

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: **8:00 a.m., Wednesday, January 31, 2018**
 Glenn S. Dumke Auditorium

Hugo N. Morales, Chair
Debra S. Farar, Vice Chair
Douglas Faigin
Jean P. Firstenberg
Lillian Kimbell

- Consent** 1. Approval of Minutes of the Meeting of November 8, 2017, *Action*
- Discussion** 2. Executive Compensation: President – San Diego State University, *Action*
 3. Executive Compensation: President – California State University, Fullerton, *Action*
 4. Executive Compensation: Executive Vice Chancellor and General Counsel –
 California State University, *Action*
 5. Recommended Revision of Title 5, California Code of Regulations, Section
 42909, Vacation Accumulation and Carry-Over, *Information*

**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**

November 8, 2017

Members Present

Hugo N. Morales, Chair
Debra S. Farar, Vice Chair
Douglas Faigin
Jean P. Firstenberg
Lillian Kimbell
Rebecca D. Eisen, Chair of the Board
Timothy P. White, Chancellor

Chair Morales called the meeting to order.

Public Speakers

The committee heard from the following individuals during the public comment period: Molly Talcott, Associate Professor, Department of Sociology (CSU Los Angeles) and CFA Associate Vice President, discussed supporting student success and campuses hiring faculty into lecturer positions rather than tenure-line. Martha Cuan, Counselor, Psychological Counseling Services (CSU Stanislaus) spoke about the increasing demands in providing mental health counseling services and the decline in the number of counselors per students on CSU campuses. Kim Geron, Professor, Department of Political Science (CSU East Bay) and CFA Department Representative, appealed for implementation of the recommendations provided in the ethnic studies task force report.

Approval of Minutes

The minutes from the September 20, 2017 meeting were approved as submitted.

Annual Report on Outside Employment for Senior Management Employees

Trustee Morales presented agenda item one as a consent action item. The committee recommended approval of the proposed resolution. (RUF 11-17-06)

Annual Report on Vice President Compensation, Executive Relocation, and Executive Transition

Agenda item two was presented as a consent information item.

CalPERS Retirement System for CSU Employees

Information on the CalPERS retirement system was presented by Ms. Melissa Bard, vice chancellor of human resources, and Mr. Brad Wells, associate vice chancellor of business and finance. The presentation included an overview of CalPERS and its history, retirement benefits provided to employees, how retirement benefits have changed, and the increasing costs for the state and the CSU.

Following the presentation, Trustee John Nilon asked about projections related to unreimbursed retirement costs. Following a brief discussion, Mr. Wells indicated he would provide supplemental information in response to the inquiry. He also responded to a question on the Public Employees' Pension Reform Act (PEPRA) and its impact over the long term.

Questions were raised about employee contribution rates to the various plans and to social security. Ms. Bard acknowledged that the retirement benefit for a CSU employee includes their contributions to: 1) the defined benefit plan, 2) social security, and 3) any voluntary plan the employee contributes to. Staff indicated that the voluntary defined contribution plan is administered by Fidelity and additionally, an internal investment committee oversees the plan with AON Hewitt Investment Consulting. There is no cost to the CSU as administrative fees are paid by plan participants.

Trustee Peter Taylor asked for clarification on the operating budget for retirement costs, specifically who pays for the increasing costs. Mr. Wells explained that while the annual costs are primarily funded by supplemental state allocations, but since 2014-2015 the actual costs include unreimbursed payments made directly by the CSU. The CSU is responsible for costs that exceed the pensionable payroll limit established in the 2014-2015 budget act. The estimated costs in the chart are based on payroll projections and are included in the CSU's annual budget request as mandatory costs.

In response to a comment about the University of California system allowing its employees the choice of a defined contribution plan or hybrid plan, Ms. Bard queued a slide that compared CSU and UC retirement benefits. Ms. Bard noted that the UC system has autonomy to offer such plans and it would be an option the board could consider for certain employee groups. Chancellor White pointed out that as costs and financial impact are considered, the recruitment

and retention of employees should also be included in the discussion. He noted that certain positions are becoming increasingly difficult to recruit due to the PEPRA revisions implemented in 2013.

Chair Morales adjourned the meeting.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: President – San Diego State University

Presentation By

Timothy P. White
Chancellor

Summary

This action item establishes the compensation for Dr. Adela de la Torre as president of San Diego State University.

Background

The CSU Board of Trustees is pleased to present Dr. Adela de la Torre as the next president of San Diego State University. It is expected that Dr. Adela de la Torre will assume her presidency on or before June 30, 2018.

Dr. Adela de la Torre will join SDSU from UC Davis where she has served in various leadership roles culminating in her role as vice chancellor, student affairs and campus diversity. In that capacity she oversees a division that encompasses 28 departments and units that provide programs, services and facilities to foster academic success, student development and campus community. Previous positions at UC Davis include interim vice chancellor, student affairs (2012-13), director for the Center for Transnational Health (2004- present), and chair of the Chicana/o studies department (2009-11). She also served as the director of the Chicana/o studies program beginning in 2002 and special assistant to the dean, humanities, arts and cultural studies (2003-04). De la Torre's additional experience in higher education includes service as director of the Mexican American Studies and Research Center at the University of Arizona (1996-2002).

De la Torre is also familiar with the CSU, having served in the management fellows program at the CSU Office of the Chancellor (1995-96), as the chair of the Chicano/Latino studies department at California State University, Long Beach (CSULB) from 1991-95, and as a professor of health care administration (1988-96) also at CSULB.

De la Torre earned a B.S. in political economy of natural resources and an M.S. and Ph.D. in agricultural and resource economics all from the University of California, Berkeley.

AMENDED

U&FP

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Executive Compensation

Chancellor White recommends that Dr. Adela de la Torre receive an annual salary of \$428,645 effective on or before June 30, 2018, the date of her appointment as president of San Diego State University. This is the same salary as the current interim president. Additionally, Dr. Adela de la Torre will be required to live in the university's presidential residence located in San Diego, California, as a condition of her employment as president.

In accordance with existing policy, Dr. Adela de la Torre will receive the following benefits:

- An auto allowance of \$1,000 per month;
- Standard benefit provisions afforded CSU Executive classification employees;
- An executive transition program provided she meets the eligibility requirements passed by the Board of Trustees on November 15, 2006 (RUF 11-06-06); and
- Reimbursement for actual, necessary and reasonable moving and relocation expenses.

Dr. Adela de la Torre will hold the academic rank of full professor with tenure, subject to faculty consultation, in the College of Arts and Letters and College of Health and Human Services.

Chancellor White recommends the trustees approve the salary for the next president of San Diego State University, Dr. Adela de la Torre.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Dr. Adela de la Torre shall receive a salary set at the annual rate of \$428,645 effective the date of her appointment as president of San Diego State University; and be it further

RESOLVED, that Dr. Adela de la Torre shall receive additional benefits as cited in Item 2 of the Committee on University and Faculty Personnel at the January 29-31, 2018 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: President – California State University, Fullerton

Presentation By

Timothy P. White
Chancellor

Summary

This action item establishes the compensation for Mr. Framroze Virjee as president of California State University, Fullerton.

Background

The CSU Board of Trustees is pleased to present Mr. Framroze (Fram) Virjee as the next president of California State University, Fullerton. Mr. Virjee will assume his presidency on January 1, 2018, and is expected to serve through June 2019.

Since January 2014, Mr. Virjee has served as executive vice chancellor and general counsel for the California State University. In that capacity, Mr. Virjee and his staff oversee all legal services for the CSU's 23 campuses in areas as varied as human resources, First Amendment rights, intellectual property, regulatory compliance, health and safety, discrimination, Title IX and gender equity, and academic and student affairs. Over the past four years, he helped transform the Office of General Counsel from a regulatory function to a division focused upon collaboration, service and the provision of solution-driven legal advice. Mr. Virjee also served as secretary and chief legal officer to the board.

Prior to joining the CSU, Mr. Virjee was a partner in private practice for almost 30 years at O'Melveny & Myers, the oldest law firm in Los Angeles and one of the largest in the nation, where he specialized in labor and employment law.

Mr. Virjee graduated summa cum laude, earning a bachelor's degree in political science and sociology from the University of California, Santa Barbara. He earned his J. D. cum laude from the University of California, Hastings College of the Law.

Executive Compensation

Chancellor White recommends that Mr. Framroze Virjee receive an annual salary of \$356,431 effective January 1, 2018, the date of his appointment as president of California State University, Fullerton. This is the same salary as outgoing president, Dr. Mildred Garcia. Additionally, Mr.

Virjee will be required to live in the university's presidential residence located in Fullerton, California, as a condition of his employment as president.

In accordance with existing policy, Mr. Virjee will receive the following benefits:

- An auto allowance of \$1,000 per month;
- Standard benefit provisions afforded CSU Executive classification employees;
- An executive transition program provided he meets the eligibility requirements passed by the Board of Trustees on November 15, 2006 (RUF 11-06-06); and
- Reimbursement for actual, necessary and reasonable moving and relocation expenses.

Chancellor White recommends the trustees approve the salary for the next president of California State University, Fullerton, Mr. Framroze Virjee.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, by the Board of Trustees of the California State University, that Mr. Framroze Virjee shall receive a salary set at the annual rate of \$356,431 effective the date of his appointment as president of California State University, Fullerton; and be it further

RESOLVED, that Mr. Virjee shall receive additional benefits as cited in Item 3 of the Committee on University and Faculty Personnel at the January 29-31, 2018 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Executive Compensation: Executive Vice Chancellor and General Counsel – California State University

Presentation By

Timothy P. White
Chancellor

Summary

This action item establishes the compensation for Mr. G. Andrew Jones as executive vice chancellor and general counsel of the California State University.

Background

The CSU Board of Trustees is pleased to present Mr. G. Andrew Jones as executive vice chancellor and general counsel of the California State University effective January 1, 2018. He will also serve as legal advisor and secretary to the board.

Mr. Jones has been serving as associate vice chancellor and deputy general counsel for the California State University. In that capacity he coordinated with the executive vice chancellor and general counsel in overseeing the operations of the Office of General Counsel and all legal services for the CSU's 23 campuses. He joined the CSU's Office of General Counsel in 2000 and subsequently served as university counsel for several campuses, as well as team leader for general counsel's business and finance team. Mr. Jones has assumed other leadership roles on the chancellor's executive team, serving as interim general counsel and interim vice chancellor of human resources.

Prior to joining the CSU, he was in private practice as a partner in the Los Angeles-based firm of Adams, Duque & Hazeltine, and later as a partner in his own firm, Myers & Jones, LLP.

Mr. Jones earned a bachelor's degree in business administration from California State University, Long Beach, and his J. D. from the University of California, Davis.

Executive Compensation

Chancellor White recommends that Mr. G. Andrew Jones receive an annual salary of \$340,505 effective January 1, 2018, the date of his appointment as executive vice chancellor and general counsel of the California State University. This is the same salary as outgoing general counsel, Mr. Framroze Virjee.

In accordance with existing policy, Mr. Jones will receive the following benefits:

- An auto allowance of \$1,000 per month;
- Standard benefit provisions afforded CSU Executive classification employees; and
- An executive transition program provided he meets the eligibility requirements passed by the Board of Trustees on November 15, 2006 (RUFPP 11-06-06).

There is no moving and relocation benefit with this appointment.

Chancellor White recommends the trustees approve the salary for the next executive vice chancellor and general counsel of the California State University, Mr. G. Andrew Jones.

Recommended Action

The following resolution is recommended for adoption:

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 \$340,505 effective the date of his appointment as executive vice chancellor and general counsel for the California State University; and be it further

RESOLVED, that Mr. Jones shall receive additional benefits as cited in Item 4 of the Committee on University and Faculty Personnel at the January 29-31, 2018 meeting of the Board of Trustees.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Recommended Revision of Title 5, California Code of Regulations, Section 42909, Vacation Accumulation and Carry-Over

Presentation By

Melissa L. Bard
Vice Chancellor
Human Resources

Summary

It is proposed that Section 42909 of Title 5 which addresses vacation accumulation and carry-over be revised to increase the maximum confidential employees' vacation accrual from 384 hours to 440 hours for more than 10 years of qualifying service.

This revision to Title 5 is proposed to align confidential employees' vacation accrual with changes in other employee groups.

It is anticipated that an action item will be presented at the March 2018 Board of Trustees' meeting 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 4 – Vacations

§42909. Accumulation and Carry-Over

(a) An employee may accumulate credit for vacation with pay for which vacation is not taken during the calendar year. On January 1st of any calendar year, an employee covered by Section 42902 shall not have a credit for vacation with pay of more than 384 working hours for 10 or less years of qualifying service or 440 working hours for more than 10 years of such service; an employee covered by Section 42904 shall not have a credit of more than 272 working hours for 10 or less years of qualifying service or 384 working hours for more than 10 years of such service; a Management Personnel Plan employee shall not have a credit of more than 384 working hours for 10 or less years of qualifying service or 440 working hours for more than 10 years of such service; and a campus President, General Counsel, Vice Chancellor, or Chancellor shall not have a credit of more than 480 hours.

(b) Notwithstanding subsection (a) to the contrary, the president of a campus at which an employee is employed, or the Chancellor in the case of all other employees, may permit an employee to carry over more vacation credits than the prescribed maximum when the employee was prevented from taking enough vacation to reduce the credits because the employee (1) was required to work as a result of fire, flood or other similar emergency, (2) was prevented from taking vacation by work the president or the Chancellor, as the case may be, has determined to be of a priority or critical nature over an extended period of time, (3) was absent on full salary for compensable injury, or (4) was prevented by campus rule from taking vacation until December and at that time was unable to take vacation because of illness requiring use of sick leave. This subsection (b) shall not apply to vacation carry-over of a President, General Counsel, Vice Chancellor, and Chancellor.

When verification of past state service requires it, an employees' accumulated credit for vacation with pay shall be adjusted. In such case, any additional credit which exceeds the maximum carry-over limitation shall be used within one year following the qualifying monthly pay period in which credited.

NOTE: Authority cited: Sections 66600, 89030, 89035 and 89500, Education Code.
Reference: Section 89500, Education Code.