

Date of Hearing: April 2, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2275 (Mike Fong) – As Introduced February 8, 2024

SUBJECT: Trustees of the California State University: appointees

SUMMARY: Require the members of the California State University (CSU) Board of Trustees (BOT) selected from outstanding lay citizens of California who have a strong interest in the further development and improvement of the CSU, and would specify that members of the board, to the greatest extent possible, should be inclusive and representative of the many demographic groups found in California, and that the BOT should reflect diversity of race and gender, and include, among others, disabled persons and veterans. The bill would also provide that each member of the board should bring their own best thinking and personal views to the BOT discussion, as specified.

EXISTING LAW:

- 1) Establishes the CSU system, comprised of 23 campuses, and bestows upon the CSU Trustees, through the BOT, the power, duties, and functions with respect to the management, administration, and control of the CSU system (Education Code (EDC) Sections 66606 and 89000 et. seq.).
- 2) Establishes the membership of the BOT to include 25 voting members as follows:
 - a) Five ex-officio members including the Governor, the Lieutenant Governor, the Superintendent of Public Instruction, the Speaker of the Assembly, and the person named by the trustees to serve as the Chancellor of the CSU;
 - b) A representative of the CSU alumni associations, who is appointed to serve a two-year term by the alumni council and is not employed by the California State University while on the board;
 - c) Sixteen members of the public, who are appointed by the Governor and confirmed by two-thirds of the California State Senate for an eight-year term;
 - d) Two students, who are at least sophomores and attend a campus of the CSU, are appointed by the Governor from a list of two to five names provided by the California State Student Association (CSSA); and,
 - i) One student representative is appointed for a two-year term beginning on July 1 of an even number year and ending on June 30 two years later. The second student representative is appointed to a two-year term beginning on July 1 of an odd number year and ending on June 30 two years later; and,
 - ii) Students appointed will have their tuition fee waived for the duration of their term of office on the BOT.

- e) One tenured faculty member from the CSU is appointed by the Governor to serve on the board for two years. The Governor selects the faculty member from a list of names provided by the systemwide Academic Senate of the CSU.
 - i) The faculty member is not permitted to participate on any subcommittee of the BOT which is responsible for collective bargaining negotiations; and,
 - ii) The appointed faculty member will begin their two year term on July 1 and if the Governor has not appointed a successor by the end of the term, the faculty member may remain on the BOT for one additional year or until the Governor appoints a successor; whichever occurs first (EDC Section 66602).
- 3) Establishes the Board of Governors (BOG) of the California Community Colleges (CCC) and specifies that members of the board will be selected from outstanding lay citizens of California who have a strong interest in the further development and improvement of the CCC, and that members of the board, to the greatest extent possible, should be inclusive and representative of the many demographic groups found in California, and the board should reflect diversity of race and gender, and should include, among others, disabled persons and veterans.
 - a) In furtherance of the mission of the CCC, a member of the board should embrace the basic role and responsibility of a member of the board to bring his or her own best thinking and personal views to the board's discussion, determining his or her own position on each issue rather than being bound to represent or advocate for the positions of a particular organization or constituency. (EDC Sections 71000 and 71002)
- 4) Specifies that the Regents of the University of California (UC) will be comprised of able persons broadly reflective of the economic, cultural, and social diversity of the State, including ethnic minorities and women. However, it is not intended that formulas or specific ratios be applied in the selection of regents. (Constitution of the State of California, Article IX, Section 9(d))

FISCAL EFFECT: Unknown

COMMENTS: *Purpose.* According to the author, "as a former trustee of the Los Angeles Community College District, I understand the role of a governing board in overseeing higher education institutions and the importance of fostering an environment where all students can succeed. AB 2275 will ensure that representation and diversity, in all forms, is considered in the appointment of members to the CSU Board of Trustees. This will not only reaffirm the importance of our state's diversity, but also ensure that the perspectives and lived experiences of CSU students are represented at the highest level."

California State University and the Board of Trustees. Originally established in 1875, as a college for teachers in San Francisco, the CSU has since expanded to include 23 campuses who enroll over 450,000 students. The CSU provides nearly half of the bachelor degrees in the state and has an alumni base of over three million students and counting. To oversee the nation's largest four year public university, the State established the BOT.

The BOT is endowed with the authority to adopt regulations and policies pertaining to the overall operations of the CSU including educational policy decisions, budgeting, and campus

planning. The membership of the board is comprised of 25 members each with term limits and voting privileges, who are selected and appointed through various manners.

<i>Member</i>	<i>Term Limit</i>	<i>How the Trustee is chosen to serve:</i>
Five ex officio members (Governor, Lieutenant Governor, Superintendent of Public Instruction, Speaker of the Assembly, and Chancellor of the CSU)	Term of their elected or appointed office.	<p>The Governor, Lieutenant Governor, and Superintendent of Public Instruction, are elected in a statewide election and are immediately appointed to the Board.</p> <p>The Speaker of the Assembly is an elected official in the California State Assembly who is selected by their peers to lead the State Assembly.</p> <p>The Chancellor of the CSU is appointed by the BOT after an exhaustive nationwide search and is immediately appointed as a member of the BOT.</p>
Two student members who attend a CSU campus and are at least in their sophomore year (or have taken at least 30 units).	Each are appointed for two-year terms that are staggered so that one student begins their term on July 1 in an odd numbered year and the other student’s term begins the following year (even numbered year) on July 1. Both students’ terms end on June 30 after two years (one in an odd numbered year and one in an even numbered year).	Appointed by the Governor from list of at least two to five students provided by CSSA.
16 members of the public	One eight–year term	When their term expires, the Governor will appoint a member of the public to replace the outgoing member of the board and the new appointee is approved by 2/3 of the Senate.
One tenured faculty member	One two – year term. The faculty trustee is permitted to remain on the BOT past the expiration of their term for one year if the Governor has not appointed a	Appointed by the Governor from a list of faculty provided by the systemwide CSU Academic Senate.

	replacement.	
An alumni of the CSU system	One two-year term.	Appointed by the Alumni Council of CSU and the appointee may not be employed by the CSU during their tenure on the board.

CCC and UC statements. As noted in the “existing law” section, the CCC BOG is statutorily required, and the Regents of the UC are constitutionally required, to be inclusive and representative of the many demographic groups found in California. The CSU does not have a similar requirement in code.

The CCC’s requirement was codified in AB 1572 (Holden, Chapter 496, Statutes of 2014). At the time, the law specified only that individuals be selected from outstanding lay citizens of California who have a strong interest in the further development and improvement of the public community colleges.

The decision was made that the requirements be expanded to include consideration of appointments to the BOG that, to the greatest extent possible, attempts to provide for a diverse BOG that is representative of as many of the unique demographic groups of persons found in California, including but not limited to: disabled persons, veterans, racial and gender. In addition, language was included clarifying that all appointments embrace the basic role and responsibility of a member of the BOG to bring their own best thinking and personal views to the Board’s discussion, determining their own positions on the issues rather than being bound to represent or advocate the positions of a particular organization or constituency.

Committee staff notes that the statement proposed in AB 2275 (Mike Fong) is essentially identical to the CCC’s statement codified in AB 1557 (Holden).

Arguments in support. The California Faculty Association (CFA) supports that AB 2275 (Mike Fong), “...emphasizes that the Board should, to the greatest extent possible, be inclusive and representative of the diverse demographic groups found across California. This includes an imperative for the Board to reflect a variety of races, genders, as well as include disabled persons and veterans. The California Faculty Association believes that the strength of our educational institutions lies in their diversity and inclusivity. The proposed changes encapsulated in AB 2275 align with our vision for a university system that mirrors the rich diversity of our state. By ensuring that the Board of Trustees comprises individuals from a wide array of backgrounds and experiences, we can foster a more inclusive environment that better serves the varied needs of our students, faculty, and communities.”

“Furthermore, the bill’s directive for Board members to bring their unique perspectives and independent thought to discussions, rather than representing the narrow interests of specific groups, reinforces the importance of individual accountability and integrity in our university governance”

Prior legislation. AB 1557 (Holden), Chapter 496, Statutes of 2014, specifies that members of the CCC BOG should be inclusive and representative of the many demographic groups in the state.

REGISTERED SUPPORT / OPPOSITION:

Support

California Faculty Association

Opposition

None on file

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