

AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: 3:30 p.m. Tuesday, January 27, 2009
Glenn S. Dumke Auditorium

Carol R. Chandler, Chair
Peter G. Mehas, Vice Chair
Debra S. Farar
Curtis Grima
Melinda Guzman
A. Robert Linscheid
Lou Monville
Craig R. Smith

Consent Items

Approval of Minutes of Meeting of November 19, 2008

Discussion Items

1. Adoption of Trustees' Statement of Legislative Principles, *Action*
2. 2009-2011 Legislative Report No. 1, *Action*
3. California State University Federal Agenda for 2009, *Action*

**MINUTES OF THE MEETING OF
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**

November 19, 2008

Members Present

Carol R. Chandler, Chair
Jeffrey L. Bleich, Chair of the Board
Debra S. Farar
A. Robert Linscheid
Lou Monville
Charles B. Reed, Chancellor
Craig R. Smith

Approval of Minutes

The minutes of September 17, 2008 were approved by consent as submitted.

2007-2008 Legislative Report No. 12

Assistant Vice Chancellor, Advocacy and Institutional Relations, Karen Y. Zamarripa presented the final legislative report of the year – Legislative Report No. 12. Ms. Zamarripa noted that the online agenda provided outcomes for the major legislation tracked on behalf of the Trustees in the 2007-08 legislative session, which officially ends on November 30.

Ms. Zamarripa acknowledged two highlights from the session including the Governor's signing of our sponsored bill dealing with the Uniform Prudent Management of Institutional Funds Act (UPMIFA) as well as our success from preventing legislation that would have negatively impacted the California State University, the Trustees' authority and the Chancellor's role with the Trustees in running the institution.

November 2008 Election

Ms. Zamarripa recognized an unprecedented level of interest and participation in the election process—with the highest participation rate since 1972. Eighty percent of those eligible to register to vote chose to do so with approximately 60 percent of those voters actually

participating in the election. This election resulted in a greater shift in the use of the absentee ballot. 6.3 million or 46.5 percent of those who cast their ballot did so by absentee.

A media presentation given by Ms. Zamarripa highlighted several key drivers of the November election. The Democratic majority tried to achieve the two-thirds vote requirement in their membership. Ms. Zamarripa noted that the senate will remain 25 Democrats and 15 Republicans. Then, Ms. Zamarripa provided a detailed overview on the results of the elections with regard to the various seats at stake in the Senate and the Assembly.

General observations made by Ms. Zamarripa concluded that 39 new legislators were coming to Sacramento on December 1 with 28 brand new to the Assembly.

Proposition 11 dealing with redistricting appears to be on its way to approval. If so, that reappointment reform, suggested Ms. Zamarripa, will affect the 2012 races. In addition, Proposition 8 appears to be one of the reasons why the Democrats did not get as many gains as they had hope to in the context of this presidential election.

Several other notables presented by Assistant Vice Chancellor Zamarripa included new leadership in key committees, the 2010 elections already on the horizon, and the Governor terming out in 2010.

The committee unanimously recommended approval by the board of the proposed resolution to approve the 2007-2008 Legislative Report No. 12 (RGR 11-08-07).

Trustee Chandler adjourned the Committee on Governmental Relations.

COMMITTEE ON GOVERNMENTAL RELATIONS

Adoption of Trustees' Statement of Legislative Principles

Presentation By

Karen Y. Zamarripa
Assistant Vice Chancellor
Advocacy and Institutional Relations

Summary

This item consists of a briefing on the Trustees' Statement of Legislative Principles, which are adopted by the Board of Trustees at the beginning of each legislative session.

Background

At the beginning of each two-year legislative session, the Board of Trustees adopts a formal Statement of Legislative Principles for the California State University. The principles provide basic parameters to guide positions taken by the Chancellor and system representatives on matters pending before the California Legislature. No revisions are proposed for the 2009-2010 Session.

Statement of Legislative Principles

The following constitute the core principles guiding recommendations on legislation:

1. Preserve the California State University's statutory and traditional authority over academic affairs and matters relating to internal governance of the university.
 - a. Continue efforts to enhance and expand flexibility on internal matters and decision making by the Board of Trustees.
 - b. Preserve the integrity of the collective bargaining process.
 - c. Preserve and enhance the California State University's ability to accomplish its mission, as adopted by the Board of Trustees in November 1985.
2. Remain neutral on matters in which the state appropriately seeks to legislate the general public health and safety while not singling out the California State University uniquely.

3. Preserve the integrity of the California State University's budgetary process, and seek adequate funding for ongoing operations, mandatory costs, contractual obligations, increased enrollment, and state-mandated programs.
 - a. Provide that all funds must be appropriated to the Board of Trustees.
 - b. Proposals for operational and academic programs, and capital outlay needs must be approved and placed in priority order by the Board of Trustees through the budgetary process.
4. Preserve the integrity of the California State University's efforts to prepare teachers and administrators for K-12 schools in California and encourage the development and maintenance of partnerships with K-12 schools to improve student achievement and teacher quality at all levels.
5. Seek to influence the outcome of issues which, while not affecting the California State University alone, would have a disproportionate impact on the university's activities.
6. Seek to provide for representation of the California State University on appropriate boards, commissions, task forces, study groups, etc., that may have an impact on the system.
 - a. Representatives to such bodies shall be appointed by the Board of Trustees or the Chancellor.
 - b. Remain neutral on proposals for studies, so long as funding is provided to cover any substantial costs which are above the base needs of the system budget associated with the study that may be incurred by the system.
7. The Chancellor is recognized as the spokesperson for positions on behalf of the Board of Trustees and the California State University system. Whenever practical, the positions taken should be discussed with the Chair of the Committee on Governmental Relations and the Chair of the Board of Trustees.

Adoption of the following resolution is recommended:

RESOLVED, By the Board of Trustees of the California State University, that the Statement of Legislative Principles described in Agenda Item 1 of the

Committee on Governmental Relations at the January 27-28, 2009 is adopted, and be it further

RESOLVED, By the Board of Trustees of the California State University, that the Chancellor is authorized to take positions on pending legislation on behalf of the Board of Trustees and California State University system; but in taking such positions, the Chancellor shall consult, when practical; with the Chair of the Committee on Governmental Relations, the Committee on Governmental Relations, the full Board or the Chair of the Board of Trustees; and be it further

RESOLVED, That the Chancellor shall keep the Board regularly informed of the positions taken and of such other matters affecting governmental relations as is deemed necessary and desirable.

COMMITTEE ON GOVERNMENTAL RELATIONS

2009-2010 Legislative Report No. 1

Presentation By

Karen Y. Zamarripa
Assistant Vice Chancellor
Advocacy & Institutional Relations

Summary

This item contains a presentation of two proposals for consideration as the Trustees' 2009 Legislative Program.

Background

The Legislature convened on December 1, 2008 to begin the first year of the 2009-10 regular session. Members, including 39 newly elected Senators and Assembly Members, were sworn into office on that day and quickly turned their attention to a package of budget measures that attempted to address California's fiscal crisis. The legislative body then re-convened on January 5, 2009 and have introduced more than 200 new bills so far.

The Chancellor initiated requests for proposals for the 2009 legislative session last fall. Staff analyzed each of the proposals submitted considering several issues including, but not limited to, ensuring a clear need for each proposal, the programmatic and fiscal implications of the request, the political and policy environment and overall relationship to system priorities and initiatives. Campus presidents and vice presidents, as well as the Chancellor's leadership team, have reviewed all proposals and concur with the recommendation that the following two legislative proposals be pursued this year:

Doctor of Nursing Practice (DNP) Degree

In September 2007, the California Board of Registered Nursing (BRN) forecast that the state's registered nurse (RN) shortage could reach as high as 59,000 full-time equivalent RNs. One major obstacles preventing California from increasing the number of nurses in the state is the lack of qualified nurse educators needed to prepare nursing students.

All eighteen of CSU's "generic" (pre-licensure) nursing programs are impacted and unable to admit more students, in part because of the shortage of faculty required to meet the low student-to-faculty ratios established by the various accreditors and licensing boards for these programs.

In 2006, the American Association of Colleges of Nursing (AACN) found that 42,866 qualified applicants were turned away from baccalaureate and graduate nursing programs due primarily to a lack of nurse educators. Preliminary AACN data show that in 2007, 30,709 qualified applicants were turned away from entry-level baccalaureate nursing programs.

With a limited supply of students enrolling in graduate programs, an expected wave of faculty retirements, and the limited availability of doctorate programs, the CSU anticipates an additional strain on CSU's nursing faculty. According to the 2005-06 BRN Annual School Report, expansion in RN education has required nursing programs to hire more faculty. As a result, California RN programs reported that they had 192 faculty vacancies in 2005-2006, representing 6.6 percent of faculty positions. Without more faculty, nursing programs, such as those offered by the CSU and the community colleges, will not be able to continue their expansion to meet enrollment demand and the state's nursing workforce needs.

The Master Plan for Higher Education, adopted in 1960, differentiates the mission and function of the three segments of public higher education in California, whereby doctoral and identified professional programs are limited to the UC, with the provision that the CSU can provide doctoral education in joint doctoral degree programs with the UC and independent California colleges and universities. In 2005, when the state faced an urgent need for well-prepared administrators to lead public school and community college reform efforts, the state recognized the expertise of the CSU in the preparation of educators and authorized the CSU to award the Ed.D. degree (SB 724; Chapter 269, 2005).

Again, the State faces a critical and urgent need – this time for additional nurses. The ability of the CSU and community colleges to expand their nursing program enrollments to meet this need is severely limited by the shortage of qualified faculty. These critical public needs justify an additional exception to the Master Plan to authorize the CSU to award independently the DNP degree.

This proposal would grant the CSU the authority to award the Doctor of Nursing Practice (DNP) degree. The CSU's DNP programs will train future CSU and California Community College faculty. In addition, the CSU will be able to train advanced practice nurses (for example, nurse practitioners, nurse anesthetists or midwives) to the doctoral level. A DNP program will enable professionals to earn a degree while working full time and this degree will be distinguished from the research-based doctoral degrees at the University of California.

Public University Alumni Development and Support: Affinity Programs

Campus alumni associations have been established at all 23 California State University (CSU) campuses as well as the 9 University of California (UC) campuses. The primary purpose of these associations is to maintain relationships and build long-term connections to graduates with the

ultimate goal to support the University in the form of donations, scholarships, and involvement. It is common practice among public universities throughout the country, and private institutions in California, to offer benefits and services through affinity partnerships with commercial vendors to alumni as one way to stay connected to their university. Examples of these affinity partnerships include group rates and discounts for home and auto insurance, mortgage programs, and credit cards. In return, the affinity partner pays a fee to the campus association, providing for a significant portion of revenue for alumni association administration, membership services and in most cases support for scholarships and campus programs.

In light of California's recent revenue shortfalls and budget reductions to public universities, the role of alumni associations and the need for private funding of public universities is more critical than ever. University leaders obtain non-state dollars necessary to maintain program quality, support faculty and staff, and ensure affordability for students today and in the future.

Prior legislation (including SB 1, Chapter 241, Stats. of 2003, by then State Senator Jackie Speier; which established the California Financial Information Privacy Act) and media focus on privacy and broader consumer protections inadvertently impacted the ability of our public university alumni associations to develop and maintain relationships with alumni for the long-term benefit of the University and its students. Specifically, the California Information Practices Act (IPA) prohibited public institutions, including the CSU and UC, from distributing names and contact information of any individual (Civil Code Section 1798.60). The law also expressly prohibits institutions to do so even with the approval of the individual. As a result, affinity agreements for these public institutions would have come to an end while private universities and nonprofit organizations would have been free to use this tool to develop non-state support.

In addition, alumni would have lost significant cost savings. Due to economies of scale, affinity partners provide a wide array of goods and services at discounted prices, including health and life insurance, home loans, extension classes, and test-prep courses. Without affinity agreements, UC and CSU alumni associations would be forced to cut programs and services such as scholarships (\$3 million awarded annually to UC students), mentoring, career advising and placement, public service, and recognition of outstanding teaching and research.

At the request of the CSU and UC, Senator Tom Torlakson introduced Senate Bill 569 in 2005 to address this inequity between private universities and nonprofit organizations and California's public universities by allowing the CSU and UC to use affinity partnerships to provide benefits and services to their alumni.

SB 569 amended the Education Code to allow the CSU and UC and their alumni associations to implement affinity programs using student and alumni information consistent with private colleges and universities in California. In addition, SB 569 set a higher standard for CSU and UC by requiring that all affinity partnerships contain confidentiality clauses to prohibit misuse of

alumni information, provide alumni the option to prohibit the release of their information to affinity partners at any time. Alumni associations must provide at least two cost-free means for alumni to communicate their privacy choices, such as calling a toll-free telephone number or using other electronic means.

The statute authorizing CSU and UC affinity programs sunsets January 1, 2011. This proposal would remove this sunset clause from the Education Code.

Adoption of the following resolution is recommended:

RESOLVED, By the Board of Trustees of The California State University that the legislative proposals described in Agenda Item 2 of the Committee on Governmental Relations at the January 27-28, 2009 meeting is adopted as the 2009 Board of Trustees' Legislative Program.

COMMITTEE ON GOVERNMENTAL RELATIONS

California State University Federal Agenda for 2009

Presentation By

James M. Gelb
Assistant Vice Chancellor
Federal Relations

Summary

This item contains a presentation of recommendations for the 2009 CSU Federal Agenda.

Background

In January 2008, the Board of Trustees adopted the 2008 CSU Federal Agenda, a legislative program for the system that included both policy and project priorities for the second session of the 110th Congress. Over the past year, the CSU's Office of Federal Relations (OFR) and system leaders worked in Washington to advance those priorities. With regard to the system's policy priorities, the CSU had a significant, positive impact on their primary focus, the reauthorization of the Higher Education Act. After five years of fits and starts, this past summer saw the enactment of the Higher Education Opportunity Act (HR 4137), which reauthorizes all major federal higher education programs for up to six years. HR 4137 covers a vast range of programs and issues, and while many are familiar, an important new focus centered on attempts to monitor and control college costs. In a letter to House Education and Labor Committee Chair George Miller (D-Martinez) and Ranking Republican Member Howard "Buck" McKeon (R-Santa Clarita), California State University Chancellor Charles B. Reed expressed the system's strong support for the legislation, noting its emphasis on top CSU priorities, including: increasing need-based aid by upping the maximum Pell Grant and making it available for year-round study; expanding eligibility for need-based programs focused on science and math (ACG and SMART grants), to include part-time students; maintaining the GEAR UP and TRIO outreach programs, which enable the CSU to help prepare underserved K-12 students for college success; strengthening graduate programs at Hispanic Serving Institutions; and creating grant programs to enhance university outreach to veterans and to improve campus sustainability efforts. The CSU helped devise the newly authorized veteran's centers program, which is modeled on CSU Troops to College efforts. Ultimately, the measure received strong bi-partisan support in both congressional chambers.

The CSU also helped advocate successfully for key provisions in other major federal legislation, such as the Food, Conservation, and Energy Act of 2008 (HR 2419), or "the Farm Bill." HR

2419 contains new CSU-supported programs that would competitively fund non-land-grant colleges of agriculture and provide resources to Hispanic-serving agricultural colleges and universities (HSACUs). In addition, the CSU strongly supported enactment of the Post 9/11 Veterans Educational Assistance Act of 2008, which will help Iraq and Afghanistan war veterans attend college.

With regard to project priorities, the CSU was able to garner strong support from members of the California Congressional delegation for a number of system and campus initiatives. For example, CSU's Strategic Language Initiative (SLI), a systemwide priority, received \$1.6 million in the final FY 2009 Defense appropriations bill. These resources will provide a fourth year of funding for the collaborative program among CSU campuses that delivers intensive training in Chinese, Korean, Arabic and Farsi; this year's increase in funding will help the program expand from southern California to include Bay area campuses as well. Campus earmarks were also included in the Defense appropriations bill for a variety of programs. However, at this writing, the Congress has left the vast majority of its FY 2009 (October 2008-September 2009) appropriations work unfinished. Nine of the twelve annual appropriations measures (all but those related to national security and veterans) remain incomplete. Before adjourning, the 110th Congress passed a temporary funding measure to keep federal programs running at prior year levels through March 6, 2009. Thus the fate of many CSU project requests remains uncertain for the current fiscal year. The incoming 111th Congress will likely pass an omnibus measure to finalize FY 2009 appropriations in early 2009.

Recommendations for the 2009 Federal Agenda

This past fall the OFR, in coordination with the Chancellor's Office, set in motion the annual process designed to produce a well-honed federal agenda. In September, Chancellor Reed sent a memo to all 23 CSU presidents and senior system leaders, soliciting recommendations and outlining criteria for the system's 2009 Federal Agenda. As in the past, the Chancellor's memo sought proposals in two distinct areas: (1) federal legislative and regulatory policy; and (2) CSU projects for which direct federal funding will be sought. With respect to both project and policy recommendations, the solicitation emphasized that the federal agenda must be consistent with the CSU system's core objectives, and they must contribute to system goals of preserving access, providing quality instruction, and preparing students for the workforce. While these principles have their own relevance in the federal arena, it was stressed that the federal agenda should also complement and be consistent with our state program in Sacramento.

The items proposed below for inclusion in the 2009 Federal Agenda are based upon submissions received in response to the Chancellor's solicitation, and have advanced through several levels of review, including the Executive Council, and the Chancellor and his executive leadership staff.

Proposed Federal Policy Priorities for 2009

The 111th Congress and the Obama administration will be working to implement several recently enacted pieces of legislation of great interest to the CSU, including the Higher Education Opportunity Act (HEOA), the 2008 Farm Bill, and the post 9/11 GI bill. Implementation will include a range of activities: agency rulemaking, technical corrections legislation, and decisions about whether and at what levels to fund various programs included in these laws. The CSU should work across all of these areas to ensure that these programs effectively meet the needs and priorities of California students and CSU institutions. In addition, the 111th Congress is due to take up the Elementary and Secondary Education Act, or “No Child Left Behind.” Teacher preparation programs and pipeline issues will be of particular interest to the CSU. Other pending legislative areas likely to have a significant impact on the CSU are economic recovery proposals, major transportation legislation, and bills related to energy and the environment. While the CSU will frequently be called upon to respond to proposals made by others, including members of Congress and the U.S. Department of Education, the following priorities should be the subject of proactive pursuit:

Pell Grants: Support overall funding increases for the Pell Grant program, an increase to the maximum award.

Campus-Based Aid Programs: Seek increased funding for the Supplemental Educational Opportunity Grants (SEOG) program, and reinstatement of a federal capital contribution for schools that participate in the Perkins Loan program, thereby enhancing available resources for needy students.

Community Service Provisions: Advocate increasing incentives for student and campus participation in community service activities, including through the Work-Study program.

Early Intervention Programs: Advocate maximum funding for GEAR UP and TRIO programs, which are vital to preparing underrepresented students for college and decreasing the need for remediation.

Developing Institutions and Hispanic Serving Institutions: Seek increased funding and effective implementation of programs designed to strengthen “developing” and “Hispanic Serving” institutions, including a new provision supporting HSI graduate programs.

Science, Technology, Engineering and Mathematics (STEM) fields: Advocate programs promoting the participation and success of diverse California students in STEM fields, including funding for Professional Science Master’s program grants contained in the America COMPETES Act.

Teacher Preparation: Support efforts to strengthen teacher preparation, especially in STEM fields, and through programs to provide greater opportunities and training for disadvantaged students to become classroom teachers and faculty.

Veterans Education: Support programs that enhance higher education opportunities for veterans, including improvements to the Post-9/11 Veterans Educational Assistance Act and funding for the new Centers of Excellence for Veteran Student Success program in HEOA.

International Education Programs: Advocate international education programs that promote global awareness and understanding, and create opportunities for domestic and international students and faculty to study abroad, such as the proposed Paul Simon Study Abroad Act.

Federally supported applied research: Advocate broadening the federally supported applied research base to include more support for comprehensive universities and authorization of programs to fund the vital workforce preparation conducted by the CSU system.

Farm Bill Implementation: Seek effective implementation and maximum funding for new competitive grant program supporting non-land-grant colleges of agriculture and for a range of new programs supporting Hispanic-serving agricultural colleges and universities (HSACUs).

Energy and Sustainability: Support federal initiatives consistent with the CSU commitment to sustainability and promoting the continued economic and ecological viability of the state – not only through best institutional practices, but through applied research, education, and service.

Transportation and Infrastructure: Advocate inclusion of support for applied research and university infrastructure needs in economic stimulus and transportation legislation.

Federal Project Proposals for 2009 (FY 2010)

More than 60 projects, including both campus and multi-campus proposals, were submitted in response to this year's solicitation. It is recommended that, as in recent years, the system's project priorities for 2009 be broken in two categories. The first category would encompass four broad-based, multi-campus initiatives consistent with ongoing system collaborative efforts in core areas of CSU strength:

- **Agricultural Research Initiative (ARI):** the CSU will seek continued federal support for its ARI initiative, which leverages state, federal and industry resources to support high impact applied agricultural and related environmental research, development, and technology transfer, as well as public and industry education and outreach.

- **CSU-Industry Partnerships for Biotechnology Research and Workforce Training:** the CSU Program for Education and Research in Biotechnology (CSUPERB) will seek funding to develop a hybrid university-industry educational model to substantially accelerate production of a well-prepared “home grown” workforce and applied research activities for California’s vital biotechnology industry.
- **Strategic Language Initiative (SLI):** the CSU will seek continued federal support for SLI, its collaborative effort to create programs that integrate language learning with professional majors and career opportunities and serve as a national model for training programs in critical world languages, helping our nation meet defense, diplomatic and business needs.
- **CSU Marine Research Equipment:** The California State University’s Council on Ocean Affairs, Science and Technology (COAST) proposes to establish multiple Technology Hubs that will address critical coastal and marine issues faced by California and the nation; the Hubs will provide state-of-the-art equipment that will allow CSU faculty across the system to use cutting-edge technology to help find solutions to environmental issues while training CSU students with the skills necessary to join the workforce, and guide coastal and marine policy and resource issues.

The OFR will work to achieve the broadest and most strategic support possible for these proposals from members of the California Congressional delegation.

The second category would include campus-oriented projects, provided they have been endorsed and prioritized by the campus president, and meet the following criteria:

- The project significantly impacts a major need or priority of the campus or the system, including:
 - The extent to which the project will benefit a university’s students, its programs, the local community, the State of California and/or the nation
 - The extent to which the project is well-tailored to the particular competencies and strengths of the university or universities
- The project is well developed including:
 - How clearly articulated and detailed it is
 - Whether the project has additional supporters and advocates among business, alumni, non-profit or political entities

- Whether the project has partners that are able to assist with the project's success and/or are willing to invest in the project (cash or in-kind) so as to provide a "match" for federal funds being sought
- The project is well suited to the federal appropriations process, including:
 - The past history of federal funding for the project, if relevant
 - The manner in which federal funds will be used
 - The likely availability of the federal dollars from the account/source proposed
 - The extent of known Congressional sponsorship and support
- The project fits within a balanced program of requests for the CSU for reasonable amounts across different areas of funding

Because of the inherently shifting nature of campus, state and national priorities, the CSU federal agenda process recognizes that project requests may evolve over time. While campuses are primarily responsible for garnering support for their local initiatives, the OFR will continue to work with the campuses to refine and develop project proposals, and to assist them in working productively with their representatives in Congress as they seek support in the relevant appropriations venues for federal funding in FY 2010.

Adoption of the following resolution is recommended:

RESOLVED, By the Board of Trustees of the California State University, that the federal legislative program described in the January 27-28, 2009 Agenda, Item 3 at the Committee on Governmental Relations is adopted as the 2009 CSU Federal Agenda.