

Constitution of the Graduate Student Commons (GSC)

Adopted January 26, 2016 and Amended February 26, 2018

If there is any inconsistency or conflict between the statements and provisions in this Constitution and the statements and provisions of the Memorandum of Understanding (MOU) between the GSC and the Division of Graduate Studies, the MOU will take precedence (see Appendix B).

Article 1: Name and Charge

1.1) The official name of this organization shall be the Graduate Student Commons Governance Board (GSCGB).

1.2) Pursuant to the delegation of authority from the UCSC Chancellor, the GSCGB is established to operate and maintain the Graduate Student Commons (GSC) at the University of California, Santa Cruz (UCSC), with the goals of providing a comfortable and welcoming space for graduate students and fostering a sense of community among graduate students, consistent with applicable UCSC and University of California regulations.

1.3) The GSCGB shall establish policies for the GSC, including, but not limited to, governance, hours of operation, access, use of the facilities, space allocation, programs, maintenance, and employment.

1.4) The GSCGB shall enact policy in accordance with UCSC and University of California policies and regulations for the operation of the GSC as an auxiliary enterprise.

1.5) The GSCGB will not engage in discriminatory practices against any person because of race, religion, color, age, national origin, gender, sexual orientation, marital status, citizenship, ancestry, disability, or veteran status.

1.6) All decisions made by the GSCGB are ultimately subject to review and approval by the UCSC Executive Vice Chancellor (see appendix A).

Article 2: Membership

2.1) The voting membership of the GSCGB shall consist of up to 18 currently-enrolled graduate students: 15 regular voting members, and the GSCGB Vice President, Treasurer, and Programming Chair.

2.1.1) During the Fall Quarter, up to 3 students from each of the 5 divisions (Arts, Engineering, Humanities, Physical & Biological Sciences, and Social Sciences) may become regular voting members of the board. The GSCGB Vice President, Treasurer, and Programming Chair serve as additional voting members of the GSCGB and therefore do not count toward each division's

regular voting member quota. At regular monthly meetings, any unfilled position may be filled by a graduate student from an underrepresented division if they are voted in by the GSCGB (no absentee or proxy votes are allowed). In the absence of GSCGB quorum, the GSC Executive Board may vote to fill an unfilled regular voting position in a regular monthly meeting in accordance with the rules above. Specific voting procedures shall be determined by the Executive Committee.

2.1.2) After the end of the Fall Quarter, the GSCGB may appoint graduate students to any of the remaining seats with the stipulation that no more than 8 of the 18 members (including both regular and additional voting members) may be from a single division.

2.1.3) Terms for all regular voting members expire the day of the first GSCGB meeting of the following academic year. There is no limit to the number of terms a graduate student may serve as a voting member of the GSCGB.

2.2) The non-voting members of the GSCGB serve as advisors to the GSCGB and do not cast votes in any official decision of the GSCGB.

2.2.1) The Facilities Manager of the GSC serves as a non-voting member.

2.2.2) The GSC Graduate Intern (as selected by the Division of Graduate Studies (DGS) and GSCGB) serves as a non-voting member.

2.2.3) The UCSC Alumni Association may appoint one non-voting member.

2.2.4) The President of the UCSC Graduate Student Association (GSA) or his/her designee may serve as a non-voting member.

2.2.5) The UCSC Vice Provost and Dean of Graduate Studies or his/her designee may serve as a non-voting member.

2.2.6) Each business currently in contract with and operating in the GSC may appoint one non-voting member.

2.2.7) The UCSC Executive Vice-Chancellor or his/her designee may serve as a non-voting member.

2.2.8) The Quarry Plaza Area Council may appoint one non-voting member.

2.2.9) The Student Union Assembly (SUA) may appoint one non-voting member. The SUA representative must be a currently enrolled undergraduate student at UCSC.

2.2.10) The Academic Senate may appoint one non-voting representative. The Academic Senate representative must be a current member of the UCSC faculty.

2.2.11) The Staff Advisory Board (SAB) may appoint one non-voting representative. The SAB representative must be a current member of the UCSC staff.

2.3) Members of the GSCGB are expected to uphold this Constitution and its Bylaws and Amendments, to support the best interests of the GSC and the UCSC graduate student population, and to positively represent the GSC.

2.4) Any member may declare his/her own appointment immediately void at any time without justification by notifying the GSCGB of his/her resignation.

2.5) Any voting member may call for the GSCGB to declare another member's appointment void at the next regular meeting.

2.5.1) Grounds for declaring a member's appointment void must be based on failure of the member to perform the duties of membership as defined explicitly and implicitly by this Constitution and its Bylaws and Amendments.

2.5.2) Such a declaration is classified as a major question as defined by this Constitution and its Bylaws and Amendments.

2.5.3) The appointing body for that member's position must be notified in order that it may appoint a new member to fill the vacancy.

2.6) Regular voting members of the GSCGB may be paid a quarterly stipend, provided the amount is established prior to the end of the previous academic year.

Article 3: Officers and Executive Committee

3.1) The GSCGB officers are the President, the Vice-President, the Treasurer, and the Programming Committee Chair. These officers form the GSC Executive Board (GSCEB), along with the Facilities Manager. Only currently enrolled graduate students are eligible to be officers. The Vice-President may simultaneously hold the position of Programming Committee Chair at the same time, and in the absence of a Programming Committee Chair, the position defaults to the Vice-President.

3.1.1) Officers shall be elected at the second to last meeting of the academic year for 1-year terms beginning July 1st.

3.1.1.1) Following elections, the GSCEB must host a meeting for current and newly elected officers to discuss the GSC leadership. Attendance is mandatory for all current and newly elected officers, and representatives from the DGS should be invited. The meeting must take place no later than the final GSCGB meeting of the year. At this meeting the current and future officers will review the GSC Constitution, the GSC-DGS Memorandum of Understanding (MOU), the state of the GSC's finances, and other information pertinent to the leadership of the GSC.

3.1.2) The President serves as the Chair of the GSC and is, therefore, a non-voting member unless his/her vote is needed to break a tie during a simple majority vote.

3.1.3) The Vice-President of the GSCGB ordinarily serves as an additional voting member. The Vice-President is responsible for recording minutes of GSCGB and Executive Committee meetings, for distributing GSCGB meeting agendas, and, in the absence of the President, assumes the role of Chair.

3.1.4) The Treasurer serves as an additional voting member, and the Chair of the Finance Committee. At the first meeting of the year they shall give an address to the GSCGB including, but not limited to, the state of the Plant Reserve Balance, loan balance, and operating budget, and a five year plan for the GSC finances. They are also responsible for submitting/overseeing the submission of Purchase Orders and Entertainment Reporting Forms.

3.1.5) The Programming Committee Chair serves as an additional voting member, and the Chair of the Programming Committee. They are responsible for coordinating the programming events put on by the GSCGB that do not fall under the responsibility of the GSC Graduate Intern. The responsibilities of the Programming Committee Chair include ensuring that all necessary paperwork is submitted on time prior to an event. The Programming Committee Chair must submit a preliminary budget report at the end of each academic year to the Finance Committee.

Once the budget is set for the upcoming academic year, the Programming Committee Chair may make budgetary decisions as long as those decisions stay within budget.

3.2) The Executive Committee shall consist of the President, the Vice-President, the Treasurer, the Programming Committee Chair, and the Facilities Manager. The President, the Vice-President, the Treasurer, the Programming Committee Chair, and the Facilities Manager are all voting members of the Executive Committee.

3.2.1) The Executive Committee shall conduct GSCGB business between regular meetings of the GSCGB. The Executive Committee cannot make governance decisions that would change the Constitution, its Bylaws, and/or its Amendments. All decisions made by the Executive Committee must be approved at the next meeting of the GSCGB.

3.2.2) The President is the official representative of the GSCGB and must represent the opinions, practices, and ideas of the GSCGB. The President is also responsible for acting as Chair for all GSCGB and Executive Committee meetings.

3.3) Any voting member may call for the GSCGB to recall an officer at the next regular meeting. Such a recall is classified as a major question as defined by this Constitution and its Bylaws and Amendments. Grounds for recalling an officer must be based on failure of the officer to perform the duties of his/her office as defined explicitly and implicitly by this Constitution and its Bylaws and Amendments.

3.4) At the discretion of the GSCGB, the President, Vice-President, Treasurer, and Programming Committee Chair may be paid a quarterly stipend.

Article 4: Bylaws and Amendments

4.1) The GSCGB shall establish Bylaws to conduct its business. Bylaws must be reviewed by the GSCGB at least once a year to ensure that they correlate to the practices of the GSCGB.

4.2) Changes or additions to existing Bylaws are classified as major questions as defined by this Constitution and its Bylaws and Amendments.

4.3) The Constitution and its Amendments may be permanently changed only by ratifying an Amendment. In order for an Amendment to be ratified, it must be approved by both the UCSC Executive Vice Chancellor and the GSCGB. GSCGB approval of an Amendment is classified as a major question as defined by this Constitution and its Bylaws and Amendments.

Article 5: Relationship between the GSCGB and the DGS

The relationship between the GSCGB and the DGS is outlined as a Memorandum of Understanding (MOU) that has been signed by the Vice Provost and Dean of Graduate Studies and President of the GSCGB in 2015. The signed MOU can be found in Appendix B.

5.1) The GSCEB will review the MOU on a yearly basis to ensure that officers are familiar with the nature of the relationship between the two parties. This review will occur after GSC officer elections and before the final GSCGB meeting of the year. All current and newly elected officers must be in attendance.

5.2) Should changes in administrative leadership/structure or other cause raise questions about the nature of the relationship between the GSC and the DGS as codified by the MOU, the GSC officers may request a review of the MOU with the Vice Provost and Dean of Graduate Studies, which shall not be unreasonably withheld. Similarly, if the DGS proposes modifications to the MOU at any time, the GSCEB will bring the recommendation of the DGS to the GSCGB. Should the GSCGB accept the recommendation to modify the MOU, a GSC MOU committee will be instated to renegotiate or amend terms of the MOU with the Vice Provost and Dean of Graduate Studies.

5.3) The MOU committee must be chaired by a member of the GSCEB and at least 3 additional GSCGB members must be serve on the committee. If committee participation does not meet this quorum, the committee will not be formed and no changes to the MOU will be made, unless changes are necessary to conform to shifts in University policy.

5.4) The MOU committee will open a dialogue with the DGS to renegotiate or amend the terms of the MOU. Once the MOU committee and the DGS have come to a mutually satisfactory draft of a new MOU, the MOU committee chair will present the proposed MOU to the GSCGB. Should the GSCGB request additional modifications to the MOU, the MOU committee has one more chance to present the MOU in front of the GSCGB. Should the GSCGB reject the proposed MOU a second time, the MOU negotiations will be terminated and the subject will be tabled until the following year and the existing MOU will remain in force. This ensures the MOU renegotiation or amendment process occurs in a timely manner.

Bylaws of the GSCGB Constitution

Bylaw 1: Meetings

1.1) The GSCGB shall meet at least three times per quarter during the academic year. Dates and times for regular meetings should be arranged at the first meeting of each quarter and entered into the academic calendar. The failure of a voting member to attend two consecutive meetings shall result in the loss of his/her membership on the Board. A re-nomination process can occur for any persons whose membership is thusly lost.

1.2) When necessary, special meetings of the GSCGB may be called by the Executive Committee.

1.3) Emergency meetings of the GSCGB may be called by the President, Vice-President, or Facilities Manager in the event of an unforeseen emergency condition that may result in a detriment to the GSCGB, the GSC, UCSC, or the public interest if not addressed.

- 1.4) All meetings are to be run based on Robert's Rules of Order as modified by this Constitution and its Bylaws and Amendments.
- 1.5) All meetings and portions of meetings are open to any officer, employee, or registered student of the University of California unless declared closed by a simple majority. Meetings or portions of meetings are normally declared closed when dealing with personnel or legal issues. Only members of the GSCGB, including non-voting members, may be present during a closed meeting or closed portion of a meeting.
- 1.6) The first order of business for every regular, special, and emergency meeting of the GSCGB is discussion and approval of the agenda for that meeting. Until the agenda for a meeting is approved, the only decisions the GSCGB can make are changes to and approval of the agenda. Changes to the agenda must be decided by simple majority.
- 1.6.1) The agenda for a regular or special GSCGB meeting, along with the text of any questions to be decided at the meeting, is to be prepared and distributed to all members of the GSCGB and posted in the GSC by the Facilities Manager at least four days prior to the meeting.
- 1.6.2) The President may make changes to the agenda of a regular or special meeting up to four days prior to the meeting. Such changes must be reported to all members of the GSCGB at least four days prior to the meeting.
- 1.6.3) The agenda for an emergency meeting may be set by the President at any time prior to the meeting or by the GSCGB as the first order of business at the meeting.
- 1.7) At every meeting, the Vice-President shall record minutes documenting all decisions made by the GSCGB.
- 1.7.1) Separate minutes must be recorded for closed meetings or closed portions of meetings.
- 1.7.2) The minutes of a meeting must be approved by the GSCGB at the next regular meeting.
- 1.7.3) At least one copy of the minutes from every meeting must be kept by the Facilities Manager. Any member of the University of California may request a copy of the minutes from any open meeting or open portion of a meeting. Minutes for closed meetings or closed portions of meetings are available only to members of the GSCGB.

Bylaw 2: Quorum and Voting

- 2.1) Quorum is defined as the combination of the Chair of the meeting plus five voting members. No question may be decided unless there is a quorum. If quorum is not satisfied for fifteen minutes, the meeting may be canceled.
- 2.2) Voting members must be present in order to cast a vote; no absentee or proxy votes are allowed.
- 2.3) A question may be decided in one of three ways: white ballot, simple majority, or two-thirds majority. The Chair chooses which method will be used to decide each question when the method is not already determined by this Constitution or its Bylaws and Amendments. The GSCGB may override the Chair's choice by a simple majority decision.
- 2.3.1) Each voting member may cast one of three possible votes to decide a given question: an Aye vote, a Nay vote, and an Abstention.

2.3.2) A question decided by white ballot automatically passes unless there is a single Nay vote, in which case, the question must be decided in one of the other ways. Decision by white ballot is typically used for inconsequential or uncontroversial issues such as approval of the minutes, changes to the agenda, or approval of the agenda.

2.3.3) A question decided by simple majority passes if the number of Yea votes is greater than the number of Nay votes. If the number of Yea votes is equal to the number of Nay votes, the Chair must cast a vote to break the tie; the Chair cannot cast an Abstention. Decision by simple majority is often used for most GSCGB business of consequence.

2.3.4) A question decided by two-thirds majority passes if the number of Yea votes is at least as large as twice the number of Nay votes cast. Decision by two-thirds majority is typically used for important issues with long-lasting or far-reaching impact.

2.4) A major question must be decided by two-thirds majority and must be announced at least two weeks in advance of the meeting in which the question is to be decided.

Bylaw 3: Committees

3.1) The GSCGB may appoint standing and ad hoc committees for the purpose of preparing information for and recommendations to the GSCGB. Standing committees are permanent or semi-permanent committees with ongoing or long-term goals. Ad hoc committees are temporary committees with short-term goals.

3.2) Committee recommendations must be approved by the GSCGB before taking effect.

3.3) Committee Chairs must be voting members of the GSCGB.

3.4) All committees, except an MOU or Constitutional Committee (see Article 5.3) must consist of at least two members, including the Committee Chair.

3.5) Membership appointments and charges to standing committees are established by a simple majority vote of the GSCGB.

3.6) Membership appointments and charges to ad hoc committees are established by the President, subject to approval by the GSCGB.

3.7) There are at least two standing committees that are always in existence.

3.7.1) The Finance Committee is responsible for approving funding requests in support of endeavors above and beyond the operation of the building. This includes but is not limited to social events, professional development events, wellness events, and funding for outside groups. They are also responsible for the review and reporting of financial matters such as the annual budget, and plant reserve balance.

3.7.2) The Programming Committee is responsible for organizing social, cultural, and other activities in the GSC that enhance the graduate student community, except where the President or the DGS has appointed a specific person as responsible. The Committee is responsible for presenting a proposed budget to the Finance Committee for approval.

Bylaw 4: Finances

- 4.1) The fiscal year for the GSC begins July 1st of a calendar year and ends June 30th of the following calendar year.
- 4.2) The GSCGB shall allocate registration fees and other income for GSC operating expenses, including, but not limited to, staff salaries, standard and deferred maintenance, general building supplies, and GSCGB expenses and programming.
- 4.3) A preliminary budget report shall be provided at the end of each academic year by the Facilities Manager in consultation with the GSCGB Finance Committee. Official reports shall then be submitted at the beginning of fall quarter for review and approval. Before the end of each fiscal year, the Facilities Manager, in consultation with the GSCGB Finance Committee, shall submit an annual budget for the following fiscal year to the GSCGB for review and approval.
- 4.4) The Facilities Manager shall submit the annual budget for a given fiscal year to the DGS office no later than the start of said fiscal year.

Bylaw 5: Facilities Manager

- 5.1) The Facilities Manager is an employee of the University of California. The Facilities Manager reports directly to the Vice Provost and Dean of Graduate Studies.
- 5.2) The Facilities Manager is responsible for the day-to-day operation of the GSC, including, but not limited to, daily opening and closing of the GSC, maintenance, and enforcing GSCGB policy regarding the GSC.
- 5.3) The Facilities Manager is also responsible for staffing of the GSC, including, but not limited to, advertising open positions, interviewing and hiring candidates, training new staff, creating staff schedules, and signing staff timesheets. All GSC staff shall be employees of the University of California.
- 5.4) At the first meeting of every quarter, the Facilities Manager must give an address to the GSCGB, including, but not limited to, a summary of his/her actions in the previous quarter and planned actions in the current quarter, an estimate of the GSC's current finances, and a report on the current status of staffing and maintenance of the GSC.
- 5.5) The Facilities Manager must adhere to all decisions made by the GSCGB. Any actions taken by the Facilities Manager are subject to review by the GSCGB.
- 5.6) The day-to-day activities of the Facilities Manager are typically coordinated by the GSCGB, though the Facilities Manager is formally appointed by the DGS and falls under the authority of the Vice Provost and Dean of Graduate Studies. When the actions of the Facilities Manager result in either monetary expenditure from the GSC operating budget or the GSC building being closed, the Facilities Manager will, under all but exceptional circumstances, seek to consult in advance with the GSCGB and solicit the GSCGB's insight before a decision is made. The DGS

is responsible for decisions concerning the salary of the facility manager, with consultation and recommendations of the GSCGB and in concert with UC and UCSC personnel policies.

GSC Amendments

1.) Ratified 2/26/18 by the GSC Governance Board
Articles Modified: 2.1 – 2.1.2, 2.2.2, and 3.1.5

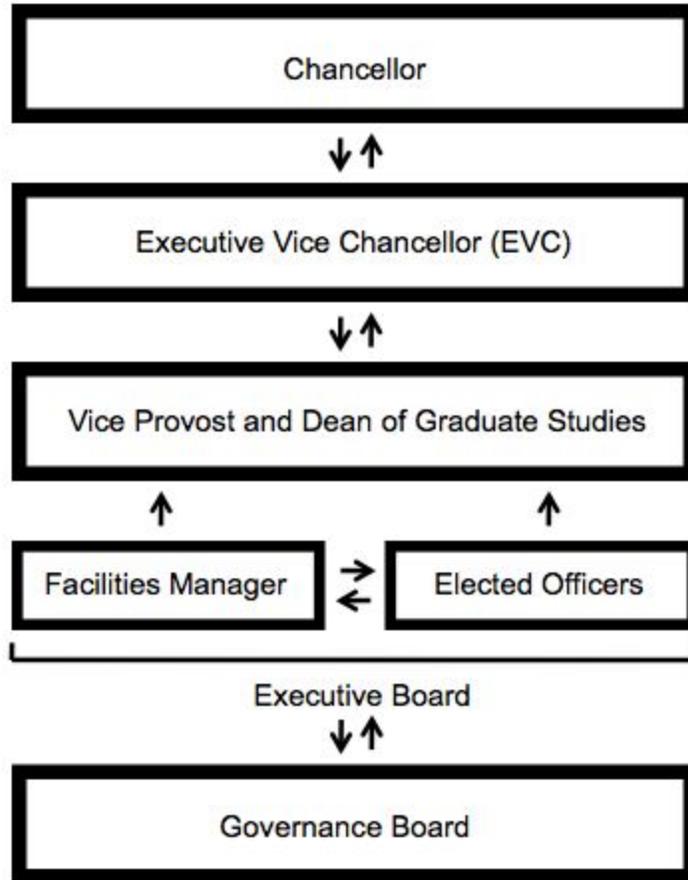
This amendment had 2 purposes:

First, a loophole existed in the process of voting in members of the Governance Board. A situation could arise where fewer than 5 members were retained from the previous academic year, this would make it impossible for the GSCGB to add new members since the remaining board did not constitute quorum. This loophole is now closed by allowing the GSCEB to vote in new GSCGB members in the absence of quorum. In addition, GSCEB members are excluded from divisional counts in order to encourage and enable more participation in the GSCGB (see article 2.1.1 for both the above changes). The member counts in 2.1-2.1.2 have been updated to reflect these changes.

Second, the GSC no longer hires a Professional Development Coordinator as a GSR position, the professional development duties have been primarily assumed by the graduate division. Instead, the GSC has hired a Graduate Intern to handle many of the day to day logistical tasks and details. Articles 2.2.2 and 3.1.5 have been updated to reflect this change.

Appendix

A. Organizational Structure of the GSC



B. Memorandum of Understanding Between the Graduate Student Commons Governance Board (GSCGB) and the Division of Graduate Studies (DGS)

If there is any inconsistency or conflict between the statements and provisions in this MOU and the statements and provisions of the GSCGB organizational or internal documents (such as its bylaws or constitution), this MOU will take precedence.

--The DGS's primary responsibility to the GSCGB is to support all administrative tasks necessary for the operation of the GSC building and all programming held therein, so long as such operation adheres to University policies and regulations. This includes, but is not limited to, top-level financial approval above \$10,000 per individual purchase and providing a tier 2 signature of authority when the DGS determines a tier 2 signature to be necessary or appropriate. The DGS is responsible for decisions concerning the salary of the facility manager, with consultation and recommendations of the GSCGB and in concert with UC and UCSC personnel policies.

--In the daily operation of the GSC building and many issues of long-term planning and action, the GSCGB is authorized to deliberate and decide, with the consultation and coordination of the DGS. All decisions are subject to DGS review, but it is anticipated that the DGS will defer to GSCGB decisions in most instances, except those the DGS determines involves campus direction, liability, litigation, negotiation of and recommendations to execute leases and contracts, legal recourse, or other significant risk to the campus.

In such instances, the Vice Provost and Dean of Graduate Studies or representative is delegated the authority by the Executive Vice Chancellor and may act on behalf of the GSCGB. In such cases, the DGS will keep the GSCGB apprised of all actions being taken unless there are confidentiality requirements preventing the dissemination of sensitive information. In this situation, the DGS will apprise and, if at all possible, consult with the GSCGB before a final decision is officially agreed upon.

--Lease revenues support the operations and facilities of the GSC, and are defined as the percent of net sales coming in from rent paid to the GSC by the vendor on the GSC building's first floor. Lease revenues are, however, allocated at the discretion of the EVC, and under some circumstances may be allocated for purposes other than the DGS or the GSCGB. Such a situation could occur, for example, in the case of major budget cuts across campus or campus-wide reallocation of funds to support campus-wide services. Since the GSC relies on these revenues for programmatic purposes, any future modification to the allocation of the GSC lease revenues must be accompanied by discussions between the GSC and the DGS about alternative budget structures/allocations.

--The GCCGB's primary responsibility to the DGS is to keep the DGS apprised of actions being taken by the GSCGB and to adhere to all University guidelines and timelines for the submission of documents requiring administrative approval.

--Both the GSCGB and the DGS are responsible for immediately notifying the other party should external events (such as changes to UC policy) necessitate a change in any aspect of how the two parties interact. In such a case, a GSCGB-appointed "MOU committee" and the Vice Provost and Dean of Graduate Studies are responsible for amending the existing MOU or negotiating a new MOU that incorporates the necessary revisions.

Name of the Vice Provost and Dean of Graduate Studies:

Signature of the Vice Provost and Dean of Graduate Studies:

Date:

Name of the President of the GSC:

Signature of the President of the GSC:

Date: