

AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: 8:00 a.m. Wednesday, May 13, 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 March 24, 2009

Discussion Items

1. 2009-2010 Legislative Report No. 3, *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**

March 24, 2009

Members Present

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

Approval of Minutes

The minutes of January 27, 2009 were approved by consent as submitted.

2009-2011 Legislative Report No. 2

Executive Vice Chancellor and Chief Financial Officer Benjamin F. Quillian presented this action item and noted Assistant Vice Chancellor, Advocacy and Institutional Relations, Karen Y. Zamarripa's absence due to jury duty. Dr. Quillian outlined the Trustees' 2009 legislative program and described several legislative measures of particular interest to the CSU. Dr. Quillian summarized two proposed bills, introduced on behalf of the Trustees, which will be up for hearing this spring:

AB 867 (Nava) California State University: Doctor of Nursing Practice Degree: This proposal would allow the CSU to offer the Doctorate of Nursing Practice (DNP) degree to prepare nurses for the CSU and community college classrooms, and also nursing leadership roles.

Status: This measure was introduced on February 26, thus is not eligible for hearing until after March 26.

AB 1222 (Lowenthal, Bonnie) California State University: Alumni: Disclosure: This measure would delete the current sunset of January 2011 in statutes, allowing CSU and University of California (UC) alumni associations to offer affinity programs to its members and alumni.

Status: This measure was introduced on February 27 and should be heard in its first committee in late March or early April.

In addition, Dr. Quillian reviewed further legislative measures of interest to the CSU. The Committee heard comments from Chris Garland of the California Faculty Association (CFA) on AB 656 (Torrico) California Higher Education Endowment Corporation: Oil and Gas Severance Tax. The committee unanimously recommended approval by the board of the proposed resolution that the 2009-2010 Legislative Report No. 2 is adopted (RGR 03-09-04).

Ballot Initiatives: May 19th Special Election

Executive Vice Chancellor and Chief Financial Officer Benjamin F. Quillian presented this action item with a media review of the six propositions that have been placed on the ballot for the special election called for May 19, 2009. Propositions 1-A through 1-F were placed on the ballot by the legislature and the governor as part of the budget package enacted last month. Five of the measures, 1A-1E, affect the state budget in many significant ways. The sixth, 1-F, has a relationship to the annual budget but its direct fiscal effect is considered quite slight. Because of the significance and complexity of 1-A and its nexus with 1-B, Dr. Quillian discussed propositions 1-C through 1-F and then circled back to 1-A and 1-B. Providing background on the propositions, Dr. Quillian explained how several of the measures would redirect existing revenues dedicated to specific purposes including the state's lottery, mental health and early childhood programs in order to help balance the state General Fund budget. In addition, Proposition 1-A extends for one additional year (Sales and Use Tax) and two additional years (Vehicle License Fee and Personal Income Tax) the tax increases included in the budget agreement. The committee discussed short- and long-term implications for the system and the state, and heard public comment from Chris Garland of the California Faculty Association (CFA). The committee unanimously recommended approval by the board of the proposed resolution that the Board supports Proposition(s) 1-A, 1-B, 1-C, 1-D, and 1-E that are scheduled for the May 19, 2009 election ballot (RGR 03-09-05).

Trustee Chandler adjourned the Committee on Governmental Relations.

COMMITTEE ON GOVERNMENTAL RELATIONS

2009-2010 Legislative Report No. 3

Presentation By

Benjamin F. Quillian
Executive Vice Chancellor and
Chief Financial Officer

Karen Y. Zamarripa
Assistant Vice Chancellor
Advocacy and Institutional Relations

Summary

This item contains an update on the Trustees' 2009 legislative program and other legislative measures introduced in 2009 of interest to the California State University. The Legislature has returned from spring break facing several critical deadlines for its proposals in the next two months. All bills must be approved by the house of origin by June.

Trustees' 2009 Legislative Program

AB 867 (Nava) California State University: Doctor of Nursing Practice Degree: This proposal allows the CSU to offer the Doctorate of Nursing Practice (DNP) degree to create the nursing faculty needed to prepare more nurses for our growing and aging population.

Status: This measure was heard in the Assembly Higher Education Committee on April 21 and received eight "aye" votes, with the Chair abstaining from voting, due to his fiscal concerns. The measure will now be heard by the Business and Professions Committee on April 28, 2009. A report on the current status of the bill will be given at the Board meeting.

AB 1222 (Lowenthal, Bonnie) California State University and University of California: Alumni: Disclosure: This measure would delete the current sunset of January 2011, allowing the CSU and University of California campuses and alumni associations to offer affinity programs and services to their graduates.

Status: This measure passed out of the Assembly Higher Education Committee with a unanimous vote of 9-0. The measure was then referred to the Assembly Judiciary Committee where an amendment was requested to simply extend the existing sunset date of January 2011, to January 2016,

which was accepted. With that amendment the measure was then placed on the Committee's consent calendar. A report on the current status of the bill will be given at the Board meeting.

Other Legislative Measures of Interest

AB 24 (Block) California State University: Feasibility Study: Chula Vista: This proposal would require the Trustees to conduct a study by January 1, 2011 on the feasibility of a new CSU campus located in Chula Vista.

CSU Position: NO OFFICIAL POSITION
Status: Even though this measure was amended to require the use of private dollars to complete the study, it was sent to the Assembly Appropriation Committee's suspense file. The suspense calendar will be taken up at the end of May.

AB 37 (Furutani) Public Postsecondary Education: Honorary Degrees: This measure would require the CSU and the Community Colleges, and request the University of California, to, work with their respective colleges and universities to confer honorary degrees upon individuals who were forced to drop-out of college due to their internment during World War II.

CSU Position: SUPPORT IF AMENDED
Status: This measure was passed out the Assembly Appropriations Committee and is now on the Assembly floor's consent calendar.

AB 53 (Portantino) State Employment: Salary Freeze: This measure would prohibit any state employee, including employees of the CSU, who earn more than \$150,000 to receive a salary increase and overtime pay, until January 1, 2012. The measure excludes Constitutional officers, employees covered by a memorandum of understanding (unions), and any person who has been exempted by executive order of the Governor. Mr. Portantino has an almost identical measure in the Assembly second extraordinary session as well, ABX2 1.

CSU Position: OPPOSE
Status: This measure was approved unanimously by the Assembly Public Employees, Retirement and Social Security Committee. The bill next goes to the Assembly Appropriations Committee. A report on the current status of the bill will be given at the Board meeting.

AB 220 (Brownley) Public Education Facilities: Kindergarten-University Public Education Facilities Bond Act: This measure would place the Kindergarten-University Public Education

Facilities Bond Act, on the next statewide General Election ballot. At present the measure does not specify a dollar amount.

CSU Position: SUPPORT

Status: This measure will be heard in the Assembly Education Committee on April 29. A report on the current status of the bill will be given at the Board meeting.

AB 218 (Portantino) Postsecondary Education: Educational and Economic Goals for California Higher Education: This measure is almost identical to legislation carried by Senator Jack Scott last session, SB 325. Both would require the establishment of an accountability framework, which would biennially assess and report on the collective progress of the states system of postsecondary education in meeting specified educational and economic goals.

CSU Position: SUPPORT

Status: This measure was placed on the Assembly Appropriations Committee's suspense file.

AB 224 (Portantino) Postsecondary Education: Public Meetings: This measure would require the Board of Governors of the California Community Colleges, the Board of Directors of EdFund, the California Postsecondary Education Commission, the California Student Aid Commission and the Board of Trustees of the California State University, to provide an audio broadcast on the internet of each of its meetings that is open to the public. This bill would also request that the Regents of the University of California comply with these provisions.

CSU Position: SUPPORT

Status: This measure is on the Assembly floor awaiting a vote by the whole body.

AB 440 (Beall) California Community Colleges: Student Transfer: This measure would create the College Student Success Act, and would allow a community college district to grant an "associate in arts degree in transfer studies" to a student if they have completed a minimum of 60 semester units, and meets the minimum requirements for transfer to the CSU or UC.

CSU Position: SUPPORT

Status: This measure will be heard in the Assembly Higher Education Committee May 5. A report on the current status of the bill will be given at the Board meeting.

AB 454 (Knight) Public Postsecondary Education: Exemption from Nonresident Tuition: This measure would repeal the statute that allows a student who attended at least three years, and graduated from a California high school, to pay in-state fees. The bill failed in the Assembly

Higher Education Committee at which time it was amended to forbid CSU and UC from counting AB 540 students as a part of the state supported full time equivalent students.

CSU Position: OPPOSE
Status: This measure failed to receive the votes necessary to advance out of the Assembly Higher Education Committee. The measure is now dead for the year.

AB 462 (Price) Public Postsecondary Education: Systemwide Fees: Limitations: Tax Levy: This proposal creates the College Affordability Act of 2009, which would freeze undergraduate fees for five years and restrict any future increases to no more than the annual percentage change in the California Consumer Price Index starting in fiscal year 2015-16. It also would place in statute a tax of one percent on the taxable income of a resident of California who earns more than \$1 million, and direct 60% of these funds to the newly created College Affordability Fund for the CSU and UC.

CSU Position: OPPOSE
Status: This measure failed in the Assembly Higher Education Committee. It also was provided reconsideration by the committee. No amendments have been offered by the author or the sponsor to date.

AB 656 (Torrico) California Higher Education Endowment Corporation: Oil and Gas Severance Tax: This measure would establish the California Higher Education Endowment Corporation (CHEEC) to oversee the use of funds from a new oil and gas severance tax on any oil or gas producer. The revenues generated by the tax would be used by the community colleges for curriculum and programs related to renewable energy and the remaining monies would be allocated to the CSU and UC per decisions of a newly created board, and without appropriation by the state.

CSU Position: NO OFFICIAL POSITION
Status: This measure will be heard in the Assembly Higher Education Committee on May 5 and is sponsored by the California Faculty Association (CFA). A report on the current status of the bill will be given at the Board meeting.

AB 690 (Ammiano) CSU Trustees and UC Regents: Meetings: This measure would allow an ex-officio member of the Board of Trustees to send a specific designee to attend meetings in their absence.

CSU Position: OPPOSE

Status: This measure will be heard in the Assembly Higher Education Committee on May 5. A report on the current status of the bill will be given at the Board meeting.

AB 1207 (Logue) Exemption from Nonresident Student Tuition: This measure would require students who are allowed to pay in-state fees under current law, known as AB 540 students, to obtain lawful immigration status prior to being eligible for this specific statute.

CSU Position: OPPOSE

Status: The author pulled this measure from the Assembly Higher Education Committee's hearing . It is now dead for the year.

SB 128 (Padilla) California Climate Change Institute: This proposal would create the California Climate Change Institute which would manage research and development programs in order for California to achieve the state's targets for reducing emissions of greenhouse gases and mitigating the effects of those emissions. This body would identify and support, through a merit-based, peer-reviewed competitive grant process, research and education to be undertaken at academic and research institutions and laboratories throughout the state.

CSU Position: SUPPORT

Status: This measure will be heard in the Senate Environmental Quality Committee on April 27. A report on the current status of the bill will be given at the Board meeting.

SB 147 (DeSaulnier) University of California and California State University: Career Technical Education Courses: This measure has been amended to state that by 2014 the CSU shall determine which career technical education (CTE) courses meet the system's general education requirements for purposes of admission.

CSU Position: NO OFFICIAL POSITION

Status: This measure was passed by the Senate Education Committee on a unanimous vote. There were amendments that completely "gutted" the original bill, which proposed State Board of Education (SBE) high school approved CTE courses be deemed acceptable for a-g admissions, requirements.

SB 160 (Cedillo) Student Financial Aid: Institutional Financial Aid Eligibility: This measure would allow students who do not pay the out-of-state fee, per the provisions established by AB 540, to be eligible to receive institutional aid, like the CSU's State University Grant.

CSU Position: SUPPORT

Status: This measure has been approved by the Senate Education Committee and was heard in the Appropriations Committee. The measure is now on the Committee's suspense calendar due to costs. The suspense calendar will be heard in the last week of May.

SB 195 (Florez) Equity in Higher Education Act: This measure would establish a new civil liability standard for Title IX compliance separate and apart from federal law. The measure would allow an individual regardless of personal harm to seek civil penalties for noncompliance.

CSU Position: OPPOSE

Status: This measure passed out of the Senate Education Committee (Ayes 5, Noes 1) and will now be heard in the Senate Judiciary Committee. A report on the current status of the bill will be given at the Board meeting.

SB 216 (Liu) Public Postsecondary Education: Textbooks: This measure would require the California State University to post a list of required textbooks and the cost of the textbook on its website, at least 30 days prior to the first day of class for each term. For bundled materials, the bill would require the course instructor to confirm his or her intent to use each individual item sold as part of the bundled package before adoption of the material is finalized.

CSU Position: NO OFFICIAL POSITION

Status: This measure passed out of the Senate Education Committee and will now be heard in the Senate Appropriation Committee on May 4. A report on the current status of the bill will be given at the Board meeting.

SB 217 (Yee) Public Postsecondary Education: Executive Officer Compensation: This measure limits the authority of the Board of Trustees by forbidding an executive of the system from receiving an increase in salary in any year when statewide mandatory student fees are increased.

CSU Position: OPPOSE

Status: This measure was amended to no longer forbid a salary increase for certain executives in a year when student fees have increased. It would now prohibit a salary increase for employees who are not currently covered by a collective bargaining agreement in a fiscal year when the CSU has received the same amount or less state funding than the previous year's budget. A report on the current status of the bill will be given at the Board meeting.

SB 218 (Yee) Public Records: State Agency: Nonprofit Entity: The proposal would subject entities that receive public funds or perform a governmental function on behalf of the CSU, UC

and CCC systems to the Public Records Act (PRA). (This would include CSU auxiliary organizations.)

CSU Position: SUPPORT IF AMENDED

Status: This measure will be heard in the Senate Judiciary Committee in May. The CSU will be requesting an amendment to explicitly protect the donor records for those who request anonymity.

SB 271 (Ducheny) Public Postsecondary Education: Public Education Facilities Bond Acts: This measure would require that for any public education facilities bond enacted on or after January 1, 2010 that priority for funding be given to proposals for facilities that will be jointly used by the CCC, UC and the CSU. It also would dictate that dollars from a new bond must be used to address any off-site mitigation necessary to facilitate a campus expansion project.

CSU Position: SUPPORT IF AMENDED

Status: This measure will be heard in the Senate Education Committee on April 29. The author is really interested in sponsoring an education bond for the 2010 election including provisions that address joint use facilities and off-site mitigation costs. CSU staff is working with the author and other segments on appropriate amendments. A report on the current status of the bill will be given at the Board meeting.

SB 386 (Runner) Postsecondary Education: Textbooks: The measure would require CSU faculty members who adopt a new textbook edition within three years after initial adoption, to provide a cost-benefit analysis to be submitted to the academic senate, administration and student government. The cost-benefit analysis shall include three parts: (A) justification for changing textbook edition within the three-year period; (B) comparison of the differences between the old and new editions; and (C) disclosure of any financial interest of the faculty member related to requiring the new textbook edition.

CSU Position: OPPOSE

Status: The Senate Education Committee will hear this measure on April 29. A report on the current status of the bill will be given at the Board meeting.

SB 646 (Denham) Student Financial Aid: Veterans and Dependents: This bill would enact the Golden State GI Bill of Rights for Higher Education which would prohibit the CSU, CCC and UC from charging *any* mandatory systemwide tuition or fees, including enrollment fees, registration fees, differential fees, or incidental fees, to a member of the Armed Forces of the United States who enlisted into the service when they were a California resident.

CSU Position: SUPPORT IF AMENDED

Status: This measure passed out of the Senate Veteran's Affairs Committee (Ayes 7, Noes 0) and will now be heard in the Senate Education Committee. The CSU is requesting amendments to require the state reimburse the system for revenues lost due to this new program. A report on the current status of the bill will be given at the Board meeting.

SB 775 (Liu) Postsecondary Education: Accountability Program: This proposal establishes a state accountability framework to achieve prescribed educational and economic goals. It would require CPEC, by January 30, 2010, to convene a working group to develop a prescribed set of performance outcomes to measure progress toward meeting those educational and economic goals. It would also express legislative intent that enrollment growth funding would be contingent on achievement of these performance outcomes by the three segments of public postsecondary education.

CSU Position: OPPOSE

Status: This measure was heard in the Senate Education Committee, but the author did not request a vote by the body. The measure is now a "two-year" bill.

RESOLVED, By the Board of Trustees of the California State University, that the 2009-10 Legislative Report No. 3 is adopted.