AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: **2:00 p.m., Tuesday, January 30, 2024**
Glenn S. Dumke Auditorium

Jack B. Clarke, Jr., Chair
Yammilette Rodriguez, Vice Chair
Diana Aguilar-Cruz
Diego Arambula
Raji Kaur Brar
Lillian Kimbell
Julia I. Lopez
Jack McGrory
Jose Antonio Vargas

Consent
1. Approval of Minutes of the Meeting of November 8, 2023, *Action*

Discussion
2. Update on NAGPRA and CalNAGPRA Compliance, *Information*
3. Sponsored State Legislation for 2024, *Action*

MINUTES OF THE MEETING OF THE COMMITTEE ON GOVERNMENTAL RELATIONS

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

November 8, 2023

Members Present

Jack Clarke, Jr., Chair
Yammilette Rodriguez, Vice Chair
Diana Aguilar-Cruz
Raji Kaur Brar
Lillian Kimbell
Julia I. Lopez
Jack McGrory
Jose Antonio Vargas

Wenda Fong, Chair of the Board
Mildred García, Chancellor

Trustee Clarke called the meeting to order.

Approval of the Consent Agenda

Trustee Lopez asked the committee chair if she could make a comment about the consent agenda. She wanted to remind everyone that the CSU needs a clear, concise and compelling financial aid legislative agenda for the next year.

The minutes of the September 12, 2023, meeting were approved as submitted.

Item two, State Legislative Update, was an information item.

Endorsement of the Fresno County Ballot Initiative

Steve Relyea, executive vice chancellor and chief financial officer, presented an opportunity for the board to take a position on a ballot measure that Fresno County voters will be asked to consider

at the March 2024 election. A group of civic leaders, including state and local elected officials, have secured enough signatures to place a ballot measure, that if passed, would implement a quarter of a cent sales tax in Fresno County. Proceeds from the sales tax would then be allocated to Fresno State for efforts to modernize, construct and equip the university, as well as for scholarships for Central Valley and low-income students.

Saúl Jiménez-Sandoval, president, California State University, Fresno, thanked the committee and the board for considering the endorsement of this ballot measure that would help the university by expanding access and promoting affordability for its students. Fresno County Measure E is an initiative that will be placed on the March 2024 Fresno County ballot creating the Fresno State Improvement Zone. If approved by voters, this initiative would add a sales tax of one penny to every $4 to purchases in Fresno County and is expected to raise $56 million annually, with an estimated total of $1.4 billion, exclusively for Fresno State over the 25-year term. The sales tax would support student success, including scholarships, and would address a variety of academic and athletics projects, specifically deferred maintenance and infrastructure improvements.

He shared that while Fresno State is not leading this effort, there are a number of community leaders who recognize that Fresno State plays a pivotal role as the region's economic, social and cultural keystone. Eighty percent of Fresno State graduates stay in the region, give back to their communities and help grow the economy. Fresno State has a $500 million backlog in deferred maintenance. Fresno-area leaders recognize that the uncertainty and insufficient level of state support for investment in facilities, infrastructure and deferred maintenance has made it a challenge to meet the demands of industry.

President Jiménez-Sandoval noted that due to the university's role and history in Fresno County, this is a unique opportunity. He assured the board that if the measure passes, the university will work closely with the campus community and the Citizens' Oversight Committee to prioritize the highest project and programmatic needs that align with the mission and campus master plan—all while ensuring consultation and compliance with CSU policies and procedures.

Nathan Dietrich, assistant vice chancellor for advocacy and state relations, shared additional background, details and issues to consider regarding Measure E. All revenue raised by Measure E would be placed in a "Fresno State Improvement Zone Account." Funds would then be allocated by a seven-member Citizens' Oversight Committee. The measure dictates that the committee would be made up of one member appointed by each member of the Fresno County Board of Supervisors, the president of Fresno State or their designee, and a designee of the Chancellor's Office. The committee would be a public board and required to follow all local and state laws. Each year the committee would release an audit of its funds and decide which projects to support.

The measure also directs the committee to create two endowments of $50 million dollars each. The first endowment would be a scholarship fund for local low-income students and veterans, and the second would be for deferred maintenance.

He reported that the bylaws do allow the Board of Trustees to take a position on a ballot measure. He reminded the board that this opportunity is unique to Fresno State. Although the measure has bipartisan support from local leaders, this is a sales tax and there will be opposition. If this measure passes, it is by no means a signal to state leaders that state funds are not needed for the CSU or Fresno State.

Trustee McGory noted that this partnership with local leaders is incredible and offered the support of the trustees to assist in any way possible. Trustee Lopez commented on the great regional support and asked President Jiménez-Sandoval about any opposition to the measure. She also suggested that the coalition behind the measure should mobilize the 24,500 Fresno State students. Trustee Steinhauser stated that this is a great example of a commitment from the community. He believes this is an equity initiative and could be a role model for other campuses. Trustee Kimbell is hopeful the initiative will pass and does not believe it is a regressive tax as it will benefit lower income members of the community. She would like the CSU to think boldly and explore doing this on a larger scale. Trustee Rodriguez thanked everyone for their work and is very supportive of the initiative. As a Fresno State graduate, she knows that this is an issue for the most marginalized communities in the Central Valley as Fresno State is the only public, affordable option for a four-year degree in the region. Trustee Brar shared that she was born in Fresno, and Fresno State is at the heart of the region. She hopes this initiative passes and serves as a model for other campuses. Trustee Gilbert-Lurie said this is creative and inspiring and asked for a list of other CSU regions where this could be a possibility. Chair Fong thanked the president and the Fresno leaders from both sides of the aisle for coming together to support this initiative and uplifting Fresno State.

The committee recommended approval by the board of the proposed resolution (RGR 11-23-03) that the Board of Trustees endorse the Fresno County Measure E (Fresno State Improvement Zone) ballot initiative.

Trustee Clarke adjourned the meeting.

COMMITTEE ON GOVERNMENTAL RELATIONS

Update on NAGPRA and CalNAGPRA Compliance

Presentation By

Steve Relyea
Executive Vice Chancellor and
Chief Financial Officer

Tomás Morales
President
California State University, San Bernardino

Nathan Dietrich
Assistant Vice Chancellor
Advocacy and State Relations

Summary

This agenda item provides an update on systemwide compliance in relation to federal and state laws that require the repatriation of Native American human remains and cultural items that are in a university's possession.

Background

The Native American Graves Protection and Repatriation Act (NAGPRA) was passed by Congress in 1990. The federal law was enacted to resolve and restore the rights of Native American lineal descendants and Tribes to the human remains, funerary objects, sacred objects, and objects of cultural patrimony that are held by museums, institutions, and universities across the nation. NAGPRA applies to federally recognized Tribes and requires institutions to compile an inventory of the human remains and associated funerary objects and create a summary of cultural items in their possession. Institutions must first consult with Tribes, respond to claims for repatriation, publish formal notices on the federal register, and repatriate in a timely manner. The California State Legislature passed CalNAGPRA in 2001 to provide a mechanism whereby California Indian Tribes that are not federally recognized may file claims with agencies and institutions for repatriation of human remains and cultural items. In 2020, AB-275 (Ramos) was enacted to amend CalNAGPRA and established two 2022 deadlines for agencies and institutions to submit inventories and summaries to the California Native American Heritage Commission (NAHC).

A 2022 report by the State Auditor found that the University of California campuses had yet to repatriate more than 600,000 items in their collections. As a result, the UC has been subject to additional legislative oversight and the Joint Legislative Audit Committee (JLAC) requested the State Auditor review the CSU's collections and NAGPRA policies.

California State Audit Results

As directed by the JLAC, the California State Auditor conducted an audit of the CSU's compliance with NAGPRA and CalNAGPRA. The audit, released on June 29, 2023, concluded that while the Chancellor's Office has taken some limited steps in recent years to support university's repatriation efforts, it must take additional action to ensure that universities prioritize complying with NAGPRA and CalNAGPRA.

The audit found that in total, CSU universities are in possession of more than 5,000 human remains and 600,000 cultural items. The human remains and cultural items came into a university's possession, most often through archeological excavation projects, faculty and student field studies, government agency repository collections, or donations. To honor our commitment to Native American Tribes and comply with the laws, human remains and cultural items must be treated with respect and repatriated through a consultative process in a timely manner.

The report stated that "of the 21 campuses with NAGPRA collections, more than half have not repatriated any remains or cultural items to tribes and that two campuses that returned remains or cultural items did not follow NAGPRA requirements when doing so. More than half of these 21 campuses do not yet know the extent of their collections of remains and cultural items, despite federal law requiring them to do so by late 1995. In part because campuses have not prioritized NAGPRA, they lack the policies, funding, and staffing necessary to follow the law and repatriate their collections. Factors such as these have contributed to the CSU system making little progress in the timely return of human remains and cultural items to tribes, repatriating just 6 percent of its collections to tribes to date." A copy of the full report can be found on the State Auditor's website (https://www.auditor.ca.gov/pdfs/reports/2022-107.pdf).

The audit directed eight recommendations to the Chancellor's Office and one to the California Legislature. State audits require detailed follow-up responses on the implementation of the report's recommendations at 60 days, six months, and one year after the report's release, and annually thereafter. The State Auditor's recommendations were:

1. To ensure campuses have identified all the remains and cultural items in their NAGPRA collections, the Chancellor's Office should monitor campus efforts to review their collections and require their inventories by December 2024.
2. To ensure that campuses have identified all of the remains and cultural items in their NAGPRA collections, the Chancellor's Office should ensure that campuses properly consult with tribes by engaging in meaningful, timely discussion in a manner respectful of tribal sovereignty regarding protocols for handling and identifying remains and cultural items.

3. To provide campuses with the guidance and best practices necessary for effectively complying with NAGPRA and CalNAGPRA, the Chancellor's Office should issue a systemwide NAGPRA policy establishing consistent repatriation processes and training requirements, in consultation with California tribes and the Native American Heritage Commission.
4. To ensure that it adequately oversees campus repatriation activity, the Chancellor's Office should establish a systemwide NAGPRA oversight committee by December 2023. By this same date, the Chancellor's Office should implement a process for campuses to periodically report their repatriation activity to the systemwide oversight committee. Further, it should require that campuses with more than 100 remains and cultural items also establish NAGPRA committees.
5. To ensure that campuses proactively pursue timely repatriation, the Chancellor's Office should require campuses with more than 100 sets of remains or cultural items to have full time, experienced repatriation coordinators by June 2024.
6. To ensure that repatriation is a systemwide priority and that campuses have access to clear and consistent leadership related to NAGPRA and CalNAGPRA, the Chancellor's Office should, by December 2023, formalize its administrative structure, such as by assigning a position within its office the responsibility of directly overseeing the work of the systemwide CalNAGPRA project manager.
7. To ensure that campuses have the funding necessary to comply with NAGPRA and CalNAGPRA, the Chancellor's Office should require each campus with NAGPRA collections to identify and estimate, by January 2024, the funding and other resources they need to complete repatriation in an appropriate and timely manner.
8. To ensure that campuses have the funding necessary to comply with NAGPRA and CalNAGPRA, the Chancellor's Office should, after evaluating the reasonableness of campuses' estimates, either identify and provide the required funding from existing systemwide or campus resources or seek additional funding from the Legislature, to ensure that campuses have adequate funding to support their NAGPRA and CalNAGPRA activities.

Assembly Bill 389

Assembly Bill 389, authored by Assemblymember James Ramos, is a direct result of the audit's recommendations and legitimate concerns from the tribal communities. The bill was signed into law in September 2023. AB 389 requires the CSU to have a systemwide policy on repatriation and culturally appropriate treatment of human remains and cultural items, including a prohibition on using human remains or cultural items in a university's collections for teaching or research. The law also requires the creation of systemwide and university committees, for each university to have

a full-time experienced repatriation coordinator, and annual reports to the legislature. AB 389 requires that the CSU work proactively with the State of California's Native American Heritage Commission (NAHC) to ensure authentic tribal collaboration and consultation takes place. AB 389 generally aligns with the recommendations from the State Auditor, but the dates at which some items are required to be completed differ, with AB 389 giving the CSU slightly more time than the auditor recommended.

Chancellor's Office Actions

The state auditor's report called attention to the areas in which the CSU and its universities must take immediate action and shift the direction toward repatriation outcomes. The Chancellor's Office understands the CSU and our universities cannot truly honor tribal communities until we have fully complied with NAGPRA, CalNAGPRA, and AB 389. The CSU fully commits to the letter and spirit of the laws. Returning the ancestral remains and cultural items is an essential demonstration of that respect, and it must be done in a timely and meaningful way that follows full federal and state guidelines. Attached is a flowchart, created by the NAHC, of the statutory and best practices related to CalNAGPRA and repatriation process.

The Chancellor's Office has established a formal administrative structure by assigning the responsibility of directly overseeing the work of the systemwide CalNAGPRA Project Manager to the Director of External and Tribal Relations in the Office of Advocacy and State Relations. In August 2023, Interim Chancellor Jolene Koester appointed CSU San Bernardino President Tomás Morales as the CSU Presidential Advisor to the chancellor and the Board of Trustees for Native American Initiatives. In this role, President Morales advises fellow presidents and Chancellor's Office leadership on developing respectful and culturally competent relationships with tribal partners.

The Chancellor's Office has provided all 21 universities with NAGPRA collections with a Campus Repatriation Implementation Plan, which was also reviewed by the NAHC. The plan was developed to address the requirements under NAGPRA and CalNAGPRA, as well as other recently passed state legislation. The plan provides a framework to guide the university's repatriation work, including the establishment of timelines and budgets. Also included in the plan is guidance for universities to establish contact with Tribes to initiate and engage in meaningful consultations.

In the fall, the Chancellor's Office organized and provided two NAGPRA/CalNAGPRA training opportunities. A virtual training session was conducted on September 27, 2023, and an in-person workshop was held at Fresno State on October 30, 2023. Representatives from 20 campuses and the Chancellor's Office attended either the virtual training or the in-person workshop. The training materials and recordings from both training events are available on the Chancellor's Office's NAGPRA website. Another in-person training event is planned for April 2024 at CSU San Bernardino.

Per AB 389, a Systemwide NAGPRA Committee and campus committees will be established in coordination with the NAHC, and the Chancellor's Office is currently forming a working group to create the framework for the future systemwide policy. Several collaboration-listening sessions will be scheduled throughout the state to receive feedback from Tribes.

To create a more robust infrastructure for complying with the state and federal repatriation requirements, the Board of Trustees' 2024-25 operating budget request includes allocating $4.25 million to fund 30 university-based positions, three systemwide positions, and accompanying operating costs. Funds from the Multi-Year Compact and tuition increase would cover $2.25 million, with an additional $2 million being requested from the Legislature.

CALNAGPRA FLOWCHART

Note: This is not legal advice please consult your legal counsel. This is limited to statutory reference and best practice. Tribal Consultation is MANDATORY prior to any identification, determination, or handling of collections.

KEY

- Institution
- Tribe
- NAHC
- Informational

Contamination Disclosure
Institutions must inform the NAHC and any Consulting Tribes if there is any likelihood, based on existing records, of a Collection being exposed to potential hazardous materials. Pursuant to Section 8013, this should not be interpreted as a reason to delay Tribal Consultation or handle Collections prior to Tribal Consultation.
Helpful Contamination Guidance Link

Dispute Resolution
can be triggered at any time

Tribal Consultation MANDATORY Prior to Any Handling or Collection Verification
Institutions must consult, prior to new or additional Inventory or Summary work being conducted, with California Native American Tribes reasonably believed to be Culturally Affiliated with the Inventory or Summary based on the totality of circumstances. The NAHC may assist with the identification of California Native American tribes, but the Institution bears the obligation to contact and consult with the California Native American Tribes.

Consultation should address any protocols to be used in the inventory process, including, but not limited to, handling, lot approach, and identification of cultural items or human remains. **Tribal input must be given deference as expert opinion.**

Dispute Resolution *can be triggered at any time*

Tribal Resource: Collections Inventories & Summaries Database
This holds all uploaded Inventories & Summaries that have not met Tribal Consultation or information requirements set forth in Health and Safety Code Section 8013. This provides Tribes the opportunity to verify the information posted by Institutions. Without meaningful Tribal Consultation, Collections cannot move from the Tribal Resource: Database to Preliminary, from Preliminary to Tribal Review, and from Tribal Review to Final Status. *Note: Consultation without compensation is a burden on Tribal Resources for these reasons Tribes may be unable to consult without financial support.*

Access Code
Tribes can request an Access Code from the NAHC.

Preliminary Status: Inventories & Summaries
An Institution must satisfy the Consultation Requirements for Preliminary Inventories & Summaries as outlined in Health and Safety Code Section 8013.
Click for FAQ Page

Dispute Resolution
can be triggered at any time

Preliminary Inventories & Summaries: 30-Day Tribal Review Period
Upon Certification, the Inventory/Summary will be moved to the NAHC Inventories & Summaries – Preliminary Webpage on the 1st business Monday of the month.

Preliminary Inventories & Summaries: 30-Day Tribal Review Period

Potentially Culturally Affiliated Tribes
Tribes that are not listed as Culturally Affiliated have 30-days to request Consultation and request changes to a Preliminary Inventory/Summary.

CONSULTATION
Institutions must consult with Tribes who reach out as Potentially Affiliated. Institutions must contact and consult with Culturally Affiliated Tribes listed in the Preliminary Inventory/ Summary.
Click for Tribal Review Requirements

Culturally Affiliated Tribes
Tribes listed as Culturally Affiliated have 30-days to review and request changes to a Preliminary Inventory/Summary.

Non-Response
from a Culturally Affiliated Tribe.

Institution must maintain record of outreach to Culturally Affiliated Tribes that did not respond to outreach during the 30 Day-Tribal Review Period. Outreach should include certified mail, phone, and email.

Concurrence
All Responding Tribes concur with the information listed in the Preliminary Inventory/ Summary.

Disagreement
Either a Culturally Affiliated or Potentially Culturally Affiliated Tribe disagrees with the information listed.

Institution must provide additional Consultation to clarify the Disagreement & amend information to reflect the Tribe's Disagreement with the Preliminary Inventory/ Summary.

Dispute Resolution
Click for process.

Final Inventories & Summaries
Once all Culturally Affiliated Tribes have Concurred and all Disputes are resolved, the NAHC will post the Inventory/Summary to the Final Inventories & Summaries Webpage.

Final Status and NAGPRA
An Institution that has completed an Inventory/Summary as required by the federal Native American Graves Protection and Repatriation Act (25 U.S.C. Sec. 3001 et seq.) shall be deemed to be in compliance with this section provided that the agency or museum provides the NAHC with both of the following:
(1) A copy of the Inventory/Summary.
(2) Preliminary Inventories & Summaries to **comply with the consultation requirements** set forth in CalNAGPRA.

Note: At any time, Collections can move from the Final Status back to the Preliminary Status if a Tribe disagrees with the Cultural Affiliation or any information listed in a Final Inventory/Summary.

Claims and Repatriation Process Continued on Next Page

CalNAGPRA Claims

	Tribe/Museum Action	NAHC Action	Claim Status	Repatriation Status
Unverified Claims	Claim can be submitted by Lineal Descendant or Tribe directly. Any Claim an Institution receives must be sent to the Commission. Tribes may reach out to NAHC regarding verification.	Claims are Unverified until Inventory or Summary satisfies the requirements of §8016 (a) (1-5). The NAHC will post Unverified Claims to our website on the first business Monday of the Month.	The Claim Status of an Unverified Claim is: "Pending - Unverified"	Unverified Claims do not initiate the Repatriation Timeline.
Verified Claims	A Claim is Verified when the associated Inventory or Summary achieves "Final Status".	NAHC will update an Unverified Claim's Status to "Verified" the first business Monday of Month, after the associated Inventory or Summary achieves "Final Status".	The Claim Status of a Verified Claim is: "Pending - Verified"	Repatriation Status is updated to "In Process" when a Claim is posted to the Verified Claims Webpage. Posting to the Verified Claims Webpage initiates the 90-Day Legal Control Transfer Deadline if there are no competing Claims.
30-Day Institution Objection	Institution has 30 days from the posting of the Verified Claim to object to the Verified Claim. A Tribe may request Dispute Resolution in response to an Institution's objection the Claim.	Updates Claim Status to "Accepted", on the First Business Monday of the Month after an Institution waives or does not object to a Verified Claim w/ 30 days. Claim Status will not be updated to "Accepted" if there are competing Claims.	Objection to a Claim updates a Claim's Status to "Disputed". Approval of a Claim by an Institution or lack of objection to a Claim updates a Claim to "Accepted" if there are no competing Claims.	Repatriation Status remains "In Process" during the 30-Day Institution Objection Timeline. Objection of a Claim may trigger Dispute Resolution. Objection of a Claim may pause the 90-Day Repatriation Timeline.
90- Day Legal Transfer Control	Legal Transfer of Control occurs 90-days after a Claim is Verified. Claimants and Institutions should coordinate directly with each other on Repatriation Agreements, which they must send to the NAHC. A Claimant can trigger Dispute Resolution throughout this phase.	The Commission will develop technical resources and templates to support Tribes in the creation of equitable Repatriation Agreements, the costs associated with Repatriation, including reburial. Tribes may trigger Dispute Resolution throughout this process.	Claim Status remains "Accepted" as long as there are no competing Claims prior to Repatriation.	Repatriation Status will be updated to "Complete" at the end of the 90-Day Legal Transfer of Control Timeline. Dispute Resolution, Institution objection to a Claim, competing Claims, and extensions of the Federal Notice Period may extend the 90-Day Repatriation Timeline.
Repatriation Agreements/ Physical Transfer	Tribes and Institutions must submit all Repatriation Agreements to the NAHC. Repatriation Agreements are encouraged to incorporate aspects of Restorative Justice including providing Land for reburial.	The NAHC will receive all Repatriation Agreements and will have the power to enforce these agreements. Best Practices: Tribes may request Restorative Justice principles be incorporated into Repatriation Agreements. NAHC will update Repatriation Status to complete.	Claim Status remains "Accepted".	Repatriation Agreements and transfer paperwork must be submitted to the NAHC within the 90 Timeline. The Commission has the authority to enforce the timelines for transfer of physical control agreed upon in the Repatriation Agreements. Further guidance is in development from the NAHC.

Repatriation Agreements and Restorative Justice.
Repatriation Agreements aspects of Restorative Justice including but not limited to financial restitution, formal apologies, land for reburial, materials, or funding for reburial. Tribes may trigger dispute resolution at any time during this process.

COMMITTEE ON GOVERNMENTAL RELATIONS

Sponsored State Legislation for 2024

Presentation By

Steven Relyea
Executive Vice Chancellor and
Chief Financial Officer

Nathan Dietrich
Assistant Vice Chancellor
Advocacy and State Relations

Summary

This item contains three sponsored legislative proposals for consideration by the Board of Trustees.

2024 Legislative Proposals

In August, Interim Chancellor Jolene Koester requested proposals from Chancellor's Office and university leaders for possible inclusion in the Board of Trustees' sponsored bill package for the 2024 legislative year. Proposals were analyzed by staff with consideration given to whether there was a clearly identified need, programmatic and fiscal implications, and overall alignment with system initiatives and priorities. After meeting with Chancellor Mildred García, the following proposals are recommended for adoption by the Board as sponsored legislation for 2024.

Armed Services In-State Tuition

We recommend the Board of Trustees sponsor legislation to grant the California State University (CSU) authorization to pursue legislation which would provide an exemption from out-of-state tuition fees for members of the Armed Forces of the United States who are stationed in California for the purpose of pursuing educational goals at state-supported institutions of higher education.

As has been the CSU's long-standing practice, and in accordance with both current Federal and State law, exemptions are provided from out-of-state tuition fees for most military-affiliated students. More specifically, current exemptions apply to nearly all veterans and dependents who are eligible for GI Bill benefits and servicemembers and their families while stationed in California. The lone *exception* to this exemption from out-of-state tuition fees is for servicemembers who are stationed in California for the purpose of pursuing their educational goals at a state-supported institution.

This proposal would afford these servicemembers the same benefit as all other servicemembers and their dependents living in the State of California with minimal fiscal impacts to our universities and the system as a whole. It will also encourage servicemembers accepted to the various education and commissioning programs offered by the Armed Forces to apply for and enroll in CSU degree programs instead of moving to other states that do not charge out-of-state tuition to servicemembers pursuing education goals in their states.

Extension of Faculty and Staff Housing Tax Credit

We recommend the Board of Trustees sponsor legislation to extend the ability to use the Low-Income Housing Tax Credit to develop affordable housing for CSU faculty and staff on CSU owned land. The importance of affordable housing was highlighted in the work done by the Faculty and Staff Excellence Workgroup.

This proposal would be consistent with prior state legislation that authorized K-12 school districts and community colleges to utilize the Low-Income Housing Tax Credit program to develop affordable housing for teachers, faculty, and staff on school district and community college owned land.

The extension of this tax credit to staff and faculty housing developments on CSU-owned land would help address the demands for affordable housing. According to the California Department of Housing and Community Development, only 16% of residents in California can afford to buy a home. As a result, there is a growing trend of unsuccessful recruitments of top choice candidates of new faculty, as well as concerns about retaining existing staff and faculty who may be considering other career opportunities. Financing costs for developers are also rising and those costs are often passed on to tenants.

This statutory addition would help lower financing costs while leveraging public and private partnerships and thereby help meet the housing needs of universities systemwide.

PaCE Reform

We recommend the Board of Trustees sponsor legislation which will support the work of the 2023 PaCE Working Group, led by Presidents Jane Conoley and Erika Beck, to modernize the Professional and Continuing Education (PaCE) program.

Across the CSU, PaCE programs offer flexible models of learning, including online programs, which helps address the needs of working professionals while supporting the state's growing workforce demands through innovative partnerships with regional employers. Addressing the state's workforce needs will be a priority for the governor and the legislature, and the CSU aims to be a strong partner to the state in this important policy area.

While additional work to reform the PaCE program can be accomplished through revisions to Title V and through the Chancellor's Office executive orders, we propose legislation to allow for a more flexible use of self-support revenue to enhance system-wide infrastructure. The goal is to give universities the ability to support students, be more innovative, and grow academic programs.

Adoption of the following resolution is recommended:

> **RESOLVED**, by the Board of Trustees of the California State University, that the state legislative proposals described in this item are adopted as the 2024 Board of Trustees' sponsored legislation.