

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 10:45 a.m., Wednesday, March 27, 2024
Glenn S. Dumke Auditorium

Larry L. Adamson, Chair
Jean Picker Firstenberg, Vice Chair
Diana Aguilar-Cruz
Douglas Faigin
Lillian Kimbell
Jack McGrory
Yammilette Rodriguez
Lateefah Simon
Christopher Steinhauser

- | | |
|-------------------|--|
| Consent | 1. Approval of Minutes, <i>Action</i>
2. CSU Salary Schedule, <i>Action</i>
3. Employment Policy Governing Administrator Employees' Option to Retreat, <i>Action</i>
4. Employment Policy Governing Employee References, <i>Action</i> |
| Discussion | 5. Executive Compensation: President– California State University, Stanislaus <i>Action</i>
6. Executive Compensation: FY 2023-2024 Executive Salary Increases, <i>Action</i>
7. Executive Compensation: Other Salary Increase, <i>Action</i>
8. Compensation Policy Update, <i>Information</i>
9. Presidential Review Policy Update, <i>Information</i>
10. Executive Compensation: Deferred Compensation Plan, <i>Action</i>
11. Update on Civil Rights (Title IX and Other Nondiscrimination) Programs and Services, <i>Information</i> |

**MINUTES OF THE MEETING OF THE
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**

January 31, 2024

Members Present

Larry L. Adamson, Chair
Jean Picker Firstenberg, Vice Chair
Diana Aguilar-Cruz
Douglas Faigin
Lillian Kimbell
Jack McGrory
Yammilette Rodriguez
Christopher Steinhauser

Wenda Fong, Chair of the Board
Mildred García, Chancellor

Public Comment

All public comments took place at the beginning of the meeting's open session, prior to all committees.

Trustee Larry L. Adamson called the meeting to order.

Approval of the Consent Agenda

A motion to approve the consent agenda without discussion passed. The minutes from the meeting of November 8, 2023 were approved as submitted.

Executive Compensation: Vice Chancellor for External Relations and Communications – California State University

Chancellor Mildred García presented an action item appointing Gregory J. Saks as vice chancellor of external relations and communications effective February 12, 2024. The chancellor

recommended an annual salary of \$344,321 and a monthly auto allowance of \$1,000. A motion to approve the resolution passed (RUF 01-24-01).

Discussion Regarding Employment Policy Governing Administrator Employees' Option to Retreat

Vice Chancellor for Human Resources Leora D. Freedman presented an information item on proposed revisions to the Employment Policy Governing Administrator Employees' Option to Retreat. She noted that the policy originally adopted in July 2022 established conditions under which an administrator may be denied retreat to the faculty at the conclusion of their appointment as an administrator. Feedback from the California State Auditor, the Joint Legislative Audit Committee, and campus stakeholders raised questions about how to interpret the policy. As a result, language has been streamlined and the policy updated. The proposed revised policy is presented in Attachment A to agenda item 3. The proposed revised policy with mark-ups is presented in Attachment B. Vice Chancellor Freedman explained that the updated policy makes it clear that administrators will be denied retreat when a "finding" has been made that they engaged in misconduct in violation of CSU policy or law and should therefore not have continued interaction with CSU students and employees. Under these circumstances, retreat will be denied regardless of whether the administrator was separated from their MPP administrator position. Additionally, the policy specifies that the determination of eligibility to retreat is made at the time the request is made. Finally, the policy clarifies that all administrators, including presidents and other executives, are subject to the retreat policy. The revised policy will be presented for action at the March 2024 board meeting.

Discussion Regarding Employment Policy Governing Employee References

Vice Chancellor for Human Resources Leora D. Freedman presented information on proposed revisions to the Policy Governing the Provision of Employee References. The revisions address recommendations from the California State Auditor and feedback from the Joint Legislative Audit Committee. The policy originally adopted in July 2022 established the circumstances under which references would not be provided to current and former employees. Vice Chancellor Freedman explained that the revised policy would prohibit references for employees found to have engaged in sexual harassment or other misconduct in violation of CSU's nondiscrimination policy even if they were not separated from employment as a result of the misconduct. However, at an employee's written request, the revised policy would allow a written reference for employees who had not been separated from employment as a result of the misconduct provided the written reference acknowledge the fact, nature and the timing of the finding of sexual harassment or other misconduct. Attachment A to agenda item 4 presents the proposed revised policy and Attachment B presents the revisions with mark-ups. The revised policy will be presented for action at the March 2024 board meeting.

Update on Civil Rights (Title IX and other Nondiscrimination) Programs and Services

Vice Chancellor for Human Resources Leora D. Freedman presented a status report on the work being undertaken at the Chancellor's Office and at our universities regarding the CSU's civil rights programs and services.

(NB: The reports from Cozen O'Connor's Institutional Response Group and the California State Auditor are available on the CSU's Title IX web site at:
<https://www.calstate.edu/titleix/Pages/cozen-title-ix-assessment.aspx>.)

Vice Chancellor Freedman reported on the appointment of Hayley Schwartzkopf who will serve as Associate Vice Chancellor for Civil Rights Programming and Services. The Chancellor's Office is in the process of recruiting five systemwide directors for civil rights (referred to as regional directors in the Cozen O'Connor report). Two positions have been filled and two others will be filled on an interim basis by current civil rights staff during the recruitment. This unit will oversee case management and other civil rights-related services on campuses and will also serve as the initial point of contact between the Chancellor's Office and the campus.

Vice Chancellor Freedman reported that, in early January, the Chancellor's Office issued initial "case assessment" guidance and campus onboarding protocols for Title IX coordinators and DHR administrators. This completes implementation of the California State Auditor's first recommendation related to intake and initial assessment. Guidance materials regarding data tracking protocols and communication with parties are in process and expected to be completed this quarter. Guidance covering topics such as policy interpretation, credibility analysis, deadline management, and disciplinary and corrective action are expected to be completed by the fourth quarter of this year.

Vice Chancellor Freedman also reported that campuses are finalizing their implementation plans and following the review and approval by campus presidents, the plans are on target for submission to the chancellor in early February. The annual Title IX and DHR reporting survey has been revised and a draft shared with campus stakeholders. Protocols for communicating with campus civil rights professionals have been improved and streamlined by further developing the team's SharePoint site.

A discussion followed the presentation and Vice Chancellor Freedman responded to trustee questions. Various trustees expressed the importance of having comprehensive communication and awareness plans, systemwide standards and accompanying training. Trustee Adamson acknowledged the suggestions and follow-up items for future reporting.

Employee Relations: Discussion Regarding Response to Other Conduct of Concern

Vice Chancellor for Human Resources Leora D. Freedman explained that recent assessments by the California State Auditor and Cozen O'Connor called for the university to prepare guidance

concerning unprofessional behavior that does not violate CSU's non-discrimination policy – known as “Other Conduct of Concern” (or OCC for short) – but that nevertheless can be disruptive to the living, learning and working environment at our universities. A workgroup consisting of Chancellor's Office representatives from systemwide employee relations, labor relations, Title IX and DHR, and the office of general counsel are developing this guidance.

Vice Chancellor Freedman highlighted several key points – OCC has no formal definition; OCC spans a wide spectrum and varying levels of seriousness; not all OCC warrants the same response; and some instances of OCC may be protected by free speech or Academic Freedom.

Vice Chancellor Freedman explained that systemwide guidance will recognize that any individual response to a report of OCC will depend on the nature and degree of the conduct. Guidance on how to report other conduct of concern – and to whom – will be provided; it will also describe how the university will respond to reports and explain why a response may differ from one case to another. HR, faculty affairs, student affairs and other administrators will receive training and additional guidance. Next steps include sharing proposed written guidance with the Chancellor's Civil Rights Oversight Committee and then with other stakeholders.

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

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

CSU Salary Schedule

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

Pursuant to CalPERS regulations (Circular Letter 200-003-20 and in compliance with California Code of Regulations Title 2, section 570.5), the California State University is required to obtain Board of Trustees' approval for all pay schedules. Accordingly, the CSU Salary Schedule is periodically presented for board approval.

CSU Salary Schedule Update

The salary schedule includes updates implemented due to collective bargaining agreements previously ratified by the CSU Board of Trustees for the following units:

Bargaining Unit		BOT Ratified
Units 2, 5, 7 & 9	California State University Employees Union	November 2023
Unit 8	Statewide University Police Association	November 2023
Unit 10	International Union of Operating Engineers	November 2023
Unit 11	Academic Student Employees	November 2023
Unit 3	California Faculty Association	March 2024
Unit 4	Academic Professionals of California	March 2024
Unit 6	Teamsters Local 2010	March 2024

Additionally, the salary schedule includes updates due to fiscal year 2023-2024 salary programs implemented for Confidential (C99) and Management Personnel Plan (M80) employees.

The salary schedule also reflects administrative and non-substantive updates made in the CSU pay scales (e.g., abolishment of class codes, new class codes, class title updates, etc.).

The CSU Salary Schedule provides current payrates for all CSU classifications. The current and historical salary schedules are posted for public viewing on the CSU Salary Schedule website at: <https://www.calstate.edu/csu-system/careers/compensation/Pages/salary-schedule.aspx>

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Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the CSU Salary Schedule as cited in item 2 of the Committee on University and Faculty Personnel at the March 24-27, 2024 meeting of the Board of Trustees, is approved.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Employment Policy Governing Administrator Employees' Option to Retreat

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

At the September 2023 meeting of the CSU Board of Trustees, during the Update on Civil Rights (Title IX and Nondiscrimination) Programs and Services, it was announced that Chancellor's Office staff would present recommended policy revisions to the Employment Policy Governing Administrator Employees' Option to Retreat (the "Retreat Policy") based on feedback from the California State Auditor (CSA) and the Joint Committee on Legislative Audit (JLAC).

Thereafter, at the November 2023 and January 2024 meetings, information items describing the proposed revisions to the current Retreat Policy were presented for the board's information and consideration. The amended policy is now being presented during the March meeting for board action.

The revised Retreat Policy is provided in Attachment A to this agenda item and is identical in substance to the draft presented at the January 2024 board meeting. Attachment B displays the revision in markup view.

The amended policy supersedes the Retreat Policy adopted by the board in November 2022 (RUF 11-22-18). Trustee approval of the revised policy in Attachment A is recommended as presented.

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 in Attachment A of Item 3 of the Committee on University and Faculty Personnel at the March 24-27, 2024 meeting of the Board of Trustees, is adopted; and be it further

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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.

Revised

Employment Policy Governing Administrator Employees' Option to Retreat

This policy describes the protocol governing the option for Administrators to Retreat to a faculty position at the California State University (CSU) at the end of an administrative appointment. The policy also describes the circumstances under which Administrators are ineligible to Retreat.

Applicability

This policy applies to all Administrator appointments made at any CSU campus or at the Chancellor's Office on or after July 13, 2022 that include the option to Retreat to a faculty position. This policy does not impact retreats offered in appointment letters prior to July 13, 2022, except on a case-by-case basis in the event of serious misconduct or policy violation.

Definitions

Administrator – 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.

Executive – An Executive employee is an employee in a M98 job classification, including the Chancellor, Vice Chancellors, and Campus Presidents.

Finding – A Finding is a decision or conclusion made during a Proceeding that an Administrator engaged in a violation of CSU policy or other unprofessional misconduct.

Determination – A Determination is a decision or conclusion made at the time an Administrator requests Retreat that the Administrator is unsuitable to have continued direct interactions with CSU students or employees. A Determination is based on a Finding or in reliance on a written acknowledgment by the Administrator that they engaged in misconduct.

Management Personnel Plan (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. Rules and provisions governing MPP employees can be accessed here: [MPP](#).

Misconduct – includes, but is not limited to: (a) a violation of [CSU's Nondiscrimination Policy](#) or other CSU policy; (b) improper governmental activity, which is defined by California law as an action that violates state or federal law or regulation; that is economically wasteful, or that involves gross misconduct, incompetence, or inefficiency; (c) an act or threat of violence; or (d) unprofessional conduct.

Proceeding – includes but is not limited to: (a) a university investigation; (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; 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). A Proceeding is deemed concluded after any appeal rights have been exhausted or waived.

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

Considerations and Procedures for the Conferral of the Option to Retreat

General Considerations

Whenever practicable, and except in the case of closed executive searches (as addressed below), options to Retreat are granted at the time of appointment to an Administrator position and are memorialized in the appointment letter. Therefore, during the recruitment process, and before any offer of employment is made to a candidate for an MPP position, the campus shall:

1. Review the candidate's education, background, teaching skill, scholarship, research and creative contributions and professionalism to ensure that the candidate's qualifications are comparable to other CSU tenure-track faculty.
2. Ensure that the hiring authority or search committee chair consults confidentially with the tenured department faculty or department committee in accordance with campus policy to ensure the appropriateness of an Administrator's Retreat to a particular academic department or unit. The details of an option to Retreat are memorialized in an Administrator's appointment letter, therefore, any concerns or questions about the candidate's qualifications must be raised before an offer is extended to the Administrator.

Template letters for MPP and Executive appointments entitled “CSU Administrator Appointment Letter with Addendum for Retreat (MPP)” and “CSU Administrator Appointment Letter with Addendum for Retreat (Executive)” are attached to this policy. In closed executive searches, any option to retreat made at the time of appointment is conditioned on and subject to the terms that will be negotiated after that appointment is publicly announced. The Executive template letter should be used in connection with the appointment of university presidents or other closed executive searches. In such cases, the provost consults with the relevant department as described in the attached “Campus Guidance in Conferring the Option to Retreat to Campus Presidents.”

Establishment of a Procedure for Conferring the Option to Retreat

Campuses must adopt procedures for conferring the option to Retreat to a faculty position for

Administrator candidates. The procedure shall include: (a) early notification from the search committee to the appropriate department 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 of retreat by either the tenured faculty or a committee of tenured faculty 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 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 the candidate's education, background, teaching skills, scholarship, research and creative contributions and professionalism, to ensure that the candidate's qualifications are comparable to other CSU tenure-track faculty. As a general rule, administrator candidates who have earned and held a tenured position as a professor at any CSU or other comparable institution would (subject to campus process) be provided the option to retreat to a position at their current faculty rank. Administrator candidates who have never earned or held a tenure-track position may be offered the option to Retreat to either a tenured or probationary faculty position on a case-by-case basis provided that during the campus tenure review process, they demonstrate a substantial record of achievement meriting such rank.

Memorialization of the Terms of Retreat

If the campus determines an Administrator candidate should be conferred an option to Retreat, the following terms must be memorialized in the appointment letter.

- a. Acknowledgement of the faculty appointment, whether it is with or without tenure, and the rank to which the candidate will be appointed upon retreat.
- b. Name of the department and college to which the candidate will be appointed upon 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 highest paid professor in their rank in their department or the maximum pay rate for their rank in their department, 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. The amount of notice the Administrator must provide to the university of their intent to elect to Retreat.
- f. Any additional terms agreed upon between the campus and the candidate relating to their Retreat and/or faculty appointment.
- g. Notice of the potential ineligibility for the option to Retreat in the event of a Finding as described in this policy or any successor policy.

Terms of administrative leave should also be included in the appointment letter.

Determination of Ineligibility to Exercise the Option to Retreat

An Administrator will be found ineligible to exercise the option to Retreat when a Determination has been made that the Administrator is unsuitable to have continued direct interactions with CSU students or employees. The Determination is made at the time the Administrator requests Retreat. The campus president or designee, in consultation with the university's Title IX Coordinator, Faculty Affairs, Human Resources or other administrators with relevant subject matter expertise, and if appropriate systemwide Human Resources, make this determination. Absent extenuating circumstances, it is presumed that a Finding that an Administrator engaged in sexual harassment in violation of CSU policy will render the Administrator unsuitable to have continued direct interaction with CSU students or employees.

Allegations or reports of misconduct for which no Findings have been made may 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 any pending investigation or Proceeding, including any appeals. At the written request of the Administrator, the president, in consultation with the chancellor, (or in the case of the 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, any decision to allow Retreat shall be conditional for 60 days. If, during the 60-day period, a Proceeding is initiated or 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 pending investigation or Proceeding, including any appeals. CSU will endeavor to complete the investigation or Proceeding 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 while serving as an Administrator.

Notice of ineligibility to Retreat will be provided to an Administrator by the campus president, chancellor, or their designee, and to a chancellor by the board chair. For Administrators employed at the Chancellor's Office, the chancellor or designee is responsible for determining ineligibility to Retreat. In the case of a chancellor or vice chancellor, the board of trustees holds this responsibility.

When an Administrator is ineligible to Retreat, the university may not provide a positive reference or letter of recommendation. Human Resources may provide employment verification for the Administrator, however, consisting only of the job titles held, dates of employment, and job duties, as outlined in CSU's employee reference policy.

Notice of Election to Exercise the Option to Retreat

An Administrator who has been offered the option to Retreat 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 including the timing for Retreat and 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.

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.

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 chooses to exercise its right to non-retain an Administrator who has the option to retreat, the campus should provide at least 30 days' notice whenever possible, so that the Administrator has sufficient time to convey intent to retreat. (The remainder of the non-retention period would be paid in salary in lieu of notice.)

Adopted DATE
Resolution RUF 11-22-18, RUF xx-xx-xx
CSU Board of Trustees

**Campus Guidance:
Granting the Option to Retreat to Presidents**

The option to retreat to a faculty position is granted to Administrators in either the M80 (MPP) or M98 (Executive) job classifications at the conclusion of their administrative appointment in alignment with [CSU's Employment Policy Governing Administrator Employee's Option to Retreat](#). Due to the fact that presidents and other executives are recruited through a closed search process, the process for granting the option to exercise Retreat to Presidents differs from those of other administrators as follows:

1. **Timing:** While Systemwide policy requires that the option to retreat be granted and memorialized in an Administrator's appointment letters, maintaining the confidentiality of presidential searches means the option to retreat can only be granted after appointment.
2. **Appointment Letters:** Appointment letters for campus presidents should include conditional language indicating that the appropriate department faculty will be consulted within the first 90 days of the president's employment. Recommended template language is provided in Appendix A.
3. **Documentation:** Final approval to confer the option to retreat to campus presidents is documented in a memorandum from the campus designee (typically the Provost) to the president's personnel file. A copy of the memorandum is to be provided to the Chancellor's Office. Template language is provided in Appendix B.

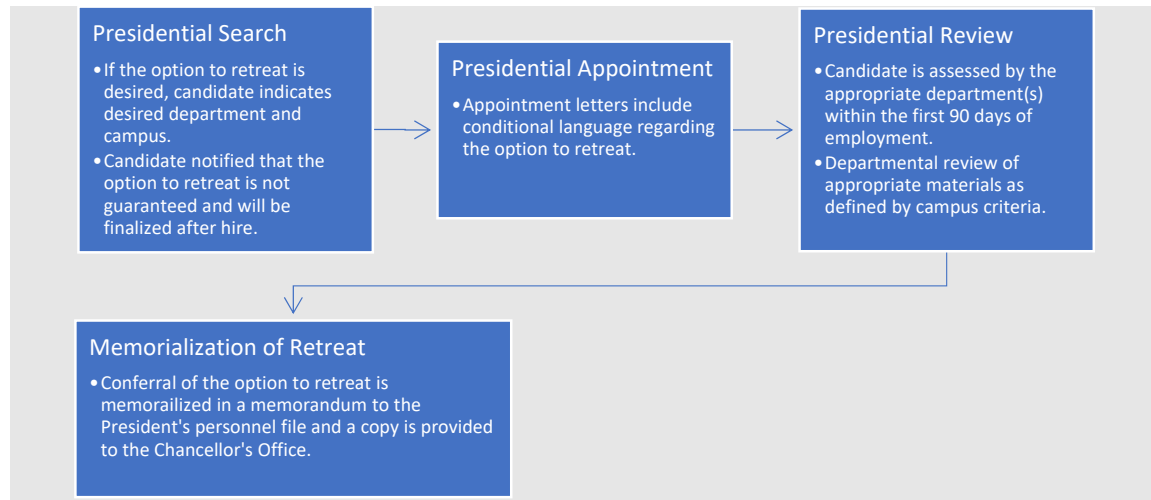
It is the responsibility of each CSU campus to develop processes around the conferral of the option to retreat to new presidents. Processes should establish:

1. A campus designee (typically the provost) responsible for ensuring compliance with campus process and systemwide policy.
2. Criteria for assessment for tenure including what materials will be provided by the candidate and reviewed by the department. Example criteria is provided in Appendix C.

If a department determines that it will not recommend offering a retreat option to a president, the campus designee should directly notify the Chancellor, who will work collaboratively systemwide to find an appropriate solution.

Additional template language is provided in Appendix D.

Sample Process



APPENDIX A
Recommended Template Language: Appointment Letter – Presidents

As discussed, subject to faculty consultation within the first 90 days of your appointment as President, you will be granted the option to request retreat to a tenured faculty position in the department of <DISCIPLINE> in the School of <SCHOOL> at <CAMPUS> pursuant to CSU [Employment Policy Governing Administrator Employees' Option to Retreat](https://calstate.policystat.com/policy/12715152/latest) (Policy Stat ID 12715152 -- <https://calstate.policystat.com/policy/12715152/latest>) and campus policy. The option to retreat is subject to the terms and conditions of these policies.

If you request the option to Retreat prior to serving three years, your salary at the time of Retreat will align with similarly ranked professors in the department/school to which you are retreating. If you request the option to Retreat three years or more after the effective date of your appointment, your salary may be set up to the maximum pay rate for your rank, at the discretion of the Board of Trustees.

<IF APPLICABLE> As discussed, <TERMS OF ADMINISTRATIVE LEAVE>. <ANY ADDITIONAL TERMS AGREED UPON BETWEEN THE CAMPUS AND THE CANDIDATE>.

APPENDIX B
Recommended Template: Memorandum Conferring the Option to Retreat

<CAMPUS LETTERHEAD>

MEMORANDUM

DATE:

FROM:

TO:

CC:

SUBJECT: Conferral of the Option to Retreat to President <NAME>

I am pleased to confirm that the department of <DEPARTMENT> in the School of <SCHOOL> at <CAMPUS> supports granting you the option to retreat to a faculty position as a <TENURED/NON TENURED> Professor.

The option to retreat is subject to the terms and conditions set forth in CSU's [Employment Policy Governing Administrator Employees' Option to Retreat](https://calstate.policystat.com/policy/12715152/latest) (Policy Stat ID 12715152 -- <https://calstate.policystat.com/policy/12715152/latest>)

APPENDIX C
Example Criteria for Assessing Candidates for Retreat

The option to retreat to a faculty position is granted to Administrators in either the M80 (MPP) or M98 (Executive) job classifications at the conclusion of their administrative appointment and in alignment with [CSU's Employment Policy Governing Administrator Employee's Option to Retreat](#).

At the request of the campus designee as outlined in established campus policies, tenured department faculty or a committee of tenured department faculty may be asked to evaluate Administrators for conferral of the option to retreat. Criteria departments may wish to consider, as well as those that should not be factored into their assessment, are as follows:

Do Consider	Do Not Consider
Prior tenured position and institutional affiliation	Course Offerings
Education	Order of Assignments
Instructional Experience	Overlap with current faculty expertise
Publications	Departmental/ School Budget
Research or Creative Activities	Potential Retaliation (It is prohibited!)
Professional Expertise	Qualifications for the Administrative Position
Contributions to the Profession	
Discipline Specific Measures of Success	
Contributions to the Department	

What is critical is that in assessing eligibility for retreat, the tenured faculty consider the candidate's qualifications for a faculty position and not for the administrator position to which they are applying.

APPENDIX D
ADDITIONAL TEMPLATE LANGUAGE

The templates below are provided for campus use dependent on their established processes.

Memo: Chair to Dean

I, <name>, <title>, chair of the department of <DEPARTMENT> at <CAMPUS> confirm that a committee of tenured faculty reviewed the curriculum vitae and provided supplemental materials for <NAME MPP> <OPTIONAL and met with the candidate>.

After careful review the candidate's education, background, teaching skill, scholarship,

research and creative contributions and professionalism, the tenured faculty/ a committee of tenured faculty voted on <DATE> <IN FAVOR OF/ AGAINST> recommending conferral to <MPP NAME> of the option to retreat to a faculty position at the rank of <PROPOSED RANK> <WITH/WITH OUT> tenure.

<If applicable>Our recommendation against conferring the option to retreat is based upon the following concerns:

Memo: Dean to President

Upon review of <MPP NAME> curriculum vitae and with the recommendation of the Department of <TITLE> in the <SCHOOL> at <CAMPUS>, I am pleased to recommend that <MPP NAME> be conferred the option to retreat to a faculty position as <RANK> of <DISCIPLINE> <WITH/WITHOUT> tenure.

The tenured faculty/ a committee of tenured faculty of the department of <TITLE> met on <DATE>. After careful review of the candidate's education, background, teaching skill, scholarship, research and creative contributions and professionalism, the department of <DEPARTMENT> voted in favor of conferring the option to retreat to <NAME OF MPP>. I <SUPPORT/DO NOT SUPPORT> their recommendation.

<CHOOSE ONE> The department and I would welcome <NAME'S> contributions to <CAMPUS> as an educator, scholar/practitioner/artist, and peer. <OR> After careful consideration, I have come to a different conclusion than the department for the following reasons: <EXPLANATION>

This memorandum is issued in alignment with CSU systemwide policy as outlined in [Employment Policy Governing Administrator Employees' Option to Retreat](#).

Appointment Letter - MPPs and Executives

As part of your administrative appointment, you are being granted an option to request retreat to a faculty position <WITH/WITHOUT> tenure at the rank of <RANK> in the Department of <DISCIPLINE> in the College/School of <COLLEGE/SCHOOL> at <CAMPUS>.

The option to Retreat is subject to the terms and conditions set forth in the attached document titled "Terms and Conditions Pertaining to Retreat" and the [Employment Policy Governing Administrator Employees' Option to Retreat](#) ("Retreat Policy"). Upon notice of resignation or non-retention from your administrative position, you will have 30 days from notification to request in writing retreat. Requests to retreat may be denied in the event of the conditions as described in the [Retreat Policy](#) (<https://calstate.policystat.com/policy/12715152/latest>).

If you request the option to retreat prior to serving three years in the administrative role, your salary at the time of retreat will align with similarly ranked professors in the department/school to which you are retreating. If you request the option to retreat three years or more after the effective date of your appointment, your salary may be set up to the highest paid professor at your rank in the department or the maximum pay rate for your rank in their department, at the president's. <IF APPLICABLE> As discussed, <TERMS OF ADMINISTRATIVE LEAVE>. <ANY ADDITIONAL TERMS AGREED UPON BETWEEN THE CAMPUS AND THE CANDIDATE>.

Proposed Revisions (in markup view)

Employment Policy Governing Administrator Employees' Option to Retreat

~~This~~ ~~The purpose of this policy~~ ~~policy is to delineate systemwide~~ describes the protocols throughout the California State University (CSU) system governing the option for Administrators to Retreat to a faculty position at the California State University (CSU) the end of their administrative appointment. The policy also describes ~~identifies the conditions~~ the circumstances 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.~~

Applicability

This policy applies to all Administrator appointments made at any CSU campus or at the Chancellor's Office on or after July 13, 2022, that include the option to Retreat to a faculty position. This policy ~~is intended to be prospective and~~ does not impact retreats offered in appointment letters prior to July 13, 2022, ~~granted prior to its effective date~~ except on a case-by-case basis in the event of serious misconduct or policy violation.

Relevant Definitions

Administrator – ~~this means any~~ 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.

Executive – An Executive employee is an employee in a M98 job classification, including the Chancellor, Vice Chancellors, and Campus Presidents.

Finding - A Finding is a decision or conclusion ~~determination~~ made during a Proceeding ~~than an as described below that an~~ Administrator engaged in misconduct or a policy a violation of CSU policy or other unprofessional misconduct. ~~that renders the Administrator unsuitable to have continued direct interactions with CSU students or employees.~~

Determination - sA determination is a decision or conclusion ~~are made in the course of~~ made at the time an Administrator requests Retreat that the Administrator is unsuitable to have continued

Attachment B

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direct interactions with CSU students or employees. A determination is based on a Finding or in reliance on a written acknowledgement by the Administrator that they engaged in misconduct. 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 Employees)~~—the management personnel plan outlines the rules and provisions governing administrators and administrative appointments within the CSU and can be accessed here: M~~—the management personnel plan outlines the rules and provisions governing administrators and administrative appointments within the CSU and can be accessed here: —the management personnel plan outlines the rules and provisions governing administrators and administrative appointments within the CSU and can be accessed here: PP.

~~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. Rules and provisions governing MPP employees can be accessed here: MPP.

Misconduct - includes, but is not limited to: (a) a violation of CSU’s Nondiscrimination Policy or other CSU policy; (b) improper governmental activity, which is defined by California law as an action that violates state or federal law or regulation that is economically wasteful, or that involves gross misconduct, incompetence, or inefficiency; (c) an act or threat of violence; or (d) unprofessional conduct.

Proceeding – includes but is not limited to: (a) a university investigation; (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; 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). A Proceeding is deemed concluded after any appeal rights have been exhausted or waived.

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

Considerations and Procedures for the Conferral of the Option to Retreat

General Considerations

Whenever practicable, and except in the case of closed executive searches (as addressed below), Options to Retreat should always be granted at the time of appointment to an Administrator position and are 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: Therefore, during the recruitment process, and before any offer of employment is made to a candidate for an MPP position, the campus shall:

1. Review the candidate's education, background, teaching skill, scholarship, research and creative contributions and professionalism to ensure that the candidate's qualifications are comparable to other CSU tenure-track faculty.
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.
2. Ensure that the hiring authority or search committee chair consults confidentially collaborates with the tenured faculty or department committee in accordance with campus policy to ensure appropriateness of an Administrators Retreat to a particular academic department or unit. The details of an option to Retreat are memorialized in an Administrator's appointment letter, therefore, any concerns or questions about the candidate's qualifications must be raised before an offer is extended to the Administrator. 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.

Template letters for MPP and Executive appointments entitled "CSU Administrator Appointment Letter with Addendum for Retreat (MPP)" and "CSU Administrator Appointment Letter with

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Addendum for Retreat (Executive)” are attached to this policy. In closed executive searches, any option to retreat made at the time of appointment is conditioned on and subject to the terms that will be negotiated after that appointment is publicly announced. The Executive template letter should be used in connection with the appointment of university presidents or other closed executive searches. In such cases, the provost consults with the relevant department as described in the attached “Campus Guidance in Conferring the Option to Retreat to Campus Presidents.”

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 of retreat by either the tenured faculty or a committee of tenured faculty to which ~~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 the candidate’s education, background, teaching skills, scholarship, research and creative contributions and professionalism, to ensure that the candidate’s qualifications are comparable to other CSU tenure-track faculty. all the factors set forth in paragraph III. A., above. AAs a general rule, administrator candidates who have earned and held a tenured position as a professor within the CSU or other comparable another equivalent (subject to campus process) –institution are ordinarily granted be provided the option to Retreat to a position at their current faculty rank. tenured faculty position. Administrator candidates who have never earned or held a tenure-track position may be offered the option to Retreat to either a tenured or probationary faculty position on a case-by-case basis provided that during the campus tenure review process, they demonstrate a substantial record of achievement meriting such rank. ~~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.~~

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~~ must 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, and the rank to which the candidate will be appointed upon retreat.
- 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 highest paid professor in their rank in their department or 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.e.~~ The amount of notice the Administrator must provide notice to the university of their intent to elect to Retreat.
- ~~g.f.~~ Any additional terms agreed upon between the campus and the candidate relating to their Retreat and/or faculty appointment.
- g. Notice of the potential ineligibility for the option to Retreat in the event of a Finding.

Terms of administrative leave should also be included in the appointment letter.

Determination of Ineligibility to Exercise the Option to Retreat

An Administrator will be found ineligible to exercise their option to Retreat when a Determination has been made that the Administrator is unsuitable to have continued direct interactions with CSU students or employees. The Determination is made at the time the Administrator requests 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.~~ The campus president or designee, in consultation with the university's Title IX Coordinator, Faculty Affairs, Human Resources or other administrators with relevant subject matter expertise, and if appropriate systemwide Human Resources, make this determination.

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Absent extenuating circumstances, it is presumed that a Finding that an Administrator engaged in sexual harassment in violation of CSU policy will render the Administrator unsuitable to have continued direct interaction with CSU students or employees.

Allegations or reports of misconduct for which ~~for which~~ no Findings have been made may ~~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 any pending ~~the~~ investigation or Proceeding, including ~~and~~ any appeals. At the written request of the Administrator, the president, in consultation with the chancellor, (or in the case of the 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, any decision to allow Retreat the campus shall be conditional for ~~defer making a final decision on the request to Retreat for 60 days.~~ If, during the 60-day period, a Proceeding is initiated or the campus initiates ~~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 or Proceeding, including ~~and~~ any appeals, ~~which the~~ CSU will endeavor to complete the investigation or Proceeding 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 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 or designee holds the responsibility for determining ineligibility ~~to exercise an option to Retreat.~~ In the case of the Chancellor or vice chancellor, the board of trustees ~~For the position of the chancellor, the board chair, in consultation with the board of trustees,~~ holds this responsibility.

When an Administrator is ineligible to Retreat, the university may not provide a positive reference or letter of recommendation. Human Resources may provide employment verification for the Administrator, however, consisting only of the job titles held, dates of employment, and job duties, as outlined in CSU's employee reference policy.

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 timing of Retreat and 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.

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.

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 chooses to exercise its right to non-retains an MPP Employee or Administrator who has the option to Retreat, the campus should ~~in order to avoid a premature separation, the campus should always provide at least thirty (30) days notice whenever possible, so that the Administrator has sufficient time to convey intent to retreat. to exercise their option to Retreat prior to the effective date of non-retention.~~ (The remainder of the non-retention period would be paid in salary in lieu of notice.)

Adopted November 16, 2022
Resolution RUF 11-22-18
CSU Board of Trustees

Campus Guidance:

Granting the Option to Retreat to Presidents

The option to retreat to a faculty position is granted to Administrators in either the M80 (MPP) or M98 (Executive) job classifications at the conclusion of their administrative appointment in alignment with CSU's Employment Policy Governing Administrator Employee's Option to Retreat. Due to the fact that presidents and other executives are recruited through a closed search process, the process for granting the option to exercise Retreat to Presidents differs from those of other administrators as follows:

1. **Timing:** While Systemwide policy requires that the option to retreat be granted and memorialized in an Administrator's appointment letters, maintaining the confidentiality of presidential searches means the option to retreat can only be granted after appointment.
2. **Appointment Letters:** Appointment letters for campus presidents should include conditional language indicating that the appropriate department faculty will be consulted within the first 90 days of the president's employment. Recommended template language is provided in Appendix A.
3. **Documentation:** Final approval to confer the option to retreat to campus presidents is documented in a memorandum from the campus designee (typically the Provost) to the president's personnel file. A copy of the memorandum is to be provided to the Chancellor's Office. Template language is provided in Appendix B.

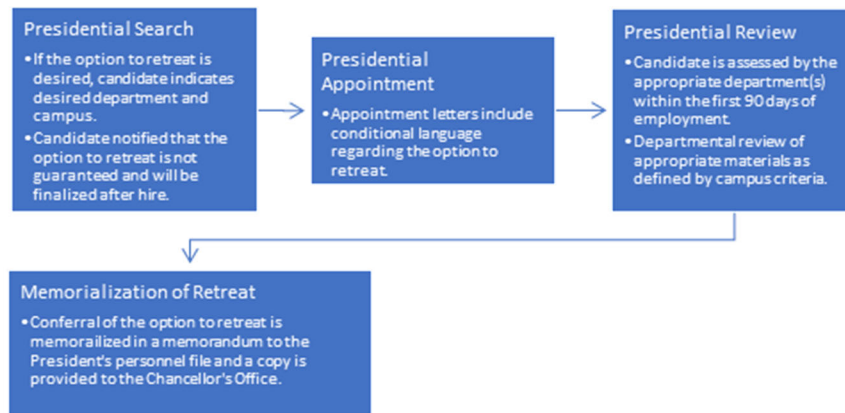
It is the responsibility of each CSU campus to develop processes around the conferral of the option to retreat to new presidents. Processes should establish:

1. A campus designee (typically the provost) responsible for ensuring compliance with campus process and systemwide policy.
2. Criteria for assessment for tenure including what materials will be provided by the candidate and reviewed by the department. Example criteria is provided in Appendix C.

If a department determines that it will not recommend offering a retreat option to a president, the campus designee should directly notify the Chancellor, who will work collaboratively systemwide to find an appropriate solution.

Additional template language is provided in Appendix D.

Sample Process



APPENDIX A

Recommended Template Language: Appointment Letter – Presidents

As discussed, subject to faculty consultation within the first 90 days of your appointment as President, you will be granted the option to request retreat to a tenured faculty position in the department of <DISCIPLINE> in the School of <SCHOOL> at <CAMPUS> pursuant to CSU Employment Policy Governing Administrator Employees' Option to Retreat (PolicyStat ID 12715152 -- <https://calstate.policystat.com/policy/12715152/latest>) and campus policy. The option to retreat is subject to the terms and conditions of these policies.

If you request the option to Retreat prior to serving three years, your salary at the time of Retreat will align with similarly ranked professors in the department/school to which you are retreating. If you request the option to Retreat three years or more after the effective date of your appointment, your salary may be set up to the maximum pay rate for your rank, at the discretion of the Board of Trustees.

<IF APPLICABLE> As discussed, <TERMS OF ADMINISTRATIVE LEAVE>. <ANY ADDITIONAL TERMS AGREED UPON BETWEEN THE CAMPUS AND THE CANDIDATE>.

APPENDIX B

Recommended Template: Memorandum Conferring the Option to Retreat

<CAMPUS LETTERHEAD>

MEMORANDUM

DATE: _____

FROM: _____

TO: _____

CC: _____

SUBJECT: Conferral of the Option to Retreat to President <NAME>

I am pleased to confirm that the department of <DEPARTMENT> in the School of <SCHOOL> at <CAMPUS> supports granting you the option to retreat to a faculty position as a <TENURED/NON TENURED> Professor.

The option to retreat is subject to the terms and conditions set forth in CSU's Employment Policy Governing Administrator Employees' Option to Retreat (PolicyStat ID 12715152 -- <https://calstate.policystat.com/policy/12715152/latest>

APPENDIX C

Example Criteria for Assessing Candidates for Retreat

The option to retreat to a faculty position is granted to Administrators in either the M80 (MPP) or M98 (Executive) job classifications at the conclusion of their administrative appointment and in alignment with CSU's Employment Policy Governing Administrator Employee's Option to Retreat. At the request of the campus designee as outlined in established campus policies, tenured department faculty or a committee of tenured department faculty may be asked to evaluate Administrators for conferral of the option to retreat. Criteria departments may wish to consider, as well as those that should not be factored into their assessment, are as follows:

<u>Do Consider</u>	<u>Do Not Consider</u>
<u>Prior tenured position and institutional affiliation</u>	<u>Course Offerings</u>
<u>Education</u>	<u>Order of Assignments</u>
<u>Instructional Experience</u>	<u>Overlap with current faculty expertise</u>
<u>Publications</u>	<u>Departmental/ School Budget</u>
<u>Research or Creative Activities</u>	<u>Potential Retaliation (It is prohibited!)</u>
<u>Professional Expertise</u>	<u>Qualifications for the Administrative Position</u>
<u>Contributions to the Profession</u>	
<u>Discipline Specific Measures of Success</u>	
<u>Contributions to the Department</u>	

What is critical is that in assessing eligibility for retreat, the tenured faculty consider the candidate's qualifications for a faculty position and not for the administrator position to which they are applying.

APPENDIX D
ADDITIONAL TEMPLATE LANGUAGE

The templates below are provided for campus use dependent on their established processes.

Memo: Chair to Dean

I, <name>, <title>, chair of the department of <DEPARTMENT> at <CAMPUS> confirm that a committee of tenured faculty reviewed the curriculum vitae and provided supplemental materials for <NAME MPP> <OPTIONAL and met with the candidate>.

After careful review the candidate's education, background, teaching skill, scholarship, research and creative contributions and professionalism, the tenured faculty/ a committee of tenured faculty voted on <DATE> <IN FAVOR OF/ AGAINST> recommending conferral to <MPP NAME> of the option to retreat to a faculty position at the rank of <PROPOSED RANK> <WITH/WITH OUT> tenure.

<If applicable>Our recommendation against conferring the option to retreat is based upon the following concerns:

Memo: Dean to President

Upon review of <MPP NAME> curriculum vitae and with the recommendation of the Department of <TITLE> in the <SCHOOL> at <CAMPUS>, I am pleased to recommend that <MPP NAME> be conferred the option to retreat to a faculty position as <RANK> of <DISCIPLINE> <WITH/WITHOUT> tenure.

The tenured faculty/ a committee of tenured faculty of the department of <TITLE> met on <DATE>. After careful review of the candidate's education, background, teaching skill, scholarship, research and creative contributions and professionalism, the department of <DEPARTMENT> voted in favor of conferring the option to retreat to <NAME OF MPP>. I <SUPPORT/DO NOT SUPPORT> their recommendation.

<CHOOSE ONE> The department and I would welcome <NAME'S> contributions to <CAMPUS> as an

educator, scholar/practitioner/artist, and peer. <OR> After careful consideration, I have come to a different conclusion than the department for the following reasons: <EXPLANATION>

This memorandum is issued in alignment with CSU systemwide policy as outlined in Employment Policy Governing Administrator Employees' Option to Retreat.

Appointment Letter - MPPs and Executives

As part of your administrative appointment, you are being granted an option to request retreat to a faculty position <WITH/WITHOUT> tenure at the rank of <RANK> in the Department of <DISCIPLINE> in the College/School of <COLLEGE/SCHOOL> at <CAMPUS>.

The option to Retreat is subject to the terms and conditions set forth in the attached document titled “Terms and Conditions Pertaining to Retreat” and the Employment Policy Governing Administrator Employees' Option to Retreat (“Retreat Policy”). Upon notice of resignation or non-retention from your administrative position, you will have 30 days from notification to request in writing retreat. Requests to retreat may be denied in the event of the conditions as described in the Retreat Policy (<https://calstate.policystat.com/policy/12715152/latest>).

If you request the option to retreat prior to serving three years in the administrative role, your salary at the time of retreat will align with similarly ranked professors in the department/school to which you are retreating. If you request the option to retreat three years or more after the effective date of your appointment, your salary may be set up to the highest paid professor at your rank in the department or the maximum pay rate for your rank in their department, at the president's. <IF APPLICABLE> As discussed, <TERMS OF ADMINISTRATIVE LEAVE>. <ANY ADDITIONAL TERMS AGREED UPON BETWEEN THE CAMPUS AND THE CANDIDATE>.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Employment Policy Governing Employee References

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

At the September 2023 meeting of the CSU Board of Trustees, during the Update on Civil Rights (Title IX and Nondiscrimination) Programs and Services, it was announced that Chancellor's Office staff would present recommended policy revisions to the Employment Policy Governing Employee References (the "Reference Policy") based on feedback from the California State Auditor (CSA) and the Joint Committee on Legislative Audit (JLAC).

Thereafter, at the November 2023 and January 2024 meetings, information items were presented describing the issues raised in the feedback and the steps that would be taken to seek stakeholder input and propose revisions to the policy for the board's consideration. The amended policy is now being presented during the March meeting for board action.

The revised Reference Policy is provided in Attachment A to this agenda item and is identical in substance to the draft presented at the January 2024 board meeting. Attachment B displays the revision in markup view.

The amended policy supersedes the Reference Policy adopted by the board in July 2022 (RUF 07-22-11). Trustee approval of the revised policy in Attachment A is recommended as presented.

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 Employee References provided in Attachment A of Item 3 of the Committee on University and Faculty Personnel at the March 24-27, 2024 meeting of the Board of Trustees, is adopted; and be it further

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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.

Revised

Employment Policy Governing the Provision of Employee References

This policy governs the provision of oral and written references and recommendation letters (referred to collectively as references) for current and former CSU employees to prospective employers outside of the California State University.

Requests for references for CSU students (in their capacity as a CSU student and not as an employee) are not governed by this policy.

References Requested by Third Parties

CSU employees may provide references to employers outside of the CSU as follows. References may be official (on behalf of the University) or personal (on behalf of the employee personally). Before providing any reference, the employee who has been asked to provide the reference must notify the campus Human Resources/Faculty Affairs departments of the request so that an appropriate administrator from the department may review and authorize the reference.

Official Letters of Recommendation

Prior to authorizing the release of a reference, an administrator in the campus Human Resources/Faculty Affairs department shall review the employee's personnel file and inquire with the campus Title IX/DHR office as to whether the employee for whom the reference is being requested is the subject of a pending complaint (or appeal) or has been found to have violated the [CSU Nondiscrimination Policy](#). CSU employees may not provide any official reference, either verbally or in writing, regarding a current or former CSU employee who: (i) is subject to a finding that the CSU employee has engaged in misconduct (as those terms are defined below) that resulted in the employee being non-retained, terminated, or is separated through mutually agreed upon settlement terms; (ii) is currently under investigation for misconduct or violation of university policy or left the university while the investigation was pending; or (iii) has had their retirement benefits rescinded under The Public Employees' Pension Reform Act due to criminal misconduct associated with their official duties. In such cases, Human Resources/Faculty Affairs shall inform the third party requesting the reference of CSU's employee reference policy and provide an employment verification only, as set forth below, for the current or former CSU employee.

Misconduct includes: (a) a violation of CSU's Nondiscrimination Policy or other CSU policy; (b) improper governmental activity, which is defined by the state of California as an action that violates state or federal law or regulation, that is economically wasteful, or that involves gross misconduct, incompetence, or inefficiency; (c) an act or threat of violence; or (d) unprofessional conduct.

Attachment A

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A finding includes, but is not limited to: (a) a final internal report, following any appeals, resulting from an investigation conducted by the university; (b) an internal or external audit; (c) an administrative decision by a state body having such jurisdiction, such as the Department of Labor, etc.; (d) a civil or criminal judgment, following any appeals; or (e) admission of any of the above-referenced misconduct by the employee.

In addition, employees found to have engaged in sexual harassment or other misconduct in violation of CSU's Nondiscrimination policy shall not receive a positive letter of reference even if they were not separated from employment at the CSU as a result of the finding. However, at an employee's written request, the CSU may provide a written reference provided that the writing acknowledges the fact, nature and timing of the finding of misconduct. Although employees might not request a reference that discloses a policy violation, giving employees the agency and opportunity to address with potential future employers their personal growth and development over time aligns with the CSU's mission as an educational institution committed to fostering learning and improvement.

Employment Verifications for Current or Former Employees

Employment verifications for current or former employees must always be directed to the Campus Human Resources Department. It is the CSU's policy to provide minimal information about current or former employees to non-CSU entities for employment verification purposes. Campus Human Resources Departments shall provide only the current or former employee's job title(s), dates of employment, and job duties.

Current or former CSU employees may authorize the release of their salary information, typically for the purpose of credit evaluation, as part of the employment verification process. Such requests must be referred to the Campus Human Resources Department who will only release salary information to a requesting third party/institution after receiving the current or former employee's written authorization.

Personal References

Personal references are permissible. Such references should make clear that they are being provided in an individual capacity and not on behalf of the CSU. Any references made outside Human Resources or Faculty Affairs is considered personal and must be expressly noted by the person giving the reference. Personal references by current presidents, executives, or other university officers in senior administrative positions (MPP Administrator III and IV) are often perceived as being official references by virtue of their position of authority. Such individuals must therefore consult with Human Resources or Faculty Affairs to determine whether a personal reference for an employee is appropriate under the circumstances.

References Requested Within CSU

The CSU operates as a single employer and has the right and responsibility to share information

across its campuses and departments about employees, including senior leaders. Shared information must be accurate and specific to the employee's work performance and job history. Former or current supervisors must always provide, if requested to do so, information to other CSU campuses and departments and may not withhold any relevant information related to the work performance of the current or former employee. Communications between campuses must always be truthful, accurate, job-related, candid, and unbiased.

Campuses are further reminded that they must comply with CSU's Recruitment and Hiring Guidelines for MPP and Staff (non-represented and represented) Positions, Technical Letter HR/Appointments 2013-03, and to fully cooperate with other campuses in providing information within CSU.

Adopted DATE
Resolution RUFPP 07-22-11, RUFPP xx-xx-xx
CSU Board of Trustees

Proposed Revisions (in markup view)

Employment Policy Governing the Provision of Employee References

~~CSU recognizes that reference checking is an important part of the search and hiring process. It further recognizes that many CSU employees are asked, on occasion, to provide positive references for former or current colleagues and/or direct reports. This policy is intended to outline the principles and procedures guiding the provision of such references, given the legal liability associated therewith. Specifically, it is the guiding principle of CSU to demonstrate integrity in all matters and not to provide positive letters of reference for employees who have engaged in significant misconduct, including a serious CSU policy violation.⁴~~

This policy governs the provision of oral and written references and recommendation letters (referred to collectively as references) for current and former CSU employees to prospective employers outside of the California State University.

Requests for references for CSU students (in their capacity as a CSU student and not as an employee) are not governed by this policy.

References Requested by Third Parties

~~CSU employees may provide references requests from third parties to employers outside of the CSU as follows. References provided to third parties may be official (on behalf of the University) or personal (on behalf of the employee personally). Before providing any reference, the employee who has been asked to provide the reference ~~Employees receiving requests for references from third parties must confer with their~~ must notify the Campus Human Resources/ (staff, student, and/or management employees) or Faculty Affairs (faculty employees) Departments of the request for review or response as there may be relevant so that an appropriate administrator from the department may review and authorize the reference. ~~information for which the employee being asked to provide the reference is unaware.~~~~

Official Letters of Recommendation

~~CSU employees who are asked to provide letters of recommendation or other formal requests for reference for current/former colleagues or direct reports on behalf of the CSU must confer with their campus Human Resources or Faculty Affairs Departments prior to responding to the request or provide their finalized letter of recommendation to Campus Human Resources or Faculty Affairs for their review prior to submission. Campus Human Resources/Faculty Affairs shall review the employee's personnel file as well as inquire of the campus Title IX/DHR office as to~~

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~~whether the employee for whom the reference is being requested has had findings against them in the past or if there are any investigations/appeals pending.~~

Prior to authorizing the release of a reference, an administrator in the campus Human Resources/Faculty Affairs department shall review the employee's personnel file and inquire with the campus Title IX/DHR office as to whether the employee for whom the reference is being requested is the subject of a pending complaint (or appeal) or has been found to have violated the CSU Nondiscrimination Policy.

CSU ~~employees may will~~ not provide any official ~~positive letters of recommendation or~~ reference, either verbally or in writing, regarding ~~for~~ a current or former CSU employee who: (i) is subject to a finding* that the CSU employee has engaged in misconduct (as those terms are defined below) that resulted in the employee being non-retained, terminated, or is separated through mutually agreed upon settlement terms; (ii) is currently under investigation for misconduct or violation of university policy or left the university while the investigation was pending; or (in abeyance until the completion of the investigation and any appeals); ~~or~~ (iii) has had their retirement benefits rescinded under The Public Employees' Pension Reform Act due to criminal misconduct associated with their official duties. In such cases, Human Resources/Faculty Affairs shall inform the third party requesting the reference of CSU's employee reference policy and provide an employment verification only, as set forth below, for the current or former CSU employee.

Misconduct includes: (a) a violation of CSU's Nondiscrimination Policy or other CSU policy; (b) improper governmental activity, which is defined by the state of California as an action that violates state or federal law or regulation, that is economically wasteful, or that involves gross misconduct, incompetence, or inefficiency; (c) an act or threat of violence; or (d) unprofessional conduct.

~~*A finding includes, but is not limited to, (a) a final internal report, following any appeals, resulting from an investigation conducted by the university; (b) an internal or external audit; (c) an administrative decision by a state body having such jurisdiction, such as the Department of Labor, etc.; (d) a civil or criminal judgment, following any appeals; or (e) a finding of improper governmental activity, which is 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; or (cf) admission of any of the above-referenced misconduct by the employee.~~

In addition, employees found to have engaged in sexual harassment or other misconduct in violation of CSU's Nondiscrimination policy shall not receive a positive letter of reference even if they were not separated from employment at the CSU as a result of the finding. However, at an employee's written request, the CSU may provide a written reference provided that the writing

acknowledges the fact, nature and timing of the finding of misconduct. Although employees might not request a reference that discloses a policy violation, giving employees the agency and opportunity to address with potential future employers their personal growth and development over time aligns with the CSU's mission as an educational institution committed to fostering learning and improvement.

Employment Verifications for Current or Former Employees

Employment verifications for current or former employees must always be directed to the Campus Human Resources Department. It is the CSU's policy to provide minimal information about current or former employees to non-CSU entities for employment verification purposes. Campus Human Resources Departments shall provide only the current or former employee's job title(s), dates of employment, and job duties.

Current or former CSU employees may ~~additionally~~ authorize the release of their salary information, typically for the purpose of credit evaluation, as part of the employment verification process. Such requests must be referred to the Campus Human Resources Department who will only release salary information to a requesting third party/institution after receiving the ~~with the~~ current or former employee's written authorization ~~to do so~~.

Personal References

Personal references are permissible. Such references should make clear that ~~clearly identify that~~ they are being provided in an individual capacity and not on behalf of the CSU. Any references made outside Human Resources or Faculty Affairs is ~~, and where no check-in or review with Human Resources or Faculty Affairs has occurred, will be~~ considered personal and must be expressly noted by the person giving the reference. ~~not to have been provided on behalf of the CSU.~~

Personal ~~R~~references by current presidents, executives, or other university officers in senior administrative positions (MPP Administrator III and IV) ~~are often~~ may be perceived as being official references provided on behalf of the University by virtue of their position of authority. Such individuals must ~~therefore~~ consult with Human Resources or Faculty Affairs to determine whether a personal reference for an employee is ~~letters of recommendation or positive references are~~ appropriate under the circumstances. ~~and may be provided, even in their personal capacity.~~

References Requested Within CSU

The CSU operates as a single employer and has the right and responsibility to share information across its campuses and departments about employees, including senior leaders. Shared information must be accurate and specific to the employee's work performance and job history.

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Former or current supervisors must always provide, if requested to do so, information to other CSU campuses and departments and may not withhold any relevant information related to the work performance of the current or former employee. Communications between campuses must always be truthful, accurate, job-related, candid, and unbiased.

Campuses are further reminded that they must comply with CSU's Recruitment and Hiring Guidelines for MPP and Staff (non-represented and represented) Positions, Technical Letter HR/Appointments 2013-03, and to fully cooperate with other campuses in providing information within CSU.

Adopted DATE

Resolution RUF 07-22-11, RUF xx-xx-xx

CSU Board of Trustees

Endnotes

- ~~1. This policy addresses requests for references for CSU employees only. Requests for references for CSU students, outside of any student employment context, may be addressed in a separate policy.~~

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: President – California State University, Stanislaus

Presentation By

Mildred García
Chancellor

Summary

This action item establishes the compensation for Dr. Britt Rios-Ellis as president of California State University, Stanislaus.

Executive Compensation

This item recommends that Dr. Britt Rios-Ellis receive an annual salary of \$370,319 effective July 1, 2024, the date of appointment as president of California State University, Stanislaus. Additionally, Dr. Rios-Ellis will receive an annual housing allowance of \$50,000. (This is the same salary and housing allowance received by the former president.)

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

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

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

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Britt Rios-Ellis shall receive a salary set at the annual rate of \$370,319 effective July 1, 2024, the date of appointment as president of California State University, Stanislaus; and be it further

AMENDED

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RESOLVED, that Dr. Britt Rios-Ellis shall receive an annual housing allowance of \$50,000; and be it further

RESOLVED, that Dr. Britt Rios-Ellis shall receive additional benefits as cited in Agenda Item 5 of the Committee on University and Faculty Personnel at the March 24-27, 2024 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: FY 2023-2024 Executive Salary Increases

Presentation By

Mildred García
Chancellor

Summary

Fiscal year 2023-2024 salary increases for CSU Executives will be presented for consideration and possible approval.

Fiscal Year 2023-2024 Salary Increases

This item recommends for consideration and possible approval a 5 percent salary increase for eligible executive employees effective July 1, 2023. A 5 percent increase is consistent with the 5 percent salary increase approved for other employee groups including Management Personnel Plan (MPP) and Confidential employees for fiscal year 2023-2024.

Over the past 13 years, CSU Executives have received compensation increases as shown below:

Executive Employee Group

Fiscal Year	Percent Increase	Fiscal Year	Percent Increase
2010-2011	0%	2017-2018	2.5%
2011-2012	0%	2018-2019	3%
2012-2013	0%	2019-2020	3%
2013-2014	0%	2020-2021	0%
2014-2015	3%	2021-2022	0%
2015-2016	2%	2022-2023	7%
2016-2017	2%	2023-2024	TBD

Attachment A shows the 5 percent increase applied to current executive salaries for eligible individuals. For those three presidents who received an equity adjustment in July and August 2023 (approved by the Board in July 2023 – RUFPP 07-23-12), salaries have been adjusted to apply the July 1, 2023 increase *before* the equity increase. Refer to Attachment B for details on the recalculation.

The base salary adjustments for the individuals listed in Attachment A are recommended for trustee approval effective July 1, 2023.

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Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the individuals named in Attachment A of Item 6 of the Committee on University and Faculty Personnel at the March 24-27, 2024 meeting of the Board of Trustees shall receive the new annual salaries as cited effective July 1, 2023.

**Proposed FY 2023-2024 Salary Increases
Executive Employees**

Eff. 7/1/2023

Campus	Presidents	Current Annual Salary (as of March 1, 2024)	New Annual Salary* After 5% Increase
Bakersfield	Vernon Harper, Jr. (Interim)	\$390,892	no change
Channel Islands	Richard Yao	\$362,210	\$380,321
Chico	Steve Perez	\$454,757	no change
Dominguez Hills	Thomas Parham	\$453,971	\$476,670
East Bay	Cathy Sandeen	\$416,485	\$437,309
Fresno	Saúl Jiménez-Sandoval	\$372,809	\$391,449
Fullerton	Sylvia Alva (Interim)	\$476,223	no change
Humboldt	Tom Jackson, Jr.	\$396,150	\$415,958
Long Beach	Jane Close Conoley	\$479,505	\$503,480
Los Angeles	Berenecia Johnson Eanes	\$496,213	no change
Maritime Academy	Michael Dumont (Interim)	\$370,241	no change
Monterey Bay	Vanya Quiñones	\$370,000	\$388,500
Northridge	Erika Beck	\$445,069	\$467,322
Pomona	Soraya Coley	\$449,355	\$471,823
Sacramento	Luke Wood	\$476,225	no change
San Bernardino	Tomás Morales	\$455,201	\$468,589*
San Diego	Adela de la Torre	\$533,148	\$559,805
San Francisco	Lynn Mahoney	\$463,585	\$477,403*
San José	Cynthia Teniente-Matson	\$474,840	\$498,582
San Luis Obispo	Jeffrey Armstrong	\$509,336	\$534,803
San Marcos	Ellen Neufeldt	\$445,519	\$458,622*
Sonoma	Ming-Tung "Mike" Lee	\$381,409	\$400,479
Stanislaus	Susan Borrego (Interim)	\$370,319	no change

*For those presidents who received an equity adjustment on or after July 1, 2023, the new annual salary is calculated by applying the 5% annual salary increase effective July 1, 2023 *before* any equity increase awarded on or after July 1. Refer to Attachment B for detail.

**Proposed FY 2023-2024 Salary Increases
Executive Employees**

Eff. 7/1/2023

System Officers	Title	Current Annual Salary (as of March 1, 2024)	New Annual Salary After 5% Increase
Mildred García	Chancellor	\$795,000	no change
Andy Jones	Executive Vice Chancellor and General Counsel	\$386,529	\$405,855
Steve Relyea	Executive Vice Chancellor and Chief Financial Officer	\$386,529	\$405,855
Leora Freedman	Vice Chancellor for Human Resources	\$327,925	\$344,321
Vlad Marinescu	Vice Chancellor and Chief Audit Officer	\$314,900	\$330,645
Greg Saks	Vice Chancellor, External Relations & Communications	\$344,321	no change

Proposed FY 2023-2024 Salary Increases

Adjusted Salaries Proposed in Attachment A

The following tables illustrate how salaries for Presidents Lynn Mahoney, Ellen Neufeldt and Tomás Morales are calculated when the 5 percent salary increase proposed in Attachment A for FY 2023-2024 (retroactive to 7/1/2023) is applied **before** any triennial review equity increases in July/August 2023 (approved by the Board in July 2023 – RUF 07-23-12).

Note: Salary assessment equity matrix provided below for reference:

Amount 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%

Target Salary = Peer Group Median (PGM)

Salary adjustments over a three-year period if warranted and availability of funds and budget conditions.

Year 1 increase = Amount to reach Peer Group Median, maximum 10% increase.

Year 2 or Year 3 increase = Equity increase, if applicable (see matrix).

President Lynn Mahoney: President Mahoney received a 4 percent equity adjustment for Year 2 effective 7/15/2023 – that was calculated based on the president’s salary **at that time**. A 5 percent salary increase retroactive to July 1, 2023, brings the salary closer to the peer group median, as a result of which the equity adjustment for Year 2 is now 2 percent.

Presidential Appointment Date: 7/15/2019

Peer Group Median: \$498,269

Annual Salary: \$445,755 (as of 6/30/2023)

Percent to Reach PGM: 11.78%

Annual Salary: \$463,585 (as of 7/15/2023 – after 4% equity increase)

Percent to Reach PGM: 7.48%

Recalculated Salary: \$468,042 (as of 7/1/2023 – see below)

	Effective Date	% Increase	New Annual Salary	% Below PGM
Fiscal Year 2023-2024 Salary Increase	7/1/2023	5%	\$468,042	6.46%
Year 2 of 3 Equity Adjustment	7/15/2023	2%	\$477,403*	4.37%

*Final adjusted salary proposed in Attachment A.

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President Ellen Neufeldt: President Neufeldt received a 2 percent equity adjustment for Year 3 effective 7/1/2023 – that was calculated based on the president’s salary at that time. A 5 percent salary increase retroactive to July 1, 2023, brings the salary closer to the peer group median, as a result of which there is no Year 3 equity adjustment.

Presidential Appointment Date: 7/1/2019

Peer Group Median: \$476,015

Annual Salary: \$436,783 (as of 6/30/2023)

Percent to Reach PGM: 8.98%

Annual Salary: \$445,519 (as of 7/1/2023 – after 2% equity increase)

Percent to Reach PGM: 6.85%

Recalculated Salary: \$458,622 (as of 7/1/2023 – see below)

	Effective Date	% Increase	New Annual Salary	% Below PGM
Fiscal Year 2023-2024 Salary Increase	7/1/2023	5%	\$458,622*	3.79%
Year 3 of 3 Equity Adjustment	7/1/2023	0%	no change	3.79%

*Final adjusted salary proposed in Attachment A.

President Tomás Morales: President Morales received a 2 percent equity adjustment for Year 3 effective 8/15/2023 – that was calculated based on the president’s salary at that time. A 5 percent increase retroactive to July 1, 2023, brings the salary closer to the peer group median, as a result of which there is no Year 3 equity adjustment.

Presidential Appointment Date: 8/15/2012

Peer Group Median: \$476,015

Annual Salary: \$446,276 (as of 6/30/2023)

Percent to Reach PGM: 6.66%

Annual Salary: \$455,201 (as of 8/15/2023 – after 2% equity increase)

Percent to Reach PGM: 4.57%

Recalculated Salary: \$468,589 (as of 7/1/2023 – see below)

	Effective Date	% Increase	New Annual Salary	% Below PGM
Fiscal Year 2023-2024 Salary Increase	7/1/2023	5%	\$468,589*	1.58%
Year 3 of 3 Equity Adjustment	8/15/2023	0%	no change	1.58%

*Final adjusted salary proposed in Attachment A.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Other Salary Increase

Presentation By

Mildred García
Chancellor

Summary

This action item establishes a temporary pay increase for Mr. Steve Relyea, executive vice chancellor and chief financial officer of the California State University.

Executive Compensation

This item recommends that Executive Vice Chancellor Steve Relyea receive a temporary pay increase of 10 percent for the period of December 30, 2023 through February 11, 2024.

During this time, Mr. Relyea assumed the additional responsibility of providing leadership and oversight to the division of External Relations and Communications while serving as executive vice chancellor and chief financial officer. He assumed these additional responsibilities starting when the Administrator-in-Charge retired until the new vice chancellor of external relations and communications began his employment at the Chancellor's Office.

During this temporary assignment, there was no change to Mr. Relyea's appointment as a CSU Executive classified employee or to his employment benefits.

After consultation with the board chair, the chancellor recommends that Executive Vice Chancellor Steve Relyea receive a temporary annual salary of ~~\$446,441~~ \$425,182 (10 percent increase) as presented in this item.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Executive Vice Chancellor Steve Relyea shall receive the temporary salary as stated in Item 7 of the Committee on University and Faculty Personnel at the March 24-27, 2024 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Compensation Policy Update

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

The Board of Trustees' [CSU Policy on Compensation](#) was last updated at the November 2019 Board of Trustees meeting, and is codified in RUF 11-19-10. This information item will present and describe proposed revisions to the CSU Policy on Compensation with respect to presidential salary assessments that are currently set forth in the CSU's Policies and Procedures for Review of Presidents. The proposed revisions also call for a review of presidential salary data every five years, and they modify the schedule for payment of presidential market-based salary increases. The proposed policy provides that all market-based salary increases are brought to the Board for approval on an annual basis at the July meeting of the Board of Trustees and are made effective as of July 1 of the year in which the increase is approved.

The proposed revisions will consolidate all compensation-related policies into one document. If the revisions are approved, the substantive paragraphs pertaining to presidential salary assessments that are currently set forth in CSU's Policies and Procedures for Review of Presidents would be moved to the CSU Policy on Compensation.

The revised compensation policy is provided in Attachment A to this agenda item. Attachment B displays the proposed revisions in markup view. The salary assessment implementation process approved by the Board in September 2021 (RUF 09-21-06) and an excerpt of the presentation given to the Committee on University and Faculty Personnel at the September 2021 meeting of the Board of Trustees that shows the market formula matrix for increases are attached for reference in Attachments C and D, respectively.

This item will be presented for action at the May 2024 meeting of the Board of Trustees.

The corresponding revisions to CSU's Policies and Procedures for Review of Presidents will be presented separately in agenda item 9.

Revised

Board of Trustees Policy on Compensation

I. Scope of Policy

This policy governs compensation for all California State University (CSU) employees.

II. Guiding Principles

It is the intent of the Board of Trustees to compensate all CSU employees in a manner that is fair, reasonable, competitive, and fiscally prudent in respect to system budget and state funding. The goal of the CSU continues to be to attract, motivate, and retain the most highly qualified individuals to serve as faculty, staff, and executives, whose knowledge, experience, and contributions can advance the university's mission.

The CSU adheres to compensation practices that are fair and equitable in design, application, and delivery.

III. Compensation

A. All Employee Compensation

The CSU evaluates competitive and fair compensation for all employees based on periodic market comparison surveys and the depth of skill and experience of an individual employee.

The compensation system for the CSU shall (a) be administered in a manner that complies with all applicable federal, state, and local regulations and laws, and (b) be consistent with applicable administrative policies, rules and collective bargaining agreements.

B. Executive Compensation

The CSU will maintain and periodically update a tiered list of CSU comparison institutions for executive employee groups. The list may take into account geographic location, enrollment, percent of Pell eligible students, budget, research funding, and such other variables as deemed appropriate. Executive compensation will be guided with reference to the mean and/or median of the appropriate comparison institutions, together with an individual's reputation, and length, depth and effectiveness of applicable experience, and other meritorious achievement and contributions to the success of the CSU.

1. Presidential Compensation

a) Salary at Appointment:

When a presidential vacancy occurs, the successor president's salary should not (absent extenuating circumstances) exceed the incumbent's salary by more than 10 percent. Any amount in excess of the incumbent's salary shall be based upon criteria such as extraordinary circumstances, knowledge and/or experience or ability to contribute to and advance the university's mission and market conditions. A president's salary may only be funded with state funds.

The chancellor shall have authority to negotiate recommended starting salaries for presidents. The chancellor shall present the recommended salary to the Board of Trustees for approval.

b) Periodic Presidential Salary Assessment:

On an annual basis, and as a general rule at the July meeting of the Board of Trustees, the Board shall be presented with a salary assessment of all presidents who have received a triennial review in accordance with the Board of Trustees Policies and Procedures for Review of Presidents during the previous fiscal year. The Board shall determine whether an increase to a president's salary is warranted based on CSU's operative market data (which should be reviewed every five years), and if so, the amount of any such adjustment. Following the initial salary assessment, the president's salary shall be reassessed once a year against operative market data for the next two years, and if the president's annual salary continues to be below the peer group median, a recommended increase shall be presented to the Board each July. The goal of the salary assessment process is to incrementally bring each president into alignment with the peer group median.

The **first year**, presidential salaries may be adjusted up to the peer group median by an amount not to exceed 10 percent.

The **second and third year** adjustments shall be made in accordance with the following matrix:

Amount to Reach Peer Group Median			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%

As a condition of receiving a market-based salary increase, the president must have been in their position for three years and must have received a satisfactory evaluation during their triennial review.

Market-based salary increases approved by the Board in accordance with this policy will be effective July 1st of the approval year.

Compensation actions are subject to availability of funds and current budget conditions.

c) Other Salary Increase Programs:

Receipt of a market-based salary adjustment in any given year does not preclude a president from being eligible for any salary increase program consistent with those that may be provided to other non-represented employees. In the event that a president is awarded a salary and market-based increase at the same time, the salary increase shall be applied before determining whether a market-based adjustment is warranted.

2. Individual Salary Increases:

The Board also retains the right, in its discretion, to make other salary adjustments as necessary at other times for an executive when a significant equity or retention issue is identified.

The chancellor shall recommend all executive salary adjustments to the Board of Trustees for approval in open session of a Board meeting.

Proposed Revisions (in markup view)

Board of Trustees Policy on Compensation

I. Scope of Policy

This policy governs compensation for all California State University (CSU) employees.

II. Guiding Principles

It is the intent of the Board of Trustees to compensate all CSU employees in a manner that is fair, reasonable, competitive, and fiscally prudent in respect to system budget and state funding. The goal of the CSU continues to be to attract, motivate, and retain the most highly qualified individuals to serve as faculty, staff, and executives, whose knowledge, experience, and contributions can advance the university's mission.

The CSU adheres to compensation practices that are fair and equitable in design, application, and delivery.

III. Implementation
Compensation

A. All Employee Compensation

The CSU ~~will consistently~~ evaluates competitive and fair compensation for all employees based on periodic market comparison surveys and the depth of skill and experience of an individual employee. ~~In addition, the CSU will maintain and update annually a tiered list of CSU comparison institutions for applicable employee groups. The list may take into account geographic location, enrollment, percent of Pell eligible students, budget, research funding, and such other variables as deemed appropriate.~~

~~Compensation will be guided with reference to the mean and/or median of the appropriate comparison institutions, together with an individual's reputation, and length, depth and effectiveness of applicable experience, and other meritorious achievement and contributions to the success of the CSU.~~

The compensation system for the CSU shall (a) be administered in a manner that complies with all applicable federal, state, and local regulations and laws, and (b) be consistent with applicable administrative policies, rules and collective bargaining agreements.

B. ~~Presidential Executive~~ Compensation

~~In addition, the CSU will maintain and periodically update annually a tiered list of CSU comparison institutions for applicable executive employee groups. The list may take into account geographic location, enrollment, percent of Pell eligible students, budget, research funding, and such other variables as deemed appropriate. Executive compensation will be guided with reference to the mean and/or median of the appropriate comparison institutions, together with an individual's reputation, and length, depth and effectiveness of applicable experience, and other meritorious achievement and contributions to the success of the CSU.~~

1. Presidential Compensation

a) Salary at Appointment:

When a presidential vacancy occurs, the successor president's salary should not ~~(absent extenuating circumstances)~~ exceed the incumbent's salary by more than 10 ~~percent~~%. Any amount in excess of the incumbent's salary shall be based upon criteria such as extraordinary circumstances, knowledge and/or experience or ability to contribute to and advance the university's mission and market conditions. A president's salary may only be funded with state funds.

The chancellor shall have authority to negotiate recommended starting salaries for presidents. The chancellor shall present the recommended salary to the Board of Trustees for approval.

~~**Presidential Salary Assessment:** Currently, the Policies and Procedures for Review of Presidents require annual reviews with the chancellor and triennial reviews by the Board of Trustees. In these reviews, the president's performance is reviewed against the goals and criteria for leadership expectations. Effective with Board of Trustees reviews occurring in 2020 and beyond, a presidential salary assessment will also be conducted that considers presidential performance, the market data and makes recommendations to the Trustees if a compensation adjustment may be warranted.~~

b) Periodic Presidential Salary Assessment:

~~On an annual basis, and as a general rule at the July meeting of the Board of Trustees, the Board shall be presented with a salary assessment of all presidents who have received a triennial review in accordance with the Board of Trustees Policies and Procedures for Review of Presidents during the previous fiscal year. The Board shall ~~to~~ determine whether an increase to a president's salary is warranted based on CSU's operative market data (which should be reviewed every five years), and if so, the amount of any such~~

adjustment. Following the initial salary assessment, the president's salary shall be reassessed once a year against operative market data for the next two years, and if their president's annual salary continues to be below the peer group median, the recommended increases shall be presented to the Board each July. The goal of the salary assessment process is to incrementally bring each president into alignment with the peer group median.

The **first year**, presidential salaries may be adjusted up to the peer group median by an amount not to exceed 10 percent.

The **second and third year** adjustments shall be made in accordance with the following matrix:

<u>Amount to Reach Peer Group Median</u>		<u>Increase</u>
<u>0%</u>	<u>to</u> <u>5%</u>	<u>0%</u>
<u>5.01%</u>	<u>to</u> <u>10%</u>	<u>2%</u>
<u>10.01%</u>	<u>to</u> <u>15%</u>	<u>4%</u>
<u>15.01%</u>	<u>to</u> <u>25%</u>	<u>7%</u>
<u>25.01%</u>	<u>to</u> <u>35%</u>	<u>10%</u>

As a condition of receiving a market-based salary increase, the president must have been in their position for three years and must have received a satisfactory evaluation during their triennial review.

Market-based salary increases approved by the Board in accordance with this policy will be effective July 1st of the approval year.

Compensation actions are subject to availability of funds and current budget conditions.

c) Other Salary Increase Programs:

Receipt of a market-based salary adjustment in any given year ~~A salary adjustment during triennial performance reviews does not prohibit the incumbent preclude a president from~~ being eligible for ~~the any annual merit~~ salary increase program consistent with those that ~~may be as~~ provided to other non-represented employees. In the event that a president is awarded a salary and market-based increase at the same time, the salary increase shall be applied before determining whether a market-based adjustment is warranted.

2. Individual Salary Increases:

The Board also retains the right, in its discretion, to make other salary adjustments as necessary at other times for an executive~~president~~ when a significant equity or retention issue is identified.

The chancellor shall recommend all executive~~presidential~~ salary adjustments to the Board of Trustees for approval in open session of a Board meeting.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Presidential Triennial Performance Review Salary Assessment – Implementation Process

Presentation By

Wenda Fong
Chair, Committee on University and Faculty Personnel

Evelyn Nazario
Vice Chancellor
Human Resources

Summary

An overview and recommended implementation of the CSU Board of Trustees' adopted policy on presidential salary assessments will be presented. This action item seeks Trustee approval on the implementation of the policy adopted by the Board of Trustees in November 2019. Per current policy, a salary assessment is to be conducted for the purpose of reporting to the Trustees during presidential triennial performance reviews whereby salary adjustments may be considered. This item does not include approval of compensation adjustments.

Background

The Board of Trustees' CSU Policy on Compensation (RUF 11-19-10), as well as the CSU Policies and Procedures for Review of Presidents (RUF 01-20-01), stipulates that following completion of triennial performance reviews (or at other times for compelling reasons), a salary assessment will be conducted and reported to the Board of Trustees. Upon review of the findings, the Trustees may evaluate the appropriateness of a salary adjustment.

The Board of Trustees adopted this policy in November 2019 to be effective with triennial performance reviews occurring in 2020. To date, the policy has yet to be implemented due to the lack of an established implementation process.

Following past discussions with Board of Trustee members, Chancellor-emeritus Timothy White, in consultation with Chair Lillian Kimbell and Chancellor Joseph I. Castro, identified a task force to develop a salary assessment process to comply with the Board's adopted policy.

The task force included Trustees Jack Clarke, Debra Farar and Wenda Fong; and Vice Chancellor Evelyn Nazario and Executive Vice Chancellor Steve Relyea. During the presentation of this item, the task force will discuss its proposed recommendation for the Board's consideration.

For reference, the current applicable policies can be found at:

<https://www2.calstate.edu/csu-system/transparency-accountability/executive-compensation/Documents/compensation-policy-11-2019.pdf>

<https://www2.calstate.edu/csu-system/about-the-csu/leadership/presidents/Documents/csu-presidential-review-policy.pdf>

Proposed Salary Review Process

The proposed salary assessment process, which will be discussed in detail during the presentation of this item, includes the following elements:

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

Note: The 10 percent cap aligns with current Trustee policy.

Per existing policy, compensation actions for CSU Executives are presented to the Board of Trustees for final approval. Additionally, compensation actions are subject to availability of funds and current budget conditions.

Recommended Action

The following resolution is presented for adoption:

RESOLVED, by the Board of Trustees of the California State University, that the Trustees approve the process to implement presidential salary assessments as proposed during the presentation of Agenda Item 2 of the Committee on University and Faculty Personnel at the September 14-15, 2021 meeting of the Board of Trustees.

Resolution Reference:

Executive Compensation: Presidential Triennial Performance Review Salary Assessment – Implementation Process (RUFP 09-21-06)

Market Formula Equity Matrix
(Second and Third Year Adjustments)

Amount to Reach Peer Group Median			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%

Reference: Presented during the Committee on University and Faculty Personnel September 2021 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Presidential Review Policy Update

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

The [CSU Policies and Procedures for Review of Presidents](#) (“Presidential Review Policy”) was last updated at the January 2020 Board of Trustees meeting, and is codified in RUFP 01-20-01. Chancellor’s Office staff recommend revisions to the Presidential Review Policy designed to align with and complement recommended revisions to the CSU Compensation Policy (RUFP 11-19-10), presented to the Board in agenda item 8. The Presidential Review Policy also includes recommendations made by a working group formed by Interim Chancellor Jolene Koester in 2023.

The proposed revised policy is provided in Attachment A to this agenda item. Attachment B displays the substantive revisions in markup view.

This item will be presented for action at the May 2024 meeting of the Board of Trustees.

Revised Draft

POLICY AND PROCEDURES FOR REVIEW OF PRESIDENTS

I. Coverage:

This document establishes the policy and procedures for the review of presidents at the California State University.

II. Responsibilities:

Decisions regarding appointment, salary, and continued employment of presidents are made by the Board of Trustees upon recommendation of the chancellor. Presidential salary assessments are governed by the CSU Policy on Compensation.

III. Objectives:

The objectives of presidential reviews are to provide the chancellor and the Board of Trustees with an understanding of the unique characteristics of the campus, a continuing assessment of campus operations and educational effectiveness, and an assessment of the leadership and management performances of the executive.

The review provides the president with an evolving understanding of their role, their rights and their responsibilities; the plans, goals and expectations mutually agreed to by the president and the chancellor; and the criteria against which progress is measured. The review is also to provide an opportunity for open and frank discussions between the president and the chancellor of the conditions or state of the campus accomplishments, desirable courses of action, progress, and ideas for improvement or redirection of effort.

The review also provides the chancellor with information upon which to reassess CSU missions, goals, policies and the resources needed to facilitate and enhance campus activities.

IV. Procedures:

The scheduling of reviews will be determined by the date of assumption of duties. Confidentiality will be preserved as much as possible throughout the review process including in written reports. Questionnaires or other survey instruments will not be used,

and petitions and anonymous or unsigned feedback will not be considered in connection with a president's performance review.

A. Newly Appointed Presidents:

Newly appointed presidents meet with the chancellor during the first year of service (preferably between the third and ninth month of the executive's incumbency). The president discusses their assessment of the state of the campus, goals and objectives and possible plans for their implementation. During this meeting, the president makes an assessment of the needs of the campus and proposes goals and objectives and plans for action. After discussion with the chancellor, an agreement is reached on needs and expectations.

Approximately, one year later, there is a discussion between the president and the chancellor on progress, achievements, any changes in original plans or directions and general performance.

Starting in the third year of the president's tenure, reviews are conducted as described below.

B. Annual Conference:

Each president has a review conference with the chancellor once a year. These meetings focus on progress toward meeting campus missions and goals, program accomplishments, campus activities, problems and proposed solutions, the state of the campus and supplement the continuing interchanges about campus and system events between the president and the chancellor. The chancellor, following completion of an annual conference, may report results and findings to the Board of Trustees.

C. Triennial Review:

At the outset of the third academic year of the president's tenure, and every three years thereafter, the chancellor will conduct a review based upon the information collected as described below which will be discussed with the president in their annual conference. The chancellor, following completion of the triennial review, will report results and findings to the Board of Trustees. The chancellor will distribute to the board a summary document which also defines goals and criteria for subsequent reviews.

Depending on the circumstances, the board may meet with the president and the chancellor in conjunction with the review.

The triennial review is based on information about activities of the campus collected by the chancellor. The president being reviewed presents information about the progress being made and the state of the campus.

The chancellor will request factual information from appropriate sources in the CSU community including, but not limited to, the leadership of the local academic senate, student representatives, the alumni organization and an appropriate community-based advisory group. The chancellor will also request information from other faculty of distinction, alumni or community individuals, campus administrators, and Chancellor's Office personnel. The chancellor may utilize information gained from sources such as everyday working relations with the president, and internal and external reports on programs, operations and achievements.

The chancellor will issue an "open letter" to the applicable university community to describe the (routine) review, the time frame, the criteria, and the methodology. The letter will also instruct anyone who was not invited to participate (randomly or by virtue of office held) how to provide input.

After the Board of Trustees has received and discussed the triennial review, the chancellor will prepare a brief report to the university community that brings closure to the review and informs the community of the major findings and the goals for the president and the university for the next period.

The chancellor may (including at the president's request) augment the triennial review framework when deemed beneficial for the president, the campus, or both. Aspects of the six-year review methodology or other models may be appropriate.

D. Six-Year Review

A regular review of the campus and the stewardship of the president, involving an off-campus committee, occurs approximately every six years. The chancellor, the board, or the president may request an accelerated or other off-cycle review.

The six-year review will utilize assessments made by a chancellor's advisory committee composed of individuals from off-campus. The chancellor, in consultation with the president, will appoint three persons to the advisory committee, two of whom may be from outside the CSU. The chair of the Board of Trustees will select a fourth member from the current membership of the board to join the chancellor's advisory committee.

When assessing a campus, the advisory committee utilizes information obtained from visits to the campus, review of written reports and interviews with members of the campus community, the community at large and appropriate CSU personnel. The advisory committee's assessment is directed toward the review of campus operations and the president's stewardship. The review shall be in the same academic year as the WASC review, whenever possible.

The advisory committee makes a confidential written report of its findings to the chancellor. Prior to submitting its final report to the chancellor, the committee furnishes a draft copy of its findings to the president of the campus being reviewed and affords an opportunity for the president to make a written response and to discuss the findings with the committee. Upon receipt of the committee's final report, the chancellor furnishes a copy of the final report to the president and affords the president an opportunity to make a written response. The chancellor discusses the committee's findings and the response with the president.

Following completion of a six-year review of a campus, the president of that campus will be invited to meet with the Board of Trustees in closed session.

V. CRITERIA FOR PRESIDENTIAL ASSESSMENT

General criteria for consideration of both the operations and condition of the campus as well as the leadership and management effectiveness of the president include, but are not limited to, such factors as the following:

A. General Administrative Effectiveness Including Management of Human, Fiscal and Physical Resources:

Consistent with shared governance practices, evidence in campus operations of effective planning and decision making; development of and delegation to a management team; accomplishment of plans and objectives; flexibility in approach to solving problems and willingness to change programs and methods to keep up with current needs and developments; commitment to equal employment and programmatic opportunities and

wise utilization of faculty and staff; commitment to hiring and retaining a diverse workforce.

B. Working Relations with the System and the Campus:

Evidence in campus operations that there are open lines of communications; work is accomplished effectively with and through others; the suggestions of system staff are solicited and considered in good faith and that the executive and the management team have established credibility with the system staff.

Evidence that the president, in serving as executive officer of the campus, maintains a perspective of the mission of the CSU and cognizance of the special demands placed on the system; participates productively in deliberations in systemwide academic and administrative matters.

C. Educational Leadership and Effectiveness:

Consistent with shared governance practices, evidence in campus operations of development, maintenance and renewal of academic plans and programs that meet long-range needs; periodic evaluation of educational progress and accomplishments; the establishment of an environment that stimulates teaching, learning, scholarship, professional development and the pursuit of support to enhance academic programs and innovation.

D. Community Relations:

Evidence in campus operations of community understanding of and support for the campus; good relations with the media; service to and from the community, alumni support, effective “Town and Gown” activities; state and federal advocacy efforts; local, regional and national reputation; and an effective institutional advancement program, including fundraising consistent with mutually agreed upon goals with the chancellor.

E. Major Achievements of the Campus and the President.

F. Personal Characteristics:

Evidence in campus operations of the president’s knowledge of the job, judgment, leadership, planning and organizing ability, drive, vision, human relations and communications skills, objectivity and fairness, ability to articulate ideas and concepts, ability to innovate, ability to take into account the public relations and political

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implications of his/her actions, ability to deal with many different problems and events at the same time, ability to withstand any criticism and to direct opposition into productive channels, ability to get to the key parts of complex problems, evidence of having facts before making decisions and ability to promote coordination and efficiency of programs and operations.

Adopted January 25-26, 1994

Modified November 13-14, 2001

Modified January 28-29, 2020

Modified <date>

Board of Trustees CSU

Proposed Revisions (substantive changes in markup view)

POLICY AND PROCEDURES FOR REVIEW OF PRESIDENTS

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This document establishes the policy and procedures for the review of presidents at the California State University.

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III. Objectives:

The objectives of presidential reviews are to provide the chancellor and the Board of Trustees with an understanding of the unique characteristics of the campus, a continuing assessment of campus operations and educational effectiveness, and an assessment of the leadership and management performances of the executive.

The review provides the president with an evolving understanding of their role, their rights and their responsibilities; the plans, goals and expectations mutually agreed to by the president and the chancellor; and the criteria against which progress is measured. The review is also to provide an opportunity for open and frank discussions between the president and the chancellor of the conditions or state of the campus accomplishments, desirable courses of action, progress, and ideas for improvement or redirection of effort.

The review also provides the chancellor with information upon which to reassess CSU missions, goals, policies and the resources needed to facilitate and enhance campus activities.

IV. Procedures:

The scheduling of reviews will be determined by the date of assumption of duties. Confidentiality will be preserved as much as possible throughout the review process including in written reports. Questionnaires or other survey instruments will not be

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used, and petitions and anonymous or unsigned feedback will not be considered in connection with a president's performance review.

A. Newly Appointed Presidents:

Newly appointed presidents meet with the chancellor during the first year of service (preferably between the third and ninth month of the executive's incumbency). The president discusses their assessment of the state of the campus, goals and objectives and possible plans for their implementation. During this meeting the president makes an assessment of the needs of the campus and proposes goals and objectives and plans for action. After discussion with the chancellor, an agreement is reached on needs and expectations.

Approximately one year later, there is a discussion between the president and the chancellor on progress, achievements, any changes in original plans or directions and general performance.

~~Approximately two years later, the president becomes part of the regular three year review process~~
Starting in the third year of the president's tenure, reviews are conducted as described below.

B. Annual Conference:

Each president has a review conference with the chancellor once a year. These meetings focus on progress toward meeting campus missions and goals, program accomplishments, campus activities, problems and proposed solutions, the state of the campus and supplement the continuing interchanges about campus and system events between the president and the chancellor. The chancellor, following completion of an annual conference, may report results and findings to the Board of Trustees.

C. Triennial Review:

At the outset of the third academic year of the president's tenure, and every three years thereafter, the chancellor will conduct a review based upon the information collected as described below which will be discussed with the president in their annual conference. The chancellor, following completion of the triennial review, will report results and findings to the Board of Trustees. The chancellor will distribute to the board a summary document which also defines goals and criteria for subsequent reviews.

Depending on the circumstances, the board ~~or the chancellor, with the concurrence of the~~

~~board, may initiate a brief meeting of the board~~may meet with the president and the chancellor in conjunction with the review.

The triennial review is based on information about activities of the campus collected by the chancellor ~~in whatever manner the chancellor or the board deems appropriate~~. The president being reviewed presents information about the progress being made and the state of the campus.

The chancellor will request factual information from appropriate sources in the CSU community including, but not limited to, the leadership of the local academic senate, student representatives, the alumni organization and an appropriate community-based advisory group. The chancellor will also request information from other faculty of distinction, alumni or community individuals, campus administrators, and Chancellor's Office personnel. The chancellor may utilize information gained from sources such as everyday working relations with the president, and internal and external reports on programs, operations and achievements.

The chancellor will issue an "open letter" to the applicable university community to describe the (routine) review, the time frame, the criteria, and the methodology. The letter will also instruct anyone who was not invited to participate (is not contacted either randomly or by virtue of office held) how to provide input, but wishes to participate. Petitions and unsigned letters will not be considered as part of the review.

After the Board of Trustees has received and discussed the triennial review, the chancellor will prepare a brief report to the university community that brings closure to the review and informs the community of the major findings and the goals for the president and the university for the next period.

The chancellor ~~and the president have the option to~~may (including at the president's request) augment the triennial review framework when deemed beneficial for the president, the campus, or both. Aspects of the six-year review methodology or other models may be appropriate.

D. Six-Year Review

A regular review of the campus and the stewardship of the president, involving an off-campus committee, occurs approximately every six years. The chancellor, the board, or the president may request an accelerated or other off-cycle review.

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The six-year review will utilize assessments made by a chancellor's advisory committee composed of individuals from off-campus. The chancellor, in consultation with the president, will appoint three persons to the advisory committee, two of whom may be from outside the CSU. The chair of the Board of Trustees will select a fourth member from the current membership of the board to join the chancellor's advisory committee.

When assessing a campus, the advisory committee utilizes information obtained from visits to the campus, review of written reports and interviews with members of the campus community, the community at large and appropriate CSU personnel. The advisory committee's assessment is directed toward the review of campus operations and the president's stewardship. The review shall be in the same academic year as the WASC review, whenever possible.

The advisory committee makes a confidential written report of its findings to the chancellor. Prior to submitting its final report to the chancellor, the committee furnishes a draft copy of its findings to the president of the campus being reviewed and affords an opportunity for the president to make a written response and to discuss the findings with the committee. Upon receipt of the committee's final report, the chancellor furnishes a copy of the final report to the president and affords the president an opportunity to make a written response. The chancellor discusses the committee's findings and the response with the president.

Following completion of a six-year review of a campus, the president of that campus will be invited to meet with the Board of Trustees in closed session.

~~E. Salary Assessment~~

- ~~1. During the triennial and six-year performance reviews, or at other times for compelling reasons, a salary assessment will be conducted by the chancellor.~~
- ~~2. The assessment will be based on criteria established in the November 2019 Board of Trustees Policy on Compensation (codified in RUFP 11-19-10).~~
- ~~3. Following completion of the triennial and six-year reviews, the chancellor will report the findings of the salary assessment to the Board of Trustees and the trustees may evaluate the appropriateness of any salary adjustment.~~
- ~~4. The chancellor, with the concurrence of the board, shall present the recommended salary adjustment later during that meeting or at the next open meeting of the Board of Trustees. The salary adjustment will be retroactive to the presidential appointment anniversary date.~~

V. CRITERIA FOR PRESIDENTIAL ASSESSMENT

General criteria for consideration of both the operations and condition of the campus as well as the leadership and management effectiveness of the president include, but are not limited to, such factors as the following:

A. General Administrative Effectiveness Including Management of Human, Fiscal and Physical Resources:

Consistent with shared governance practices, evidence in campus operations of effective planning and decision making; development of and delegation to a management team; accomplishment of plans and objectives; flexibility in approach to solving problems and willingness to change programs and methods to keep up with current needs and developments; commitment to equal employment and programmatic opportunities and wise utilization of faculty and staff; commitment to hiring and retaining a diverse workforce.

B. Working Relations with the System and the Campus:

Evidence in campus operations that there are open lines of communications; work is accomplished effectively with and through others; the suggestions of ~~others-system staff~~ are solicited and considered in good faith and that the executive and the management team have established credibility with the system staff.

Evidence that the president, in serving as executive officer of the campus, maintains a perspective of the mission of the CSU and cognizance of the special demands placed on the system; participates productively in deliberations in systemwide academic and administrative matters.

C. Educational Leadership and Effectiveness:

Consistent with shared governance practices, evidence in campus operations of development, maintenance and renewal of academic plans and programs that meet long-range needs; periodic evaluation of educational progress and accomplishments; the establishment of an environment that stimulates teaching, learning, scholarship, professional development and the pursuit of support to enhance academic programs and innovation.

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D. Community Relations:

Evidence in campus operations of community understanding of and support for the campus; good relations with the media; service to and from the community, alumni support, effective “Town and Gown” activities; state and federal advocacy efforts; local, regional and national reputation; and an effective institutional advancement program, including fundraising consistent with mutually agreed upon goals with the chancellor.

E. Major Achievements of the Campus and the President.

F. Personal Characteristics:

Evidence in campus operations of the president’s knowledge of the job, judgment, leadership, planning and organizing ability, drive, vision, human relations and communications skills, objectivity and fairness, ability to articulate ideas and concepts, ability to innovate, ability to take into account the public relations and political implications of his/her actions, ability to deal with many different problems and events at the same time, ability to withstand any criticism and to direct opposition into productive channels, ability to get to the key parts of complex problems, evidence of having facts before making decisions and ability to promote coordination and efficiency of programs and operations.

Adopted January 25-26, 1994

Modified November 13-14, 2001

Modified January 28-29, 2020

Modified <date>

Board of Trustees CSU

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Deferred Compensation Plan

Presentation By

Wenda Fong
Chair of the Board

Summary

This action item establishes the deferred compensation plan for Dr. Mildred García as chancellor of the California State University.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Update on Civil Rights (Title IX and Other Nondiscrimination) Programs and Services

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

The Board of Trustees will be presented with a report on the university's Civil Rights (Title IX and other nondiscrimination) programs and services.