

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 2113
(#41-92/93-FLR)

- WHEREAS, The California State Student Association recently voted to pursue reforms to the appointment process to California State University Board of Trustees; and
- WHEREAS, Among the goals of the CSSA is to boost the responsiveness and accountability of the CSU Board of Trustees, and to ensure that the Board closely mirrors the State's diversity; and
- WHEREAS, AB 2113 increases faculty representation on the Board of Trustees; therefore, be it
- RESOLVED: That the Academic Senate of Humboldt State University support AB 2113; and be it further
- RESOLVED: That the Academic Senate of Humboldt State University recommends that its support of this resolution be conveyed to the Statewide Academic Senate.

MEMORANDUM

TO: Josephine Figueroa

FROM: Anne Blackshaw

RE: AB 2113 Amendments

Here are three possible amendments to AB 2113 for your review.

SEC. 3. Section 66607.5 is added to the Education Code:

66607.5 (a) Trustees shall be able persons broadly reflective of the economic, cultural, and social diversity of the state, including people of color and women. However, it is not intended that formulas or specific ratios be applied in the selection of trustees.

(b) In the appointment of Trustees the appointer must justify to the confirmation committee how the appointee fulfills Section 66607.5 (a) of the Education Code.

(c) Trustees shall be appointed on the basis of their demonstrated interest and proven ability in higher education issues.

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INTRODUCED BY Assembly Member Solis

MARCH 5, 1993

An act to amend Sections 66602, 66603, and 66604 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2113, as introduced, Solis. The California State University: board of trustees.

Existing law specifies that the membership of the Board of Trustees of the California State University consists of 5 ex officio members, one of whom is the Chancellor of the California State University, 16 appointive members appointed by the Governor, a representative of the alumni associations of the state university selected by the alumni council, a student of the university appointed by the Governor, and a tenured faculty member of the university appointed by the Governor. Under existing law, the terms of the appointive members is 8 years and the terms of the representative of the alumni association and the student and faculty members are 2 years.

This bill would reduce the number of ex officio members to 4 by removing the chancellor from the board of trustees. The bill would also remove the representative of the alumni associations and the student and faculty member from the board of trustees. The bill would increase the number of appointive members of the board of trustees to 18 and would restructure the appointment process of the 18 members by requiring that 3 of the members be appointed each by the Governor, the Speaker of the Assembly, the Senate Committee on Rules, the California State Student Association, the Academic Senate of the California State University, and the Alumni Association of the university. The bill would require that the appointments made by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules be subject to confirmation by a 12-member committee chosen pursuant to a specified procedure.

The bill would require that the terms of the members of the board of trustees serving on January 1, 1994, be classified by lot so that the terms of 6 appointive members would expire on each of the following dates: June 30, 1994, June 30, 1995, and June 30, 1996. On the day after each of those dates

Display 1993-1994 Bill Text - INFORMATION
 BILL NUMBER: AB 2113

BILL TEXT

and every 8 years after each of those dates, the Governor, the Speaker of the Assembly, and the Senate Committee on Rules would each be required to appoint one member to the trustees for an 8-year term.

The bill would, additionally, require the California State Student Association, the Academic Senate of the university, and the alumni association of the university to each appoint 3 members to the trustees on July 1, 1994. Those appointees would be required to classify themselves by lot so that 5 serve a 2-year term and 4 serve a one-year term. The bill would require that, upon expiration of the initial terms and thereafter, these members would serve to 2-year terms.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66602 of the Education Code is amended to read:

66602. (a) The board shall be composed of the following four ex officio members: which shall be the Governor, the Lieutenant Governor, the Superintendent of Public Instruction, and the Speaker of the Assembly, who shall have equal rights and duties with nonlegislative members, and the person named by the trustees to serve as the Chancellor of the California State University; a representative of the alumni associations of the state university and colleges, selected for a two-year term by the alumni council, California State University, which representative shall not be an employee of the California State University during the two-year term; and 16 18 appointive members appointed by the Governor and subject to confirmation by two-thirds of the Senate three of whom shall be appointed by each of the following: the Governor, the Speaker, the Senate Committee on Rules, the California State Student Association, the Academic Senate of the university, and the Alumni Association of the university.

(b) Appointments made by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules shall be subject to confirmation by a committee composed of the Speaker and two public members appointed by the Speaker, the President pro Tempore of the

Display 1993-1994 Bill Text - INFORMATION
 BILL NUMBER: AB 2113

BILL TEXT

Senate, two public members appointed by the Senate Committee on Rules, two public members appointed by the Governor, the chair of the trustees of the university, an alumnus of the university chosen by the alumni association of the university, a student of the university chosen by the California State Student Association, and a member of the faculty of the university chosen by the Academic Senate of the university. Public members of the committee shall serve for four years, except that one each of the initially appointed members selected by the Speaker of the Assembly, the Senate Committee on Rules, and the Governor shall be appointed for two years; student, alumni, and faculty members of the committee shall serve for one year and may not be trustees of the university at the time of their service on the committee.

(b) There shall also be appointed by the Governor for a two-year term, a student from a California state university or college who shall have at least a junior year standing at the institution he or she attends, and shall remain in good standing as a student for the two-year term. In the selection of a student as a member of the board, the Governor shall appoint the student from a list of names of not more than five persons furnished by student representatives of each of the universities and colleges of the California State University. The student representative of a university or college shall be the elected student body president or, in the case of a university or college not having an elected student body president, the person receiving the highest number of votes cast at a student body election held to select the student representative. Any appointment to fill a vacancy of a student member shall be effective only for the remainder of the term of the person's office that became vacated.

The term of office of the student member of the board appointed pursuant to this subdivision whose term was scheduled to expire on December 31, 1986, shall expire on June 30, 1987. The term of office of the student member appointed to the board for the term immediately following the term that expires on June 30, 1987, shall commence on July 1, 1987, and expire on June 30, 1989, and thereafter, each two-year term of office shall commence on July 1 and expire on June 30.

(c) The Speaker of the Assembly shall be an ex officio member, having equal rights and duties with nonlegislative members.

(d) There shall also be appointed by the Governor for a two-year term, a faculty member from the California State University who shall be tenured at the California state university or college at which he or she teaches. In the selection of a faculty member as a member of the board, the Governor shall appoint the faculty member from a list of names of at least two persons furnished by the Academic Senate of the California State University.

(c) The If a faculty member is appointed to the board, the faculty member of the board appointed by the Governor pursuant to this subdivision shall not participate on any subcommittee of the board

Display 1993-1994 Bill Text - INFORMATION
BILL NUMBER: AB 2113

BILL TEXT

responsible for collective bargaining negotiations.

The term of office of the faculty member of the board appointed pursuant to this subdivision whose term was scheduled to expire on December 31, 1986, shall expire on June 30, 1987. The term of office of the faculty member appointed to the board for the term immediately following the term that expires on June 30, 1987, shall commence on July 1, 1987, and expire on June 30, 1989, and thereafter, each two-year term of office shall commence on July 1 and expire on June 30.

(d) The Chancellor of the California State University shall continue to serve as an ex officio member of the board of trustees until June 30, 1994. The representative of the alumni associations of the university selected by the alumni council and the student member and the faculty member appointed by the Governor shall continue to serve on the board of trustees until June 30, 1994.

SEC. 2. Section 66603 of the Education Code is amended to read:

66603. The term of the appointive trustees shall be eight years.

(a) The terms of the appointive members of the board of trustees serving on the board on January 1, 1994, shall be classified by lot so that the terms of six members expire on June 30, 1994, the terms of six other members expire on June 30, 1995, and the terms of the other six members expire on June 30, 1996.

(b) On July 1, 1994, July 1, 1995, and July 1, 1996, and every eight years after each of those dates, the Governor, the Speaker of the Assembly, and the Senate Committee on Rules shall each appoint one member to the board of trustees. These appointive members shall serve eight-year terms.

(c) On July 1, 1994, the California State Student Association, the Academic Senate of the university, and the alumni association of the university shall each appoint three members to the trustees.

The initial appointees shall classify themselves by lot so that five serve a two-year term and four serve a one-year term. Upon the expiration of those terms and thereafter, each of those appointing authorities shall appoint members to two-year terms.

(d) During the period of transition until the time when the appointive membership is comprised exclusively of persons serving for terms of eight years and two years, respectively, the total number of appointive members may exceed the number specified in subdivision

(a) of Section 66602.

SEC. 3. Section 66604 of the Education Code is amended to read:

66604. The expiration of a trustee's term of office as a member of the State Board of Education or any earlier vacancy in that office shall create a vacancy in his trusteeship, unless the term ascribed thereto by lot has already expired. In case of any vacancy on the board of trustees, the Governor shall appoint a successor for the balance of the term as to which such vacancy exists. In case of any vacancy, the appointee selected to fill the vacancy shall be appointed by the original appointing authority for the balance of the term for which the vacancy exists.