

Transparency

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Purpose

The Associated Students, Incorporated is committed to establishing and maintaining accountability to the students of CSULB and other members of the campus community. The primary purpose of ASI's Policy on Transparency is to promote accountability through the disclosure of our structural, operational, and financial activities. Through this policy ASI will make available information on the status and conditions by which ASI operates so that students know more about ASI and have confidence in the organization's work.

Policy Statement

It is the policy of the Associated Students, Incorporated that the corporation conduct its affairs in an atmosphere that is open and transparent with the goal of enhancing trust and understanding. Unless there are compelling reasons to the contrary, ASI will operate in a transparent and open way, making its operations publicly available for examination, and will provide in a timely manner to students, stakeholders, and the public relevant information about the corporation and its decisions. To the extent legally permissible, ASI will also engage in public deliberation and decision-making at meetings where members of the campus community are encouraged to contribute comments and suggestions.

Who Should Know This Policy

- Budget Area Administrators
- Elected/Appointed Officers
- Grant Recipients
- Management Personnel
- Program Advisors
- Staff
- Supervisors
- Volunteers

Definitions

For purposes of this policy, the terms used are defined as follows:

Term	Definition
Boards	Any commission, committee, board, subsidiary board, or other body, whether permanent or temporary, created by charter, resolution, or formal action of the Associated Students Senate. This includes any standing committee of the Senate that has a continuing subject matter jurisdiction, or a meeting schedule established by charter, resolution, or formal action of the Senate
Closed session	That portion of an ASI's governing board's meeting that, in accordance with California law, is not conducted in public due to the sensitive or confidential nature of the information being discussed.
Policy	A philosophically based statement that is goal-oriented and establishes a direction for future action. Under this definition, both bylaw amendments and resolutions are considered policy
Subsidiary boards	The Child Development Center Board of Trustees, the Recreational Sports Advisory Board, the Student Media Board, and the University Student Union Board of Trustees
Work products	Reports, analyses, briefings, proposed legislation, policy drafts, and other written documents produced by ASI for consideration of the Board of Directors
Working rules	The written procedures and standards by which a commission, committee, board, subsidiary board, or other body conducts its business

Regulations

1.0 Open Meetings

Unless otherwise permitted by law, all boards, commissions, committees, or other bodies (hereinafter referred to as "boards") established pursuant to the bylaws of the Associated Students, Incorporated shall conduct their business in public meetings. All board meetings shall be open and

public, and all persons shall be permitted to attend any meeting, except as otherwise provided by the Gloria Romero Open Meetings Act of 2000.

1.1 Meeting Schedules

Each ASI board shall establish annually through the adoption of its respective working rules the time and locations for holding regular meetings. This shall be accomplished no later than the third regular meeting of the respective board.

1.2 Public Notice of Meetings

At least 72 hours before a regular meeting, the board, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including the names of candidates appearing for election, confirmation, or appointment and any items to be discussed in closed session. The brief general description need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the campus community.

1.3 Board Action

No action or discussion shall be taken on any item not appearing on the posted agenda, except that a board member may briefly respond to statements made or questions posed by a person. In addition, on his or her own initiative or in response to questions posed by the public, a board member may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a board member, or the board itself may refer to staff or other resources for factual information, request staff to report back to the board at a subsequent meeting, or direct staff to place a matter of business on a future agenda.

Notwithstanding the above, the board may take action on items of business that do not appear on the posted agenda, but are publicly identified under any of the following conditions:

- Upon a determination by the board membership that an emergency situation exists as defined in Education Code Section 89306.5.
- Upon a determination by a two-thirds vote of the board members present at the meeting (or, if less than two-thirds of the members are present, a unanimous vote of those members present) that there is a need to take immediate action and that the need for action came to the attention of the board subsequent to the agenda being posted. All items so added to the agenda shall be for discussion purposes only. However, action may be taken on such item(s) provided there is a unanimous affirmative vote of the board members present. This vote shall be recorded in the minutes of the board meeting.
- The item was posted on the agenda of a prior meeting of the board occurring not more than five calendar days prior to the present meeting.

1.4 Access to Agenda

Any person may request that a copy of the agenda and/or copies of all documents constituting the agenda packet of any board meeting be mailed to that person. Upon receipt of the written request, the board or its designee shall mail the requested materials at the time the agenda is

posted or when it is distributed to board members, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and shall have to be renewed following January 1 of each year. ASI may establish a fee for mailing the agenda or agenda packet, not to exceed the actual cost of providing the service. Failure of the requesting party to receive the agenda or agenda packet shall not constitute grounds for invalidation of the actions of the board taken at the meeting for which the agenda or agenda packet was not received.

1.5 Access to Meetings

Every agenda for regular meetings shall provide an opportunity for members of the student body to directly address the board on any item affecting higher education at the campus or statewide level, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized as provided above.

Notwithstanding the above, the agenda need not provide an opportunity for members of the public to address the board on any item that has already been considered by a subsidiary committee at a public meeting where interested students were already afforded the opportunity to address the item, unless the item has been substantially changed since the committee heard the item.

Boards may adopt reasonable regulations to ensure that the intent of this regulation is carried out, including, but not necessarily limited to, regulations limiting the amount of time allocated for student comment on a particular issue and for each individual speaker.

No board shall prohibit public criticism of anything related to the Associated Students, Incorporated, the board itself, or both. Nothing in this regulation shall confer any privilege or protection for expression beyond that otherwise provided by law.

1.6 Special Meetings

A special meeting may be called at any time by the presiding officer of a board, or by a majority of the board membership, by providing written notice to each member of the board, and to each newspaper and radio/television station that has requested notice of special meetings. The written notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at these meetings. The agenda shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the student body.

No board shall meet in closed session during a special meeting.

Every notice for a special meeting shall provide an opportunity for members of the public to directly address the board concerning any item that has been described in the agenda before or during consideration of that item.

1.6.1 Emergency Meetings

In the case of an emergency situation involving matters upon which prompt action is necessary, a board may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement, or both. For purposes of this section, "emergency situation" means either of the following:

- Work stoppage or other activity that severely impairs public health, safety, or both, as determined by a majority of the board membership
- Crippling disaster that severely impairs public health, safety, or both, as determined by a majority of the board membership

Each newspaper and radio/television station that has requested notice of special meetings shall be notified by the presiding officer of the board, or his or her designee, one hour prior to the emergency meeting by telephone. If telephone services are not functioning, the notice requirements shall be deemed waived, and the board, or designee, shall notify those newspapers and radio stations that the emergency meeting was held, the purpose of the meeting, and any action taken at the meeting as soon as possible after the meeting.

The board shall post in a public place, as soon after the meeting as possible and for a minimum of 10 days, the minutes of a special meeting, a list of persons who the presiding officer of the board (or designee) notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting.

1.7 Closed Sessions

Closed sessions of a board meeting may be called pursuant to Section 89307 of the California Education Code. The board shall state on the agenda or publicly announce and identify the provision of this section that authorizes the closed session. If the session is closed pursuant to pending litigation, the board shall state the title of or otherwise specifically identify the litigation to be discussed, unless the board states that to do so would jeopardize the ability of ASI to effect the service of process upon one or more un-served parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

Prior to holding any closed session, the board shall disclose in an open meeting the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this regulation shall require or authorize disclosure of information prohibited by state or federal law.

After any closed session, the board shall reconvene into open session prior to adjournment, and shall make any required disclosures of action taken in the closed session. The disclosure shall be made at the location announced in the agenda. The public shall be allowed to be present at that location for the purpose of hearing the announcements.

1.8 Disruption of Meetings

In the event that a meeting is willfully interrupted by a group or groups of persons to the extent that orderly conduct of the meeting is unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the board members conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in that session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend the session. The board may at its discretion establish a procedure for readmitting an individual or individuals not responsible for willfully disturbing the meeting.

1.9 Accessibility to Meeting Locations

No ASI board shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of race, religious creed, color, national origin, ancestry, or sex, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase.

2.0 Public Disclosure of Corporate Information

Associated Students, Incorporated shall make the following Information available to the public, both in paper form and on the ASI website. All paper versions of the following information shall be held at the Government Operations office, unless otherwise noted by an asterisk (*). In these cases, the paper versions will be held at either the A.S. Business Office or the Office of the Executive Director.

- Agendas and minutes of Senate and Board of Control meetings
- Annual Report or other regular report on ASI accomplishments
- Articles of Incorporation and amendments*
- ASI Mission Statement and Goals
- ASI Policy Statements
- ASI Strategic Plans and Initiatives
- ASI's most recent audited financial statements*
- Associated Students Bylaws and amendments
- Information on accreditations ASI holds or certifications/standards it meets*
- Information on major ASI programs
- IRS Tax Returns Form 990 or 990-PF, with all parts and schedules (except contributors' list protected under the Privacy Act)*
- List of appointed and elected student government positions and the corresponding stipend amounts awarded each
- List of current board members, officers, and full-time staff
- Organization charts
- Resolutions adopted by the Senate
- Working Rules of the Senate, Board of Control, and all subsidiary boards
- Year End Reports of the Executive Officers prepared pursuant to ASI's Policy on Executive Fellowships

- Any other policies and documents deemed appropriate by formal action of the Board of Directors

2.1 Other Records Subject to Public Disclosure

According to ASI's Policy on Records Management, no ASI record shall be subject to public disclosure unless it has been identified by ASI as a public record or is otherwise subject to public disclosure by state or federal law.

As part of its transparency objectives, the following records have been determined by ASI to be "subject to public disclosure". Although these documents are not posted to ASI's website, a notice will be posted of where the documents may be located.

- Agendas and minutes of boards, commissions, and committees not specified above
- ASI Patents and Trademarks
- ASI's original application for recognition of tax-exempt status
- Ground Leases
- Information on assessments of ASI's organizational effectiveness and performance
- Interim financial reports
- IRS Determination Letter of ASI's tax exempt status
- Job descriptions for all full-time, part-time, and student staff
- Judicial decisions of the A.S. Judiciary
- List of contributors (amounts of contributions shall be disclosed only with permission of contributor); donor requests for anonymity shall be honored
- Operating Agreement and Lease between Associated Students and CSU Trustees
- Any other document deemed by formal action of the Senate to be subject to public disclosure

2.1.2 Access to Records

The offices holding the above records shall make them available for public inspection during normal business hours on office premises. Staff need not disrupt operations to allow immediate access, but access must be granted as promptly as possible. No office may adopt rules limiting the hours that records are open for viewing and inspection.

If copies of the records are requested, the office shall have 10 days to provide copies. In "unusual" cases (request is voluminous, records are held off-site, or requires consultation with other offices), the office may, upon written notice to the requester, provide itself an additional 14 days to provide copies. These time periods may not be used solely to delay access to the records. The office may never make records available only in electronic form.

Access is always free. Fees for "inspection" or "processing" are prohibited. The office may charge the requester an amount sufficient to cover the costs for photocopying, but the amount must be limited to the direct cost of duplication. Charges for search, review, or deletion are not allowed.

Under no circumstances shall ASI disclose any record meeting the definition of "confidential information" described in ASI's Policy on Information Privacy and Security. Individuals who, regardless of intent, make available to the public any record not identified as "subject to public disclosure" may be subject to disciplinary action, up to and including termination of employment or suspension or expulsion from the university.

3.0 Audits

The Associated Students, Incorporated shall have an annual fiscal audit conducted by a certified public accountant selected and approved by the Senate Committee on Audit. The certified public accountant shall issue an engagement letter, which sets forth the agreement between the ASI and the accountant as to the terms and conditions of the engagement, prior to commencing the audit.

The audit shall be conducted in accordance with auditing standards generally acceptable in the United States of America. When completed, the audit shall be furnished to the University and the CSU Chancellor's Office no later than September 30.

Copies of the audited financial statements shall be made publicly available within the semester during which the audit was completed.

4.0 Public Review of Work Products

Unless it is inconsistent with ASI's duties to protect the public interest and individual privacy rights, ASI will provide drafts of work products for public review and input in the belief that such input will genuinely improve the final product. ASI shall encourage members of the student body to participate in the deliberations and assessment processes of ASI.

4.1 Policy Development

The development and adoption of new policies and the revision of existing policies are the responsibility of the Board of Directors. The Board of Directors delegates to the Executive Director the responsibility for drafting all new and revised policy statements, which shall be submitted to the appropriate board or committee for review and development. Policy statements shall then be forwarded to the Board of Directors for formal adoption.

While reserving the authority and responsibility to determine and adopt policies, the Board of Directors shall encourage interested groups and persons to identify policy problems, issues, and needs, and to participate in certain stages of the policy-making process. To this end, ASI shall take the following steps in developing new policies or revising existing policies:

- 1) Suggestions for policy development or review may be initiated by the Board of Directors, the Board of Control, subsidiary boards, ASI management, ASI staff, CSULB students, or other affected groups.
- 2) The Executive Director will receive and review the suggestions for policy development and facilitate the development of a draft policy.

- 3) The draft policy will be developed and revised through the appropriate board or committee based on the policy's subject matter (for instance, personnel policies will be reviewed by the Human Resources Committee).
- 4) The revised draft will be circulated to relevant stakeholders for comment and reaction. This period of review shall be no less than ten working days.
- 5) The board or committee circulating the draft will review recommendations from stakeholder groups, make the modifications that it deems appropriate, and forward the policy as a recommendation to the Board of Directors for final review and approval.
- 6) The policy will be adopted by resolution at a regular meeting of the Board of Directors and forwarded to the ASI President for approval and/or veto.
- 7) Within 30 days of the President's approval of the policy (or override of the President's veto), the Executive Director shall publish the final policy as a Policy Statement, post it to ASI's website, and provide to affected stakeholders a notice of the new policy and a summary of its major provisions

5.0 Annual Reports

By November 30 of each year, ASI shall produce and make publicly available an annual report that includes at a minimum:

- A description of ASI's purpose
- A description of ASI's major program activities, accomplishments, and populations served
- A summary of the total revenue and expenses of each major program
- A list of the organization's board of directors.
- Audited annual financial statements prepared in conformance with generally accepted accounting principles

6.0 ASI Archives

ASI shall maintain an official archives consisting of historical records, as well as those vital records the organization is required by law to maintain in perpetuity. The purpose of the Archives is to preserve materials that document the history of ASI and its decision-making processes and to make these materials available to interested students and other researchers.

6.1 Access to ASI Archives

Limitations on access to the records by archives users will be enforced consistent with this policy and with state and federal law. Records transferred to Archives remain the property of ASI and are administrative records, not general library materials. Records become part of the archive's holdings upon their transfer. Since ASI Archives holds these materials in trust for future generations, they can only be examined in the ASI Archives Office.

6.2 Transfer to University Archives

Upon completion of a ten-year retention period, ASI Archives shall transfer the official minutes of its governing boards to the University Archives. Minutes so transferred become part of the University Archives holdings and shall be available for public inspection in accordance with the policies and procedures of the University Archives.

Forms

There are no forms associated with the execution of this policy.