Submitted By: Kate Pillon, Co-Op Oversight Committee Chair

Subject: Approval of the Co-op Oversight Charter

The ASUCSD Council approved the Co-op Oversight Charter. Document Attached.

Approved: Consensus

Against:

Abstain:

Council Approval;
Certified by:

__________________________  ___________________
Chair of the Council                  Date

__________________________  ___________________
President of the Council                Date
Co-op Oversight Committee Charter

Article I. Purpose – The Co-op Oversight Committee, herein referred to as the Committee, is established by the Associated Students at the University of California, San Diego (AS) and the Graduate Student Association at the University of California, San Diego (GSA) in order to carry out their responsibilities with regard to the UCSD Cooperatives (Co-ops). The Committee shall facilitate communication between the UCSD Administration and the Co-ops and shall resolve disputes between the two parties according to the instances deemed necessary and the procedures herein.

Article II. Membership

A. There shall be eight (8) Voting Members:
   a. Three (3) members appointed by AS
   b. AS President or designee
   c. AS VP Finance or designee
   d. One (1) member appointed by the GSA
   e. GSA President or designee
   f. GSA VP Finance or designee

B. The chair shall be selected internally by the committee and shall only vote in the event that the vote changes the outcome. The first chair shall be jointly appointed by both the AS and GSA councils.

C. There shall be full disclosure of any and all entanglements, relationships and potential conflicts of interest to the appointing body prior to appointment.

Article III. Responsibilities of the Co-op Oversight Committee

A. The following measures will be taken to facilitate communication between the UCSD Administration and the Co-ops:
   1. The Committee shall have an email listserv to which all committee members shall be subscribed, and through which communication of grievances shall be transmitted.
      a. The Committee shall have a separate listserv, to which anyone can subscribe, for the purpose of communication to and between the parties.
   2. The committee shall ensure that the UCSD Administration and the Co-ops each designate an email address that will be used by the Committee and the other party exclusively for all relevant communication.
   3. Shall ensure that the Co-ops each designate one person as contact person with contact information

B. The following proactive measures will be taken by the Committee to assist the parties with compliance:
   1. The Committee shall send advance notice of requirements and deadlines to ensure timely compliance. This notice shall be sent to the designated email address of the affected party.
a. When the Committee deems it appropriate, it may request a response in order to confirm receipt of the notice.

2. The Committee shall maintain a calendar of recurring requirements to ensure compliance. The calendar shall prescribe dates for the scheduled advance notice. The Committee shall consult with the affected party in order to determine the time of advance notice for each recurring requirement.

C. The Committee shall facilitate dispute resolution and hear all dispute resolution proceedings, procedures for which will be described below.

D. The Committee shall make recommendations of amendments to this Charter to the AS and GSA.

Article IV. Dispute Resolution Procedures

A. In the event of possible default by either party:

1. If there is a complaint about one party from the other, initial communication to request remedy of the problem cited should occur directly between the parties, using the designated email address. The Committee shall be copied on the complaint over the Co-op Oversight Committee listserv.

B. Informal Resolution Procedures (Space Agreement section 18.1(a):

1. The Co-op Oversight Committee shall be available on an informal basis to mediate disputes between the parties and assist in reaching a consensus on whether there is a problem, and if there is, what a possible remedy might be. The informal dispute resolution procedure is intended to be used by the prior to, and to avoid, filing a formal grievance.

C. Formal Resolution Procedures (Space Agreement Section 18.1(b):

1. Either party may request formal dispute resolution by Co-op Oversight Committee by giving written notice to the Co-op Oversight Committee and the other party to the dispute. The written notice must include a clear explanation of the alleged violation of the Space Agreement.

2. The Co-op Oversight Committee shall hold a dispute resolution hearing within ten (10) academic days of the giving of a notice of formal complaint.

   a. The outcome of the dispute resolution shall be determined by a 2/3 vote of the committee.

3. The Co-op Oversight Committee shall render their written findings within ten (10) academic days of the dispute resolution hearing.

4. See section 18.1(b) (1), (2), and (3) for disputes arising under the Space Agreement for which Co-op Oversight dispute resolution is available.

Article V. Certification

A. The AS and GSA, through the Co-op Oversight Committee shall have
the responsibility of certifying each Co-op for purposes of extension of the
Space Agreement as described in section 2.2 as well as any new Space
Agreement as described in section 2.6. The Co-op Oversight Committee
shall evaluate each Co-op before certifying them on the basis of whether they
are acting in the best interests of students by reviewing the following:
1. Whether the financial practices of each Co-op are sound, based on
   financial and CPA reports, including long-term budgeting for the
   maintenance, repair, and replacement of equipment;
2. Whether the membership of each co-op and access to decision-
   making remains open to the students of UCSD;
3. The adequacy of each co-op’s service including, but not limited to
days and hours of operation, product pricing, selection, quality and
availability, speed and quality of service, forms of payment
accepted, efforts to seek customer suggestions, and adequacy of
resolving customer concerns;
4. Whether each co-op is financially solvent;
5. Other operating or ownership issues of the co-ops coming to the AS
   and GSA’s attention bearing on each co-op’s suitability as a vendor
   at UCSD.

B. Based on the above criteria the committee shall certify each Co-op by a 2/3
   vote.
C. At the end of the extension terms the AS and GSA will meet with the
   Parties for the purpose of considering whether there is a mutual interest in
   negotiating a new Space Agreement covering some or all of the Co-ops.

Article VI. Responsibilities of Officers
A. Responsibilities of Chair
   1. Preside over all meetings of the committee, including dispute
      resolution hearings
   2. Prepare the agenda
   3. Act as moderator of the Co-op Oversight listserv
   4. Document all grievances communicated by either party through
      the listserv

B. Responsibilities of the Secretary
   1. Make a thorough record of all Committee meetings

Article VII. Meetings
A. Meetings of the Committee shall operate under *Roberts Rules of Order,*
   *Newly Revised*
B. Quorum shall be 2/3 of the voting members
C. There shall be quarterly meetings that will be set by the committee
D. Special meetings shall be called by the Chair
E. The first meeting of each academic year shall be a full-day orientation.
   The following shall be included in the orientation session:
   1. Review of all agreements and documents
   2. Review of Tenant Handbook (to be provided by University
      Centers)
3. Review of the responsibilities of the Committee (as outlined in Article III of this Charter) and the role of the AS and GSA
4. Review of Dispute Resolution Procedures (as outlined in Article IV of this Charter)
5. Presentation by University Centers Business Office about proper financial procedures
6. Presentation by the Environmental Health and Safety Department about protocol and expectations
7. Designation of “point people” from all parties
8. Collection of designated email address and other contact information from all parties. This information will promptly be distributed to all parties by the Chair of the Committee.
9. Walk-through of all Co-ops

F. The last meeting of the academic year shall be a transition meeting and will include the following components:
   1. Introduction of new Committee Representatives
   2. Formulation of plans for operation over the summer

Article VIII. References to AS and GSA in the Space Agreement:
   A. Role of the AS and GSA: Section 1.4
   B. Options to Extend (certification by the AS and GSA): Section 2.2
   C. Process for New Space Agreement at End of Extension Terms (meeting to discuss mutual interest in re-entering into a new Space Agreement): Section 2.6
   D. Use (requirement of the University Centers Director to consult with the AS and GSA regarding proper use of each of the premises): Section 6.1
   E. Notice to the AS and GSA (University will provide notice of any Co-op’s default under section 17 if notice is given to the respective Co-op): Section 17.4
   F. AS and GSA Dispute Resolution: Section 18.1

Article IX. Amendments
   A. This charter may be amended by a majority vote of each council