

AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: 9:00 a.m., Thursday, November 9, 2000
Glenn S. Dumke Conference Center

Martha C. Fallgatter, Chair
Roberta Achtenberg, Vice Chair
Debra S. Farar
Bob Foster
Murray L. Galinson
William Hauck
Neel I. Murarka
Dee Dee Myers
Ralph R. Pesqueira

Consent Items

Approval of Minutes of Meeting of September 20, 2000

Discussion Items

1. 1999-2000 Legislative Report No. 12, *Action*

**MINUTES OF THE MEETING
COMMITTEE ON GOVERNMENTAL RELATIONS**

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

September 19, 2000

Members Present

Debra S. Farar
Murray L. Galinson
Laurence K. Gould, Jr., Chair of the Board, ex officio
William Hauck
Neel I. Murarka
Dee Dee Myers
Ralph R. Pesqueira
Charles B. Reed, Chancellor, ex officio

Members Absent

Martha C. Fallgatter, Chair
Roberta Achtenberg, Vice Chair
Bob Foster

Other Trustees Present

Harold Goldwhite
William D. Campbell
Daniel N. Cartwright
Frederick W. Pierce IV
Ali C. Razi
Stanley T. Wang

Chancellor's Office Staff

David S. Spence, Executive Vice Chancellor, Chief Academic Officer
Richard P. West, Executive Vice Chancellor, Chief Financial Officer
Jackie R. McClain, Vice Chancellor, Human Resources
Douglas X. Patiño, Vice Chancellor, University Advancement
Karen Yelverton Zamarripa, Assistant Vice Chancellor, Governmental Affairs
Christine Helwick, General Counsel

In the absence of Chair Fallgatter and Vice Chair Achtenberg, Trustee Debra S. Farar called the meeting to order at 3:43 p.m.

Approval of Minutes

The minutes of July 19, 2000 were approved.

1999-2000 Legislative Report No. 11

Trustee Farar announced that Ms. Karen Yelverton Zamarripa, assistant vice chancellor, governmental affairs would present the item.

Ms. Yelverton Zamarripa explained that the written report provided in the agenda contained details on the status of the 2000 Board of Trustees' legislative program, as well as the status of various priority bills of interest to the CSU.

She provided a brief synopsis of the report, as follows:

Two CSU-sponsored bills have already been acted upon:

AB 252 (Scott), which would have required the Student Aid Commission, together with the higher education segments, to prepare a report on the need for incentives to encourage financial aid recipients to attend college during summer.. The Governor vetoed the bill, indicating the recent substantial investment made in the Cal Grant program through the passage of the Ortiz-Poohigian-Pacheco-Burton bill. Passage of that bill rendered AB 252 unnecessary.

SB 1779 (Johnston), pertaining to campus enterprise debt programs, was signed into law by the Governor. The bill provides for flexibility in the use and investment of self-support funds for CSU campus programs such as housing, parking, student unions, etc.

The remainder of the CSU legislative program is before the Governor, who has until September 30, 2000 to take action. Ms. Yelverton Zamarripa said it has been a very successful year working with the legislature, and in accomplishing our goals set out at the beginning of the year. She is optimistic about the bills that remain before the Governor but there has been no confirmation with his office to date. The full report for the 2000 legislative year will be presented at November Board Meeting.

Ms. Yelverton called attention to two additional bills of note.

AB-2408 (Firebaugh) is the proposal that allows for the use of K-12 Proposition 1A bond monies to be used to build permanent facilities on leased property (including properties owned by the CSU). The bill has gone to the Governor, and it is anticipated that he will sign it.

SCR 83 (Polanco) – As introduced, this resolution would have expressed the intent of the legislature to replace the current 1/3 bond split for the 3 public segments of higher education with an allocation of bond proceeds based on each segment's share of the projected undergraduate enrollment increases in higher education over the next 10 years. In the final outcome, the resolution was not approved by the legislature and was never heard in the Assembly.

The committee recommended approval of the 1999-2000 Legislative Report No. 11, noting that the report number given in the agenda as Report No 12, was incorrect. (RGR 09-07-00).

Proposition 38: School Vouchers. State-Funded Private and Religious Education. Public School Funding. Initiative Constitutional Amendment

Ms. Yelverton Zamarripa explained the item brings to the committee the question of whether the board should adopt a formal position opposing Proposition 38. The proposition would require the state to offer vouchers to the parents of every school-age child in California to be used for tuition and fees for private schools. Ms. Yelverton Zamarripa reviewed the contents of the written argument, which thoroughly examines the pros and cons of the initiative and outlines in detail, CSU's commitment to public education in California.

A lengthy discussion on the item took place; a recap of which follows:

Trustee Hauck acknowledged that the CSU board has traditionally been very circumspect in taking formal positions on ballot measures. However, due to CSU's strong and committed partnership with the K-12 system, he felt it was imperative that CSU support the strenuous school reform efforts initiated by Governors Wilson and Davis. He argued that the K-12 schools need to be given the opportunity to demonstrate the results from implementation of those reforms before considering the prospect of a full-blown voucher system.

Trustee Hauck agreed there is no argument about the need for some competition related to the public school system, citing as an example, the introduction of the charter school movement in the state. He then urged the board to take a formal position in opposition to Proposition 38 for those reasons, as well as for the reasons outlined in the agenda book.

Trustee Pesqueira said there is no question CSU must stand behind our public schools, and that vouchers are not the answer. He noted that CSU does need to look within, particularly with regard to teacher education and preparation, to ensure that we are doing our part to produce the best teachers for our schools.

Chancellor Reed responded saying that CSU will begin this year, to evaluate all of our teacher education programs with outside evaluators.

Dr. Jacquelyn Ann K. Kegley, Chair, Academic Senate, CSU informed the board that the academic senate of the CSU passed a resolution in opposition to Proposition 38 in the belief that they must stand by the long-established principles of support for public education.

Dr. James M. Rosser, president, California State University, Los Angeles reported that the State Chamber Board, at its September board of directors meeting, also took a position in opposition.

Trustee Campbell inquired how this initiative might fiscally impact CSU should it be passed. Ms. Yelverton Zamarripa replied that it was a complicated question to answer depending on how many students actually shift from public to private schools. Based on the legislative analyst's analysis of an estimated 5 percent, there could be an increased cost to California of \$3.3 billion dollars above the current expenditures for K-12 under Proposition 98. Additionally, if the economy starts to slow down, there would likely be direct pressure on fiscal resources for the system.

Trustee Campbell commented that if the proposition was more specifically targeted, he would be in favor of it, however, as it stands, it is too broad and therefore he could not support it.

Trustee Farar agreed with Trustee Campbell. She said she was encouraged to hear the supportive comments from the committee, and reiterated the importance of the board taking a formal position on the issue.

The committee recommended approval of the proposed resolution (RGR 09-08-00).

The meeting adjourned at 4:03 p.m.

COMMITTEE ON GOVERNMENTAL RELATIONS

1999-00 Legislative Report No. 12

Presentation By

Karen Yelverton Zamarripa, Assistant Vice Chancellor
Governmental Affairs

Summary

This item contains a final status report on the Board of Trustees' 2000 Legislative Program, and active priority legislation introduced during the 1999-2000 Session.

Background

The 1999-00 Session of the California Legislature concluded at midnight on September 1. On October 1, Governor Gray Davis completed his actions on legislation. This report reflects those actions on bills sponsored by, and of particular interest to, the California State University.

COMMITTEE ON GOVERNMENTAL RELATIONS

1999-2000 Legislative Report No. 12

Date: 10/19/00

1. 1999-00 Legislative Program Status Report

BILL	AUTHOR-SUBJECT	INTRODUCED	1 ST POLICY	1 ST FISCAL	FLOOR ACTION	2 ND POLICY	2 ND FISCAL	FLOOR ACTION	COMMENTS
Carry-Over Legislation									
AB 108	(Mazzoni) Statewide Subject Matter Projects	X	X	X	X	X	X	X	Vetoed by Governor Davis.
AB 252	(Scott) Cal Grant Awards: Summer College Attendance	X	X	X	X	X	X	X	Vetoed by Governor Davis.
AB 632	(Romero, Lowenthal) Exemption from Non-Resident Tuition: Emergency Permit holders	X	X	X	X	X	X	X	Signed by Governor Davis; Chapter 949, Statutes of 2000.
Items Approved in 2000									
AB 172	(Firebaugh) California-Mexico Students Program	X	X	X	X	X	X	X	Vetoed by Governor Davis.
AB 2384	Omnibus Bill: Authority of Auxiliary Organizations to Meet in Closed Session; CSU Procurement Authority	X	X	X	X	X	X	X	Vetoed by Governor Davis.
SB 303	(Johnston) Use of State School Bonds for Construction on Property Not Owned by a School District	X	X	X	X				This issue was addressed in separate legislation, AB 2408, which was signed by Governor Davis.
SB 1547	(Costa) Authority to Dispose of Non-Gifted Real Property	X	X	X	X	X	X		Vetoed by Governor Davis.
SB 1779	(Johnston) Campus Enterprise Debt Program	X	X	X	X	X	X	X	Signed by Governor Davis; Chapter 285, Statutes of 2000.

Policy - That committee which evaluates policy implications of bills (e.g., Education, Judiciary, Retirement)
 X - Indicates Action Taken
 H - Indicates Held in Committee

Status of Priority Legislation

Regular Session Legislation Carried Over From 1999

Assembly Bill 1197 (Firebaugh) Public Postsecondary Education: Residency

Assembly Bill 1197 would qualify specified long-term California residents, regardless of citizenship status, for the lower resident fee payments at the CSU and California Community Colleges. To qualify, the student must have graduated from a California high school after having attended for at least 3 years, and must continue his or her education at a California institution of higher education, within one year of high school graduation. The student must also show proof of having submitted an application or petition for lawful immigration status.

STATUS: Vetoed by Governor Davis

SB 338 (Wright) Intercollegiate Athletics: Discontinuation

As recently amended, this bill would require public institutions of higher education in California to honor the scholarships made to athletes of an athletic program in the event the program is eliminated at one of their respective campuses. The bill would also require the chief executive of each university to make every attempt to place these athletes in the same athletic program located at another university. Finally, the bill requires public universities to make every effort to provide reasonable notification of a termination and states the Legislature's intent that this bill does not place the status of athletic programs above that of academic programs.

STATUS: Vetoed by Governor Davis

SB 860 (Hughes) Labor Relations

SB 860 would amend the Higher Education Employee Relations Act (HEERA) to provide for penalties for repeated unfair labor practices by either an employer or a certified labor organization.

STATUS: Vetoed by Governor Davis

SB 1132 (Costa) Capital Facilities Fees

This bill would have allowed public water agencies to unilaterally impose capital facilities fees on educational institutions such as the CSU by embedding unauthorized fees in monthly service charges, overturning a long-standing agreement negotiated in 1988 between public water agencies and those public agencies which are dependent upon them for water and wastewater service.

STATUS: Held in Assembly Appropriations Committee (Died)

Legislation Introduced in 2000

Governor's Education Initiatives

Senate Bill 1666 (Alarcon) Teachers: Recruitment and Incentives

Among other provisions, Senate Bill 1666 establishes the Governor's Teaching Fellowship Program (to be administered by the California State University), under which graduate teaching fellowships will be awarded to graduate students who agree to teach at a low-performing school for 4 years. \$3.5 million was in the CSU section of the 2000-01 Budget Act for this program.

STATUS: Approved by Governor; Chapter 70, Statutes of 2000

Senate Bill 1688 (Polanco) Education

This bill establishes the following programs:

- 1) The Governor's Scholars Program, under which a \$1,000 scholarship would be awarded to each public high school pupil who demonstrates high academic achievement on the statewide achievement test.
- 2) The Governor's Distinguished Mathematics and Science Scholars Program, for students who demonstrate high achievement on the Advanced Placement examinations in calculus and physical science.
- 3) Intensive Algebra Academies to provide summer school instruction in pre-algebra and algebra to seventh and eighth grade students.

- 4) Intensive Algebra Instruction Academies to train teachers in methods of Algebra instruction for seventh and eighth grade students.

STATUS: Approved by Governor; Chapter 404, Statutes of 2000

Senate Bill 1689 (Escutia) Advanced Placement Program

Senate Bill 1689 establishes the Advanced Placement Challenge Grant Program to assist high schools in providing college-level courses to interested and prepared students.

STATUS: Approved by Governor; Chapter 73, Statutes of 2000

Assembly Bill 2881 (Wright) Teachers: Professional Development Institutes

This bill expands existing teacher professional development institutes in reading and English language development which are currently administered jointly by the University of California and the California State University, and creates four new institutes in the areas of high school English, high school mathematics, high school algebra, and elementary school mathematics.

STATUS: Approved by Governor; Chapter 77, Statutes of 2000

Assembly Bill 2882 (Reyes) Education Technology Grant Program (former AB 1942)

Assembly Bill 2882 establishes the Education Technology Professional Development Program, to be administered by the CSU, to provide teachers with professional development training on how best to integrate the use of technology into the classroom and curriculum. In administering the program, CSU is to collaborate with the California Technology Assistance Project, county offices of education and other appropriate public and private organizations. \$6.5 million is included in the budget for the first year of the program.

STATUS: Approved by Governor; Chapter 78, Statutes of 2000

Assembly Bill 2883 (Villaraigosa) University of California: Institutes for Science and Innovation (former AB 1943)

This bill authorizes the University of California to establish 3 California Institutes for Science and Innovation for the purpose of combining technological and scientific research and training and educating future scientists and technological leaders.

STATUS: Approved by Governor; Chapter 79, Statutes of 2000

Cal Grant Expansion Legislation

Senate Bill 1644 (Ortiz, Poochigian et al.) Student Financial Aid

Senate Bill 1644 would enact the Cal Grant Entitlement Program to guarantee a Cal Grant award to every student who is financially and academically eligible to receive one. Under this expansion of the program, students would be required to maintain a 3.0 grade point average to receive a Cal Grant A award, and a 2.0 grade point average to receive a Cal Grant B. Community college transfer students would have to earn at least a 2.4 grade point average (and be eligible to transfer to a four-year institution) to be entitled to an award.

STATUS: Approved by Governor; Chapter 403, Statutes of 2000

Additional Legislation

Assembly Bill 1773 (Romero) Unauthorized Recording of Academic Presentations

Assembly Bill 1773 would require the CSU to develop, in consultation with faculty, policies to prohibit the unauthorized recording, dissemination, and publication of academic presentations for commercial purposes. The bill includes a statement that nothing in the legislation is intended to change existing law as it pertains to the ownership of academic presentations.

STATUS: Approved by Governor; Chapter 574, Statutes of 2000

Assembly Bill 1857 (Romero) Student Body Organizations: Open Meetings

This bill would modify open meeting requirements for student body organizations to include greater flexibility and protection. The bill is sponsored by the California State Student Association, and would address several issues identified as problems resulting from existing open meetings law, including the inability to conduct a meeting by teleconference and the lack of a provision to protect the rights of the public and students to address a governing board.

STATUS: Approved by Governor; Chapter 330, Statutes of 2000

Assembly Bill 1935 (Wildman) Higher Education Labor Relations

As introduced, AB 1935 would have authorized employees of most CSU auxiliary organizations to collectively bargain under the Higher Education Employer-Employee Relations Act (HEERA). After Senator Dede Alpert, Education Committee Chair, expressed her intention not to move the bill in that form, it was amended to require CSU to provide the Legislature with a variety of public information and data on auxiliary organization employees.

STATUS: Vetoed by Governor Davis

Assembly Bill 2007 (Runner) Joint Use Education Facilities

This bill would exempt a joint use instructional facility at Antelope Valley College in Lancaster from Field Act requirements, thus allowing for CSU-owned facilities on the community college-owned campus to be used for community college purposes. The bill would also appropriate \$1 million from the General Fund to the Chancellor of the California Community Colleges for allocation to the San Mateo Community College District for implementation of cooperatively developed baccalaureate degree programs by Canada College and San Francisco State University.

STATUS: Vetoed by Governor Davis

Assembly Bill 2323 (Ducheny) Center for International Education Synergy

This bill states the intent of the Legislature that the Center for International Education Synergy be established through a joint powers agreement between the Sweetwater Union High School District, the Southwestern Community College District and San Diego State University. The bill

states that the Otay Mesa Off-Campus Center acquired through funding appropriated to the CSU in the Budget Act of 2000, shall be known as the Center for International Education Synergy, and declares that these funds shall be deemed supplemental to any existing or future capital outlay funding for the CSU.

STATUS: Approved by Governor; Chapter 462, Statutes of 2000

Assembly Bill 2408 (Firebaugh) School Facilities

This bill would allow K-12 school districts to expend bond funds to construct or modernize facilities that are located on property owned by public entities and leased to other public entities, including school districts. This is one of several bills introduced on this general subject (including SB 303, sponsored by the Board of Trustees), and has become the vehicle to address this issue, thereby allowing K-12 facility projects located on other public property, such as the California Academy of Mathematics and Science and the CSU, Stanislaus Stockton Center to be funded by General Obligation bond money.

STATUS: Approved by Governor; Chapter 530, Statutes of 2000

**Assembly Bill 2409 (Migden and Runner) Public Postsecondary Education:
Year-Round Operations**

Assembly Bill 2409 would prohibit summer session fees at the California State University and University of California from exceeding the fees charged for any other academic term, if the state provides funding to offset any revenue losses. The bill would provide that CSU and UC retain the flexibility to implement year-round operations differently on individual campuses.

STATUS: Approved by Governor; Chapter 383, Statutes of 2000

Assembly Concurrent Resolution 179 (Torlakson) California State University

This resolution would request the CSU to conduct a thorough and comprehensive study of the educational needs of Alameda and Contra Costa counties, including consideration of the expansion of programs and services at the Contra Costa campus of California State University Hayward; and the need for establishing a separate, independent university at this site.

STATUS: Approved by Legislature; Resolution Chapter 146

Senate Bill 1330 (Alpert) Assumption Program of Loans for Education

This bill consolidates and streamlines duplicative provisions related to the Assumption Program of Loans for Education (APLE), and adds a bonus incentive to persuade APLE recipients to teach in the lowest performing schools or in specific subject areas. The bill would also allow students enrolled in teacher preparation programs on a half-time basis to be eligible to participate in the APLE program.

STATUS: Approved by Governor; Chapter 583, Statutes of 2000

Senate Bill 1604 (O'Connell) California State University Board of Trustees

This bill would have increased the membership of the CSU Board of Trustees by requiring the Governor to appoint a non-faculty employee of the university for a 2-year term.

STATUS: Returned to Senate (no action to be taken by Governor)

Senate Bill 1721 (Hayden) California State University

Senate Bill 1721 would authorize the CSU to establish three institutes/centers with nonpublic funds or with other funds that the specific campuses are authorized to expend:

- The Central American Studies Institute at CSU, Northridge.
- The African American Political Studies Institute at CSU, Northridge.
- The Center on Portuguese Studies at CSU, Stanislaus.

The bill does not make an appropriation for these entities, but states that the CSU may expend an amount not to exceed \$250,000 for each institute.

STATUS: Approved by Governor; Chapter 752, Statutes of 2000

Senate Bill 1898 (Solis) Student financial Aid: Student Opportunity and Access Program.

This bill would expand the California Student Opportunity and Access Program (Cal-SOAP) and requires the California Student Aid Commission to establish a pilot program (known as "Transfer: Making it Happen") to encourage community college students to transfer to a four-year institution and assist them by providing academic guidance and information on financial aid.

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STATUS: Approved by Governor; Chapter 588, Statutes of 2000

Senate Concurrent Resolution 83 (Polanco) Higher Education Capital Outlay Funding

As introduced, this resolution would have expressed the intent of the Legislature to replace the current 1/3 bond split for the 3 public segments of higher education with an allocation of bond proceeds based on each segment's share of the projected undergraduate enrollment increases in higher education over the next 10 years.

As amended on August 25, the resolution calls upon the Senate and Assembly to appoint a legislator to convene meetings with the public institutions of higher education (and other higher education constituencies) to reach a consensus regarding the principles used to guide the allocation of future bond funds. The resolution also expresses the intent of the Legislature to reserve for community college facilities, funds from the next state general obligation bond measure, the amount necessary to increase the community college share of higher education proceeds from the 1998 bond to one-third.

STATUS: Not Adopted in the Assembly (Died)

Recommended Action

Adoption of the following resolution is recommended:

RESOLVED, By the Board of Trustees of The California State University, that the 1999-00 Legislative Report No. 12 is adopted.