

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 9:00 a.m., Wednesday, March 22, 2023
Glenn S. Dumke Auditorium

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

- Consent** 1. Approval of Minutes of the Meeting of January 25, 2023, *Action*
- Discussion** 2. Report on Mercer’s CSU Faculty Compensation Study, *Information*
3. Approval of Recommended Revisions of Title 5, California Code of Regulations, Article 4.1, Holidays, *Action*
4. Recommended Revision of Title 5, California Code of Regulations, Article 2.2, Management Personnel Plan, Section 42723 Employment Status, *Information*
5. ~~Executive Compensation: President – California State University, Los Angeles,~~ *Action*

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

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

January 25, 2023

Members Present

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

Wenda Fong, Chair of the Board
Jolene Koester, Interim Chancellor

Public Comment

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

Trustee Jack Clarke called the meeting to order.

Approval of the Consent Agenda

A motion to approve the consent agenda without discussion passed.

The minutes of the November 16, 2022, meeting of the Committee on University and Faculty Personnel were approved as submitted.

Agenda Item 2, CSU Salary Schedule, was approved as submitted (RUF 01-23-01).

Executive Compensation Update: Interim President – San José State University

Interim Chancellor Jolene Koester recommended a temporary housing allowance for Dr. Stephen J. Perez who served as interim president of San José State University during 2022. In December 2022, Dr. Perez was required to move out of the presidential residence due to maintenance of the University House. Additionally, his appointment as interim president was extended from January 2, 2023 to January 15, 2023. Dr. Koester explained that during the time the presidential residence was unavailable, and as Dr. Perez continued to carry out his official duties, the university provided a temporary housing allowance of \$5,000 per month. The housing allowance was effective from the time Dr. Perez vacated the University House through the end of his appointment as interim president. A motion to approve the recommended action was passed (RUFPP 01-23-02).

Executive Compensation: Triennial Performance Review – Equity Adjustment

Interim Chancellor Jolene Koester presented a compensation adjustment for President Soraya Coley of Cal Poly Pomona. The chancellor explained that in November 2019 the board adopted a policy to evaluate presidential pay concurrently with triennial performance reviews. It was not until September 2021 that the board adopted a salary review process and in July 2022, the board began implementation of the review process.

Dr. Koester recommended a 2-percent compensation increase calculated pursuant to the formula adopted in September 2021 whereby presidential salaries are incrementally aligned with the median salary of presidents at comparable institutions. She explained that President Coley's performance review was completed in 2021 and the president's salary continued to lag behind the peer group median in year 3 – the final year – of the salary assessment period. The chancellor recommended approval to implement the salary adjustment for President Coley as presented in the item. A motion to approve the recommended action was passed (RUFPP 01-23-03).

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

Interim Chancellor Jolene Koester presented the item appointing Leora D. Freedman as vice chancellor for human resources effective January 24, 2023. Ms. Freedman has served as acting vice chancellor since July 2022 and her appointment as vice chancellor will be for a term of two years. The chancellor recommended a salary of \$327,925 – no change from Ms. Freedman's salary as acting vice chancellor. A monthly auto allowance of \$1,000 is also provided. A motion to approve the recommended action was passed (RUFPP 01-23-04).

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

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Report on Mercer's CSU Faculty Compensation Study

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Lyn Harper
Senior Principal, Mercer

Mary Mertes
Senior Associate, Mercer

Summary

The Board of Trustees will be presented with the findings of the CSU Faculty Compensation Study.

Background

California State University employs over 29,000 faculty members, whose intellectual, social, and cultural influences benefit our students and help advance the academic mission. The CSU is committed to attracting, developing and retaining talented faculty at our 23 campuses throughout California.

As evidence of that commitment, a work group was established in late 2021 to select a compensation consultant with the capacity and expertise to conduct a comprehensive compensation study and provide input to the consultant throughout the study. The work group included members of the Board of Trustees, Chancellor's Office, campus leadership, and the California Faculty Association (CFA). In May 2022, Mercer, a leading global human resources firm, was selected to undertake this project.

Mercer conducted a market analysis of base salaries for all CSU faculty ranks and disciplines, including lecturers, coaches, counselors, and librarians. Mercer also studied CSU's faculty compensation system including job classifications, salary structure, compensation policies, pay practices and mechanisms utilized to advance pay and reward performance of faculty employees.

Mercer will present an overview of results and proposed recommendations to the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Approval of Recommended Revision of Title 5, California Code of Regulations, Article 4.1, Holidays

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

It is proposed that Article 4.1 of Title 5 which addresses holidays be revised to update Section 42920 to reflect changes to include June 19 (Juneteenth) as an officially recognized holiday for the California State University (CSU).

Background

Assembly Bill 1655, Chaptered on September 29, 2022, officially added Juneteenth to the list of state holidays. This revision to Title 5 is proposed to amend Section 42920 to include June 19 (Juneteenth) as an officially recognized holiday for the CSU.

Recommended Action

Adoption of Resolution

Proposed Revision

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, acting under the authority prescribed herein and pursuant to Section 89030.1 of the Education Code, that the board hereby amends its regulations in Section 42920, Article 4.1, Subchapter 7, Chapter 1, Division 5 of Title 5 of the California Code of Regulations as follows:

Title 5, California Code of Regulations
Division 5 – Board of Trustees of the California State Universities
Chapter 1 – California State University
Subchapter 7 – Employees
Article 4.1 – Holidays

§ 42920. Holidays.

The Chancellor for the systemwide staff and the President for each campus shall be responsible for the administration of paid holidays for the employees under their supervision.

(a) The following holidays, when not occurring on a Saturday or Sunday, shall be observed on the days specified:

(1) January 1

(2) Third Monday in January (Martin Luther King, Jr. Day)

(3) March 31 (Cesar Chavez Day)

(4) June 19 (Juneteenth)

(~~4~~) July 4

(~~5~~) First Monday in September (Labor Day)

(~~6~~) November 11 (Veterans Day)

(~~7~~) Thanksgiving Day

(~~8~~) December 25

(~~9~~10) Any other day designated by the Governor of this state for a public fast or holiday.

(b) The following days are designated holidays which the Chancellor or President may reschedule to another day consistent with the needs of the campus or systemwide offices:

(1) Third Monday in February (President's Day)

(2) February 12 (Lincoln's Birthday)

(3) Last Monday in May (Memorial Day)

(4) September 9 (Admission Day)

(5) Second Monday in October (Columbus Day)

(6) Personal holiday, to be designated by each employee. The employee may be required to supply reasonable advance notice of intent to take the personal holiday.

(c) Any holiday which falls on a Saturday shall be observed on the preceding Friday and any holiday which falls on a Sunday shall be observed on the following Monday.

(d) On days when the campuses or systemwide office are observing holidays, particular

employees may be required to work to perform necessary services.

(e) Notwithstanding the above provisions, the Chancellor shall have discretion to determine whether the holidays identified in this Article shall be paid or unpaid for non-represented, Management Personnel Plan and Executive employees.

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

And, be it further

RESOLVED, That the Board of Trustees has determined that the adoption of the proposed amendment will not impose a cost or savings on any state agency; will not impose a cost or savings on any local agency or school district that is required to be reimbursed under Section 17561 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; and will not impose a mandate on local agencies or school districts.

And, be it further

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

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

**Recommended Revision of Title 5, California Code of Regulations, Article 2.2,
Management Personnel Plan, Section 42723 Employment Status**

Presentation By

Leora D. Freedman
Vice Chancellor
Human Resources

Summary

It is proposed that Article 2.2 of Title 5 which addresses the Management Personnel Plan be revised to update Section 42723 in two non-substantive respects.

The first proposed amendment updates language to conform with current employment vernacular by stating that MPP employees serve at the will of the campus President or the Chancellor.

The second proposed amendment removes unnecessary language concerning layoff in subsection (e), which applies to MPP employees hired on or after January 1, 1984. Those employees serve “at will” and are not eligible for layoff. Instead, they may be terminated with three months’ notice (or equivalent pay in lieu of notice.)

It is anticipated that an action item will be presented at the May 2023 Board of Trustees to adopt the following amendment:

Title 5, California Code of Regulations
Division 5 – Board of Trustees of the California State Universities
Chapter 1 – California State University
Subchapter 7 – Employees
Article 2.2 – Management Personnel Plan

§ 42723. Employment Status.

(a) A Management Personnel Plan employee serves at the ~~pleasure~~will of the campus President or the Chancellor, as appropriate. A Management Personnel Plan employee shall not serve a probationary period and shall not receive permanent status.

(b) Athletic personnel who are appointed to positions in the Management Personnel Plan may be given appointments for a definite term. Any such appointment must be in writing and contain the initial date of appointment, the date on which the appointment expires, and a statement that the appointment may be terminated by the appointing authority at any time on terms set forth in the appointment document.

(c) A Management Personnel Plan employee who had permanent status in a class prior to January 1, 1984 shall retain permanent status in the class despite inclusion as a Management Personnel Plan employee. A Management Personnel Plan employee who prior to January 1, 1984 was serving a probationary period may be awarded permanent status by the appointing power upon the successful conclusion of the probationary period. Upon acquisition of permanent status such an employee shall retain permanent status in the same manner as an employee who has permanent status prior to January 1, 1984.

(d) A Management Personnel Plan employee who retains permanent status under subdivision (c) and who is placed in or promoted to a position under the Management Personnel Plan shall retain retreat rights as described in this subdivision (d) to the former class in which permanent status is held. Should the appointing power terminate the Management Personnel Plan employee's service in a Management Personnel Plan position, the employee shall have the right to return to the former class in which permanent status is held at the salary last received in the permanent class.

(e) ~~Except in the case of layoff, t~~ With respect to employees who were hired on or after January 1, 1984, the President or Chancellor, as appropriate, shall give a Management Personnel Plan employee, with the exception of athletic personnel appointed to definite terms under (b) above, notice of termination at least three months prior to the employee's separation date or shall give a Management Personnel Plan employee, with the exception of athletic personnel appointed to definite terms under (b) above, corresponding salary in lieu of notice.

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

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

~~Executive Compensation: President California State University, Los Angeles~~

~~Presentation By~~

~~Jolene Koester
Interim Chancellor~~

~~Summary~~

~~Compensation for the president of California State University, Los Angeles will be presented and recommended for approval.~~