

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 9:30 a.m., Wednesday, November 16, 2022
Glenn S. Dumke Auditorium

Jack Clarke, Jr., Chair
Douglas Faigin, Vice Chair
Larry L. Adamson
Jean Picker Firstenberg
Maria Linares
Jack McGrory
Anna Ortiz-Morfit

- Consent**
1. Approval of Minutes of the Meeting of September 13, 2022, *Action*
 2. Annual Report on Outside Employment for Senior Management Employees, *Action*
 3. Annual Report on Vice President Compensation, Executive Relocation, and Executive Transition, *Information*
- Discussion**
4. Executive Transition: Executive Consulting Assignment, *Action*
 5. Executive Transition: Revision to Transition II Program, *Action*
 6. Revision to Employment Policy Governing Administrator Employees' Option to Retreat, *Action*
 7. Executive Compensation: President – San Jose State University, *Action*
 8. Executive Compensation Update: Interim President – Sonoma State University, *Action*
 9. Executive Compensation: Triennial Performance Review – Equity Adjustment, *Action*

**MINUTES OF THE MEETING OF
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

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

September 13, 2022

Members Present

Jack Clarke, Jr., Chair
Douglas Faigin, Vice Chair
Larry L. Adamson
Jean Picker Firstenberg
Maria Linares
Jack McGrory
Anna Ortiz-Morfit

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 Jack Clarke called the meeting to order.

Approval of the Consent Agenda

A motion to approve the consent agenda without discussion passed. The minutes of the July 13, 2022, meeting of the Committee on University and Faculty Personnel were approved as submitted.

Executive Compensation: Acting Vice Chancellor, Human Resources – California State University

Interim Chancellor Jolene Koester presented the item and explained that while the vice chancellor of human resources is on leave, Associate Vice Chancellor and Deputy General Counsel Leora D. Freedman will serve as acting vice chancellor for human resources. The chancellor recommended an annual salary of \$327,925 which is the same salary approved by the board in July 2022 for this

U&FP

Agenda Item 1

November 14-16, 2022

Page 2 of 4

vice chancellor position. A monthly auto allowance of \$1,000 is also provided. A motion to approve the recommended action was passed. (RUF 09-22-13)

Executive Compensation: Triennial Performance Reviews – Equity Adjustments

Interim Chancellor Jolene Koester began the presentation with a brief reminder that in November 2019, the board agreed to evaluate presidential compensation during regularly scheduled triennial performance reviews. The chancellor explained that compensation actions were being presented for presidents who received triennial performance reviews in July 2022. Additionally, the proposed compensation adjustments were consistent with policy and calculated pursuant to the process adopted in September 2021 whereby salary adjustments are linked to the median salary of presidents at comparable institutions. Dr. Koester recommended approval to implement the salary adjustments for Presidents Tomás Morales and Lynn Mahoney as outlined in item 3. A motion to approve the recommended action was passed. (RUF 09-22-14)

Executive Transition Program: Executive Consulting Assignment

Leora D. Freedman, Acting Vice Chancellor for Human Resources, began the presentation with a recap on the review of executive transition programs. In March 2022, the trustees ceased granting an executive transition program to newly hired executives until the board considered whether to offer a program going forward. A task force was to review the existing Transition II program and recommend changes if appropriate. The task force included Trustees Larry Adamson and Jack Clarke, and Vice Chancellor Evelyn Nazario.

In her remarks, Acting Vice Chancellor Freedman noted the task force found that, generally, other institutions do not offer formal programs similar to the Transition II program. However, most institutions offer some type of transition plan or paid professional leave to departing executives independent of retreating to the faculty. Institutions appear to recognize the value departing executives can bring to successor leaders and the institution itself. While opportunities may not exist within a formal program, opportunities to capitalize on an executive's historical knowledge and insights seem to be created even if outside of a formal program.

At the July 2022 meeting, two options were discussed: 1) elimination of any executive transition program prospectively, or 2) adoption of a new six-month executive consulting assignment. Before presenting highlights of the new executive consulting assignment, Acting Vice Chancellor Freedman shared a brief history on the three transition programs the CSU has offered to presidents and system executives. A slide featured highlights of the Trustee Professor program established in the 1980s; the original Executive Transition program established in 1992; and the current Transition II program established in 2006. Transition programs were created to ensure the university continued to benefit from an executive's accumulated experience and insights. Each program was established to replace a more generous predecessor program.

Returning to the program currently in place (Transition II), Acting Vice Chancellor Freedman explained the program is only available to twenty-five executives since the trustees rescinded the program on a going-forward basis at the March 2022 meeting. She noted that modifications to the Transition II program would be discussed in the next agenda item.

The presentation next proposed two options for the board's consideration: 1) to close the Transition II program effective March 2022 and eliminate any formal transition program altogether, or 2) to close the Transition II program effective March 2022 and adopt the proposed executive consulting assignment. The board could also elect to reopen the existing Transition II; however, the board had not expressed interest in this option.

Acting Vice Chancellor Freedman explained that the proposed executive consulting assignment is at the chancellor's discretion in consultation with the committee chair. Giving the chancellor the discretion to negotiate and approve (in consultation with the committee chair) is a change from what was considered in July; however, it continues to preserve the board's interests in maintaining oversight and accountability. The executive consulting assignment would not exceed six months; salary would not exceed fifty percent of the executive's base pay; specific duties are assigned at appointment; and a monthly report of activities would be required. Following approval by the chancellor (in consultation with the committee chair), the assignment is presented on the discussion agenda. The annual reporting of transition assignments would continue; however, the information item would be placed on the discussion agenda rather than consent.

In closing, Acting Vice Chancellor Freedman noted that elimination of a formal transition program altogether would not necessarily result in eliminating transition or consulting arrangements. A chancellor could, in the future, offer departing executives arrangements as MPP employees on a case-by-case basis and they would not be subject to board approval or oversight. Elimination of a transition program could unwittingly reduce accountability and oversight of arrangements made with executives in the future.

Trustees generally agreed with the executive consulting assignment rather than allowing arrangements case by case with no oversight by the board. Two changes were recommended to the proposed executive consulting assignment: for assignments offered to chancellors, the decision should rest with the entire board rather than only the board chair and committee chair; and at the end of the sentence that states "the chancellor shall consult with the successor" delete "if appropriate." Trustees reiterated throughout the discussion that the executive consulting assignment not become an expectation or entitlement. Additionally, there should be no reference to an executive consulting assignment in offer letters.

Executive Transition Program: Revision to Transition II, Information

Leora D. Freedman, Acting Vice Chancellor for Human Resources, presented the information item with a recap of proposed changes to the existing Transition II program. She explained that while the trustees closed the Transition II program to executives hired after the March 2022 board

U&FP

Agenda Item 1

November 14-16, 2022

Page 4 of 4

meeting, twenty-five (25) presidents and system executives remain eligible to participate in the program, provided they meet eligibility requirements.

In July 2022, the executive transition task force recommended revisions to the Transition II policy to ensure accountability and oversight of the existing program. The task force also clarified that executives would be ineligible to participate in a transition program for the same reasons that they would be ineligible to retreat to the faculty, including if they were found to have engaged in a serious policy violation or other significant misconduct that resulted in the executive's employment ending in termination or other separation.

Acting Vice Chancellor Freedman highlighted the substantive revisions made to the proposed Transition II policy presented in July 2022. This included changes consistent with the proposed executive consulting assignment, whereby the chancellor would consult with the chair of the committee on University and Faculty Personnel prior to approving an executive's participation in the Transition II program. Additionally, the assignment, and subsequent reporting, would be presented as an information item on the committee's discussion agenda. Another change concerned the extent to which an executive may participate in the Transition II program if a complaint or investigation is pending. (The proposed language is italicized in Attachment A under Ineligibility.) Terms of any conditional participation would be disclosed during the discussion of the assignment when presented before the committee in open session.

Trustees requested clarity that in essence the existing Transition II program (for the 25 executives grandfathered) was being amended to identify the conditions under which an individual is ineligible to participate in the program. This was confirmed; the amended policy is also intended to provide systemwide consistency with other policy, such as when granting retreat options.

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

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Annual Report on Outside Employment for Senior Management Employees

Presentation By

Leora D. Freedman
Acting Vice Chancellor
Human Resources

Summary

In accordance with the California State University (CSU) Board of Trustees policy on outside employment disclosure requirements, this item presents the outside employment activities of senior management employees that took place during the 2021 calendar year.

Background

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

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

Annual Report

The annual report on outside employment for senior management is provided in Attachment A. The report shows 10 senior management employees with outside employment during the reporting period for the 2021 calendar year.

U&FP
Agenda Item 2
November 14-16, 2022
Page 2 of 2

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the 2021 Senior Management Outside Employment Disclosure Report, as cited in Item 2 of the Committee on University and Faculty Personnel at the November 14-16, 2022 meeting of the Board of Trustees, is approved.

California State University
Senior Management Outside Employment Disclosure Report*
Reporting Period: 2021 Calendar Year

Employee Name (Campus)	CSU Working Title	Name of Outside Employer/Business	Role	Total Time Served (Hours)	Total Compensation Received	Comments
Deborah Wallace (Dominguez Hills)	Vice President for Administration & Finance	Wallace & Associates Realty, Inc.	Real Estate Broker/ Owner	100 hours	\$1,000	
Deborah Wallace (Dominguez Hills)	Vice President for Administration & Finance	National Association of College Business Officers (NACUBO)	Consulting services	40 hours	\$4,000	Donated 100% of this compensation to the CSUDH Philanthropic Foundation in support of student basic needs.
Jose Gomez (Los Angeles)	Provost and Executive Vice President & Chief Operating Officer	California Casualty Indemnity Exchange	Advisory Board Member	25 hours	\$45,810	Employee's Role with Outside Employer/Business is not involved in making decisions affecting CSU's dealing with vendor. Compensation is donated.
Tomás Morales (San Bernardino)	President	UnitedHealth Group New York	Director on Board of Directors	6-10 hours	\$12,000	
Hala Madanat (San Diego)	Vice President for Research & Innovation	National Institutes of Health	Committee Member	16 hours	\$400	
Hala Madanat (San Diego)	Vice President for Research & Innovation	Fred Hutch Cancer Center	Presenter	4 hours	\$600	
Agnes Wong Nickerson (San Diego)	Vice President for BFA & CFO	San Diego International Airport	Audit Committee Member	24 hours	less than \$1,000	
Jerry Sheehan (San Diego)	Vice President for IT and CIO	Kaiser Associates	Consultant	1 hour	\$300	
Jennifer Summit (San Francisco)	Provost and Vice President for Academic Affairs	Stanford University	Consultant	1 hour	\$500	
Mohamed Abousalem (San Jose)	Vice President, Research & Innovation	Litus, Inc.	Chair/Board Member	48 hours	\$0	
Keith Humphrey (San Luis Obispo)	Vice President, Student Affairs	Tenet Health Corporation	Hospital Governing Board Member	24 hours	\$2,200	
Jacob Yarrow (Sonoma)	Executive Director, GMC	Doris Duke Charitable Foundation	Grant Application Reviewer	24 hours	\$1,500	
Jacob Yarrow (Sonoma)	Executive Director, GMC	New England Foundation for the Arts	Advise Grant Applicants	3 hours	\$225	

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

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Annual Report on Vice President Compensation, Executive Relocation, and Executive Transition

Presentation By

Jolene Koester
Interim Chancellor

Leora D. Freedman
Acting Vice Chancellor
Human Resources

Summary

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

Vice President Compensation

Current policy requires the chancellor to review and approve recommendations for vice presidential compensation at the initial appointment and subsequently. Additionally, the chancellor is to provide an annual report on vice president compensation if a campus has made changes to their compensation. Attachment A shows vice president appointments and compensation actions reported during the period of September 1, 2021 – August 31, 2022.

As previously shared with the Board, the chancellor authorized a seven percent compensation pool and a one-time payment of \$3,500 for eligible non-represented employees (MPP and Confidential) for fiscal year 2022-2023. As a result, eligible vice presidents received a merit salary increase and the one-time payment. These previously reported increases are not reflected in Attachment A.

Executive Relocation

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

U&FP

Agenda Item 3

November 14-16, 2022

Page 2 of 3

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

- Dr. Sylvia A. Alva
Executive Vice Chancellor, Academic and Student Affairs
Relocation of household goods and property: \$1,121.54
(RUF 07-21-05)
- Dr. Jolene Koester
Interim Chancellor
Relocation of household goods and property: \$6,695.56
(RUF 03-22-06)

Executive Transition

Trustee policy requires the chancellor to report annually on all existing transition assignments. Currently, there are four individuals in the transition program. (As of March 2022, the trustees ceased granting transition rights for newly hired executives until the board takes further action.)

The current Transition II Program (RUF 11-06-06) provides a period of transition for executives who have served five years in an executive position and who separate from their executive position in order to assume previously identified CSU employment. This program is available to individuals appointed into executive positions on or after November 15, 2006. The following individuals are currently in the program:

Dr. Mary A. Papazian – San José State University
Transition Date: December 22, 2021 – December 21, 2022
Salary: \$290,580

Activities: Preparing for retreat to the faculty when transition program ends in December 2022. Available to the chancellor as requested.

Dr. Judy K. Sakaki – Sonoma State University
Transition Date: August 1, 2022 – July 31, 2023
Annual Salary: \$254,436 (adjustment in progress due to change in salary effective July 1, 2022)
Activities: Preparing for retreat to the faculty. Service to external organizations as follows: WASC Commissioner; ACE Board; ACE Women’s Executive Council; APAHE Board; and Oak Council of the College Board. Available to the chancellor and interim president of Sonoma State as requested.

Dr. Joseph I. Castro – Chancellor’s Office

Transition Date: February 18, 2022 – February 17, 2023

Annual Salary: \$401,364

Participated in the Fresno State investigation. Preparing for retreat to the faculty when transition program ends in February 2023. Completion of CSU assigned online training and observing virtually Board meetings to stay abreast of issues facing the university. Available to the board and chancellor as requested.

Dr. Timothy P. White – Chancellor’s Office

Transition Date: January 5, 2021 – December 31, 2022

Annual Salary: \$327,744

Activities: Dr. White finished his work as co-chair of the National Task Force on the Transfer and Award of Credit convened by the American Council on Education, with release of the report “Reimagining Transfer for Student Success.” During his second transition year, he continued with other activities in California and nationally related to public higher education on behalf of the CSU and other duties mutually agreed upon. For example, he serves as a Trustee of the Keck Graduate Institute and is a member of the National Committee of Advisors to Leon and Sylvia Panetta and the Panetta Institute for Public Policy. He accepted an invitation to deliver a President’s Lecture on Leadership at the annual national meeting of the American College of Sports Medicine. He is authoring a chapter for a new book by Ed Ray entitled “A Handbook for Higher Education Leadership;” with a completion date in 2023. He presided over the retirement festivities for President Ochoa at CSU Monterey Bay. And was selected to be a 2022 co-recipient of the 2022 Clark Kerr Award from the Berkeley Division of the University of California in December. Throughout his transition assignment, Dr. White has provided perspective, thoughts and counsel to CSU presidents, chancellor, trustees and vice chancellors, and remains available as requested.

Vice President Compensation Actions

Filled Vacancies (27)

Campus	Name	Title	Effective Date	Salary at Appt	Other Compensation
Channel Islands	Ford Turnbow, Eboni	Vice President for Student Affairs	9/12/2022	\$246,108	
Chico	Brundage, Isaac	Vice President for Student Affairs	7/1/2022	\$240,000	
Chico	Sendze, Monique	Vice President for Information Technology and CIO	7/1/2022	\$265,008	
Dominguez Hills	Porter, Bobbie	Vice President and Chief Diversity, Equity, and Inclusion Officer	7/1/2022	\$192,000	
East Bay	Jacobs, Walter	Provost and Vice President for Academic Affairs	7/1/2022	\$268,008	
East Bay	Armstrong, Myeshia	Vice President, Administration & Finance/CFO	6/1/2022	\$260,004	
East Bay	Buchanan, Evelyn	Vice President, University Advancement	5/2/2022	\$255,000	Auto Allowance \$500/mo. Non-General Funds
Fresno	Johri, Bao	Vice President for Information Technology and Chief Information Officer	2/1/2022	\$246,000	
Fresno	Fu, Xuanning	Provost & Vice President for Academic Affairs	6/1/2022	\$284,484	
Fullerton	Porter, Alexander	Vice President for Administration & Finance/CFO	6/29/2022	\$278,268	
Humboldt	Gordon, Sherie Cornish	CFO and Vice President for Administration and Finance	6/1/2022	\$262,000	
Long Beach	Montoya, Daniel	Vice President, University Relations & Development	10/10/2022	\$275,004	Auto Allowance \$600/mo. Non-General Funds
Los Angeles	Avalos, Robert	Vice President for University Advancement	3/1/2022	\$215,000	
Northridge	Ipach, Nichole	Vice President of University Relations and Advancement and President of the Foundation	1/1/2022	\$263,076	Auto Allowance \$750/mo. Non-General Funds
Northridge	Philip, Ranjit	Vice President of Information Technology/CIO	5/2/2022	\$270,000	
Pomona	Brown, Jennifer	Provost & Vice President for Academic Affairs	4/1/2022	\$285,000	Auto Allowance \$650/mo. Non-General Funds
Sacramento	Settles-Tidwell, Mia	Vice President for Inclusive Excellence and Diversity Officer	11/8/2021	\$231,756	
San Bernardino	Phillips, Robin	Vice President for Human Resources	8/29/2022	\$237,000	
San Diego	Madanat, Hala	Vice President for Research and Innovation	8/1/2022	\$317,790	Auto Allowance \$750/mo. Non-General Funds

ATTACHMENT A
U&FP – Item 3
November 14-16, 2022
Page 2 of 4

Campus	Name	Title	Effective Date	Salary at Appt	Other Compensation
San Diego	Wong-Nickerson, Angeles	Vice President for Business and Financial Affairs and Chief Financial Officer	1/17/2022	\$300,000	Auto Allowance \$750/mo. Non-General Funds
San Francisco	Sueyoshi, Amy	Provost and Vice President of Academic Affairs	7/1/2022	\$301,044	
San Luis Obispo	Smith, Zachary	Vice President for University Development and Alumni Engagement	12/20/2021	\$285,000	Auto Allowance \$800/mo. Temporary Housing Allowance (12 mos.) \$4,000/mo. Non-General Funds
San Luis Obispo	Harris, Terrance	Vice President for Strategic Enrollment Management	1/1/2022	\$230,004	University membership to SLO Country Club; \$12,300 annual value; Non-General Funds
San Marcos	Diaz, Viridiana	Vice President, Student Affairs	1/13/2022	\$250,000	Temporary Housing Allowance (6 mos.) \$3,000/mo. Non-General Funds
Sonoma	Ahmed, Monir	Vice President for Administration and Finance/CFO	1/3/2022	\$245,004	
Sonoma	Jones, Gerald	Vice President for Student Affairs	7/1/2022	\$238,704	
Stanislaus	McAuliffe, Rose	Vice President of Business and Finance/Chief Financial Officer	7/1/2022	\$238,932	Recruitment Bonus \$20,000 Non-General Funds

Other Changes (29)

Campus	Name	Title	Description of Change	Effective Date(s)	New Salary or Amount Paid
Bakersfield	Harper, Vernon	Provost and Vice President for Academic Affairs	Equity increase	6/1/2022	\$282,349
Fullerton	Thomas, Carolyn	Provost and Vice President for Academic Affairs	Equity increase	7/1/2022	\$303,000
Fullerton	Saks, Greg	Vice President for University Advancement	Equity increase	7/1/2022	\$262,308
Fullerton	Oseguera, Tonantzin	Vice President for Student Affairs	Equity increase	7/1/2022	\$263,988
Fullerton	Dabirian, Amir	Vice President, Information Technology/CIO	Equity increase	7/1/2022	\$252,276
Fullerton	Forgues, David	Vice President for Human Resources, Diversity and Inclusion	Equity increase	7/1/2022	\$242,856
Humboldt	Capps, Jenn	Provost & Vice President for Academic Affairs	Equity increase	7/1/2022	\$270,000
Humboldt	Whitlatch, Frank	Vice President for University Advancement	Equity increase	7/1/2022	\$248,000
Long Beach	Apel, Scott	Vice President, Administration & Finance	Equity increase	2/1/2022	\$265,776
Long Beach	Lesen, Beth	Vice President, Student Affairs	Equity increase	2/1/2022	\$258,816
Long Beach	Yao, Min	Vice President and CIO	Equity increase	2/1/2022	\$250,320
Northridge	Watkins, William	Vice President for Student Affairs & Dean of Students	Equity increase	1/1/2022	\$272,196
San Diego	Sheehan, Jerry	Vice President for Information Technology and Chief Information Officer	Equity Increase	1/1/2022	\$275,000
Chico	Boura, Ahmad	Vice President for University Advancement	MPP Merit Bonus Program - met established goals	FY 2021/2022	\$38,192
San Diego	Vargas, Adrienne	Vice President for University Relations and Development	MPP Merit Bonus Program - met established goals	FY 2020/2021	\$26,970
San José	Abousalem, Mohamed	Vice President for Research and Innovation	MPP Merit Bonus Program - met established goals	FY 2020/2021	\$34,191
San José	Abousalem, Mohamed	Vice President for Research and Innovation	MPP Merit Bonus Program - met established goals	FY 2021/2022	\$34,191
Northridge	Walker, Mary Beth	Provost & Vice President for Academic Affairs	Temporary Housing Allowance (7 mos.) Non-General Funds	6/1/2022	\$3,000/mo.
Pomona	Montplaisir, Daniel	Vice President for University Advancement	Auto Allowance Non-General Funds	1/1/2022	\$500/mo.
San José	Millora, Lisa	Vice President for Institutional Affairs/Chief of Staff and Interim Vice President for University Advancement	Auto Allowance Non-General Funds	6/24/2022 - 6/30/2023	\$1,000/mo.

ATTACHMENT A
U&FP – Item 3
November 14-16, 2022
Page 4 of 4

Campus	Name	Title	Description of Change	Effective Date(s)	New Salary or Amount Paid
San Luis Obispo	Vizcaino Villa, Cynthia	Senior Vice President for Administration & Finance/CFO	University membership to SLO Country Club; Non-General Funds	8/1/2022	\$12,300 annual value
San Luis Obispo	Britton, Bill	Vice President Information Technology Systems and CIO	Supplemental pay reassessed; California Cybersecurity Institute director; Non-General Funds	7/1/2022 - 5/31/2024	\$65,376/yr.
Dominguez Hills	Franklin, William	Vice President of Student Affairs	Additional employment (.25 FTE)	2/15/2022 - 8/15/2022	\$5,020/mo.
Bakersfield	Wallace, Thomas	Vice President for Student Affairs	Change in responsibilities	7/1/2021	\$257,051
San Luis Obispo	Humphrey, Keith	Vice President for Student Affairs	Change in responsibilities	8/1/2022	\$291,180
San Luis Obispo	Murphy, Christopher	Vice President for University Communications & Marketing	Change in responsibilities	4/1/2022	\$242,820
San José	Millora, Lisa	Vice President for Institutional Affairs/Chief of Staff and Interim Vice President for University Advancement	Temporary additional assignment	6/24/2022 - 6/30/2023	\$2,305/mo.
Humboldt	Gordon, Sherie Cornish	Chief Financial Officer and Vice President for Administration and Finance	Temporary change in responsibilities	8/20/2022	\$471/mo.
San Bernardino	Sudhakar, Samuel	Vice President for Information Technology Services/CIO	Temporary change in responsibilities extended	10/1/2022 - 1/1/2023	\$3,003/mo.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Transition: Executive Consulting Assignment

Presentation By

Leora D. Freedman
Acting Vice Chancellor
Human Resources

Summary

At the March 2022 meeting of the CSU Board of Trustees, the trustees ceased granting executive transition rights under the Transition II policy (RUF 11-06-06) for newly hired executives until such time as the board considers recommendations of a task force and takes further action (RBOT 03-22-03).

Thereafter, at the July and September 2022 meetings, information items were presented on the findings of the task force and three options were presented for the board’s consideration: a new six-month Executive Consulting Assignment (ECA); the reactivation of the Transition II policy; or elimination of any executive transition program prospectively. The trustees provided helpful input and discussion during those meetings.

At the September 2022 meeting, the first option described above, the ECA, was presented to the board. The program was favorably received and appears without substantive modifications at Attachment A to this agenda item 4. At the September 2022 meeting, Trustee Romey Sabalius proposed that the trustees consider a revision to the proposed ECA (Attachment A), as reflected in Attachment B to this agenda item 4.

The only differences between the two documents appear in the third paragraph as follows.

ECA – Attachment A	ECA – Attachment B
ECAs offered to chancellors shall be approved by the chair of the board, in consultation with the chair of the committee on University and Faculty Personnel (the “Committee”).	ECAs offered to chancellors shall be approved by the Board of Trustees.

The item is now being presented during the November meeting for board action. The Executive Transition Task Force recommends that the trustees adopt the ECA at Attachment A.

U&FP
Agenda Item 4
November 14-16, 2022
Page 2 of 2

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the Executive Consulting Assignment that appears at Attachment A of Item 4 of the Committee on University and Faculty Personnel at the November 14-16, 2022 meeting of the Board of Trustees, is adopted.

Executive Consulting Assignment (ECA)

At the March 2022 meeting of the Board of Trustees of the California State University, the trustees ceased granting executive transition rights for newly hired executives in accordance with the executive transition program (“Transition II Program”) adopted by the board on November 15, 2006 (RUF 11-06-06), until such time as the board considered recommendations of a task force (RBOT 03-22-03).

At the November 2022 board meeting, the board closed the Transition II Program, effective March 22, 2022. Accordingly, executives appointed on or after March 22, 2022 are not eligible to participate in the Transition II Program.

Individuals appointed as chancellor, executive vice chancellor, vice chancellor, or president may request an Executive Consulting Assignment (ECA). Any such assignment is offered at the discretion of the chancellor. (ECAs offered to chancellors shall be approved by the chair of the board, in consultation with the chair of the committee on University and Faculty Personnel (the “Committee”).) The executive must have served at least five years in an executive position at the CSU and must be in good standing at the commencement and duration of the assignment. Executives appointed prior to March 22, 2022, may request an ECA instead of participating in the Transition II Program.

The purpose of the ECA is to provide institutional support and consultation to a new administration on a campus or at the Chancellor’s Office. The ECA enables the University to benefit from the executive’s accumulated knowledge and experience, critical to the mission of the University.

The chancellor, in consultation with the chair of the Committee (on University and Faculty Personnel), must approve all executive consulting assignments. The chancellor shall also consult with the departing executive’s successor. In connection with ECAs offered to a chancellor, the board chair shall assume the responsibilities assigned to the chancellor to consult, approve, oversee, and report on, the ECA.

An ECA will not be conferred as a matter of course. The determination will be made at the discretion of the chancellor, after consultation with the Committee chair, with consideration given to the need for “consulting services” at the respective campus or Chancellor’s Office. Foremost, the chancellor must determine that the assignment is in the best interest of the University.

Assignment Terms:

1. Reassignment to the Management Personnel Plan (MPP).
2. The ECA is an “at-will” assignment that shall not exceed six months.
3. The salary shall not exceed fifty percent of the executive’s base pay at time of resignation from their executive position.
4. Duties in the assignment shall include, but are not limited to, conferring and bestowing institution- and campus-specific knowledge to the incoming president/executive; providing history and status on current institutional and campus issues, donor relations, legislative relations, strategic partnerships, legal matters, and CSU and campus-wide initiatives; and making introductions to key state and community stakeholders and campus specific supporters.
5. Deliverables: The appointee is required to submit a monthly report to the chancellor describing the activities and milestones completed.
6. It is expected that the appointee will devote the time necessary to accomplish all required work.
7. Any additional terms agreed to by the chancellor after consultation with the Committee chair.

The ECA appointee shall receive no supplemental pay; no housing allowance or university-provided housing (on- or off-campus); no auto allowance or university-provided auto. Reimbursement of mileage and business-related expenses shall be made in accordance with CSU policy.

Termination of Assignment: This at-will assignment can be terminated at any time at the discretion of the chancellor, in consultation with the Committee chair. In addition, if the executive becomes unable to perform the negotiated duties of the assignment or should the executive retire from the CSU or accept non-CSU employment (to be performed during the term of the ECA), the executive consulting assignment shall immediately terminate, and the executive shall be due no further compensation under this program notwithstanding their status as an MPP employee.

Approval: The chancellor, in consultation with the Committee chair, must approve the ECA prior to its commencement. The chancellor shall present the executive’s assignment for discussion as an information item on the agenda of the next regularly scheduled meeting of the Committee.

Funding: The Chancellor’s Office will fund the appointee’s salary (and benefits) while participating in an ECA unless it is determined that an alternative funding arrangement is appropriate.

Annual Reporting: The chancellor shall report annually on all program activities detailing the status of all assignments that occurred during the reporting period. The report shall be placed as an information item on the discussion agenda (not consent) of the Committee at the November meeting of the Board of Trustees.

Executive Consulting Assignment (ECA)

At the March 2022 meeting of the Board of Trustees of the California State University, the trustees ceased granting executive transition rights for newly hired executives in accordance with the executive transition program (“Transition II Program”) adopted by the board on November 15, 2006 (RUF 11-06-06), until such time as the board considered recommendations of a task force (RBOT 03-22-03).

At the November 2022 board meeting, the board closed the Transition II Program, effective March 22, 2022. Accordingly, executives appointed on or after March 22, 2022 are not eligible to participate in the Transition II Program.

Individuals appointed as chancellor, executive vice chancellor, vice chancellor, or president may request an Executive Consulting Assignment (ECA). Any such assignment is offered at the discretion of the chancellor. (ECAs offered to chancellors shall be approved by the Board of Trustees.) The executive must have served at least five years in an executive position at the CSU and must be in good standing at the commencement and duration of the assignment. Executives appointed prior to March 22, 2022, may request an ECA instead of participating in the Transition II Program.

The purpose of the ECA is to provide institutional support and consultation to a new administration on a campus or at the Chancellor’s Office. The ECA enables the University to benefit from the executive’s accumulated knowledge and experience, critical to the mission of the University.

The chancellor, in consultation with the chair of the Committee (on University and Faculty Personnel), must approve all executive consulting assignments. The chancellor shall also consult with the departing executive’s successor. In connection with ECAs offered to a chancellor, the board chair shall assume the responsibilities assigned to the chancellor to consult, approve, oversee, and report on, the ECA.

An ECA will not be conferred as a matter of course. The determination will be made at the discretion of the chancellor, after consultation with the Committee chair, with consideration given to the need for “consulting services” at the respective campus or Chancellor’s Office. Foremost, the chancellor must determine that the assignment is in the best interest of the University.

Assignment Terms:

1. Reassignment to the Management Personnel Plan (MPP).
2. The ECA is an “at-will” assignment that shall not exceed six months.

3. The salary shall not exceed fifty percent of the executive's base pay at time of resignation from their executive position.
4. Duties in the assignment shall include, but are not limited to, conferring and bestowing institution- and campus-specific knowledge to the incoming president/executive; providing history and status on current institutional and campus issues, donor relations, legislative relations, strategic partnerships, legal matters, and CSU and campus-wide initiatives; and making introductions to key state and community stakeholders and campus specific supporters.
5. Deliverables: The appointee is required to submit a monthly report to the chancellor describing the activities and milestones completed.
6. It is expected that the appointee will devote the time necessary to accomplish all required work.
7. Any additional terms agreed to by the chancellor after consultation with the Committee chair.

The ECA appointee shall receive no supplemental pay; no housing allowance or university-provided housing (on- or off-campus); no auto allowance or university-provided auto. Reimbursement of mileage and business-related expenses shall be made in accordance with CSU policy.

Termination of Assignment: This at-will assignment can be terminated at any time at the discretion of the chancellor, in consultation with the Committee chair. In addition, if the executive becomes unable to perform the negotiated duties of the assignment or should the executive retire from the CSU or accept non-CSU employment (to be performed during the term of the ECA), the executive consulting assignment shall immediately terminate, and the executive shall be due no further compensation under this program notwithstanding their status as an MPP employee.

Approval: The chancellor, in consultation with the Committee chair, must approve the ECA prior to its commencement. The chancellor shall present the executive's assignment for discussion as an information item on the agenda of the next regularly scheduled meeting of the Committee.

Funding: The Chancellor's Office will fund the appointee's salary (and benefits) while participating in an ECA unless it is determined that an alternative funding arrangement is appropriate.

Annual Reporting: The chancellor shall report annually on all program activities detailing the status of all assignments that occurred during the reporting period. The report shall be placed as an information item on the discussion agenda (not consent) of the Committee at the November meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Transition: Revision to Transition II Program

Presentation By

Leora D. Freedman
Acting Vice Chancellor
Human Resources

Summary

At the March 2022 meeting of the CSU Board of Trustees, the trustees ceased granting executive transition rights for newly hired executives until such time as the board considers recommendations of a task force and takes further action.

At the July and September 2022 meetings, revisions to the current Transition II program were presented for the board's information and consideration. The amended policy is now being presented during the November meeting for board action. The amended policy appears at Attachment A to this agenda item and is identical in substance to the draft presented at the September 2022 board meeting.

The amended policy supersedes the Transition II program adopted by the board in November 2006 (RUFPP 11-06-06) and clarifies the circumstances under which an executive would be ineligible to participate in the Transition II program.

It is recommended that the trustees amend the Transition II program as reflected in Attachment A, and also formally close the program effective March 22, 2022, as a result of which no executives hired on or after that date could participate in Transition II. Twenty-five (25) current executives (hired prior to March 22, 2022) would remain eligible to participate in the Transition II program provided they meet program eligibility requirements.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University that the revised Transition II program, Attachment A to Item 5 of the Committee on University and Faculty Personnel at the November 14-16, 2022 meeting of the Board of Trustees, is adopted; and be it further

U&FP
Agenda Item 5
November 14-16, 2022
Page 2 of 2

RESOLVED, that the Transition II program established in November 2006 (RUF 11-06-06) and amended and adopted today is hereby closed to executives appointed on or after March 22, 2022.

Transition II Program (revised November 16, 2022)

In November 2006, the Board of Trustees of the California State University adopted an executive transition program entitled Transition II (RUF 11-06-06) for CSU employees appointed into executive positions after November 15, 2006. At the March 2022 meeting of the board of trustees, the trustees ceased granting executive transition rights for newly hired executives in accordance with the Transition II program until such time as the board considered recommendations of a task force (RBOT 03-22-03). The board thereafter considered and discussed the task force’s recommendations during its July and September meetings. At the board’s November 2022 meeting, the trustees formally closed the program, as a result of which no executives hired on or after March 22, 2022 may participate in this program.

Although the program is closed to new executives hired on or after March 22, 2022, the following 25 incumbent CSU executives (all appointed prior to March 22, 2022) may elect to participate in the Transition II program upon their resignation.

Presidents

Jeffrey Armstrong
Erika Beck
Jane Close Conoley
Soraya Coley
William Covino
Thomas Cropper
Adela de la Torre
Gayle Hutchinson
Tom Jackson, Jr.
Saúl Jiménez-Sandoval

Ellen Junn
Lynn Mahoney
Tomás Morales
Robert Nelsen
Ellen Neufeldt
Thomas Parham
Cathy Sandeen
Framroze Virjee
Richard Yao
Lynnette Zelezny

System Executives

Sylvia Alva
Andrew Jones
Vlad Marinescu
Evelyn Nazario
Steve Relyea

The terms of the Transition II program are hereby clarified and restated as follows. This policy supersedes RUF 11-06-06 dated November 15, 2006 and shall be referred to herein as the “Transition II Program” or the “Program.”

Transition II Program

For those individuals appointed as executive vice chancellor, vice chancellor, or president, hired after November 15, 2006, and before March 22, 2022, the Transition II Program will provide a period of transition for executives who separate from their executive position in order to assume other identified CSU employment.

Eligibility

To be eligible to participate in the Transition II Program, the executive must:

1. Have served for at least 5 years in an executive position at the California State University (CSU);
2. Be in good standing at the commencement and duration of the transition assignment (see Ineligibility);
3. Have previously identified a position at the CSU to return to upon completion of the transition program; and
4. Not have accepted outside (non-CSU) employment.

Terms of Transition

Upon an executive's notification to the chancellor of their intent to resign and participate in the Program, the chancellor shall negotiate the terms of the Program. Executives participating in the Transition II Program are reassigned and appointed into the Management Personnel Plan (MPP).

The items to be negotiated shall include:

1. The term of the MPP appointment;
2. Specific duties and assigned locations; and
3. Compensation and support.

The incumbent shall receive no supplemental pay; no housing allowance or university-provided housing (on- or off-campus); no auto allowance or university-provided auto. Reimbursement of mileage and business-related expenses are applicable in accordance with CSU policy.

Termination of Transition

If the executive becomes unable to perform the negotiated duties of the transition or should they accept non-CSU employment during the term of the transition period, the transition program shall immediately terminate, and the executive shall be due no further compensation notwithstanding their status as an MPP employee.

Should the executive and the chancellor fail to reach agreement on a transition program, there shall be neither a right to any such Program nor any right to appeal the matter to the Board of Trustees.

Deliverables

The executive will provide a monthly report to the chancellor of activities and milestones completed during the transition assignment.

Approval

The chancellor, in consultation with the chair of the Committee on University and Faculty Personnel (the "Committee"), will review Transition II assignments prior to approving an

executive's participation in the Program. The chancellor shall present the executive's transition program as an information item on the discussion agenda (not consent) of the Committee.

Funding

The Chancellor's Office will fund the executive's salary and benefits while participating in the Program unless it is determined that an alternative funding arrangement is appropriate.

Memorialization of Appointment

The chancellor will finalize and execute the appointment letter after consultation with the chair of the Committee.

Annual Reporting

Annually at the November meeting of the Board of Trustees, the chancellor shall report on the transition activities of each executive participant, detailing the status of all assignments that occurred during the reporting period. The report shall be placed as an information item on the discussion agenda (not consent) of the Committee.

Ineligibility

The executive must be in good standing at the commencement and duration of the transition assignment.

An executive will be ineligible for consideration under the following circumstances: (1) a finding has been made that the executive engaged in a serious policy violation or other significant misconduct that resulted in the executive being terminated, or separated through mutually agreed-upon settlement terms; (2) the executive is currently under investigation for significant misconduct or violation of university policy; or (3) the executive's retirement benefits have been rescinded under The Public Employees' Pension Reform Act due to criminal misconduct associated with their official duties. In the event a complaint is lodged after an executive has announced or begun their transition, the chancellor, in consultation with the chair of the Committee, may use discretion in determining if the transition may commence or should be continued on a conditional basis, placed in abeyance, and/or terminated. If a complaint or investigation is pending at the time that the executive seeks to negotiate their participation in the Program, at the written request of the executive, the chancellor, in consultation with the chair of the Committee, may allow the transition to commence on a conditional basis if appropriate under the circumstances. In the event that a decision is made to allow an executive to participate in the Program under any of the circumstances described in this paragraph, the terms of any conditional participation shall be disclosed during the discussion of the item before the Committee.

A finding is a determination made in the course of proceedings including but not limited to: (a) a university investigation, following any appeals; (b) an internal or external audit; (c) an administrative proceeding by a state body having jurisdiction, such as the Department of Labor;

(d) a civil or criminal proceeding, following any appeals; or (e) a proceeding that leads to a determination of improper governmental activity (defined by the State of California as any action that violates state or federal law or regulation that is economically wasteful or that involves gross misconduct, incompetence, or inefficiency). An admission by the executive that they engaged in conduct that the university determines to be a serious policy violation or other significant misconduct also constitutes a finding for purposes of this policy.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Revision to Employment Policy Governing Administrator Employees' Option to Retreat

Presentation By

Leora D. Freedman
Acting Vice Chancellor
Human Resources

Summary

At the July 2022 meeting of the CSU Board of Trustees, the trustees adopted the Employment Policy Governing Administrator Employees' Option to Retreat (RUF 07-22-10). This action item presents revisions to Paragraph V of the policy for the board's consideration. The substantive revisions are in accord with language in the Transition II policy presented to the Board in the previous agenda item (Item 5) and address the limited circumstances under which an administrator may be placed on paid administrative leave pursuant to Section 42729 of Title 5 when a complaint or investigation is pending. The revised Employment Policy Governing Administrator Employees' Option to Retreat is provided in Attachment A to this agenda item. Attachment B displays the revised language with markups.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the Employment Policy Governing Administrator Employees' Option to Retreat provided at Attachment A of Item 6 of the Committee on University and Faculty Personnel at the November 14-16, 2022 meeting of the Board of Trustees, is adopted; and be it further

RESOLVED, that all California State University campuses are to review their existing policies to ensure compliance with these updated requirements; and be it further

RESOLVED, that any and all previous versions of policies related to retreat options for administrator employees are superseded.



Employment Policy Governing Administrator Employees' Option to Retreat

The purpose of this policy is to delineate systemwide protocols throughout the California State University (CSU) system governing the option for Administrators to Retreat to a faculty position at the end of their administrative appointment. The policy identifies the conditions under which Administrators are eligible and ineligible to Retreat.

This policy is intended to provide systemwide consistency in conferring and granting options to Retreat to faculty positions in connection with Administrator appointments. This policy is based on the core values of CSU such as commitment to the university mission, collegiality, excellence in teaching and scholarship, and on CSU's overarching commitment to maintaining an inclusive and equitable community that fosters mutual respect and a workplace free of discrimination, harassment, and retaliation.

I. Applicability

This policy applies to all Administrator appointments made at any CSU campus or at the Chancellor's Office that include the option to Retreat to a faculty position. This policy is intended to be prospective and does not impact retreats granted prior to its effective date except on a case-by-case basis in the event of serious misconduct or policy violation.

II. Relevant Definitions

Administrator – this means any CSU employee designated as an Administrator (management or supervisory) under the Higher Education Employer-Employee Relations Act and Title 5. Administrators may be in either the M80 (MPP) or M98 (Executive) job classifications.

Finding - A Finding is a determination made as described below that an Administrator engaged in misconduct or a policy violation that renders the Administrator unsuitable to have continued direct interactions with CSU students or employees.

Determinations are made in the course of proceedings including but not limited to: (a) a university investigation, following any appeals; (b) an internal or external audit; (c) an administrative proceeding by a state body having jurisdiction, such as the Department of Labor; (d) a civil or criminal proceeding, following any appeals; or (e) a proceeding that leads to a determination of improper governmental activity (defined by the State of California as any action that violates state or federal law or regulation that is economically wasteful or that involves gross misconduct, incompetence, or inefficiency). An admission by the Administrator that they engaged in conduct that the university determines to constitute misconduct or a policy violation that renders the Administrator unsuitable to have continued direct interactions with CSU students or employees also constitutes a Finding for purposes of this policy.

Management Personnel Plan (MPP) – the management personnel plan outlines the rules and provisions governing administrators and administrative appointments within the CSU and can be accessed here: [MPP](#).

MPP Employees – An MPP employee is any CSU employee designated as a manager or supervisor under the Higher Education Employer-Employee Relations Act and Title 5. MPP Employees are in the M80 job classification.



Employment Policy Governing Administrator Employees' Option to Retreat

Retreat - the option to Retreat means an Administrator's ability to be reassigned to a faculty position with or without tenure at a designated rank and within a designated department at the end of an administrative assignment.

III. Considerations and Procedures for the Conferral of the Option to Retreat

A. General Considerations

Options to Retreat should always be granted at the time of appointment and memorialized in an Administrator's appointment letter. When considering the granting of an option to Retreat to an Administrator candidate, the campus should seek to do the following:

1. Reflect the CSU's faculty hiring process by assessing the candidate's education, background, excellence in teaching, scholarship, and/or research and creative activities, and professionalism.
2. Ensure the appropriateness of an Administrator's Retreat to a particular academic department or unit through consultation with the department faculty into which the candidate would ultimately Retreat.
3. Ensure that the hiring authority or search committee chair collaborates with the tenured faculty in the department to which the finalist wishes to Retreat, so that they may evaluate the candidate's qualifications including, but not limited to, any obtainment of tenure at a prior institution, and also ensuring that should the option to Retreat be conferred, the details of the option to Retreat are memorialized in the Administrator's appointment letter should they be selected for hire.

B. Establishment of a Procedure for Conferring the Retreat

Campuses must adopt procedures for conferring the option to Retreat to a faculty position for qualified Administrator candidates. The procedure shall include: (a) early notification from the relevant search committee that a finalist is requesting an option to Retreat so as to ensure a timely conferral/appointment should the finalist be selected for hire; (b) the process for the recommendation of conferral by tenured faculty in the department to which the Administrator wishes to Retreat (augmented by tenured faculty from other departments when sufficient tenured faculty are not available in the department) and/or other representatives of the campus, as provided by the campus policy; and (c) final approval by the campus president or designee.

In granting the option to Retreat with tenure, serious consideration should be given to all the factors set forth in paragraph III. A., above. Administrator candidates who have earned and held a tenured position as a professor within the CSU or another equivalent institution are ordinarily granted the option to Retreat to a tenured faculty position. While the option to Retreat is not ordinarily granted to non-academics, the option to Retreat to either a tenured or probationary faculty position may be granted on a case-by-case basis to Administrator candidates who have never earned or held a tenure-track position, provided they demonstrate a substantial record of achievement meriting such rank and receive the recommendation of the faculty committee and approval of the campus president or chancellor.



Employment Policy Governing Administrator Employees' Option to Retreat

IV. Memorialization of the Terms of Retreat

If the campus determines an Administrator candidate should be conferred an option to Retreat, the following terms of Retreat will be placed in the official appointment letter for the administrative appointment:

- a. Acknowledgement of the faculty appointment and whether it is with or without tenure.
- b. Name of the department and college to which the candidate will be appointed upon exercising their option to Retreat.
- c. Faculty rank upon Retreat.
- d. Salary placement details to be applied upon Retreat. If an Administrator exercises their option to Retreat three years or more after the effective date of their appointment, their salary may be set up to the maximum pay rate for their rank, at the president's discretion. If an Administrator exercises their option to Retreat prior to serving three years in the administrative role, their salary at the time of Retreat must be in line with similarly ranked professors in the department/school to which they are Retreating.
- e. Terms of administrative sabbatical (if provided) or paid time being granted upon Retreat to prepare for a return to teaching.
- f. The amount of time the Administrator must provide notice to the university of their intent to elect to Retreat.
- g. Any additional terms agreed upon between the campus and the candidate relating to their Retreat and/or faculty appointment.
- h. Notice of the potential ineligibility for the option to Retreat in the event of a Finding.

V. Determination of Ineligibility to Exercise the Option to Retreat

An Administrator will be ineligible to exercise their option to Retreat under the following circumstances: (1) a Finding (as defined above) has been made that resulted in the Administrator being non-retained, terminated, or separated through mutually agreed upon settlement terms; or (2) the Administrator's retirement benefits have been rescinded under [The Public Employees' Pension Reform Act](#) due to criminal misconduct associated with their official duties.

Allegations for which no Findings have been made should not serve as a basis for denying an option to Retreat. However, in the event a complaint or investigation that could result in a Finding is pending at the time that the Administrator announces their intention to exercise their option to Retreat, the Retreat determination shall be held in abeyance until the completion of the investigation and any appeals. At the written request of the Administrator, the president, in consultation with the chancellor, (or in the case of a chancellor seeking to retreat, the board chair), may allow the Administrator to be placed on paid administrative leave pursuant to Section 42729 of Title 5 during the pendency of the investigation.

In the event there is no Finding or pending investigation at the time the request to Retreat is made, the campus shall defer making a final decision on the request to Retreat for 60 days. If, during the 60-day period, the campus initiates an investigation that could result in a Finding, the Retreat determination shall be held in abeyance as set forth above until the completion of the investigation and any appeals, which the CSU will endeavor to complete in a timely fashion. CSU may also, at any time (including after Retreat),



Employment Policy Governing Administrator Employees' Option to Retreat

investigate and take appropriate action in connection with alleged misconduct committed by an employee while serving as an Administrator.

Notice of ineligibility to Retreat will be provided to the Administrator by the campus president, chancellor, or their designee, and to the chancellor by the board chair. In such cases, CSU will not grant the option to Retreat nor provide a positive letter of reference to the Administrator. The university may provide employment verification for the Administrator, but it will consist only of the job titles held, dates of employment, and job duties, as outlined in CSU's employee reference policy. Notice of the potential ineligibility for the option to Retreat under these circumstances must be included in the Administrator's appointment letter. For Administrators who are employed at the CSU Chancellor's Office, the chancellor holds the responsibility for determining ineligibility to exercise an option to Retreat. For the position of the chancellor, the board chair, in consultation with the board of trustees, holds this responsibility.

VI. Notice of Election to Exercise the Option to Retreat

An Administrator who has been offered the option to Retreat in their appointment letter must notify the university of their intent to elect to Retreat within the time period set forth in the Administrator's appointment letter. At the time the Administrator notifies the campus of their election to Retreat, and the campus determines the Administrator's eligibility to Retreat, the campus and Administrator should discuss the transition plan for Retreat including the date on which the Retreat becomes effective and the Retreating faculty member's work assignment. Absent circumstances that would prevent the Administrator from doing so, they should normally Retreat and initiate their faculty appointment no later than six (6) months from the date on which the University was notified of the Administrator's intent to Retreat.

VII. Procedure for Reconsideration of Denial of the Option to Retreat

Any campus decision to deny an Administrator's option to Retreat will be subject to reconsideration in accordance with Section 42728 of Title 5, California Code of Regulations, as may be set forth in campus policy.

VIII. Payment in Lieu of Notice Where MPP Employee Elects to Retreat

Pursuant to Section 42723(e) of Title 5, campuses are required to provide an MPP Employee notice of non-retention at least three months prior to the separation date or provide corresponding salary in lieu of notice.

Further, campuses are required to pay MPP Employees all earned and unpaid wages and accrued vacation on the last day of employment (separation date). In the event a campus non-retains an MPP Employee or Administrator who has the option to Retreat, in order to avoid a premature separation, the campus should always provide at least thirty (30) days to exercise their option to Retreat prior to the effective date of non-retention.

**Adopted November 16, 2022
Resolution RUFPP XX-XX-XX
CSU Board of Trustees**



Employment Policy Governing Administrator Employees' Option to Retreat

The purpose of this policy is to delineate systemwide protocols throughout the California State University (CSU) system governing the option for Administrators to Retreat to a faculty position at the end of their administrative appointment. The policy identifies the conditions under which Administrators are eligible and ineligible to Retreat.

This policy is intended to provide systemwide consistency in conferring and granting options to Retreat to faculty positions in connection with Administrator appointments. This policy is based on the core values of CSU such as commitment to the university mission, collegiality, excellence in teaching and scholarship, and on CSU's overarching commitment to maintaining an inclusive and equitable community that fosters mutual respect and a workplace free of discrimination, harassment, and retaliation.

I. Applicability

This policy applies to all Administrator appointments made at any CSU campus or at the Chancellor's Office that include the option to Retreat to a faculty position. This policy is intended to be prospective and does not impact retreats granted prior to its effective date except on a case-by-case basis in the event of serious misconduct or policy violation.

II. Relevant Definitions

Administrator – this means any CSU employee designated as an Administrator (management or supervisory) under the Higher Education Employer-Employee Relations Act and Title 5. Administrators may be in either the M80 (MPP) or M98 (Executive) job classifications.

Finding - A Finding is a determination made as described below that an Administrator engaged in misconduct or a policy violation that renders the Administrator unsuitable to have continued direct interactions with CSU students or employees.

Determinations are~~A Finding is a determination~~ made in the course of proceedings including but not limited to: (a) a university investigation, following any appeals; (b) an internal or external audit; (c) an administrative proceeding by a state body having jurisdiction, such as the Department of Labor; (d) a civil or criminal proceeding, following any appeals; or (e) a proceeding that leads to a determination of improper governmental activity (defined by the State of California as any action that violates state or federal law or regulation that is economically wasteful or that involves gross misconduct, incompetence, or inefficiency). An admission by the Administrator that they engaged in conduct that the university determines to constitute misconduct or a policy violation that renders the Administrator unsuitable to have continued direct interactions with CSU students or employees also constitutes a Finding for purposes of this policy.

Management Personnel Plan (MPP) – the management personnel plan outlines the rules and provisions governing administrators and administrative appointments within the CSU and can be accessed here: [MPP](#).

MPP Employees – ~~An MPP employee is~~~~this means~~ any CSU employee designated as a manager or supervisor under the Higher Education Employer-Employee Relations Act and Title 5. MPP Employees are in the M80 job classification.



Employment Policy Governing Administrator Employees' Option to Retreat

Retreat - the option to Retreat means an Administrator's ability to be reassigned to a faculty position with or without tenure at a designated rank and within a designated department at the end of an administrative assignment.

III. Considerations and Procedures for the Conferral of the Option to Retreat

A. General Considerations

Options to Retreat should always be granted at the time of appointment and memorialized in an Administrator's appointment letter. When considering the granting of an option to Retreat to an Administrator candidate, the campus should seek to do the following:

1. Reflect the CSU's faculty hiring process by assessing the candidate's education, background, excellence in teaching, scholarship, and/or research and creative activities, and professionalism.
2. Ensure the appropriateness of an Administrator's Retreat to a particular academic department or unit through consultation with the department faculty into which the candidate would ultimately Retreat.
3. Ensure that the hiring authority or search committee chair collaborates with the tenured faculty in the department to which the finalist wishes to Retreat, so that they may evaluate the candidate's qualifications including, but not limited to, any obtainment of tenure at a prior institution, and also ensuring that should the option to Retreat be conferred, the details of the option to Retreat are memorialized in the Administrator's appointment letter should they be selected for hire.

B. Establishment of a Procedure for Conferring the Retreat

Campuses must adopt procedures for conferring the option to Retreat to a faculty position for qualified Administrator candidates. The procedure shall include: (a) early notification from the relevant search committee that a finalist is requesting an option to Retreat so as to ensure a timely conferral/appointment should the finalist be selected for hire; (b) the process for the recommendation of conferral by tenured faculty in the department to which the Administrator wishes to Retreat (augmented by tenured faculty from other departments when sufficient tenured faculty are not available in the department) and/or other representatives of the campus, as provided by the campus policy; and (c) final approval by the campus president or designee.

In granting the option to Retreat with tenure, serious consideration should be given to all the factors set forth in paragraph III. A., above. Administrator candidates who have earned and held a tenured position as a professor within the CSU or another equivalent institution are ordinarily granted the option to Retreat to a tenured faculty position. While the option to Retreat is not ordinarily granted to non-academics, the option to Retreat to either a tenured or probationary faculty position may be granted on a case-by-case basis to Administrator candidates who have never earned or held a tenure-track position, provided they



Employment Policy Governing Administrator Employees' Option to Retreat

demonstrate a substantial record of achievement meriting such rank and receive the recommendation of the faculty committee and approval of the campus president or chancellor.

IV. Memorialization of the Terms of Retreat

If the campus determines an Administrator candidate should be conferred an option to Retreat, the following terms of Retreat will be placed in the official appointment letter for the administrative appointment:

- a. Acknowledgement of the faculty appointment and whether it is with or without tenure.
- b. Name of the department and college to which the candidate will be appointed upon exercising their option to Retreat.
- c. Faculty rank upon Retreat.
- d. Salary placement details to be applied upon Retreat. If an Administrator exercises their option to Retreat three years or more after the effective date of their appointment, their salary may be set up to the maximum pay rate for their rank, at the president's discretion. If an Administrator exercises their option to Retreat prior to serving three years in the administrative role, their salary at the time of Retreat must be in line with similarly ranked professors in the department/school to which they are Retreating.
- e. Terms of administrative sabbatical (if provided) or paid time being granted upon Retreat to prepare for a return to teaching.
- f. The amount of time the Administrator must provide notice to the university of their intent to elect to Retreat.
- g. Any additional terms agreed upon between the campus and the candidate relating to their Retreat and/or faculty appointment.
- h. Notice of the potential ineligibility for the option to Retreat in the event of a Finding.

V. Determination of Ineligibility to Exercise the Option to Retreat

An Administrator will be ineligible to exercise their option to Retreat under the following circumstances: (1) a Finding (as defined above) has been made that resulted in the Administrator being non-retained, terminated, or separated through mutually agreed upon settlement terms; or (2) the Administrator's retirement benefits have been rescinded under [The Public Employees' Pension Reform Act](#) due to criminal misconduct associated with their official duties.

Allegations for which no Findings have been made should not serve as a basis for denying an option to Retreat. However, in the event a complaint or the Administrator is under investigation for misconduct or violation of university policy that could result in a Finding is pending at the time that the Administrator announces their intention to exercise their option to Retreat, the Retreat determination shall be held in abeyance until the completion of the investigation and any appeals. At the written request of the Administrator, the president, in consultation with the chancellor, (or in the case of a chancellor seeking to retreat, the board chair), may allow the Administrator to be placed on paid administrative leave pursuant to Section 42729 of Title 5 during the pendency of the investigation.

In addition, in the event there is no Finding or pending investigation at the time the request to Retreat is made, the campus shall defer making a final decision on the request to Retreat for 60 days. If,



Employment Policy Governing Administrator Employees' Option to Retreat

during the 60-day period, the campus initiates an investigation that could result in a Finding, the Retreat determination shall be held in abeyance as set forth above until the completion of the investigation and any appeals, which the CSU will endeavor to complete in a timely fashion. CSU may also, at any time (including after Retreat), investigate and take appropriate action in connection with alleged misconduct committed by an employee ~~e~~ while serving as an Administrator.

Notice of ineligibility to Retreat will be provided to the Administrator by the campus president, chancellor, or their designee, and to the ~~chancellor~~Chancellor by the ~~board chair~~Board Chair. In such cases, CSU will not grant the option to Retreat nor provide a positive letter of reference to the Administrator. The university may provide employment verification for the Administrator, but it will consist only of the job ~~title~~title(s) held, dates of employment, and job duties, as outlined in CSU's employee reference policy. Notice of the potential ineligibility for the option to Retreat under these circumstances must be included in the Administrator's appointment letter. For Administrators who are employed at the CSU Chancellor's Office, the ~~chancellor~~Chancellor holds the responsibility for determining ineligibility to exercise an option to Retreat. For the position of the ~~chancellor~~Chancellor, the ~~board chair~~Board Chair, in consultation with the ~~board~~Board of ~~trustees~~Trustees, holds this responsibility.

VI. Notice of Election to Exercise the Option to Retreat

An Administrator who has been offered the option to Retreat in their appointment letter must notify the university of their intent to elect to Retreat within the time period set forth in the Administrator's appointment letter. At the time the Administrator notifies the campus of their election to Retreat, and the campus determines the Administrator's eligibility to Retreat, the campus and Administrator should discuss the transition plan for Retreat including the date on which the Retreat becomes effective and the Retreating faculty member's work assignment. Absent circumstances that would prevent the Administrator from doing so, they should normally Retreat and initiate their faculty appointment no later than six (6) months from the date on which the University was notified of the Administrator's intent to Retreat.

VII. Procedure for Reconsideration of Denial of the Option to Retreat

Any campus decision to deny an Administrator's option to Retreat will be subject to reconsideration in accordance with Section 42728 of Title 5, California Code of Regulations, as may be set forth in campus policy.

VIII. Payment in Lieu of Notice Where MPP Employee Elects to Retreat

Pursuant to Section 42723(e) of Title 5, campuses are required to provide an MPP Employee notice of non-retention at least three months prior to the separation date or provide corresponding salary in lieu of notice.

Further, campuses are required to pay MPP Employees all earned and unpaid wages and accrued vacation on the last day of employment (separation date). In the event a campus non-retains an MPP Employee or Administrator who has the option to Retreat, in order to avoid a premature separation, the campus should



Employment Policy Governing Administrator Employees' Option to Retreat

always provide at least thirty (30) days to exercise their option to Retreat prior to the effective date of non-retention.

Adopted ~~November 16~~~~July 13~~, 2022
Resolution RUFP ~~XX-XX-XX07-22-10~~
CSU Board of Trustees

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: President – San José State University

Presentation By

Jolene Koester
Interim Chancellor

Summary

This action item establishes the compensation for Dr. Cynthia Teniente-Matson as president of San José State University.

Executive Compensation

This item recommends that Dr. Cynthia Teniente-Matson receive an annual salary of \$474,840 effective January 16, 2023, the date of her appointment as president of San José State University. Dr. Teniente-Matson will be required to live in the university's presidential residence located in San José, California, as a condition of her employment as president.

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

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

Subject to faculty consultation and approval in accordance with San José State policy, Dr. Teniente-Matson will hold an appointment with the academic rank of full professor with tenure in the Connie L. Lurie College of Education, Ed.D. Leadership Program at San José State.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Cynthia Teniente-Matson shall receive a salary set at the annual rate of \$474,840 effective January 16, 2023, the date of her appointment as president of San José State University; and be it further

AMENDED

U&FP

Agenda Item 7

November 14-16, 2022

Page 2 of 2

RESOLVED, that Dr. Teniente-Matson shall occupy the official presidential residence located in San José, California, as a condition of her employment as president; and be it further

RESOLVED, that Dr. Teniente-Matson shall receive additional benefits as cited in Agenda Item 7 of the Committee on University and Faculty Personnel at the November 14-16, 2022 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation Update: Interim President – Sonoma State University

Presentation By

Jolene Koester
Interim Chancellor

Summary

The appointment and compensation for Dr. Ming-Tung “Mike” Lee as interim president of Sonoma State University was presented and approved at the July 2022 Board of Trustees meeting (RUFPP 07-22-09). Dr. Lee’s appointment was effective on August 1, 2022.

This action item presents an adjustment to the salary of the interim president, from \$324,052 to \$381,409. This is the same salary the Board of Trustees approved for the former president of Sonoma State effective July 1, 2022.

After consultation with the board chair, the chancellor recommends that Dr. Ming-Tung “Mike” Lee receive an annual salary of \$381,409 effective August 1, 2022, the date of his appointment as interim president of Sonoma State University.

There are no other changes to the action item approved by the board in July 2022.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Ming-Tung “Mike” Lee shall receive a salary set at the annual rate of \$381,409 effective on August 1, 2022, the date of his appointment as interim president of Sonoma State University.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Triennial Performance Reviews – Equity Adjustments

Presentation By

Jolene Koester
Interim Chancellor

Summary

One equity adjustment will be recommended resulting from a presidential triennial performance review conducted by the Board of Trustees in September 2022.

Background

The Board of Trustees' CSU Policy on Compensation and the CSU Policies and Procedures for Review of Presidents specify that, following completion of presidential triennial performance reviews, compensation adjustments may be considered following a salary assessment. The policy was adopted in November 2019.

In September 2021, the Board of Trustees adopted a salary review process (RUF 09-21-06). The process recognized a president's performance and was found to be transparent and fiscally responsible while addressing salary gaps incrementally. The salary review process adopted by the trustees includes the following elements:

- Concurrent with triennial review cycle.
- Annual adjustments over three years, if applicable.
- Target salary is the peer group median.
- First year adjustment not to exceed 10 percent which aligns with current policy.
- Second and third year equity adjustments from 0 to 10 percent, as applicable.
- Reassess market data periodically.

Market Equity Adjustments

The table below lists the president who is eligible for equity adjustments as a result of a salary assessment conducted during their triennial performance evaluation. Equity adjustments may occur over the three years as outlined in the governing policy. Adjustments are based on the amount to reach the peer group median (target salary).

Executive Compensation

Trustee approval of the proposed equity adjustments for President Robert Nelsen are recommended as presented below. President Nelsen’s six-year performance review was completed in September 2022.

President	Annual Salary	Peer Group Median (Target Salary)	Year 1 Effective Date	EQUITY ADJUSTMENTS (Triennial Perf. Review Period)		Final Salary to be Approved	New Amt to Reach PG Median
				Proposed Increase % 2021	Proposed Increase % 2022		
Robert Nelsen	\$343,763*	\$498,269	7/1/2021	10%	7%	\$432,932	15.09%

**President Nelsen’s equity adjustment for Year 1 is effective 7/1/2021 – and it is calculated based on his salary at that time. As a result of this retroactive adjustment, President Nelsen’s 7% salary increase approved by the BOT effective 7/1/2022 will be recalculated; the adjusted salary serves as the basis for his equity adjustment in Year 2.*

The following table illustrates how President Nelsen’s salary will be adjusted as a result of the FY 2022-23 salary increase program (effective 7/1/2022).

President Robert Nelsen

Presidential Appointment Date: 7/1/2015
 Peer Group Median: \$498,269
 Annual Salary: **\$343,763** (prior to any increase)
 Amount to Reach PG Md: 44.95%

	Effective Date	Increase %	Annual Salary	New Amt to Reach PG Median
Year 1 Equity Adjustment	7/1/2021	10%	\$378,139	31.77%
<i>Merit Increase Program</i>	7/1/2022	7%	<i>\$404,609</i>	<i>23.15%</i>
Year 2 Equity Adjustment	7/1/2022	7%	\$432,932	15.09%

Presidential Triennial Performance Review Salary Assessment Notes:

Target Salary = Peer Group Median
 Salary adjustments over three-year period if warranted and availability of funds and budget conditions.
 Year 1 effective the presidential appointment date (month/day) of the year immediately preceding the performance evaluation.
For example: Year 1 eff. 7/15/2021 - Year 2, 7/15/2022 - Year 3, 7/15/2023
 Year 1 increase = Percent to reach Peer Group Median, maximum 10% increase.
 Year 2 or Year 3 increase = Equity increase, if applicable (see matrix).
 Years 2 and Year 3 of salary assessment may require future Board action.

Percent to Reach Peer Group Median			Equity Increase
0%	to	5%	0%
5.01%	to	10%	2%
10.01%	to	15%	4%
15.01%	to	25%	7%
25.01%	to	35%	10%

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that President Robert Nelsen shall receive the salary adjustments as cited in the salary table set forth in Item 9 of the Committee on University and Faculty Personnel at the November 14-16, 2022 meeting of the Board of Trustees.