

Susana Gajic-Bruyca

From: Kristin Olsen
Sent: Wednesday, March 31, 2010 11:18 AM
To: Nicole LaFlamme; 'hs997@csustan.edu'; Eve Hightower; 'matt@associatedfeed.com'
Cc: Susana Gajic-Bruyca
Subject: Fw: CSU Statement

Good news. The Chancellor is satisfied now with not disclosing the fee.
Kristin

----- Original Message -----

From: Keith, Claudia <ckeith@calstate.edu>
To: Kristin Olsen
Sent: Wed Mar 31 10:41:58 2010
Subject: FW: CSU Statement

Hopefully an end to all of this (for now!).

Claudia

From: Reed, Charles
Sent: Wednesday, March 31, 2010 7:29 AM
To: Bernie Swain - Private
Cc: Harry Rhoads; Kristy Ballard Kalo; Barbara Daniel
Subject: RE: CSU Statement

Bernie, I agree with you that the damage is done and the disclosure will just cause another round of newspaper stories. The campus should have worked this through with you all in the beginning.

I will try and call you the next time I am in Washington and see if we can have lunch or a cup of coffee. Have a good trip. Best, Charlie

-----Original Message-----

From: Bernie Swain - Private [mailto:BSwain@WashingtonSpeakers.com]
Sent: Wednesday, March 31, 2010 4:47 AM
To: Reed, Charles
Cc: Harry Rhoads; Kristy Ballard Kalo; Barbara Daniel
Subject: FW: CSU Statement

Dear Charlie,

It was great to talk to you. I have a lot of memories of you and the other members of the department at GW; mentors who made a difference in so many lives.

I have discussed our problem with all those involved and, based on your specific event and what we have learned from past events, we all feel it is best to let this statement stand as it is written. The statement clearly addresses the substance of the inquiries: that "no public or existing foundation funds are being used to support the event". The release of the fee, while well-intentioned to share all details, will likely only serve as the financial headline for a new round of stories rather than the intended purpose of clearing the air and making the stories go away. Your event needs fewer story lines, less oxygen for the fuel, not more. We believe, as others have said, any real damage has already been done and after a few days these inquiries and stories will slowly, but surely, end. In addition, as you can

imagine, any single exception to the disclosure rule will open us to the demand for other disclosures.

You are a dear friend and I wish I could make this instantly better for you. But I do believe, by making and staying with this statement, we have done the right and wise thing.

I am travelling much of today but please call my partner Harry Rhoads or the school's contact, Kristy Kalo, at the office if you have any questions.

Bernie

CSU Stanislaus Foundation Board

March 30, 2010

Statement from Matt Swanson, President of the CSU Stanislaus Foundation Board of Directors

As a private foundation and a 501c3, we are not required to disclose details related to fund-raising events put on by the Foundation Board.

However, in the interest of satisfying the main question on people's minds, we want to be very clear that NO PUBLIC FUNDS are being used to support this event. Furthermore, no existing foundation funds are being used either. The event is self-funded. All funds used have been given for the purpose of putting on this event in order to raise money to benefit University programs and student services.

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March 31, 2010

President Hamid Shirvani
Office of the President
California State University, Stanislaus
One University Circle
Turlock, California 95382

California State Senate

SENATOR LELAND Y. YEE, PH.D.
ASSISTANT PRESIDENT PRO TEMPORE
EIGHTH SENATE DISTRICT

余胤良博士
加州參議院副執行主席



STANDING COMMITTEES
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BAY AREA SUSTAINABLE
DEVELOPMENT AND
ECONOMIC PROGRESS
SPECIAL COMMITTEE ON
ECONOMIC DEVELOPMENT

Received

APR 1 2010

President's Office

Dear Mr. Shirvani,

Earlier this week, I requested that you release the compensation package and contract with Sarah Palin for the upcoming CSUS Foundation 50th Anniversary Gala. From published media reports, I understand that the university and the foundation will not release such documentation due to a confidentiality clause within Mrs. Palin's contract.

It is important to note that state law specifically prohibits a state or local agency from allowing an outside entity to control the disclosure of information that is otherwise subject to the California Public Records Act (CPRA). SB 1696, which I authored in 2008, was meant to cover precisely this type of situation. The law states that regardless of any contract term to the contrary, a contract between a private entity and a state or local agency is subject to the same disclosure requirements as other public records.

I assume that the CSU General Counsel's office has advised you of the implications of *California State University, Fresno Assn., Inc. v. Superior Court (McClatchy Co.)* (2001) 90 Cal. App. 4th 810. Although the court found that the Fresno State Association was not required to disclose information pursuant to the CPRA, the court did require the Fresno State administration itself to release the information. In addition, this case was heard prior to the voter approved Proposition 59, which makes access to government records and meetings a civil right under the California constitution thus requiring public agencies to favor greater transparency rather than secrecy.

It is incomprehensible that given the inextricable link between the CSUS Foundation and the CSUS itself, as evidence by your dual role as President of the University and Chair of the Foundation board, not to mention the sharing of staff, facilities, and other resources, that the terms of Mrs. Palin's contract are not kept by any public official of the university itself. Imagine the precedent of allowing state-funded public officials to claim complete immunity from any and all transparency and oversight under the guise of "volunteering" for a non-profit entity that performs similar governmental functions.

Again, I respectfully request this contract information and any correspondence between the university and Sarah Palin or her associates.

Thank you for your prompt response to this request.

Sincerely,

A handwritten signature in blue ink that reads "Leland Y. Yee".

LELAND Y. YEE, PH.D.
Assistant President pro Tem
California State Senate