

CORRECTED

TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY

**California State University
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802**

September 23, 2009 – 10:00 a.m.

Presiding: Jeffrey L. Bleich, Chair

Board of Trustees –Open Session

Call to Order and Roll Call

Public Comment

Chair’s Report

Chancellor’s Report

Report of the California Postsecondary Education Commission: *Trustee Melinda Guzman*

Report of the California State University Alumni Council: *President—Ken Stone*

Report of the California State Student Association: *Chair—Steve Dixon*

Report of the Academic Senate CSU: *Chair – John Tarjan*

Approval of Minutes of Board of Trustees’ Meeting of July 21, 2009

Board of Trustees

1. Conferral of Executive Vice Chancellor Emeritus: Gary Reichard

Reports from Committees

Committee on Collective Bargaining: *Chair—Lou Monville*

Committee on Governmental Relations: *Chair—Carol Chandler*

1. 2009-2011 Legislative Report No. 4

Committee on Audit: *Chair—Melinda G. Guzman*

Committee on Finance: *Chair—William Hauck*

6. Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments for Various Projects

Committee on Campus Planning, Buildings and Grounds: *Chair—A. Robert Linscheid*

2. Categories and Criteria for the State Funded Five-Year Capital Improvement Program, 2011-2012 through 2015-2016
3. Approve the Campus Master Plan Revision and Amendment of the 2009-2010 Non-State Funded Capital Outlay Program for the Dobbs Street Apartment Building Real Property Acquisition and Renovation for California State University, Los Angeles
4. Certify the Final Environmental Impact Report and Approve the Campus Master Plan Revision for California State University, East Bay

Committee on University and Faculty Personnel: *Vice Chair – Roberta Achtenberg*

Committee of the Whole: *Chair – Jeffrey L. Bleich*

1. Approve the California State University Identity Theft Prevention Implementation Plan

Committee on Institutional Advancement: *Chair—George G. Gowgani*

1. Naming of a Campus Facility– California State University, San Bernardino
2. Naming of a Campus Facility – California Maritime Academy
3. Naming of an Academic Entity – San José State University

Committee on Educational Policy: *Chair—Herbert L. Carter*

1. Academic Plan Update for Fast-Track Program Development
4. Special Honorary Degrees for Students Displaced by Executive Order 9066

**MINUTES OF THE MEETING OF
BOARD OF TRUSTEES**

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

July 21, 2009

Trustees Present

Jeffrey L. Bleich, Chair
Herbert L. Carter, Vice Chair
Debra S. Farar
Margaret Fortune
John Garamendi, Lt. Governor
George G. Gowgani
Melinda Guzman
William Hauck
Raymond Holdsworth
Linda A. Lang
A. Robert Linscheid
Peter G. Mehas
Henry Mendoza
Lou Monville
Charles B. Reed, Chancellor
Russel Statham
Glen O. Toney

Chair Bleich called the meeting to order.

Public Comment

Chair Bleich called for public comment. James Refalo, Professor, Finance & Law, Cal State Los Angeles, spoke in favor of the fee increases; Holly Gerrity, President, CSUSM Political Science Club also spoke in favor of raising fees at this time; the following students representing the California State Student Association (CSSA) commented as follows: Brandon Chapin, President, Associated Students, Humboldt State University, Alyssa Bruni, Vice President for External Affairs, Associated Students, San Diego State University, stated that she understands that money is gone from the state and that this crisis is a huge wake up call for everyone; Katelyn Rauch, CSU Channel Islands Student Government, stated the fight should be taken to the capital; Joaquin Beltran, President, Associated Students, CSU Los Angeles, asked the board to reconsider the Lt. Governor's amendment; Gregory Washington, Chief Governmental Officer, ASI, Cal State Fullerton; Douglas Whitesell, Senator at Large, CSU Channel Islands Student

Government, spoke about the recession and considering the facts of the California economy, CSU is still providing a high quality public school education; Diana Renée Heredia, President, ASI, CSU Stanislaus, spoke as a single parent who is facing \$30 thousand in loans after she graduates and urged creation of a new Master Plan; Allan Acevedo, Legislative Research Assistant, Associated Students, SDSU, spoke about increased tuition; Pat Gantt, President CSUEU, spoke about the approval of the furlough negotiations and what a hard choice that was for CSUEU members to make and urged continued pressure on elected officials; Russell Kilday-Hicks, CSUEU, VP Representation, spoke about the problem of not getting a commitment that jobs would not be lost; Lillian Taiz, CFA President, spoke about the steady, reliable income the CSU would have with AB 656 and urged the board to consider endorsing the bill; Kim Geron, CFA Vice President, spoke about the federal stimulus monies. The following CFA student interns spoke accordingly: Honor Keller, CFA Student Intern, San Francisco State, spoke against any fee hike; Ronny Vasquez, CFA Student Intern, CSU Northridge, spoke against fee hikes for students; Kia Kolderup-Lane, CFA Student Intern, spoke about the unavailability of classes, Sonoma State; Samantha Adame, CFA Student Intern, San Francisco State, spoke about the high cost of living in California and that making the cost of education higher was not the solution; Julian Rosenberg, CFA Student Intern, San José State, spoke in support of AB 656; Patricia Guerra, CFA Student Intern, Cal Poly Pomona, spoke about the problems students face having to work two to three jobs; Sherrie Canedo, CFA Student Intern, CSU East Bay, asked the board to vote against the fee increase; Christian Morales, CFA Student Intern, CSU Dominguez Hills, asked the board to endorse AB 656; Whitney Thompson, CFA Student Intern, CSU Fresno, spoke about her personal plight working 30 hours a week; Gabriela Serrato, CFA Student Intern, CSU Los Angeles, spoke against the fee increase and expressed anger about the state of facilities on her campus.

Trustee Bleich thanked the student speakers for their heartfelt presentations. He noted that the Board did not ever wish to raise fees because the CSU is the gateway to a better life for so many in the state. He further said that the choices that the Board has to make are between bad choices and worse choices because of the economic reality that is facing the state.

Chair's Report

Chair Bleich's complete report can be viewed on-line at the following url:
<http://www.calstate.edu/BOT/chair-reports/may2009.shtml>

Chancellor's Report

Chancellor Charles B. Reed's complete report can be viewed on-line at the following url:
<http://www.calstate.edu/executive/reparchive/090513.shtml>

Report of the California State University Alumni Council

Ken Stone reported on behalf of the Alumni Council.

Report from the California State Student Association

Steve Dixon reported on behalf of the CSSA.

Report of the Academic Senate CSU

John Tarjan reported on behalf of the Academic Senate CSU.

Approval of Minutes

The board approved the minutes of the meeting of May 13, 2009.

Board of Trustees

Establishment of Ad Hoc Committee to Monitor the Implementation of the Access to Excellence Plan (RBOT 07-09-06)

Chair Bleich moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that the Ad Hoc Committee to Monitor the Implementation of the Access to Excellence plan be established for 2009-10. The following trustees will serve on the ad hoc committee:

Roberta Achtenberg, chair
Kenneth Fong
Margaret Fortune
Henry Mendoza
Glen Toney

Report of Committees

Committee on Collective Bargaining

Chair Monville reported the committee heard one action item that approved the CSU's tentative agreement for a successor contract with SEIU Local 99, representing the Headstart Program at San Francisco. The Committee then heard from UAPD President Floyd Anscombe, APC President Fernando Beltran, CSUEU President Pat Gantt; CSUEU Vice President Russell Kildaye-Hicks; Unit 9 Chair Rich McGee, Unit 2 Chair Tessie Reese and Unit 5 Chair Sharon Cunningham.

Committee on University and Faculty Personnel

Trustee Farar reported the committee heard one action item as follows:

Proposed Title 5 Revisions: Addition of Article 6.8 Regarding Furloughs of Non-Represented Employees; Addition of Article 6.9 Regarding Reductions in Pay for Non-Represented Employees; and Amendment to Holidays Provision (RUF 07-09-02)

Trustee Farar moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED by the Board of Trustees of the California State University that Article 6.8, Section 43200 of Title 5 of the California Code of Regulations be added as follows:

Title 5, California Code of Regulations
Division 5 – Board of Trustees of the California State Universities
Chapter 1 – California State University
Subchapter 7 – Employees
Article 6.8 – Furloughs of Non-Represented Employees

§ 43200. Furloughs

a. The following terms are defined for this Article:

(1) “Furlough” means mandatory, temporary unpaid time off work. No earned accrued leave or any other compensated time may be used for any portion of a furlough.

(2) “Financial crisis” means an event(s), occurrence(s) or state of affairs creating an imminent and substantial deficiency in California State University financial resources that severely impacts the California State University’s ability to sustain ongoing operations or to fulfill its mission.

b. Upon a finding by the Chancellor of a natural disaster, epidemic or other major debilitating event that significantly impacts the operations of the California State University, or a financial crisis as defined in this Article, either systemwide or on one or more campuses, the Chancellor may implement furloughs for non-represented, Management Personnel Plan and Executive employees. The Chancellor may suspend any Title 5 regulation(s) and/or any California State University policy(ies) encompassing work hours and/or wages which he or she deems necessary to effectuate this provision. The Chancellor will determine the period of time furloughs will remain in effect.

And be it further

RESOLVED by the Board of Trustees of the California State University that Article 6.9, Section 43220 of Title 5 of the California Code of Regulations be added as follows:

Title 5, California Code of Regulations
Division 5 – Board of Trustees of the California State Universities
Chapter 1 – California State University

Subchapter 7 – Employees
Article 6.9 – Reductions in Pay for Non-Represented Employees

§ 43220. Reductions in Pay

a. The following terms are defined for this Article:

(1) “Reduction in pay” means a reduction in base pay.

(2) “Financial crisis” means an event(s), occurrence(s) or state of affairs creating an imminent and substantial deficiency in California State University financial resources that severely impacts the California State University’s ability to sustain ongoing operations or to fulfill its mission.

b. Upon a finding by the Chancellor of a natural disaster, epidemic or other major debilitating event that significantly impacts the operations of the California State University, or a financial crisis as defined in this Article, either systemwide or on one or more campuses, the Chancellor may implement reductions in pay for non-represented, Management Personnel Plan and Executive employees. The Chancellor may suspend any Title 5 regulation(s) and/or any California State University policy(ies) encompassing work hours and/or wages which he or she deems necessary to effectuate this provision. The Chancellor will determine the period of time reductions in pay will remain in effect.

c. Nothing in this section limits or restricts the Chancellor’s, or any President’s, ability to reduce pay as authorized or permitted elsewhere in this Subchapter 7, or in any California State University policy.

And be it further

RESOLVED by the Board of Trustees of the California State University that Section 42920 of Title 5 of the California Code of Regulations be amended as follows:

Title 5, California Code of Regulations
Division 5 – Board of Trustees of the California State Universities
Chapter 1 – California State University
Subchapter 7 – Employees
Article 4.1 – Holidays

§ 42920. Holidays.

The Chancellor for the systemwide staff and the President for each campus shall be responsible for the administration of paid holidays for the employees under their supervision.

(a) The following holidays, when not occurring on a Saturday or Sunday, shall be observed on the days specified:

- (1) January 1
- (2) Third Monday in January (Martin Luther King, Jr. Day)
- (3) March 31 (Cesar Chavez Day)
- (4) July 4
- (5) First Monday in September (Labor Day)
- (6) November 11 (Veterans Day)
- (7) Thanksgiving Day

(8) December 25

(9) Any other day designated by the Governor of this state for a public fast or holiday.

(b) The following days are designated holidays which the Chancellor or President may reschedule to another day consistent with the needs of the campus or systemwide offices:

(1) Third Monday in February (President's Day)

(2) February 12 (Lincoln's Birthday)

(3) Last Monday in May (Memorial Day)

(4) September 9 (Admission Day)

(5) Second Monday in October (Columbus Day)

(6) Personal holiday, to be designated by each employee. The employee may be required to supply reasonable advance notice of intent to take the personal holiday.

(c) Any holiday which falls on a Saturday shall be observed on the preceding Friday and any holiday which falls on a Sunday shall be observed on the following Monday.

(d) On days when the campuses or systemwide office are observing holidays, particular employees may be required to work to perform necessary services.

(e) Notwithstanding the above provisions, the Chancellor shall have discretion to determine whether the holidays identified in this Article shall be paid or unpaid for non-represented, Management Personnel Plan and Executive employees.

Committee on Educational Policy

Trustee Carter reported the committee heard one action item as follows:

Proposed Title 5 Revision: California Code of Regulations - Conferral of Degree upon Completion of Degree Requirements (REP 07-09-03)

Trustee Carter moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University, acting under the authority prescribed herein and pursuant to Section 89030.1 of the Education Code, that Title 5 is amended to add Section 40411 as follows:

Title 5, California Code of Regulations
Division 5 -- Board of Trustees of the California State Universities
Chapter 1 -- California State University
Subchapter 2 -- Educational Program
Article 5 -- General Requirements for Graduation

§ 40411. Conferral of Degree upon Completion of Degree Requirements.

The president of each campus may preclude any student from enrolling in any additional state-supported courses when that student has met all necessary requirements for a degree, and may take the actions necessary to confer the degree. 1

NOTE: Authority cited: Section 89030, Education Code. Reference: Section 89030, Education Code.

Committee on Finance

Trustee Hauck reported the committee heard one information item, Report on the 2008-2009 and 2009-2010 Support Budgets and two action items as follow:

State University Fee Increase (RFIN 07-09-04)

Trustee Hauck moved the item; there was a second. Lt. Governor Garamendi voted against the resolution.

The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that the following academic year schedule of the State University Fee is approved effective fall term 2009 and until further amended:

State University Fees

<u>Units Per Term</u>	<u>Undergraduate</u>	<u>Credential Program Participants</u>	<u>Graduate and Other Post-Bac Students</u>
6.1 or more	\$4,026	\$4,674	\$4,962
0 to 6.0	\$2,334	\$2,712	\$2,880

The fees provided in the above table are for an academic year. The applicable per term fee schedules consistent with these academic year fees for campuses on semester, quarter and other calendars, for regular students (6.1 units or more per term) and part time students (up to 6.0 units per term), and for the academic year and summer terms are provided on the Budget Office website:

<http://www.calstate.edu/budget/student-fees/mandatory-fees/index.shtml>

And, be it further

RESOLVED, That the Chancellor may approve individual campus State University Fee rates that do not exceed the maximum fee rates established by this fee schedule, and be it further

RESOLVED, That the Chancellor is delegated authority to further adopt, amend, or repeal the State University Fee rate increase if such action is required by changes to the 2009-10 Budget Act, and that such changes made by the Chancellor are communicated promptly to the Trustees.

Nonresident Tuition Increase (RFIN 07-09-05)

Trustee Hauck moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that the Nonresident Tuition schedule for the 2009-10 academic year, effective for all campuses with the Fall 2009 term and until further amended, shall be as follows:

	Quarter Term	Semester Term
Non-resident tuition Per Unit Charge:	\$248	\$372

The academic year nonresident tuition maximum is \$11,160. The fee paid per term shall be determined by multiplying the number of units taken by the charge per unit in accordance with this schedule.

And, be it further

RESOLVED, The Chancellor is delegated authority to further adopt, amend, or repeal the nonresident tuition fee rate increase if such action is required by the budget act approved for 2009-10, and that such changes made by the Chancellor are communicated promptly to the Trustees.

Chair Bleich adjourned the meeting.

BOARD OF TRUSTEES

Conferral of the Title Executive Vice Chancellor Emeritus

Presentation By:

Jeffrey L. Bleich
Chair

Summary

It is recommended that Executive Vice Chancellor and Chief Academic Officer Gary W. Reichard, be conferred the title of Executive Vice Chancellor Emeritus in appreciation for his service. The following resolution is recommended for approval:

WHEREAS, Gary W. Reichard, Executive Vice Chancellor and Chief Academic Officer of the California State University, has a well deserved reputation as an inclusive, collaborative and thoughtful higher education administrator and faculty member; and

WHEREAS, Dr. Reichard made an exceptional contribution to the California State University by championing and stewarding the CSU's new strategic plan, *Access to Excellence*, which will have a significant impact on the entire university system for years to come; and

WHEREAS, He has worked tirelessly throughout his academic career to develop programs and plans that provide a high quality education for students and professional development and support for faculty; and

WHEREAS, He has also, through his service to the California State University and its 23 campuses, made a personal and valuable contribution to the advancement of higher education in California; and

WHEREAS, It is fitting that the California State University recognize those members who have made demonstrable contributions to this public system of higher education and the people of California; now, therefore, be it

RESOLVED, By the Board of Trustees of the California State University, that this board confers the title of Executive Vice Chancellor Emeritus on Gary W. Reichard, with all the rights and privileges thereto.