MEETING OF THE STUDENT SENATE

THURSDAY, MARCH 2, 2017

11:30 A.M. - 1:30 P.M.

Coffman Theater--Twin Cities Campus
105 Kiehle Hall--Crookston Campus
173 Kirby Plaza--Duluth Campus
45 Humanities and Fine Arts--Morris Campus
Room 398—Rochester Campus

This is a meeting of the Student Senate. There are 51 voting members of the Student Senate. A simple majority must be present for a quorum. Most actions require only a simple majority for approval. Actions requiring special majorities for approval are noted under each of those items.

1. ADMINISTRATIVE RESPONSES TO SENATE ACTIONS

Information

Resolution on revisions to the parental leave policy for graduate students
Approved by the Student Senate: November 3, 2016
Administrative Response: PENDING

Statement on the implementation of sustainable pollinator practices on University of Minnesota campuses
Approved by the Student Senate: November 3, 2016
Administrative Response: PENDING

Statement on the creation of a University of Minnesota undergraduate research journal
Approved by the Student Senate: November 3, 2016
Administrative Response: PENDING

2. ASSEMBLY/ASSOCIATION UPDATES

(5 minutes)

3. STUDENT SENATE/ STUDENT SENATE CONSULTATIVE COMMITTEE CHAIR REPORT

(10 minutes)

4. MINUTES FOR NOVEMBER 3, 2016

Action

(2 minutes)

MOTION:

To approve the Student Senate minutes, which are available on the Web at the following URL:

http://usenate.umn.edu/ssenate/minutes/161103stu.pdf
5. RESOLUTION ON ARAMARK EDUCATIONAL SERVICES, LLC
Action
(45 minutes)

MOTION:

To approve the following resolution.

RESOLUTION ON ARAMARK EDUCATIONAL SERVICES, LLC

The University of Minnesota Student Senate requests the University of Minnesota administration notify ARAMARK Educational Services, LLC ("ARAMARK"), pursuant of section 8.03 of the Service Management and Operation Agreement by and between the Regents of the University of Minnesota and ARAMARK Educational Services, LLC ("Agreement") of student concerns regarding the lack of options for those with religious restrictions, poor food quality, high cost, lack of options for those with dietary restrictions, and reports of ARAMARK’s questionable business ethics.

Resolved, that if ARAMARK does not rectify these concerns, we request penalties be implemented in pursuance section 8.05 of the Agreement. These penalties shall include the submission and execution of a detailed action plan in pursuance of section 8.03 of the Agreement, and the withholding of the fifty thousand dollar performance incentive, to the extent contract allows, by the University of Minnesota administration. Furthermore, in the instance that ARAMARK fails to adequately respond to student concerns by January 1st, 2018, the Student Senate requests that University of Minnesota administration not renew the Agreement and actively pursue other options for food service management and operations in anticipation of the Agreement’s expiration in accordance with Section 2.01 of the Agreement.

Resolved, the Student Senate requests the Director of University Dining Services present findings of the Annual Business Review Committee to the Student Senate Twin Cities Delegation once every academic year.

Furthermore, the Vice President of University Services, after a request from the Student Senate Consultative Committee, has agreed to the implementation of a Student Advisory Council to investigate student complaints, communicate with ARAMARK, and to identify trends and serious issues with University Dining Services, managed by ARAMARK.

Furthermore, the Vice President of University Services, after a request from the Student Senate Consultative Committee, has agreed to ensure student representation on the Annual Business Review Committee that meets every August, and agreed to include representatives from student government in the decision-making process for future residential food providers.

Furthermore, the Vice President of University Services, after a request from the Student Senate Consultative Committee, has agreed to give customer satisfaction surveys in collaboration with

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1 University-Aramark Contract

2 section 8 subsection 2 of the contract
the Minnesota Student Association (MSA), the Professional Student Government (PSG), and the Council of Graduate Students (COGS).

Furthermore, the Student Senate Consultative Committee, due to concerns with ARAMARK’s business ethics, requests that ARAMARK respond to the reports outlined below by January 1, 2018. Additionally, the Student Senate requests that University administration consider business ethics when evaluating contract vendors during the next RFP cycle, in collaboration with the Student Advisory Council.

Authors:
Trish Palermo, chair, Student Senate Consultative Committee (SSCC)
Max Hurst, student senator, College of Liberal Arts (CLA)
Derek Frank, student, University of Minnesota
Alex Thibodo, researcher, Minnesota Student Association (MSA)

*Passed by the Student Senate Consultative Committee (SSCC) on February 1, 2017*

**COMMENT:**

During fall semester 2016, the Student Senate Consultative Committee (SSCC) began investigating student concerns with ARAMARK and University Dining Services. The SSCC found that the Senate Committee on Finance and Planning (SCFP) passed recommendations to the administration in 1999 regarding Aramark’s food quality issues, which still seem to persist to this day. After several discussions, the SSCC identified the following student concerns:

- Poor food quality
- Lack of options for those with dietary restrictions or those requiring religious accommodations
- High cost of meal plans
- Mistreatment of employees
- Lack of collaboration with student governing bodies and lack of student representation
- Significant discrepancies between Aramark’s surveys and the feedback governing bodies receive
- Reports of labor law violations, including employment discrimination and unsanitary working conditions
- Reports on profiting off of mass incarceration

The SSCC invited the Director of University Dining Services, an ARAMARK employee, and the Interim Contract Administrator, a University of Minnesota employee, to meet with the committee on December 8, 2016, to discuss concerns with the student experience. After this meeting, several key needs were identified, including:

- Student representation on yearly Annual Business Review Committee
- The creation of an advisory panel, with student representation
- Better access to information from ARAMARK surveys relating to student satisfaction, and coordination with student groups on these surveys
- The gaps between Aramark’s satisfaction rating and the experiences of students in the dining halls

The Minnesota Student Association (MSA) and the Council of Graduate Students (COGS) will be considering their own resolutions on this issue at their February 2017 meetings. Additionally, the Association of Big Ten Students\(^3\) passed a similar resolution on February 5th, 2017\(^4\), and the

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\(^3\) Membership of the Association of Big Ten Students shall include any primary student government organizations of a Big Ten University included but not limited to the following Universities: University of Illinois at Urbana-

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Students United Board of Directors passed a resolution on February 12th, 2017⁴. The goal of this coordinated effort is for students to come together in taking a stance against Aramark and their profiting off of not only students but the most vulnerable communities.

**ANNOTATED REFERENCES regarding ARAMARK CORPORATION RESOLUTION**


“A Class Action race discrimination lawsuit was filed today against the nation’s largest provider of outsourcing services, ARAMARK Corporation, which posted revenues in excess of $7 billion in 2000” in Philadelphia, PA.

Aramark settled in a $165,000 lawsuit where it was argued they had disproportionately discriminated against black male job applicants.


This is more than three times the amount of employee terminations in 1998, the first year Aramark Corp. partnered with UDS, according to University records.


“Feed rates have declined sharply since the contract’s inception in 2001, creating a windfall for the vendor and reducing the value of the services provided without a proportionate decrease in per diem rates charged to the Department.”

“During the first 24 months following the contract’s inception, the food service master menu was changed repeatedly, allowing the vendor to substitute less costly meat products such as ground turkey to previously required beef products. This cut the vendor’s production costs with no proportionate decrease in per diem rates charged to the Department.”

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⁴ **ABTS Resolution** Pennsylvania State University, Purdue University, University of Wisconsin, University of Maryland, Rutgers, the State University of New Jersey [http://www.abts10.org/bylaws](http://www.abts10.org/bylaws)

⁵ **Students United Resolution** Students United is an independent, non-profit organization funded and operated by students. Students United serves over 70,000 students attending Minnesota’s seven state universities: Bemidji, Mankato, Metropolitan (St. Paul/Minneapolis), Moorhead, St. Cloud, Southwest (Marshall) and Winona. Students United has been a strong voice for state university students on the campus, system, state and federal levels for over 40 years. We are recognized by the Minnesota State Colleges and Universities Board of Trustees as the sole representative of state university students in Minnesota, and work on a variety of issues at several levels. [http://www.studentsunited.org/about/](http://www.studentsunited.org/about/)
Aramark’s tumultuous history with contract violations, arbitrary charge inflations, and inflated rates of service.


In Kansas City, MO, an Aramark employee fired after reporting incidences of rodent infestations, unsanitary working conditions, health code violations.


At American University, long-time Aramark employee Ana Ebanks was fired for missing 40 minutes of work.


University of Minnesota Student Senate resolution to be voted on asking the University to deliver a set of food quality and business ethics concerns to Aramark.


This report enumerates 9 incidents of contracting controversy and 6 of labor controversy.

Palermo, Trish, Max Hurst, Derek Frank, and Alex Thibodo. 2017. DRAFT of Student Senate Resolution on Aramark Educational Services, LLC. University of Minnesota Student Senate. Accessed on January 23. University of Minnesota, Minneapolis, MN. https://docs.google.com/document/d/1TmhrRuARfzURAx46yUlaXSvpThpukUk4zSqtvf3h4U/edit?usp=sharing.

Draft of resolution to be voted on in the March 2017 meeting of the University of Minnesota Student Senate.


“Aramark Uniform Services Inc. has agreed to a $2.75 million settlement of wage-and-hour class claims by workers who allege that the company had shaved time off employees’ shifts, according to a motion filed in California federal court Tuesday.”


“Food service company Aramark Corp. has agreed to fork out $3.9 million to settle a wage-and-hour class action brought by its California employees.”

This article describes a strike of Aramark-employed cafeteria workers.


“Aramark has been accused of fraud and over-billing, driving up state budget deficits, poor service, and poor treatment of workers. Their worst transgression […] appears to be serving tainted food to schools and universities.”

“In Illinois, Aramark paid more than $3 million to settle a 2004 class action suit charging they defrauded approximately 50 school districts in the state by accepting national school lunch program food donations from the USDA without reducing the cost for the schools, which was in violation of federal law and the district’s food service contract.”

“The list of Aramark’s prison indiscretions spans correctional systems in Illinois, Texas, Oregon, Tennessee, New Jersey, New York, Missouri, and Florida.”

“In the same case that brought indictments against former IDOC [Illinois Department of Corrections] director Donald Snyder and John J. Robinson, a former lobbyist, Senior Vice President for Aramark, and Undersheriff of Cook County […] pled guilty in July 2007 to federal charges of mail fraud relating to alleged kickbacks paid to Snyder.”


In the summer of 2009, prisoners at Northpoint prison staged a riot against unsustainable food allegedly containing “hairballs, rocks, cardboard, bread ties, maggots” and frequent food shortages. Prison officials claimed that their renewed contract with Aramark saved the state millions in infrastructure costs, allowing administrators to grant correctional officers with a 7% raise between 2009 and 2011. State officials and elected representatives claimed the prisoners’ allegations were misrepresented and fabricated after the riots, which injured 8 inmates and officers. A 2010 audit later found that Aramark cut down ingredients and watered down food and that food shortages were a common occurrence.


Aramark services more than 600 colleges and universities throughout North America.

Zager, Dan and Cassidy Jensen. 2015. Workers and Georgetown students stand up to Aramark. *Center for American Progress*. June 12. [https://talkpoverty.org/2015/06/12/aramark-georgetown-university/].
At Georgetown University, a petition filed against Aramark corporation received well over 2,000 signatures from students, faculty, and dining staff after allegations of repeated wage theft, verbal abuse, and racial discrimination.


This article describes Aramark’s misconduct at correctional institutions, including instances of sexual misconduct.

“Aramark was included among 132 businesses in 21 countries that were named the World’s Most Ethical Companies in 2015 by Ethisphere Institute, a self-described ‘global leader’ in defining standards for ethical corporate practices.”

Hundreds of Aramark employees have been disciplined, fired or prosecuted for smuggling contraband and engaging in sexual misconduct with prisoners.

TRISH PALERMO, CHAIR
STUDENT SENATE CONSULTATIVE COMMITTEE

6. STUDENT SENATE BYLAW AMENDMENT
Student Senate Consultative Committee Membership
Action
(5 minutes)

MOTION:

To amend Article VI, Section 5D, of the Student Senate Bylaws, as follows (language to be added is underlined; language to be deleted is struck out). As this motion is an amendment to the Student Senate Bylaws, the motion requires either a majority of all voting members of the Student Senate (26) at one regular or special meeting, or a majority of all voting members of the Student Senate present and voting at each of two meetings. This is the first meeting at which this motion is being presented.

ARTICLE VI. COMMITTEES OF THE STUDENT SENATE  (Changes to this article are subject to vote only by the Student Senate)

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5. Student Senate Committee Charges  

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D. STUDENT CONSULTATIVE COMMITTEE

...  

Membership

The Student Consultative Committee shall be composed of:
- one representative of COGS
- one representative of CSA
- one representative of MSA
- one representative of MCSA
- one representative of PSG
- one representative of RSA
- one representative of UMDSA
- the chair, vice chair, and at-large representative of the Student Senate.

A student governance representative member shall be the sitting vice presidents (or the otherwise second highest ranking executive officers) a member of the respective student governance organizations, or who is elected or appointed in accordance with procedures determined by the respective campuses’ student governance organizations.

...
and people of color, effectively compromising the access, safety, and belonging of many of our colleagues at the University of Minnesota, and;

WHEREAS Sanctuary cities and campuses are mutual agreements between public officials, law enforcement, and the communities they serve to refuse to deploy members of local law enforcement as immigration officials. Such agreements are intended to make distinctions between the legal and financial responsibilities of federal immigration agencies, on the one hand, and the responsibility of local law enforcement to equally “protect and serve,” on the other, and;

WHEREAS Both the City of Minneapolis and the City of St. Paul - the communities that UMN Twin Cities calls home - have committed to maintaining this distinction by declaring themselves sanctuary cities despite the president-elect’s threats to punitively deny such cities’ federal funding. Twin Cities mayors Betsy Hodges and Chris Coleman have argued that “all residents are equally entitled to protection and that all residents should be able to access City services to which they are entitled, without regard to their immigration status under federal law.”

Additionally, the Minneapolis Board of Education has publicly affirmed these principles, and;

WHEREAS In response to these declarations of public support for the Twin Cities’ immigrant community, well over 1,200 members of the University of Minnesota, Twin Cities, have signed a petition calling upon President Eric Kaler to declare UMN a so-called ‘sanctuary campus’ by “utilizing our autonomy as an educational institution to resist current and planned federal and state actions that jeopardize the access, safety, or belonging of our peers,” and;

WHEREAS Nearly two dozen colleges and universities nation-wide have adopted similar ‘sanctuary’ policies, affirming a commitment to their communities, by declaring that the role of an academic institution is to educate, enrich, and serve its community, not to disproportionately surveil and punish some its members, and;

WHEREAS Any efforts to surveil or harass university students beyond current practices would likely constitute a violation of their Fourth Amendment protections for privacy and protections against unreasonable searches and seizures, and;

WHEREAS The University of Minnesota’s mission statement includes the core value of “making the knowledge and resources created and preserved at the University accessible to the citizens of the state, the nation, and the world,” as well as providing “an atmosphere of mutual respect, free from racism, sexism, and other forms of prejudice and intolerance,” and;

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9 Minneapolis Board of Education Statement on Practices Related to Immigration and Customs Enforcement: https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=39770800


11 Fourth Amendment of the U.S. Constitution information: https://www.law.cornell.edu/wex/fourth_amendment

WHEREAS This commitment reflects the University’s ethical and moral obligation to do everything in its power to protect members of its community from infringement as they seek to fulfill their right to public higher education and community services such as the university’s outreach programs, libraries, athletics, and hospitals, and;

WHEREAS UMN President Eric Kaler has publicly affirmed that the University is “firmly committed to the safety of all of our students, including immigrants and undocumented students, and we will advocate for them to be able to attend the University and continue their studies uninterrupted,” therefore;

BE IT RESOLVED, that the Student Senate stands behind President Kaler’s affirmation of the right of immigrant and undocumented students to accessible education;

BE IT RESOLVED, that this organization calls upon President Kaler and the Board of Regents to unequivocally declare the University of Minnesota, Twin Cities a “sanctuary campus,” in accordance with its public mission and its commitment to the Twin Cities community and all its residents;

BE IT RESOLVED, that the Student Senate officially holds the position that the University of Minnesota should at minimum publicly and unequivocally commit to:

1) Unequivocally reaffirming our commitment to nondiscrimination based on national origin;
2) Reaffirming and upholding the Fourth Amendment rights of students at the University of Minnesota and members of its surrounding community;
3) In keeping with these rights, declining any requests for information regarding the immigration status or religious affiliation of UMN students, faculty, and staff, unless under warrant or court order;
4) Publicly reaffirming the University of Minnesota Police Department’s policy of not basing actions on immigration status;
5) Preventing the University of Minnesota from collaborating with Immigration and Customs, unless a UMN student, faculty, or staff member has deemed such collaboration to be in their best interest;
6) Extending legal counsel to students, faculty, and staff who are under threat of detention and/or deportation;
7) Protecting access to aid and loans by undocumented students, faculty, and staff;
8) Protecting against the loss of health insurance for undocumented students, faculty, and staff;
9) Protecting the students on campus under the Minnesota DREAM Act;
10) Committing to finding work opportunities for students if the Deferred Action for Childhood Arrivals (DACA) immigration policy were to be revoked;
11) Institutionally resisting changes in federal law that attempt to link academic and research funding to adherence to prejudicial policies.

BE IT RESOLVED, that the Student Senate supports the Deferred Action for Childhood Arrivals, Minnesota DREAM Act, and Federal legislation which protects the right of individuals in this country to attend institutions of higher learning despite documentation status;

BE IT RESOLVED, that the Student Senate calls on and empowers its members to advocate for these policies.

Passed by COGS February 2017
Passed by Morris Campus Student Association (MCSA) February 2017
ELENA GAMBINO, REPRESENTATIVE
COUNCIL OF GRADUATE STUDENTS (COGS)

TRACEY BLASENHEIM, CO-CHAIR,
DEPARTMENT OF POLITICAL SCIENCE GRADUATE STUDENT ORGANIZATION

MITCHELL HANCOCK, REPRESENTATIVE
COUNCIL OF GRADUATE STUDENTS (COGS)

8. OLD BUSINESS

9. NEW BUSINESS

10. ADJOURNMENT