AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 8:00 a.m., Wednesday, July 13, 2022
Glenn S. Dumke Auditorium

Jack Clarke, Jr., Chair
Douglas Faigin, Vice Chair
Larry L. Adamson
Jean Picker Firstenberg
Maria Linares
Jack McGrory
Anna Ortiz-Morfit

Consent
1. Approval of Minutes of the Meeting of May 25, 2022, Action

Discussion
2. Executive Compensation: President – California State University, Monterey Bay, Action
3. Executive Compensation: Interim President – Sonoma State University, Action
4. Employment Policy Governing Administrator Employees’ Option to Retreat, Action
5. Employment Policy Governing Employee References, Action
6. Executive Transition Program Review, Information
7. Executive Compensation, Action
MINUTES OF THE MEETING OF
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

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

May 25, 2022

Members Present

Wenda Fong, Chair
Jean Picker Firstenberg, Vice Chair
Jack Clarke, Jr.
Douglas Faigin
Christopher Steinhauser

Lillian Kimbell, Chair of the Board
Jolene Koester, Interim Chancellor

Public Comment

All public comment took place at the beginning of the meeting’s open session, prior to all committees.

Trustee Wenda Fong called the meeting to order.

Before proceeding with the committee’s consent agenda, Trustee Fong announced that information item 6 (Executive Transition Program Review) was pulled from the discussion agenda and would not be presented at this time.

Approval of the Consent Agenda

The minutes of the March 23, 2022, meeting of the Committee on University and Faculty Personnel were approved as submitted.

Executive Compensation: Temporary Housing Allowance

Interim Chancellor Jolene Koester presented agenda item 2 recommending a temporary housing allowance for Dr. Eduardo M. Ochoa, president of California State University, Monterey Bay.
Dr. Koester explained that President Ochoa was due to retire on June 30, 2022; however, he was asked to extend his presidency through July 31, 2022, which he agreed to do. Due to President Ochoa’s planned departure from the University House on June 30th, a one-month housing allowance of $5,000 will be provided to offset the cost of his new primary residence while he continues to serve as president during July. A motion to approve the item was passed.
(RUFP 05-22-07)

Report on Mercer Staff Salary Study

The presentation began with opening remarks by Evelyn Nazario, vice chancellor for human resources. She recognized the collaborative approach taken by CSU and union partners to successfully advocate for funding to conduct an independent evaluation of existing salary structures for non-faculty staff. She acknowledged CSUEU President Catherine Hutchinson, CSUEU Executive Director Jim Philliou, and Teamsters Skilled Trades Director Drew Scott for their hard work during this project, as well as their leadership and advocacy efforts in Sacramento. The joint committee of CSU and union leaders selected Mercer to conduct the study.

The presentation continued with representatives from Mercer (Lyn Harper, senior principal, and Mary Mertes, senior associate) providing a detailed overview.

A highlight of the process was the focus groups that included feedback from 5,005 employees, representing all staff units as well as managers. Mercer’s observations included the following: difficulty in attracting and retaining talent; no clear path career growth or advancement; inconsistencies within classifications; compression and inversion; inconsistent placement of employees in pay structures; and of most concern, wage stagnation and the fact that CSU pay has been lagging the market over time. Mercer found that their analysis closely matched what they heard from employees. Overall, the study showed that while some jobs are approaching market, the average staff salary at the CSU was 12% below the market – with some jobs more than 20% below market.

It was recommended that CSU’s compensation program be updated to meet five objectives: 1) ensure CSU staff employees’ pay aligns with market; 2) create structures to recognize similarities in work and labor cost differences; 3) update the classification system to recognize the actual work being done and to allow for career progression; 4) develop solutions which eliminate workarounds; and 5) create pay structures that provide equitable and predictable pay. Mercer concluded with a slide showing the breakdown of costs and a total funding gap of $287 million for the upcoming fiscal year. Vice Chancellor Nazario noted that funding for this project was not included in the May revise, however, the work will continue together with union partners to advocate in Sacramento for funding.

Following the presentation, trustees posed questions related to benchmark methodologies, campus geographic groupings, wage stagnation, as well as clarification on the budget. Numerous inquiries
were made on whether the study took into account health and pension benefits. Mercer responded that the study focused on base pay. Trustee Rodriguez requested information on turnover rates. Overall, the trustees shared thoughts and comments in support of the report, however, active discussion continued regarding the study not taking into account health and pension benefits.

Lieutenant Governor Eleni Kounalakis voiced disappointment that the methodology in Mercer’s report did not take into account health care and pension benefits. Vice Chancellor Nazario responded that when Mercer was engaged, the focus was on base pay and not total remuneration. She also indicated that based on a past presidential total remuneration study, the results did not change significantly. The lieutenant governor went on to ask for clarification on what was being stated and reiterated – that even though other elements were not included in the study, it would not change the overall assessment of the 12 percent lag to market. Vice Chancellor Nazario acknowledged this, based on past total remuneration reports. Trustee Fong requested that the information on total remuneration be provided.

Trustee Fong concluded the item and thanked union partners for their leadership and collaboration during this important project, as well as the entire CSU team.

Note: The final Mercer report is posted on the CSU website at:

Retreat Rights Policy Review

Trustee Wenda Fong introduced the item and noted that the two policy items were informational and would be presented for board approval at the July meeting. Additionally, Interim Chancellor Jolene Koester gave supporting remarks on the trustees’ pledge to strengthen the CSU’s institutional culture. Dr. Koester was encouraged that work had begun on assessing and reforming systemwide practices for retreat options and employee letters of reference.

Vice Chancellor of Human Resources Evelyn Nazario proceeded with a presentation of the proposed policy line by line; the policy was also provided as an attachment to item 4. The presentation reviewed the following areas from the policy: general considerations; establishment of a procedure for conferring retreat; memorialization of the terms of retreat; determination of ineligibility to exercise an option to retreat; notice of election to exercise an option to retreat; procedure for reconsideration of a denial of the option to retreat; and payment in lieu of notice when an MPP employee elects to retreat.

Following the presentation there was discussion regarding removing the word “significant” in the section of the policy on determining ineligibility to exercise the option to retreat. Staff indicated the policy workgroup, in consultation with general counsel, would review further.
Letters of Recommendation Policy Review

Vice Chancellor of Human Resources Evelyn Nazario presented the proposed policy on employee references line by line; the policy was provided as an attachment to item 5. The presentation included the following areas of review: references requested by third parties; official letters of recommendation; employment verifications for current or former employees; personal references; and references requested within CSU.

Following the presentation, the trustees provided feedback that included: adding an introductory statement on the University’s commitment to truthfulness, accuracy, etc. in all matters; removing the word significant as discussed in the previous agenda item on retreat rights; changing the word should to must throughout; clearly stating when a reference is considered personal; and in section V, removing or replacing the word objective.

Trustee Fong adjourned the meeting of the Committee on University and Faculty Personnel.
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: President – California State University, Monterey Bay

Presentation By

Jolene Koester
Interim Chancellor

Summary

This action item establishes the compensation for Dr. Vanya Quiñones as president of California State University, Monterey Bay.

Executive Compensation

This item recommends that Dr. Vanya Quiñones receive an annual salary of $370,000 effective on August 15, 2022, the date of her appointment as president of California State University, Monterey Bay. Dr. Quiñones will be required to live in the university’s presidential residence located in Marina, California, as a condition of her employment as president.

In accordance with existing policy of the California State University, Dr. Quiñones will receive the following benefits:

- An auto allowance of $1,000 per month;
- Standard benefit provisions afforded CSU Executive classification employees;
- Reimbursement for reasonable actual and necessary travel and relocation expenses in accordance with university policy.

Subject to faculty consultation and approval in accordance with CSU Monterey Bay policy, Dr. Quiñones will hold an appointment with the academic rank of full professor with tenure in the College of Arts, Humanities, and Social Sciences at CSU Monterey Bay.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Vanya Quiñones shall receive a salary set at the annual rate of $370,000 effective on August 15, 2022, the date of her appointment as president of California State University, Monterey Bay; and be it further
RESOLVED, Dr. Quiñones shall occupy the official presidential residence located in Marina, California, as a condition of her employment as president; and be it further

RESOLVED, Dr. Quiñones shall receive additional benefits as cited in Agenda Item 2 of the Committee on University and Faculty Personnel at the July 11-13, 2022 meeting of the Board of Trustees.
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Interim President – Sonoma State University

Presentation By

Jolene Koester
Interim Chancellor

Summary

This action item establishes the compensation for Dr. Ming-Tung “Mike” Lee as interim president of Sonoma State University.

Executive Compensation

This item recommends that Dr. Ming-Tung “Mike” Lee receive an annual salary of $324,052 effective on August 1, 2022, the date of his appointment as interim president of Sonoma State University. The interim president will receive a housing allowance of $5,000 per month and is expected to serve in this role for up to no less than 12 months or until the position is filled. (This is the same salary and housing allowance as the current president of Sonoma State.)

In accordance with existing policy of the California State University, Dr. Lee will receive the following benefits:

- An auto allowance of $1,000 per month;
- Standard benefit provisions afforded CSU Executive classification employees; and
- Reimbursement for actual, necessary and reasonable travel and relocation expenses.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Ming-Tung “Mike” Lee shall receive a salary set at the annual rate of $324,052 effective on August 1, 2022, the date of his appointment as interim president of Sonoma State University; and be it further

RESOLVED, Dr. Lee shall receive a housing allowance of $5,000 per month; and be it further
RESOLVED, Dr. Lee shall receive additional benefits as cited in Agenda Item 3 of the Committee on University and Faculty Personnel at the July 11-13, 2022 meeting of the Board of Trustees.
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Employment Policy Governing Administrator Employees’ Option to Retreat

Presentation By

Evelyn Nazario
Vice Chancellor
Human Resources

Summary

At the May 2022 meeting of the CSU Board of Trustees, a draft policy on the option to retreat was presented as an informational item. The policy was developed in support of the trustees commitment to initiate a systemwide assessment of institutional employment practices on retreat rights, letters of recommendation, and executive transition (RBOT 03-22-03). The trustees provided input and helpful improvements to the draft during the meeting.

This action item presents the amended policy for the board’s consideration. The Employment Policy Governing Administrator Employees’ Option to Retreat is provided in Attachment A.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the Employment Policy Governing Administrator Employees’ Option to Retreat as cited in Attachment A of Item 4 of the Committee on University and Faculty Personnel at the July 11-13, 2022 meeting of the Board of Trustees, is adopted; and be it further

RESOLVED, all California State University campuses are to review their existing policies to ensure that they are in compliance with updated requirements; and be it further

RESOLVED, any and all previous versions of policies related to retreat options for administrator employees’ are superseded.
The purpose of this policy is to delineate systemwide protocols throughout the California State University (CSU) system governing the option for Administrators to Retreat to a faculty position at the end of their administrative appointment. The policy identifies the conditions under which Administrators are eligible and ineligible to Retreat.

This policy is intended to provide systemwide consistency in conferring and granting options to Retreat to faculty positions in connection with Administrator appointments. This policy is based on the core values of CSU such as commitment to the university mission, collegiality, excellence in teaching and scholarship, and on CSU’s overarching commitment to maintaining an inclusive and equitable community that fosters mutual respect and a workplace free of discrimination, harassment, and retaliation.

I. Applicability

This policy applies to all Administrator appointments made at any CSU campus or at the Chancellor’s Office that include the option to Retreat to a faculty position. This policy is intended to be prospective and does not impact retreats granted prior to its effective date except on a case-by-case basis in the event of serious misconduct or policy violation.

II. Relevant Definitions

Administrator – this means any CSU employee designated as an Administrator (management or supervisory) under the Higher Education Employer-Employee Relations Act and Title 5. Administrators may be in either the M80 (MPP) or M98 (Executive) job classifications.

Finding - A Finding is a determination made as described below that an Administrator engaged in misconduct or a policy violation that renders the Administrator unsuitable to have continued direct interactions with CSU students or employees.

A Finding is a determination made in the course of proceedings including but not limited to: (a) a university investigation, following any appeals; (b) an internal or external audit; (c) an administrative proceeding by a state body having jurisdiction, such as the Department of Labor; (d) a civil or criminal proceeding, following any appeals; or (e) a proceeding that leads to a determination of improper governmental activity (defined by the State of California as any action that violates state or federal law or regulation that is economically wasteful or that involves gross misconduct, incompetence, or inefficiency). An admission by the Administrator that they engaged in conduct that the university determines to constitute misconduct or a policy violation that renders the Administrator unsuitable to have continued direct interactions with CSU students or employees also constitutes a Finding for purposes of this policy.

Management Personnel Plan (MPP) – the management personnel plan outlines the rules and provisions governing administrators and administrative appointments within the CSU and can be accessed here: MPP.

MPP Employees – this means any CSU employee designated as a manager or supervisor under the Higher Education Employer-Employee Relations Act and Title 5. MPP Employees are in the M80 job classification.
Retreat - the option to Retreat means an Administrator’s ability to be reassigned to a faculty position with or without tenure at a designated rank and within a designated department at the end of an administrative assignment.

III. Considerations and Procedures for the Conferral of the Option to Retreat

A. General Considerations

Options to Retreat should always be granted at the time of appointment and memorialized in an Administrator’s appointment letter. When considering the granting of an option to Retreat to an Administrator candidate, the campus should seek to do the following:

1. Reflect the CSU’s faculty hiring process by assessing the candidate’s education, background, excellence in teaching, scholarship, and/or research and creative activities, and professionalism.

2. Ensure the appropriateness of an Administrator’s Retreat to a particular academic department or unit through consultation with the department faculty into which the candidate would ultimately Retreat.

3. Ensure that the hiring authority or search committee chair collaborates with the tenured faculty in the department to which the finalist wishes to Retreat, so that they may evaluate the candidate’s qualifications including, but not limited to, any obtainment of tenure at a prior institution, and also ensuring that should the option to Retreat be conferred, the details of the option to Retreat are memorialized in the Administrator’s appointment letter should they be selected for hire.

B. Establishment of a Procedure for Conferring the Retreat

Campuses must adopt procedures for conferring the option to Retreat to a faculty position for qualified Administrator candidates. The procedure shall include: (a) early notification from the relevant search committee that a finalist is requesting an option to Retreat so as to ensure a timely conferral/appointment should the finalist be selected for hire; (b) the process for the recommendation of conferral by tenured faculty in the department to which the Administrator wishes to Retreat (augmented by tenured faculty from other departments when sufficient tenured faculty are not available in the department) and/or other representatives of the campus, as provided by the campus policy; and (c) final approval by the campus president or designee.

In granting the option to Retreat with tenure, serious consideration should be given to all the factors set forth in paragraph III. A., above. Administrator candidates who have earned and held a tenured position as a professor within the CSU or another equivalent institution are ordinarily granted the option to Retreat to a tenured faculty position. While the option to Retreat is not ordinarily granted to non-academics, the option to Retreat to either a tenured or probationary faculty position may be granted on a case-by-case basis to Administrator candidates who have never earned or held a tenure-track position, provided they demonstrate a substantial record of achievement meriting such rank and receive the recommendation of the faculty committee and approval of the campus president or chancellor.
IV. Memorialization of the Terms of Retreat

If the campus determines an Administrator candidate should be conferred an option to Retreat, the following terms of Retreat will be placed in the official appointment letter for the administrative appointment:

a. Acknowledgement of the faculty appointment and whether it is with or without tenure.
b. Name of the department and college to which the candidate will be appointed upon exercising their option to Retreat.
c. Faculty rank upon Retreat.
d. Salary placement details to be applied upon Retreat. If an Administrator exercises their option to Retreat three years or more after the effective date of their appointment, their salary may be set up to the maximum pay rate for their rank, at the president’s discretion. If an Administrator exercises their option to Retreat prior to serving three years in the administrative role, their salary at the time of Retreat must be in line with similarly ranked professors in the department/school to which they are Retreating.
e. Terms of administrative sabbatical (if provided) or paid time being granted upon Retreat to prepare for a return to teaching.
f. The amount of time the Administrator must provide notice to the university of their intent to elect to Retreat.
g. Any additional terms agreed upon between the campus and the candidate relating to their Retreat and/or faculty appointment.
h. Notice of the potential ineligibility for the option to Retreat in the event of a Finding.

V. Determination of Ineligibility to Exercise the Option to Retreat

An Administrator will be ineligible to exercise their option to Retreat under the following circumstances: (1) a Finding resulted in the Administrator being non-retained, terminated, or separated through mutually agreed upon settlement terms; or (2) the Administrator’s retirement benefits have been rescinded under The Public Employees’ Pension Reform Act due to criminal misconduct associated with their official duties.

Allegations for which no Findings have been made should not serve as a basis for denying an option to Retreat. However, in the event the Administrator is under investigation for misconduct or violation of university policy that could result in a Finding, the Retreat determination shall be held in abeyance until the completion of the investigation and any appeals. In addition, in the event there is no Finding or pending investigation at the time the request to Retreat is made, the campus shall defer making a final decision on the request to retreat for 60 days. If, during the 60-day period, the campus initiates an investigation that could result in a Finding, the Retreat determination shall be held in abeyance as set forth above until the completion of the investigation and any appeals, which the CSU will endeavor to complete in a timely fashion. CSU may also, at any time (including after Retreat), investigate and take appropriate action in connection with alleged misconduct committed by an employee e while serving as an Administrator.
Notice of ineligibility to Retreat will be provided to the Administrator by the campus president, chancellor, or their designee, and to the Chancellor by the Board Chair. In such cases, CSU will not grant the option to Retreat nor provide a positive letter of reference to the Administrator. The university may provide employment verification for the Administrator, but it will consist only of the job title(s) held, dates of employment, and job duties, as outlined in CSU’s employee reference policy. Notice of the potential ineligibility for the option to Retreat under these circumstances must be included in the Administrator’s appointment letter. For Administrators who are employed at the CSU Chancellor’s Office, the Chancellor holds the responsibility for determining ineligibility to exercise an option to Retreat. For the position of the Chancellor, the Board Chair, in consultation with the Board of Trustees, holds this responsibility.

VI. Notice of Election to Exercise the Option to Retreat

An Administrator who has been offered the option to Retreat in their appointment letter must notify the university of their intent to elect to Retreat within the time period set forth in the Administrator’s appointment letter. At the time the Administrator notifies the campus of their election to Retreat, and the campus determines the Administrator’s eligibility to Retreat, the campus and Administrator should discuss the transition plan for Retreat including the date on which the Retreat becomes effective and the Retreating faculty member’s work assignment. Absent circumstances that would prevent the Administrator from doing so, they should normally Retreat and initiate their faculty appointment no later than six (6) months from the date on which the University was notified of the Administrator’s intent to Retreat.

VII. Procedure for Reconsideration of Denial of the Option to Retreat

Any campus decision to deny an Administrator’s option to Retreat will be subject to reconsideration in accordance with Section 42728 of Title 5, California Code of Regulations, as may be set forth in campus policy.

VIII. Payment in Lieu of Notice Where MPP Employee Elects to Retreat

Pursuant to Section 42723(e) of Title 5, campuses are required to provide an MPP Employee notice of non-retention at least three months prior to the separation date or provide corresponding salary in lieu of notice.

Further, campuses are required to pay MPP Employees all earned and unpaid wages and accrued vacation on the last day of employment (separation date). In the event a campus non-retains an MPP Employee or Administrator who has the option to Retreat, in order to avoid a premature separation, the campus should always provide at least thirty (30) days to exercise their option to Retreat prior to the effective date of non-retention.
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Employment Policy Governing Employee References

Presentation By

Evelyn Nazario
Vice Chancellor
Human Resources

Summary

At the May 2022 meeting of the CSU Board of Trustees, a draft policy on employee letters of reference was presented as an informational item. The policy was developed in support of the trustees commitment to initiate a systemwide assessment of institutional employment practices on retreat rights, letters of recommendation, and executive transition (RBOT 03-22-03). The trustees provided input and helpful improvements to the draft during the meeting.

This action item presents the amended policy for the board’s consideration. The Employment Policy Governing the Provision of Employee References is provided in Attachment A.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the Employment Policy Governing the Provision of Employee References as cited in Attachment A of Item 5 of the Committee on University and Faculty Personnel at the July 11-13, 2022 meeting of the Board of Trustees, is adopted; and be it further

RESOLVED, all California State University campuses are to review their existing policies to ensure that they are in compliance with updated requirements; and be it further

RESOLVED, any and all previous versions of policies related to employee references are superseded.
CSU recognizes that reference-checking is an important part of the search and hiring process. It further recognizes that many CSU employees are asked, on occasion, to provide positive references for former or current colleagues and/or direct reports. This policy is intended to outline the principles and procedures guiding the provision of such references, given the legal liability associated therewith. Specifically, it is the guiding principle of CSU to demonstrate integrity in all matters and not to provide positive letters of reference for employees who have engaged in significant misconduct, including a serious CSU policy violation.¹

I. References Requested by Third Parties

CSU employees may receive reference requests from third parties. References provided to third parties may be official (on behalf of the University) or personal (on behalf of the employee personally). Employees receiving requests for references from third parties must confer with their Campus Human Resources (staff, student, and/or management employees) or Faculty Affairs (faculty employees) Departments for review or response as there may be relevant information for which the employee being asked to provide the reference is unaware.

II. Official Letters of Recommendation

CSU employees who are asked to provide letters of recommendation or other formal requests for reference for current/former colleagues or direct reports on behalf of the CSU must confer with their campus Human Resources or Faculty Affairs Departments prior to responding to the request or provide their finalized letter of recommendation to Campus Human Resources or Faculty Affairs for their review prior to submission. Campus Human Resources/Faculty Affairs shall review the employee’s personnel file as well as inquire of the campus Title IX/DHR office as to whether the employee for whom the reference is being requested has had findings against them in the past or if there are any investigations/appeals pending.

CSU will not provide any official positive letters of recommendation or reference, either verbally or in writing, for a current or former CSU employee who: (i) is subject to a finding* that the CSU employee has engaged in misconduct that resulted in the employee being non-retained, terminated, or is separated through mutually agreed upon settlement terms; (ii) is currently under investigation for misconduct or violation of university policy (in abeyance until the completion of the investigation and any appeals); or (iii) has had their retirement benefits rescinded under The Public Employees' Pension Reform Act due to criminal misconduct associated with their official duties. In such cases, Human Resources/Faculty Affairs shall inform

¹ This policy addresses requests for references for CSU employees only. Requests for references for CSU students, outside of any student-employment context, may be addressed in a separate policy.
Employment Policy Governing
The Provision of Employee References

the third party requesting the reference of CSU’s employee reference policy and provide an employment verification only, as set forth below, for the current or former CSU employee.

* A finding includes, but is not limited to, (a) a final internal report, following any appeals, resulting from an investigation conducted by the university; (b) an internal or external audit; (c) an administrative decision by a state body having such jurisdiction, such as the Department of Labor, etc.; (d) a civil or criminal judgment, following any appeals; (e) a finding of improper governmental activity, which is defined by the State of California as any action that violates state or federal law or regulation; that is economically wasteful; or that involves gross misconduct, incompetence, or inefficiency; or (f) admission of any of the above-referenced misconduct by the employee.

III. Employment Verifications for Current or Former Employees

Employment verifications for current or former employees must always be directed to the Campus Human Resources Department. It is the CSU’s policy to provide minimal information about current or former employees to non-CSU entities for employment verification purposes. Campus Human Resources Departments shall provide only the current or former employee’s job title(s), dates of employment, and job duties.

Current or former CSU employees may additionally authorize the release of their salary information, typically for the purpose of credit evaluation, as part of the employment verification process. Such requests must be referred to the Campus Human Resources Department who will only release salary information to a requesting third party/institution with the current or former employee’s written authorization to do so.

IV. Personal References

Personal references are permissible. Such references should clearly identify that they are being provided in an individual capacity and not on behalf of the CSU. Any references made outside Human Resources or Faculty Affairs, and where no check-in or review with Human Resources or Faculty Affairs has occurred, will be considered personal and not to have been provided on behalf of the CSU.

References by presidents, executives, or other university officers in senior administrative positions may be perceived as being provided on behalf of the University by virtue of their position. Such individuals must also consult with Human Resources or Faculty Affairs to determine whether letters of recommendation or positive references are appropriate and may be provided, even in their personal capacity.
V. References Requested Within CSU

The CSU operates as a single employer and has the right and responsibility to share information across its campuses and departments about employees, including senior leaders. Shared information must be accurate and specific to the employee’s work performance and job history. Former or current supervisors must always provide, if requested to do so, information to other CSU campuses and departments and may not withhold any relevant information related to the work performance of the current or former employee. Communications between campuses must always be truthful, accurate, job-related, candid, and unbiased.

Campuses are further reminded that they must comply with CSU’s Recruitment and Hiring Guidelines for MPP and Staff (non-represented and represented) Positions, Technical Letter HR/Appointments 2013-03, and to fully cooperate with other campuses in providing information within CSU.

Adopted <Date TBD>
Resolution <Number TBD>
CSU Board of Trustees
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Transition Program Review

Presentation By

Leora D. Freedman
Acting Vice Chancellor
Human Resources

Summary

At the March 2022 meeting of the CSU Board of Trustees, the trustees ceased granting executive transition rights for newly hired executives until such time as the board considers recommendations of a task force and takes further action (RBOT 03-22-03).

The task force included Trustees Larry Adamson and Jack Clarke, and Vice Chancellor Evelyn Nazario. The members were charged to review and recommend action to address the need for, and structure of, any future program that would benefit the University.

The task force found that generally, external institutional practices did not offer programs with characteristics similar to the executive transition program offered by the CSU. Given the circumstances the system has recently encountered, the task force believes that the current Transition II program should be modified or eliminated.

However, it is recognized that the University and our future leaders may benefit from an executive’s accumulated experience and insight. In appropriate circumstances, they can provide valued consultation to a newly appointed executive.

To that end, the task force presents two options for consideration: (1) Elimination of any “transition” program prospectively; or (2) the adoption of a new program with a significantly altered focus and structure. The new program could be offered at the board’s discretion to a resigning executive where it is determined that their consultation would be of benefit to the institution and provide assistance to the newly appointed executive.

A newly created program, the Executive Consultative Assignment (ECA), is provided in Attachment A for the board’s review and outlines the details of the program. Attachment B reflects revisions to the existing Transition II program consistent with the approval and ineligibility rules in related updated policies.
The following recommends a policy that will strengthen program requirements, internal controls, approval authorities, and facilitate greater transparency, compliance, reporting, and accountability, and also clarifies the basis for ineligibility.

It is anticipated that this item will be presented for action at the September 2022 meeting of the Board of Trustees.
Proposed Program on Executive Consultative Assignments (ECA)

The Executive Consultative Assignment (ECA) is offered at the discretion of the CSU Board of Trustees to departing executives. This program applies to individuals appointed as chancellor, executive vice chancellor, vice chancellor, or president hired on or after <insert date – upon approval of policy>. Additionally, the executive must have served five years in an executive position at the CSU and must be in good standing at the commencement and duration of the assignment.

The purpose of the Executive Consultative Assignment (ECA) is to provide institutional support and consultation to new administration on a campus or the Chancellor’s Office. As with past programs, the ECA enables the University to benefit from the executive’s accumulated knowledge and experience often critical to the mission of the University.

The Board of Trustees shall approve all executive consultative assignments. In the case of executive vice chancellors, vice chancellors, and campus presidents, the decision is made in consultation with the chancellor.

An executive consultative assignment will not be conferred as a matter of course. The determination will be made at the discretion of the board with consideration given to the need for “consultative services” at the respective campus or Chancellor’s Office. Foremost, the trustees will consider what is in the best interest of the University to ensure everything is being done to support CSU students and employees.

Assignment Terms:

1. Reassignment to the Management Personnel Plan (MPP).

2. The executive consultative assignment is an “at will” assignment that may not exceed six months.

3. Salary is not to exceed fifty percent of the executive’s base pay at time of resignation from their executive position.

4. Duties: Confer and bestow institutional and campus specific knowledge to the incoming president/executive. This includes, but is not limited to, providing history and status on current campus issues, donor relations, legislative relations, strategic partnerships, legal matters, CSU and campus-wide initiatives. As appropriate, make introductions to key state and community stakeholders and campus specific supporters.
5. Deliverables: The appointee is required to submit a monthly report to the chancellor of activities and milestones completed. (In the case of the chancellor, reporting is required to be provided to the board chair or designee.)

6. It is expected that the appointee will devote the time necessary to accomplish all required work.

7. Any additional terms agreed to by the board.

The ECA appointee shall receive no supplemental pay; no housing allowance or university-provided housing (on- or off-campus); no auto allowance or university-provided auto. Reimbursement of mileage and business-related expenses shall be made in accordance with CSU policy.

**Termination of Assignment:** If the executive becomes unable to perform the negotiated duties of the assignment or should the executive retire from the CSU or accept non-CSU employment, the executive consultative assignment shall immediately terminate, and the executive shall be due no further compensation under this program.

**Approval:** The board is required to approve all appointments prior to the commencement of the executive consultative assignment. The chancellor shall present the executive’s proposed assignment for discussion as an action item on the agenda of the Committee on University and Faculty Personnel. (The board chair presents in the case of the chancellor.)

**Funding:** The Chancellor’s Office will fund the appointee’s salary (and benefits) while participating in an Executive Consultative Assignment unless it is determined that an alternative funding arrangement is appropriate.

**Communications:** The appointment letter is finalized and executed by the chancellor (or board chair, if applicable) following board approval. The appointing letter is to memorialize the board’s approval with the applicable resolution number. The chancellor (or board chair) or their designee shall provide each trustee with a copy of the final signed letter.

**Annual Reporting:** The chancellor shall report annually on all program activities detailing the status of all assignments that occurred during the reporting period. The report shall be placed as an information item on the discussion agenda (not consent) of the Committee on University and Faculty Personnel at the November meeting of the Board of Trustees.
Amended Transition II Program

Additions and deletions to the Transition II Program are shown with underlines and cross-outs.

In November 2006, the Board of Trustees adopted the Transition II program (RUFP 11-06-06) for executives appointed into executive positions after November 15, 2006. Effective March 22, 2022, the Board of Trustees determined that no additional executives shall enter this program.

The following 27 incumbents (all appointed prior to March 22, 2022) are eligible for participation in the Transition II program.

**Presidents**
- Jeffrey Armstrong
- Erika Beck
- Jane Close Conoley
- Soraya Coley
- William Covino
- Thomas Cropper
- Adela de la Torre
- Gayle Hutchinson
- Tom Jackson Jr.
- Saúl Jiménez-Sandoval
- Ellen Junn

**System Executives**
- Lynn Mahoney
- Tomás Morales
- Robert Nelsen
- Ellen Neufeldt
- Eduardo Ochoa
- Thomas Parham
- Judy Sakaki
- Cathy Sandeen
- Framroze Virjee
- Richard Yao
- Lynnette Zelezny

Executives must meet the eligibility criteria previously established under Transition II to participate in the program.

**Transition II Program**

For those individuals appointed as chancellor, executive vice chancellor, vice chancellor, general counsel, or president, hired after November 15, 2006, Transition II will provide a period of transition for executives who separate from their executive position in order to assume other identified CSU employment.

**Eligibility**

To be eligible for a transitional program, the executive must:

1. Have served 5 years in an executive position at the California State University (CSU);
2. Be in good standing at the commencement of the program *(see Ineligibility)*;
3. Have previously identified a position in the CSU to return to upon completion of the transitional program; and
4. Not accept non-CSU employment.
Terms of Transition
Upon notification to the chancellor of the intent to resign the executive position, the chancellor shall negotiate the terms of the transition program. In the case of the resignation of the chancellor, the chair of the Board of Trustees shall negotiate the terms of the transition program on behalf of the Board of Trustees. Executives participating in Transition II are reassigned into the Management Personnel Plan (MPP).

The items to be negotiated shall include:

1. Dates of origination and termination;
2. Specific duties and assigned locations; and
3. Compensation and support.

The incumbent shall receive no supplemental pay; no housing allowance or university-provided housing (on- or off-campus); no auto allowance or university-provided auto. Reimbursement of mileage and business-related expenses are applicable in accordance with CSU policy.

Termination of Transition
If the executive becomes unable to perform the negotiated duties of the transition or should they accept non-CSU employment during the term of the transition period, the transition program shall immediately terminate, and the executive shall be due no further compensation.

Should the executive and the chancellor (or the chancellor and the chair in the case of the chancellor’s resignation) fail to reach agreement on a transition program, there shall be neither a right to any such program nor any right to appeal to the Board of Trustees to obtain such a program.

Deliverables
The executive will provide a monthly report to the chancellor of activities and milestones completed during the transition assignment.

Approval
The Board of Trustees will review Transition II assignments prior to approving an executive’s participation in the program. The chancellor shall present the executive’s transition program for discussion as an action item (rather than informational) on the agenda of the Committee on University and Faculty Personnel.

Funding
The Chancellor’s Office will fund the executive’s salary and benefits while participating in the transition program unless it is determined that an alternative funding arrangement is appropriate.
Communications
The Chancellor shall provide each Trustee with a copy of the final written agreement for each participant in the Trustee Professor, Executive Transition or this transition program. Following the signing of an individual plan in any transition program, the plan shall be scheduled for discussion as an information item on the agenda of the Committee on University and Faculty Personnel.
The appointment letter is finalized and executed by the chancellor following board approval. The appointing letter is to memorialize the board’s approval with the applicable resolution number. The chancellor or designee shall provide each trustee with a copy of the final signed letter.

Annual Reporting
Annually in March, the Chancellor shall report on all existing individual transition programs in the open meeting of the Board of Trustees.
Annually at the November meeting of the Board of Trustees, the chancellor shall report on the transition activities of each executive participant, detailing the status of all assignments that occurred during the reporting period. The report shall be placed as an information item on the discussion agenda (not consent) of the Committee on University and Faculty Personnel.

Ineligibility
The executive must be in good standing at the commencement and duration of the transition assignment.

An executive will be ineligible for consideration under the following circumstances: (1) a finding has been made that the executive engaged in a serious policy violation or other significant misconduct that resulted in the executive being terminated, or separated through mutually agreed-upon settlement terms; (2) the executive is currently under investigation for significant misconduct or violation of university policy; or (3) the executive’s retirement benefits have been rescinded under The Public Employees’ Pension Reform Act due to criminal misconduct associated with their official duties.

A finding is a determination made in the course of proceedings including but not limited to: (a) a university investigation, following any appeals; (b) an internal or external audit; (c) an administrative proceeding by a state body having jurisdiction, such as the Department of Labor; (d) a civil or criminal proceeding, following any appeals; or (e) a proceeding that leads to a determination of improper governmental activity (defined by the State of California as any action that violates state or federal law or regulation that is economically wasteful or that involves gross misconduct, incompetence, or inefficiency). An admission by the executive that they engaged in conduct that the university determines to be a serious policy violation or other significant misconduct also constitutes a finding for purposes of this policy.
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation

Presentation By

Wenda Fong
Chair, CSU Board of Trustees

Jolene Koester
Interim Chancellor

Lateefah Simon
Chair, Audit Committee

Summary

Recommendations for fiscal year 2022-2023 executive compensation will be presented by Interim Chancellor Jolene Koester for all executives save one; Trustee Lateefah Simon will present the recommendation for the vice chancellor and chief audit officer. These recommendations will include equity adjustments for presidents who received triennial performance evaluations between January 2020 and May 2022.

Fiscal Year 2022-2023 Salary Increase Program

This item recommends a 7 percent salary increase for executive employees effective July 1, 2022. Executive positions eligible for the FY 2022-2023 salary program include presidents, executive vice chancellors, and vice chancellors. Over the past 12 years, executives have received compensation increases as shown below:

<table>
<thead>
<tr>
<th>Executive Employee Group</th>
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</thead>
<tbody>
<tr>
<td>Fiscal Year</td>
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<tr>
<td>2011-2012</td>
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<td>2019-2020</td>
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<tr>
<td>2020-2021</td>
</tr>
<tr>
<td>2021-2022</td>
</tr>
<tr>
<td>2022-2023</td>
</tr>
</tbody>
</table>
This will be the first salary increase for Executives, MPP and Confidential employee groups since July 2019.

Attachment A shows the 7 percent increase applied to current executive salaries. For those presidents who received triennial performance evaluations between January 2020 and May 2022, the 7 percent increase would be adjusted if the trustees approve the recommended equity adjustments. The adjusted numbers are reflected in Attachment B.

**Triennial Performance Reviews – Equity Adjustments**

**Background**

The Board of Trustees’ CSU Policy on Compensation, and the CSU Policies and Procedures for Review of Presidents, specifies that, following completion of presidential triennial performance reviews, compensation adjustments may be considered following a salary assessment. The policy was adopted in November 2019.

However, shortly thereafter the University faced unprecedented challenges related to COVID-19, priorities understandably shifted, and the policy was not implemented. Additionally, the adopted policy lacked an established salary review process.

In September 2021, the Board of Trustees adopted a salary review process (RUFP 09-21-06) that was favorably received. The process recognized a president’s performance and is transparent and fiscally responsible while addressing salary gaps incrementally.

The salary review process adopted by the trustees includes the following elements:

- Concurrent with triennial review cycle.
- Annual adjustments over three years, if applicable.
- Target salary is the peer group median.
- First year adjustment not to exceed 10 percent which aligns with current policy.
- Second and third year equity adjustments from 0 to 10 percent, if applicable.
- Reassess market data periodically.

**Market Equity Adjustments**

This item recommends presidential compensation adjustments resulting from the triennial performance evaluations conducted by the trustees between January 2020 and May 2022. Typically, performance-related salary adjustments will be presented to the trustees in the month of
the president’s performance review. However, because no action has been taken since the policy was adopted, this item also includes retroactive compensation actions.

Attachment B shows 14 presidents’ eligible for equity adjustments as a result of salary assessments conducted during triennial performance evaluations. Equity adjustments may occur over the three years as outlined in the governing policy. Adjustments are based on the amount to reach the peer group median (target salary). Refer to Attachment C for presidential comparators and target salaries.

Attachment B shows the “final salary to be approved” for all presidents and other executives (system officers) effective July 1, 2022. Trustee approval of the proposed retroactive equity adjustments and the fiscal year 2022-2023 executive salary increase program is recommended.

**Recommended Action**

The following resolution is recommended for adoption:

**RESOLVED**, by the Board of Trustees of the California State University, that the individuals named in Attachment B of Item 7 of the Committee on University and Faculty Personnel at the July 11-13, 2022 meeting of the Board of Trustees shall receive the retroactive equity adjustments noted in Attachment B; and be it further

**RESOLVED**, that the individuals named in Attachment B of Item 7 of the Committee on University and Faculty Personnel at the July 11-13, 2022 meeting of the Board of Trustees shall receive the final salaries cited in Attachment B effective July 1, 2022.
# Proposed FY 2022-2023 Salary Increase Program

## Executive Employees

<table>
<thead>
<tr>
<th>Campus</th>
<th>Presidents</th>
<th>Current Annual Salary</th>
<th>Proposed 7% Increase Amount</th>
<th>New Annual Salary</th>
</tr>
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<tbody>
<tr>
<td>Bakersfield</td>
<td>Lynnette Zelezny</td>
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<td>Richard Yao</td>
<td>$338,514</td>
<td>$23,696</td>
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<td>Gayle Hutchinson</td>
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<td>Dominguez Hills</td>
<td>Thomas Parham</td>
<td>$343,763</td>
<td>$24,063</td>
<td>$367,826</td>
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<tr>
<td>East Bay</td>
<td>Cathy Sandeen</td>
<td>$389,238</td>
<td>$27,247</td>
<td>$416,485</td>
</tr>
<tr>
<td>Fresno</td>
<td>Saúl Jiménez-Sandoval</td>
<td>$348,420</td>
<td>$24,389</td>
<td>$372,809</td>
</tr>
<tr>
<td>Fullerton</td>
<td>Framroze Virjee</td>
<td>$378,138</td>
<td>$26,470</td>
<td>$404,608</td>
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<td>Tom Jackson, Jr.</td>
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<td>$348,423</td>
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<td>Monterey Bay</td>
<td>Eduardo Ochoa</td>
<td>$314,996</td>
<td>$22,050</td>
<td>$337,046</td>
</tr>
<tr>
<td>Northridge</td>
<td>Erika Beck</td>
<td>$415,952</td>
<td>$29,117</td>
<td>$445,069</td>
</tr>
<tr>
<td>Pomona</td>
<td>Soraya Coley</td>
<td>$340,267</td>
<td>$23,819</td>
<td>$364,086</td>
</tr>
<tr>
<td>Sacramento</td>
<td>Robert Nelsen</td>
<td>$343,763</td>
<td>$24,063</td>
<td>$367,826</td>
</tr>
<tr>
<td>San Bernardino</td>
<td>Tomás Morales</td>
<td>$371,729</td>
<td>$26,021</td>
<td>$397,750</td>
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<tr>
<td>San Diego</td>
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<td>San Francisco</td>
<td>Lynn Mahoney</td>
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<td>$26,510</td>
<td>$405,231</td>
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<tr>
<td>San José</td>
<td>Stephen Perez (Interim)</td>
<td>$403,433</td>
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<td>$431,673</td>
</tr>
<tr>
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<td>Ellen Neufeldt</td>
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<td>Sonoma</td>
<td>Judy Sakaki</td>
<td>$324,052</td>
<td>$22,684</td>
<td>$346,736</td>
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<td>Stanislaus</td>
<td>Ellen Junn</td>
<td>$308,460</td>
<td>$21,592</td>
<td>$330,052</td>
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</table>
**Proposed FY 2022-2023 Salary Increase Program**  
**Executive Employees**

<table>
<thead>
<tr>
<th>System Officers</th>
<th>Title</th>
<th>Current Annual Salary</th>
<th>Proposed 7% Increase Amount</th>
<th>New Annual Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sylvia Alva</td>
<td>Executive Vice Chancellor for Academic and Student Affairs</td>
<td>$361,242</td>
<td>$25,287</td>
<td>$386,529</td>
</tr>
<tr>
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<td>Executive Vice Chancellor and General Counsel</td>
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<td>Steve Relyea</td>
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</tbody>
</table>
## Final Compensation Adjustments Recommended for Executive Employees

### Triennial Performance Review Equity Adjustments and FY 2022-2023 Salary Increase Program

<table>
<thead>
<tr>
<th>Presidents (14)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Campus</strong></td>
<td><strong>President</strong></td>
</tr>
<tr>
<td>Chico</td>
<td>Gayle Hutchinson</td>
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<td>Ellen Neufeldt</td>
</tr>
</tbody>
</table>

*Effective July 15, 2022.
For some presidents, Year 3 of salary assessment may require future Board action.

**Presidential Triennial Performance Review Salary Assessment:**

Target Salary = Peer Group Median
Salary adjustments over three-year period if warranted and availability of funds and budget conditions.
Year 1 effective the presidential appointment date (month/day) of the year immediately preceding the performance evaluation.
For example: Year 1 eff. 7/15/2020 - Year 2, 7/15/2021 - Year 3, 7/15/2022
Year 1 increase = Percent to reach Peer Group Median, maximum 10% increase.
Year 2 or Year 3 increase = Equity increase, if applicable (see matrix).
**Final Compensation Adjustments Recommended for Executive Employees**  
**FY 2022-2023 Salary Increase Program**

### Presidents (9)

<table>
<thead>
<tr>
<th>Campus</th>
<th>President</th>
<th>Current Annual Salary</th>
<th>Proposed 7% Increase Amount</th>
<th>FINAL SALARY TO BE APPROVED, EFF. 7/1/2022</th>
<th>New Amt Above/Below Peer Group Median</th>
</tr>
</thead>
<tbody>
<tr>
<td>Channel Islands</td>
<td>Richard Yao</td>
<td>$338,514</td>
<td>$23,696</td>
<td>$362,210</td>
<td>-2.22%</td>
</tr>
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<td>East Bay</td>
<td>Cathy Sandeen</td>
<td>$389,238</td>
<td>$27,247</td>
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<td>-14.29%</td>
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<td>-9.85%</td>
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<table>
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<tr>
<th>System Officer</th>
<th>Title</th>
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</tr>
</tbody>
</table>

¹Proposed salary to be recommended by the Chair of the Committee on Audit.
## CSU Presidential Comparators

<table>
<thead>
<tr>
<th>CSU Group A</th>
<th>CSU Group B</th>
<th>CSU Group C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peer Group Median</td>
<td>$498,269</td>
<td>Peer Group Median</td>
</tr>
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</table>

**CSU Campus**
- Fullerton
- Long Beach
- Los Angeles
- Northridge
- Sacramento
- San Diego
- San Francisco
- San José

**CSU Campus**
- Chico
- Dominguez Hills
- East Bay
- Fresno
- Pomona
- San Bernardino
- San Luis Obispo
- San Marcos

**CSU Campus**
- Bakersfield
- Channel Islands
- Humboldt
- Maritime Academy
- Monterey Bay
- Sonoma
- Stanislaus

**Comparators**
- Florida International University
- Georgia State University
- University of North Carolina at Charlotte
- Kent State University at Kent
- The University of Texas at Arlington
- University of Wisconsin-Milwaukee
- Florida Atlantic University
- Wayne State University

**Comparators**
- James Madison University
- Illinois State University
- Portland State University
- Ball State University
- Boise State University
- Cleveland State University
- University of Maryland-Baltimore County

**Comparators**
- Western Washington University
- Florida Gulf Coast University
- Texas A & M University-Corpus Christi
- University of Wisconsin-La Crosse
- Western Carolina University