

AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: **1:45 p.m., Tuesday, July 19, 2016**
 Glenn S. Dumke Auditorium

J. Lawrence Norton, Chair
Maggie K. White, Vice Chair
Silas H. Abrego
Lillian Kimbell
Thelma Meléndez de Santa Ana
Lateefah Simon
Steven G. Stepanek

Consent Item

Approval of Minutes of the Meeting of May 24, 2016

Discussion Item

1. State 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**

May 24, 2016

Members Present

Douglas Faigin, Chair
Kelsey M. Brewer, Vice Chair
Silas H. Abrego
Adam Day
Debra Farar
Lupe C. Garcia
Lou Monville, Chair of the Board
Steven G. Stepanek
Timothy P. White, Chancellor

Trustee Faigin called the meeting to order.

The committee heard public comment.

Approval of Minutes

The minutes of March 9, 2016, were approved as submitted.

Legislative Update

Mr. Garrett P. Ashley, vice chancellor for university relations and advancement, reported that May 27 is the final day for fiscal committees to hear and report bills to the floor. Any bills that fail to move from the fiscal committee will be dead for the year.

Ms. Nichole Muñoz-Murillo, interim director for advocacy and state relations, gave an overview of bills that impact the CSU and an update on budget advocacy efforts:

- ***CSU Investment Authority (SB 1412 Block):*** This proposal would allow the CSU to invest in mutual funds and real estate investment trusts, with no more than 30 percent of funds placed in these new options. The intent is to boost annual returns, providing funding for CSU deferred maintenance and infrastructure needs. The bill unanimously passed out of the Senate Education Committee and is now in the Senate Appropriations Committee.

- ***Lottery Fund Payments (AB 2215 Medina/Baker):*** This proposal would make a technical change to government code regarding how the State Controller's Office distributes state lottery funds to the CSU. The bill has moved through the Assembly and will next be heard by the Senate Governmental Organization Committee.

Other bills of interest to the CSU include those dealing with faculty increases, presidential search processes, personal service contracts and leaves of absence.

On May 18, campus delegations met with legislators for Budget Advocacy Day to advocate for \$101 million in additional funding. On June 1, CSU mascots will be at the capitol posing for photographs and delivering the #standwithCSU red glasses. Legislators will be asked to wear their red glasses on June 2 to show their support.

Trustees Farar and Faigin would like to continue discussions on trustee involvement in deciding the CSU position on legislative proposals.

Trustee Faigin adjourned the meeting.

COMMITTEE ON GOVERNMENTAL RELATIONS

State Legislative Update

Presentation By

Garrett P. Ashley
Vice Chancellor
University Relations and Advancement

Nichole Muñoz-Murillo
Interim Director
Advocacy and State Relations

Summary

This item contains an update on Board of Trustees sponsored measures introduced this year, as well as an update on the 2016 Legislative Session. Additionally, staff will provide an update on final budget advocacy efforts. Please note, all bill statuses are accurate as of June 21, 2016.

Capitol Context

The second year of the 2015-2016 Legislative Session is fast approaching its conclusion. July 1 represented the final day for policy committees to meet and report bills to their respective fiscal committees. Over the past six weeks, hundreds of bills have been moving through the second house. At this point, any bill that failed passage in the policy committees in the second house is considered dead.

The Legislature is currently on Summer Recess and will reconvene on August 1. Upon reconvening, the Legislature will have until August 12 to report bills with fiscal costs to the Floor, and then will have until August 31 to pass bills before the Final Recess begins.

In the midst of the business that is the legislative calendar, the state budget was passed on June 15 by both houses. In the weeks leading up to the passage of the budget, CSU campuses worked diligently in partnership with internal stakeholder groups to ensure that the CSU was part of the Legislature's funding priorities. Two highlights of these efforts included Mascot Day and Focused on Students Day. The additional funding that CSU secured above the Governor's budget proposal is a testament to the collaborative advocacy efforts of our students, faculty, staff, alumni, community leaders and business partners.

Update on Board of Trustees Legislative Package

SB 1412 (Block) - CSU Investment Authority

This bill would provide the CSU the potential to increase investment earnings on its funds by creating a balanced investment portfolio. Under current law, the CSU is limited to investing in fixed-income securities. Over a four year phase-in period, the bill would allow the CSU to invest in mutual funds and real estate investment trusts with no more than 30 percent of funds in the new investment options. The intent is to boost funding for CSU deferred maintenance and infrastructure needs through the increased earnings.

Status: This bill passed the Assembly Higher Education Committee on the consent file and has been referred to the Assembly Appropriations Committee.

AB 2215 (Medina) - Lottery Fund Payments

This bill makes a technical change to the Government Code regarding how the State Controller's Office (SCO) distributes state lottery funds to the CSU. This bill removes unnecessary administrative processes currently carried out by staff from both the CSU and SCO.

Status: The measure was passed out of the Senate Governmental Organization Committee on the consent file and has been referred to the Senate Appropriations Committee.

Other Measures of Interest to the CSU

AB 1594 (McCarty) - Prohibition of Smoking on Campus

This measure would prohibit smoking, including e-cigarettes, on all public postsecondary institutions and would allow campuses to take certain actions to enforce the ban. The CSU is currently in the process of drafting a policy for the system, which is anticipated to be similar to the language found in AB 1594. It should be noted that any policy adopted by the system would have to be collectively bargained with all bargaining units.

CSU Position: NO OFFICIAL POSITION

Status: The measure passed out of the Senate Education Committee and will next be heard by the Senate Appropriations Committee.

AB 1721 (Medina) - Cal Grant Program

As introduced, the bill would have made several expansions to the Cal Grant program, including increasing the authorized Cal Grant B Access Award to \$3,000. Unfortunately, the bill was substantially amended, including deleting the expansion of Cal Grant B Access Awards. With this amendment, the CSU changed its position from "support" to "no official position" as the provisions that would have most impacted CSU students were deleted from the bill.

CSU Position: NO OFFICIAL POSITION
Status: The measure is currently pending a hearing in the Senate Education Committee.

AB 1726 (Bonta) - Asian Pacific Islander Data Collection

This measure would require the California Community Colleges (CCC) and the CSU, and request the University of California (UC), to provide disaggregated data on Asian Pacific Islanders who are admitted to their systems.

CSU Position: SUPPORT
Status: The measure passed out of the Senate Education Committee and will next be heard by the Senate Health Committee.

AB 1747 (Weber) - Higher Education Food Assistance

This measure requires postsecondary educational institutions to ensure that each campus located in a county participating in the Restaurant Meals Program apply to the program if they operate eligible food facilities, or to provide information on the program to third-party vendors located on campus. This measure would also make public postsecondary institutions eligible entities to partner with local governments in order to apply for federal matching funds to conduct Cal Fresh outreach activities, and would establish the Public Higher Education Pantry Assistance Account within the Department of Social Services' Emergency Food Assistance Fund Program and would require that moneys in the account (appropriated by the Legislature) be allocated to food banks that support on-campus food pantries and to hunger relief efforts serving low-income students.

Recent amendments removed language that linked compliance with these provisions to participation in the Cal Grant program. With the most recent amendments, the CSU has moved to a "support" position as it would help address food insecurity among students.

CSU Position: SUPPORT
Status: The measure passed out of the Senate Education Committee and will next be heard by the Senate Human Services Committee.

AB 1756 (Bonilla) - Teacher Credential: Integrated Programs for Professional Preparations

This bill provides one-time grant funding of up to \$10 million to support post-secondary institutions in creating and expanding integrated/blended teacher credentialing programs. The goal would be to recruit teachers to these programs which can provide an undergraduate degree and credential program in five years or less. As part of the Budget Act, the Legislature appropriated funding for integrated teacher credential programs, similar to the contents of this bill.

CSU Position: SUPPORT
Status: The measure was passed by the Assembly and referred to the Senate Education Committee.

AB 1778 (Quirk) - Sexual Assault and Violence Training

This measure would require CSU and all state institutions of higher education to conduct annual training, which is consistent with our current policies.

CSU Position: NO OFFICIAL POSITION
Status: The bill was referred to the Assembly Appropriations Committee's Suspense File.

AB 1837 (Low) - Office of Higher Education Performance and Accountability

The measure is intended to create a successor to the California Postsecondary Education Commission (CPEC). However, this bill currently does not provide segment representation to the newly created entity. The CSU has asked that the system have a seat on the governing body, consistent with the other segments of higher education.

CSU Position: NO OFFICIAL POSITION
Status: The measure passed out of the Senate Education Committee and will next be heard by the Senate Governmental Organization Committee.

AB 1914 (Bonilla) - Public Postsecondary Education: Access Codes

The measure, sponsored by the California State Student Association (CSSA), would require the Academic Senates of each CSU campus, in collaboration with the students and the campus administrators, to develop strategies related to academic materials required for a course. The goal is to reduce redundancy in what a student may have to pay for when they register for a course. The guidelines developed would require that if an existing online platform is already in place at the campus and can be used in the same manner as what a student would have to purchase with their textbook, than a student wouldn't be required to purchase that item. The measure also would require bookstores to notify faculty about the historical cost of a book, if the course is only offered sporadically.

The CSU has been working closely with the author and all other interested parties to address how students can save money on course materials they need for their education. The CSU has been a leader on this issue and appreciates the work of the author and CSSA on this matter.

CSU Position: SUPPORT
Status: The measure passed out of the Senate Education Committee and will next be heard in the Senate Appropriations Committee.

AB 1936 (Chavez) – Public Postsecondary Education: Dependents of Armed Forces Members

This measure would change the time of residency determination for dependents of a member of the Armed Forces from the time of enrollment to the time of admittance. This seeks to ensure that

college-going students who live in California do not lose their residency status between the time they are admitted and the time they begin college if their family is relocated outside the state. The measure is narrowly crafted to address this specific issue and will help ensure current California students do not have to pay out-of-state tuition for reasons beyond their control.

CSU Position: SUPPORT
Status: The measure passed out of the Senate Education Committee and will next be heard in the Senate Appropriations Committee.

AB 2017 (McCarty) - College Mental Health Services Program

This measure would allow CSU, CCC and UC campuses to submit proposals to augment their mental health services using money from Proposition 63, the mental health initiative. It would require a dollar-for-dollar match with a maximum of \$5 million provided to a campus. The measure would be in place until 2022 and would have a pool of \$40 million a year.

The CSU has been working with the author and sponsor to amend the measure to allow campuses to use the funds for direct services and not just for outreach. The CSU has also asked that a campus could pledge in-kind resources, such as office space, as part of their dollar-to-dollar grant. The author has amended the bill to address these issues, and the CSU has moved to a “support” position.

CSU Position: SUPPORT
Status: The measure was passed by the Assembly and has been double referred in the Senate to the Health Committee and the Education Committee.

AB 2019 (Santiago) – California State University: Automatic Salary Adjustment for Faculty

This measure, which was sponsored by the California Faculty Association (CFA), would have provided CSU faculty with an annual automatic salary adjustment of either 2.65% or California’s Consumer Price Index (CPI), depending on which is higher each year. The California State University Employees Union (CSUEU) requested an amendment to add themselves to the provisions of the measure as well.

CSU Position: OPPOSE
Status: The bill was held on the Assembly Appropriations Committee’s Suspense File and is dead for the session.

AB 2154 (Medina) - California Student Aid Commission: Student Members

The measure, sponsored by CSSA, would allow a student member of the California Student Aid Commission (CSAC) to continue serving past their two-year term expiration if the Governor has not named a replacement. The measure also requires their university to waive the student’s tuition during their term on the commission.

CSU Position: SUPPORT

Status: The measure has been passed by policy and fiscal committees and will next be considered on the Senate Floor.

AB 2163 (Low) - Appointment of CSU Campus Presidents

The measure, sponsored by CFA, would have prohibited the Board of Trustees from naming a campus president until the prospective candidate has visited the campus and held a public forum. The CSU worked with the author and the bill will instead require that within 15 business days of being appointed by the Board of Trustees to a campus presidency that that person has 15 business days to attend the campus and hold an open forum.

CSU Position: SUPPORT

Status: The measure was passed by the Assembly and referred to the Senate Education Committee.

AB 2164 (O'Donnell and Cooper) - Public Postsecondary Education: Tuition and Fees

Currently, the CSU is required to provide a systemwide tuition fee waiver to any surviving spouse or child of a deceased public safety officer who died as a result of their official duties. This measure would extend this benefit to any mandatory tuition and fees, including campus-based fees. The measure also expands the benefit to deaths caused as a result of an industrial injury or illness arising out of their duties, for both systemwide and campus-based mandatory fees. It should be noted that the CSU used to receive a backfill from the state for this lost revenue to the system, but that ended in 1992-1993.

CSU Position: NO OFFICIAL POSITION

Status: The measure passed out of the Senate Education Committee and will next be heard in the Senate Appropriations Committee.

AB 2181 (Brown) - Public Contracts: Greenhouse Gas Emission

This measure would have required the CSU, UC and all state agencies to submit a report to the Legislature on the greenhouse gas emissions associated with any infrastructure project that costs more than \$1 million.

CSU Position: NO OFFICIAL POSITION

Status: The measure was held on the Assembly Appropriations Suspense File and is dead for the session.

AB 2183 (Gatto) - California State University: Personal Service Contracts

The proposal would require the CSU to do a very lengthy cost-benefit analysis for any personal service contract awarded in a manner that is almost identical to what is required for state agencies who are covered by the Civil Service Act. The CSU has always been excluded from the Civil Service Act because of its unique nature and governing board process.

Protections for CSU employees on the matter of contracting out are very strong due to the Higher Education Employer-Employee Relations Act (HEERA), collective bargaining and the Public Employment Relations Board (PERB). This proposal would forever alter the system's ability to operate, without a clear reason for why such a punitive action should be taken.

CSU Position: OPPOSE
Status: This measure failed passage in the Senate Education Committee and is dead for the session.

AB 2214 (Harper) - Faculty Royalty Income Disclosure

This measure would have required all public segments of education, including the CSU, to create a form, at their discretion, that would have faculty disclose all income received for royalties or consulting they provided.

CSU Position: NO OFFICIAL POSITION
Status: The bill was held on the Assembly Appropriations Committee's Suspense File and is dead for the session.

AB 2222 (Holden) - Transit Passes

The measure would establish the Transit Pass Program with moneys from the Greenhouse Gas Reduction Fund, to support transit pass programs that provide free or reduced-fare transit passes to low-income public school students as well as community college, CSU, and UC students who receive Cal Grants.

CSU Position: SUPPORT
Status: The measure passed out of the Senate Transportation and Housing Committee and will next be heard by the Senate Environmental Quality Committee.

AB 2294 (Gomez) - California State University: Leave of Absence Union Work

This measure, sponsored by CFA, would require the Board of Trustees to grant a leave to any union members so that they can serve as an elected board member on a campus, statewide, or national public union, regardless of related provisions of the collective bargaining agreement. It should be noted that the measure does not acknowledge that the collective bargaining agreements for our unions allow a specific number of employees leave for whatever purpose they deem appropriate. For example, CFA currently is provided 16 leaves, without question, but has never used all of these positions.

The CSU sought two amendments: 1) that the CSU should be notified of a request for an absence at least 30 days before the beginning of an academic term; and, 2) that any additional leave provided by this proposal be offset first by any available release time negotiated by the CSU and the collective bargaining agreement controlling associated with union group. The author agreed to

amendments to provide 30 days before the academic term, if possible. The CSU has been in conversation with the author and the sponsor on potential future amendments.

CSU Position: OPPOSE UNLESS AMENDED
Status: The measure passed out of the Senate Education Committee and will next be heard in the Senate Appropriations Committee.

AB 2317 (Mullin) - California State University: Doctor of Audiology Degrees

This measure would authorize CSU campuses to offer a doctoral degree in audiology. The national standard for this degree has become a doctoral degree, which forced the CSU to close their related masters' level programs.

CSU Position: SUPPORT
Status: The measure passed out of the Senate Education Committee and will next be heard in the Senate Appropriations Committee.

AB 2386 (Williams) - California State University: Trustees

This measure, sponsored by CSUEU, would take one of the Governor's 16 appointed public members and repurpose this seat to add a represented non-faculty member to the board. This new member would be appointed by the Governor from a pool of at least two non-faculty represented employees who would be chosen by a staff council that would be funded by the unions that represent non-faculty employees.

The CSU has requested that the measure be amended to broaden the definition of non-faculty representative to include all staff, both represented and non-represented, with the exception of presidents, vice presidents and deans. The CSU has also asked for amendments that would allow the chancellor to form the staff council in a manner consistent with the Academic Senate and remove the requirement that the council be paid for by collective bargaining units.

When the measure was introduced, the bill would have also made changes to the faculty trustee term. The CSU was also concerned with this provision as it would have reversed previous BOT sponsored legislation, which ensured an academic voice would always be represented on the board. The author took amendments to address this concern.

CSU Position: OPPOSE UNLESS AMENDED
Status: The measure passed out of the Senate Education Committee and will next be heard in the Senate Appropriations Committee.

AB 2455 (Chiu) - Automatic Student Voter Registration Program

The measure at one point would have mandated that data collected from CSU Mentor be provided to the Secretary of State's (SOS) office to ensure that as many Californians as possible were

registered to vote. Issues were raised pertaining to the federal Family Educational Rights and Privacy Act (FERPA) as the data collected by the CSU and other segments might not be the same as what is required by the SOS. The measure now requires the segments to implement a process with the SOS to allow a student to submit an affidavit of voter registration electronically.

The CSU will continue to work with the author to get a better understanding of how the measure will be implemented, should the bill become law.

CSU Position: NO OFFICIAL POSITION
Status: The measure passed out of the Senate Elections and Constitutional Amendments Committee and will next be heard in the Senate Appropriations Committee.

AB 2786 (Chavez) - Public Postsecondary Education: Four Year Degree

This measure would have required the UC and CSU to establish four-year pledge programs on all campuses.

CSU Position: NO OFFICIAL POSITION
Status: The bill was held on the Assembly Appropriations Committee's Suspense File and is dead for the session.

SB 15 (Block) - Postsecondary Ed: Financial Aid: Graduation Incentive Grant Program

Among other provisions, SB 15 would establish Graduation Incentive Grants for CSU students. These grants would increase in value as students complete 30 semester units in a college year, thus incentivizing students to complete a degree in four years. The bill also contains other provisions that would expand other financial aid programs.

CSU Position: SUPPORT
Status: The measure was not heard in the Assembly and is dead for the session.

SB 412 (Glazer and De Leon) - The California Promise

This bill would require the CSU to establish a California Promise Program at a minimum of ten CSU campuses. The campuses would be required to enter into a pledge with a student who, if they satisfy program eligibility, would receive various incentives including priority registration and advisement. The elements of the California Promise Program are largely consistent with the existing pledge programs at four CSU campuses (Fresno, San Bernardino, Fullerton and Cal Poly Pomona.)

The CSU has requested that, among other minor and clarifying amendments, the bill be amended to require the pledge program for first-time freshmen at four CSU campuses. The CSU has also offered to implement pledge programs for transfer students who have earned an Associate Degree for Transfer at 15 campuses in 2017-2018 and 20 campuses in 2018-2019.

CSU Position: SUPPORT IF AMENDED
Status: The measure passed the Assembly Higher Education Committee and will be considered by the Assembly Appropriations Committee.

SB 893 (Nguyen) - Postsecondary Tuition Fee Waivers

The measure would have prohibited the CSU from collecting systemwide tuition fees for the surviving dependents of the December 2015 terrorist attack that took place in San Bernardino, if they meet the Cal Grant A eligibility requirements.

CSU Position: NO OFFICIAL POSITION
Status: The measure was held on the Senate Appropriations Committee's Suspense File and is dead for the session.

SB 906 (Beall) - Public Postsecondary Education: Priority Enrollment

This measure would remove the sunset provision on a program that provides priority enrollment for former foster youth at the CSU and other public segments. The current sunset provision expires in 2017.

CSU Position: SUPPORT
Status: The measure passed out of the Assembly Higher Education Committee and was referred to the Assembly Human Services Committee.

SB 1050 (De León) - K-12 College Readiness Block Grant

This measure would establish the K-12 College Readiness Block Grant, which awards grant funding to schools to provide administrators, counselors, and teachers with strategies for improving A-G course completion rates, college readiness and college-going rates for traditionally underrepresented students. This measure provides a strategy to improve college readiness that coincides with efforts the CSU has undertaken to improve college-going rates and lower remediation needs for underserved students. This bill also requires the UC, as a condition of receiving enrollment funding in the budget, to increase the admissions of students from high schools that enroll 75 percent or more low-income, English learner, and/or foster youth students.

CSU Position: NO OFFICIAL POSITION
Status: This measure was not heard in the Assembly and is dead for the session.

SB 1359 (Block) - Public Postsecondary Education: Education Materials: Textbooks

This measure would require that all public postsecondary institutions post the cost for required course materials in the schedule of courses. Should the cost not be available, the campus must then put an estimate of the costs for materials in the schedule.

The CSU has worked with the author on the measure as it has moved through the process. Senator Block recently amended the bill to provide more transparency for a student choosing a class. This would be done by letting them know before they register which course is using OER or another free material instead of a traditional textbook. As a result, the CSU has moved to support the bill.

CSU Position: SUPPORT

Status: The measure passed out of the Assembly Higher Education Committee and will next be heard in the Senate Appropriations Committee.

SB 1439 (Block) - Postsecondary Education: Sexual Assault Prevention

The measure would require an applicant for the CSU and the CCC to disclose any allegation of workplace sexual harassment against the applicant that resulted in a final judicial or administrative decision that determined that the applicant committed sexual harassment. The CSU has suggested amendments to clarify that it would not be exposed to any liability and that this measure only applies to judicial decisions, specifically within the last 7 years. The CSU is working collaboratively with the author on the measure and will continue to have conversations as the summer continues.

CSU Position: SUPPORT IF AMENDED

Status: The measure passed out of the Assembly Higher Education Committee and is now headed to the Assembly Appropriations Committee. The CSU has concerns about implementation and also with potential liability associated with the measure.