

## **AGENDA**

### **COMMITTEE OF THE WHOLE**

Meeting: **8:20 a.m. Wednesday, May 16, 2007**  
**Glenn S. Dumke Auditorium**

Roberta Achtenberg, Chair  
Jeffrey L. Bleich, Vice Chair  
Herbert L. Carter  
Carol R. Chandler  
Moctesuma Esparza  
Debra S. Farar  
Kenneth Fong  
George G. Gowgani  
Melinda Guzman  
William Hauck  
Raymond W. Holdsworth  
Ricardo F. Icaza  
Andrew J. LaFlamme  
A. Robert Linscheid  
Peter Mehas  
Lou Monville  
Charles B. Reed, Chancellor  
Jennifer Reimer  
Craig R. Smith  
Glen O. Toney  
Kyriakos Tsakopoulos

#### **Consent Items**

Approval of Minutes of Meeting of March 13, 2007

#### **Discussion Items**

1. Report on Emergency Preparedness, *Information*
2. Report on Student Loan Programs, *Information*

**MINUTES OF THE MEETING OF  
COMMITTEE OF THE WHOLE**

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

**March 13, 2007**

**Members Present**

Roberta Achtenberg, Chair  
Jeffrey L. Bleich, Vice Chair  
Herbert L. Carter  
Carol R. Chandler  
Debra S. Farar  
Kenneth Fong  
Murray L. Galinson  
George G. Gowgani  
Melinda Guzman  
William Hauck  
Raymond W. Holdsworth  
Ricardo F. Icaza  
Andrew J. LaFlamme  
A. Robert Linscheid  
Lou Monville  
Charles B. Reed, Chancellor  
Jennifer Reimer  
Craig R. Smith  
Glen O. Toney

**Consent Items**

Approval of Minutes of January 24, 2006

Approval of Minutes of Ad Hoc Committee on International Programs of December 6, 2006

Chair Achtenberg stated that the minutes of the January 24, 2007 Committee meeting and the Minutes of the December 6, 2006 Ad Hoc Committee meeting were consent items. She stated that unless there was an objection, the consent items would be considered approved. Trustee Glen Toney pointed out that the January minutes did not list him in attendance when he had, in fact, been present. Chair Achtenberg promised that the record would be amended to reflect his attendance, with her apologies.

## **Discussion Items**

### **General Counsel's Report**

Chair Achtenberg asked Christine Helwick, General Counsel, to present the item. Ms. Helwick stated that in the packet of written materials provided to Trustees was an updated agenda item presenting litigation cases with institutional significance. She explained that a printing error had caused the update on Costello v. SFSU, to be omitted and apologized for any confusion the amended item might have caused. Ms. Helwick introduced a PowerPoint presentation that tracked updates of overall legal trends experienced by the system. The first slide, she reported, presented the number of litigation cases against the CSU over the years and depicted the continuous decent in the volume of CSU case activity. The second slide described the types of cases against the system. Ms. Helwick stated that employment litigation remains the largest volume area and also CSU's area of greatest exposure. The other areas remain essentially the same, she said. The third slide presented how CSU cases had been resolved since the last report to the Board in September, 2006. She noted that cases settled had increased slightly, CSU had prevailed in approximately one-third of cases that were resolved by a court and, once again, there had been no plaintiff victories in the court. The next slide, she continued, indicated how many matters had come in to the Office of General Counsel over the last six months that took more than 2 hours to resolve and presented the likelihood of an adversarial dispute if not resolved. The 5th slide presented the number of "Unfair Labor Practice" charges filed over the last 5 years. Ms. Helwick explained that the Office of General Counsel fields a variety of administrative hearing forums where matters are also heard and resolved. It was her belief, she said, that the drop in volume in 2006 is the result of entering into labor agreements with all but one of the CSU unions. The final slide, she reported, depicted the outcome of the unfair labor practice charges that went to hearing in the last year.

Trustee Galinson asked for clarification regarding the slide depicting no prevailing plaintiffs. Ms. Helwick confirmed that the data referred to trials as opposed to settlements.

In response to a question on the Travis v. CSU case, Ms. Helwick explained that there were two cases involving CFA President John Travis, one on the Executive Transition Program, which is in the initial pleading stage, and one challenging the violation of the Open Meeting Act regarding the appointment of former Chancellor Munitz as a Trustee Professor where the court denied the petition, finding that CSU had lawfully discussed the appointment in a closed session.

Trustee Holdsworth, referring to the Beay, et al v. CSULA et al., case, asked if CSU had a systemwide policy on free speech. Ms. Helwick responded that there was not a systemwide policy in place and that the time, place and manner free speech events regulations are unique to each campus environment. In the CSULA case, she explained, the rules had not been updated in quite some time, and the rules had not been correctly applied by the police officers involved on the site. She reported that the campus was now in the process up updating its regulations. Trustee Holdsworth stated he would like to see, in going forward, a policy ensuring all safety

officers would have copies of proper procedure regarding free speech and visitor and permit registration regulations. Ms. Helwick responded that First Amendment policies are generally a part of Safety Officers information and training, and that officers are familiar with those policies.

Chair Achtenberg complimented Ms. Helwick on the report and on the updated Free Speech Handbook which had recently been issued by the Office of General Counsel.

Chair Achtenberg adjourned the meeting.

**COMMITTEE OF THE WHOLE**

**Report on Emergency Preparedness**

**Presentation By**

Charles B. Reed  
Chancellor

**Summary**

A report on emergency training and campus safety plans in the CSU will be presented.

**COMMITTEE OF THE WHOLE**

**Report on Student Loan Programs**

**Presentation By**

Charles B. Reed  
Chancellor

Allison B. Jones  
Assistant Vice Chancellor  
Student Academic Support

**Summary**

A report on student loan programs and preferred lenders will be given at the meeting. Information will be provided on current actions taken by the CSU.