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Faculty Trustee's Report

CSU Board of Trustees Meeting – March 24, 2020 (virtual)

Hereby I respectfully submit a summary of the Board of Trustees meeting. My report is largely based on the agenda materials provided to the trustees and to the public, on my personal notes, on my memory, and on a partial review of the archived livestream of the meeting at

<https://www2.calstate.edu/csu-system/board-of-trustees/past-meetings/2020/Pages/March-24-2020.aspx>

I tried my best to accurately reflect the deliberations, and I hope to have quoted correctly and paraphrased in the spirit of the speakers' and presenters' intentions. If you notice any inaccuracy or misrepresentation, please let me know (Romey.Sabalius@sjsu.edu).

Please bear in mind that this is just a concise summary of a Board meeting held under unusual circumstances. It was the first-ever virtual Board meeting, and since CO staff and campus presidents were extremely engaged with COVID-19 crisis management, the meeting was shortened to one day. Also, most agenda items were in consent, which means that some committees just convened to pass the consent calendar without any discussion at all. Rest assured, though, that the trustees were cognizant of the issues based on the provided agenda materials.

You probably are aware by now that Chancellor White as well as President Harrison (Northridge) and President Morishita (East Bay) agreed to delay their retirements until the end of the fall semester. Accordingly, all three searches will be on hold until the fall.

I echo many speakers at the meeting when I hope that we will pull through this crisis with perseverance and in the spirit of collaboration.

Romey Sabalius

San José, CA – March 30, 2020

Faculty Trustee's Report

CSU Board of Trustees Meeting: March 24 (virtual)

On March 24, the CSU Board of Trustees meeting was held virtually via Zoom due to “shelter-in-place” orders in California in response to the COVID-19 pandemic.

On March 24, at 8:30 am

1. **The Board of Trustees met in Closed Session.** After greetings and brief opening remarks, the Board moved to the only item to be discussed in closed session.
2. **The Committee on Collective Bargaining convened in Closed Session.**
[Note: According to California Education Code § 66602 (c2) the faculty trustee “shall not participate on any subcommittee of the board responsible for collective bargaining negotiations.”]

The **Public Meeting** started at 9:30 am.

3. Due to the meeting modality, all **Public Comments** were made at the beginning of the open session. A total of 40 speakers addressed the Board in approximately 70 minutes. Most of them addressed the Off-Campus Center in Placer County (22) and labor related issues (14). Three speakers representing Students for Quality Education (SQE) expressed their concerns for health safety on campuses, especially in the dormitories, they demanded refunds of student fees for services that are not rendered anymore, and they pleaded for additional resources and assistance for students in need. A community member complained about dumping dirt on sacred Native land at CSU Long Beach.

The speakers supporting and opposing the Placer Center were almost evenly split. Proponents cited the need for higher education opportunities in the rapidly growing county, the unique opportunity of receiving the land gift, and the intensive collaboration of the Board of Supervisors, Sierra College, and Sacramento State University. Critics bemoaned an anticipated increase in traffic, urban sprawl, and an adverse environmental impact on vernal pools and a variety of species. Concerns were also raised about the odors from a nearby landfill and the possible impact on the health of future students, staff, and residents.

CSU union leaders articulated their concerns for the health of staff who were mandated to report for work on campuses, and they expressed their disappointment about the lack of emergency preparedness (CSUEU), some thanked the CSU leadership for providing paid leave (Teamsters Local 2010), and others praised the extraordinary effort, commitment, and dedication of faculty who rose to the challenge of converting their classes to remote instruction to continue to deliver a quality education during the crisis (CFA).

4. **The Committee on Collective Bargaining**

- a. approved by consent as an action item the *Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Unit 4, Academic Professionals of California.*
- b. approved by consent as an action item the *Adoption of Initial Proposals for a Successor Collective Bargaining Agreement with Bargaining Units 10, the International Union of Operating Engineers, Stationary Engineers, Local 39.*

These two initial proposals constitute the so-called ‘sunshine proposals,’ which are provided by the bargaining parties to inform each other about the elements of the current contract they want to bargain over. The agenda materials also include the initial proposals from the two unions.

Lieutenant Governor Kounalakis said that she had not heard yet from the public on these matters and asked to remove both items from the agenda so that she can formally abstain from voting. Her request was ruled out of order by Chair Day because the Lieutenant Governor is not a member of the Committee on Collective Bargaining and only committee members have a vote.

5. **The Joint Committees on Finance and Campus Planning, Buildings and Grounds**

- a. approved as an action item the *San Diego State University Multi-Use Stadium at Mission Valley – Approval to Amend the Capital Outlay Program; Approval of Schematic Plans; Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments.*

The presentation visualized the plans for the Multi-Use Stadium, which is the first required development step in the land purchasing agreement with the City of San Diego. The presentation also outlined the financing plan for the projected construction costs of \$310 million.

Trustee Sabalius observed that –when fully built-out– the entire Mission Valley Campus will eventually cost approximately \$3 billion. While this monumental project will surely benefit San Diego State University and the City of San Diego, he wondered if there could be a possible scenario in which the CSU would have to draw funds from other campuses to bail out SDSU if estimated revenue streams do not materialize as envisioned. Executive Vice Chancellor and Chief Financial Officer, Steve Relyea, assured the Board that “there will be no bail-out” and that “in no case will the rest of the system be on the hook for any obligations of this project.”

6. **The Committee on Institutional Advancement**

- a. approved by consent as an action item the *Naming of the Shakarian Family Student Success Center at CSU Long Beach.*

The naming “recognizes a contribution by Louise Shakarian to CSULB’s Division of Student Affairs that exceeds the minimum value of 10% of the building renovation costs.”

- b. approved by consent as an action item the *Recognition of Dolores Huerta.*

It recommends to honor “her lifelong service to California as a social justice activist and fearless leader in the fight for civil rights.” “[O]n the occasion of her 90th birthday on April 10, 2020, each of the 23 campuses of the CSU will pay tribute to her legacy for generations to come by planting a tree [...] or by taking other appropriate commemorative action to honor her lifelong work in the service to California and Californians.”

7. The Committee on Finance

- a. received by consent as an information item the CSU Quarterly Investment Report.
- b. received by consent as an information item the CSU Annual Debt Report.
- c. received by consent as an information item the University Operational Effectiveness Initiatives.

All three items are routine reports delivered to the Board of Trustees on a regular basis and narrative details, charts, and balances are provided in the agenda materials. It is of note that regarding b. “in October 2019, the IAC [Investment Advisory Committee] approved the first annual TRP [Total Return Portfolio] Spending Dividend of approximately \$22.4 million which was allocated to the campuses for capital outlay or maintenance,” and regarding c. the 2018-2019 CSU Cost Avoidance and Revenue totaled \$162.6 million.

8. The Joint Committees on Educational Policy and Campus Planning, Buildings and Grounds

- a. received by consent as an information item the report on Progress Towards Environmental Sustainability Goals.

“In May 2014, the CSU Board of Trustees broadened the CSU’s efforts to reduce its use of natural resources and passed a policy that encouraged the integration of sustainability concepts across all areas of the university. The policy also updated and established conservation and greenhouse gas (carbon) reduction goals that required reductions by 2020 back to 1990 emission levels, and then 80 percent below 1990 levels by 2040, consistent with AB 32, the California 2006 Global Warming Solutions Act.”

9. The Committee on Campus Planning, Buildings and Grounds

- a. approved as an action item the CSU Sacramento Proposed Off-Campus Center in Placer County.

“This agenda item requests that the California State University Board of Trustees approve the acceptance of a gift of real property of approximately 301 acres owned by Placer Ranch Inc. to California State University, Sacramento to establish an Off-Campus Center in Placer County.”

“The concept of an off-campus center in Placer County northeast of Sacramento was approved by the CSU Board of Trustees in November 2006. Placer County is projected to experience substantial population and economic growth over the next decade and it is envisioned that an off-campus center for Sacramento State could effectively support the community and regional needs for higher education. The proposed off-campus center

would meet the needs of local businesses by educating the area's workforce, bring cultural opportunities to the community, and increase the number of skilled professionals in high-demand areas such as education, health, social services, government, and finance.”

“The land, which is currently undeveloped and planned to be used for higher education, is a proposed centerpiece within a larger total development area of 2,200 acres envisioned for the Placer Ranch Specific Plan (PRSP). The site is approximately 25 miles northeast of the Sacramento State main campus.”

“The proposed off-campus center will support Sacramento State’s mission in the region and provide an opportunity to further partner with existing higher education institutions such as the Sierra Community College and William Jessup University. Sacramento State and Sierra College currently partner to offer a nursing degree for which students receive an Associate Degree in Nursing from Sierra College and then complete a Bachelor of Science degree at Sacramento State.”

“The proposed off-campus center at Placer Ranch will provide the region with a full complement of upper division courses required for majors in the high demand disciplines of Business Administration, Criminal Justice, Communication Studies, English, Undergraduate Studies in Education, and others. Additionally, the University plans to provide a set of upper division general education courses permitting students to complete up to nine units of their degree at the Placer Center. Furthermore, at least one graduate course could be added to support workforce development in the region, such as a focus on Teacher Education to address the shortage of teachers in the Sacramento area.”

Several trustees had questions about the environmental impact, current litigation (that the CSU is not a party to), and the estimated mitigation costs (with an up to \$5 million commitment from the developer). Trustee Adamson was surprised that the naming of a possible new CSU campus in the distant future is already decided at this point (CSU Placer), but Chancellor White assured him that future Boards can decide on the ultimate name should such a campus ever develop. Trustee Faigin wondered whether this project would set back the ambitions of other regions to attract a CSU campus, such as Palm Desert. Vy San Juan, Assistant Vice Chancellor for Capital Planning, Design and Construction, explained that the legislators asked for a study of potential locations that is currently under way.

10. The Committee on Educational Policy

- a. approved by consent as an action item the *Academic Planning*.

This item comes to the Board every March and “summarizes the CSU academic planning process, including long-range program planning activity that occurred since January 2019 [... and] approves additions and modifications to campus academic plans and the CSU Academic Master Plan.” [Note: Academic Planning usually does not receive much discussion during Board meetings, because normally changes in academic programs have been deliberated extensively on the respective campuses.]

- b. received by consent as an information item the report on *Academic Preparation*.

“This annual item provides a progress update on the first year after implementation of Executive Order 1110. [...] First-year results provide an opportunity to refute concerns expressed in 2017-18 that policy changes associated with Executive Order 1110 are categorically detrimental for students. Students in the fall 2018 cohort are already experiencing better initial outcomes in first-year Mathematics/Quantitative Reasoning and Written Communication courses compared to previous cohorts. For CSU’s underserved students, these outcomes can have a significant impact on closing equity gaps.”

“There remain opportunities for improvement. The Office of the Chancellor will continue to support campus improvement efforts with the expectation that the program models will have an even greater benefit to students over time. These data provide an opportunity to examine structural variation across campuses, to learn from common implementation challenges, and to ask better questions going forward about how to more effectively serve students.”

“Addressing academic preparation has been a primary area of focus for the CSU’s Graduation Initiative 2025. The Office of the Chancellor will continue to monitor the outcomes of Executive Order 1110 and will provide an annual update to the board when those data are available. Delivering these new course models across the CSU can be a major factor for achieving the goal of eliminating equity gaps. Nationally, developmental education courses are considered a major contributor to attrition. The CSU has done away with stand-alone developmental education courses. With these progressive reforms, the CSU has leapt ahead of many states and institutions in embracing models to support the success of all students. Rather than beginning college with a deficit, students who arrive in need of additional academic support now have an opportunity to earn college credit on their first day while receiving the support they need to be successful.”

- c. approved as an action item the *Recommended Amendments to Title 5 Regarding Occupational Therapy Doctorate Degree Programs*.

Last year, state legislators granted the CSU the authority to offer independent doctorate programs in Occupational Therapy. The presented amendments will align the Education Code (Title V) with respective changes in legislation.

11. The Committee on Governmental Relations

- a. received as an information item a *State Legislative Update*.

Trustee Sabalius requested the removal of this item from the consent agenda to discuss the proposed bills. He pointed out that the Chancellor’s Office opposed SB660 (Pan) last year, but is silent on the successor bill SB1083 (Pan). He reported that the statewide Academic Senate (ASCSU) expressed its strong support for this bill. The faculty is aware that providing mental health counselors to students at a ratio of 1:1500 is an unfunded mandate. However, they deem the mental health of students as a high priority that should be funded with existing allocations. Since the state legislature suspended its session until April 13 due to the COVID-19 crisis and the update was just

an information item, Chair Day postponed the State Legislative Update and further discussion until the May meeting of the Board.

12. The Committee on Audit

- a. received by consent as an information item the Status Report on Current and Follow-up Internal Audit Assignments.

“For the 2020 year, assignments were made to execute individual campus audit plans; conduct audits of information technology (IT), sponsored programs and construction; use continuous auditing techniques; and provide advisory services and investigation reviews. Follow-up on current and past assignments is being conducted on approximately 46 completed campus reviews.”

- b. received by consent as an information item the Status Report on the California State Auditor Report on Accounts Outside the State Treasury and Campus Parking Programs.

“In June 2019, the California State Auditor (State Auditor) issued its report on the California State University’s (CSU’s) financial accounts invested outside the state treasury and campus parking programs. The State Auditor requires follow-up responses 60 days, six months, and one year after the report is issued.

The 60-day response was submitted to the State Auditor on August 19, 2019, and was included in the board packet at the September 2019 meeting of the Committee on Audit. The CSU asserted full implementation of one of the eight recommendations. While the State Auditor confirmed that the two examples provided in support of the CSU’s assertion were exactly what they were looking for, they want to see more repetition. Additional examples will be provided to the State Auditor as they become available. The State Auditor considers this recommendation to be partially implemented.

The six-month response was submitted to the State Auditor on December 20, 2019, and was included in the board packet at the January 2020 meeting of the Committee on Audit. The CSU asserted full implementation of two additional recommendations. The State Auditor concurred with one of the responses and assessed the second as “partially implemented,” noting that they want the Chancellor’s Office to make additional policy revisions. The one-year response is due in June 2020.”

13. The Committee on Organization and Rules

- a. approved by consent as an action item the CSU Board of Trustees’ Meeting Dates for 2021.

The meetings are scheduled for January 26-27, March 23-24, May 18-19, July 13-14, September 14-15, and November 9-10. [Please note that the statewide Academic Senate (ASCSU) will meet during the week prior to Board meetings from Wednesday to Friday]

14. The Committee of the Whole

- a. approved by consent as an action item the Appointment of Five Members to the Committee on Committees for 2020-2021.

The appointed trustees are Wenda Fong (Chair), Debra Farar (Vice Chair), Lateefah Simon, Christopher Steinhauser, and Peter Taylor.

15. The **Committee on University and Faculty Personnel**

- a. approved by consent as an action item the CSU Salary Schedule.
- b. the agenda action item Compensation for Executives was pulled from the agenda prior to the meeting.

At noon, the work of the **Committees of the Board** was concluded and Chair Day called the full **Board of Trustees Meeting** to order.

16. The **Board of Trustees** received the following Reports

- a. The Chair of the Board of Trustees, Adam Day, complimented the crisis responses of all CSU stakeholders and lauded it as a collective effort. He announced that Chancellor White as well as President Harrison (Northridge) and President Morishita (East Bay) agreed to delay their retirements until the end of the fall semester. Accordingly, all three searches will be on hold until the fall. Chair Day also communicated that he requested campuses to make vacated dorm beds available for health services. Once again, the CSU can demonstrate that it is a leader in the state in crisis response and abatement.
- b. Chancellor Tim White expressed his “deepest gratitude, appreciation and –indeed– admiration” for all the efforts to protect the health and well-being of the CSU family and to “maintain academic continuity in our students’ progress to their degree.” He cautioned that “our work is just beginning and it will extend over many, many months.” We all will be out of our comfort zone for the foreseeable future and in uncharted waters. The Chancellor called on everyone “to become laser-focused on our worthy and critically important mission and our values” in facing this formidable challenge. He is convinced that the CSU “will emerge stronger, more capable, and more resilient than ever.”
- c. The Chair of the Academic Senate CSU (ASCSU), Catherine Nelson, spoke about resolutions that the Academic Senate passed in its meeting during the previous week. She focused in particular on two of the most immediately significant resolutions. A resolution on “CSU Accommodations to Faculty Due to the COVID-19 Emergency” recommends that individual faculty members may determine without penalty whether student perceptions of teaching effectiveness for the Spring 2020 term(s) will appear in their Personnel Action File (PAF) and Working PAF (WPAF), and that probationary faculty be granted an additional year in RTP considerations if requested.

A resolution on an ethnic studies graduation requirement in the CSU passed in response to an alternative proposal from the Chancellor’s Office from March 17. The Academic Senate affirms its original resolution from January (AS-3403) with the following modifications: a campus may operationalize the system ethnic studies requirement and associated learning outcomes in a manner appropriate to its campus culture and context through normal curricular processes, and the scope of the ethnic studies requirement may include the experiences of additional historically oppressed

groups, but should otherwise retain the core definition of ethnic studies from AS-3403. The resolution specifically notes that the following considerations covered in AS-3403 remain unchanged: the primary ethnic studies requirement is to be met within lower division GE, the desire for all CSU students to have a CSU-experience with ethnic studies, and the expectation that students will have the ability to complete all of lower division GE within the prescribed 39 units.

In conclusion, Chair Nelson “expressed deep respect for the over 27,000 CSU faculty [...] who have taken on the arduous task of moving all courses to non-face-to-face modes of instruction in a very short time,” and she urged “to keep student success and basic needs, academic quality, and all employees’ rights and working conditions at the forefront of decision making in these challenging times.”

- d. Michael Wiafe, President of the *California State Student Association* (CSSA), reported that the student leadership continues to oppose federal Title IX changes, and they expressed support for an ethnic studies requirement in the CSU. At the annual CHES conference (California Higher Education Student Summit), students advocated for Financial Aid and Cal Grant reform. President Wiafe announced the hiring of Jeanne Tran-Martin as the new CSSA Executive Director. In closing, he “encouraged all campuses to include students in emergency decision making.”
- e. Former President, Dia Poole, delivered the report of the *Alumni Association* on behalf of President Michelle Power and President-Elect Jeremy Addis-Mills. She shared several examples of how CSU alumni rose to the challenge by providing help and lending their expertise for COVID-19 crisis management. “Now is the time to lean on our 3.8 million alumni.” She also announced the re-appointment of Alumni Trustee Larry Adamson. [Note: The Alumni Trustee is the only non-ex-officio Board member who does not need to be appointed by the Governor].

The Board moved to approve the resolutions that were previously passed in the various committees, with the exception of the items acted upon by the Committee on Collective Bargaining (according to BoT rules). At the request of Lieutenant Governor Kounalakis the resolutions on the *San Diego State University Multi-Use Stadium* (item 5a) and on the *Proposed Off-Campus Center in Placer County* (item 9a) were taken off the consent agenda for a separate vote, during which Trustee Kounalakis abstained. All other resolutions were approved unanimously.

The Board of Trustees Meeting was officially adjourned on Tuesday, March 24, at 12:30.