

Budgets, Governance, and Anti-Oppression

Alfred Twu
mail@firstcultural.com

Contents

1. Why Budgets and Policy Matter
2. Lowering Barriers to Participation
3. Example of how to select members
4. Conflict resolution examples

1. Why Budgets and Policy Matter:

- Consistency – avoids discrimination or subjective decision making
- Preserves positive patterns into the future
- Provides educational tool and historical record

2. Lowering Barriers to Participation:

Policies and processes should be:

- Low knowledge requirement (easy to understand)
- Low time requirement / flexible schedule
- Low upfront cost

Example of Policy that has specific details yet is still simple - The Bill of Rights

- Amendment I
Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.
- Amendment II
A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.
- Amendment III
No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.
- Amendment IV
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.
- Amendment V
No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
- Amendment VI
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.
- Amendment VII
In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.
- Amendment VIII
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
- Amendment IX
The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
- Amendment X
The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Co-op Examples

Loth's Bylaws – very simple, sets some common intentions for the house.

1. No Meat in Common Space
2. No TV in Common Space
3. Always ask for consent

Rochdale Principles – Purposely vague as it is intended to apply to many different cooperatives. Not so much a policy as a set of ideals. Your co-op will want to have more specific written policy if you want to apply the Rochdale Principles consistently.

1. Voluntary and Open Membership

Co-operatives are voluntary organisations, open to all persons able to use their services and willing to accept the responsibilities of membership, without gender, social, racial, political or religious discrimination.

2. Democratic Member Control

Co-operatives are democratic organisations controlled by their members, who actively participate in setting their policies and making decisions. Men and women serving as elected representatives are accountable to the membership. In primary co-operatives members have equal voting rights (one member, one vote) and co-operatives at other levels are also organised in a democratic manner.

3. Member Economic Participation

Members contribute equitably to, and democratically control, the capital of their co-operative. At least part of that capital is usually the common property of the co-operative. Members usually receive limited compensation, if any, on capital subscribed as a condition of membership. Members allocate surpluses for any or all of the following purposes: developing their co-operative, possibly by setting up reserves, part of which at least would be indivisible; benefiting members in proportion to their transactions with the co-operative; and supporting other activities approved by the membership.

4. Autonomy and Independence

Co-operatives are autonomous, self-help organisations controlled by their members. If they enter into agreements with other organisations, including governments, or raise capital from external sources, they do so on terms that ensure democratic control by their members and maintain their co-operative autonomy.

5. Education, Training and Information

Co-operatives provide education and training for their members, elected representatives, managers, and employees so they can contribute effectively to the development of their co-operatives. They inform the general public - particularly young people and opinion leaders - about the nature and benefits of co-operation.

6. Co-operation among Co-operatives

Co-operatives serve their members most effectively and strengthen the co-operative movement by working together through local, national, regional and international structures.

7. Concern for Community

Co-operatives work for the sustainable development of their communities through policies approved by their members.

Affordability:

There's more to it than the monthly rent

Move In Costs

- Application fee
- Security Deposit
- When is rent due?

How does the cost appear?

- What's included? Utilities? Food?
- Is payment monthly or by semester?

Potential hidden barriers

- Contract periods
- Long waitlists favor those who can afford to apply earlier

Potential opportunities

- Deferred Payment Plans
- Scholarships
- Compensated member jobs

Payment Dates	1 st Payment w contract	2 nd Payment -Sept. 16	3 rd Payment – Oct. 14	Semester Total
Room and Board Houses	\$1,103	\$1,103	\$1,103	\$3,309
Hillegass-Parker House				
Standard Single	\$1,103	\$1,103	\$1,103	\$3,309
Deluxe Single	\$1,321	\$1,321	\$1,321	\$3,963
Rochdale				
Studio	\$990	\$990	\$990	\$2,910
2-Bedroom	\$844	\$844	\$844	\$2,532
3-Bedroom	\$729	\$729	\$729	\$2,187
4-Bedroom	\$651	\$651	\$651	\$1,953

Payment Flexibility

Balancing member needs with making sure there's enough money to run the organization

BSC Payment Extension Policy

A. The purpose of Payment Extensions on payment due dates shall be to provide alternate payment dates to members for the payment of BSC bills, when, because of unexpected circumstances, they are temporarily short of funds and are unable to obtain funds elsewhere.

B. Members regularly receiving government income assistance or support through entitlement acts may request and be granted a payment due-date schedule with monthly payments rather than tri-semesterly.

C. **The maximum individual payment extension shall not exceed the semester's rent, and the due date shall not exceed the last day of the semester without AdCom's approval.** All applicants and recipients are subject to the usual rules regarding payment of bills and delinquency charges.

D. Each applicant shall fill out a payment extension application form. All payment extension applications must be received on or before the due date in question.

E. The applicant shall be asked to provide the following information, which shall be kept confidential among BSC staff, AdCom, and any agencies involved in collection of delinquent accounts:

1. Amount requested and proposed payment date.
2. Reason for request.
3. Anticipated source of funds for repayment.

F. **Staff shall administer payment extensions. Payment Extensions shall be granted on the basis of need and financial responsibility.** AdCom or staff shall have the power to deny any request for payment extension for reasonable cause. Members may appeal any payment arrangement decision of staff to AdCom

Notes:

- UC Berkeley semester is 4 months long.
 - AdCom is a committee made up of members and permanent staff.

3. How to select new members without interviews

The BSC is notable for admitting members without interviews – perhaps a legacy of its early days of fighting housing discrimination in the 1930s. Here's how the process has been fine-tuned to hold to this original principle while still meeting goals of aiding more low-income students and keeping the theme houses as spaces for LGBTQ and Black students.

Legacy text from BSC Articles of Incorporation

A. The Berkeley Student Cooperative is a corporation that does not contemplate pecuniary gain or profit to the members thereof. It is formed for charitable purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1954 and its property is irrevocably dedicated to religious, charitable, scientific or hospital purposes within the meaning of Section 214 of the California Revenue and Taxation Code. Its primary purposes are:

1. To promote the social and general welfare of the community by offering low-rent housing to all university students, regardless of race, creed, color or national origin, and thus influence the community to eliminate prejudice and discrimination in housing.

Assignment of Reservations

A. Room reservations shall be granted to members and applicants, in the order listed below. Priority shall be determined on the basis of seniority first, and application number second. The priority categories only give priority in initial placement into the BSC; for purposes of transferring between units the below categories are not used. Members in each unit shall have priority for that unit as long as all reservation deadlines are met.

1. Old members returning who have points who wish to either transfer or remain in the same unit.
2. Members who have resided in the BSC for more than the last four weeks of the previous contract period.
3. **Students participating in a University (or other academic institution) authorized program to aid underrepresented or economically disadvantaged students (including but not limited to E.O.P.) or students with disabilities.**
4. Members who have boarded in the BSC for at least 70 days continuously.
5. International students in Education Abroad Programs
6. Current or prior members in good standing of student cooperatives which either a) are affiliated with the BSC or NASCO, or b) offer (or are considering offering) reciprocal priority for current or prior members in good standing of the BSC.
7. Other new applicants.

B. When all available reservations have been accepted, the Housing Supervisor shall establish the remaining applications as a Waiting List.

C. BSC room and board contracts shall be non-transferable. Violation of this covenant shall result in immediate forfeiture of the entire deposit, the contract shall be terminated, and the member shall be liable for room and board charges until replaced.

D. Apartment sublets shall not be allowed. Violation of this covenant shall result in immediate forfeiture of the entire deposit, the lease shall be terminated, and the member shall be liable for rent charges until an eligible replacement assumes his/her contract.

E. A person in a room and board house may exchange contracts with another person in a room and board house at any time during the term provided the following conditions are met:

Budgets, Governance, and Anti-Oppression

1. The workshift managers of both houses are informed.
2. Both members notify the BSC Housing Department prior to the move.
3. They will not have their points activated until four weeks after checking into the new house.
4. A transfer fee of \$25 is paid
5. All transfers shall be done according to current policies.
6. Gender parity in units must be maintained.
7. Members who transfer between houses must keep their traded contracts for at least 30 days; otherwise the trade will be rescinded.

F. Studio / one-bedroom apartments at apartment complexes may not be exchanged.

G. No room and board member can get a room-only contract during the academic year

H. Preferred Theme House Placement for Wilde House: applicants who place Wilde House first on their housing preference list will be given first priority in the housing placement after squatters.

I. Preferred Theme House Placement for African-American Theme House:

a. Applicants who place African-American Theme House first on their housing preference list and declare themselves as African American Studies or Ethnic Studies (Chicano/Latin Studies, Asian American Studies or Native American Studies) declared/intended Majors or Minors will be given first priority in the housing placement after squatters.

b. Furthermore, applicants who place African-American Theme House first on their housing preference list, and declare themselves affiliated with a social organization that is allied with African American Theme House, will receive the same priority as an African American or Ethnic Studies Major.

c. Applicants who place African-American Theme House first on their housing preference list and do not declare themselves as any of the aforementioned categories will be given priority over applicants who do not place African-American Theme House as their first preference.

J. Cloyne Court Academic Theme and Substance Free House:

a. Applicants who place Cloyne first or second on their housing preference list will be given first priority in the housing placement after squatters.

b. Applicants must also meet all eligibility requirements of Cloyne Court, including registration as a full-time student at UC Berkeley, signing and complying with the Academic Theme and Substance Free Agreement, for contract periods 2017 and before, and not having lived or boarded at Cloyne for any time between Fall 2011-Spring 2014.

K. Members and new applicants receiving Fall assignment during the Summer shall have the option of accepting the assignment and remaining on the waiting list for other choices

4. Conflict Resolution Examples

Keeping Councils and Meeting Discussions Civil

Often, meetings can get very intense when members are being discussed. Here's one way a safety valve has been set up.

Council Civil Rights and Safe Space Policy

Passed 11/8/09 at Lothlorien Co-op, Berkeley.

Active: At councils, indefinitely

Goals:

1. To establish clear evidence, rather than insinuation, for termination/expulsion of house members.
2. To make council and other public forums a safe space, by discouraging speculation, discrimination, and needlessly personal conflicts.

Policy:

1. **In the course of member terminations, boarder approvals, PNG processes, and similar discussions, a member can raise "safe space" as a point of procedure.** This should be done when a member feels the discussion has become too speculative or based on non-house-related issues.
2. Once "*safe space*" has been raised as a point of process, the facilitator should attempt to limit discussion solely on these grounds:
 - Evidence there has been violation of other house members' rights, happiness, space, safety, etc. Verbal harassment, under the BSC definition, is included in this definition.
 - Evidence there has been violation of house/BSC policies and requirements, such as workshift.

Reporting and Responding to Reports of Sexual Harassment or Sexual Violence

(Where a current [Co-op] member is the alleged perpetrator)

Upon receipt of a report or complaint, whether oral or written, of an alleged violation, the Member Resources Supervisor, the Cooperative Experience Manager, the Operations Manager, or a designee of the Executive Director, as appropriate, will begin a preliminary investigation and determine if there is enough information to merit a disciplinary hearing regarding the allegation. If it is determined that a hearing is warranted, they will meet with the complainant and the respondent separately to explain the member Grievance Procedure and obtain from each a statement and list of witnesses, if any, who have information pertinent to the incident.

After meeting with the complainant and respondent, the Central Level Manager or Supervisor handling the case will prepare the case to be heard by the Enforcement Committee. The complainant and respondent will generally be given at least three business days advance notice of the scheduled meeting time for the Enforcement Committee hearing.

Members are expected to participate in the member grievance process when they are called as a complainant, respondent or witness. Should a member fail to appear for a pre-hearing interview when proper notification has been given or should the member fail to provide a statement during the pre-hearing interview, the hearing will proceed without benefit of that member's input.

Rights of the Individual Alleging the Violation/Complainant

- The right to the Conduct Member Advisor who will assist the individual through the member grievance process.
- The right to confidentiality of the student conduct process to the extent possible (see above).
- The right to request the use of a BSC courtesy room
- The right to request a change of residence (subject to availability).
- The right to seek any on or off-campus medical and counseling services.
- The right to make a complaint which will initiate the member conduct process.
- The right to request a no contact order for the respondent as an interim measure through the member conduct process.
- The right to have external no contact orders recognized and enforced by the BSC.
- The right to file a police report and take legal action separate from and/or in addition to member conduct action.
- The right to be free from retaliation.

Rights of the Respondent

- The right to the Member Conduct Advisor who will assist the individual through the member conduct process.
- The right to confidentiality of the member conduct process to the extent possible (see above).
- The right to be free from retaliation.

Balancing staff and member input on conduct cases

In the BSC, many discrimination cases go to Conduct Committee, which is made up of permanent staff and members.

Composition of the Conduct Committee

1. The Conduct Committee is composed of two sub-committees of four people each, for a total of eight members. Each four-person ConCom sub-committee is its own separate decision making body, and each sub-committee shall independently review and decide on different cases with the oversight of the ConCom chair. The composition of these sub-committees at any given time can vary and rotate through any of the eight trained ConCom members.
2. All Conduct Committee meetings are attended by the ConCom Chair, the Member Advocate, the Cooperative Experience Manager and, where provided for in the policy, the members involved.
3. Any BSC member who is not a Member of the Conduct Committee may not vote in any Conduct Committee proceedings. Conduct Committee meetings are closed meetings, and as such BSC members not affiliated with the case(s) being heard cannot attend.
4. Quorum shall be at least two voting members, plus the chair.
5. Conduct Committee members apply through the central level hiring process, and shall be selected based on the quality of their applications. They will receive house-level workshift at a rate of 2/hours a week
6. Conduct Committee members shall serve terms of one year (Fall through Summer)
7. If a ConCom Member, for any contract period during the term, leaves the BSC, that Member shall thereby be removed from office.
8. The Conduct Committee Screening Committee (CCSC) shall be composed of the ConCom Chair, the Cooperative Experience Manager, the Conduct Investigator, and the Member Advocate. The Screening Committee meets before a case involving harassment to review the case reports, and develop recommendations for a conduct outcome and sanctions.
9. For cases involving harassment, a staff representative may be identified to serve on the Conduct Committee in place of one student Conduct Committee member in order to provide a staff perspective on the case. If this is a desired perspective, the CCSC will vote on the staff member's participation.