

ASUC SENATE MEETING

January 28, 2009

Second Week

This regular meeting of the ASUC Senate was called to order by Krystle Pasco at 7:15 p.m. in the ASUC Senate Chamber.

Ms. Pasco said people should have in their in-boxes a ruling in the J-Council case. She just got off the phone with Ms. Johal, the interim J-Council Chair, and the Senate could continue with business that evening. Ms. Johal will come in and give a report.

APPROVAL OF THE MINUTES

Ms. Pasco called for any changes to the minutes. Ms. Flores said that in her Elected Official Announcement, the minutes should note that the celebration of Asian Pacific American Women started at 6 p.m., not 7:00.

Seeing no other changes, Ms. Pasco called for a motion to approve. It was so moved and seconded by Mr. Mairena and Ms. Tran. THE MOTION TO APPROVE THE MINUTES OF THE JANUARY 21, 2009 MEETING, AS AMENDED, PASSED WITH NO OBJECTION.

NEW BUSINESS

Ms. Pasco referred the following bills to committee:

SB 5, Resolution in Commemoration of Chancellor Robert J. Birgeneau and The Associated Students of the University of California, to the Constitutional and Procedural Review Committee and to the University and External Affairs Committee

SB 6, Resolution in Resounding Support for a 24-hour Library on the UC Berkeley Campus, to the Constitutional and Procedural Review Committee and University and External Affairs Committee

SB 7, Resolution in Support of VietHOPE Charity Night, to the Finance Committee

SB 8, Resolution to Amend the By-laws, to the Constitutional and Procedural Review Committee

SB 9, Resolution In Support of the Undergraduate Philosophy Forum's Donald Davidson Prize in Philosophy, to the Finance Committee

SB 10, Resolution In Support of the ASUC Consulting Forum, to the Finance Committee

- SB 11, Resolution in Support of Alternative Breaks 2009, to the Finance Committee
- SB 12, Resolution in Support of the Magnolia Project, to the Finance Committee
- SB 13, Resolution in Support of the OSKIs 2009, to the Finance Committee
- SB 14, Resolution in Support of Students of Ailing Mothers and Fathers, to the Finance Committee
- SB 15, Resolution in Support of Replenishing the ASUC Senate Contingency Fund, to the Finance Committee
- SB 16, Resolution In Support of the Smart Ass Magazine, to the Finance Committee
- SB 17, Resolution In Support of Bollywood Berkeley, to the Finance Committee
- SB 18, Resolution in Support of Southeast Asian Young Leaders Mentorship Outstanding Student Recognition Program, to the Finance Committee
- SB 19, Resolution in Support of Delta Upsilon and Alpha Chi Omega's School Supply Assembly Philanthropy Event, to the Finance Committee
- SB 20, Resolution In Support of Student Commuters at Cal, to the Finance Committee
- SB 21, Resolution in Support of Replenishing the Academic Opportunity Fund, to the Finance Committee
- SB 22, Resolution in Support of an End to Death Sentences in Alameda County, to the Constitutional and Procedural Review Committee, and to the University and External Affairs Committee
- SB 23, Resolution in Support of The Roll 'n Shoot, to the Finance Committee
- SB 24, Resolution to Support the Student Lobby Conference and the National Legislative Conference, to the Finance Committee

Ms. Pasco called for any changes to New Business, and seeing none, said New Business was approved.

APPROVAL OF THE AGENDA (Feb. 4)

Ms. Pasco said they had two Special Orders next week, a moment of silence for Grace Rualo Asuncion and Keeley Saldana, from Early Childhood Education. She called for any changes next week's agenda. A motion to approve was made and seconded by Ms. Chen and Mr. Sakaue and passed with no objection.

Roll call was taken for attendance:

MEMBERS LEGALLY PRESENT:

Sheila Chen	John Moghtader	Lyell Sakaue
Sarah Cho	Eddie Nahabet	Kifah Shah
Mary June Flores	Christina Oatfield	Will Smelko
Saira Hussain	Tara Raffi	Lisa Tran
Oscar Mairena	Claudia Rodriguez	Obiamaka Ude

MEMBERS PRESENT:

Meghana Dhar
Tommy Owens
Tu Tran
Yishi Zuo

MEMBERS ABSENT:

Stephanie Yang

REPORTS FROM REPRESENTATIVES TO THE ASUC

Report from the UCPD Liaison

Sgt. Tucker said he e-mailed the Senate the most recent Crime Alert. He wanted to suggest adding the Senate to the e-mail list so they automatically get those alerts. He asked them to let him know if they had an objection to that, and said that maybe their systems manager could add that.

As for some things that happened over the week, on Thursday at about 8 p.m., one of their officers was hailed by someone at 2525 Durant. A couple of people were being loud, obnoxious, and smoking and drinking right at a private residence. In the City of Berkeley, people can't smoke within 20 feet of any building entrance. The people refused to leave, so the police were hailed, and they ended up having to arrest both of those individuals for making criminal threats; and one of them had a parole violation as well.

Sgt. Tucker said People's Park last weekend, and south campus, was pretty busy. Unfortunately, there were a lot of fights and alcohol-related activity. At People's Park they made about four arrests on Friday, two for battery and for one person, possession of an unlawful weapon and an outstanding warrant. Also Friday night there was a pursuit they may have heard about. The Berkeley PD responded to a robbery that occurred at Dwinelle and Hillegass at about 10:15 that night and pursued that car into Richmond, and it made the news. They made about three other arrests that night. There was a lot of alcohol-fed violence and activity on the south campus On Thursday, Friday, and Saturday.

On Tuesday morning at 2 a.m., one of their officers was on patrol at Grizzly Peak, at the top of the hill behind the campus. Most of the hill, the Ecological Study Area, is UC property, where they often patrol. A car there turned out to have been stolen from Pleasant Hill, and of the people inside the car, one was arrested and the other was linked to a burglary in Walnut Creek.

Sgt. Tucker said that from the preliminary statistics, it looked like over Winter Break they did not have any burglaries on campus or in residence halls, with the exception of Albany Village. And that was phenomenal. Officers spent 800 hours on direct patrol in and around campus properties, and apparently it was very successful.

Sgt. Tucker said the Chief that day met with some student leaders and had a discussion about police oversight and interaction with the student community. One thing that came out of that was a request for him to make sure they all knew about the UCPD's ride-along program. Anybody who is a member of the Cal community can do a ride-along with a police officer. He could help them set that up or people could go to a patrol sergeant or go to the Police Department and ask to talk to the on-duty sergeant or supervisor and they could arrange for them to spend an hour or two with a police officer. People could ride along and watch what they do and hear the radio. It's an interesting way to see what the police do and an opportunity to ask questions about anything they want.

They're moving ahead with the plan for a Student Panel for an upcoming training. That was not to be confused with the Student Forum, scheduled for Wednesday, February 11 from 4:00 to 6:00 in Eshleman Hall, on the 2nd floor. The Student Panel, or officer training, will be an opportunity to put students and representative leaders together so officers could hear directly from them in a classroom environment. Sgt. Tucker said he's been working with Sens. Shah and Owens. He's following up with them and the ASUC President. They really want a diverse group of people and make sure that they get student leaders from many different communities on campus. They don't want it dominated by student government, but want that representation as well. If people have candidates he would ask them to please share that information with Sens. Shah and Owens.

Sgt. Tucker said that one thing that came out of the meeting that day was that because of the Eshleman Hall incident last November, and the police reports, they've learned that there's a lot of confusion about what a police report was and how it could be accessed. There were basically two types of police reports, a "crime report" or an "incident report." They're fairly self-evident. A crime report documents an alleged or observed criminal offense or violation of the law. An incident report documents some other hazard or situation that does not necessarily involve a crime or criminal element.

Police officers receive a lot of training at the Academy and continuing in their career about how to write a good police report. The idea was that they're supposed to collect all the facts as they are presented, written from the police officer's point of view. It's a chronicle of the officer's observations or of what people have told them.

One question that came out of the report was how a police report could contain something that was known to be quote "wrong" or to include "incorrect information." One possibility might be that that was contained within a statement that was presented to the officer, and the officer was presenting it back in the report. The officer was not necessarily claiming that's what happened. The officer was presenting the facts from the witness or person giving the statement. The officer's job, and the investigator's job, was to then look at all the information, evidence, and statements, and make an assessment as to what the most likely conclusion was and whether or not evidence supported or refuted the possibility that a crime has occurred.

Finally, as for the question of access, there's a very detailed description of how to access public records in California in the California Public Records Act, Government Code 6250 and the following sections. It talks about public records being accessible to the public. There's a caveat in that some information could not be released. There's a rule of thumb, that when the public interest in disclosure outweighed the public interest in withholding information, then they disclose; and vice versa. Those are the two things that are balanced, the public interest of disclosing versus the public interest of withholding. They have to make a decision as to what to withhold and what to disclose. Some things are definitely protected by the law,

whether it's educational privacy, federal, state, or medical privacy law, and ongoing investigations. If information was released that might damage their ability to investigate, that information won't be released. But if they want the details, they could check 6250 of the Government Code.

Report from the ASUC Store Operations Board

Mr. Permaul said that the Store Operations Board met last night. He'll briefly go over what took place at the meeting and give some arguments for them as well.

Mr. Permaul said regarding the Cal Student Store @ the Scholars Work Station, at his request the Director, Jeff Deutsch, and the Manager of The Scholar's Workstation, gave him the figures for sales year-to-date, comparing the same timeframe from the last fiscal year to the current year. The Student Store was currently \$1.3 million behind last year's sales, based in great part on the downturn of the economy. At this rate they would expect to see lower returns on their contracted distributions to the Auxiliary at the beginning of the next fiscal year. The Auxiliary gets anything that was above their minimum. They receive that in the next fiscal year, as encumbered in the current year. The figures were calculated based on the year-end. So this year they received funds from the previous year that were above and beyond, because last year they had a banner year. This coming year they may not have a banner year, and may only make the minimum. That's the bad news.

The bright spot could be the opening of The Scholar's Workstation. Although the Auxiliary will not recoup sales in other areas, the TSW is a new source of revenue. In the period between January 5 and January 26, the Store had sales of computers, software, peripherals, and other technology, amounting to \$149,000. They hope these kinds of sales will continue and increase through June 30.

Regarding the Daily Cal proposal, the student editor of the Daily Cal spoke to the SOB last night and will meet on his own, without the General Manager, with a group of students on the Board, to work out details of an agreement to assist the Daily Cal in making it through this difficult financial period for its operations.

The Art Studio announced that day that for the first time in recent memory, all of the proposed classes in the session have enough students to remain viable. Again, he would urge them to go and take a look at it. Mr. Permaul said he took Mike Weinberger, from Recreational Sports, through the Art Studio, and he was so impressed that he was interested in doing a collaboration and to possibly allow the Art Studio to display some of its products in the RSF and sell them there. Mr. Weinberger was also talking about a joint venture, where they might put together a health and wellness program that would include art classes to people who buy access to the Wellness Program. So good things were coming out of their relationship with Rec Sports. But most importantly, the Art Studio was beginning to take a completely new turn.

Regarding the Bear's Lair Food Court, Mr. Permaul said that vendors from the Food Court attended last night's Board meeting and made a plea for the Board to continue working with them to renew their contracts. The vendors claim that they would make a significant investment into their facilities and address issues of sustainability, and want to continue their long tenure on the campus. The Board listened to their

concerns and addressed the proposed Request for Proposal during closed session at the meeting. He'd comment on that later.

Regarding the public comment period at the Board meeting, some of Sen. Oatfield's closest friends, a group of 20 to 30 students spoke in favor of supporting sustainability issues and spoke on the issue of Panda Express coming to campus. The speakers were thoughtful and very courteous to the Board, and passionate in their convictions. One member of the Board commented later that none of the statements addressed financial issues related to the matter; and none spoke to the fact that one of their small vendors had invited Panda after looking at other options, including local businesses. They may not have known. And they did not acknowledge that there was a large corporate entity in the ASUC, much larger than Panda Express, i.e., Follett Bookstore, which has been there for over a decade. The speakers' focus was on the issue of corporate identity on the campus and food service that provided healthy food options on the campus.

Regarding closed session, Mr. Permaul said that during closed session, the Board reviewed three documents: the Panda Express letter of intent, signed by the University and Panda; the term sheet with Tully's Coffee, approved by the campus and by the Tully's franchisee; and the proposed RFP going out for Bear's Lair Food Court areas. The Board authorized the Auxiliary to forward each of the documents to draft contracts and the final RFP for review.

Mr. Permaul said the vote for Panda Express at the Board meeting on Tuesday was 3-2-1 to authorize him to move forward. So it wasn't as though it was a cascading vote. The President of the ASUC also asked him to see if they could arrange for Panda to come and speak with representatives of various student groups for students to address any issues they have. Mr. Permaul said he agreed with her request and he will arrange for that meeting.

Regarding other business, as for the mid-year budget review, Vice Chancellor Nathan Brostrom conducted his mid-year budget review of the ASUC Auxiliary yesterday afternoon. In other words, Mr. Permaul said he was on the hot seat. The Auxiliary, based on lower revenues than expected from their businesses, will either break even against budget or be in the red slightly. That may require the use of some of their operating reserves to balance their year-end. The Vice Chancellor made an observation based on information he received from the President of the Graduate Assembly on the growth of ASUC revenues over the last decade. The Vice Chancellor was surprised that the Auxiliary was able to make returns to student government in past years and to maintain its operations. The Vice Chancellor said that based on his review, in terms of real dollars, ASUC revenues were down 40% over the last decade. During the SOB meeting, a Board member suggested that such low revenues could only hurt the quality and the number of services available to students.

Regarding the ASUC recall election, Mr. Permaul said that once again he wanted to stress the importance of the Constitutional Review Committee's working to revise ASUC By-laws. The ASUC's By-laws as currently written, were inadequate to deal with recall elections or the contemporary use of online services. Sections 2.8 and 2.9 were aimed at printed ballots and paper elections. The logistics surrounding an electronic election need to be written into the Elections By-laws. Changes in the academic calendar from a quarter system to a semester system, and the impact that change had on the timing of elections, as well as requirements for informing students in an official manner on the issues, all needed to be addressed. He didn't know who the Chair of Con-Review was, but he certainly hoped that by the end of the year that the ASUC will have submitted amendments and could approve revised By-laws. Mr. Mairena said he was

the Chair. Mr. Permaul said that if they don't revise the By-laws, they'll put the Judicial Council into a difficult position of interpreting the Constitution.

Mr. Permaul said Sgt. Tucker already talked about the meeting with the UCPD that day. Mr. Permaul said he just wanted to give the Senate some more information about it. The meeting that day was held with the UCPD, students, and administrators and dealt with student involvement of police oversight. He attended, as did the Vice Chancellor of Equity and Inclusion attended, as did the Chief of Police, the Associate Dean of Students Karen Warren, the ASUC and GA Presidents, a representative of the Student Advocate Office, other students and himself. They discussed the issue of how to ensure that the Police Review Board met regularly, including a town hall meeting, which would also take place regularly. There were thoughtful suggestions. While the UCPD has no control over the Police Review Board, it did have a vested interest in ensuring that the campus community used it openly and transparently. Both the Chief and the Vice Chancellor of Equity and Inclusion agreed to speak to Vice Chancellor Nathan Brostrom about ensuring a meeting each semester. The students agreed to look at a mechanism of utilizing the Student Advocate Office's office as a means of ensuring that informal contact between the UCPD and students took place, as well a way to ensure that formal notice was given for when students could expect the Police Review Board to be convened. The UCPD will schedule a follow-up meeting to review the progress of all of these issues. The Chief specifically asked that all of them to take a look at the complaint process. The guide was located by the UCPD and was also on the Web. The UCPD was probably one of the most regulated agencies on the Berkeley campus, even above and beyond Environmental Health and Safety, both in State law and other regulations.

Mr. Permaul said he thought it was important for them, as objective and open-minded members of the campus community, to understand what their role was, how they perform it, and what their obligations and responsibilities were. That didn't mean they didn't hold the police responsible for their conduct, and that's why they have a PRB. But it was also very important for Senators to know what their obligations were and to understand how that process worked.

Mr. Permaul said he sent out to them earlier that day a response to an inquiry that a Senator sent to him about the Bear's Lair Food Court and Panda Express. He wouldn't read the response, but he did want to make some comments about it. He often hears calls for transparency in the room, but he thought they also need to hear a call for honesty. Many of the statements and claims that have been made regarding the work of the Store Operations Board and of Auxiliary business operations that have been misleading, inaccurate, and polemical. Those who make passionate and principled statements should also make thoughtful and reasoned analyses of the whole issue, and not just the side that represents their interests. In the last election they decried people who made partisan, dishonest, and inaccurate statements about candidate Obama. But fortunately, wiser heads prevailed. Mr. Permaul said that he hoped that in the assessment of the ASUC's business agreements, it will be the wiser heads that will prevail, no matter what the decisions were made, and not just the polemicists that only look at issues from one side and reckon that as good public policy.

Mr. Permaul said the Senate has heard both he and Dean Poullard, as they've done over the last few years, speak about the issues of fairness and objectivity over controversies like British Petroleum, the grove at Memorial Stadium, and others. Mr. Permaul said he would that evening raise to them again that issue, and will do so in the future. And he'd plead with them to be the good Berkeley students they are on all issues of public policy, and to be as open, objective, and transparent about these issues from both perspectives, or on both sides of the issue, that they would be for their own viewpoint. He called for any questions.

Ms. Cho said he mentioned in his e-mail that there were many criteria, not just one, concerning bids for the Food Court. She asked if he could elaborate on those. Mr. Permaul said the Board made it very clear last night that they wanted to look at what would be in the best interests of Cal students. That could be something that was very popular, like In 'N Out burgers, which the students like. He asked if that would outweigh issues about healthy food options and asked what would be a balanced approach to what students want. Vegan students only make up 1-2%, or 3-4%, of the student population. If they wanted to have a completely vegetarian or vegan option in the Food Court, he would ask how that would weigh against the interests, needs, and concerns of the rest of the student body. So they want to weigh all these issues. Clearly, revenues to the ASUC would go into the contract.

Mr. Permaul said the Auxiliary will go to a system where Food Court vendors will not only pay base rent, but also a percentage of sales. So they'll know what revenues the Food Court was generating. At the SOB meeting, one of the vendors actually told the Board that they would be willing to invest up to \$300,000 in improvements. If that was the case, the ASUC wasn't charging nearly enough rent. They really had to make sure that they understand the balance between what students want and need and what the ASUC wanted and needed. So there will be things like sustainability, investment in maintenance and upkeep, revenue, food options, and healthy food options, and all of those will be elements. There are 15 different criteria in the RFP, quite a few for vendors. But they already have up to 20 vendors who have approached them with interest about looking at the RFP. So Mr. Permaul said they're looking forward to hopefully a reasonable number of replies.

Ms. Raffi asked if the SOB decided on a method of gauging different students' interests and deciding if there's a disparity between those interests. Mr. Permaul said the students are leading the dialogue on the SOB. The students meet on their own, independent of campus administrators; so he thought that was really a question for the student members. They need to get together and talk about how they will use their judgment to weigh all of the factors.

Ms. Shah asked if he's considered working with the President of the GA and the Lower Sproul Student Council to have a survey done asking students how they felt about certain businesses coming on campus. Mr. Permaul said they absolutely were. The President of the GA is a member of the Lower Sproul Finance Committee and at their last meeting, they had an extensive conversation about that survey. They offered him some resources, among which was the campus' Survey Research Center, which does statistically reliable surveys, so the questions they ask don't come back up to bite them later with people saying they didn't do a fair job of assessment. But the students were shaping those questions, which was the way that it should be. Ms. Pasco said that seeing no further questions, she would like to thank him for his report. Mr. Permaul said he'd like to thank them.

Elected Official Announcements

Ms. Pasco said that on Friday, Poetry for the People, an African American Studies class she's taking, will have a spring kick-off meeting where all the STPs, the Student-Teacher Poets, will perform, as well as other pretty well-known community poets. It will be from 7:00 to 9:00 at Berkeley City College, Milvia near Shattuck. If people want to look at the flier they should let her know. Hopefully by the end of the semester she'll perform at one of these. There will be some really cool poetry.

Ms. Flores said that on Saturday and Sunday, the Community Scholarship Fund School Supply Drive will occur, with Delta Epsilon and Alpha Pi Omega. It will start at 9 a.m. and end at around 4:00 or 5:00. She'll be going and people should let her know if they would like to come. She'll send out more to the listserv. Also, on Sunday, the celebration of Asian Pacific American Women's event will take place at 6 p.m. in Pauley Ballroom. They're currently up to 250 confirmed guests, and it should be exciting. She wanted to thank the Finance Committee for funding this \$1,000.

Standing Committee Reports

Reporting for the Finance Committee, Ms. Hussain said that Ms. Shah sent out the minutes, but there was one small mistake that Ms. Hussain said she would correct in the report.

Ms. Hussain said that roll call was at 9:20. All were present except for Finance Officer Batac and Sen. Zuo, who had an excused absence. Ms. Hussain said she is now Fi-Comm Chair and Sen. Shah is now Vice Chair. They approved the Elections Council Publicity Coordinator, Vinit Sukhija, with an \$800 stipend. They also approved Lindsay Bailey, the Poll Coordinator, with a stipend of \$800. All waivers were approved. SB 2 was amended to \$1,000 and approved; SB 4 was approved after being amended to \$600. At the final roll call, all were present except for Pres. Winston and Ms. Batac.

Begin written report from the Finance Committee

ASUC Standing Committee on Finance
Spring 2009 Session – week 1
Monday, January 26, 2009
9:00 pm, Senate Chambers, Eshleman Hall

Chair: Senator Saira Hussain | Vice Chair: Senator Kifah Shah
Voting Members: Senators Dhar, Flores, Hussain, Nahabet, Rodriguez, Shah, Zuo
Non-Voting Members: President Winston, EVP Pasco, Finance Officer Batac

- I. Roll Call 9:20pm
 - a. All present but Finance Officer Batac, Senator Zuo

- II. Approval of the Agenda for January 26, 2009
 - a. Approved

- III. Committee Business
 - a. Committee Chair Nominations
 - b. Senator Hussain nominated, approved with no objection
 - c. Committee Vice Chair Nominations
 - d. Senator Shah nominated, approved with no objection

- IV. New Business

Written report from the Finance Committee (cont'd)

- a. Appointments
 - i. Elections Council Publicity Chair – Vinit Sukhija
 - ii. Appointed with no objection
 - iii. Poll Coordinator – Lindsay Bailey
 - iv. Approved with no objection
 - v. Each with an Eight Hundred Dollar (\$800) stipend
- b. Waivers
 - i. All Approved
 - ii. AAPL Waiver Approved
- c. SB 2
 - i. Amended to One Thousand Dollars (\$1,000)
 - ii. Approved
- d. SB 4
 - i. Drew A Blank, Amended to Six Hundred Dollars (\$600)
 - ii. Approved

- V. Adjournment
 - a. Roll Call
 - b. All Present but Pres Winston, Finance Officer Batac
 - c. Meeting Adjourned at 11:14pm

End written report from the Finance Committee

Reporting for the Constitutional and Procedural Review Committee, Mr. Mairena said they met on Monday, January 26. All were present except for Solicitor General Hollihan. SB 1 passed as amended. Since there were conflicting decisions between External Affairs and Con-Review, Mr. Mairena said he and the Chair of External Affairs have met and passed SB 1A, as sent out by Con-Review, which was the adopted version at that point. SB 3 was tabled. They'll meet again on February 2, Monday.

Begin written report from the Constitutional and Procedural Review Committee

ASUC Standing Committee on Constitutional and Procedural Review
Spring 2009 Session – week 2
Monday, January 26, 2009
9:00 pm, Senate Lounge, Eshleman Hall

Voting Members: Senators Mairena, Chen, Oatfield, Cho, Sakaue, Smelko, T. Tran

Meeting called to order at 9:10PM

Senators Mairena, Oatfield, Cho, Sakaue, Chen, Smelko and T. Tran are in attendance.

Written report from the Constitutional and Procedural Review Committee (cont'd)

Meeting time and location of Mondays, 9:00 PM in the Senate Lounge
Passed with no objection

I. Selection of Chair and Vice Chair

a. Chair

- i. Senator Mairena was nominated and his nomination was accepted
- ii. Senator Tu Tran was nominated, but declined
- iii. Senator Mairena approved as chair without objection

b. Vice Chair

- i. Senator Cho was nominated, but declined
- ii. Senator Smelko was nominated, but declined
- iii. Senator Sakaue was nominated, and accepted
- iv. Senator Oatfield was nominated, but declined
- v. Senator Chen was nominated, but declined
- vi. Senator Sakaue was approved as vice-chair without objection

I. Approval of the Minutes

- a. Minutes from last meeting were approved without objection

II. Old Business

- a. None

III. New Business

- a. SB 1
 - i. Motion to add Senators Sakaue and Oatfield as co-sponsors
 - A. Approved without objection
 - ii. SB 1A passed without objection
- b. SB 3
 - i. Tabled

IV. Appointments

- a. Judicial Council
 - i. Will interview Friday, January 30 5-7 and During the Committee Meeting on Feb 2nd
 - ii. Interviewees will come at scheduled appointment times
 - i. Applicants are asked to submit résumés
 - ii. Perhaps have applicants answer a list of generic questions before the interview

Written report from the Constitutional and Procedural Review Committee (cont'd)

- iii. Discussion of the clause in the Constitution that the nominees must be considered within two meetings of their nomination
- iv. Senator Oatfield will send out questions when applicants confirm interview times

II. Adjournment

- a. Roll Call
 - i. Senators Cho, Chen, Mairena, Oatfield, Smelko, Sakaue and T. Tran were present
- b. Meeting adjourned at 9:39 PM

End written report from the Constitutional and Procedural Review Committee

Reporting for the University and External Affairs Committee, Ms. Tran said they took roll at 9:20 and everybody was present. She was elected Chair and the Vice Chair is Sen. Owens. They'll meet at 9 p.m. in the June Jordan Room. They heard a presentation on SB 1 by Ronald Cruz. SB 1A was approved out of both committees. SB 3 was tabled. The meeting adjourned at 9:26.

Begin written report from the University and External Affairs Committee

Minutes 1/26/09

9:20 All present
Chair elected: Lisa Tran. Vice Chair elected: Tommy Owens

Location: 9 PM, June Jordan

Presentation for SB1
"The Dream Act"
Ronald Cruz

Goals: Restore Affirmative Action, restore CA integration plans, DREAM act strengthens the movement, we want full citizenship, broad-based change

SB1
3 (for)-3 (against)-0
Bill Fails

9:26: All present

End written report from the University and External Affairs Committee

Mr. Mairena asked to return to the Con-Review report, and wanted the minutes to reflect that the Committee will meet every Monday at 9:00, as Con-Review did last semester. They'll meet in the Senate lounge. He was chosen as Chair and Vice Chair is Sen. Sakaue.

Reporting for the Standing Committee on the Advocacy Agenda, Ms. Pasco said they'll meet on Thursday from 5:00 to 6:00 in the EVP's office.

Reporting for the Advocacy Agenda Committee on Student Health and Mental and Spiritual Well Being, Ms. Shah said they'll have their first meeting on Thursday evening at 9 p.m. People were still trying to adjust their schedules. They'll most likely postpone Tang Center Awareness Week.

Reporting for the Advocacy Agenda Committee on Academic Resources, Improvement, and Employment Security, Ms. Cho said they met on Tuesday at 7 p.m. in the June Jordan Room. She remains the Chair and Ms. Flores remains Vice Chair. That semester they're changing their meeting time and date from Tuesday at 7:00 to every other Thursday from 6:00 to 7:00. Their next meeting will be February 12. They discussed sending out a survey to students about academic resources they felt may be lacking and see what the Committee may work on. They also resolved to get their interns involved in the Committee as well. In terms of New Business, Lecture Notes, as many of them knew, was taking cuts. Sens. Owens and Smelko will meet with the Lecture Notes Director with possible suggestions for minimizing copyright infringement, and possibly requiring a CalNet ID to access lecture notes.

As for security of employment, the Asian Pacific Languages student group on campus will host an event on February 19 to discuss issues and ideas concerning the budget cuts. It will be in the Multicultural Lounge at 4 p.m. The group was trying to do get a big name like Fiona Ma or Ling Chi Wang to come to the event. Ms. Flores has met with a professor about this, and it will be an ongoing campaign. The Committee will create a task force to meet regularly to preserve API. They will need sponsorship and more people to get involved.

As for student systems, to work on fostering communication with administrators and programmers. Sen. Zuo was getting administrators and programmers to sponsor the Bears Breaking Boundaries project and was currently working on the Kualu Project, the Interface Coordinator organizing student input. Sen. T. Tran and interns were on classroom scheduling for study space during Dead Week. Custodians did not report any problems from last semester, when 85 student groups signed up for classroom reservations and 800 students used them.

In terms of the Library bill, which was in the current agenda packet, Sens. Raffi and Chen made a formal proposal to the library people to try and get a 24-hour library by the fourth or fifth week of the semester. In addition, Sen. Flores suggested that the Committee go to a Regents meeting at UCSF to learn more about long-term goals that they could look into as a Committee. Also, Ms. Cho said she suggested that at the next meeting they discuss what academic resources should be offered on Lower Sproul and collaborate with Advocacy Agenda Issue Committee #3. All members were present except for Sen. Smelko.

Begin written report from Advocacy Agenda Committee #2

1.27.2009

Advocacy Agenda #2 Meeting Minutes

Written report Advocacy Agenda Committee #2 (cont'd)

Sarah Remains Chair

This semester: Every other Thursday starting 2/12 6-7 New meeting time. Location: June Jordan

Google Doc to write questions for survey – Academic Resources

Get Interns involved

New Business:

- 1) Lecture notes facing cuts. Will and Tommy meeting with lecture notes director. Possible suggestion to minimize copyright infringement: Cal Net ID?
- 2) Security of employment. Hosting event on Feb 19th to discuss issues. Multicultural Center at 4pm. Trying to get some big names to come, ex. Fiona Ma, Ling Chi Wang. MJ met with professor UM, going to be long campaign involving media release. Create task force to meet regularly to preserve API. Will need sponsorship, manpower and people to get involved.
- 3) Student systems. Fostering communication with administrators and programmers. School of information will be recruiting programmers to work on Bears Breaking boundaries project. Working with the Kualu Project Interface coordinator organizing student input.
- 4) Tu: Interns working with classroom scheduling for study space during dead week. Custodians did not report any problems from last semester. 85 student groups signed up last semester. 800 students used it.
- 5) Library bill in Agenda packet. Tara and Sheila made formal proposal to the library people to try to set up 24 hour libraries by 4th or 5th week.
- 6) MJ suggests that maybe we could go to a regent's meeting at UCSF to learn more about long-term goals.
- 7) Sarah suggests that next meeting we discuss what academic resources should be offered on Lower Sproul.

Roll Call: All present except Senator Smelko.

Adjourn 7:43.

End written report from Advocacy Agenda Committee #2

Reporting for Advocacy Agenda Committee #3, Ms. Raffi said they meet the first and third meetings of the semester so they had no report.

CONSENT CALENDAR

Waivers and SB 4 were up for consideration under the Consent Calendar: SB 2, as amended; and SB 4, as amended.

Ms. Pasco said the Chair would entertain a motion for a one-minute recess. Mr. Mairena moved to recess for three minutes. The motion was seconded by Ms. Tran and passed with no objection. This meeting was recessed.

Back in session, Ms. Pasco said there was a correction to the Consent Calendar. SB 1A actually did not pass in University and External Affairs Committee. So the bill was not under the Consent Calendar at that point.

Mr. Nahabet moved to recess for five minutes. The motion was seconded by Mr. Owens and passed with no objection. This meeting was recessed. Back in session, Mr. Nahabet moved to extend the recess by four minutes. The motion was seconded by Mr. Owens and passed with no objection. This meeting was recessed. Back in session, Mr. Nahabet moved to recess until the discretion of the Chair. The motion was seconded and passed with no objection. This meeting was recessed.

Back in session, Mr. Mairena moved to approve the Consent Calendar. The motion was seconded by Ms. Tran.

THE MOTION TO APPROVE THE CONSENT CALENDAR PASSED WITH NO OBJECTION: SB 2, AS AMENDED.

The AAPL waiver was approved under the Consent Calendar.

The following Resolution, SB 2, as amended in committee, was approved under the Consent Calendar and was authored by Tracy Nguyen and Ms. Yang and was co-sponsored by Ms. Flores:

RESOLUTION IN SUPPORT OF ASIAN AMERICAN PUBLIC LEADERS' (AAPL) AND ASIAN PACIFIC AMERICAN STUDENT DEVELOPMENT (APASD): "CELEBRATION OF ASIAN PACIFIC AMERICAN WOMEN: SOAR (SPEAK OUT AND REPRESENT)"

WHEREAS, the purpose of the Asian American Public Leaders (AAPL) is to ensure that all UC Berkeley students interested in the field of public service:

- Have access to quality information and resources necessary to make well informed decisions about a career in public service

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- Are provided with opportunities and experiences that will help them gain the valuable tools and positive outlook to succeed in their pursuit of a public career
- Promote and develop the Asian American consciousness in the student body through the development of student leaders in student government and civic participation.

WHEREAS, Asian American Public Leaders (AAPL) works to generate an Asian American consciousness throughout Bay Area communities; and

WHEREAS, Asian American Public Leaders promote unity amongst Asian American communities on and off campus and create solidarity in a community that is not separated by cultural differences, but rather, brought together by their common struggle; and

WHEREAS, due to stereotypes, many people are unaware of the social pressures, accomplishments, and the history of Asian American women and the progress of Asian American women who try to effectively embrace their professional roles has been impeded because of how the media represents them; and

WHEREAS, Asian American women have made great contributions in the movement for social justice and equality for all communities; and

WHEREAS, to acknowledge the power, strength and capabilities of these women, Asian American Public Leaders is hosting their 2nd annual event known as "Celebration of Asian Pacific American Women: SOAR," on Sunday, February 1st, 2009; and

WHEREAS, the event will create dialogue between Asian Pacific American women and other women of color who are activists and artists across different cultures, generations, and communities; and

WHEREAS, the event will attempt to deconstruct the oppression of Asian American women, from a multi-disciplinary approach that will include: community dialogues, educational speakers, the politicization of the personal, art as a form of resistance and self-expression, and mobilization for action; and

WHEREAS, critical to this event is the centralization of the experiences of the attendees. AAPL and APASD believe that empowerment is not something bestowed upon women through arbitrary "authority," but is rather a process of self-education and self-recognition of the multiple ways in which Asian American women speak, dance, create, and exist; and

WHEREAS, Ultimately, AAPL and APASD want to transcend the conversations of one night and become a part of the epistemologies that dictate society, creating a space for our ideas to soar, to transform our world long after this solitary evening; and

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WHEREAS, Asian American Public Leaders' projected expenses for the event are: Total, \$5,911.50.

THEREFORE, BE IT RESOLVED, that the ASUC recognize Asian American Public Leaders as a second-year ASUC sponsored Student Activity Group (SAG).

BE IT FURTHER RESOLVED, that the Asian American Public Leaders' "Celebration of Asian Pacific American Women: SOAR" be considered an ASUC-sponsored event; and

BE IT FINALLY RESOLVED, that the ASUC allocate \$1,000 (one thousand dollars) from the Senate Contingency Fund to the Asian American Public Leaders' "Celebration of Asian Pacific American Women."

APPOINTED OFFICIAL REPORTS

Report from the Commissioner of Diversity Affairs

Mr. Dolores said he had a follow-up to some questions Senators asked. Sen. Owens asked him about financial support. Those estimates have not been made yet. He will convene a meeting with the Commission and his staff on Friday at 2:00. Sen. Cho asked about structural programming of dates. Mr. Dolores said the structure has changed dramatically and he'll outline that in a report he'll e-mail to the Senate. Instead of taking a program approach, they have decided that it will have to come on a project-based report approach. That means the Commission will take on a service and support role rather than having a strict structure of having a program holding forums and trying to force and advocate the issues each community has. That decision was primarily because each community already hosts its own issues conferences. So he didn't see the need to overlap on those conferences. But there was a need for service and support. By that, he was talking about networking and program support, in terms of him getting support from administrators and officials, and advertising conferences on the campus, things like that. That will be outlined in the report he sends out to the Senate.

In terms of the issues that were discussed, there were a lot of issues that communities he met with brought up. But he only met with three major communities on campus. He met APAC, AASD, and the Raza caucus. Although not all the issues that were discussed were within the jurisdiction of the ASUC, he's decided that it was probably best to include those issues in the report, just so the Senate was aware of them. He called for any questions.

Ms. Flores asked what other organizations or communities he planned to meet with that week or the following week. Mr. Dolores said he wasn't specifically meeting with organizations, but he'll meet with the

Vice Chancellor of Equity and Inclusion and Ms. Padilla, who works with Nancy Chu, Title IX/VI Compliance Officer. That weekend he'll meet with SJP, Tikvah, and Muslim Student Association.

Mr. Zuo asked if he could talk to student groups that work with out-of-State and international students. Mr. Dolores said he would. He asked to have an e-mail sent to him of any suggestions Mr. Zuo had.

Ms. Cho asked what will be discussed with the groups he mentioned. Mr. Dolores said so far he's identified two major, overarching themes, the cap on enrollment and development of the MCC. Those will take center stage for what they'll discuss. The other things they'll discuss was what he outlined before, when he talked to the Senate about representational issues and issues of community space. The Senate might also be interested in that while he'll do monthly reports, at the end of the semester he'll do a comprehensive report, an evaluation of how well the ASUC has responded to issues communities were facing.

Mr. Dolores said he'll also meet with Pres. Winston and with her directors on diversity. They'll discuss the possible entrance of her directors on diversity to the Commission as part of a coalition on diversity affairs. The exact agenda on what they'll discuss wasn't outlined. But he'll forward the Senate the minutes of that meeting.

Ms. Flores asked how students could participate in the Commission. Mr. Dolores students could attend meetings. Ms. Flores asked about staff he mentioned. Mr. Dolores said that staff consists of a secretary, an Operations Officer, and a Student Relations Officer. They're people he works with. He's decided that as Commissioner, he will comply with standards of transparency, so he's asked all of them to file an internship application with the ASUC. That's the structure they'll use.

Ms. Cho asked if there was a general meeting scheduled. Mr. Dolores asked if she meant an open forum, and said he could talk to the Commission about holding one. The next meeting they're having will be an emergency or expedited meeting because they had a lot of things to discuss. Not all of them were in the system and haven't filed applications yet. But he found it necessary due to time constraints to talk about things on his agenda to get them up to speed. He'll talk to them about an open forum for anybody to come and talk. Ms. Pasco said that seeing no further questions, she wanted to thank him very much.

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

Report from the Graduate Assembly Representative

Mr. Daal said the Graduate Assembly's February meeting will be next Thursday at 5 p.m. in the Senate Chamber. Nathan Brostrom will be present, the Vice Chancellor for Administration. Overseeing the Police Department, the sustainability program, Recreational Sports, and Athletics. Mr. Brostrom was very interesting, and Mr. Daal said he would encourage people to attend.

The next Lower Sproul Student Council meeting will be Tuesday at 6 p.m., in Eshleman or Anthony Hall. They had a meeting on Monday at which they updated people as to what was going on. The next meeting

will be more business oriented and task oriented, in moving forward. He hoped their semester was going well and called for any questions.

Ms. Cho asked if there was a specific reason why Mr. Brostrom was coming to the GA meeting. Mr. Daal said the GA typically has a speaker. In December it was the Chancellor. Ms. Cho asked if Mr. Brostrom will address anything specifically. Mr. Daal said he'll talk about the budgetary turmoil the campus was in. The University was broke, as the Vice Chancellor puts it. Seeing no further questions, Mr. Patel said she would like to thank him very much.

ITEMS FOR IMMEDIATE CONSIDERATION

The following Resolution, SB 4, as amended in committee, was authored by Ms. Oatfield:

RESOLUTION IN SUPPORT OF CONTINUING STUDENT INVOLVEMENT IN THE NATIONAL MOVEMENT TO MITIGATE GLOBAL CLIMATE CHANGE

WHEREAS, global climate change is caused by increased greenhouse gas emissions that raise the overall temperature of the earth; and

WHEREAS, global climate change will adversely effect food security, species survival, freshwater supplies, and human health worldwide. However, people of color, the working class, and people in developing countries will bear a disproportionate burden of the effects; and

WHEREAS, scientific consensus confirms that climate change is a global problem, and a number of conferences, negotiations, and task forces have convened to transfer the scientific concern into the political arena, including: the 1992 United Nations Framework Convention on Climate Change (UNFCCC), the Intergovernmental Panel and Climate Change (IPCC, est. in 1988), and the 1997 Kyoto Protocol; and

WHEREAS, the United States federal government still does not have any comprehensive national plan or method to reduce green house gas emissions at the level that is needed to prevent climate change despite the fact that the United States alone is responsible for roughly a quarter of the world's greenhouse gas emissions; and

WHEREAS, it is the responsibility of students at UC Berkeley, the preeminent public university in the world, to take leadership in participating in the scientific, political, and ethical questions of climate change and developing and collaborating on solutions; and

WHEREAS, in November 2007, 18 UC Berkeley students attended the Powershift conference in Washington D.C. Several of these students would not have been able to attend without the generous grant that the group received from the ASUC. Keynote speakers included Nancy Pelosi and Van Jones. There were hundreds of workshops on topics ranging from fair trade to

RESOLUTION IN SUPPORT OF CONTINUING STUDENT INVOLVEMENT IN THE NATIONAL
MOVEMENT TO MITIGATE GLOBAL CLIMATE CHANGE (cont'd)

public speaking to climate change research to lobbying policy makers. Over 6,000 students from all over the United States attended the conference.

WHEREAS, there will be another Powershift Conference this year on February 27 through March 2, 2009. It is projected by the conference organizers that there will be 15,000 participants from all over the nation. There are about 15 UC Berkeley students who would like to attend, depending on how much scholarship money is available to them. These students are all active in environmental organizations on campus and are likely to continue to be part of the movement to mitigate climate change in the future; and

WHEREAS, the budget for a single UC Berkeley student intending to attend the Powershift conference is, approximately, as follows:

Plane ticket to Washington DC: \$310
Metro travel within the DC area: \$10
Conference registration fee: \$60
Total: \$380; and

WHEREAS, the Energy Action Coalition, the coalition of over forty NGOs coordinating this event, has a scholarship fund for student attendees who are traveling from far away. However, because the Energy Action Coalition itself is a non-profit trying to serve the community and host a conference for up to 15,000 students, they request in their scholarship application that applicants strive to match any scholarship request with other sources of funding;

THEREFORE IT BE RESOLVED THAT, the ASUC allocate \$600 to the ASUC Sustainability Team account to sponsor UC Berkeley student delegates to Powershift 09.

Ms. Oatfield said she knew some of them may not be all on the same page. SB 4 was a bill to get funding for a group of students who would like to go to a conference in Washington, D.C. called "Powershift." It's a Conference about climate change and how people, particularly in the United States, can mitigate climate change. UC Berkeley sent a group of about 15 to 18 students to the last Powershift Conference in November of 2007, including herself, and it was quite an amazing experience. It was the largest youth conference on climate change ever, in the world, she believed, if not one of the largest conferences on climate change in the world. It was really exciting because there were students from every State in the country there, with over 5,000 students. And she's heard an estimate of 6,000 students being there. On the last day of the Conference they actually met with Senators and congressional representatives and their staffpeople and discussed various policies on the table at the time, and future goals to mitigate climate change.

This year the Conference was projected to have about 10,000 attendees. Both Powershift Conferences, she believed, will go down in history as monumental events in the movement to mitigate climate change. She thought UC Berkeley should be really proud to be sending students to this Conference.

Ms. Oatfield said she was a little disappointed that at Fi-Comm on Monday the bill got cut down to \$600, but she knew the budget was tight for everyone. But she would be really disappointed to have to go and tell the students who would like to go to this Conference that it got cut down even more. Some students were still on the fence as to whether or not they were going to attend simply because it's expensive to book a plane ticket to Washington, D.C. There was also a registration fee; and all those things add up. There are some students who were waiting to find out how much money was available before they book their plane ticket; and plane ticket prices increase as they get closer to the date of the Conference. So she would really urge the Senate to not cut the bill any more. She called for any questions.

Mr. Nahabet asked if the group has made an attempt to have any fundraisers. Ms. Oatfield said some students were contacting departments about getting sponsorship from their department. They're also applying to the Academic Opportunity Fund, as Sen. Zuo advised. But the AOF was pretty low at that time, which was why they also submitted SB 4. The organization sponsoring Powershift has a scholarship and a couple of students were applying.

Mr. Nahabet said that when they voted for the Stop the War Coalition, the Senate did not pay for any of the registration fees. In addition, he was disappointed when he learned there had been no efforts to have fundraising events set up by the organization to assist in funding its trip. He wasn't in favor of the ASUC paying for any conference registration fees.

Mr. Zuo said he was one of the Senators on Fi-Comm who voted for \$600. As a member of Fi-Comm he's seen a lot of applications for trips to different countries and states. A lot of people who want to go apply individually and also apply as a group. The way they do funding was to split up the maximum allocation received among the recipients. For events as large as this Conference, especially from the Academic Opportunity Fund, the funding was very limited. In terms of precedent, there was one group last semester that applied to both, AOF and the Senate, and didn't get money for both. So the original amount out of Fi-Comm, \$600, was too much. He tried to get a consensus and ultimately the Committee arrived at \$600. He personally thought that would be a fair number.

Ms. Oatfield said that regardless of how people might feel about the precedent of funding conference fees, the students who attend this Conference will have to put down around \$300 for a plane ticket. She thought what was definitely taken into consideration was the holistic budget that students were looking at.

Ms. Rodriguez said that given that the Berkeley Stop the War Coalition conference that came up earlier in the Fall Semester was brought up, she wanted to point out that there was a difference between that bill and the current one. The amounts of the bills were different. SB 4 called for the maximum \$1,500 and the bill for the Conference last semester didn't request that amount. Also, the number of participants was very different. Amendments were made to the bill last semester because it turned out that there were only two individuals who would attend. For the current bill, 15 or 20 students were interested. If the Senate passed the bill as it was passed on Monday, they'll be able to support about 20 students attending and representing the University. So the situations with the two bills were not the same.

Mr. Nahabet moved to recess for three minutes. The motion was seconded by Mr. Owens and passed with no objection. This meeting was recessed. Back in session, Ms. Hussain moved to recess until the discretion of the Chair. The motion was seconded by Mr. Owens and passed with no objection. This meeting was recessed.

Back in session, Mr. Mairena moved to approve SB 4. He asked to rescind the motion.

Ms. Chen moved to extend speaking time. The motion was seconded by Ms. Oatfield and passed with no objection.

Ms. Oatfield called for any questions.

Ms. Raffi asked where the Conference will be held. Ms. Oatfield said it will be in Washington, D.C. Ms. Raffi asked how many people have expressed an interest in attending. Ms. Oatfield said 10 people have either already booked their tickets or were seriously considering to do so by that weekend. And maybe another four or five would like to go, but given the costs, may end up not going. Ms. Raffi asked if these students have actually registered yet for the Conference. Ms. Oatfield said one or two may have, but they're encouraging most people to wait and see if they have over ten people, for which they'd get a \$5 discount per person for the registration fee. Ms. Ro asked what the registration fee was. Ms. Oatfield said it's \$35 per student if they book it as a large group, or \$40 for individuals. It might be going up in order to encourage people to get their tickets, and could go up as much as \$15. Ms. Raffi said she was under the impression that it had already gone up.

Mr. Nahabet asked if she said in Fi-Comm that the registration went up to \$60. Ms. Oatfield said she had heard that, but in the meantime she heard the \$40 reg fee was extended. She should have sent out an amended version of the bill and would apologize. Mr. Nahabet asked if she was aware there was a ten-person group discount, which took down the registration fee. Ms. Oatfield said she was, and just explained that to Sen. Raffi.

Ms. Raffi said that because a lot of people have been uncomfortable funding \$600, or ten students at \$60 each, she asked how Ms. Oatfield felt about amending the bill. Ms. Oatfield said she was requesting that they look at the budget holistically because everyone going will not only have to pay the registration fee, whatever it was, but airfare. Hopefully they'll get the group discount because ten people will feel comfortable booking a plane ticket because they have adequate funding for the Conference. Plane tickets were \$300, and she would like Senators to consider that when allocating money for this.

Ms. Cho asked if she was aware that the Senate couldn't fund transportation outside the Bay Area. Ms. Oatfield said that Fi-Comm gave a fee waiver for several hundred dollars for the Sustainability Team to allocate some of their funds to this program. So a fee waiver has already been granted for travel outside the Bay Area, assuming Fi-Comm could do that for this allocation as well. Ms. Cho said that being on Fi-Comm last semester, she recalled that they never actually funded travel outside the Bay Area. Waivers were for something that happened unexpectedly. But according to the bill, the Senate couldn't fund something assuming there was going to be a waiver. But it would be acceptable if there was a waiver. Ms. Oatfield said she wasn't on Fi-Comm and wasn't totally in the loop for all these precedents. She would hope that members of the Fi-Comm take the group's involvement to mitigate climate change very seriously and that it wholeheartedly supports sending as many students as possible to this Conference. But she was starting to get the feeling that wasn't the case.

On a point of information, Ms. Shah said that Ms. Cho said there were no waivers last semester for travel outside the Bay Area. Ms. Cho said that wasn't what she said, and said that when they were looking at bills in Fi-Comm, they allowed waivers when they look at budgets. But they didn't assume that the waiver would come before funding.

Ms. Chen asked when she found out that registration rates went down, or about the early registration fee. Ms. Oatfield said she thought it was the night she got home from Fi-Comm, two nights ago.

Mr. Nahabet said he was a little worried. As they said in Fi-Comm, they can't fund trips or transportation. The fact that Sen. Oatfield found out about early registration, or a group package, reducing the financial burden on students, and didn't inform the Senate as soon as they discussed the bill on the floor, was a little disappointing to him. In addition, he was sure the Web site has been up for a while, so he was also a little disappointed that this was not brought up in Fi-Comm. But he was glad they now knew that they could send students. With the knowledge that Fi-Comm had, that the registration fee was \$60, it allocated \$600 to help out. With the new information that the registration fee could actually be \$35 per student, he thought it was very fair to ask to have the allocation reduced.

Ms. Dhar said she agreed with Sen. Nahabet and felt there was misinformation in Fi-Comm. If they need to be held accountable as members of Fi-Comm, it was really important that information stayed straight. The registration fee has changed and it was only fair to adjust the numbers accordingly, and make sure they have all the information right at that point.

Ms. Oatfield said she was sorry about all the confusion about the registration fee. At the time she sent out the amended version of the bill, with a registration fee of \$65, the Web site said it was going up. And then the cheaper registration fee deadline was extended. She sincerely would apologize for all the confusion about the price of the fee. She would like again to emphasize that this conversation shouldn't just be about the registration fee. These were all Berkeley students who had to get to Washington, D.C., which was really expensive.

Ms. Cho she would like to propose sticking with the wording of the Constitution and not fund for areas they're not supposed to fund. She also thought everyone should go with Fi-Comm's rationale and fund the entire registration fee for the ten students who were officially attending. She would assume that amount would be \$350.

Ms. Rodriguez said she was disappointed that people didn't understand that everybody had limited resources and that everybody couldn't afford to make this trip. She wanted to make sure the Senate considered registration only. Sen. Oatfield clearly said it was not for transportation, which had to be taken care of in another way. But people should be aware that this was a very expensive trip. The students going will represent Berkeley students and the University, and will bring things back from the Conference, to their departments, student groups, and to the campus community in general. She was disappointed that people didn't realize the trip was expensive and was something the ASUC could support for the students.

Ms. Cho said Ms. Oatfield mentioned transportation, and the bill had three lines for transportation and one for registration. She asked if Ms. Oatfield could clarify that. Ms. Rodriguez said that based on Fi-Comm, they made it clear they couldn't, for this specific bill, cover the transportation. A group came in for a waiver to help with transportation costs, but the bill wasn't passed for transportation, but to help defray registration costs. Ms. Cho asked if she was saying that there are lines in the budget that were not included in the bill, and that the group didn't expect that to be covered. Ms. Rodriguez said that in Fi-Comm, the bill was just for registration. Other questions could be asked of Ms. Oatfield.

Ms. Raffi said that in response to Ms. Rodriguez, they realize this was an expensive trip to make in general, but nevertheless, the Senate was funding it to the extent that was allowed by the Senate. She didn't think the Senate should turn their heads on the ways to inadvertently fund travel because it's an overall expensive trip. The Senate had to consider very carefully what it was and wasn't allowed to fund, and not try to go around that.

Ms. Flores said that all of the discussion has revolved around individuals going on this trip. But she would like to remind the Senate that this was the ASUC Sustainability Team, an organization that was going to the Conference. So instead of focusing on reg fees for individuals, she would ask about looking at the whole organization, for which the ASUC was accountable. This would fund the Sustainability Team, which all these students were a part of. So instead of limiting it to individuals, who can apply to the AOF grant, this was an organization on campus. Funding \$600 to an organization that was part of the ASUC was accountable to the ASUC.

Ms. Cho said that Sen. Flores made a good point that sustainability was part of the ASUC. But at the same time, that was more reason for them to be constitutional in everything they did. The focus was not on reg fees, but having the bill remain constitutional. They should amend the bill instead of possibly being unconstitutional in the Senate's actions.

Ms. Shah said she didn't think it said anywhere in the Constitution that the Senate couldn't support registration fees. The Senate didn't do it in the past with the Berkeley Stop the War Coalition, which was her bill. At that point the Senate has had a long discussion. Members of Fi-Comm on Monday agreed with a lot of debate from this group. The members themselves responded to Sen. Nahabet's question as to what they were getting out of this in terms of how they want to bring things back to the campus community. It was almost unnecessary to be talking about this so much. She would support the group receiving this funding because however much the Senate funded, that many additional people would be able to go. This group was one of a kind on the campus and worked with a goal the Senate had, to be sustainable. So it kept the Senate accountable. The bill was being contended for almost no reason at that point. If they want to bring the bill down, she wanted to know how much. If the amount was \$200, it was almost unnecessary to be arguing so much.

Mr. Owens said this debate really wasn't working. They're all making statements for or against, and it was between three or four individuals in the Senate. He would like people to either recess or talk about this in a committee of the whole, because it was 9:15 and they're still just going around, butting heads. He didn't think anything was coming out of this. The Senate had a lot of things to discuss, and he thought they should just recess to figure this out.

Mr. Mairena said that regarding registration fees and how new developments came up, the bill was already being argued to be cut before people found out about these developments. He wanted to ask Senators to not come in there with their minds already set and to really be open to the conversations going on in the room. It seemed that when people came in there and already knew what they wanted, even before they found out about new developments, and then used those developments as a reason to cut a group, they were just showing a pre-set mentality.

Ms. Cho asked if he recognized that a lot of people came in without a set amount. Mr. Mairena said his statement was kind of outdated and that rationale was cited about 20 minutes ago.

Ms. Shah moved to meet in a committee of the whole. The motion was seconded by Ms. Flores. Ms. Shah asked to rescind the motion.

On a point of order, Ms. Raffi said she thought they decided as a Senate they would save motions to meet in a committee of the whole for procedural issues so that important and relevant debate could be captured into the minutes.

Ms. Shah moved to recess for five minutes. The motion was seconded by Ms. Ude and passed by hand-vote 12-6-0. This meeting was recessed.

Back in session, Ms. Pasco said asked people having side conversations to please take them outside. For a time check, she said it was 9:27.

Mr. Mairena moved to create a blank. He asked to rescind the motion.

Ms. Oatfield said there's travel to the DC area, which may have been overlooked.

On a point of order, Ms. Raffi asked who spoke last before the recess. Ms. Pasco said it was Mr. Owens.

Ms. Oatfield said about ten people were asking her how much money the ASUC will give because they really wanted to buy plane tickets that week. About five people or so were considering going, but were likely not to go due to financial circumstances. But what she's really been trying to say was that it wasn't the Constitution that prohibited travel outside the Bay Area, but the By-laws. She knew a group of people who will use ASUC funding to pay for food and go on a ski trip to Lake Tahoe quite soon; and that group of people, the Senate, happened to be people talking about how the ASUC can't fund travel outside the Bay Area. For the purpose of engaging students in a huge, national movement to mitigate climate change, she thought that was important to point out. She would encourage someone to move to fill in the blank.

Mr. Nahabet asked what fund the money for the trip to Lake Tahoe was coming out of. Ms. Pasco said it was from the Senate-only account. Mr. Nahabet asked if there were any restrictions on that fund. Ms. Pasco said there were. Mr. Nahabet asked if they included restrictions on travel outside the Bay Area counties. Ms. Pasco asked the Senate to please stand at ease. She asked Mr. Nahabet where in the By-laws he was referring to in terms of Senate-only restrictions. Mr. Nahabet said that's what he was asking. Ms. Pasco said would ask for his assistance in finding the answer to his question. Mr. Nahabet said he would rescind his point of information and look for that afterwards.

On a point of information, Ms. Chen asked if the EVP could please look into this issue and if there restrictions in terms of the Senate-only fund. And if there are restrictions, she would ask them to figure out different plans for a retreat so they're in compliance with the Constitution and the By-laws. Ms. Pasco said so everyone knew, Jan Crowder was the Senate's advisor. They've been talking about transportation for over a month now. If there was a violation of the By-laws, Ms. Crowder would have let her know as well. Mr. Nahabet said he would like to thank her.

On a point of order, Mr. Mairena asked what a "point of information" was. Ms. Pasco said it's a request of information from the body. Mr. Mairena asked if that was one of the points that could be made according to Robert's Rules.

Ms. Cho said that “information” was very vague, and people could request anything. There was no restriction on the information one can request.

Mr. Smelko said he wanted some clarification on what they were doing. He asked if they agreed that they were going to inflate the budget on registration just to pay for something they can't constitutionally or usually pay for, such as travel. Ms. Oatfield said that again, she was asking the Senate to look at the budget holistically and to use their values. She was not asking them to pay for that portion of the budget, or that portion only. She was asking people to consider that there are 10 to 15 students who want to go to this Conference, and this was how much they were looking at paying. If Senators really believed in this cause, she would ask them to help these students out as much as possible.

Mr. Smelko asked how much she thought would be taken care of from other sources for the other stuff outside of travel. Ms. Oatfield said they're applying for a scholarship from the organization putting on the Conference, and that would cover, at most, 50% of the cost, asking the student to match the amount of the scholarship. People were also applying to the Academic Opportunity Fund.

Ms. Raffi said that in response to something Sen. Shah said a long time ago, the Senate wasn't actually trying to cut down the money it would grant for registration fees, and they were actually funding registration fees to the maximum capacity, and funding the entire bill to the maximum amount possible, according to the Constitution and By-laws. Additionally, in response to Sen. Shah, however much they fund, and however many get to go, was not what was happening, because they're funding the full amount of people who have expressed solid interest in attending. If there were more people than ten, as Ms. Oatfield reported, the Senate would be funding more for their registration fees exclusively. To echo what has been said repeatedly, the Senate couldn't inflate the budget to account for travel fees outside of registration fees.

On a point of information, Ms. Ude asked what amount Ms. Raffi made that comment in reference to, and if Ms. Raffi was talking about the \$600, the amount that was passed in Fi-Comm. Ms. Raffi said she was referring to Sen. Shah's comment in general, and she did not know what Sen. Shah was referring to. The Senate expressed funding the entire amount for registration fees, and currently, that amount stands at \$350, once they have adjusted for the new registration fee that has been stated. Ms. Oatfield asked if Ms. Ude was asking a question. Ms. Ude said she wasn't. Ms. Pasco said the point of information was out of order.

Ms. Ude said that Ms. Oatfield has pointed out that ten people indicated to her that they were die-hard attendees, but she also mentioned that there were five other people. So it was a sliding amount, from 10 to 15 people who would like to go. And Ms. Oatfield has informed the Senate that registration fees were now \$40. Ms. Ude said she thought the Senate could at least maintain \$600 and accommodate for those extra five people, since the Senate couldn't help with travel. That would provide balance for the other five people who wanted to attend. She would like to maintain the \$600 if they could, especially if they couldn't maintain the transportation.

Ms. Cho said she didn't recall at any Fi-Comm meeting funding “potential” budget items. The Senate had to fund what was expressed to them that was solid and planned. The Senate didn't know if the extra five people that Ms. Ude spoke will attend the Conference or not. That wasn't something the Senate should be discussing.

Ms. Shah said the amount of people who can go depended on how many people got funding for registration and got support from other funds. The more money the Senate allocated, the more people could go. That was easy to see. Aside from that, if they multiply the group discount, it was \$525. She thought allocating \$350 was too drastic and far too low. She would propose that as an alternative amount. Aside from that, they tossed around in e-mails over the break how great it was to see students from Berkeley going to different places, helping out different people, and bettering their community on campus and abroad. The Senate wasn't living up to those supposed goals and expectations they have for themselves and their campus. She mentioned that in Fi-Comm. What they were debating on the Senate floor was how many can go to this Conference and learn about bettering the environment. She knew that wasn't specifically what the Senate was debating, but the allocation was about how many more people could go, learn, come back to the campus, and bring that information back, and bring great things to their campus. Outside that, if the Senate allocated money for 15 people, the potential amount of people going, at \$35, the group rate, that would result in \$525.

Mr. Nahabet asked if she was recommending that the Senate fund the entire registration fee. Ms. Shah said she was, \$35 for the entire registration fee for 15 people. But there weren't exactly 15 people going, and there might be more.

Ms. Chen said that just because they, as a collective body, were trying to come up with a fair allocation didn't mean people were forgetting how great the whole project and event actually was. She thought this event was really cool and she's expressed interest in it before. She really believed in this cause, and that's why she believed the Senate should fund the registration fee line item. In her history on Fi-Comm last semester, Ms. Chen said she never really advocated funding for even a majority of conference fees prior to this event. So she really actually did support this. But taking this bill and the line item budget into consideration, she thought an allocation of \$350 was really fair for this bill. Ms. Oatfield mentioned a certain number of individuals who were committed, ten she believed, and funding for five people who most likely couldn't go because of financial circumstances was not fair. That wasn't to say she wasn't being sensitive to people's financial situation. Ms. Chen said she herself was fundraising for a convention later on that year. But the Senate couldn't fund something just because of potential. She would ask them to think of all the hundreds of student groups on the campus who come there and ask for money for something that they already had plans for. If the Senate didn't fund them a bare minimum, the group couldn't make their events or projects happen. It wasn't for Senators to sit there and say they're going to give money to five people who are potentially going. If potential people were committed, that would be a completely different story. But in this case, considering the circumstances as they stand, the parameters of the bill, and the information that arose that day, and with registration at \$35 and ten students were committed, she believed \$350 was a fair allocation. She wasn't advocating for more or less. That amount was how much she believed in the event. Fi-Comm Senators who served with her last semester could testify that she did not advocate for the ASUC to contribute to more than half the registration fees, and this was something she was saying she believed in.

Ms. Ude said it wasn't right for the Senate to completely write students off from thinking about going. Regular people planning a trip find it contingent on how much help they could get. She didn't think it was necessarily fair to write people off because they weren't sure if they were going. Also, funding in the ASUC to student groups was done retroactively, so if students don't go, the Senate wasn't necessarily taking funds away from other student groups and the funds just wouldn't get spent. She didn't think the Senate should write people off by limiting the budget. If students don't go, the money would be allocated

anyway to others. Allocations are done by receipt, so they'd see by receipt so she didn't think that was so much of a concern.

Ms. Oatfield moved to create a blank. The motion was seconded by Mr. Mairena. The motion to create a blank passed by hand-vote 14-3-0. Ms. Pasco called for proposed amendments to SB 4. Ms. Chen proposed \$350. Ms. Ude proposed \$550. Mr. Owens proposed \$250. Ms. Flores proposed \$600. Mr. Nahabet proposed \$275. Ms. Rodriguez proposed \$450. Ms. Raffi proposed \$525.

Mr. Sakaue asked for the Senate to consider blanks only if they have 14 votes. He would ask for a straw poll of whether that could be a working agreement for at least that meeting, that they only approve filling in a blank if the number got 14 votes. After a straw poll was held, Mr. Sakaue said he would like to thank the Senate for that consensus. He was requesting that the Chair only consider the blank filled if the amount had 14 votes. That would change the passage of a blank from 11 votes to 14, since the threshold for passing a bill in the Senate was 14. So an amount that got 11 votes and was approved as the amount to fill in the blank wouldn't pass if it didn't get 14 votes. They could go through the same debate for another hour.

Mr. Nahabet said he agreed with that proposal. Unless the Senate knew it had 14 votes for an amount, it shouldn't pass an amount if that number just had a simple majority.

On a point of order, Mr. Sakaue said that to make this process go into effect, he asked if he needed to write a bill. Ms. Pasco said he would. Mr. Sakaue asked if they could take a straw poll before they vote on each amount, and then only vote on an amount that had 14 votes. Ms. Pasco said they could follow that procedure.

Ms. Raffi asked to remove \$525.

Ms. Pasco said the first amendment up for consideration was \$600. A request for a straw poll was made and seconded by Ms. Shah and Ms. Raffi. A straw poll was taken on approving \$600 for SB 4. Ms. Pasco said the result was 8-5-1, and the motion would fail.

Mr. Sakaue asked to remove the \$600 amount from the proposed amounts. Ms. Pasco said they'd just go with the process and vote on the \$600 amount.

The motion to approve \$600 as the amendment to SB 4A failed by hand-vote 0-4-0.

The motion to approve \$550 as the amendment failed by hand-vote 9-4-2.

Ms. Flores asked if she could ask Sen. Nahabet why he was filming them. Ms. Pasco asked if that was something they could address during a recess.

The motion to approve \$450 as the amendment to SB 4A failed by hand-vote 10-3-1.

THE MOTION TO APPROVE \$350 AS THE AMENDMENT TO SB 4A PASSED BY HAND-VOTE 16-0-0.

A roll call vote was requested by Mr. Owens and Mr. Sakaue:

Roll call was taken on the motion to approve SB 4, as amended:

YES

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

A motion to close the rolls was made and seconded and passed with no objection.

THE MOTION TO APPROVE SB 4, AS AMENDED IN COMMITTEE AND ON THE FLOOR, AT \$350, PASSED 17-0-0, RESOLUTION IN SUPPORT OF CONTINUING STUDENT INVOLVEMENT IN THE NATIONAL MOVEMENT TO MITIGATE GLOBAL CLIMATE CHANGE. Voting comments were heard.

Mr. Mairena moved to reconsider SB 1A. The motion was seconded by Ms. Flores. THE MOTION TO RECONSIDER SB 1A PASSED WITH NO OBJECTION.

Mr. Nahabet moved to go to Appointed Official Reports. The motion was seconded and failed by hand-vote 4-5-3.

Ms. Pasco said they were in consideration of SB 1A.

The following Resolution, SB 1, as amended in committee, was authored by Ronald Cruz and Ms. Flores and was co-sponsored by Ms. Rodriguez, Mr. Mairena, Mr. Sakaue, and Ms. Oatfield:

RESOLUTION IN SUPPORT OF THE FEDERAL DREAM ACT

WHEREAS, the ASUC supports the equality and dignity of undocumented immigrant students, as expressed by its Resolution (SB 30) in September 2008 calling on Governor Schwarzenegger to sign the California DREAM Act; and

WHEREAS, there is an historic opportunity of winning the Federal DREAM Act, which would allow undocumented immigrant students to receive federal financial aid and open a path to citizenship; and

WHEREAS, passing the Federal DREAM Act will establish the important principle that undocumented students can no longer be assigned to a second-class, inferior status and must be treated with respect and dignity. The long-standing legal right of undocumented students to receive the same public educational opportunities as everyone else would be closer to becoming real.; and

RESOLUTION IN SUPPORT OF THE FEDERAL DREAM ACT (cont'd)

WHEREAS, the election of President Barack Obama has raised hopes that it is possible to overcome prejudice and social divisions and to expand equal educational opportunities to all; and

WHEREAS, the *Chronicle of Higher Education* reported in its November 24, 2008 issue ("Immigration in the First 100 Days?") that Senate majority leader Harry Reid (D-NV) said, "On [the Federal DREAM Act], there's been an agreement between [President-elect] Obama and [Senator] McCain to move forward on that." President-elect Obama and a large bipartisan majority of Congress have repeatedly declared their support for the passage of the Federal DREAM Act. Among previous co-sponsors of the Dream Act have been Senator Richard Durbin (D-IL) and Orrin Hatch (R-UT); and

WHEREAS, on November 5, 2008, Chancellor Robert Birgeneau called on Obama to enact the Federal DREAM Act as soon as he assumes office; and

WHEREAS, Obama's first 100 days will set the tone for tenure, and passage of the Federal DREAM Act now would allow for financial support and resources to qualified and college-bound undocumented immigrant students; and

THEREFORE BE IT RESOLVED, that the ASUC Senate calls on President Obama and the Democrat-controlled Congress to enact the Federal DREAM Act in Obama's first 100 days of office.

BE IT FURTHER RESOLVED, that the ASUC Senate calls on the University of California Regents to join Chancellor Birgeneau in calling on Obama to enact the Federal DREAM Act.

BE IT FINALLY RESOLVED, that President Winston and EAVP Jirachaikitti of the ASUC send a letter, attaching this ASUC bill, to President Obama and the University of California Regents.

Ronald Cruz said he and those behind him were members of BAMN, the Coalition to Defend Affirmative Action, Integration, and Immigrant Rights, and Fight for Equality By Any Means Necessary. They're speaking In Support of this bill, for the DREAM Act. Everyone at the table would agree that education was important and vital to their society. And everyone at the table would agree that the problems of the environment, global warming, finding alternative sources of energy, and finding a cure for cancer, were real problems, and things they need to devote human energy to in order to solve. Everyone around the table would agree that their State faced a crisis and that many more teachers were needed to teach children in the schools.

But there was a strange hypocrisy when the people who are at the schoolhouse door were black or brown, or happened to be born in another country, a fact that none of them had a role in effecting, and that none of them now had the ability to change. The DREAM Act would eliminate that crass hypocrisy and establish the basic principle that in America, every person should be treated equally.

Mr. Cruz said the argument that there's not enough money was a false argument. Any society derived its wealth and its economy from labor. People contribute their intellectual and physical energies to society,

and from that, taxes are made, which fund their schools and financial aid. A vote against the DREAM Act was really a vote to consign those at the lower caste to a permanent second-class citizenship, and to have a permanent underclass of millions of people in this State and in this country. And that was not viable. It creates a situation like the old Jim Crow South, where people who were just as talented and committed to contributing to society, walk across stage on graduation day. But like black children in the 1950s they didn't have an opportunity to go to a college. That is what the DREAM Act would correct. Voting for this bill would establish the principle of equality.

A speaker introduced herself and said she was a freshman at Berkeley. She's been organizing with BAMN for the last four years, since she was in 9th grade. She came to this school because she felt that she could fight there for equality and for justice, and be able to change this society. She was one of the students who organized the walkout and the marches against HR 4437. When they marched and when they led those marches, they knew right there and then that they weren't going to accept any more second-class treatment. And those millions of people who marched were still out there. Students who weren't born in this country and who should have the right to be in this University, and were students at this University, but didn't have papers, were struggling to be there and to survive in this campus. They should be treated with equality and the respect that they deserve. The Senate needed to pass this bill, and they need to call on President Barack Obama to sign the DREAM Act within his first 100 days. It was a very difficult situation that people were living in, and they need to understand that and call for the equality of everybody.

A speaker said that she sometimes felt so intimidated in front of Berkeley students, not because they're all intellectuals, but because most of them are white, and she asks herself how she could convince them to give rights to people who don't have them, and don't have the privilege of going on to higher education, and to the flagship University of Berkeley. It would be good for their society and will solve the problems of the future. She would ask them to please think beyond race and realize that the people who will benefit from the DREAM Act are their friends, schoolmates, and classmates, and people they study with and talk to every day. They're American students whose parents brought them here. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made and seconded and passed with no objection. The speaker said there was no reason to divide themselves from these students. They are people who are smart and have talents and potential. The DREAM Act would give them the same privilege and right to education as they all have, and they'll all be better off by having that.

A speaker said that by targeting immigrants and not giving them a right to education, or an avenue for having education funded, was essentially a form of segregation; and that goes back to Jim Crow. She didn't think that was right. This was 2009, and they have the first black President. She thought that was phenomenal. But she would ask what that actually looked like, and what change looked like. That's what they need to ask each other, and what Senators need to ask themselves when they vote: to ask what change looked like. To her, it was to open up equal avenues for everyone. One key way for that was by to give everyone a right for education. A lot of these people will benefit their school and society with their brains and will also be given a pathway to citizenship. Most of these people have been living with them and this was their land too; and they built this land, as citizens did. So she would ask why it should be dictated whether or not they could have upward mobility in society. It wasn't fair. Senators needed to take it upon themselves to decide to be part of the change and part of history and vote for this.

A speaker said she was an AB 540 student and could tell them how difficult it was. It was outrageous. In high school she had three classmates who really wanted to come to Cal and did their best in high school.

They got into Cal, but couldn't attend because they didn't get enough scholarships and they didn't have enough money because they were AB 540 students. And now they're just working, having two jobs, and probably going part-time to a community college, and it just wasn't fair. They deserve the same opportunities. Fortunately, the speaker said she got enough scholarships to come there, but it was still very difficult. She thought there was so much potential. It just wasn't right. If things kept going like they were, she might end up dropping out of Berkeley. Her dad earns less than \$10,000 a year. It makes her mad, and she hoped that one day the DREAM Act gets passed, and hoped that Obama changes things.

A speaker said that like many of them, she was standing with AB 540 students who were not able to come to this school. As a political organizer, she represents the thousands of Latino students who want equal education. AB 540 students were often overseen. Their aim was to make sure that these women and men can achieve their dreams, like any other student. Therefore they're asking the Senate for its support, to help them hold Pres. Obama and the Democratically controlled Congress to pass the DREAM Act in Obama's first 100 days in office, and to call on the UC Regents to join Chancellor Birgeneau in calling on Obama to enact the federal DREAM Act. She thought what was on the petition they had was not impossible. There are many students already rising and trying to fund their education. But they need more support, and the support they need was from this school. They're supposed to be leading the future, and she would ask what was a better future than giving people equal rights. Ms. Pasco said speaking time had expired. Ms. Flores moved to extend by three minutes. The motion was seconded by Ms. Shah and passed with no objection.

A speaker said Senators were in a position to make a change and to call on Obama to do the right thing. Yes, there are economic reasons why they don't want to extend financial aid to undocumented students, but these students have grown up here. It wasn't their fault they were here. They were brought here by their parents. And because of what the parents did, they should not be penalized for a crime they did not commit. They have done the best possible with their situation, to get to school and graduate high school. She knew valedictorians who were now in community college because that's all they could afford, because they don't get funding from the school; and private scholarships were really limited. It was very unfair. The Senate was in a position to make a difference. This was UC Berkeley and their word as students and scholars was respected, and the rest of the world would listen.

Yvette Felarca said this body, representing the students of UC Berkeley, had a special obligation to lead and a special obligation to lead Obama as well, because he does listen, and cared about what students were thinking; or he should, if he remembered how many students there were who supported him. They had thousands of petitions, students who voted for him to be in office. They have over 13,000 signatures on BAMN's Facebook already. They encourage everybody, after they vote for the bill, to sign on to the BAMN Facebook and/or their petition. This was a fight against racism. And with the new President, and the first black President, they all know that didn't mean having a gradual and open ascension to equality. There were a lot of people out there who were really opposed to these new developments and the people's rising strength. People had to take sides. They're either for integration or equality or they're for more segregation and going backward. The Senate, and UC Berkeley, need to go forward. People may make economic arguments. She would ask who caused this economic crisis. It wasn't the undocumented students being shut out of UC Berkeley, but the people of privilege who are used to having privilege and want to hang on to it, and abuse that privilege. They were trying to sink this nation economically. If AB 540 students at schools like UC Berkeley, or people who should be there, were the people running this nation, the country wouldn't be in this economic crisis.

Ms. Felarca said the DREAM Act was an imperative for the future viability of this country and the future reality of whether or not this really and truly was the land of the free and the home of the brave. The people there hope the Senate voted unanimously for this bill.

Mr. Owens asked if they were aware the youth turnout was only up by 2 million since 2004, and as a percentage, was 18% to 17%. So it wasn't true that the youth vote actually got Obama into office. It was actually a lot of older voters who switched from the Republican Party to the Democrat Party. Ms. Felarca said she didn't know those exact numbers, but it wasn't just a numeric question, but political. The youth energy that went into the campaign was vital to inspiring people, young and old, to make a fight and take on even the conservatives and racists within the Democrat Party, and to sweep that aside and finally tell the truth, and move forward in the way it needed to.

Ms. Pasco said they were in discussion of the bill.

Ms. Ude said she would like to point out that unless any of them identify as Native American, they have all been immigrants at some point. That was evident from the variety of last names they had sitting there. It was imperative for them to remain cognizant that students being affected by the bill were Cal students, and potential Cal students. Whatever personal or family politics Senators may have, they were accountable to the students because they were their representatives. If students are members of the ASUC, Senators had accountability to them, no matter what Senators' politics were outside the body, be they in-State students, out-of-State students, AB 540 students, or any other student status, for that matter. They were students first, and if they're capable and able to get into a premier institution like Cal. They deserve to be there. She personally believed that education was a right. It was Senators' jobs as students to be representative and to advocate for those students.

Mr. Owens said it was true that unless one was a Native American, their ancestors were immigrants. The Senate needed to be cognizant and aware of that. But his ancestors, and those of a lot of other people, came there through legal channels and were naturalized. He knew that was a hard fact. It was tough, but the truth sometimes wasn't that nice. He didn't think they should punish legal immigrants, people who came there and wait 10 years, 15 years, to come from Eastern Europe, Asia, or India and apply and go to Cal. They deserved help too.

Ms. Hussain said that while there are many people who did come there legally, she thought they had to also be cognizant of the world they're living in. The US, post-9/11, wasn't exactly how it used to be. The immigration laws were quite different than how it used to be. It wasn't easy to come to this country. Her parents came to this country 18 years ago. Her family back in Pakistan had to wait for another ten years before they could come there. She didn't believe that children should suffer because of parents who made a decision to come here to get a better life for their families. She didn't believe the sin of the parents was the burden of the child. So they should vote to pass the bill.

Mr. Smelko moved for a straw poll. The motion was seconded by Mr. Mairena and passed with no objection. A straw poll was taken. Ms. Pasco said the result was 13-2-2, and the bill would pass.

Mr. Nahabet moved to call the question. The motion to end debate was seconded by Mr. Owens and passed with no objection.

A roll call vote was requested by Mr. Sakaue.

Roll call was taken on the motion to approve SB 1, as amended in committee:

YES		NO
Sarah Cho	Lyell Sakaue	John Moghtader
Mary June Flores	Kifah Shah	Tommy Owens
Saira Hussain	Will Smelko	
Oscar Mairena	Lisa Tran	ABSTAIN
Eddie Nahabet	Obiamaka Ude	Sheila Chen
Christina Oatfield	Yishi Zuo	Tara Raffi
Claudia Rodriguez		

A motion to close the rolls was made and seconded by Mr. Mairena and Mr. Owens and passed with no objection.

THE MOTION TO APPROVE SB 1, AS AMENDED IN COMMITTEE, PASSED 13-2-2,
RESOLUTION IN SUPPORT OF THE FEDERAL DREAM ACT. Voting comments were heard.

Ms. Tran moved to go to Executive Order Reports. The motion was seconded by Ms. Oatfield passed with no objection.

Report from the External Affairs Vice President

Ms. Jirachaikitti said she wanted to thank everybody for the conversation they just had, whether or not they voted for SB 1 and supported the DREAM Act. She also wanted to thank Sen. Owens. She respected him so much in the Senate. She didn't always agree with him on every issue, but he was always respectful and willing to have a conversation. She felt that's why they were there. She also wanted to thank Sen. Raffi for the straw poll question she asked, about how many people there had a parent who was born outside the United States. It was very interesting to see where everyone was coming from. She also wanted to thank the Senate for inviting other people to have a conversation. The DREAM Act will be going through legislation and will be before the entire country.

Ms. Jirachaikitti said she hasn't seen the Senate since last semester and hoped they read her report from last week. She hoped their classes were going well, and it was nice to see some of them in her classes.

The office had a wonderful retreat that past weekend. There has been a shakeup in the office. Someone went to study abroad so they'll shift people around. Kao Thao, the Vote Coordinator, will do National. Before school started, they went to Miami for the USSA Board meeting. The United States Student Association creates a national student agenda, and the federal DREAM Act was actually on that agenda. Budget and appropriations were important to make sure education and students were included. The federal budget only includes 2.3% for education as a whole, pre-k through higher education. That just wasn't college, but all of education. That's something the office wanted to work on. In her opinion, if they have money to bail out banks and jobs, it was also important for them to invest in students, the ones who will build their economy in the next couple of years.

Ms. Jirachaikitti said they're going to Washington, D.C. for the 40th Annual Grassroots Legislative Conference. She sent out a bill to some of them a little while ago, for those she talked to, and the bill was also in the bill packet. It would provide funding for the USSA Legislative Conference and the UCSA Student Lobby Conference in Sacramento. There was a mistake in the USSA budget calculations, for the hotel, as they only calculated one night. So it was actually more than what the bill included, and she would send out a revised budget.

Ms. Jirachaikitti said there will be a Regents meeting on February 3-4 in San Francisco. If any of them were interested in going, she would ask them to please let her know. It wasn't far away and they could take the F Bus for \$1. Pres. Yudof will unveil the Blue & Gold Opportunity Fund. It's a financial aid plan that would pay all the fees of student from families that make under \$60,000 a year. That would be through an increase return to aid, from 33% to 36%. It sounded like a good idea, although there were a lot of things to look into. There was an editorial in the Daily Cal, and if people wanted to know more about that they could talk to her about it. The UCSA will also work on legislation for, CSUs. Also, there will be a Board meeting in San Francisco February 6-8.

Ms. Jirachaikitti said she wanted to introduce Christine Bayan, a Field Organizer for Berkeley from the UCSA. Ms. Bayan was there for the voter registration drive and was going to help them with the Student Lobby Conference. Ms. Jirachaikitti said she sent Senators an application if they wanted to go, and she would ask them to please look into it. It was an opportunity to bring knowledge back. So if people have time, she would ask them to consider going.

Ms. Bayan said she was glad to be there and she wanted to thank them for allowing her to speak. She's one of the Field Organizers for the UCSA. She basically comes onto campus, hangs out at the EAVP's office, and helps them on tactics on campaigns that UC students from all across the whole State vote on over the summer. They all know about the voter registration drive and the get-out-the-vote drive that past fall. It was really amazing, and they registered 40,000 students across the whole State. That was a huge fraction of all the students who attend UCs, a little over 200,000. And it was a huge increase from the '04 elections. So people should all be really proud of themselves.

Ms. Bayan said that she knew from conversations the Senate had earlier that evening that there was a lot of talk and discussion about how to move forward from the great youth voter turnout they had. With that said, it was important to keep their legislators and elected officials accountable to the issues that really did affect them, such as access and affordability to higher education. Ms. Jirachaikitti mentioned a piece of legislation that they at the UCSA were working on, the College Affordability Act. It would increase revenue by instilling a millionaires' tax and would freeze fees for the next five years. It was really needed and really important, especially in this economic crisis and especially when a lot of disenfranchised students, such as AB 540 students, and other low-income students, really need that aid, and access was becoming a barrier to UC students. She had some statistics that were really sad and abominable. Ever since 2001 fees have risen over 80%. So it was really needed to do something about this.

They could use the momentum from the elections and from this great voter registration campaign to do that. So it would be great if all of them attend, if they could, the Student Lobby Conference, from February 28 until March 2, Friday to Monday. They basically go to workshops and learn how to lobby the first two days. And then on the third day, they march to the Capitol and hold a press rally and go and lobby their elected officials. So they get to actually talk to them face to face and hold them accountable. She knew sometimes lobbying seemed intimidating, but it shouldn't be because it wasn't about presenting

people with research or statistics, but with people's own, personal experiences, which were very valid. And it was also very important that legislators put faces to students, who do have a burden and had to suffer through these increases. So she would ask Senators to please attend.

Ms. Bayan said she will be around to give updates on the bill and the campaign. They're also doing a postcard campaign. For the bill to pass and go to the Governor's desk, it had to pass through various committees. That's why they're targeting the postcard campaign to committee chairs. The UCSA could provide the postcards. She would again ask people to please attend the Conference. It will be a once-in-a-lifetime opportunity. A lot of people could go and talk face-to-face with their elected officials. It was an opportunity to ask for support.

Ms. Flores asked if Ms. Jirachaikitti could write a letter in support of the federal DREAM Act, since SB 1 passed. Ms. Jirachaikitti said they could. Ms. Pasco said speaking time had expired. A motion to extend by three minutes was made by Mr. Owens and was seconded and passed with no objection.

Mr. Smelko said people received an e-mail stating that there was no stimulus money for education. Ms. Jirachaikitti said she didn't think there was money for education. They're in the process of lobbying for that. The USSA has a Legislative Director who lives in Washington, D.C. and lobbies every day, and was working on that now. Students will get to be a part of that process. Ms. Bayan said that if Senators wanted to get it touch with her, they could contact her at Christine@UCSA.

Ms. Pasco said the Chair would entertain a motion to move back to Appointed Official Reports. It was so moved and seconded by Mr. Nahabet and Ms. Ude and passed with no objection.

Report from the Attorney General

Mr. Sinanian said he was sure people got the e-mail from Chief Justice Johal. The ASUC won that case. There was no hearing, but he was on the phone for a while with the J-Council, and it seemed that his arguments were quite persuasive. So the Senate will be able to continue operating and conducting business.

With regard to the hearing last week, Mr. Sinanian said he wasn't comfortable with defending the Senate. But he helped the Solicitor General write a brief; so he did his part. That was all he really had to report.

Report from the Finance Officer

Ms. Batac said she was sorry she wasn't at Monday's Fi-Comm meeting, but she got really sick. She's been meeting with Jan Crowder and Marilyn Stager that entire week. They'll meet with the EVP and the ASUC President Thursday, and with the Fi-Comm Chair on Monday. In the spirit of accountability and

accuracy, that's what she's been doing so far. The most important item to think about or talk over was to replenish the Contingency Fund. There were several factors she needed to talk about with the President, the EVP, and with Fi-Comm, before they talk about particular numbers. There are other factors, such as how much the Senate will receive from encumbrances, which are unspent funds that will be set aside for the spring Contingency Fund. The ASUC will get some money from that, and they'll see by what amount they'll need to replenish the Contingency Fund, to make up for business that was conducted last semester, and cover them for the rest of this semester.

Ms. Batac said she didn't have a definite figure on how much was in carryforward. She's talked to Ms. Stager and they're still processing everything that was passed since late December. There was a domino effect after the Senate's business Senate stalled for a long time. That was still in the process, and the Auxiliary was still catching up with all the business that was done in December by the Senate. So she won't have set figures that evening. But she'll meet with Mr. Permaul and Ms. Stager on February 10 and have news by then.

Regarding the recall election, Ms. Batac said she's been talking with Ms. Crowder and Ms. Stager about that as well. They're still in the process of looking for different sources and ways to fund a possible recall election. The worst-case scenario was that if they couldn't find the resources, then they'd have to cut student group money. But they'll try their best to find ways to fund the election.

Ms. Batac said she knew Senators wanted numbers, and she'll have that pretty soon.

Ms. Cho asked if student groups have had access to funds the Senate allocated to them after the Contingency Fund entered into a deficit. Ms. Batac said they did. But the Auxiliary was doing some things to protect the financial condition of the ASUC. Right now the Auxiliary was holding all the funds. If groups want to access their money right away, she was pretty sure that was something that could be done. But right now, for all the new business done in December, all of those funds were being held until the Senate Contingency Fund can be replenished. But everything was fine at that point, and if groups really needed money right away, she was pretty sure they could have access to it.

Mr. Zuo asked why they couldn't spend two hours adding up all the bills that have been passed, look at the Contingency Fund and carryforward, and subtract those amounts, and see the amount the Senate needed to allocate. He didn't think that should take more than two hours. Ms. Batac said she had all that information, but they also had other things coming in. So that figure wasn't set yet. Ms. Stager will forward a letter to the Senate stating how much money the Senate will get. Right now it was a couple of thousand dollars. Once they get that set, they'll add up everything and the debt they still had to cover. Hopefully they'll have a definite number by Fi-Comm's meeting on Monday. The only reason they're not putting out set figures at that time was because Ms. Batac said she didn't want the Senate to make decisions about numbers that might not be totally accurate.

Report from the From All Perspectives Show Co-Director

Mr. Patel said they had their first community meeting on Tuesday. The attendance was not as much as they expected. He viewed that as a testament to how active and involved the student body on this campus

was. It was a good marker for something they might need to consider when approaching various community members to give input. They discussed and debriefed from that meeting and were thinking about creative ways to approach the campus body and the student body in order to receive input on how to proceed with this project. They're in the process of brainstorming to access the voice of the student body. He would encourage Senators if they have ideas to share those ideas with him or Nicole Louie. If people send an e-mail to the EVP, she could forward that to him or Ms. Louie. He would encourage Senators to be active participants in this project. The main goal was to gain an insight and measure the voice of the student body and create an event that was relevant to their focus and interests.

Report from the Store Operations Board Representative

Mr. Rhoads said this was his first time at a Senate meeting that year. He would apologize for not showing up earlier. They heard from Mr. Permaul, and since he went over the report, Mr. Rhoads said he would call for any questions for him, as a student, rather than asking Mr. Permaul, as Director of the ASUC Auxiliary.

Ms. Hussain said the Senate has been hearing a lot from Mr. Permaul about Panda Express and how it would change, from better or worse, Lower Sproul. She asked if any students have come to the Board to express any concern or supporter for this. She was interested in hearing how much input the student community has had. Mr. Rhoads said they've had a lot of input. He'd say the biggest input he's heard, at least from the anti-Panda community, was halfway through last semester. The Board got responses from all of them and attempted to respond to all of them. Other than that, to be honest, there hasn't been that much response, other than at last night's meeting. Some people at the beginning of the meeting gave public comment. It was good to hear from them and their perspective. The things they brought up last night and last semester were things that the Board has been considering since last semester. So it was nothing new. Ms. Oatfield has been working with Mr. Permaul, making sure issues were brought up in the negotiations process. Student Board members agree with concerns the community brought up, such as environmental sustainability. The Board has been doing the best it could in negotiations.

Ms. Hussain asked if he thought the student community has had enough of a chance to give input. Mr. Rhoads said he thought so. People have known about this for a year and a half. The Auxiliary signed the letter of intent last semester and has reviewed it several times, even since signing it. The Board made sure issues were brought up along the way during negotiations. So he thought there's been ample communication and input. Certain people, like Ms. Oatfield, have brought up a lot of issues, and she's been a good spokesperson.

Mr. Smelko asked how he felt about the transparency of the entire process, and how he would evaluate that. Mr. Rhoads said transparency has been okay, but not great. It could have been better, but not as a result of the Board doing something different, but more people coming to the meetings. They've been talking about these issues for over a year, since he was on the Senate. It wasn't necessarily an issue about a lack of input to the SOB, but a lack of people seeing the information. The Board was working on trying to make sure that as Board members, they keep getting information from the Auxiliary to keep everything transparent. If anybody there had input, he would love to hear it.

Mr. Smelko asked what steps the Board was taking to find out what the student voice actually was, to gather that information and learn what students really wanted, weighing select groups of people against opposing views. Mr. Rhoads said the students are a majority on the Board and were either elected officials or were appointed by elected officials. Students and Senators on the Board bring a student perspective, and so that was part of it. And then the Board gets input. In the past, but not this year, there have been surveys. But what he mentioned were the main ways they've gotten input.

Ms. Rodriguez said that Ms. Oatfield has been doing a great job to outreach the student community. She asked what the Board was doing to outreach to students and to make people, outside Senators, aware that it existed, and how he planned to change that. Mr. Rhoads said there are seven students on the Board and they're all very active. They were going out trying to advertise the fact that the Board existed. That was the biggest priority. Their priority was to research for positions they take. As far as outreach, as members themselves, that wasn't as high a priority. Getting student perspectives hasn't been a huge priority for personal members.

Ms. Oatfield asked if Dr. Permaul asked him to come and talk to the Senate that evening. Mr. Rhoads said he absolutely did not. This was something he talked about with Ms. Pasco. Ms. Oatfield said she knew he's only been on the Board for a little while, but she understood the Board approves the Auxiliary budget. She asked if there's been much discussion on how to re-evaluate that, given some of the budget concerns that the ASUC as a whole was facing. Mr. Rhoads said they weren't doing that currently because the budget hasn't come up yet that year. But he didn't see why that shouldn't be a consideration. The budget of the Auxiliary hasn't really increased that much, as far as he knew, other than the hiring of positions that were left vacant, as well as future year increases in payroll and inflation. Less money goes to student government because the carryforward previously came from vacant positions. But they will look over the budget. As there's less income, there's less spending, because there had to be a balanced budget.

Mr. Rhoads said they had a meeting with the Finance Officer and the ASUC. Over the past ten years, income for the ASUC and the Auxiliary has decreased about 40% as a whole. Nobody thinks about that because things keep chugging along. But student groups and the Auxiliary were getting less money. Fees weren't increasing and costs were increasing. And revenue from Student Union operations hasn't increased. This was causing a huge problem, and things were getting smaller and smaller. And there's no big discussion as to why that was happening. That was something he wanted to point out.

Report from the Judicial Council Representative

Kiira Johal introduced herself and said she was the Interim J-Council Chair. As they're aware from the endless e-mails they've gotten from her, they've had a number of judgments and Advisory Opinions, and she'd like to go over them and open things up to any questions about the J-Council's rulings.

The first judgment was a Direct Judgment in *Azadivar v. ASUC Senate*. There was a hearing last Thursday. Michael Sinanian and the Solicitor General presented the case before the J-Council. Ms. Johal said she didn't agree with the majority opinion, which came down to interpreting what the word "specific"

meant in the Constitution. Under Article III there's a statement that says there's a "specificity" requirement in petitions. According to the majority of the court, that requirement was met by the petition. So the recall election continues as scheduled.

Next, the J-Council issued an Advisory Opinion at the request of Mr. Azadivar regarding specific rules for recall elections. Several issues were addressed. The first was whether paper ballots would be allowed. In the Constitution, the only specificity about ballots was that they should be secret, and nothing else. Mr. Azadivar, in his Charge Sheet, brought up the issue of campaign rules. Title IV of the By-laws makes reference to online tabulation. The J-Council referenced an Advisory Opinion it issued in December and said those campaign rules were specific to general elections and not to recall elections. There wasn't very much about recall elections in the Constitution or By-laws. So the J-Council said that paper ballots could be a possibility.

The next issue addressed in the Advisory Opinion was whether the Elections Council had the power to delay the election. The J-Council ruled that the EC Chair had no such power because Article VII, Section 2.B of the Constitution requires the recall election to be held no later than two regular Senate meetings after the petition. Also in that Advisory Opinion, the J-Council addressed the issue of publicity and what constituted equal protection under the Constitution. The ruling was that equal protection was based on opportunity to publish something. There was a newspaper medium in which one side could publicize something, with the other side would having an opportunity to respond.

The last question of the Advisory Opinion dealt with what should be on the ballot in such a recall election. Because in their Advisory Opinion, they stated that Article VII applied to recall elections because the J-Council defined the initiative, 1,000 signatures, as a proposition. So following those rules, the statement must be two sentences in length, with the final question to be answered "yes" or "no."

Ms. Johal said the next case the J-Council considered was Azadivar vs. Moghtader Petition Gatherers. This dealt with the validity of the petition, because on the petition that was made public, people only saw the student identification numbers of individuals who signed, as well as their initials. However, the petition the Attorney General saw did maintain those full names. This was a question of whether the freedom of information clause in the Constitution was being violated. However, the J-Council deferred in this ruling to UC Berkeley's policy. The Family Education Rights and Privacy Act doesn't allow student identification numbers to be published with their full names. Deferring to that, the J-Council certified that it was fine for the petitions to be released publicly in that manner.

Ms. Johan said the next case was Sinanian v. Elections Council, an issue of mismanagement on the part of the EC Chair. Under Section 17 of Title IV of the By-laws, there's a statement that any student could bring a petition to the ASUC J-Council to void an election if they felt there was mismanagement on the part of the Elections Council. The J-Council found that there was mismanagement on the part of the Elections Council. The Council's Summary Judgment referenced four violations. One was in conflict with the Constitution and three with the By-laws. In Title IV of the By-laws, they dealt with publicity requirements that were not followed, such as polling places and locations needing to be made public prior to the election, as well as a full statement of any proposed recall. The J-Council was aware the election was getting publicity in the Daily Californian. There was no official statement on the part of the Elections Council Chair.

Finally, the last judgment they issued occurred that evening and dealt with whether the Senate had the ability to meet and whether there was a conflict in holding the Senate meeting that evening. This

referenced back to the clause in the Constitution saying the recall election should happen within two regular Senate meetings after a petition was submitted. The J-Council's interpretation of that relied on the foundation of what the relation was between the By-laws and the Constitution. The Constitution states that the By-laws were supplements to the Constitution. Where the Constitution wasn't clear, that's what their prior judgment, in *Sinanian v. Elections Council* did, to serve as a supplement in issues that weren't clear. A distinction was made between a new election and an old election. The J-Council interpreted that and said a distinction was made and the election was voided. That included everything, including election dates. So in such a case there wasn't a conflict between the Constitution and the By-laws. The J-Council said they didn't feel it was within the spirit of the Constitution to burden the Senate with the faults of the Elections Council.

Ms. Johal said this was a time consuming and difficult decision for the J-Council. It highlights inherent flaws in the Constitution itself. It put the J-Council in a linguistic bind where they had to interpret the spirit of the Constitution.

Ms. Johal said that with that final ruling, the Judicial Council believed it was upholding the rights of all parties involved in the matter, on both sides of the election, to receive their due process, but not cause detriment to the whole ASUC as a result. Ms. Pasco called for any questions, and seeing no questions, said she would like to thank her.

Report from the Elections Council Chair

Ms. Liedblad said she would like to thank Ms. Johal for all her hard work, and she's been working almost around the clock in tending to Charge Sheets. The Elections Council also really appreciated the Judicial Council.

Ms. Liedblad said she wanted to approve appointees. She was appointing Vinit Sukhija for Publicity Coordinator and Lindsay Bailey for Poll Coordinator.

Ms. Liedblad said she was assuming that the new election dates will be set. She would hope and encourage that the date be set to four weeks from when they were originally planned, with the election to be held February 23-24. That was the time that was originally encouraged by Jan Crowder and Mr. Permaul, and the time allotted in the By-laws for the Senate to reschedule. Ms. Liedblad said that was also her strong recommendation. She thought that was a good timeframe to begin to plan and to finish preparations for the election.

Ms. Liedblad said they were back on with planning the election to be online. She's been in contact with tech coordinators and by the end of the week hoped to get a contract from IS&T, and get that approved, so they could start refurbishing the online polling system and get ready to test it for quality assurance, in no longer than two weeks.

Ms. Liedblad said she would like to introduce her appointees. They met Mr. Sukhija last week and heard him talk about his publicity plans. He's been really enthusiastic, even before the recall election started.

Next, she would like to appoint Lindsay Bailey. She didn't nominate Ms. Bailey last week, but for the sake of expediency, she hoped the Senate could appoint her that evening. Both appointments were approved at the Fi-Comm meeting. Ms. Pasco said they could consider them during Appointments on the agenda.

Ms. Raffi asked if she knew what the added cost was for online voting. Ms. Liedblad said that just to get the program up and running was a significant cost. It's not that big of a fee to tweak it a bit for each election, according to Jan Crowder. Ms. Liedblad said she hasn't talked to IS&T about the costs yet, was she didn't think it was extremely difficult.

Ms. Raffi asked if that would include laptop rental. Ms. Liedblad said they don't get the laptops from the same service provider that the ASUC uses to set up the Web program. That was equipment rental. It also depended on how many polling locations they have. Computer rentals cost about \$2,000.

Mr. Nahabet asked what her recommendation was for the new dates for a recall election. Ms. Liedblad said Article 17 states that if the J-Council voids an election, the Senate must provide for a new election within four semester weeks, or as soon as feasible. She would recommend that they take all four weeks and that they set the dates for February 23 and 24, Monday and Tuesday, four weeks after the original recall was set. She didn't think it was a good idea to set it any sooner.

Mr. Zuo asked if she's looked into having a paper ballot. Ms. Liedblad said she hasn't looking into that alternative. She didn't think they'll need to use paper ballots. Mr. Zuo asked if that would be significantly cheaper. The reason they use electronic ballots was for all the transfers to be calculated. Perhaps she could look into having a paper ballot election. Ms. Liedblad said maybe she would take that into consideration, but the recall was scheduled and most By-laws were written for an electronic election. So just for the sake of making the links and making it a valid election, it should be electronic. She could consider paper ballots, but at that point she was going forward with an electronic election. It was more expensive, but it was the standard protocol for having any election. Seeing no further questions, Ms. Pasco said she would like to thank her very much.

APPOINTMENTS

Ms. Pasco said the first appointment up for consideration was of Vinit Sukhija for Elections Council Publicity Coordinator, with a stipend of \$800.

Mr. Sukhija said he's started to think of some publicity ideas for the recall election. He talked about them at Fi-Comm and got some really good feedback and questions. He welcomed this challenge with open arms. He was qualified, confident, and excited. He went to Ms. Liedblad before the recall came up, back in December. He found it difficult to plan an election when they didn't know the election was going to happen. He had to hire poll workers, but he wouldn't hire poll workers and then tell them there was no election. Pending his approval, he'll start outreach to all student groups, all 800, personally, himself. He's been in contact with some residence hall directors. He'll do considerable outreach to residence halls, where most freshmen live, and to fraternities, sororities, co-ops, and all academic departments. Due

to the hasty nature of this election, he thought they had to do some unprecedented forms of publicity, such as a campus-wide e-mail, which the ASUC had the ability to do.

To cut costs, Mr. Sukhija said his primary publicity plan will be online, and to make this more of an online process. If they don't use YouTube and Facebook, it hurts them. One main idea was publication of a quasi voter's guide. It will be like a regular voter's guide, to be released in the Daily Cal and available online and at all polling locations. It will include all information necessary to vote, including polling station locations, times to vote, online voting procedures, and statements from proponents and opponents. He was also very open to the idea of having other student groups put in their say as well. It was presumptuous and arrogant to say there were only two sides to the debate, as that was never the case. He's talked to Senators individually, Ms. Chen, Ms. Hussain, and Ms. Shah. Ms. Chen noted that there were many interpretations of "slander," so Mr. Sukhija said he was open to keeping e-mail correspondence to mitigate the circumstances. But he wanted every student group to have a voice, and not just cultural and religious groups. There were a lot of other student groups, and he wanted them to have a voice. This wasn't a political issue and shouldn't be. He would like to hear, e.g., what the "astronomy club" thought of this. Ms. Pasco said speaking time had expired. A motion to extend by five minutes was made by Mr. Owens and was seconded and passed with no objection. Mr. Sukhija said they had to have a policy of depoliticization of the situation.

Mr. Sukhija said that last week he introduced the idea of having themes. But for this, he didn't want to have a theme as much as a general motif, where every student had a stake in the election. It concerned him when one-third of the student body votes, when it took three or four minutes to read a voters guide, go online, and vote. It concerned him when students felt they were accountable to the school when it was the other way around. The Administration wouldn't be there without the students. So he felt his job was very fundamental, and to not just put out fliers, but to teach students how the ASUC affected them and how they had a voice on what went on on campus.

A motion to approve the appointment was made and seconded. **THE MOTION TO APPROVE THE APPOINTMENT OF VINIT SUKHIJA AS ELECTIONS COUNCIL PUBLICITY COORDINATOR, WITH A STIPEND OF \$800, PASSED UNANIMOUSLY BY VOICE-VOTE.** (Applause) Ms. Pasco said she would like to congratulate him.

Ms. Pasco said the next appointment was of Lindsay Bailey, for Elections Council Poll Coordinator, with a stipend of \$800.

On a point of order, Mr. Mairena said he believed that since Ms. Bailey wasn't nominated last week, they couldn't vote on her that evening. But they could listen to her and have a straw poll since she's been there all night.

Ms. Bailey said that to her, it was most important to know if she'll be appointed, because there was work to be done. She's a fourth-year Poli.Sci. major. She wanted to serve as Poll Coordinator because she thought elections were the foundation of all they had in the ASUC and how they figure out who worked there. She wanted to make sure polling locations and polling staff were neutral, unbiased, and efficient. She wanted to make sure the recall election ran as smoothly and inexpensively as possible. She was a Girl Scout, she worked in the ASUC Office of External Affairs for two years, and served as Lobby Corps Director the second year. So she's organized in the past and organized Cal Lobby Day, with one other

girl, and thought it was really successful. She's also a member of the Berkeley Homeless Commission, so she considered a lot of funding requests and knew the importance of money in putting on big events like elections. She'll spend wisely and only on what they need. She hoped to get started as quickly as possible. She knew she couldn't get appointed that evening, but she would like to know if she could start working. She called for any questions.

Ms. Oatfield asked about her ideas for assuring that poll workers were neutral, or as close to neutral as possible. Ms. Bailey said that one thing they'll do was to have poll worker training, stressing the importance of neutrality. She also hoped to get references from new poll workers. They have a list of previous poll workers from past elections, so they know those people could be trusted with neutrality. New poll workers might need references from other individuals who could attest that they weren't a member of, or affiliated with, any party.

Ms. Pasco said that with no objection, they would take a straw poll. A straw poll was taken on appointing Ms. Bailey as Poll Coordinator. After the straw poll, Ms. Pasco said the result was 14-0-1, and the motion would have passed. Ms. Bailey asked if the Senate needed her to come back next week, because she had a conflict. Ms. Pasco said she didn't. Ms. Bailey said she would like to thank them.

Report from the Executive Vice President

With Ms. Vir-Banks chairing the meeting, Ms. Pasco said it's been a long night, but at least it was still Wednesday. She wanted to do a communications check quickly and go around the table, with 10 the highest communication going on. Numbers Senators gave were 7, 6, 3, 4, 5, 0, 2, 0, 4, 5, 10, 3, 2, 7, and 4. Ms. Pasco said the numbers didn't seem too bad, except for a few of them, which did concern her. The numbers were all over the place. There were a lot of issues with communication that the Senate needed to work out. She was really looking forward to the retreat. She didn't want to assume that after the retreat everything would be fine and dandy, but she thought it would be a good step in the right direction.

Regarding office hours, people's schedules were changing, so she would ask them to please e-mail her or the Web master with their new office hours, times and locations. Ms. Pasco said there was a Lower Sproul Student Council meeting on Monday. She wrote up a lot of questions and concerns about questions brought up in the steering committee. She thought they had a good discussion on visions for the Multicultural Center. She understood there were a lot of big ideas and ambiguities as to what the MCC working group really envisioned for the space. So she offered to send out an article that was published by a professor at Penn State, she believed, on that school's MCC, and how to frame cultural centers on any campus. She'd send it to Senators so they could think critically about what it meant to have an MCC on a campus at all, and why it was important.

Ms. Pasco said another issue was Lower Sproul being envisioned in a way that assumed their campus was very central. The campus didn't necessarily have a centralized location where everyone hung out. Although a majority of students do hang out and are visible mostly on the Southside, but it wasn't designated as a central location. It was interesting that questions about this new student center were about creating a centralized location where their campus wasn't necessarily framed in that way. Ms. Pasco said she

wanted to raise that because it brought up a lot of questions for her about how they frame the student center as being a central hub for students on campus, where currently the enrollment on campus was not conducive to that, and so they don't enforce an environment on their students that didn't exist at that time. It was a concern about how students will move from their environments and create a space that didn't exist. And it wasn't known what the climate would be at that time. Lower Sproul Student Council meetings will be on Tuesdays from 6:00 to 7:00. The next meeting will be at Anthony Hall.

Regarding the Board, when it came down to the vote on Panda, it was not clear cut, and not everyone agreed with that decision. This was something they're really talking about in the SOB. It wasn't straightforward or easy. It was complicated, and they've been talking about it since last summer. So people shouldn't think it was an irrational decision or that everyone was necessarily on board. There will be a meeting on Thursday about prayer space with the Vice Chancellor of Equity and Inclusion. If people were interested it will be at 11 a.m. in 102 California Hall, the Vice Chancellor's office. She would ask people to please let her know if they were interested. About five students will attend, including some Senators.

Ms. Pasco said she wanted to thank everyone who e-mailed her beforehand if they were not going to be at a meeting. Mr. Tran was studying for his MCAT that weekend. If people see him, they should wish him good luck.

Regarding the retreat, Ms. Pasco said she'll send out the agenda. It was hard to create an agenda if not everybody filled out the questionnaire. She wanted feedback on what people would like to see, so she would ask them to please respond. It wouldn't take long. People could look forward to things like snowboarding and snow shoeing. They'll probably get a group discount, but people will have to pay for that out of pocket. And people will have to sign waivers so they couldn't sue either the ASUC or the Cal Lodge if anything happened.

Ms. Pasco said she asked Ms. Winston to invite the Chancellor to attend one of the Senate's meetings, and hopefully that will happen that semester. She also had plans to ask the Vice Chancellor of Equity and Inclusion to speak at a Senate meeting, which was actually a campaign promise of hers.

Regarding the office, Ms. Pasco said they'll explore rooms in the basement, including one called the "rat room." They're thinking of renovating it and making it available to students for storage space or office space. They want to invest some time and money in what they already have in Eshleman, since space was so limited.

Ms. Pasco said the Senate's retreat will be February 21 and 22. She and Adi Afek are excited about restructuring the office. They thought some things weren't effective last semester. As a result, they'll restructure it horizontally, so there was no real power dynamic. Lastly, on ASUC intramurals, she was sorry for so the who wanted to do soccer. If somebody wanted to take that up, it would be helpful, although sign-ups were that morning. Basketball was looking like it would be Tuesday nights. She would ask people to please talk to her about this after the meeting.

Ms. Cho asked if there will be rides available to the retreat. Ms. Pasco said they'll take one mini-bus to the retreat. People will need chains to get up there. If people want to leave early on Sunday, they'll have lunch at the Cal Lodge and hopefully leave at 1:00, and get back to Berkeley around 4:00 or 5:00. If there are issues about leaving earlier, they could do that as well.

Ms. Flores asked if there were any alternatives for those who don't like to ski or play in the snow. Ms. Pasco said there are a lot of different resorts up there and other things people could do.

Ms. Hussain asked when their dinner with the Chancellor will be held. Ms. Pasco said she'd follow-up on that.

Mr. Zuo asked if Senators were going to get leather padfolios, like previous Senates. Ms. Vir-Banks said speaking time had expired. A motion to extend by two minutes was made and seconded by Mr. Mairena and Ms. Tran and passed with no objection. Ms. Pasco said she hoped people thought a padfolio was an incentive, and said her office didn't have the capacity to buy them. Last year she believed the AAVP took that on, so maybe people could ask Mr. De la Cruz about it. Given the ASUC's financial situation, Senators should be mindful of how much they spend on themselves. If people see this as important, the Senate would need to talk about it.

With Ms. Pasco chairing the meeting, Mr. Mairena moved to go to Old Business. The motion was seconded by Ms. Rodriguez and passed with no objection.

OLD BUSINESS

Ms. Pasco said they need to reschedule the dates of the recall election. It was the recommendation of the Elections Council Chair to have the dates set for February 23 and 24.

Mr. Mairena moved to approve the recommendation from the Elections Council Chair. The motion was seconded by Mr. Nahabet. THE MOTION TO SCHEDULE THE DATES OF THE RECALL ELECTION FOR FEBRUARY 23 AND 24 PASSED WITH NO OBJECTION.

Ms. Hussain asked if they needed to put the motion in the form of a bill. Ms. Pasco said they did last time, so they would have to do that.

Ms. Pasco asked if anybody wanted to write that bill. Ms. Rodriguez said she would write it.

Mr. Nahabet moved to go to Elected Official Announcements. The motion was seconded and passed with no objection.

Elected Official Announcements (cont'd)

Ms. Chen said she'll be attending the celebration of Asian American Women. That day she was disappointed with the incident with the Powershare Conference. There was an update on the budget and the

information wasn't revealed. She wasn't trying to put blame on anyone, but to encourage people to be accountable and responsible to the body and to Fi-Comm. She understood that things change, and she would appreciate getting updates as soon as possible.

Mr. Zuo said he's been thinking about Senate efficiency. He makes this mistake himself, but he would ask them why they needed to take 20-minute breaks to go for food when they could send one person to get it and come back. They didn't need to take so many recesses. He would ask the Senate to limit recesses to when they need to discuss something off the floor. Mr. Nahabet asked if he stepped out of the meeting to get food. Mr. Zuo said he said he did, but would encourage no more food recesses in the future.

Mr. Nahabet said he was happy with most of the committees that were responsible for appointing appointed officials. That past week, month, and semester has been extremely challenging for appointed officials. The Finance Officer had to deal with a deficit, the Attorney General had to deal with J-Council cases, the Elections Council Chair had to deal with the recall. He was happy these committees and the Senate as a whole appointed such qualified and capable officials who could carry out their duties when it was difficult to do so. He wished they were there because this was going out to them, and he really appreciated their work.

Ms. Oatfield said someone asked about the fancy, leather notebooks, and Sustainability makes one-side clean notebooks. They go to copy centers and get scrap paper that was clean on one side and make notebooks out of that. They ask for a donation of \$1, but that wasn't necessary. If people were concerned about leather notebooks, she would urge them in the name of environmental sustainability, and the ASUC's budget concerns, to take one of the one-side clean notebooks. Also, people may have heard her use the term "greenwashing" before. That was presenting oneself, or one's organization or company, as environmentally friendly when they were actually not all that environmental friendly, and were just making the claim in order to have a good image. Wikipedia described "greenwashing" as a deceptive use of green PR or green marketing, disingenuously spinning policies and products as being environmentally friendly. Another example was hotels having green notices for recycled towels. Monsanto brags about sustainability initiatives and how it helps farmers produce more and to conserve resources. But Monsanto produces genetically modified corn that was resistant to pesticides, so farmers could put more toxic chemicals on their crops. And they've sued a lot of small farmers who have biodiverse crops. Also, multiple parties represented in the room listed environmental sustainability as one of their values, including her party as well as Student Action and Cal-SERVE. She would ask people who come from parties that listed that as a value to make sure it wasn't a greenwashing campaign and that they really meant it when they said that.

Ms. Cho asked how people could get a notebook if they didn't know her. Ms. Oatfield said they'll probably distribute them at The Local produce stand and she'll see if the Bookstore wanted to pass them out or sell them. Or maybe at the beginning of next semester or in the summer they'll pass them out on Sproul.

Mr. Smelko said that given all the announcements they hear about Senate efficiency, and how they like to talk about it so much, and when they debate rules changes, they probably could have fit in three whole meetings in the amount of time they've spent talking about efficiency.

Ms. Shah said that week was Arab Solidarity Week. Their last event will be on Thursday. They'll have a spoken word and a cultural event, and have an open mic. There will be artists performing and Palestinian

folk dance. It will be at 7 p.m. on Thursday at the MCC. Everyone was invited and there will be lots of good food.

Ms. Ude said there are fliers for the June Jordan poetry event that the Chair mentioned before.

Ms. Tran moved to go to Reports from ASUC Representatives. The motion was seconded by Mr. Mairena and passed with no objection.

Reports from ASUC Representatives

Reporting as the ASUC representative to the Residence Hall Assembly, Ms. Tran said that Cal Dining came in and talked about having a coffee shop in the engineering building. It would be open around Spring Break and would seat around 50 or 60 people. Cal Dining was also thinking about making the dorms an à la carte system, where people pay per item instead of buffet style. They also talked about holding a session for spring admits. They'll provide lunch and dinner, and every participant will receive \$10 on their Cal 1 Card. People should go to the new Student Service Web site at ss.berkeley.edu.

Reporting as the ASUC representative to the Ethnic Studies Fifth Account, Ms. Cho said they met that day and funded three cool events. They'll meet in two weeks on February 11. She would ask Senators to please encourage student groups to apply. It was a fast way to fund things, and much easier than the Senate.

A motion to go back to Elected Official Announcements was made and was seconded by Ms. Shah and passed with no objection.

Elected Official Announcements (cont'd)

Ms. Shah said that she and Mr. Owens are doing something Sgt. Tucker talked about, getting panels together from the UCPD. If people have organizations or groups of students who wanted to speak to the UCPD, for grievances or suggestions, they should let her know. Also, she was sick that day and couldn't go to the Fifth Account meeting, but she wanted to note that the Fifth Account had a history to it. She believed every student should use it, but at the same time, when they recommend the Fifth Account to student groups, they should also recommend that people understand the history of Ethnic Studies and how it came about on their campus, because that was also very important.

A motion to adjourn was made and seconded by Mr. Mairena and Ms. Ude and passed with no objection.

Roll call was taken for attendance.

Members present were:

Sheila Chen
Sarah Cho
Mary June Flores
Saira Hussain
Oscar Mairena

John Moghtader
Eddie Nahabet
Christina Oatfield
Tara Raffi
Claudia Rodriguez

Lyell Sakaue
Kifah Shah
Will Smelko
Lisa Tran
Obiamaka Ude
Yishi Zuo

This meeting adjourned at 12:09 a.m.

These minutes respectfully submitted by,

Steven I. Litwak
Recording Secretary