

## AGENDA

### COMMITTEE ON ORGANIZATION AND RULES

**Meeting:**     **3:15 p.m., Tuesday, March 14, 2000**  
                  **San Jose State University**  
                  **Student Union Ballroom**

Laurence K. Gould, Jr., Chair  
Anthony M. Vitti, Vice Chair  
Martha C. Fallgatter  
Debra S. Farar  
Bob Foster  
Neel I. Murarka  
Joan Otomo-Corgel  
Ralph R. Pesqueira  
Frederick W. Pierce IV

#### **Consent Items**

Approval of Minutes of Meeting of September 14, 1999

1. Schedule of Board of Trustees' Meetings, 2000-2001, *Information*
2. Amendments to the Rules of Procedure, *Action*

**MINUTES OF MEETING OF  
COMMITTEE ON ORGANIZATION AND RULES**

**Trustees of The California State University  
Office of the Chancellor  
Glenn S. Dumke Conference Center  
401 Golden Shore  
Long Beach, California**

**September 14, 1999**

**Members Present**

Anthony M. Vitti, Vice Chair  
Martha C. Fallgatter  
Bob Foster  
William Hauck, Chairman, Board of Trustees, ex officio  
Joan Otomo-Corgel  
Ralph R. Pesqueira  
Frederick W. Pierce IV  
Charles B. Reed, Chancellor, ex officio

**Members Absent**

Laurence K. Gould, Jr., Chair

**Other Trustees Present**

William D. Campbell  
Harold Goldwhite  
Ali C. Razi  
Michael D. Stennis  
Stanley T. Wang

**Chancellor's Office Staff**

David S. Spence, Executive Vice Chancellor and Chief Academic Officer  
Richard P. West, Executive Vice Chancellor and Chief Financial Officer  
Jackie R. McClain, Vice Chancellor, Human Resources  
**Douglas X. Patiño, Vice Chancellor, University Advancement**  
Christine Helwick, General Counsel

Vice Chair Vitti called the meeting to order at 2:47 p.m.

**Consent Agenda**

In the absence of Trustee Gould, chair, Trustee Vitti, vice chair, conducted the meeting. Vice Chair Vitti reported that the minutes of the July 7, 1999, meeting was listed as a consent item and, with no objections, the minutes were approved as submitted.

**Revised Schedule of Board of Trustees' Meetings, 1999/2000**

Vice Chair Vitti presented Agenda Item 1, revising the schedule of Board of Trustees' meetings. He asked Christine Helwick, general counsel, to present the item.

Ms. Helwick presented the revisions noting the only change was that the March 2000 meeting would be held on the San Jose State University campus.

Chair Hauck remarked that it was the board's intention to conduct one board meeting a year on a campus. Trustee Stennis asked if the board would continue to hold a retreat meeting, as he found those sessions very helpful. Chair Hauck answered affirmatively.

The committee recommended adoption of the resolution (ROR 09-99-03).

**Amendments to the Standing Orders—Delegations of Capital Outlay Project Processing**

Vice Chair Vitti stated that Agenda Item 2, amending the Standing Orders of the Board of Trustees, was also an action item. Ms. Helwick reported that this item would streamline the Standing Orders consistent with the item previously discussed in the Campus Planning, Buildings, and Grounds Committee.

Trustee Pierce stated that his interpretation of the current rules allowed the chancellor, after a design budget had been approved by the board, to approve additional costs within a 10 percent range, to the final bid. In the agenda item, he continued, the 10 percent figure has been deleted. He asked what authority the chancellor would have and where was the discretion. Patrick Drohan, assistant vice chancellor, capital planning, design and construction, replied that changes charge the campuses who are managing the process to complete the projects within 10 percent of the accepted bid; the chancellor's delegation of authority would not be changed. In response to a second question by Trustee Pierce, Mr. Drohan explained that the changes being proposed governed the standard design and construct process and did not affect a design billed process.

The committee recommended adoption of the resolution (ROR 09-99-04).

**Adjournment**

The meeting adjourned at 2:55 p.m.

**BRIEF**

**Information Item**

Agenda Item 1  
March 14-15, 2000

**COMMITTEE ON ORGANIZATION AND RULES**

**Schedule of Board of Trustees' Meetings, 2000-2001**

**Presentation By**

Christine Helwick, General Counsel  
Office of General Counsel

**Summary**

The proposed schedule of meetings of the Board of Trustees for 2000-2001 is presented for information at this meeting and will be presented for action at the May meeting.

**ITEM**

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Agenda Item 1  
March 14-15, 2000

**COMMITTEE ON ORGANIZATION AND RULES**

**Schedule of Board of Trustees' Meetings, 2000-2001**

The following schedule of Board of Trustees' meetings for the 2000-2001 year is presented for information and will be presented for action at the May meeting.

**RESOLVED**, By the Board of Trustees of The California State University, that the following schedule of meetings for the 2000-2001 year is adopted.

**2000**

May 09-10	Tuesday-Wednesday	Headquarters
July 18-19	Tuesday-Wednesday	Headquarters
September 19-20	Tuesday-Wednesday	Headquarters
October 26	Thursday	Headquarters
November 07-08	Tuesday-Wednesday	Headquarters

**2001**

January 23-24	Tuesday-Wednesday	Headquarters
March 20-21	Tuesday-Wednesday	Headquarters
May 15-16	Tuesday-Wednesday	Headquarters
July 10-11	Tuesday-Wednesday	Headquarters
September 11-12	Tuesday-Wednesday	Headquarters
October 25	Thursday	Headquarters
November 13-14	Tuesday-Wednesday	Headquarters

**Note:** One board meeting a year may be held on a university campus; date and location to be determined.

## **BRIEF**

**Action Item**

Agenda Item 2  
March 14-15, 2000

### **COMMITTEE ON ORGANIZATION AND RULES**

#### **Amendments to the Rules of Procedure**

##### **Presentation By**

Christine Helwick, General Counsel  
Office of General Counsel

##### **Summary**

Nonsubstantive changes are proposed to the Trustees' Rules of Procedure to bring them current with the law and the practice of the board.

##### **Recommended Action**

Approval of the resolution.

## ITEM

2

Agenda Item 2

March 14-15, 2000

### COMMITTEE ON ORGANIZATION AND RULES

#### Amendments to the Rules of Procedure

The Rules of Procedure of the Board of Trustees establish the process which must be followed by the Board in conducting its business. Over the years, both the law governing the board and the practice of the board have changed. An example of the former is the enactment of Government Code Section 11564.5, granting to all members of state governing boards \$100 per day for their service in board meetings. An example of the latter is the order of the agenda. Also titles of student and alumni groups change as well as titles of codes. These all need to be reflected in an update of the Rules.

Because of the nonsubstantive, noncontroversial nature of these changes, this item is presented for action without the need for two hearings.

The following resolution is recommended for approval (deletions/additions are shown by ~~strikeout~~/underscore):

**RESOLVED**, By the Board of Trustees of the California State University, that the Rules of Procedure of the Board of Trustees is amended as follows:

**1. Article II, Section 2 is amended to read:**

**§ 2. Salary or Other Compensation**

No Trustee except the Chancellor of the California State University shall receive salary for her or his services nor shall any Trustee other than the Chancellor be eligible for appointment to any position in connection with the California State University to which salary or other compensation attaches, except that, ~~effective January 1, 1979,~~ each appointive Trustee shall receive the sum of ~~fifty~~ one hundred ~~dollars~~ dollars (~~\$50.00~~) (\$100.00) for each day he or she is attending official business, and a Trustee may be reimbursed for ~~actual~~ expenses incurred by reason of her or his attendance at any meeting of the Board of Trustees or a committee thereof or in the performance of other official business of the Board of Trustees in accordance with the CSU policy concerning travel expense reimbursement.

“Official business” means any activity which is required to be performed in furtherance of the duties, obligations and functions of the Board of Trustees with respect to the management and control of the California State University. It includes acts which are required by law, and acts reasonably related to those which the law requires. It includes, but is not limited to, attendance at any meeting officially called by the Trustees or any state agency, at which the attendance of the Trustee is required or recommended. It does not include any purely personal business.

**2. Article V, Section 2-b is amended to read:**

b. Emergency Meetings.

As required by ~~California Administrative Code~~, Title 5, California Code of Regulations, Section 42395, an emergency meeting may be called only when necessitated by unforeseen emergency conditions which might result in a detriment to the California State University or the public interest if such meeting were delayed for the ten day notice normally required by Government Code Section 11125. Upon the convening of the emergency meeting, the Chancellor or her or his designee shall present a statement of the circumstances which constituted the unforeseen emergency conditions, and the detrimental consequences which might result in the event of such delay.

Notice of the time and place of an emergency meeting called pursuant to this section, and the nature of the matters to be considered shall be given as soon as possible after it has been determined that such a meeting is necessary. No business other than that mentioned in the Notice of Emergency Meeting may be considered thereat. Notice to each Trustee shall be given by letter or telegram addressed to him or her at his or her last known place of business or residence.

**3. Article V, Section 5 is amended to read:**

**§ 5. Public Meetings; Executive Closed Session**

Meetings of the Board of Trustees shall be open to the public except in ~~executive closed sessions~~. Executive-Closed sessions are restricted to consideration of those matters which may lawfully be considered at such sessions.

**4. Article V, Section 7 is amended to read:**

**§ 7. Order of Business at Regular Meetings**

The Order of business at regular meetings of the Board of Trustees shall ~~be as follows~~ include the following:

Call to Order and Roll Call  
Reports of Chair and Chancellor  
Approval of minutes of the last meeting  
Reports of Officers  
Report of the Chancellor  
Reports of Standing and Special Committees  
Reports of Special Committees  
Unfinished-Old business

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O&R

Agenda Item 2

March 14-15, 2000

New business

Public Comments

Adjournment

The regular order of business may be suspended at any meeting by a vote of a majority of the Trustees present and voting.

**5. Article V, Section 9 is amended to read:**

**§ 9. Agenda of Business**

As required by California Government Code Section 11125, the Secretary shall prepare an agenda for, and provide notice of, each regular meeting of the Board of Trustees to any person who requests such notice in writing. Notice shall be given at least ~~one week~~ 10 days in advance of, and shall include the agenda for the meeting. Notice shall include the items of business to be transacted and no items shall be added to the agenda subsequent to the provisions of such notice, except in emergency conditions as specified in these rules. In the event of objection by any member to the consideration of any emergency item or the change of an item from information to an action item in such a notice and agenda, further consideration shall be postponed until the next Board of Trustees' meeting unless two-thirds of the Trustees present and voting consent to consideration of the matter without such postponement.

**6. Article VI, Sections 4-b and c are amended to read:**

**§ 4. General Provisions Applicable to Standing Committees**

b. Duties.

The several Standing Committees are especially charged with the immediate care and supervision of the subject matters ~~respectively indicated by~~ specified in these Procedures and properly relating to their duties. These matters shall ~~be respectively so referred to the appropriate committees~~ and the committees shall severally report at the next regular meeting of the Board of Trustees following the reference, provided, however, that such matters may be considered without such referral upon the vote of two thirds of the Trustees present and voting. In addition to the duties prescribed by this paragraph, the Standing Committees shall perform such other functions as may be directed by the Board of Trustees.

c. Membership.

Each Standing Committee shall consist of such number of members as the Board of Trustees from time to time may determine. Members of Standing Committees shall hold office until the appointment of their successors by the Board of Trustees.

Upon appointment to the Board, a Trustee shall become a member of those Standing Committees to which his or her predecessor was assigned except that a newly appointed Trustee shall not become Chair or Vice-Chair of any committee to which he or she is assigned by reason of this section.

~~Also, a~~ newly appointed Trustee shall not become a member of the Committee on Collective Bargaining ~~or Committee on Personnel~~ by reason of this section. If a newly appointed Trustee is the successor to the Chair of the Board of Trustees, the Committee on Committees shall appoint that person to Standing Committee assignments.

**7. Article VI, Section 7-a is amended to read:**

**§ 7. Review of Proposed Agenda Item**

a. A Committee shall be established by the Chair of the Board of Trustees when necessary to review non-staff items proposed by the Statewide Academic Senate and other constituent groups of this Board (i.e., ~~Staff Council, Student Presidents Association~~ California State Student Association and ~~Statewide CSU Alumni Council~~) for inclusion on the Board of Trustees' agenda.

**8. Article X is amended to read:**

Members of the public shall have the right to address the Board on items which are within the jurisdiction of the Board with proper notice. Individuals or organizational spokespersons wishing to appear before a committee of the Board or before the Board during a plenary session shall provide written notice stating the time necessary for the presentation and the reason for a personal appearance. Such notice would have to be received by the Secretariat of the Trustees no later than the last working day preceding the regularly scheduled meeting of the Committee or two working days preceding the regularly scheduled meeting of the Board at which permission is sought to make such presentations. The Chair of the Committee or the Chair of the Board will inform the Committee or Board of the Chair's decision regarding any restrictions on the presentations, such as the time limit or number of speakers. Should a member of the Committee or of the Board disagree with the Chair's restrictions, that Trustee may introduce a motion reversing or amending the Chair's decision. The motion shall require a second, be debatable, be amendable, and take a majority to pass.

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O&R

Agenda Item 2

March 14-15, 2000

Individuals or organizational spokespersons wishing to appear before a committee or before the Board during a plenary session without submitting a written notice prior to the meeting may seek recognition by the Chair during the Committee or Board meeting. Should the Chair decide not to recognize the person seeking the floor, the Chair will announce his/her decision and then would be subject to a motion to appeal the decision of the Chair. Such a motion shall require a second and take a majority vote of the members of the Committee or Board present and voting.

Spokespersons for CSU constituencies (CSU Alumni Council, California State Student Association, and the Academic Senate CSU) shall not be subject to this policy.