

# SELECTION, APPOINTMENT, AND REVIEW OF AS APPOINTEES POLICY

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## BACKGROUND AND PURPOSE

The Board is responsible for the long-term success of the organization and its first responsibility is to provide direction and leadership within a framework of prudent and effective controls. The purpose of the policy is to promote best practice through practical guidelines for the selection and nomination of directors in order to ensure that the Board consists of members with diverse skills, interests, and perspectives whilst ensuring a formal and transparent process for shareholders to recommend potential candidates.

This document establishes policies and procedures for the selection, appointment, and periodic review of students who serve on, but not limited to committees, assemblies, taskforces, and council throughout the University and CSU System to ensure student are directly participating in shared governance and decision-making.

## POLICY STATEMENT

This policy serves to involve as many students as possible in the shared governance of the Associated Students (AS) and San Francisco State University (SFSU). This policy establishes procedures regarding the appointment and interview process for AS vacant positions, shared governance committees, and a variety of university committees.

The purpose of this policy is not to reiterate the Bylaws of AS, but rather to complement the Code and facilitate its application. Furthermore, we intend that this policy will guide AS Board of Directors in best practices, accountability, and efficiency in identifying students to serve in direct representative positions to participate in the decision making process of the University as well as provide a supported experience for leadership learning and development.

## APPLICABILITY TO THE POLICY

This policy applies to all members of Associated Students, including Budget Area Administrators, Elected and Appointed Officials, Management Personnel, Program Advisors, Supervisors, and AS Staff.

## DEFINITIONS

Term	Definition
<b>Appointments Assembly</b>	An assembly responsible for appointing persons to specific AS positions based on student input. Members of the Executive Committee serve on this assembly.
<b>Associated Students (AS)</b>	The student government of San Francisco State University which serves as the official vote of students. AS promotes an enriched co-curricular student life experience and is dedicated to the empowerment of SF State's diverse

	student body through a commitment to social justice and shared governance. AS provides and supports services and programs, maintains fiduciary responsibility, and engages in campus-wide collaborations and external advocacy efforts.
<b>Board of Directors (BOD)</b>	The student body of elected or appointed members who oversee and approve the activities of Associated Students at San Francisco State University.
<b>Executive Committee</b>	A committee affiliated with the Board of Directors and which serves to support and drive the development and implementation of the Board’s goals and strategic plans. The committee is comprised of eight members, including the AS President, VP of External Affairs, VP of Internal Affairs, VP of Finance, VP of University Affairs, VP of Facilities and Service, Corporate Secretary, Chief Justice, and the AS Executive Director.
<b>Executive Director (ED)</b>	The AS Executive Director provides executive leadership, management, oversight, and strategic guidance in support of AS. Additionally, the Executive Director ensures the appropriate implementation of AS policies and procedures and provides supervision to ensure and improve the quality of operations and programs within the organization.
<b>Judicial Council</b>	A council that operates under the powers granted by the Board of Directors to review grievances, investigates when necessary, entertain argument during hearings, and provide a written decision to the BOD for final disposition. The Council is not a political entity and should, where and whenever possible, refer matters of political question to the BOD for action.

**GUIDELINES FOR BEST PRACTICES**

The Best Practices Guidelines should facilitate the identification, selection, review, and recommendation / approval for:

- (a) Board of Directors
  - (i) Board of Director Vacancies
  - (ii) Appointed Department Representatives to the Board
  - (iii) Chief Justice
  - (iv) Corporate Secretary
- (b) AS Assembly and Subassembly Members



- (i) At - Large Student Representatives on AS Assemblies & Subassemblies
- (c) At - Large Student Representatives on AS Judicial Council
- (d) University Committee Student Representative Positions
  - (i) University Corporation Board
  - (ii) SFSU Foundation Board
  - (iii) Student Senator Representatives to the Academic Senate
  - (iv) Academic Senate Committees
  - (v) Other University Committees
  - (vi) At - Large Student Representatives to University wide Search/Recruitment Committees

## **GUIDELINES FOR THE APPOINTMENT OF DIRECTORS/ AT-LARGE STUDENT REPRESENTATIVES**

This document is designed to assist with practical implementation of the following guidelines and can be downloaded from the AS website at [asi.sfsu.edu/board-training-manual](http://asi.sfsu.edu/board-training-manual).

### **A. Recruitment**

The following is a description of the process for the Board to recruit students at large for positions as well as how students can apply for said positions. All recruitment will be handled and monitored by the AS President, Executive Committee and Executive Director.

The Judicial Council shall inform the Board of Directors of any student representative vacancies pertaining to any AS Assemblies, AS Sub-Assemblies, Ad Hoc, University Committees, or any other student at large representative positions. All vacancies and appointment opportunities shall be publicly announced and advertised no later than the beginning of each semester for a minimum of two (2) school weeks and until filled, unless circumstances preclude this. All vacancies shall have a position description attached to the public announcement. Students will be allowed to apply for vacant positions until all are filled (see Attachment A).

- a) Students at-large who are interested in the vacant positions available shall write a letter of intent to the AS President outlining why they feel they are qualified and seek the position. Once the President receives the letters, they forward them to the Appointments Assembly (consisting of all AS Executive Board members) for review.

- b) Students who are recruited must reflect the varied and different perspectives of the student community, ensuring representation of the diverse communities that comprise the student body.
- c) Recruitment efforts must seek out students who are motivated, accountable, want to be involved, productive, and constructive in their participation.

The Judicial Council shall charge the Appointments Assembly with the obligation of corresponding, reviewing, and recommending applicants to be appointees of the respective committees, councils, and assemblies.

## **B. Review**

Prior to Appointments Assembly reviewing, simultaneously, or immediately after, the AS President will then forward all letters of intent to the Executive Director, who will verify the information on each application they receive.

In addition to a letter of intent, each candidate is to provide an unofficial transcript when they submit their application. Current AS Members do not have to provide a transcript. Unofficial transcripts will be handed into the office of the Executive Director with the student's name and the position they are applying for. The front desk will provide an envelope for the student to seal their information. Students will be directed to the AS Business office where they will be able to receive the envelope and have it date stamped.

The Dean of Students Office will confidentially review the document to ensure the student is eligible to serve. Upon this determination the transcript will be shredded. Applications will remain on file for one academic year.

- a) Undergraduate candidates must maintain six (6) semester units per term while running for office. Graduate and credential student candidates must maintain three (3) semester units per term while running office.
- b) All applicants must have a minimum GPA of 2.0. First semester freshman must achieve a minimum 2.0 GPA for the fall semester.

It is the responsibility of the Chief Justice to conduct the interview(s), (except in the case of interviewing for the Chief Justice, which is the responsibility of the AS President), and to set an interview following the application deadline. An interview must be scheduled a minimum of five days prior to the actual interview. The interview shall be conducted at the Appointments Assembly Meeting and the Chair of Assembly (the Chief Justice) shall lead the interview. Other assembly members are able to ask questions that are supplementary to the interview

If, for some reason this timeline cannot be satisfied, the Chief Justice will inform the candidate that there may be one more eligible interview appointment before the applicant is no longer seen fit to apply due to other outside commitments. If the individual chosen for appointment does not accept the offer in due time, the Appointments Assembly will then look to the next best candidate and invite them for an interview. The next best candidate will be chosen with the same vetting process as described as above

## **C. Selection**

When looking for selection to originally appoint members or filling vacancies throughout the year, preference will be given to non-appointed applicants in the applicant pool before double appointing.

In the case that a vacancy occurs after the beginning of a semester the Appointments Assembly should appoint someone new, preferably from the pool of original applicants. If Appointments Assembly does not have any viable candidates to choose from in the existing application pool, they may create a new applicant pool, following the above guidelines.

When applicants are not selected, the Appointments Assembly shall create and send out a “Thanks for applying...” letter. This letter will:

1. Include a statement addressing that they were not hired for the job.
2. Inform them that their application will be kept on file for one academic year.
3. Inform the applicant that, should the position become vacant, they may be contacted and asked to re-interview for the position.
4. Facilitate the candidates’ options for continued involvement in AS.

#### **D. Recommendation**

The Appointments Assembly shall recommend to the Judicial Council all applicants whom the Assembly deems suitable for the appointment, providing a ranking of all applicants.

The Appointments Assembly is responsible for preparing a confidential report of the review and findings on the performance of the individual being reviewed and evaluated. The report should make clear the basis for the committee's findings. The entire assembly should discuss and agree upon the conclusions to be drawn and on any recommendations included in the report, and shall review the draft report to assure that it is an accurate reflection of the assembly’s thinking. The Chief Justice who chairs the Appointments Assembly shall sign the report as the official recommendation to the Judicial Council.

#### **E. Approval**

The signed recommendation from the Appointments Assembly will be submitted to the Judicial Council. The Council will review the report recommendations, and shall submit a final recommendation to the BOD for review/approval. The Board of Directors shall approve all appointees.

#### **F. Appointment**

Appointments to University Committees, Assemblies, Subassemblies, and Councils shall be facilitated through Associated Students to include admitted, matriculated, and enrolled SFSU students. It shall be the responsibility of the applicants to be present at the BOD meeting at which the appointment will occur, either in person or through or

appropriate call-in methods.

Once nominated by the President, after consideration and deliberation with the AS Executive Committee, the applicants are subject to appointment by a simple majority vote by the Associated Students Board of Directors. Subject to amendments by a simple majority vote of the Board of Directors, appointees shall begin their term seven (7) days following their appointment. All appointee's terms shall end the first day of May of the year subsequent to their appointment date.

## **CONFLICT OF INTERESTS**

### **A. Conflict of Interest**

When selecting directors and appointees, the Board should be conscious of student constituency and public perceptions and seek to avoid situations where there might be a perceived or real conflict of interest. No member of the Board of Directors shall be financially interested in any contract or other transaction entered into by the Board of Directors that is not in accordance with the conflict of interest provisions set forth in Sections 89906 through 89909 of the Education Code. The following relationships are specifically deemed impermissible:

- (a) Any contract, other than an employment contract, directly between Associated Students and a Director,
- (b) Any contracts between Associated Students and a partnership or unincorporated association in which a director is a partner, owner, or holder, directly or indirectly, of a proprietorship interest; and,
- (c) Any contract between Associated Students and a for-profit corporation in which a Director is the owner or holder, directly or indirectly, of five percent (5%) or more of the outstanding common stock.

### **B. Permitted Relationships**

There are other relationships, including the following, which are permissible:

- (a) Contracts between Associated Students and a for-profit corporation in which a Director is the owner or holder, directly or indirectly, of less than 5% of the outstanding common stock; and,
- (b) Contracts between Associated Students and a for-profit corporation on whose Board of Directors a Director serves and such Director is the owner or holder, directly or indirectly, of less than 5% of the outstanding common stock.

### **C. Concurrent Serving**

No individual serving as President of Associated Students shall serve concurrently as President or Chair of another auxiliary organization of the University campus. Individuals who are appointed to their positions by the Board of Directors must sign the Conflict of Interest Agreement form (see Attachment B).

## **EQUALITY AND DIVERSITY**

While many directors feel that collegiality might contribute to a more collaborative working environment, it can also be an obstacle to increasing diversity and its attendant strengths. These strengths include bringing a widely varied perspectives and experiences to complex issues of strategy and performance monitoring and the greater likelihood of the Board addressing the broad social of impact of decisions made.

### **A. Selection Procedure**

Selection procedures utilized in the search process shall be in accordance with the policies and procedures set forth in the AS Bylaws and any other documents that may be necessary to review.

When appointing students to AS and University Committees, all officers shall make every effort possible to ensure that equity, including, but not limited to the following:

- i. Race/color
- ii. Religion
- iii. National
- iv. Origin/ancestry
- v. Sex
- vi. Age
- vii. Marital status
- viii. Identity
- ix. Ability
- x. Veteran status

## **RESPONSIBILITY OF AS REPRESENTATIVES**

All representation, must serve the Board in their individual capacity, consistent with the responsibilities of a SF State University Student, and not as the representative to any particular campus department, organization, etc. The fundamental duty of any AS representative is to act in the best interest of students she/he/they serve in a manner that supports the mission of AS.

## **DATE OF EFFECTIVENESS**

This policy shall be effective upon approval of the AS Board of Directors BOD. The date shall be reflected on the document.



## AMENDMENTS

This policy may be amended or repealed, in whole or in part, by a two-thirds ( $\frac{2}{3}$ ) affirmative vote of BOD.

## PRINCIPLES

Associated Students (AS), the student government at San Francisco State University, serves as the official voice of students. AS promotes an enriched co-curricular student life experience and is dedicated to the empowerment of SF State's diverse student body through a commitment to social justice and shared governance. AS provides and supports services and programs, maintains fiduciary responsibility, and engages in campus-wide collaborations and external advocacy efforts. It is vital to the purpose of AS in promoting shared governance that representatives approved to be selected and reviewed through a process which involves meaningful, clear, and consistent processes.

### A. Goal of Shared Governance as it Applies to the Appointments Policy

The following represent the goals of shared governance in accordance with AS values and Bylaws:

- (a) To foster excellence in individuals appointed to these positions and confidence in them on the part of their constituencies.
- (b) To protect the individuals being considered or reviewed, and to maintain the integrity of the process, confidentiality shall be preserved throughout the process.
- (c) Those choosing members of the Board established in accordance with this policy shall attempt to ensure that representatives represent the University's ethnic and gender diversity.

## CONFIDENTIALITY

AS Board Members shall maintain the same standards of confidentiality that apply to other personnel actions in regards to all verbal, written, and electronic communication.

## FORMS

Attachment A: Sample Application Letter of Intent  
Attachment B: Conflict of Interest Agreement



Attachment A:

Associated Students, San Francisco State University

(Position of Application) ex. Chief Justice

Name:

Date:

Email:

Address:

Class Year:

To Associated Students, Board of Directors:

Personal Statement: Recommendations

- Leadership Experience
- Position Experience
- Have you been involved with Associated Students prior?
- Why do you want to be apart of Associated Students?
- What is one of the most important qualities of leadership?
- What is one unique/diverse perspective you can bring to the Board of Directors?

Sincerely,

Applicant name

Attachment B:



ASSOCIATED STUDENTS INC  
SAN FRANCISCO STATE UNIVERSITY

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### CONFLICT OF INTEREST AGREEMENT

Associated Students requires that Board of Directors and delegated designated employees be apprised of conflict of interest restrictions annually. A signature below by the individual indicates that he/she read the following and understands it.

The State of California has set forth regulations concerning interest restrictions for auxiliary organizations' Board of Directors. The California State Education Code section 89909, which deals with restrictions on personal gain resulting from participation as a board member of an auxiliary states:

89909 It is for any person to utilize any information, not a matter for public record, which is received by him by reason of his membership on the governing board of an auxiliary organization, for person pecuniary gain, regardless of whether he is or is not a member of the governing board at the time such gain is realized (Enacted by Stats. 1976, Ch. 1010).

The section of the Manual of Policies and Procedures for Auxiliary Organizations of California State University concerning conflict of interest reads:

- 6 Conduct of Governing Board
- 6.1 Conflict of Interest Regulations
- 6.1.1 The Legislature has established statutes concerning financial interests or transactions between an auxiliary organization and a member of its governing board, or with an entity with which the governing board member has a relationship. In general, the statutes prohibit a governing member (either themselves or in association with another entity) from having a financial interest or contract with the auxiliary organization of which they are a member. There are some exceptional circumstances

As a Board of Director or delegated designated employee of Associated Students, I understand and agree to abide by the above restrictions concerning conflict of interest. I also agree to disclose to the Chair of the Board any transaction, relationship, or behavior which may be construed as a conflict of interest with my role as a Director or employee of Associated Students.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**SELECTION, APPOINTMENT, AND REVIEW OF AS APPOINTEES POLICY APPROVAL AND REVISION HISTORY**

Selection, Appointment, and Review of AS Appointees Policy was Approved by the AS Board of Directors on  
08/09/2017