

## AGENDA

### COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

**Meeting:** 8:00 a.m., Wednesday, November 8, 2023  
Glenn S. Dumke Auditorium

Larry L. Adamson, Chair  
Jean Picker Firstenberg, Vice Chair  
Diana Aguilar-Cruz  
Douglas Faigin  
Lillian Kimbell  
Jack McGrory  
Yammilette Rodriguez  
Lateefah Simon  
Christopher Steinhauser

- Consent**
1. Approval of Minutes of the Meeting of September 13, 2023, *Action*
  2. Annual Report on Outside Employment for Senior Management Employees, *Action*
  3. Annual Report on Vice President Compensation and Executive Relocation, *Information*
- Discussion**
4. Exemption from Post-Retirement Employment Waiting Period, *Action*
  5. Annual Report on Executive Transition Assignments, *Information*
  6. Discussion Regarding Employment Policy Governing Administrator Employees' Option to Retreat, *Information*
  7. Discussion Regarding Employment Policy Governing Employee References, *Information*
  8. Update on Civil Rights (Title IX and other Nondiscrimination) Programs and Services, *Information*

**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**

**September 13, 2023**

**Members Present**

Larry L. Adamson, Chair  
Jean Picker Firstenberg, Vice Chair  
Diana Aguilar-Cruz  
Douglas Faigin  
Lillian Kimbell  
Jack McGrory  
Yammilette Rodriguez  
Lateefah Simon  
Christopher Steinhauser

Wenda Fong, Chair of the Board  
Jolene Koester, Interim Chancellor

**Public Comment**

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

Trustee Larry L. Adamson called the meeting to order.

**Approval of the Consent Agenda**

A motion to approve the consent agenda without discussion passed. The minutes from the meeting of July 12, 2023 were approved as submitted.

Agenda Item 2, Amendment of California State University Conflict of Interest Code, was approved as submitted (RUF 09-23-13).

Agenda Item 3, Executive Compensation Update: Presidential Housing – California State University, Chico, was approved as submitted (RUF 09-23-14).

**Executive Compensation: President – California State University, Los Angeles**

Interim Chancellor Jolene Koester recommended an annual salary of \$496,213 for Dr. Berenecea Johnson Eanes, effective January 8, 2024, the date of her appointment as president of California State University, Los Angeles. An annual housing allowance of \$60,000 and monthly auto allowance of \$1,000 were also recommended. The salary is the same as the incumbent and the housing and auto allowance are the same as those received by the former president. A motion to approve the resolution passed (RUF 09-23-15).

**Executive Compensation: Interim President – California State University, Bakersfield**

Interim Chancellor Jolene Koester recommended an annual salary of \$390,892 for Dr. Vernon B. Harper, Jr., effective December 31, 2023, the date of his appointment as interim president of California State University, Bakersfield. An annual housing allowance of \$50,000 and monthly auto allowance of \$1,000 were also recommended. The salary, housing and auto allowance are the same as those received by the incumbent. A motion to approve the resolution passed (RUF 09-23-16).

**Update on Civil Rights (Title IX and other Nondiscrimination) Programs and Services -**

Vice Chancellor for Human Resources Leora D. Freedman presented a report on the university's Civil Rights (Title IX and other Nondiscrimination) programs and services. In July 2023, the CSU received reports from Cozen O'Connor's Institutional Response Group and the California State Auditor that address the CSU's implementation of its policies and procedures governing Title IX and other nondiscrimination laws and regulations. The reports are available on the CSU's Title IX web site at: <https://www.calstate.edu/titleix/Pages/cozen-title-ix-assessment.aspx>.

Vice Chancellor Freedman shared that at the university (campus) level, recommendations from the Cozen O'Connor assessment concern primarily: infrastructure and staffing; strengthening internal protocols including documentation practices during assessment, investigation and resolution processes; responding consistently to other conduct of concern that does not constitute a violation of CSU's nondiscrimination policy but is unprofessional or violates other university conduct policies; and building trust with our university communities.

An overview of accomplishments to date and work being done at the Chancellor's Office and at the university level was presented. Trustees were updated on implementation goals, expectations, implementation teams, advisory committee, roles and responsibilities, timelines, staffing and resource needs, operating budgets, and next steps.

Vice Chancellor Freedman noted that a regular status report will take place at future board meetings, where she will report on action steps, deliverables and timelines.

At the conclusion of the report, Vice Chancellor Freedman responded to questions.

Trustee Adamson adjourned the meeting of the Committee on University and Faculty Personnel.

## **COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

### **Annual Report on Outside Employment for Senior Management Employees**

#### **Presentation By**

Leora D. Freedman  
Vice Chancellor  
Human Resources

#### **Summary**

In accordance with the California State University (CSU) Board of Trustees policy on outside employment disclosure requirements, this item presents the outside employment activities of senior management employees as of July 2023, that took place during the 2022 calendar year.

#### **Background**

In November 2016 the policy on disclosure requirements for outside employment was updated (RUF 11-16-10) to require the Board to annually review and approve the outside employment of all senior management employees. For purposes of this policy, senior management includes presidents, vice presidents, executive/vice chancellors and the chancellor.

The policy also requires that this information be presented for public discussion and made available on a public website. The annual report on outside employment for senior management employees will be posted for public viewing on the CSU transparency and accountability website at: <https://www2.calstate.edu/csu-system/transparency-accountability>.

#### **Annual Report**

The annual report on outside employment for senior management is provided in Attachment A. The report shows 19 senior management employees with outside employment during the reporting period for the 2022 calendar year.

#### **Recommended Action**

The following resolution is recommended for adoption:

**RESOLVED**, by the Board of Trustees of the California State University, that the 2022 Senior Management Outside Employment Disclosure Report, as cited in Item 2 of the Committee on University and Faculty Personnel at the November 7-8, 2023 meeting of the Board of Trustees, is approved.

**California State University**  
**Senior Management Outside Employment Disclosure Report\***  
**Reporting Period: 2022 Calendar Year**

Employee Name (Campus)	CSU Working Title	Name of Outside Employer/Business	Role	Total Time Served (Hours)	Total Compensation Received	Comments
Thom Davis (Bakersfield)	Vice President of BAS & CFO	University of North Texas System	Part-time (remote/telecom) Associate Controller for system-wide reporting	416-520 hours	\$26,000	
Deborah Wallace (Dominguez Hills)	Vice President for Administration & Finance	Wallace & Associates Realty, Inc.	Real Estate Broker/ Owner	25 hours	\$0	
William Franklin (Dominguez Hills)	Vice President for Student Affairs	CSUDH Toro Auxiliary Partners	PI for the CSU Young Males of Color Consortium	500 hours	\$23,000	
Bobbie Porter (Dominguez Hills)	Vice President for Diversity, Equity, Inclusion & Social Justice	The University of Washington	Service on organizational review panel for the institution's auxiliary services unit for diversity and human resources.	8 hours	\$3,000	
Cathy Sandeen (East Bay)	President	The Chronicle of Higher Education	Author of article	N/A	\$300	
Jose Gomez (Los Angeles)	Provost and Executive Vice President & Chief Operating Officer	California Casualty Indemnity Exchange	Advisory Board Member	40 hours	\$48,225	Employee's Role with Outside Employer/Business is not involved in making decision affecting CSU's dealing with vendor. Compensation is donated.
Tomás Morales (San Bernardino)	President	UnitedHealth Group New York	Director on Board of Directors	6-10 hours	\$12,000	
Hala Madanat (San Diego)	Vice President for Research & Innovation	National Institutes of Health	Committee Member	8 hours	\$400	
Agnes Wong Nickerson (San Diego)	Vice President, Business & Financial Affairs, and CFO	San Diego International Airport	Audit Committee Member	20 hours	\$1,000	
J. Luke Wood (San Diego)	Vice President, Student Affairs & Campus Diversity	MDRC	Co-author of a brief	One time project	\$1,500	Wrote a short brief on men of color
Mohamed Abousalem (San Jose)	Vice President, Research & Innovation	Litus, Inc.	Chair/Board Member	48 hours	\$9,000	Private company restricted stock is currently worth \$9,000.
Mohamed Abousalem (San Jose)	Vice President, Research & Innovation	CA Institute for Regenerative Medicine	Member of Board of Directors	varies	Per Diem for travel only	State of CA Board, appointed by the Governor of CA; CSU representative,
Patrick Day (San Jose)	Vice President, Student Affairs	University of British Columbia	Consultant	40 hours	\$5,000	Provided external review consultation for the Division of Students at University of British Columbia
Cynthia Teniente-Matson (San Jose)	President	Japan-U.S. Friendship Commission (JUSFC)	Commissioner	30 hours	\$0	Any funds for service as Commissioner are diverted directly to SJSU Foundation.
Keith Humphrey (San Luis Obispo)	Vice President, Student Affairs	Tenet Health Corporation	Hospital Governing Board Member	24 hours	\$2,400	
Cynthia Jackson-Elmoore (San Luis Obispo)	Provost & Executive VP for Academic Affairs	Higher Learning Commission	Chair of Peer Review	80 hours	\$1,000	
Terrance Harris (San Luis Obispo)	VP, Strategic Enrollment Management	Diocese of Monterey	High School Basketball Coach	varies	\$6,000	
Denise Isom (San Luis Obispo)	Interim VP Diversity & Inclusion CDO	Four Winds Ethnic Studies Institute	Deliver Keynote and Workshop	2 hours	\$1,000	
Mazumder Ahmed (Sonoma)	Vice President for Administration and Finance and Chief Financial Officer	Paragon Traders, LLC	Financial advisor for family business	20 hours	\$0	

\*Senior management includes presidents, vice presidents, executive/vice chancellors and the chancellor.

**California State University  
 Senior Management Outside Employment Disclosure Report\*  
 Reporting Period: 2022 Calendar Year**

Employee Name (Campus)	CSU Working Title	Name of Outside Employer/Business	Role	Total Time Served (Hours)	Total Compensation Received	Comments
Jacob Yarrow (Sonoma)	Executive Director, GMC	Kimzin Creative	Advisor on development of a community grant program	28 hours	\$3,550	

\*Senior management includes presidents, vice presidents, executive/vice chancellors and the chancellor.

**COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

**Annual Report on Vice President Compensation and Executive Relocation**

**Presentation By**

Mildred García  
Chancellor

Leora D. Freedman  
Vice Chancellor  
Human Resources

**Summary**

The chancellor is required to provide an annual report on vice presidential compensation actions, relocation costs for incoming executives, and executive transition programs. This annual reporting was adopted by the Board of Trustees in January 2008 (RBOT 01-08-01) in support of recommendations by the bureau of state audits (now known as the California State Auditor) that focused on strengthening guidelines and monitoring. Annual reporting has taken place since November 2008.

This agenda item will share with the Board the annual report on vice presidential appointments and compensation (changes) and executive relocations; executive transition assignments are presented in item 5.

**Vice President Compensation**

Current policy requires the chancellor to review and approve recommendations for vice presidential compensation at the initial appointment and subsequently. Additionally, the chancellor is to provide an annual report on vice president compensation if a campus has made changes to their compensation. Attachment A shows vice president appointments and compensation actions reported during the period of September 1, 2022 – August 31, 2023.

**Executive Relocation**

A relocation program is offered to newly hired individuals who are required to relocate. Relocation for executives is approved at the time the Board approves the executive's compensation.

The annual report on executive relocation expenses follows. Relocations that remain in process will be reported in a future report.

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Vanya Quiñones  
President, CSU Monterey Bay  
Relocation of household goods and property: \$9,774.35  
Relocation travel: \$1,111.08  
(RUFP 07-22-08)

Cynthia Teniente-Matson  
President, San José State  
Relocation of household goods and property: \$6,805.18  
(RUFP 11-22-19)

J. Luke Wood  
President, Sacramento State  
Relocation lump sum: \$15,000\*  
(RUFP 05-23-08)

Sylvia Alva  
Interim President, Cal State Fullerton  
Relocation of household goods and property: \$1,748.20  
(RUFP 05-23-09)

Michael Dumont  
Interim President, Cal Maritime  
Relocation of household goods and property: \$16,516.57  
Relocation travel: \$3,401.51  
(RUFP 05-23-09)

\*Pursuant to [CSU Internal Procedures Governing Payment or Reimbursement for Moving and Relocation Expenses](#), employees may receive reimbursement for their reasonable actual and necessary moving and relocation expenses or payment for reasonable estimated moving and relocation expenses.



**Vice President Compensation Actions**

**Filled Vacancies (15)**

<b>Campus</b>	<b>Name</b>	<b>Title</b>	<b>Effective Date</b>	<b>Salary at Appt</b>	<b>Other Compensation</b>
Dominguez Hills	Sevcikova, Eva	Vice President of University Advancement	7/1/2023	\$252,000	
Fresno	Willis, Kent	Vice President, Student Affairs and Enrollment Management	1/3/2023	\$270,000	
Fresno	Crook, Brady	Vice President for University Advancement	9/8/2023	\$270,000	
Fullerton	Dabirian, Amir	Provost and Vice President for Academic Affairs	3/9/2023	\$324,216	
Fullerton	Hidalgo, Rommel	Vice President for Information Technology and Chief Information Technology Officer	3/9/2023	\$260,004	
Humboldt	Holliday, Chrissy	Vice President for Enrollment Management and Student Success	12/15/2022	\$248,000	Recruitment Bonus - \$20,667; Temporary Housing Allowance (6 mos.) \$2,000/mo., non-Gen Fund
Monterey Bay	Corpus, Ben	Vice President for Enrollment Management and Student Affairs	7/1/2023	\$264,000	
Northridge	Komarragu, Meera	Provost & Vice President for Academic Affairs	1/1/2023	\$335,508	
Pomona	Hawkes, Nicole	Vice President and Chief of Staff	4/1/2023	\$298,644	
Sacramento	Hendricks, Mark	Vice President for Information Resources & Technology and Chief Information Officer	12/1/2022	\$260,004	
San Bernardino	Mohamed, A. Rafik	Provost and Vice President for Academic Affairs	1/1/2023	\$324,996	
San Bernardino	Sudhakar, Samuel	Chief Financial Officer & Vice President of Finance, Technology, and Operations	8/1/2023	\$293,868	
San José	Nagai, Judy	Vice President for University Advancement and CEO of the Tower Foundation	9/1/2023	\$275,000	Temporary Housing Allowance (3 mos.) \$2,799/mo., non-Gen Fund
San Luis Obispo	McCormick, Michael	Vice President for Facilities Management and Development	12/1/2022	\$275,004	Supplemental pay \$53,750/yr., CP Corp
Sonoma	Mills, Edward	Vice President of Strategic Enrollment	8/20/2023	\$255,000	

**Other Changes (15)**

<b>Campus</b>	<b>Name</b>	<b>Title</b>	<b>Description of Change</b>	<b>Effective Date(s)</b>	<b>New Salary or Amount Paid</b>
Chico	Brundage, Isaac	Vice President for Student Affairs	Equity increase	4/1/2023	\$265,008
Fresno	Adishian-Astone, Deborah	Vice President for Administrative Services and Chief Financial Officer	Equity increase	1/1/2023	\$309,552
Fullerton	Saks, Greg	Vice President for University Advancement	Equity increase	8/2/2023	\$294,708
Sacramento	Settles-Tidwell, Mia	Vice President for Inclusive Excellence and Diversity Officer	Equity increase	12/1/2022	\$252,960
Sacramento	Bowman, Jonathan	Vice President for Administration and Business Affairs/CFO	Equity increase	12/1/2022	\$271,968
Stanislaus	McAuliffe, Rose	Vice President of Business and Finance/Chief Financial Officer	Equity increase	7/1/2022	\$255,660
Monterey Bay	Nelson, Glen	Vice President of Administration & Finance/CFO	Increase in responsibilities	12/1/2022	\$282,000
Chico	Boura, Ahmad	Vice President for University Advancement	MPP Merit Bonus Program - met established goals for FY 2022/2023	7/1/2022 - 6/30/2023	\$40,865
San Diego	Vargas, Adrienne	Vice President for University Relations and Development	MPP Merit Bonus Program - met established goals for FY 2022/2023	7/1/2022 - 6/30/2023	\$26,097
San Diego	Vargas, Adrienne	Vice President for University Relations and Development	MPP Merit Bonus Program - met established goals for FY 2021/2022	7/1/2021 - 6/30/2022	\$20,416
San Bernardino	Sudhakar, Samuel	Vice President for Information Technology Services and CIO	Temporary increase in responsibilities extended	1/1/2023 - 7/31/2023	\$3,005/mo.
San Luis Obispo	Murphy, Christopher	Vice President for University Communications & Marketing	Temporary increase in responsibilities extended	11/1/2022 - 12/31/2023	\$2,500/mo.
San Luis Obispo	Liddicoat, Al	Vice President, University Personnel and Chief Human Resources Officer	Temporary increase in responsibilities	7/1/2021 - 9/30/2022	\$1,500/mo.
San Luis Obispo	Liddicoat, Al	Vice President, University Personnel and Chief Human Resources Officer	Temporary increase in responsibilities extended and temporary additional assignment	10/1/2022 - 6/30/2023	\$3,000/mo.
Dominguez Hills	Franklin, William	Vice President of Student Affairs	Additional employment Co-Director for the CSU Young Males of Color Consortium	4/19/2023 - 7/15/2024	\$2,308/mo.

## COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

### Exemption from Post-Retirement Employment Waiting Period

#### Presentation By

Mildred García  
Chancellor

#### Summary

This item requests approval by the Board of Trustees to waive the requirement that Dr. Jolene Koester, former interim chancellor, wait 180 days before returning to work as a retired annuitant. The *California Public Employees' Retirement Law, Section 7522.56(f)*, provides for an exception to the 180-day waiting period.

#### Background

Effective January 1, 2013, the “California Public Employees’ Pension Reform Act of 2013” (PEPRA) was signed into law. The passage of PEPRA made various retirement-related changes that affect new, current, and retired California State University (CSU) employees. The following is applicable to retired state employees under *California Public Employees’ Retirement Law, Section 7522.56*:

*(f) A retired person shall not be eligible to be employed pursuant to this section for a period of 180 days following the date of retirement unless he or she meets one of the following conditions:*

*(1) The employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days has passed and the appointment has been approved by the governing body of the employer in a public meeting. The appointment may not be placed on a consent calendar.*

Dr. Jolene Koester retired from state service on October 1, 2023 after serving as CSU’s interim chancellor from May 1, 2022 – September 30, 2023. Her recent tenure as interim chancellor and her years serving as president of California State University, Northridge, provide critical knowledge and experience needed to support the new chancellor, the Board of Trustees and other executive leaders at the California State University.

Dr. Koester will provide counsel and historical background on an as-needed basis. Dr. Koester is uniquely positioned to provide this critical support to the university, requiring that she be employed as a retired annuitant before the passing of 180 days following her retirement date.

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**Recommended Action**

The following resolution is recommended for adoption:

**RESOLVED**, by the Board of Trustees of the California State University, that Dr. Jolene Koester is exempt from the 180-day waiting period and is eligible to be employed as a retired annuitant following the date this resolution is approved and the submission of the documentation to CalPERS is completed; and be it further

**RESOLVED**, that item 4 of the Committee on University and Faculty Personnel at the November 7-8, 2023 meeting of the Board of Trustees, is approved.

**COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

**Annual Report on Executive Transition Assignments**

**Presentation By**

Mildred García  
Chancellor

Leora D. Freedman  
Vice Chancellor  
Human Resources

**Summary**

In accordance with CSU's Transition II Program (revised on November 16, 2022), annually at the November meeting of the Board of Trustees, the chancellor is required to present the activities of each executive in a transition assignment as an information item on the discussion agenda of the Committee on University and Faculty Personnel.

**Background**

The CSU currently offers two executive transition programs: The Executive Consulting Program and the Transition II Program. The Executive Consulting Program is a new program that the board approved in 2022. This program offers an assignment of no more than 6 months at a salary of no more than 50 percent of the salary earned while an executive. At this time, no former executives are participating in this new program.

To be eligible to participate in CSU's Transition II Program, an executive must have been appointed prior to March 22, 2022. In addition, the executive must have served for at least five years in an executive position at the CSU; they must be in good standing at the commencement and duration of the transition assignment; they must have previously identified a position at the CSU to return to upon completion of the transition program; and they must not have accepted employment outside of the CSU.

Cal Maritime President Emeritus Thomas Cropper and Cal State Fullerton President Emeritus Framroze Virjee are both eligible to participate in the CSU's Transition II Program. Their transition assignments were presented at the July 2023 board meeting.

## **Annual Report**

Currently, there are two executives participating in an executive transition program following their resignation from their presidency in 2023. In addition to the activities reported below, their transition assignments include preparing to join the faculty at the conclusion of the transition program.

### ***Thomas Cropper***

*President Emeritus, Cal Maritime*

*Transition Program: Transition II*

*Transition Period: July 7, 2023 – August 21, 2024*

*Salary: \$270,060*

*Activities:* This transition program began in July 2023. This report covers activities through September 2023. Initial activities encompassed transitioning out of the presidency (including physical movement out of office and University residence) and onboarding into the Management Personnel Plan (MPP).

During the first phase of his transition program, President Emeritus Tom Cropper has worked towards facilitating the transition of leadership at Cal Maritime. He is working to ensure a smooth and effective transition with various external agencies (including WASC, the National Association of Intercollegiate Athletics and the Consortium of State Maritime Academies). President Emeritus Cropper is also providing assistance to the Cal Maritime Corporation with respect to the operations of the continuing education (PACE) program. On the university's behalf, and during the transition of leadership, President Emeritus Cropper has continued engagement with various nonprofit civic association boards (San Francisco Marine Exchange, Leadership Vallejo, Vallejo Education and Business Alliance, Navy League). He had a speaking engagement at the Rotary Club of Sacramento advocating Cal Maritime and maritime programs nationwide and is providing support to University Advancement during the transition of leadership.

### ***Framroze Virjee***

*President Emeritus, Cal State Fullerton*

*Transition Program: Transition II*

*Transition Period: August 1, 2023 – August 16, 2024*

*Salary: \$333,300*

*Activities:* President Emeritus Virjee's transition program began in August 2023. This report covers activities through September 2023. Initial activities encompassed transitioning out of the presidency (including physical movement out of office and University residence) and onboarding into the Management Personnel Plan (MPP).

During his first two months, President Emeritus Virjee has continued to advocate for the university. He serves the Orange County Community Foundation (OCCF) by participating on a committee that works towards increasing community engagement and leadership. This included meeting with community leaders on a mental health leadership initiative in Orange County where he advocated for engagement with Cal State Fullerton and its public health, nursing and mental health programs. He has connected with community partners to assist with the transition to new leadership; this included members of the Vietnamese community, Latinx community and African American community. As a member of the board for the Pacific Symphony, which shares a long-standing relationship with the university, he continues to encourage increased partnership. In October, President Emeritus Virjee served as a guest lecturer in a communications class at Cal State Fullerton.

**Discussion Regarding Employment Policy Governing Administrator Employees' Option to Retreat**

**Presentation By**

Leora D. Freedman  
Vice Chancellor  
Human Resources

**Summary**

At the September 2023 meeting of the CSU Board of Trustees, during the Update on Civil Rights (Title IX and Nondiscrimination) Programs and Services, it was announced that Chancellor's Office staff plans to present recommended policy revisions to the Employment Policy Governing Administrator Employees' Option to Retreat (the "Retreat Policy") based on feedback from the California State Auditor (CSA) and the Joint Committee on Legislative Audit (JLAC).

This information item will describe the issues raised in the feedback and the steps that will be taken to seek stakeholder input and propose revisions to the policy for the board's consideration. The operative Retreat Policy provided in Attachment A is highlighted to reflect key provisions that are the subject of the feedback received from the CSA and JLAC.



Status **Active** PolicyStat ID **12715152**



Origination 7/13/2022  
Effective 11/16/2022  
Last Revised 11/29/2022  
Next Review 11/28/2024

Owner **Andy Alvarez:**  
**Assoc Dir, SW**  
**Emp & Plcy**  
**Admin**  
  
Area **Human**  
**Resources**  
  
Codes **RUFP**  
**07-22-10**

## Employment Policy Governing Administrator Employees' Option to Retreat

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.

Determinations are 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** – An MPP Employee is 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 (as defined above) has been made that 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 a complaint or investigation that could result in a Finding is pending at the time that the Administrator announces their intention to exercise their option to Retreat, the Retreat determination shall be held in abeyance until the completion of the investigation and any appeals. At the written request of the Administrator, the president, in consultation with the chancellor, (or in the case of the chancellor seeking to retreat, the board chair), may allow the Administrator to be placed on paid administrative leave pursuant to Section 42729 of Title 5 during the pendency of the investigation. 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 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 titles 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.

**Adopted November 16, 2022**  
**Resolution [RUF 11-22-18](#)**  
**CSU Board of Trustees**

### All Revision Dates

11/29/2022, 8/3/2022

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### Attachments

[CSU Administrator Appointment Letter with Addendum for Retreat](#)

## Approval Signatures

Step Description	Approver	Date
Chancellor	Jolene Koester: Chancellor Of The CSU [SH]	11/29/2022
VC	Leora Freedman: Acting VC for Human Resources	11/22/2022
Area Manager/Owner	Andy Alvarez: Sr Mgr HR Policy Admin	11/22/2022

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**COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

**Discussion Regarding Employment Policy Governing Employee References**

**Presentation By**

Leora D. Freedman  
Vice Chancellor  
Human Resources

**Summary**

At the September 2023 meeting of the CSU Board of Trustees, during the Update on Civil Rights (Title IX and Nondiscrimination) Programs and Services, it was announced that Chancellor's Office staff plans to present recommended policy revisions to the Employment Policy Governing Employee References (the "Reference Policy") based on feedback from the California State Auditor (CSA) and the Joint Committee on Legislative Audit (JLAC).

This information item will describe the issues raised in the feedback and the steps that will be taken to seek stakeholder input and propose revisions to the policy for the board's consideration. The operative Reference Policy provided in Attachment A is highlighted to reflect key provisions that are the subject of the feedback received from the CSA and JLAC.

Status **Active** PolicyStat ID **12142918**



Origination 8/3/2022  
Effective 8/3/2022  
Last Revised 8/3/2022  
Next Review 8/2/2024

Owner Andy Alvarez:  
Assoc Dir, SW  
Emp & Plcy  
Admin  
Area Human  
Resources  
Codes RUFPP  
07-22-11

## Employment Policy Governing the Provision of Employee References

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.<sup>1</sup>

### 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 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 July 13, 2022  
Resolution [RUFP 07-22-11](#)  
CSU Board of Trustees

### Endnotes

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.

### All Revision Dates

8/3/2022

### Approval Signatures

Step Description	Approver	Date
Chancellor	Jolene Koester: Chancellor Of The CSU [SH]	8/3/2022
VC	Leora Freedman: Assoc VC Dpty Gen Cnsl Ast Sec	8/2/2022

Area Manager/Owner

Andy Alvarez: Sr Mgr HR Policy  
Admin

8/2/2022

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**COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

**Update on Civil Rights (Title IX and other Nondiscrimination) Programs and Services**

**Presentation By**

Leora D. Freedman  
Vice Chancellor  
Human Resources

**Summary**

The Board of Trustees will be presented with a report on the university's Civil Rights (Title IX and other nondiscrimination) programs and services.