

Date of Hearing: March 1, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1625 (Medina) – As Introduced January 10, 2022

SUBJECT: Trustees of the California State University: student members

SUMMARY: Permits a student appointed to the California State University (CSU) Board of Trustees (BOT), whose term expired on June 30, to remain on the Board until either January 1 of the following year or until the Governor has appointed their replacement; whichever occurs first.

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 California State University;
 - b) A representative of the California State University 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.

FISCAL EFFECT: Unknown.

COMMENTS: *Need for the bill.* According to the author, “student representation at the public university system sets a strong backbone for ensuring the needs of students are met. However, in regards to term limits, equity in representation between faculty and students on the California State University Board of Trustees needs to be rectified, where both student and faculty voices need to be on equal footing.”

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 486,000 students. The CSU provides nearly half of the bachelor degrees in the state and has an alumni base of over 3 million students and counting. To oversee the nation’s largest four year public university, the State established the Board of Trustees (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	Appointed by the Governor from list of at least two to five students provided by CSSA.

	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).	
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 replacement.	Appointed by the Governor from a list of faculty provided by the systemwide CSU Academic Senate.
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.

A history of student representation on the BOT. The current governing structure of the CSU was established in 1960 with the implementation of the California Master Plan for Higher Education. Originally, the BOT had one student representative who was appointed by the Governor for two years and was expected to be entering their junior year at the time of their appointment. In 1999, the California State Student Association (CSSA) advocated for an additional student representative to be added to the BOT. The CSSA contended that the population of students attending the CSU had increased to over 300,000 and therefore additional representation was warranted to ensure the voice of students was adequately heard. The CSSA successfully argued that a single student representative could not effectively represent hundreds of thousands of student voices across 23 diverse campuses while attending college full-time and participating in the myriad of meetings, committees, and subcommittees required as a member of the BOT. AB 213 (Romero), Chapter 251, Statutes of 1999, provided the compromise between CSSA and the CSU increasing the student membership to two student, but limiting the voting authority to one student, who is in their second year of their two-year term.

From 1999 to 2019, student representatives provided their opinions in their first year on the BOT, but were unable to vote on behalf of students until their second term. The first year was meant to serve as a learning experience for the student representative, who would use the wisdom gleaned from their first year on the BOT to vote responsibly on behalf of students. The other 23 members of the board are able to vote without such restrictions. In 2019, the CSSA once

again brought a proposal before the State Legislature to provide parity for student representatives. AB 514 (Medina), Chapter 61, Statutes of 2019, eliminated the prohibition against a student member voting during the student member's first year on the BOT. With this increase in voting rights the student representatives on the BOT have voting parity with their board member counterparts.

Appointing students to the BOT. Since 1999, students of the CSU have been represented by two students appointed by the Governor. Each of these students serve two years and each year, due to staggered terms, one of the student's term will expire and a new student will be appointed by the Governor. In Education Code, the student representative's term expires on June 30 and the new term of the incoming student representative begins on July 1. Since the term limits for students is established in code, one may presume the Governor would appoint a new student representative on or before July 1 to ensure there is no gap in student representation on the BOT.

However in recent years, the student representative for the BOT has been appointed in August, sometimes as late as August 27. Each year the BOT has meetings in July and effectively there is a lack of student representation as one of the student representative seats remains empty. Unlike the faculty representatives who are able to remain on the board for a year after their term expires or until the Governor appoints a replacement, student representatives on the BOT are removed from office at the end of their term regardless of whether their successor has been named. One may make the argument that students still have representation on the board as one student is always present to provide the student voice, unlike faculty who only have one representative on the board. However, the Legislature in recent years has enacted a multitude of bills to enhance the student voice and provide equity between students and other members of the BOT; the lack of representation in one meeting every year delays the progress made by the Legislature on behalf of students. AB 1625 (Medina) seeks to undo this oversight by providing student representatives the ability to remain on the BOT until their replacement is named or until January the next year whichever comes first.

Previous legislation. AB 514 (Medina), Chapter 61, Statutes of 2019, allows all student members of the BOT to vote throughout the duration of their term on the BOT.

AB 1062 (Levine) Chapter 524, Statutes of 2018, originally increased faculty representation and the voting rights of the student members of the BOT. The bill was amended, removing the content and instead expanded existing reporting requirements for the BOT related to key performance data on online courses.

AB 2386 (Williams, 2016), vetoed, would have revised the membership of the BOT by requiring the Governor to appoint a permanent non-faculty CSU employee for a two-year term.

SB 325 (Block) Chapter 175, Statutes of 2013, waived the tuition fee for student members of the BOT for the duration of their term and permitted sophomores to be appointed as student members of the BOT.

AB 213 (Romero), Chapter 251, Statues of 1999, increased the size of the BOT from 24 members to 25 by establishing an additional student representative to the board.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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