

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 8:00 a.m., Wednesday, September 13, 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 July 12, 2023, *Action*
 2. Amendment of California State University Conflict of Interest Code, *Action*
 3. Executive Compensation Update: Presidential Housing – California State University Chico, *Action*
- Discussion**
4. Executive Compensation: President – California State University, Los Angeles, *Action*
 5. Executive Compensation: Interim President – California State University, Bakersfield, *Action*
 6. 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**

July 12, 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 May 24, 2023 were approved as submitted.

Executive Compensation: Chancellor-select, California State University

Interim Chancellor Jolene Koester presented compensation for Dr. Mildred Garcia as chancellor of the California State University effective October 1, 2023. An annual salary of \$795,000 and

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annual deferred compensation of \$80,000 were recommended. Dr. Garcia will receive a monthly auto allowance of \$1,000 and because the university does not provide housing for the chancellor, a monthly housing allowance of \$8,000 is also provided. Dr. Koester concluded by recommending the committee and full board approve the proposed compensation.

Overall, while concern was raised regarding the proposed compensation following recent board meetings surrounding tuition and financial concerns – as well as faculty and staff pay equity considerations – trustee comments fully supported Dr. Garcia as the chancellor-select.

Using a roll call vote, the committee recommended approval of the proposed action as published in agenda item 2. The motion passed with nine in favor (Trustees Adamson, Firstenberg, Kimbell, McGrory, Rodriguez, Simon, and Steinhauser; Chair Fong; and Interim Chancellor Koester), two opposed (Trustees Aguilar-Cruz and Faigin) and no abstentions (RUF 07-23-10).

Executive Compensation: President – Sonoma State University

Interim Chancellor Jolene Koester recommended an annual salary of \$381,409 for Dr. Ming-Tung “Mike” Lee as president of Sonoma State University, effective May 23, 2023. Dr. Lee has served as interim president since August 2022 and there is no change to his salary. A monthly housing allowance of \$5,000 and monthly auto allowance of \$1,000 were also recommended. A motion to approve the resolution passed (RUF 07-23-11).

Executive Compensation

Interim Chancellor Jolene Koester presented compensation adjustments for four campus presidents and one system executive. The chancellor explained that in November 2019 the board adopted a policy to evaluate presidential pay concurrently with triennial performance reviews and in September 2021, the board adopted a salary review process to incrementally align CSU presidential salaries with the median salary of presidents at comparable institutions. Dr. Koester noted that while progress has been made during the salary adjustment period, salaries for Presidents Lynn Mahoney, Ellen Neufeldt, Thomas Parham, and Tomás Morales continue to fall below the target median and equity adjustments (from two to four percent) were proposed as listed in the agenda item.

Dr. Koester also proposed an equity adjustment for Vice Chancellor and Chief Audit Officer Vlad Marinescu. She explained that following consultation with the audit committee chair, Trustee Yami Rodriguez, a ten percent increase was recommended.

Dr. Koester recommended approval of the final salaries as published in agenda item 4. The recommended salaries: \$463,585 for President Mahoney; \$445,519 for President Neufeldt;

\$453,971 for President Parham; \$455,201 for President Morales; and \$314,900 for Vice Chancellor Marinescu. A motion to approve the resolution passed (RUFPP 07-23-12).

Executive Transition Assignments

Interim Chancellor Jolene Koester presented transition assignments for Framroze Virjee, president of Cal State Fullerton, and Thomas Cropper, president of Cal State Maritime, who are stepping down from their presidencies at the end of the academic year. She explained the two executive transition programs offered by the CSU and transition assignments. Dr. Koester reported that after consulting with the committee chair (UFP), she approved President Virjee and President Cropper to participate in the Transition II Program for one year. While in the transition program, they will be appointed into the Management Personnel Plan and annual compensation will be \$333,300 for President Virjee and \$270,060 for President Cropper. This is the mid-point between their final salary as president and the maximum salary for a full professor, and consistent with CSU practice for executives participating in this transition program.

Proposed Amendment of California State University Conflict of Interest Code

Vice Chancellor of Human Resources Leora D. Freedman presented information about a proposed amendment to CSU's Conflict of Interest Code. She explained that employees in designated positions are required to file a Statement of Interest (Form 700) every year. Designated positions are those that make – or participate in making – decisions for the CSU that could have a material effect on their personal financial interests. The California Fair Political Practices Commission (FPPC) last approved CSU's Conflict of Interest Code in 2017 and recently requested revisions to the list of designated positions. The amended code would eliminate Category 5 which the FPPC deemed unnecessary. Disclosure Category 5 encompasses sources in which CSU invests funds. Because only six positions at the CSU are involved in the investment of state funds and all six are subject to different and heightened reporting requirements, the FPPC recommended this category be removed from the CSU Conflict of Interest Code. Vice Chair Freedman reported that the CSU accepted the recommendation, and the amended code will be presented for action at the September 2023 board meeting.

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

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Amendment of California State University Conflict of Interest Code

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

An information item was presented to the Board of Trustees at the July 9-12, 2023 meeting which proposed changes to the California State University Conflict of Interest Code. The final documents are presented for action as Attachment A, Incorporation Page, and Attachment B, Disclosure Categories. Additionally, the Designated Positions List which identifies proposed designated positions, can be accessed on the CSU Conflict of Interest web page at: <https://www.calstate.edu/csu-system/faculty-staff/systemwide-human-resources/conflict-of-interest>.

This item was noticed for public hearing as required by law, and written comments were received regarding corrections to the list of designated positions.

Upon approval by the Board of Trustees, the amendment will be submitted to the Fair Political Practices Commission (FPPC) for final approval.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the Amendment of the California State University Conflict of Interest Code, as cited in Item 2 of the Committee on University and Faculty Personnel at the September 10-13, 2023 meeting of the Board of Trustees, is approved.

**The California State University
Conflict of Interest Code**

The Political Reform Act (Government Code Sections 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 California Code of Regulations Section 18730) that contains the term of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure categories shall constitute the conflict of interest code of the California State University.

Individuals holding designated positions in the Office of the Chancellor, Trustees, and any officials who are determined to manage public investments within the meaning of Government Code Section 87200 shall file their statements of economic interests with the FPPC Conflict of Interest filing officer at the Office of the Chancellor. Individuals holding designated positions at any campus shall file their statements of economic interests with the FPPC Conflict of Interest filing officer at the respective campus. The filing officer will make the statements available for inspection and reproduction. (Government Code Section 81008.) Upon receipt of the Statements (Form 700) filed by Trustees, except ex-officio members who serve as such due to their elected state offices and are excluded by Government Code Section 87302(b), and upon receipt of the Statements (Form 700) for any officials who are determined to manage public investments within the meaning of Government Code Section 87200, the Office of the Chancellor shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

NOTE: Authority cited: Sections 81008, 87300, and 87306, Government Code. Reference: Section 87302, Government Code.

CSU CONFLICT OF INTEREST DISCLOSURE CATEGORIES

INTRODUCTION

For designated employees of a campus of the California State University, “the campus” shall mean the campus of the employee’s service.

For designated employees in the headquarters office, “the campus” shall mean each campus of the California State University including the headquarters office or any or all of these.

Each designated employee is assigned to one or more of the following disclosure categories and must disclose reportable financial interests in each category assigned.

Designated employees need not report any investment in a business entity or real property worth less than \$2,000, or any source of income, including gifts, loans and travel payments, which aggregated less than \$590 (if a gift, less than \$50) during the calendar year prior to filing, beginning January 1, 2023. An interest in real property used as the designated employee’s principal residence need not be reported.

CATEGORY "1"

Interests in real property located within two miles of the campus at which the designated employee works, or within two miles of land owned or used, or proposed for acquisition or use by the campus.

CATEGORY "2"

Investments and business positions in business entities and income, including gifts, loans, and travel payments, from sources of the type which, within the last two calendar years, have contracted with the California State University to either (a) supply goods or services, and/or (b) perform construction work. This disclosure is limited to the types of contracts over which the designated employee has authority or influence.

CATEGORY "3"

Interests in real property located within the State of California.

CATEGORY "4"

All investments and positions in business entities, and income, including gifts, loans and travel payments, from any business or nonprofit entities (other than an entity deemed by the FPPC as exempt under FPPC regulation 18755) which will be providing funds, or support for the research project for which the filer is the principal investigator. (The required disclosure shall be made on FPPC Form 700-U).

CATEGORY "5"

Investments and business positions in any business entity or income, including gifts, loans, and travel payments, from sources of the type which, within the last two calendar years, have contracted with the California State University to purchase goods or services, including agricultural commodities or other products, which are sold by the campus.

CATEGORY "6"

Consultants and new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Chancellor or President as appropriate may determine in writing that a particular consultant/new position, although serving in a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this category "6". Such written determination shall include a description of the consultant/new position's duties and based upon that description, a statement of the extent of disclosure requirements. The Chancellor or President's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Sec. 81008)

New positions shall be recorded and maintained on an Interim Disclosure until the conflict of interest code is updated to formally include the new positions on the official list of designated positions.

CATEGORY "7"

All interests in real property, all investments, all income, including gifts, loans and travel payments, and business positions.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation Update: Presidential Housing – California State University, Chico

Presentation By

Jolene Koester
Interim Chancellor

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

This action item seeks approval to amend the housing provision for the president of California State University, Chico.

Background

California State University campus presidents are provided with an official university residence where available. If an official residence is not available, a housing allowance is provided to assist in securing a residence.

The compensation for Dr. Stephen J. Perez as president of California State University, Chico was presented and approved at the May 2023 Board of Trustees meeting (RUF 05-23-07). Based on existing campus practice, trustees approved a \$50,000 annual housing allowance effective July 1, 2023, the date of his appointment as president of Chico State. Since assuming the presidency, the official university house has become available for use as the president's residence.

Recommendation

It is recommended that Dr. Stephen J. Perez be required to reside in the official university house located on the campus at 341 Mansion Avenue as a condition of employment as president of California State University, Chico. Additionally, the housing allowance previously approved will end when the president moves into the campus residence on August 5, 2023.

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Stephen J. Perez shall occupy the official presidential residence as a condition of employment; and be it further

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RESOLVED, that Dr. Perez's housing allowance shall end as cited in Agenda Item 3 of the Committee on University and Faculty Personnel at the September 10-13, 2023 meeting of the Board of Trustees.

AMENDED

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COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: President – California State University, Los Angeles

Presentation By

Jolene Koester
Interim Chancellor

Summary

This action item establishes the compensation for Dr. Berenecea Johnson Eanes as president of California State University, Los Angeles.

Executive Compensation

This item recommends that Dr. Berenecea Johnson Eanes receive an annual salary of \$496,213 effective January 8, 2024, the date of her appointment as president of California State University, Los Angeles. Additionally, Dr. Eanes will receive an annual housing allowance of \$60,000. (This is the same salary as the incumbent and the same housing allowance received by the former president.)

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

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

Subject to faculty consultation and approval in accordance with systemwide, board and applicable university policy, Dr. Eanes will hold an appointment with the academic rank of full professor with tenure; the respective department and campus to be named.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Berenecea Johnson Eanes shall receive a salary set at the annual rate of \$496,213

AMENDED

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effective January 8, 2024, the date of her appointment as president of California State University, Los Angeles; and be it further

RESOLVED, that Dr. Berenecea Johnson Eanes shall receive an annual housing allowance of \$60,000; and be it further

RESOLVED, that Dr. Berenecea Johnson Eanes shall receive additional benefits as cited in Agenda Item 4 of the Committee on University and Faculty Personnel at the September 10-13, 2023 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Interim President – California State University, Bakersfield

Presentation By

Jolene Koester
Interim Chancellor

Summary

This action item establishes the compensation for Dr. Vernon B. Harper, Jr. as interim president of California State University, Bakersfield.

Executive Compensation

This item recommends that Dr. Vernon B. Harper, Jr. receive an annual salary of \$390,892 effective December 31, 2023, the date of his appointment as interim president of California State University, Bakersfield. Additionally, Dr. Harper will receive an annual housing allowance of \$50,000 (\$4,166.67 per month) while serving as interim president. (This is the same salary and housing allowance as the incumbent.)

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

- An auto allowance of \$1,000 per month; and
- Standard benefit provisions afforded CSU Executive classification employees.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Vernon B. Harper, Jr. shall receive a salary set at the annual rate of \$390,892 effective December 31, 2023, the date of his appointment as interim president of California State University, Bakersfield; and be it further

RESOLVED, that Dr. Vernon B. Harper, Jr. shall receive an annual housing allowance of \$50,000; and be it further

AMENDED

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RESOLVED, that Dr. Vernon B. Harper, Jr. shall receive additional benefits as cited in Agenda Item 5 of the Committee on University and Faculty Personnel at the September 10-13, 2023 meeting of the Board of Trustees.

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.