

TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY

**California State University
Office of the Chancellor
Glenn S. Dumke Auditorium
401 Golden Shore
Long Beach, CA 90802**

September 25, 2019

Presiding: Adam Day, Chairman

10:30 a.m. Board of Trustees

Dumke Auditorium

Call to Order

Roll Call

Public Speakers

Chair's Report

Chancellor's Report

Report of the Academic Senate CSU: *Chair—Catherine Nelson*

Report of the California State Student Association: *President—Michael Wiafe*

Report of the California State University Alumni Council: *President—Michelle Power*

Consent

- Action** 1. Approval of Minutes of the Meeting of July 24, 2019
Action 2. Approval of Committee Resolutions as follows:

Committee on Governmental Relations

3. AB 48: Public Preschool, K-12, and College Health and Safety Bond Act of 2020

Committee on Campus Planning, Buildings and Grounds

2. California State University, Dominguez Hills Master Plan Revision

Joint Committees on Finance and Campus Planning, Buildings and Grounds

2. Approval of Various Actions Related to a Hotel Development Project at California State University, Northridge
3. Approval of Various Actions Related to a New Student Union Project at California State University, Fresno

*The Board of Trustees is a public body, and members of the public have a right to attend and participate in its meetings. This schedule of meetings is established as a best approximation of how long each scheduled meeting will take to complete its business. Each meeting will be taken in sequence, except in unusual circumstances. Depending on the length of the discussions, which are not possible to predict with precision in advance, the scheduled meeting times indicated may vary widely. The public is advised to take this uncertainty into account in planning to attend any meeting listed on this schedule.

Committee on Institutional Advancement

2. Naming of The Lynda and Stewart Resnick Student Union – California State University, Fresno
3. Naming of the Viasat Engineering Pavilion – California State University San Marcos

Committee on Committees

2. Amendments to Board of Trustees' Standing Committee Assignments for 2019-2020

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MINUTES OF THE MEETING OF BOARD OF TRUSTEES

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

July 24, 2019

Trustees Present

Adam Day, Chairman
Lillian Kimbell, Vice Chair
Silas H. Abrego
Larry L. Adamson
Jane W. Carney
Rebecca D. Eisen
Doug Faigin
Debra Farar
Jean Picker Firstenberg
Wenda Fong
Juan F. Garcia
Jack McGrory
Thelma Meléndez de Santa Ana
Hugo Morales
Romey Sabalius
Lateefah Simon
Timothy P. White, Chancellor
Lieutenant Governor Kounalakis

Chairman Day called the meeting of the Board of Trustees to order.

Public Comment

The board heard from the following individuals during the public comment period:

William Blischke, President, CSU Emeritus and Retired Faculty and Staff Association (ERFSA); Aaron Castaneda, ASI President (CSULA); Jessy Rosales, Community Organizer, Youth Testify; Ejmin Hakobian; Austin Chen, student, CSU Fullerton; Gary Hytrek, Department of Geography, CSULB; Ra'Jhon Sykes, CSUMB Alumni ; Juana Garcia, student, CSULB; Kevin Wehr, CFA Vice President, Sacramento; Sergio Roldan, Chair Bargaining Unit 5 (CSUEU); Gina Voight, Sonoma Chapter President (CSUEU); Martin Brenner, Vice Chair Bargaining Unit 9 (CSUEU); Neil Jacklin, President (CSUEU).

BoT
Agenda Item 1
September 24-25, 2019

Chair's Report

Chairman Day's complete report can be viewed online at the following URL:
<https://www2.calstate.edu/csu-system/board-of-trustees/reports-of-the-chair/Pages/july-2019.aspx>

Chancellor's Report

Chancellor Timothy P. White's complete report can be viewed online at the following link:
<https://www2.calstate.edu/csu-system/board-of-trustees/chancellor-reports/Pages/july-24-2019.aspx>

Report of the Academic Senate CSU

CSU Academic Senate Chair, Catherine Nelson's complete report can be viewed online at the following link:
<https://www2.calstate.edu/csu-system/faculty-staff/academic-senate/Pages/ASCSU-Chairs-Report.aspx>

Report from the California State Student Association

CSSA President Michael Wiafe's complete report can be viewed online at the following link:
<https://www.calstatestudents.org/public-documents/#president>

Report of the California State University Alumni Council

Alumni Council's President Michelle Power's complete report can be viewed at the following link:
<https://www2.calstate.edu/impact-of-the-csu/alumni/council/board-of-trustee-reports>

Board of Trustees

The minutes of the meeting of May 22, 2019 were approved as submitted.

Prior to the approval of the consent agenda Trustee Juan Garcia requested that Item 4, Admission Application Fee Proposal and Title 5 Revision, from the Committee on Finance, be removed from the consent agenda for separate discussion. Chairman Day asked to move all the remaining consent agenda items for approval. There was a second.

The Board of Trustees approved the following resolutions:

Committee on Campus Planning, Building and Grounds

**California State University, Long Beach Housing Expansion Phase 1 – Parkside North
(RCPBG 07-19-04)**

RESOLVED, by the Board of Trustees of the California State University, that:

1. The Board of Trustees finds that the 2008 Master Plan Update EIR, prepared in accordance with the requirements of the California Environmental Quality Act, was certified by the Board of Trustees in May 2008.
2. The project before the Board of Trustees is consistent with the previously certified Master Plan Update Final EIR.
3. With implementation of the mitigation measures set forth in the 2008 Master Plan Update Final EIR previously approved by the Board of Trustees, the proposed project will not have any new or substantially more severe impacts upon the environment beyond those described in the 2008 Master Plan Update EIR and the project will benefit the CSU.
4. The schematic plans for the California State University, Long Beach Housing Expansion, Phase 1 – Parkside North project are approved at a project cost of \$104,287,000 at CCCI 6840.
5. The chancellor or his designee is requested under the Delegation of Authority granted by the Board of Trustees to file the Notice of Determination for the project.

Committee on Finance

**Approval to Issue Systemwide Revenue Bonds for a Housing Project at California State University, Long Beach and Recreation Center Expansion at San Diego State University
(RFIN 07-19-04)**

Orrick, Herrington & Sutcliffe LLP, as bond counsel, prepared resolutions presented in Agenda Item 3 on the Committee on Finance at the July 23-24, 2019 Board of Trustees' meeting that authorize interim and permanent financing for the projects described in the agenda item. The proposed resolutions were distributed at the meeting and will achieve the following:

1. Authorize the sale and issuance of the Trustees of the California State University Systemwide Revenue Bonds, and/or the sale and issuance of related Systemwide Revenue Bond Anticipation Notes, and/or the issuance of related debt instruments, including shorter term debt, variable rate debt, floating rate loans placed directly with banks, or fixed rate loans placed directly with banks, in an aggregate amount not-to-exceed \$175,125,000 and certain actions relating thereto.
2. Provide a delegation to the chancellor; the executive vice chancellor and chief financial officer; the assistant vice chancellor, Financial Services; and the assistant vice chancellor, Financing, Treasury, and Risk Management; and their designees to take any and all necessary actions to execute documents for the sale and issuance of the bond anticipation notes, the revenue bonds, and the related debt instruments.

**Admission Application Fee Proposal and Title 5 Revision
(RFIN 07-19-05)**

RESOLVED, that the Board of Trustees of the California State University acknowledges the application fee has been \$55 since 1989; and be it further

RESOLVED, that the Board of Trustees understands that the application fee revenue does not fully support the cost of processing the more than 1,000,000 applications submitted to the California State University each year; and be it further

RESOLVED, that the Board of Trustees acknowledges the improvements to the application experience made possible by Cal State Apply and encourages the CSU to continue to improve the Cal State Apply process for both applicants and the California State University campuses; and be it further

RESOLVED, that the Board of Trustees approve the proposed revision to Title 5, and be it further

RESOLVED, that the Board of Trustees approve a \$15 increase to the application fee, effective for the Fall 2020 application cycle, making the new application fee \$70.

Committee on Institutional Advancement

Naming of the RND Amphitheater - California State University, Monterey Bay (RIA 07-19-07)

RESOLVED, by the Board of Trustees of the California State University, that the Amphitheater in the Academic III building at California State University, Monterey Bay be named the RND Amphitheater.

Naming of the Provident Credit Union Event Center at San José State University (RIA 07-19-08)

RESOLVED, by the Board of Trustees of the California State University, that the Event Center at San José State University be named Provident Credit Union Event Center at San José State University for a period not to exceed twenty years from the date of the agreement, and contingent upon receipt of the annual payment and fulfillment of the other terms as stipulated in the sponsorship agreement.

Committee on University and Faculty Personnel

Approval of Recommended Revision of Title 5, California Code of Regulations, Article 4.2, Catastrophic Leave Donation Program (RUFP 07-19-07)

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 the board hereby amends its regulations in Section 42930, Article 4.2, Subchapter 7, Chapter 1, Division 5 of Title 5 of the California Code of Regulations 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 4.2 – Catastrophic Leave Donation Program**

§ 42930. Purpose.

An employee who accrues vacation or sick leave credits may voluntarily donate either of those credits to another employee on the same campus, or, for employees in the Office of the Chancellor, to another employee in the Office of the Chancellor, for catastrophic leave for catastrophic illness or injury. An employee who accrues vacation or sick leave credits

may voluntarily donate either of those credits to another employee within the California State University system to be used for catastrophic leave in the event of a natural disaster/state of emergency. To qualify for catastrophic leave for catastrophic illness or injury, the recipient employee shall have exhausted all accrued leave credits due to catastrophic illness or injury as defined in this Article. "Accrued leave credits" include credits for sick leave, vacation, personal holiday and compensating time off. To qualify for catastrophic leave for a natural disaster/state of emergency, the recipient employee whose principal residence has been affected by a declared natural disaster/state of emergency, as defined in Section 42931, shall have exhausted all accrued personal holiday credits and compensating time off, and have a balance of forty (40) hours or less in each accrued vacation credits and accrued sick leave credits.

The president of each campus, subject to the approval of the Chancellor, has the authority to make exceptions to the prescribed policy for the purpose of responding to other catastrophic occurrences of comparable impact and/or to expand the benefits of the prescribed policy when compelling and unusual circumstances exist.

Note: Authority cited: Sections 89030 and 89500, Education Code. Reference: Section 89500, Education Code.

§ 42931. Definition of Catastrophic Illness or Injury and Catastrophic Leave for a Natural Disaster/State of Emergency.

A catastrophic illness or injury is one which has totally incapacitated the employee from work. Catastrophic illness or injury may also include an incapacitated member of the employee's family, if this results in the employee's being required to take time off for an extended period of time in order to care for the family member and the employee has exhausted all of accrued vacation credits and all accrued sick leave credits which may be used for family care. Only donated vacation credits may be used for such family care catastrophic leave.

Catastrophic leave for a natural disaster/state of emergency is leave for an employee whose principal residence is located in a county where a state of emergency has been declared by the Governor, is unable to work due to the effect of the natural disaster/state of emergency on the recipient employee's principal residence, and who faces financial hardship because the employee has exhausted all accrued personal holiday credits and compensating time off, and has a balance of forty (40) hours or less in each accrued vacation credits and sick leave credits.

Note: Authority cited: Sections 89030 and 89500, Education Code. Reference: Section 89500, Education Code.

§ 42932. Participation and Eligibility.

An employee, the employee's representative or the employee's family member shall request participation and provide appropriate verification of illness or injury as determined

by the employee's appointing authority. The appointing authority shall determine eligibility to receive donations of vacation and sick leave credits based upon the definitions provided in this Article. An incapacitated employee may elect to defer a request to participate during a period of Industrial Disability Leave eligibility.

Note: Authority cited: Sections 89030 and 89500, Education Code. Reference: Section 89500, Education Code.

§ 42933. Donation.

(a) Only vacation and sick leave credits may be donated in increments of one hour or more. For catastrophic illness or injury, employees may donate a maximum of forty (40) hours of accrued leave credits per fiscal calendar year in increments of one hour or more. For catastrophic leave for a natural disaster/state of emergency, there is no maximum limit that an employee can donate as long as the employee maintains a balance of forty (40) hours of vacation leave credits and forty (40) hours of sick leave credits per calendar year. Donations are irrevocable. Donated leave credits may be used to supplement Industrial Disability leave, Nonindustrial Disability Insurance or Temporary Disability payments upon the application for these benefit(s) by an eligible employee. The total amount of leave credits donated and used may not exceed an amount sufficient to ensure the continuance of the employee's regular monthly rate of compensation.

(b) The total donated leave credits an employee can receive shall normally not exceed an amount necessary to continue the employee for three calendar months calculated from the first day of catastrophic leave. The appointing authority may approve up to an additional three-month period in exceptional cases. The leave credits shall not be deemed donated until actually transferred by the appointing authority's recordkeeper to the record of the employee receiving leave credits. Such transfer shall be accomplished at the end of a pay period, and credits shall be transferred in the order of the dates actually pledged.

(c) For employees whose appointments have not been renewed, donated time may not be used beyond the employee's appointment expiration date in effect at the beginning of the disability for catastrophic leave for illness or injury or the date the employee begins catastrophic leave for a natural disaster/state of emergency.

(d) Unused donated leave credits may not be used to receive service credit following a service or disability retirement.

Note: Authority cited: Sections 89030 and 89500, Education Code. Reference: Section 89500, Education Code.

And, be it further

RESOLVED, that the Board of Trustees has determined that the adoption of the proposed revisions will not impose a cost or savings on any state agency; and will not impose a cost or savings on any local agency or school district that is required

to be reimbursed under Section 17561 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; and will not impose a mandate on local agencies or school districts;

And, be it further

RESOLVED, that the Board of Trustees delegates to the Chancellor of the California State University authority to further adopt, amend, or repeal this revision pursuant to the Administrative Procedure Act if further adoption, amendment, or repeal is required and is nonsubstantial or solely grammatical in nature, or sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action.

**Compensation for Executives
(RUF 07-19-08)**

RESOLVED, by the Board of Trustees of the California State University, that the individuals named in the salary tables cited in Item 3 of the Committee on University and Faculty Personnel at the July 23-24, 2019 meeting of the Board of Trustees shall receive the annual base salaries cited in the tables effective July 1, 2019.

Committee on Committees

**Amendment to Board of Trustees' Committee Assignments for 2019-2020
(RCOC 07-19-03)**

RESOLVED, By the Board of Trustees of The California State University, on recommendation by the Committee on Committees that the following amendments be made to the Standing Committees for 2019-2020:

AUDIT

Jack McGrory, Chair
Hugo N. Morales, Vice Chair
Silas H. Abrego
Jane W. Carney
Douglas Faigin
Jean P. Firstenberg
Wenda Fong
Lateefah Simon

**CAMPUS PLANNING,
BUILDINGS AND GROUNDS**

Rebecca D. Eisen, Chair
Romey Sabalius, Vice Chair
Larry L. Adamson
Jane W. Carney
Wenda Fong
Jack McGrory
Thelma Meléndez de Santa Ana
Peter J. Taylor

COLLECTIVE BARGAINING

Lateefah Simon, Chair
Douglas Faigin, Vice Chair
Debra S. Farar
Lillian Kimbell
Jack McGrory
~~Thelma Meléndez de Santa Ana~~
Christopher Steinhauser
Peter J. Taylor

EDUCATIONAL POLICY

Peter J. Taylor, Chair
Jane W. Carney, Vice Chair
Silas H. Abrego
Rebecca D. Eisen
Douglas Faigin
Debra S. Farar
Wenda Fong
Juan F. Garcia
Lillian Kimbell
Thelma Meléndez de Santa Ana
Romey Sabalius
Christopher Steinhauser

FINANCE

Lillian Kimbell, Chair
Jack McGrory, Vice Chair
Larry L. Adamson
Rebecca D. Eisen
Jane W. Carney
Juan F. Garcia
Hugo N. Morales
Romey Sabalius
Lateefah Simon
Peter J. Taylor

GOVERNMENTAL RELATIONS

Silas H. Abrego, Chair
Juan F. Garcia, Vice Chair
Douglas Faigin
Debra S. Farar
Jean P. Firstenberg
Jack McGrory
Romey Sabalius

INSTITUTIONAL ADVANCEMENT

Jean P. Firstenberg, Chair
Wenda Fong, Vice Chair
Larry L. Adamson
Debra S. Farar
Lillian Kimbell
Thelma Meléndez de Santa Ana
Hugo N. Morales

ORGANIZATION AND RULES

Thelma Meléndez de Santa Ana, Chair
Jean P. Firstenberg, Vice Chair
Silas H. Abrego
Larry L. Adamson
Douglas Faigin
Lateefah Simon
Christopher Steinhauser

UNIVERSITY AND FACULTY PERSONNEL

Debra S. Farar, Chair
Christopher Steinhauser, Vice Chair
Rebecca D. Eisen
Juan F. Garcia
Hugo N. Morales
Romey Sabalius

BoT
Agenda Item 1
September 24-25, 2019

Prior to approval of the consent agenda, Trustee Garcia requested that Item 4, Admission Application Fee Proposal and Title 5 Revision, from the Committee on Finance, be removed from the consent agenda for separate discussion. Trustee Garcia moved to amend staff recommendation's to eliminate the \$15 increase to the application fee but retain the proposed change to Title 5. Following discussion there was a second. Chairman Day called for a vote. There were 6 votes in favor and 12 opposed. The motion did not pass. Following discussion amongst trustees to consider an incremental increase of \$5 per year over three years, Trustee Garcia then moved to amend Chairman Day's motion to approve staff's recommendation to note an incremental fee of \$5 per year over three years. There was a second on Trustee Garcia's motion to amend. Chairman Day called for a vote. There were 3 votes in favor, 13 votes opposed, and 2 abstentions (Lieutenant Governor Kounalakis and Trustee Abrego). The motion did not pass. Chairman Day moved to pass staff's original recommendation as presented and approved in committee. There was a second. Chairman Day called for a vote. There were 12 votes in favor (Trustees Adamson, Carney, Day, Eisen, Faigin, Farar, Firstenberg, Kimbell, McGrory, Sabalius, Simon, and Chancellor White) and 6 votes opposed (Trustees Abrego, Fong, Garcia, Melendez, Morales and Lieutenant Governor Kounalakis). The motion passed.

The following resolution was approved.

**Admission Application Fee Proposal and Title 5 Revision
(RFIN 07-19-05)**

RESOLVED, that the Board of Trustees of the California State University acknowledges the application fee has been \$55 since 1989; and be it further

RESOLVED, that the Board of Trustees understands that the application fee revenue does not fully support the cost of processing the more than 1,000,000 applications submitted to the California State University each year; and be it further

RESOLVED, that the Board of Trustees acknowledges the improvements to the application experience made possible by Cal State Apply and encourages the CSU to continue to improve the Cal State Apply process for both applicants and the California State University campuses; and be it further

RESOLVED, that the Board of Trustees approve the proposed revision to Title 5, and be it further

RESOLVED, that the Board of Trustees approve a \$15 increase to the application fee, effective for the Fall 2020 application cycle, making the new application fee \$70.