

Board of Directors Meeting Minutes of November 4, 2020

I. CALL TO ORDER at **12:02 PM**

II. ROLL CALL

Present: Kabir Dhillon, Euridice Pamela Sanchez, Hoang Dao, Omer Shakoor, Brittney Golez, Zaira Perez, Jessica Iheaso, Nicholas Brandao, Kea Kaholoa'a, Arianna Miralles, Daniel Olguin, Tyler Engquist, MyKale Clark, Mirna Maamou, Martin Castillo, Erik Pinlac, Mark Almeida, Steve Spencer, Marguerite Hinrichs, Michael Lee, Andrew Yunker.

Absent: Anjelica De Leon

III. ACTION ITEM - **Approval of the Agenda**

Move to approve the agenda of November 6, 2020 by **O. Shakoor** second by **M. Maamou**, motion **CARRIED**.

IV. ACTION ITEM - **Approval of the [Minutes of October 21, 2020](#)**

Motion to adopt the minutes of October 21, 2020 by **M. Clark**, second by **M. Maamou**, minutes **ADOPTED**.

V. PUBLIC COMMENT – **Public Comment is intended as a time for any member of the public to address the Board on any issues affecting ASI and/or the California State University, East Bay.**

Nazzy Pakpour states that herself and a large amount of faculty are disturbed by what has been raised in the news with Gregory Christiansen from the Economics department. We wanted to inform students that we support you. I am here to listen and support.

Pascale Guitton states that the faculty support the students and are dedicated to this cause. If there is help needed in streamlining, you all can count on the faculty for support.

Move to take up new business items first by **E. Pamela Sanchez**, second by **M. Maamou**.

6:50

VI. UNFINISHED ITEMS:

A. DISCUSSION ITEM - **Discussion with SQE**

The Board of Directors will discuss the steps ASI has taken in regards to issues raised by the Students for Quality Education.

K. Dhillon states that no members of SQE are present.



1:12:46

B. ACTION ITEM - Appeal of the Personnel Committee's Decision

The Board of Directors will take action on an appeal regarding the sanction issued to the ASI Executive Vice President/Chief of Staff.

Move to replace the Executive Vice President's level two sanction with two different sanctions; one for the delay in delegation of university wide committees and one for the delay in appointing the Non-Academic Senate by **E. Pamela Sanchez**, second by **J. Iheaso**.

E. Pamela Sanchez states that in the Code of Conduct, it does not specifically state that the Board of Directors or Personnel committee has the power to level up. The best solution was to create two sanctions. The main intention was to create a performance improvement plan and hopefully, things will go well. **A. Miralles** asks if the sanction will be two level one sanctions. **E. Pamela Sanchez** states that the Code of Conduct does not mention the severity of a sanction and each decision is impactful.

Move to amend the motion to state the decision made by the Personnel Committee to reduce the sanction to a level one with additional support for the Executive Vice President by **M. Clark**, second by **N. Brandao**.

M. Castillo states that M. Clark was attempting to issue one sanction to the Executive Vice President. E. Pinlac and I have met with the Executive Vice President for additional support. **A. Miralles** states that the previous discussion was based on levels, but people were not aware of the change. I am not opposed to the sanction, but is it allowing to issue more than one sanction? **K. Dhillon** states that it depends on what the committees or Board of Directors decide to do. There can be one or two sanctions. **B. Golez** asks if the first sanction is a warning sanction and what is it for? During the Personnel Committee meeting, we discussed violations. If we are leveling it down, is it for the university wide committee or the Senate? **K. Dhillon** states that the original sanctions given were based on many issues and E. Pamela Sanchez's sanction was for the committees. Right now, the amended motion is one sanction with additional support. **E. Pamela Sanchez** states that she would like M. Clark to clarify what the sanction is for. For K. Dhillon, would it not make sense to make a motion and vote it down rather than making a new one? **K. Dhillon** states it would be best to vote on the original motion. The main discussion is to have one or two sanctions. **M. Castillo** states that issuing two sanctions places the person in a position to be removed from the Board of Directors. M. Clark's sanction was made based on overall performance. I want to ensure that issuing two sanctions makes it easier to vote someone off. **E. Pinlac** states that he is in favor of one sanction and the person must be given an opportunity to make improvements. **A. Miralles** asks if whether one or two sanctions are

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chosen, the Executive Vice President will receive equal amount of support? **E. Pamela Sanchez** states that there will be consequences and it can be brought to the Personnel Committee again. In regards to the Senate, there will only be two meetings in this semester. **B. Golez** asks if M. Clark's motion includes the multiple concerns that were discussed. **K. Dhillon** states that as of now, it is a sanction with support. The second plan is the improvement plan with documentation of the incident. As of now, the documentation will not be included. **A. Yunker** states that the leveling is complicated. With the first sanction, it is mentioned that it includes a written warning. Does the sanction being issued include the written warning? **K. Dhillon** states that the written warning would be the improvement plan. **J. Iheaso** states that the amendment that has been proposed is different from the main motion. **K. Dhillon** states that if the motion is approved with the majority, it will be adopted, and the main motion now is one sanction. If the motion fails, another motion will need to be made. **B. Golez** states that if everyone votes on the motion, everyone will be voting on E. Pamela Sanchez's motion. **K. Dhillon** states that the new motion is to change the original motion. **E. Pamela Sanchez** states that this is confusing, and the original motion can be voted down. If I withdraw my motion, could I create a new motion and rephrase M. Clark's motion? **K. Dhillon** states that it would become more complicated. **E. Pinlac** states that the amendment will need to be voted on or another amendment can be made. **K. Dhillon** states that it would be simple to vote on the main motion rather than amending it. **M. Clark** states that the amendment was to issue a level one sanction with additional support. **E. Pamela Sanchez** states if everyone understands the amendment? If anyone votes nay to my motion and to M. Clark's motion, a new motion can be made. The next vote would be to add M. Clark's amendment to the original motion. **M. Lee** states that unanimous consent is needed to withdraw a motion.

Move to withdraw my motion and any pending amendments by **E. Pamela Sanchez**, second by **J. Iheaso**.

Move to issue the Executive Vice President with one sanction including a written warning and performance improvement plan by **E. Pamela Sanchez**, second by **K. Kaholoa'a**.

E. Pamela Sanchez states that the intention was not to remove the Executive Vice President from the position. It is about accountability and the process is difficult. One sanction is a good idea if we receive the improvement plan. I value everyone for sharing their opinion. **K. Dhillon** states that the motion is a level one sanction with additional support. If you are in favor of this motion, vote yes and if not, please vote no. **E. Pamela Sanchez** states that the issue is complicated, but people should not abstain because of confusion. Everyone should gain clarification before voting. **E. Pinlac** states that the reason for abstaining is because a conflict of interest or if there is not enough information. Everyone should vote.



Motion to extend the meeting by ten minutes by **M. Clark**, second by **A. Miralles**, meeting **EXTENDED**.

B. Golez states that she did not intend for the sanctioning to be an issue. There is inconsistency with making motions in ASI each year and more communication is needed. **J. Iheaso** states that she agrees with B. Golez and everyone must be consistent. **M Castillo** states that last year, the leveling up was done at the end of the academic year. It is not about favoring anyone, but about consistency. **M. Maamou** states that she does not feel comfortable voting. No one is responsible to punish anyone and this issue is not addressing what would be best for the person. **K. Dhillon** states that abstaining is not a vote. **E. Pamela Sanchez** states that M. Maamou is correct. I felt forced to change my motion and my intentions are not to remove H. Dao off of the Board of Directors. It is emotional to place anyone in this position. This is business and it does not matter what decisions are made. I changed my mind to conform to what others are thinking. **N. Brandao** asks if H. Dao will still be receiving the improvement plan and additional support. How easy would it be to replace a person rather than removing H. Dao? **K. Dhillon** states that if vacancy occurs, ASI will conduct an interview process and the Board will appoint a person.

Move to end the meeting by five minutes to end at 2:04 p.m. by **B. Golez**, second by **J. Iheaso**, meeting **EXTENDED**.

M. Almeida states that the conversation is great and a decision has not been made. Do not give up. **K. Dhillon** states the decision is up to each person. **M. Clark** states that she did not yell at anyone. Regardless of the situation, I would do the same for anyone. I believe in right versus wrong. **J. Iheaso** asks if people vote no, what is the stance on the situation at hand? **K. Dhillon** states a new motion will need to be made. **J. Iheaso** asks what happens if no motion is brought up? **K. Dhillon** states that the original sanction would remain.

Motion to issue one sanction with additional support, 6 Yeses and 8 Nos, motion **FAILED**.

Move to extend the meeting by **E. Pamela Sanchez**, second by **N. Brandao**, motion **CARRIED**.

Move to uphold the decision made by the Personnel Committee by **E. Pamela Sanchez**, second by **J. Iheaso**.

E. Pamela Sanchez states that the next vote would be to keep the same motion made by the Personnel Committee.

7 Yeses and 4 Nos, 3 Abstaining.

K. Dhillon states that the decision by the Personnel Committee will be upheld.

2:06:02

VII. NEW BUSINESS ITEMS:

A. INFORMATION ITEM - **Board of Trustees Presentation**

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Guest speaker CSU Student Trustee Maryana Khames will provide an information presentation. **Maryana Khames** states that she is present with **Krystal Mae Reynes** who was recently appointed by Gavin Newsom. I am a third-year student at San Diego state studying international security and conflict resolutions. After, I hope to continue into law and emphasize rights. **Krystal Mae Reynes** states that she is a Christian-American and Christian college student. I am from CSU Bakersfield and I am a computer science major. The Board of Trustees was established through the donut hole act of 1950. The twenty-three campus make up the nation's largest system. The Board sets administrative policies for the campuses, is responsible for curriculum development and appointing presidents and chancellors and focuses on budget. **Maryana Khames** states that the more money that is received from the state, the less students are required to pay. The Board of Trustees continues to advocate for more money. Nothing can happen at any CSU without the Board of Trustees, unless the chancellor is given jurisdiction. There is internal advocacy, which is to the Board of Trustees and requires engagement. The external advocacy is seen through speaking to representatives and discussing bills that can affect the CSU. **Krystal Mae Reynes** states that the Board of Trustees have a six-year term. The student, alumni and faculty Board of Trustees have a two-year term. **Maryana Khames** states that the Board of Trustees has their hands in different areas. **Krystal Mae Reynes** states that with being apart of the Board of Trustees, each person is incharge of many things. The Board of Trustees are the backbone of the CSUs. Student Trustees are appointed by the Governor. Recently, the student trustees vote and we are the only people that represent the students. Many of the Trustees have not been in college for some time. Virtual meetings provide an understanding of what is happening on a campus. Reports are given at each CSSA. As Trustees, we support everyone. If there are issues with fees in regards to Covid-19 or need money for necessary needs, inform us. The information can be kept confidential. **Maryana Khames** states that the Student Trustees are open to new information and feedback. The first way to provide feedback is to make comments during meeting and to provide a comment to the assistant. An email will be sent that lists the questions and feedback from students. CSSA has a challenge that involves the board meetings and points can be received from public comments. **Krystal Mae Reynes** states that they are open to questions and our information will be provided. **E. Pamela Sanchez** states that it is important to have the information on the Board of Trustees presented. How do you feel about having two Student Trustees? Is there a need for more Student Trustees? **Krystal Mae Reynes** states that the Student Trustees are given the opportunity to speak and voice opinions. The Board of Trustees will meet and discuss the issues that are presented. **Maryana Khames** states that in regards to meetings about financing, there are many disagreements. When I first applied to the position, my goal to have stories be heard. The core of the stories are the students and we are taking advantage of the virtual setting.



M. Lee states that he applauds Maryana Khames for speaking out. I am interested in applying for the Faculty Trustee position. Should I wait the two years before applying? **Maryana Khames** states that when she first applied for the position, it took three months. I was a first-year college student and I took the opportunity because I knew I could learn. There are many people that are involved in advocacy. I applied and received an interview and got the position. **M. Maamou** asks how the Board of Trustees felt when the issue of Gregory Christiansen was mentioned? **Krystal Mae Reynes** states that it was her first time hearing the issue and is unsure if the rest of the Board of Trustees were aware. We received more details today about what occurred. If someone asks the chancellor or vice chancellor about a specific issue, it will be addressed to the entire Board of Trustees. **Maryana Khames** states that the situation is a legal one and information is being found. We find ways and means to address situations without being sued. There are amendments that must be followed. The Board of Trustees does not have a way to prevent such cases from occurring, but there are ways to address each situation. Freedom of speech is important, but there is community. It is a working process and will update everyone in the future. **Christian Roessell** explains that people are afraid that CSU East Bay is trying to use freedom of speech to cover the current issue. **Maryana Khames** states that they are looking at legal liability and the multiple variables that are involved are being observed without any lawsuits. **Pascale Guitton** asks if there is a way to contact the Board of Trustees regarding this issue? I am concerned that the voice of the students will be distorted since they cannot provide input. I understand the system does not want to sued, but there are core elements that need to be addressed. I do not trust the administration of CSU East Bay to have the interest of the students and the community of color. **Maryana Khames** states that she understands the situation. An email can be sent to the Board of Trustees. Notes are taken and we reach out to the ASI Presidents. We cannot provide point of contact for the Board of Trustees, but anyone can contact us and the information will be shared. The Trustee Secretariat is there, if needed. **Krystal Mae Reynes** states that the board of Trustees is a channel. CSSA is the voice of the students and they are able to send letters and resolutions to the Board of Trustees. **E. Pamela Sanchez** states that students mention increasing salaries and tuition. How do we relay the message that these issues are not in our hands? How do we inform students that these issues are in the hands of the Board of Trustees? **Krystal Mae Reynes** states that at a former institution, the students did not blame ASI for issues. There is a constant line of communication to ensure students that issues will be addressed by the Board of Trustees. **Maryana Khames** states that there needs to be transparency. It is important to teach people about ASI and the purpose of it. The decision is for the Board of Trustees, but students still have power. **Krystal Mae Reynes** and I work for twenty-three campuses and we would be happy to work with you.

42:43



B. ACTION ITEM - [ASI Employee Handbook](#)

The Board of Directors will take action on approving revisions to the ASI Employee Handbook. **Move** to approve the ASI Employee Handbook by **M. Clark**, second by **A. Miralles**.

E. Pinlac states that this has been an on-going project and now is the perfect time to implement changes. **K. Disharoon**, with his HR certification, was able to make some changes as well.

K. Disharoon states that most of the document was revised with legal assistance and it was changed. The Educational system portion was not thorough. There is a lot of money placed to further the education of an employee. After completion of the degree, the employee must stay with the department for a year. The leaves of absence were improved. A leave section was created to include federal mandated leaves and uncommon leaves. There are additional leaves that benefit employees. The map in the vacation section was incorrect and the lawyers noticed the mistake. Most of the employment manual does not apply to the Board of Directors, but to the student assistants and full-time staff. **K. Dhillon** will send a link for everyone to read this book. The document will need to be updated again on January 1st. 13 Ayes, ASI Employee Handbook **APPROVED**.

51:06

C. DISCUSSION ITEM - [Resolution on Spring Semester BOD Meeting Times & Setting](#)

The Board of Directors will take action on approving the Resolution on Spring Semester BOD Meeting Times & Setting.

Move to postpone New Business Items C and D to the next Board of Directors meeting by **B. Golez**, second by **O. Shakoor**.

K. Dhillon states that the items were supposed to be action items, but they will be sent to the next Board of Directors meeting. A reverse is not recommended.

52:19

D. DISCUSSION ITEM - [Resolution on Fall Semester Senate Meeting Times & Setting](#)

The Board of Directors will take action on approving the Resolution on Fall Semester Senate Meeting Times & Setting.

E. DISCUSSION ITEM - **Communicating with Faculty & Building Relationships Funding Request**

The Board of Directors will discuss a funding request for Communicating with Faculty & Building Relationships.



M. Clark states that she is hosting an event for Communicating with Faculty and Building Relationships on November 12th from 4 p.m. to 6 p.m. The presenter is Elena Perez, who is a professor at UC Riverside. The event is seventy-five minutes and students will learn skills on how to network and how non-verbal and verbal communication can lead to meaningful connections. The session will place this into practice for first- and second-year students. I am asking if the Board of Directors could fund the event. The total cost is three-hundred dollars. **E. Pinlac** asks for the date of the event. **M. Clark** states that it is Thursday, November 12th from 4:00 P.M. to 6:00 P.M. **E. Pinlac** states that his only concern is the timeline and the next Board meeting to approve this would not be until November 18th. I could possibly ask Michael Cesena to pay for the items and the Board of Directors can approve it. **E. Pamela Sanchez** states that the money can be taken from the programming budget and the money can be reallocated.

K. Disharoon states that M. Clark and her Dean have been working on this event. They have spent a great amount of time on it.

55:40

F. INFORMATION ITEM - **University Wide & Academic Senate Committees Delegation**

The Board of Directors will be informed of the importance of serving as an ASI Student Representative on the University Wide and Academic Senate Committees.

H. Dao states that if anyone cannot attend the delegated committee meetings to send an email to E. Pinlac and himself. We play a vital role to serve our committees. If there are questions or concerns regarding the committees, please contact me. **E. Pamela Sanchez** states that the committees are important. The committees are composed of faculty and staff. It is important to be present and communicate with the Board of Directors about information that was discussed.

M. Lee states that if there are any questions, reach out to him directly. Many of the faculty have not been students for years and the Board of Directors are the voices of students. I have an East Bay student in my home now and I see things through her eyes. **A. Miralles** asks if this item is in regard to the email that was sent by H. Dao. For the Academic Senate Committees, I have no knowledge of them. Should I only focus on the committee I was assigned to? **E. Pinlac** states that members can be on more than one committee. Each committee is based on curriculum. The Academic committees are subunits of the Academic Senate. **M. Lee** states that there are many committees that buy out bylaws. We do not determine who the members will be. There is a Concord campus committee that has not met yet. **M. Mamou** states that after sitting on the first committee meeting, she understood the importance of it. If I did not attend the meeting, it would have been disastrous. It is important to attend the meetings and if anyone is unable to attend their meetings, I can sit in and represent the students. **E. Pinlac** states that as Nazzy Pakpour



mentioned, committees are where decisions are made. ASI committees are the foundation for things to begin and the Board of Directors approve items. I would like everyone to take accountability and attend the meetings.

1:05:22

G. DISCUSSION ITEM - [ASI COVID Home Internet Service and Personal Cell Phone Reimbursement Policy](#)

The Board of Directors will discuss the ASI COVID Home Internet Service and Personal Cell Phone Reimbursement Policy.

E. Pinlac states that this policy stems from an AOA, which is an association for auxiliaries for all CSUs. In California labor code 2802, it requires employers to reimburse employees for all necessary expenses they incur while performing their job. We have been virtual for a while and some auxiliaries are adopting the reimbursement of internet. We will be reimbursing a portion for cell phones. Many staff that are working from home had to upgrade their internet service. At the end of October, I introduced an app that links the work phone to a personal cell phone. There is a spreadsheet with the list of staff members. The goal of this is to supplement the use of the cell phone. The total cost is about \$6,000.00. According to our lawyer, Richard Bromley, it is cheaper to pay now to prevent a class action lawsuit that could affect us later. The university is not adopting the policy, but as an auxiliary, we are seeking to adopt the policy. **K. Disharoon** states that he sat on the AOA committee and this discussion has been popular. We discussed the different auxiliaries that will adopt this policy and it is more affordable to pay upfront. We are going by the California labor code 2802. I crafted the document based on working with different auxiliaries. I hope it is explanatory and everything is laid out. **J. Iheaso** asks where the money would the money needed come from, if this were to be approved. **E. Pinlac** states that there is no specific place the money will be taken from. The money would need to be allocated, but before approval, I will create a breakdown of where the funds will be taken from.

1:11:44

VIII. SPECIAL REPORTS:
No Special Reports.

IX. ROUND TABLE REMARKS

M. Hinrichs states that December 4th is orientation day for new spring administration. I would appreciate if the Board of Directors could table virtually. If you have a portal on BaySync, you can sign up and create a Zoom link to attend



M. Clark states that her event is November 6th from 4:00 p.m. to 6:00 p.m. The healing altar will be by the theatre department.

E. Pamela Sanchez states that she has been in communication with the SF Chronical and there will be more articles regarding the professor. I also met with President Morishita and the Senate regarding the situation with the professor. He will no longer be teaching at East Bay after this semester. We have five to six weeks before the end of the semester. If there is money, please allocate it and create events.

Motion to extend the meeting by five minutes by **M. Clark**, second by **K. Kaholoa'a**.

K. Kaholoa'a states that there will be a virtual panel on November 10th called The Next Normal. The panelist will discuss the relationship between water and sustainability. I would like to give a shout out to Sustain East Bay for planning the event. Registration is available on the Sustain East Bay portal. Sustain East Bay and I are collaborating for Muggy Mondays.

N. Brandao states that there will be Wellness Wednesday on November 18th with the RAW. The event will be all day and there will be different activities. During the same week, it will be Hunger and Homelessness week. For this event, the funding has not been provided. There are delays on the Bright City program.

M. Mamou states that the Corona Virus talk will be with Dr. Nazzy Pakpour and a date will be set by the end of the day. I will be having another town hall, but there is no date.

T. Engquist states that he and M. Mamou have been working hard to receive information from students through Blackboard.

E. Pamela Sanchez states that on November 13th there is a BOG workshop called Addressing Conflict and Processing Emotions.

K. Dhillon states that the Senate will be having their first meeting next Thursday. With the election, please take care of yourselves.

X. **ADJOURNMENT at 2:15 PM**

Minutes Reviewed by:

Chair of the Board

Name: Kabir Dhillon


Kabir Dhillon (Nov 19, 2020 13:44 PST)

Minutes Approved on:

11-18-2020

Date:










Board of Directors Meeting Minutes of November 4, 2020

Final Audit Report

2020-11-19

Created:	2020-11-19
By:	Sneh Sharma (sneh.sharma@csueastbay.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAAho4ZM9DM3v0OIkMhZe3uAPwpdh_8Exll

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2020-11-19 - 9:32:26 PM GMT- IP address: 73.170.74.159
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2020-11-19 - 9:36:28 PM GMT- IP address: 73.170.74.159
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2020-11-19 - 9:42:49 PM GMT- IP address: 66.249.84.93
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Signature Date: 2020-11-19 - 9:44:06 PM GMT - Time Source: server- IP address: 71.202.43.118
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2020-11-19 - 9:44:06 PM GMT