLVED, that the ASUC commission the temporary committee on Democratic Review within the Academic Senate as article III under Title XVI of the By-Laws:

ARTICLE III: Temporary Committee on Democratic Review Within The Academic Senate

3.1 Name

1. Temporary Committee on Democratic Review Within The Academic Senate

3.2 Purpose

The purpose of the **Temporary Committee on Democratic Review Within The Academic Senate** is to provide legitimate investigation and input from the UC student body on issues of research funding and university contracts.

3.3 The DOE LOC shall consist of:

1. The ASUC External Affairs Vice-President.
2. 5 ASUC Senators
3. University of California Student-at-Large Representative

3.4 The 5 ASUC Senators and the Student-at-Large shall be appointed by the following process:

1. The External Affairs Vice-President shall appoint, by the third regular meeting of the fall session of the Senate, an individual for the position.
2. The Senate shall approve the appointments of the above student-at-large and Senators with a vote of two-thirds.

3.5 The Duties of the DOE LOC shall be:

1. to investigate and publish the activities of the University of California, Berkeley and corporate research initiatives; and
2. to provide the necessary Academic Senate Committees with professional reports on the undergraduate and graduate impact; and
3. to be one of the primary organizers within any Democratic Review process in order to promote transparency among the University administration, faculty, staff, and students.

A Bill in Support of Senior Senators and Graduation Materials

Authored Senator Shams

Sponsored by Senator Shams, Senator Jain, Senator Weiner, Senator Silver, Senator Wong

WHEREAS, the ASUC Senate is one of the most prestigious student organizations on campus; and

WHEREAS, the time requirements of committee meetings, Senate sessions, bill writing, outreach, and the like are similar to those of near full-time employment and true commitment to UC-Berkeley; and

WHEREAS, it is important on an occasion as significant as the Commencement season that those public servants who are elected by the student community be recognized for their service; and

THEREFORE LET IT BE RESOLVED, that all those ASUC elected officials who participate in graduation ceremonies be given the option of wearing ASUC Senate stoles which will be returned and stored by the Executive Vice President; and

FINALLY LET IT BE RESOLVED, that the ASUC Senate allocate \$496.65 for the above mentioned purposes from Carry Forward.

A Bill in Support of the Multicultural Center Advisory Board and Operations Committee

Authored by Senator Ureña

**Sponsored by Senator Ureña, Senator Shams, Senator Duong, Senator Winston, Senator Seaty,
Senator Kuo, President Nguyen, AAVP Lee, and EAVP Montes**

WHEREAS, in the 2005 Memorandum of Understanding (MOU) for the Temporary Multicultural Center, the University forgave the remaining \$126,000 ASUC debt owed to the University; and

WHEREAS, the MOU reads that “The ASUC will, in turn, allocate \$126,000 over three years to student-initiated programs related to building community (\$12,000 / year for three years), enhancing multicultural understanding (\$15,000 / year for three years), and developing student leadership (\$15,000 / year for three years) on campus.” and,

WHEREAS, the ASUC decided to allocate these funds through the form of grants: the Community Building Fund, the Leadership Development Fund, and the Multicultural Community Fund; and

WHEREAS, the 2005 MOU will expire on June 30th 2008; and,

WHEREAS, currently there are funds remaining in the these three grants; and,

WHEREAS, the Assistant Vice Provost of Undergraduate Education, Barbara Davis, is in the process of setting up an account within the Multicultural Student Development to transfer the remaining funds for management and oversight by the Multicultural center’s new governance structure outlined in the 2008 MOU, which includes the Multicultural Center Advisory Board and the Multicultural Center Operations Committee; and

THEREFORE BE IT RESOLVED, that the ASUC transfer the funds remaining in the three grants– the Community Building Fund, the Leadership Development Fund, and the Multicultural Community Fund– to the Multicultural Student Development for management and oversight by the Multicultural Center Advisory Board and Operations Committee.

A Bill in Support of Students for Integrated Medicine Club

Authored by Sami Newlan
Sponsored by Senator Coleman

WHEREAS, The Students for Integrated Medicine Club plans and facilitates the Integrated Medicine De-cal during the spring semester; and

WHEREAS, The Students for Integrated Medicine Club supports alternative forms of medicine not necessarily represented in undergraduate classes at Cal; and

WHEREAS, The Students for Integrated Medicine Club enriches the education of undergraduate students of medicine and other practices through participation in the De-cal; and

WHEREAS, Members of the Students for Integrated Medicine Club have paid out of pocket for many expenses associated with facilitating the De-cal, and the budget is as follows:

Item	Cost
Reimbursement for nine \$8 one-day student parking passes, used to accommodate nine different guest lecturers, and paid out of pocket by members of SIM Club.	\$72.00
Reimbursement for refreshments (water and/or juice) for ten guest lecturers, paid out of pocket by members of SIM Club	\$15.00
Food to be consumed by SIM Club members (seven total members plus two faculty sponsors of the De-cal) at the last semester club meeting	\$55.00
Total	\$142.00

THEREFORE BE IT RESOLVED THAT, Students for Integrated Medicine Club be recognized as a third year Student Activity Group; and

THEREFORE BE IT FINALLY RESOLVED THAT, The ASUC Senate allocates \$142.00 to Students for Integrated Medicine Club from the ASUC Senate Contingency Fund.

AN AMENDMENT FOR AN AUDIT COMMITTEE

Authored by Senator Gabe Weiner and ASUC Lawyer Mark Himmelstein
Sponsored by Senators Osmeña and Weiner

WHEREAS, According to the Non Profit Integrity Act, in addition to ordinary reporting requirements, certain charitable organizations required to file an annual report with the Attorney General with annual revenues of \$2,000,000 or more, exclusive of grants from or contracts for services with governmental entities for which the governmental entity requires an accounting, are required to final annual financial statements and appoint an audit committee;

WHEREAS, If the entity is a charitable corporation, its board of directors is required to appoint an audit committee;

WHEREAS, The audit committee must not include staff members or officers of the corporation and be separate from any finance committee, but finance committee members may make up a minority of its membership;

WHEREAS, The ASUC is an unincorporated association not a corporation, but if its annual revenues exceed \$2,000,000 it would be well served to file an annual audited financial statement and appoint an audit committee;

THEREFORE BE IT RESOLVED, That the following be added to Title III of the ASUC By-Laws:

ARTICLE IX—AUDIT COMMITTEE

9.1 Audit Committee

1. The Association shall have an audit committee consisting of at least 5 voting members and may include nonvoting advisors.
2. Persons who are employees or officers of the ASUC or ASUC Auxiliary or who receive, directly or indirectly, any consulting, advisory, or other compensatory fees from the ASUC or ASUC Auxiliary may not serve on the audit committee.
3. The audit committee shall perform the following duties: (a) Assisting the ASUC and ASUC Auxiliary in choosing an independent auditor and recommending termination of the auditor, if necessary; (b) negotiating the auditor's compensation; (c) conferring with the auditor regarding the ASUC's financial affairs; and (d) reviewing and accepting or rejecting the audit.
4. Members of the audit committee shall not receive compensation for their service on the audit committee in excess of that paid to senators for their service in the senate.
5. Members of the Finance Committee may not make up a majority of the members of the audit committee. The chair of the audit committee may not be a member of the Finance committee.

**A Bill In Support of the “Safe Berkeley” Initiative, a Student-Neighbor Community
Neighborhood Watch**

**Authored by City Affairs Advisor I. Tregub
Sponsored by Senator D. Rhoads**

WHEREAS, The ASUC External Affairs Office is currently creating an outline of and seeking funding for the “Safe Berkeley” Initiative co-sponsored by the Willard Neighborhood Association; and

WHEREAS, The “Safe Berkeley” Initiative strives to build upon the efforts of the ASUC to create a sustainable neighborhood watch program during the 2006-2007 academic school year; and

WHEREAS, The “Safe Berkeley” Initiative will expand student involvement from the 2006-2007 benchmark by seeking the support of Cal housing communities (i.e. Cal Greeks, Residence Hall Assembly, and the USCA) as well as individuals residing in apartments on the Southside and Northside of campus; and

WHEREAS, The “Safe Berkeley” Initiative shall be institutionalized through the already-pledged support of the Berkeley Assistant City Manager, Berkeley Police Department, Berkeley Fire Department, various UC Berkeley administrators, and several local neighborhood associations; and

WHEREAS, Phase I of the “Safe Berkeley” Initiative, to be completed by August 20, 2008, shall include a public unveiling of the program via a press conference, a publicity campaign in the Greek, cooperative, and residence hall communities and sign-ups of interested leaders for next year, and an application to various grants and ancillary funding sources; and

WHEREAS, Phase II of the “Safe Berkeley” Initiative, to be completed by September 30, 2008, shall finalize the composition of the steering committee and involve an aggressive recruitment campaign for block captains and organizational meetings; and

WHEREAS, Phase III of the “Safe Berkeley” Initiative, to begin by October 1, 2008 and continue indefinitely, will expand upon the existing number of block and house captains, strengthen communication between students and city and police officials, and, in any other manner, assure for the successful recruitment, retention, and transition of neighborhood watch participants;

THEREFORE LET IT BE RESOLVED, that the ASUC shall support the “Safe Berkeley” Initiative and work to promote it to continuing UC Berkeley students; and

LET IT BE FURTHER RESOLVED that the ASUC President and External Affairs Vice Presidents are authorized to write letters which reflect this position of the ASUC to any relevant party, be it upon request or of their own accord.

A Bill In Opposition to Proposition 98 and In Support of Proposition 99

**Authored by City Affairs Advisor I. Tregub
Sponsored by Senator D. Rhoads**

WHEREAS, On the upcoming June 3 primary ballot, students will have an opportunity to also vote on Propositions 98 and 99; and

WHEREAS, Proposition 98, under the guise of “eminent domain” contains language that will eliminate rent control and regulations such as the ones employed in the City of Berkeley to keep rents relatively affordable; and

WHEREAS, Proposition 98 stands to hurt California’s already-broken K-12 education system by limiting the ability of the state to build new public schools or expand the footprint of current ones; and

WHEREAS, Proposition 98 damages the health and safety of the East Bay Region by forcing restrictions on local governments to clean up blighted or crime-ridden neighborhoods and “drug labs”; and

WHEREAS, For these reasons, organizations representing millions of seniors, teachers, public safety officials, tenants, farmers, and labor have already voiced their opposition to Proposition 98; and

WHEREAS, Proposition 99, the Homeowners Protection Act, limits the governments ability to use eminent domain to take owner-occupied homes for private use without the creating the hidden impacts of Proposition 98

THEREFORE LET IT BE RESOLVED, that the ASUC express its opposition for Proposition 98 and support for Proposition 99; and

LET IT BE FURTHER RESOLVED that the ASUC President and External Affairs Vice Presidents are authorized to write letters which reflect this position of the ASUC to any relevant party, be it upon request or of their own accord.

A Bill In Support of Rerouting and Reorganizing Parking and Transportation Night Safety Shuttles to Reflect Student Needs

**Authored by City Affairs Advisor I. Tregub
Sponsored by Senator D. Rhoads**

WHEREAS, The volume of participants in the Night Safety Shuttles operated by the UC Berkeley Department of Parking and Transportation has historically declined; and

WHEREAS, This decline can be attributed to a lack of awareness of students of the program, a publicity deficit by Parking and Transportation, and the lack of stops of the Safety Shuttle that are in close proximity to the destination of a significant proportion of the student population; and

WHEREAS, In Spring 2008, the ASUC External Affairs Office has worked with Parking and Transportation to enhance promotion of its programs and encourage it to foster better communication with the UCPD, which also operates night safety shuttles through its Campus Security Officer-run Owl Service; and

WHEREAS, The sole remaining goal of the ASUC External Affairs Office is to encourage the Department of Parking and Transportation to reroute and reconfigure certain routes such that they better serve a greater proportion of the student community; and

WHEREAS, The office has been circulating a survey that polls students who reside or work in areas most affected by recent cuts in Parking and Transportation service, and Department of Parking and Transportation has tentatively agreed to condition changes in service based on survey responses following a meeting on May 9, 2008

THEREFORE LET IT BE RESOLVED, that the ASUC, in the short term, shall support the rerouting of the D line to align it more closely with the daytime Perimeter line and to alter the weekend night on which the N line runs, conditional on responses from the student survey; and

LET IT BE FURTHER RESOLVED that the ASUC, in the long term, shall encourage Parking and Transportation to restore previously discontinued routes if it is found that they fulfill a unique need in serving the student community and to expand the frequency of shuttle departures from each campus stop; and

LET IT BE FINALLY RESOLVED that the ASUC shall continue to conduct publicity of Night Safety Shuttles in coordination with Parking and Transportation and UCPD.

**A Bill In Support of Transparency and Enhanced Reliability Concerning AC
Transit Bus Routes and Bus Rapid Transit**

**Authored by City Affairs Advisor I. Tregub
Sponsored by Senator D. Rhoads**

WHEREAS, The possible implementation of Bus Rapid Transit, which may include the removal of a lane of parking and creation of a dedicate lane for transit on the six blocks of Telegraph Ave. nearest campus, would create significant impacts to students on the UC Berkeley campus; and

WHEREAS, The planned transportation forum with AC Transit the week of May 5 would mark the first opportunity for students to voice their opinions on these changes; and

WHEREAS, Numerous concerns have been raised regarding the reliability and frequency of several AC Transit bus routes, particularly the 51 and 52L lines; and

WHEREAS, A change in routes and frequency of AC Transit stops near University Village, which will soon add 300 additional beds of housing, has adversely affected a significant section of the graduate student community; and

WHEREAS, Students would benefit from a clarification of the various alternatives being considered for Bus Rapid Transit as well as the non-BRT Rapid Bus Plus; and

THEREFORE LET IT BE RESOLVED, that the ASUC shall support the consultation of students prior to the commencement of the decision phase of the process for BRT by AC Transit, the Planning and Transportation Commissions, and City Council; and

LET IT BE FURTHER RESOLVED that the ASUC shall encourage heightened transparency by AC Transit in listening to student concerns regarding overall bus line reliability and frequency of stops; and

LET IT BE FURTHER RESOLVED that the ASUC shall support the efforts of the University Village Association to improve the level of service provided by AC Transit to its constituents

A Bill In Support of Hiring a New ASUC Lawyer

**Authored By President Nguyen, AAVP Lee, Senator Duong, Senator Patel, Senator Osmena,
Senator Galeon, GA EAVP Abel, Auxiliary Director Permaul
Sponsored By President Nguyen, AAVP Lee, Senator Duong, Senator Patel, Senator Osmena,
Senator Galeon**

WHEREAS, The ASUC is unlike any other student government in the country in that it exists as the officially recognized student government of the students at UC Berkeley, and also has state recognized non-profit status; and whereas the ASUC has a long tradition of independent student government within the governance structure of the University of California, and

WHEREAS, Mark Himmelstein has served with distinction as the ASUC lawyer for the past 30 years; and

WHEREAS, the current contract between the ASUC and Mr. Himmelstein will expire on June 30, 2008; and

WHEREAS, the Temporary Committee for the Selection of the ASUC Lawyer has interviewed all potential applicants to fill the vacant position; and

WHEREAS, the following criteria was used to select the new ASUC Lawyer: 1) experience in dealing with an elected oversight board (the ASUC Senate), 2) knowledge of education, business, administrative, non-profit and constitutional law issues that could affect the ASUC, 3) ability and experience in dealing with student clients, 4) ability to understand the relationship between legal counsel and the ASUC senate and officers, 5) have an engaging, upbeat and optimistic outlook and a commitment to work with students in this exceptional relationship, 6) and an ability to maintain a good rapport and regular communication with student leaders; and

WHEREAS, in order to ensure that the ASUC continues to have sound legal representation in the case legal action taken against and by the ASUC, the need to select a lawyer and begin the transition process over the 2008 summer is critical.

THEREFORE, BE IT RESOLVED, that the ASUC recognize _____ as the new ASUC Lawyers;

THEREFORE, BE IT FURTHER RESOLVED, that the ASUC approve the contract attached.

LEGAL SERVICES AGREEMENT

1. IDENTIFICATION OF PARTIES. This agreement is made between _____, hereafter referred to as "Attorney" and Associated Students of the University of California, a non-profit unincorporated association, hereafter referred to as "Client."

This agreement is required by Business and Professions Code Section 6148 and is intended to fulfill the requirements of that section.

2. LEGAL SERVICES TO BE PROVIDED. The services to be provided by Attorney to Client are as follows: representation of Client insofar as its student government and related activities are concerned. Attorney's duties shall include the giving of advice, if requested, to all Executive Officers (including the Graduate Assembly), the Student Advocate, and Chair of the Judicial Council; defense of Client in all litigation in which Client has been named as a party; attendance, if requested, at Senate and other committee meetings on an as needed basis; representation of Client insofar as its relationship with the University and, in particular, with regard to the 1998 agreement with the University. The above services shall be provided for a maximum of 480 hours per annum computed from July 1, to June 30 of each year during the term of this agreement. Client, at its option, may carry forward any unused time from one year to the next year so long as this agreement is in effect. Should Client request that Attorney provide services in excess of 480 hours per annum (or the amount accumulated as a result of carry over from the previous year), Attorney agrees to provide those services at the rate of \$150.00 per hour which shall be separately billed to Client and shall be due and payable 30 days thereafter.

3. LEGAL SERVICES SPECIFICALLY EXCLUDED. Legal services that are not to be provided by Attorney under this agreement specifically include, but are not limited to, the following: (1) bankruptcy matters; (2) criminal consultation and/or defense of Client or any of Client's Officers; (3) representation of Client as a plaintiff or petitioner in litigation; or (4) any matter which raises a conflict of interest on the part of Attorney due to Attorney's past representation of Client.

If client wishes that Attorney provide any legal services not covered under this agreement, a separate written agreement between Attorney and Client will be required. Provided the payment required by Paragraph 9 has been offered and accepted for the period during which Client requests that Attorney undertake the legal services, Attorney will enter into such an agreement for legal services on the same terms and conditions as are set forth herein at a guaranteed rate of \$150.00 per hour unless a contingent fee arrangement is appropriate and agreed between the parties.

4. **RESPONSIBILITIES OF ATTORNEY AND CLIENT.** Attorney will perform the legal services called for under this agreement and respond promptly to Client's inquiries and communications. Client will be truthful and cooperative with Attorney and timely make any payments required by this agreement.
5. **TERM.** This agreement shall commence on July 1, 2005, and shall be in effect for a period of three years until June 30, 2008, at which time it shall terminate unless renewed by the parties. The third year of the contract period shall be a transition year in which Attorney agrees to train a new attorney to take over representation of client on an ongoing basis after the end of this contract.
6. **TRANSITION YEAR.** During the third year of this contract, in addition to other responsibilities, Attorney shall cooperate with Client in the identification, selection and training of new counsel to represent Client for the period commencing July 1, 2008, and thereafter, if requested by Client.
7. **CONSULTING OPTION.** After the termination of this contract, Client may, at its discretion, retain Attorney to consult or represent it on a case by case basis, at the rate of \$190 per hour.
8. **TERMINATION.** This agreement may be terminated by any party during its term by giving the other party sixty (60) days' written notice upon the occurrence of any of the following events: (1) filing of bankruptcy or insolvency by either party; (2) retirement from the private practice of law by Attorney; (3) Attorney's appointment or election to a judicial position. Should Client terminate this contract during the first two years of the three year term, Client shall pay Attorney a severance amount equal to six months of payments or \$24,000, in lieu of payment for the remainder of the contract. Should Client terminate this contract in the third year of the term, Client shall pay Attorney a severance amount which equals one third of the amount remaining in the term, in lieu of the full remaining amount.
9. **CONSIDERATION.** Client agrees to pay to Attorney the fixed sum of four thousand dollars (\$4,000.00) per month for the legal services provided under this agreement, payable in advance commencing July 1, 2008. The payments are non-refundable. Said monthly payments shall be made through June 30, 2011. The total monthly sums payable for the three year term is one hundred forty four thousand dollars (\$144,000).
10. **COSTS.** All out-of-pocket costs including long distance telephone costs, postage, fax and photocopying shall be paid by Client and will be billed at the actual rate incurred. All out-of-pocket litigation expenses incurred on behalf of Client including but not limited to

costs of long distance telephone calls, document reproduction costs, postage, fax, photocopying expenses, deposition expenses, subpoena expenses, and travel expenses incurred by Attorney when required to travel shall be paid by Client. Such costs shall be separately billed to each case in litigation.

11. ATTORNEY'S FEE AWARD. In any litigation in which Client is a party and is represented by Attorney, any statutory attorney's fee awarded by the Court to Attorney shall, if collected by Attorney from the other party, be paid to Attorney in addition to the consideration paid as set forth in paragraph 9 of this Agreement. The costs of collection for any such award shall be borne by Attorney. For the purpose of the award of statutory attorney's fees, Attorney shall bill Client at the Attorney's normal hourly rate which is \$300.00 per hour. Should Attorney be successful in collecting all attorney's fees requested, Attorney shall credit Client for actual hours expended in the case on behalf of Client at the rate paid pursuant to paragraph 9 of this agreement which, at Client's discretion, may be reimbursed to Client or carried forward into the next contract year as a credit toward future attorney's fees.

12. EQUAL OPPORTUNITY /AFFIRMATIVE ACTION. Attorney shall not maintain or provide racially segregated facilities for employees at any establishment under his control. Attorney agrees to adhere to the requirements set forth in Executive Orders 11246 and 11375, and Titles VI and VII of the 1964 Civil Rights Act, and, with respect to activities occurring in the State of California, to the California Fair Employment and Housing Act (Government Code Section 12900, et seq.). Expressly, Attorney shall not discriminate against any employee or applicant for employment because of race, age, color, religion, sex, sexual orientation, national origin, ancestry, medical condition (as defined by Government Code, Section 12926(f), marital status, age, physical or mental handicap or disability as set forth in Section 504 of the Rehabilitation Act of 1973, as amended, in regard to any position for which the employee or applicant for employment is qualified, or because he or she is a disabled veteran or veteran of the Vietnam era.

13. MODIFICATION BY SUBSEQUENT AGREEMENT. This agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them or an oral agreement to the extent that the parties carry it out.

14. ARBITRATION OF FEE DISPUTE. If a dispute arises between Attorney and Client regarding Attorney's fees or costs under this agreement and Attorney files suit in any court other than small claims court, Client will have the right to stay that suit by timely electing to arbitrate the dispute under Business and Professions Code, Section 6200-6206, in which event Attorney must submit the matter to such arbitration.

15. ATTORNEY'S FEES AND COSTS IN ACTION ON AGREEMENT. The prevailing

party in any action or proceeding to enforce any provision of this agreement will be awarded reasonable attorney's fees and costs incurred in that action or proceeding or in efforts to negotiate the matter.

16. MALPRACTICE INSURANCE. Attorney has errors and omissions insurance covering the legal services provided under this Agreement.

17. EFFECTIVE DATE OF AGREEMENT. The effective date of this agreement shall be the date upon which it has been approved by the Senate and signed by Client's officers.

The foregoing is agreed to by:

ATTORNEY:

Dated: _____
CLIENT: _____

Dated: _____
CLIENT: _____

Dated: _____
Van S. Nguyen, President,
Associated Students of the University of California