

Associated Students, Incorporated
California State University Long Beach

BOARD OF CONTROL MINUTES

Meeting #3

July 23, 2015

1. CALL TO ORDER

Treasurer Wendy Lewis called the meeting to order at 11:35 am.

2. ROLL CALL

Voting Members Present

Mr. Jose Salazar (ASI President)
Ms. Miriam Hernandez (ASI Vice President)
Mr. Carlos Vergara (ASI Senate Rep)
Mr. Miguel Garcia (ASI Senate Rep)
Ms. Wendy Lewis (ASI Treasurer)
Ms. Sharon Taylor (CSULB President Designee)

Voting Members Absent

Non-voting Members Present

Mr. Richard Haller (ASI Executive Director)
Mr. Martiz Ware (ASI Executive Designee)
Mr. Brett Waterfield (SLD Director)

Non-voting Members Absent

3. ADDITIONS/CORRECTIONS TO THE AGENDA

There were none.

(M) Hernandez (S) Garcia to approve Board of Control (BOC) Agenda, Meeting #2, July 7, 2015

VOTE ON THE MOTION

PASSES 4-0-1

4. COMMENTS

A. Comments from the Gallery
There were none.

B. Comments from the Board
There were none.

5. APPROVAL OF MINUTES

A. Board of Control (BOC), Meeting #2, July 7, 2015

(M)Hernandez (S) Garcia to approve Board of Control (BOC) Minutes, Meeting #2, July 7, 2015

VOTE ON THE MOTION

PASSES 4-0-1

6. STATUS OF FUNDS SUMMARY

ASI Treasurer Lewis reported the following for Status of Funds: 2 grants issued at \$400 and 1 grant at \$500.
Balance: \$17, 800

7. GRANT APPLICATION HEARINGS

A. Student Travel Fund (STF)
There were none.

B. Current Year Unallocated Fund (CYUF)
There were none.

8. OLD CORPORATE BUSINESS

There were none.

9. NEW CORPORATE BUSINESS

A. Policy on Executive Fellowships - proposed revisions to policy

Richard Haller reported the following:

- 1) The goal of the policy revision is to make sure all students regardless of their immigration status can benefit from holding the position of an executive officer, in the Associated Student and be paid for being in that position. After speaking with financial aid and CSU General Counsel, under the current policy that can't be done because of the way we pay our officer's as compensation for services rendered which is payroll. Federal law prohibits paying undocumented or non-resident aliens of the United States. However, California law does allow for student to hold executive positions and be paid for the executive positions in the form of a grant, scholarship, fee waiver, or reimbursement for expenses, under AB 844. A bill was enacted after Student President; Pedro Ramirez from Fresno State could not be compensated due to his immigration status.
- 2) The revised policy needs to reflect payment as a "scholarship" rather than "compensation". So the challenge is to remove anything in the policy that gives the appearance of compensation which is all the terms and conditions. Mr. Haller is attempting to revise the policy so that if a student is elected he/she receives the award; not contingent on how many office hours held or whether they attend meetings. The only conditions for a student are they meet the academic eligibility requirements for enrollment and maintain their GPA. He suggested "term and conditions" become "expectations" prefaced with the amount awarded can't be reduced, withheld, or in any way changed due to those factors for failure to meet the expectations.
- 3) Additional concerns are whether this will work for elected officers because they don't meet the definition of an employee. Elected officers cannot be terminated by ASI, but the Chief of Staff and the Chief Programming Officer can be fired by the President at his/her discretion, which means they meet the definition of compensation. As a result they would have to be excluded from this policy, possibly considering them as paid employees that are hired to work for student government.
- 4) Mr. Haller stated, Associate VP of Enrollment Management, Tom Enders said the revised policy is not ready for approval. Mr. Enders thought we needed to thoroughly discuss aid coordination, because whether you call it a grant, fellowship or scholarship it's still financial aid; so whatever comes into that financial aid account will knock out your other financial aid because of the amount of this scholarship. Mr. Enders is willing to speak directly to the Board about what's acceptable for aid coordination. Secondly, Non-Resident Aliens (NRA) tax withholding is required even on financial aid. Mr. Enders conclusion was that there were still elements of this revised policy that make it look like compensation.
- 5) Richards remaining questions were: (1) how are other campuses able to pay their officers through financial aid, although they don't pay as much as CSULB which pays the full cost of education; (2) how one campus is able to switch back and forth between compensation or scholarship? If their student is a US citizen they would be compensated, if non-citizen they would be paid through financial aid. He's been told by financial aid and general counsel that it has to be one way or the other, but you can't pick and choose which method to use.
- 6) Discussion ensued amongst the board regarding Richards report. The general consensus is to find a balance in revising the policy so that it doesn't adversely affect one group of students for the benefit of other students. Ms. Lewis added that many of the laws are beyond the scope of the University and that as a University we must follow the laws. Both Ms. Hernandez and Ms. Lewis felt that this compensation is above average relative to other campuses, but it was appropriate given the amount of hours they put into their elected positions, while being full-time students and maintaining an acceptable GPA. Mr.

Salazar spoke passionately about the need for the approximately 1,000 undocumented students on campus to be included and fully immersed in the University experience as stated in CSULB Bill of Rights. If students are eligible to run for elected position and are elected then they should be compensated as any other student. He mentioned that even with the Executive Order of the President's Deferred Action for Childhood Arrival (DACA) there are people for various reasons who will not meet the criteria of the requirements. The continued election of undocumented students to government position is an issue that needs to ultimately be resolved by both Federal and State Government. Mr. Salazar feels that the underlying subtext to this issue should cause us to challenge our moral and ethical position on how we treat these students. He strongly believes that CSULB and to the larger extent California needs to be at the forefront of the ultimate resolution of this issue, not only out of his immediate interest but for future students that follow his path.

(M) Hernandez (S) Garcia to approve for first reading of proposed revisions to policy on Executive Fellowships.
VOTE ON THE MOTION **PASSES 4-0-2**

10. REPORTS

- A. Treasurer's Report
There were none.
- B. Senate Representative's Report
There were none.
- C. Executive Director's Report
There were none.

11. VOLUNTARY CLOSING COMMENTS

There were none.

12. ADJOURNMENT

Without objection, Treasurer Lewis adjourned the meeting at 12:29 pm.