

CORRECTED

AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: 10:30 a.m., Tuesday, November 17, 2015
Glenn S. Dumke Auditorium

Douglas Faigin, Chair
Kelsey M. Brewer, Vice Chair
Silas H. Abrego
Adam Day
Debra S. Farar
Lupe C. Garcia
J. Lawrence Norton
Steven G. Stepanek

Consent Items

Approval of Minutes of Meeting of September 8, 2015

Discussion Items

1. Legislative Update, *Information*

**MINUTES OF THE MEETING OF
COMMITTEE ON GOVERNMENTAL RELATIONS**

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

September 8, 2015

Members Present

Kelsey Brewer, Acting Chair
Silas H. Abrego
Adam Day
Debra S. Farar
Lupe C. Garcia
Lillian Kimbell
Lou Monville, Chair of the Board
J. Lawrence Norton
Steven G. Stepanek
Timothy P. White, Chancellor

Trustee Brewer called the meeting to order.

Approval of Minutes

The minutes of May 19, 2015, were approved on consent.

Legislative Update

Mr. Garrett Ashley, vice chancellor for university relations and advancement, and Ms. Karen Y. Zamarripa, assistant vice chancellor for advocacy and state relations, presented this item.

Mr. Ashley reported that the legislature will adjourn later this week. Governor Brown called two special sessions of the legislature focusing on California's transportation infrastructure and health care.

Ms. Zamarripa reported on the status of the Board of Trustees' sponsored bills, items of interest to the CSU, leadership changes in the legislature and initial advocacy plans for next year.

The CSU was successful in moving two of the four sponsored bills during this legislative session. AB 819, which deals with alumni affinity programs, was signed into law. SB 462, which supports the Green Music Center at Sonoma State, has moved to the governor's desk.

The CSU continues to work with the Department of Finance and the State Treasurer's Office on the CSU's investment authority. The goal is to reach a resolution in 2016.

SB 634, which would add California to a consortium of more than 35 states in a reciprocity agreement for distance education programs, is a two-year bill.

Other bills of interest to the CSU include those dealing with campus safety, supplanting and student success fees.

Advocacy plans for 2016 include a systemwide Advocacy Day on March 29 and three Impact Days. Impact Days are an important tool in educating legislative members and staff on the importance of the CSU and its vital role in addressing policy, community and economic issues throughout the state.

Trustee Brewer adjourned the meeting.

COMMITTEE ON GOVERNMENTAL RELATIONS

Legislative Update

Presentation By

Garrett Ashley
Vice Chancellor
University Relations and Advancement

Karen Y. Zamarripa
Assistant Vice Chancellor
Advocacy and State Relations

Summary

This item contains an updated review of bills introduced this year that may impact or be of interest to the California State University (CSU).

Background

With the Governor taking his final actions on the measures presented to him, the first year of the 2015-16 legislative session has ended. Although the legislature is technically on recess until January 4, 2016, members could be called in for two extraordinary sessions to deal with transportation and health care. The body will only be called back to Sacramento should a deal on either of these items be reached. In the meantime, members will begin focusing on the 2016 session, with an immediate focus on their two-year measures and, more importantly, on changes to the secondary leadership positions, committee chairs and committee assignments due to the new leadership positions in the legislature for three of the four top spots.

Board of Trustees' Sponsored Legislation

AB 819 (Irwin) - CSU and University of California Alumni Affinity Programs

This measure seeks permanent authority for the CSU and the University of California (UC) to participate in affinity programs, which benefit the campuses and their alumni associations. The current statutory authority for affinity programs sunsets in January 2016.

Status: The measure was signed into law by the Governor, Chapter 121, Statutes of 2015.

SB 462 (Wolk) - Sonoma State Green Music Center Ad/Sponsorship Allowances

This measure would allow local wineries and beer manufacturers to purchase ad space, donate products for sale or provide sponsorship for events at the Sonoma State University Donald and Maureen Green Music Center.

Status: The measure was signed into law by the Governor, Chapter 315, Statutes of 2015.

SB 634 (Block) - State Authorization Reciprocity Agreement (SARA)

The US Department of Education is expected to issue regulations that require every campus that offers online programs be authorized to do so in every state. In response, accrediting agencies throughout the country have developed a collaborative – known as the State Authorization Reciprocity Agreement (SARA) – to facilitate common standards and access for students and universities. This measure provides the statutory authorization necessary for California to enter into SARA through the Western Interstate Commission for Higher Education (WICHE).

Status: The measure is a two-year bill and will be heard in the Senate Education Committee soon after the session resumes. The CSU is partnering with the public and private colleges and universities as well as WICHE to move this measure next year.

AB 130/SB 104 - CSU Investment Authority

These measures would increase the CSU system's investment earnings on its funds through a broader range of investments to support campus infrastructure and capital outlay.

Status: Both measures were proposed as budget trailer bills after extensive discussions with the Department of Finance, the State Treasurer's Office, and legislative staff. SB 104 was heard before the Senate Budget and Fiscal Review Committee on August 27. Members of the committee had many questions about the proposal, and it was ultimately tabled until next year. Executive Vice Chancellor and Chief Financial Officer Steve Relyea and members of his team, along with Advocacy and State Relations, have begun working on next steps for this important effort next year.

Key Measures

AB 38 (Eggman) - California State University: New Campuses

This measure would request the Legislative Analyst's Office (LAO) to conduct a study to assess the need for new CSU campuses.

CSU Position: NO OFFICIAL POSITION

Status: The measure passed out of the Assembly and was held by the Senate Rules Committee. Language was included in the final budget act to have LAO conduct a study regarding the need for CSU and UC campuses within the year.

AB 42 (Kim) - Postsecondary Education Mandatory Fee Freeze

This measure would prohibit the CSU, California Community Colleges (CCC) and the UC from increasing mandatory tuition and fees until fiscal year 2018-19, when the temporary taxes established by Proposition 30 expire.

CSU Position: OPPOSE UNLESS AMENDED
Status: The measure is a two-year bill.

AB 147 (Dababneh) - Animal Research

This measure would require California's higher education institutions that conduct scientific research on domestic dogs or cats to offer the animals to animal rescue operations after they are no longer needed.

CSU Position: NO OFFICIAL POSITION
Status: The measure was signed into law by the Governor, Chapter 551, Statutes of 2015.

AB 340 (Weber) - Campus Climate Report

Beginning in 2017-18, this measure would require the CSU, CCC and the UC to provide a report to the legislature every two years on new developments and efforts being undertaken around campus climate. The report would be submitted to the legislature, governor and attorney general.

CSU Position: SUPPORT
Status: The measure was vetoed by the Governor.
Governor's Message: "I am returning Assembly Bill 340 without my signature. The bill would require the California State University Trustees and the California Community Colleges Board of Governors to submit a report on campus climate every two years, and would request the University of California to do the same. While I understand the desire to create a more vibrant, intellectually serious and inclusive campus environment at UC, CSU and the community colleges, each of their governing boards has already taken steps aimed at achieving these important goals. I believe the leaders of these institutions are committed to providing updates on current and future developments. Codifying a biennial report, as provided in this bill, is not necessary. Sincerely, Edmund G. Brown Jr."

AB 716 (Low) - California State University Special Sessions

This measure would place into the Education Code the definition of “supplanting” included in the CSU executive order on this subject; specifically, that supplanting results when the number of state-supported course offerings decreases while the number of self-supporting versions of that course increases. The measure would also require, to the extent possible, that any course offered as a condition of completing an undergraduate degree should be offered as a state-supported course.

CSU Position: NO OFFICIAL POSITION
Status: The measure was signed into law by the Governor, Chapter 252, Statutes of 2015.

AB 798 (Bonilla) - College Textbook Affordability Act of 2015

This measure redirects \$3 million of funds intended for the creation of Open Education Resources (per SB 1052 and SB 1053) to be used for CSU and CCC faculty development in developing open education resources. Up to 100 proposals would be providing professional development for the adoption of OER courses.

CSU Position: SUPPORT
Status: The measure was signed into law by the Governor, Chapter 633, Statutes of 2015.

AB 967 (Williams) - Postsecondary Education: Sexual Assault

This measure would mandate that institutions receiving state financial aid must establish a uniform process for sexual assault disciplinary proceedings that treats all students in the same manner, regardless of their major or their participation with an athletic program. It also would specify forms of discipline for violations, including expulsion, suspension and loss of aid and housing privileges, effectively creating determinate sentencing for student code of conduct violations. Finally, the measure requires annual reporting on sexual assault cases, including the number of cases each year and resulting outcomes.

CSU Position: SUPPORT
Status: The bill was vetoed by the Governor.
Governor’s Message: “I am returning Assembly Bill 967 without my signature. This bill would require public and independent postsecondary institutions that receive student financial aid from the state to adopt and implement uniform disciplinary processes for sexual assault and to apply consistent standards for expulsion, suspension, loss of institutional aid or scholarship, loss of privileges and removal from student housing. Additionally, this bill would

require annual reporting of data and recommend a minimum period of suspension, or expulsion, for the most egregious violations of sexual assault policies. College campuses must deal with sexual assault fairly and with clear standards of process. It is eminently reasonable to expect that discipline shall not vary based on a student's status as an athlete or a declared area of study. This bill, however, could deprive professionals from using their better judgment to discipline according to relevant circumstances. Moreover, it creates an expectation that the state should recommend minimum penalties for violations of specific campus policies. Last year, I signed Senate Bill 967, making California the first state in the country to define the terms of sexual consent for college students, so that our higher education institutions could better prevent sexual violence on campuses. This year, I signed AB 913 to ensure that existing jurisdictional agreements between postsecondary institutions and local law enforcement include responsibility for investigating sexual assaults and hate crimes. Given these actions, I don't think it is necessary at this point for the state to directly insert itself into the disciplinary and governing processes of all private nonprofit and public colleges in California. Sincerely, Edmund Brown Jr.”

AB 968 (Williams) - Postsecondary Education: Transcripts

This measure would mandate that a student's suspension or expulsion be included on their transcript for as long as the prohibition is in place. This is consistent with current CSU policy.

CSU Position: SUPPORT

Status: The measure was vetoed by the Governor.

Governor's Message: “I am returning Assembly Bill 968 without my signature. The bill would require all public and private postsecondary educational institutions to note suspension or expulsion on a student's transcript for the period of time the student is ineligible to reenroll at the institution. Colleges currently have the ability to make a notation if a student is suspended or expelled, and community colleges already may deny or conditionally admit a student who has previously been expelled or is under expulsion proceedings. If further protection is needed to screen transfer applications that is something best left to individual colleges themselves. Campus safety is a serious issue one that has received much attention and led to several changes in law and policy. Increased vigilance may still be necessary, but I would caution against overcorrections that could result in some individuals being marked for the rest of their lives. While the desire to provide students with safe campuses is well-intentioned, I am not prepared to support this mandate. Sincerely, Edmund G. Brown Jr.”

AB 970 (Nazarian) - Labor Commissioner: Enforcement of Employee Claims

This measure expands the role of the state's labor commissioner to cite an employer for violations of state and local minimum wage laws.

CSU Position: NO OFFICIAL POSITION

Status: The measure was signed into law by the Governor, Chapter 783, Statutes of 2015.

AB 1000 (Weber) - California State University: Student Success Fees

This measure would codify the recently adopted Board of Trustees' resolution on Category II Student Success Fees. It would also require a report from the chancellor on all fees adopted and rescinded in each academic year to the Department of Finance and the Legislature.

CSU Position: OPPOSE

Status: The measure was signed into law by the Governor, Chapter 636, Statutes of 2015.

Governor's Message: "I am signing Assembly Bill 1000 because it gives the students of the California State University system the certainty of process and voice in any proposal to increase student success fees. The Trustees of the California State University have already acted to support and uphold this process. For the future, not all their actions need to be codified, and the Legislature should allow the Trustees the range of governance that is necessary to balance and achieve the best outcomes for students served by the CSU. Sincerely, Edmund G. Brown Jr."

AB 1228 (Gipson) - Public Postsecondary Education: Campus Housing: Homeless Youth

This measure would request that a student who has been verified as being a "homeless" student would be eligible for priority housing at a CSU, UC or CCC campus. The measure would also provide that the student be allowed to stay in campus housing during holiday breaks when housing is available, similar to what former foster youth are currently allowed to do.

CSU Position: NO OFFICIAL POSITION

Status: The measure was signed into law by the Governor, Chapter 571, Statutes of 2015.

AB 1317 (Salas) - Executive Officer Compensation

This measure would request the UC to adopt policies prohibiting a salary increase for executive officers if systemwide mandatory fees were increased within the last two years.

CSU Position: WATCH
Status: The measure originally applied to the CSU and the UC, but was passed out of the Assembly with amendments deleting all reference to the CSU. The measure is now a two-year bill in the Senate Education Committee.

AB 1349 (Weber) - California First Act

This measure would require the university to guarantee undergraduate admissions to a CSU campus, though not necessarily at a campus or in a major of the applicant's choice, to all California residents who apply on time and satisfy the undergraduate admissions eligibility requirements of the university, regardless of state funding levels.

CSU Position: WATCH
Status: The measure was held in the Assembly Appropriations Committee and is dead for the session.

AB 1366 (Lopez) - Dream Resource Centers

This measure would require the CCC and CSU to either establish Dream Resource Centers or ensure a designated staff person who is knowledgeable in financial aid, services and academic opportunities for all students meeting specific requirements is available.

CSU Position: NO OFFICIAL POSITION
Status: The measure was held on the floor of the Senate, making the measure a two-year bill.

SB 3 (Leno) - Minimum Wage

This measure would increase the state minimum wage to \$13 an hour by July 1, 2017, and put in place an annual increase yearly thereafter tied to the California Consumer Price Index (CCPI).

CSU Position: NO OFFICIAL POSITION
Status: The bill was made a two-year bill just prior to its vote in the Assembly Appropriations Committee.

SB 8 (Hertzberg) - The Upward Mobility Act

Presently, this measure is only legislative intent language that would extend sales tax on service-based industries. It would also examine the impact of lowering and simplifying the personal income tax California currently uses. The bill intends to generate an estimated \$10 billion in new revenues that would be directed as follows: \$3 billion for K-14 education; \$3 billion for local government services; \$2 billion for low-income tax credits; and \$1 billion each for the UC and the CSU.

CSU Position: WATCH

Status: The measure is a two-year bill.

SB 15 (Block) - Postsecondary Education Financial Aid

This measure is Senate Pro Tem de León's higher education proposal to allocate more funds to higher education and state financial aid programs.

CSU Position: SUPPORT

Status: The measure passed out of the Senate, and will not move further until next year given the budget agreement between the Senate and Assembly. One component, a new incentive program to encourage CSU students to complete at least 30 units a year towards their degree, remains a keen interest of Senate Pro Tem de León and will be an issue in 2016.

SB 42 (Liu) - Postsecondary Education: Office of Higher Education Performance and Accountability

As introduced, this measure would have created the Office of Higher Education Performance and Accountability, a replacement for the unfunded California Postsecondary Education Commission (CPEC). This new commission would serve many of the same purposes as CPEC, but would not include representation from the higher education segments on the governing board.

CSU Position: CONCERNS

Status: The measure was vetoed by the Governor.

Governor's Message: "I am returning Senate Bill 42 without my signature. This bill would establish an Office of Higher Education Performance and Accountability to advise the Governor and Legislature on state goals and priorities for higher education. The bill would also create an advisory board consisting of legislators and others to be appointed by the Legislature to annually review the performance of this office, which would sunset by the end of 2020. The call to improve postsecondary educational outcomes is laudable. The goals established by SB 195 in 2013 improving access and success, aligning degrees and credentials with the state's economic, workforce and civic needs, and ensuring the effective and efficient use of resources are still important measures that should guide us in developing higher education policies for the state. While there is much work to be done to improve higher education, I am not convinced we need a new office and an advisory board, especially of the kind this bill proposes, to get the job done. Sincerely, Edmund G. Brown Jr."

SB 247 (Lara) - Dream Centers

This measure would allow high schools, CCC, CSU and UC campuses to establish on-campus "Dream Centers" to assist undocumented students with student support services, including financial aid.

CSU Position: NO OFFICIAL POSITION
Status: The measure was held on the suspense file in the Appropriations Committee and is dead for the year. The measure was then amended to deal with charter school buses, but was held by the Senate Rules Committee.

SB 668 (Leyva) - Sexual Assault: Counselor-Victim Privilege

This measure would require all campuses to contract out with a sexual assault center, like the California Coalition Against Sexual Assault (CALCASA), to provide sexual assault counseling to students on campus.

CSU Position: WATCH
Status: The author has deferred action on this bill until 2016 given concerns expressed by the CSU and others.

SB 669 (Pan) - California State University Personal Service Contracts

This measure would restrict the CSU's authority to manage its employees and subject the campuses to the same contracting-out restrictions and constraints imposed on state civil service.

CSU Position: OPPOSE
Status: This measure is very similar to last year's SB 943, which died in its first policy committee. It was referred to the Senate Education Committee and was scheduled to be heard on April 22, but was pulled by the author and is now a two-year bill.

SB 707 (Wolk) - Gun-Free School Zone

This measure would prohibit a person with a concealed weapon permit from bringing a firearm onto K-12 school grounds and higher education campuses, including the CSU.

CSU Position: SUPPORT
Status: The measure was signed into law by the Governor, Chapter 766, Statutes of 2015.