

TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY

**California State University
Office of the Chancellor
Glenn S. Dumke Auditorium
401 Golden Shore
Long Beach, CA 90802**

May 22, 2013—8:00 a.m.

Presiding: Lou Monville, Acting Chair

Public Comment

Chair's Report

Chancellor's Report

Report of the Academic Senate CSU: *Chair—Diana Guerin*

Report of the California State University Alumni Council: *President—Guy Heston*

Report of the California State Student Association: *President—David Allison*

Approval of Minutes of Board of Trustees' Meeting of March 20, 2013

Committee Reports

Committee on Committees: *Chair—William Hauck*

1. Election of the Chair and Vice Chair of the Board of Trustees for 2013-2014
2. Committee Assignments for 2013-2014

Committee on Collective Bargaining: *Chair—Lou Monville*

Committee on Organization and Rules: *Chair—Roberta Achtenberg*

1. Schedule of California State University Board of Trustees' Meetings, 2014

Committee on Audit: *Chair—Henry Mendoza*

Committee on Governmental Relations: *Chair—Steven M. Glazer*

Committee on Campus Planning, Buildings and Grounds: *Chair—Peter Mehas*

1. Amend the 2012-2013 Capital Outlay Program, Non-state Funded
3. Draft State and Non-State Funded Five-Year Capital Improvement Program 2014-2015 through 2018-2019
4. Approval of Schematic Plans

Committee on Institutional Advancement: *Chair—Roberta Achtenberg*

1. Naming of an Academic Entity – San José State University

Committee on Finance: *Chair—William Hauck*

2. Granada State University House—Major Repairs and Funding Plan
3. Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments for a Project

Committee on Educational Policy: *Chair—Debra S. Farar*

1. Amendment to the Constitution of the Academic Senate California State University to Include a Statement Upholding Academic Freedom

Committee on University and Faculty Personnel: *Chair—Lou Monville*

**MINUTES OF THE MEETING OF
BOARD OF TRUSTEES**

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

March 20, 2013

Trustees Present

Bob Linscheid, Chair
Lou Monville, Vice Chair
Bernadette Cheyne
Rebecca Eisen
Douglas Faigin
Debra S. Farar
Kenneth Fong
Lupe C. Garcia
Steven M. Glazer
William Hauck
Peter G. Mehas
Henry Mendoza
Hugo N. Morales
J. Lawrence Norton
Ian J. Ruddell
Glen O. Toney
Cipriano Vargas
Timothy P. White, Chancellor

Public Comment

The board heard from several individuals during the public comment period. Tessy Reese, chair, Bargaining Unit 2, CSUEU spoke about the need for presidents to set aside funding for in-range progressions for healthcare staff at the campuses. Rich McGee, chair, Bargaining Unit 9, CSUEU also spoke about providing in-range progressions for staff on the campuses. Alisandra Brewer, vice president CSUEU Representation spoke about the need for staff to move forward through in-range progressions and asked the presidents and the board to address this matter. The following students from CSU Long Beach thanked the board for making students a priority, and expressed their growing concern over the unit caps proposed by Governor Brown and submitted a resolution passed by the CSULB Associated Students: Samie Blasingame, Jonathan Bolin, Agatha Gucyski, John Hamerstroh, and Joe Phillips. The following students representing COUGH spoke about the need for a systemwide smoking and tobacco ban: Irsa Ahmad, SJSU,

Pete Cadano, SJSU, Eric Kenoyer, CSU Sacramento, Marleni DePhillips, CSU Northridge, Charleen Mikail, CSU Northridge.

Chair's Report

Chair Linscheid's complete report can be viewed online at the following URL:
<http://www.calstate.edu/BOT/chair-reports/mar2013.shtml>

Chancellor's Report

Chancellor Timothy P. White's complete report can be viewed online at the following URL:
<http://www.calstate.edu/bot/chancellor-reports/130320.shtml>

Report of the Academic Senate CSU

CSU Academic Senate Chair, Diana Guerin's complete report can be viewed online at the following URL:
http://www.calstate.edu/AcadSen/Records/Chairs_Reports/documents/March_2013_Chairs_BO_T_Rept.pdf

Report of the California State University Alumni Council

Alumni Council President, Guy Heston's complete report can be viewed online at the following URL: <http://calstate.edu/alumni/council/bot/20130320.shtml>

Report from the California State Student Association

CSSA President David Allison's complete report can be viewed online at the following URL:
<http://www.csustudents.org/publicresources/reports/March-2013-%20Report-by-CSSA-to-CSU-Trustees.pdf>

Approval of Minutes of Board of Trustees Meeting

The minutes of the meeting of January 23, 2013, were approved.

Board of Trustees

Election of Five Members to Committee on Committees for 2013-2014 (RBOT 03-13-02)

Chair Linscheid moved the item; there was a second. The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of The California State University, that the following trustees are elected to constitute the board's Committee on Committees for the 2013-2014 term:

William Hauck, Chair
Roberta Achtenberg
Debra Farar, Chair
Peter G. Mehas
Lou Monville

Appointment of Member to the California State University Headquarters Building Authority (RBOT 03-13-03)

Chair Linscheid moved the item; there was a second. The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that Ms. Lenore Rozner be re-appointed a commissioner of the CSU Headquarters Building Authority to the four-year term of November 30, 2012 through November 30, 2016.

Appointment of Three Members to the Fullerton Arboretum Commission (RBOT 03-13-04)

Chair Linscheid moved the item; there was a second. The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that the following appointments are made, effective immediately:

Dr. José Cruz is appointed Commissioner of the Fullerton Arboretum Authority for term March 1, 2013 to March 1, 2017.

Mr. Greg Saks is appointed Commissioner of the Fullerton Arboretum Authority for term March 1, 2013 to March 1, 2015.

Mr. Frank Mumford is appointed Commissioner of the Fullerton Arboretum Authority for term March 1, 2013 to March 1, 2015.

**Conferral of Title of General Counsel Emerita: Christine Helwick
(RBOT 03-13-05)**

Chair Linscheid moved the item; there was a second. The Board of Trustees approved the following resolution:

WHEREAS, Christine Helwick served as General Counsel of The California State University from April 1996 to April 2013; and

WHEREAS, during her 17 years as General Counsel, Ms. Helwick has skillfully managed a vast array of complex legal issues and has employed a proactive problem-solving philosophy to dramatically reduce the systemwide litigation caseload during her tenure; and

WHEREAS, Ms. Helwick has reorganized and revitalized the Office of General Counsel and has implemented technological innovations to increase the efficiency of the legal staff; and

WHEREAS, Ms. Helwick has led by example and has brought the CSU Office of General Counsel to the forefront of professionalism; and

WHEREAS, Ms. Helwick has provided service to the higher education legal community on a national level, and has been honored with the Distinguished Service Award by the National Association of College and University Attorneys; and

WHEREAS, Ms. Helwick has devoted her career to public service and higher education, and in view of her contributions, it is fitting that she be recognized by the California State University; now therefore, be it

RESOLVED, by the Board of Trustees of the California State University, that the board confers the title of General Counsel Emerita on Christine Helwick, with all the rights and privileges pertaining thereto.

Committee Reports

Committee on Collective Bargaining

Trustee Monville reported the committee ratified the Tentative Agreement for a successor Collective Bargaining Agreement with Bargaining Unit 10 (International Union of Operating Engineers). He also reported, the committee heard from CSUEU members Mike Geck, John Orr, Alisandra Brewer and Tessy Reese; and also from Andy Merrifield of the CFA.

Committee on Audit

Trustee Mendoza reported the committee heard two information items, Status Report on Current and Follow-up Internal Audit Assignments and Status Report on Corrective Action for the Findings in the California State University A-133 Single Audit Reports and Auxiliary Organization Audit Reports for the Fiscal Year Ended June 30, 2012.

Committee on Governmental Relations

Trustee Glazer reported the committee heard one information item, 2013-2014 Legislative Report.

Committee on Campus Planning Buildings and Grounds

Trustee Mehas reported the committee heard one information item, Status Report on the 2013-2014 State Funded Capital Outlay program and one action item as follows:

Approval of Schematic Plans (RCPBG 03-13-03)

Trustee Mehas moved the item; there was a second. The Board of Trustees approved the following resolution:

1. California State University, Northridge—Student Housing, Phase II

RESOLVED, by the Board of Trustees of the California State University, that:

1. The board finds that the March 2006 California State University, Northridge Master Plan Final EIR and the Addendum completed in June 2012 for the California State University, Northridge, Student Housing, Phase II project, have been prepared in accordance with the requirements of the California Environmental Quality Act.
2. The project before this board is consistent with the project description as analyzed in the Addendum to the previously certified Final EIR and does not propose substantial changes to the original project description, which would require major revision to the Final EIR or Findings adopted by this board in certifying said Final EIR.
3. With the implementation of the mitigation measures set forth in the master plan previously approved by the Board of Trustees, the proposed project will not have a significant effect on the environment, and the project will benefit the California State University.
4. The mitigation measures shall be monitored and reported in accordance with the requirements of the California Environmental Quality Act (Public Resources Code, Section 21081.6).
5. The schematic plans for the California State University, Northridge Student Housing, Phase II are approved at a project cost of \$34,416,000 at CCCI 5950.

1. San Francisco State University—Recreation and Wellness Center

RESOLVED, by the Board of Trustees of the California State University, that:

1. The Final Initial Study/Mitigated Negative Declaration has been prepared to address any potential significant environmental impacts, mitigation measures and comments associated with approval of the San Francisco State University Recreation Wellness Center, and all discretionary actions related thereto, as identified in the Final Initial Study/Mitigated Negative Declaration.
2. The Final Initial Study/Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act and state CEQA Guidelines.
3. This resolution is adopted pursuant to the requirements of Section 21081 of Public Resources Code and Section 15091 of the state CEQA Guidelines which requires that the Board of Trustees make findings prior to the approval of a project that the mitigated project as approved will not have a significant impact on the environment, that the project will be constructed with the recommended mitigation measures as identified in the mitigation monitoring program, and that the project will benefit the California State University. The Board of Trustees makes such findings with regard to this project.
4. The chancellor is requested under Delegation of Authority granted by the Board of Trustees to file the Notice of Determination for the project.
5. The schematic plans for the San Francisco State University Recreation Wellness Center are approved at a project cost of \$80,486,000 at CCCI 5950.

2. Sonoma State University—Joan and Sanford I. Weill Commons/MasterCard Pavilion

RESOLVED, by the Board of Trustees of the California State University, that:

1. The May 2000 Master Plan Final EIR and the February 2013 Addendum to the EIR, prepared for the Sonoma State University Master Plan Revision and Joan and Sanford I. Weill Commons/MasterCard Pavilion, has been prepared in accordance with the requirements of the California Environmental Quality Act.
2. The project before this board is consistent with the previously certified May 2000 Master Plan Final EIR as well as with the February 2013 Addendum to the EIR prepared for the Sonoma State University Master Plan Revision and Joan and Sanford I. Weill Commons/MasterCard Pavilion.
3. With implementation of the mitigation measures set forth in the master plan previously approved by the Board of Trustees, the proposed project will not have a significant adverse effect on the environment beyond those described in the May 2000 Master Plan Final EIR, and the project will benefit the California State University.

4. The schematic plans for the Sonoma State University, Joan and Sanford I. Weill Commons/MasterCard Pavilion project are approved at a project cost of \$15,700,000 at CCCCI 5950.

Committee on Finance

Trustee Hauck reported the committee heard two information items, Report on the 2013-2014 Support Budget, California State University Annual Debt Report and two action items as follow:

List of Factors for Future Considerations of Fee Changes per AB 970 (RFIN 03-13-01)

Trustee Hauck moved the item; there was a second. The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University, the adoption of the following:

List of Factors Considering Adjustments to CSU Mandatory Systemwide Fees

- The legislature in 2010 reaffirmed “access, affordability and high quality” as “...the essential tenets of the master plan...” [Education Code Section 66002 (d)] Adjustments to mandatory systemwide fees at the CSU should always be considered with these three master plan goals in mind.
- The state has a historic commitment to fund the master plan. State law affirms this commitment specifically with regard “...to provide an appropriate place in California public higher education for every student who is willing and able to benefit from attendance.” [Education Code Section 66201] State law affirms this commitment specifically with regard to providing “...adequate resources to support enrollment growth...” and that the annual state budget act contain appropriations necessary to accommodate all California residents who are continuing undergraduate students or eligible for admission as freshmen or sophomores or transfers from community colleges. [Education Code Section 66202.5] Adjustments to mandatory systemwide fees should be based on consideration of the extent to which the state is meeting the above commitments.
- Consideration shall be given to whether a fee adjustment is necessary, in combination with existing levels of state support, to assure adequate resources to admit all California resident CSU-eligible undergraduate applicants, and to provide all students with necessary courses, high-quality programs and support services that lead to improved student success and timely graduation.

- Adjustments to mandatory systemwide fees shall take into consideration the level of state support the university receives, total costs of student attendance, potential impacts on underrepresented and low to middle-income students, as well as efforts to mitigate impacts. [Education Code Section 66028.4 (a)]
- Consideration shall be given to the percentage of CSU baccalaureate recipients who graduate with education loan debt, the average amount of that loan debt, and how these measures compare with state and national averages. Consideration also shall be given to the availability of financial aid, including work-study, tax credits and institutional financial aid. [Education Code Section 66028.2 (a)]
- Consideration shall be given to the extent to which fee rates and institutional financial aid practices are maximizing the availability of federal financial aid, including tax credits, for CSU students and families.
- Consideration shall be given to comparisons of fee rates, as well as net costs of attendance, with other public higher education institutions in the state and the nation.
- Consideration shall be given as to whether adjustments to the fee structure would promote improvements in access to necessary courses, successful course completion, improved time to degree and graduation rates.
- Consideration shall be given as to whether the fee structure maintains adequate differentials between undergraduate and graduate/postbaccalaureate fees, in recognition of longstanding Board of Trustees policy, state priorities for access to baccalaureate education, typically higher costs of graduate/postbaccalaureate programs and typically higher benefits accruing to master's and doctoral degree recipients.
- If the state provides stable and predictable increases in funding, consideration shall be given to fee increases that are moderate, gradual, predictable and with ample notice to students.

The Board of Trustees shall consider adjustments to mandatory systemwide fees and amendments to principles governing consideration of these fees only after appropriate consultation with the designated student association has taken place, as required by state statute and CSU fee policy. [Education Code Sections 66028.3 and 66028.4 (b)]

Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments for a Student Housing Project at California State University Northridge (RFIN 03-13-02)

Trustee Hauck moved the item; there was a second. The Board of Trustees approved the following resolution:

Orrick, Herrington & Sutcliffe LLP, as bond counsel, prepared resolutions presented in agenda item 4 of the Committee on Finance at the March 19-20, 2013 meeting of the CSU Board of Trustees for a project at California State University Northridge (Northridge Student Housing Phase II) that authorize interim and permanent financing for the project described in this agenda item. The proposed resolutions will achieve the following:

1. Authorize the sale and issuance of Systemwide Revenue Bond Anticipation Notes and the related or stand-alone sale and issuance of the Trustees of the California State University Systemwide Revenue Bonds in an aggregate amount not-to-exceed \$24,075,000 and certain actions relating thereto.
2. Provide a delegation to the Chancellor; the Executive Vice Chancellor and Chief Financial Officer; the Assistant Vice Chancellor, Financial Services; and the Senior Director, Financing and Treasury; and their designees to take any and all necessary actions to execute documents for the sale and issuance of the bond anticipation notes and the revenue bonds.

The resolutions will be implemented subject to the receipt of good bids consistent with the projects' financing plans.

Committee on Educational Policy

Trustee Farar reported the committee heard four information items, Update on California State University Troops to College and Veterans Affairs Efforts, Update on SB 1440: Student Transfer Achievement Reform Act, Presentation of Apple Distinguished Program to the CalStateTEACH Program, The Center for Community Engagement: Inquire. Practice. Reflect and two action items as follow:

Academic Planning (REP 03-13-02)

Trustee Farar moved the item; there was a second. The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University, that the amended projections to the Academic Plans for the California State University campuses (as contained in Attachment A to Agenda Item 1 of the March 19-20,

2013 meeting of the Committee on Educational Policy), be approved and accepted for addition to the CSU Academic Master Plan and as the basis for necessary facility planning; and be it further

RESOLVED, that those degree programs proposed to be included in campus Academic Plans be authorized for implementation, at approximately the dates indicated, subject in each instance to the chancellor's approval and confirmation that there exists sufficient societal need, student demand, feasibility, financial support, qualified faculty, facilities and information resources sufficient to establish and maintain the programs; and be it further

RESOLVED, that degree programs not included in the campus Academic Plans are authorized for implementation only as pilot programs, subject in each instance to current procedures for establishing pilot programs.

Proposed Addition to Title 5, California Code of Regulations, Bringing the California State University into Compliance with AB 1899 (REP 03-13-03)

Trustee Farar moved the item; there was a second. The Board of Trustees approved the following resolution:

RESOLVED by the Board of Trustees of the California State University that the following section be added to Title 5 of the California Code of Regulations:

Title 5. Education

Division 5. Board of Trustees of the California State Universities

Chapter 1. California State University

Subchapter 5. Administration

Article 4. Nonresident Tuition

§ 41906.6. Nonresident Tuition Exemption for Crime Victims.

Students who are victims of trafficking, domestic violence, and other serious crimes who have been granted T or U visa status under Title 8, U.S.C. Sections 11101(a)(15)(T) or (U), are exempt from paying nonresident tuition if they (1) attended high school in California for three or more years; (2) graduated from a California high school or attained the equivalent; and (3) registered as an entering student or are currently enrolled at a CSU campus.

Committee on University and Faculty Personnel

Trustee Fong reported the committee heard one action item as follows:

Executive Compensation: Interim General Counsel (RUF 03-13-02)

Trustee Fong moved the item; there was a second. The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University, that Mr. G. Andrew Jones shall receive a salary set at the annual rate of \$208,000 effective April 6, 2013, the date of his appointment as interim general counsel of the California State University; and be it further

RESOLVED, Mr. Jones shall receive additional benefits as cited in Agenda Item 1 of the Committee on University and Faculty Personnel at the March 19-20, 2013, meeting of the CSU Board of Trustees.

Committee on Organization and Rules

Trustee Toney reported the committee heard one information item, Proposed Schedule of Board of Trustees' Meetings, 2014.

Committee on Institutional Advancement

Trustee Fong reported the committee heard two information items, Measuring Advancement and Council for Advancement and Support of Education Awards.

Committee of the Whole

Chair Linscheid reported the committee heard one information item, General Counsel's Report.

The meeting was adjourned.

BOARD OF TRUSTEES

Conferral of Title of Trustee Emeritus—Glen O. Toney

Presentation By

Lou Monville
Acting Chair of the Board

It is recommended that Trustee Glen O. Toney, whose term expired on March 31, 2013, be conferred the title of Trustee Emeritus for his service.

The following resolution is recommended for approval:

WHEREAS, Glen O. Toney was appointed as a member of the Board of Trustees of the California State University in 2006 by Governor Arnold Schwarzenegger, and since that time has served ably in that position; and

WHEREAS, Trustee Toney has served on the selection committees for presidents of San José State University in 2008, California Polytechnic State University, San Luis Obispo in 2010, and California State University, Northridge in 2011; and

WHEREAS, Trustee Toney was elected by his board colleagues to serve as chair of the Committee on Organization and Rules, and University and Faculty Personnel; and

WHEREAS, Trustee Toney offered his expertise in human resources and communications to guide these committees with invaluable insight and confidence; and

WHEREAS, Trustee Toney has contributed his extensive knowledge of education and business industries, both of which are critical fields to the California State University; and

WHEREAS, He has also, through his service on the Board of Trustees, made a personal contribution to the advancement of higher education in California; and

WHEREAS, It is fitting that the California State University recognize those members who have made demonstrable contributions to this public system of higher education and the people of California; now, therefore, be it

RESOLVED, By the Board of Trustees of the California State University that this board confers the title of Trustee Emeritus on Glen O. Toney, with all the rights and privileges thereto.

BOARD OF TRUSTEES

Conferral of Title of Trustee Emeritus—Kenneth Fong

Presentation By

Lou Monville
Acting Chair of the Board

It is recommended that Trustee Kenneth Fong, whose term expired on March 31, 2013, be conferred the title of Trustee Emeritus for his service.

The following resolution is recommended for approval:

WHEREAS, Kenneth Fong was appointed as a member of the Board of Trustees of the California State University in 2006 by Governor Arnold Schwarzenegger, and since that time has served ably in that position; and

WHEREAS, He has served as a member of the Board of Trustees for eight years and offered a valuable perspective to the deliberations of the board in a range of matters; and

WHEREAS, Trustee Fong has served on the selection committees for the presidents of San José State University in 2008 and 2010, and San Francisco State University in 2012; and

WHEREAS, Trustee Fong was elected by his board colleagues to serve as chair of the Committees on Institutional Advancement, and University and Faculty Personnel, with his leadership contributing to the advancement of the California State University and of higher education in California; and

WHEREAS, Trustee Fong's background and expertise in science and biotechnology was an asset to the Board as these fields play an important role in the California State University and to the future of California; and

WHEREAS, Trustee Fong established an endowment to fund a scholar that will be recognized through the William Randolph Hearst/CSU Trustees' Award for Outstanding Achievement; and

WHEREAS, Trustee Fong's current and past service to California's higher education demonstrates that his dedication to the mission of the California State University extends beyond his role as a Trustee; and

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WHEREAS, It is fitting that the California State University recognize those members who have made demonstrable and dedicated contributions to this public system of higher education and the people of California; now, therefore, be it

RESOLVED, By the Board of Trustees of the California State University, that this board confers the title of Trustee Emeritus on Kenneth Fong, with all the rights and privileges thereto.