

AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: 8:15 a.m., Wednesday, January 30, 2002
Glenn S. Dumke Conference Center

Martha C. Fallgatter, Chair
Roberta Achtenberg, Vice Chair
Daniel N. Cartwright
Debra S. Farar
Bob Foster
Murray L. Galinson
William Hauck
Ricardo F. Icaza
Dee Dee Myers
Ralph R. Pesqueira
Kyriakos Tsakopoulos

Consent Items

Approval of Minutes of Meeting of November 13, 2001

Discussion Items

1. 2001/2002 Legislative Report No. 6, *Action*

**MINUTES OF THE MEETING OF
COMMITTEE ON GOVERNMENTAL AFFAIRS
Office of the Chancellor
Glenn S. Dumke Conference Center
401 Golden Shore
Long Beach, California**

November 13, 2001

Members Present

Martha C. Fallgatter, Chair
Roberta Achtenberg, Vice Chair
Daniel N. Cartwright
Debra S. Farar
Bob Foster
Murray L. Galinson
Laurence K. Gould, Jr., Chair of the Board
William Hauck
Ricardo F. Icaza
Charles B. Reed, Chancellor
Kyriakos Tsakopoulos

Members Absent

Harold Goldwhite
Dee Dee Myers
Ralph R. Pesqueira
Frederick W. Pierce IV
Anthony M. Vitti

Chancellor's Office Staff

David S. Spence, Executive Vice Chancellor and Chief Academic Officer
Richard P. West, Executive Vice Chancellor and Chief Financial Officer
Louis Caldera, Vice Chancellor, University Advancement
Christine Helwick, General Counsel
Jackie R. McClain, Vice Chancellor, Human Resources
Karen Yelverton Zamarripa, Assistant Vice Chancellor, Governmental Affairs

Chair Fallgatter called the meeting to order at 3:38 p.m.

Approval of Minutes

The minutes of July 10, 2001 were approved.

2001/2002 Legislative Report No. 5A

Chair Fallgatter announced this would be the final status report on the year 2001 trustees legislative program and bills of significant interest to the CSU.

Ms. Karen Yelverton Zamarripa, assistant vice chancellor, governmental affairs, reviewed key points of CSU's 2001 legislative program. She noted next year would be the second year of the two-year session. When the legislature resumes session in January 2002, it will need to move all of the pending two-year bills within a three-week period, and all new proposals will need to be introduced before the end of February. Coupled with those tasks is the January budget release and the March primary.

She reported seven of the nine bills sponsored by the board of trustees had been enacted into law. The two remaining items are Senate Bill 277, a bill on rural health care programs for CSU employees who do not have access to an HMO or related facility near where they live and, placement of an education facilities bond on the 2002 ballot.

Given the precarious financial situation within the state, budget issues will be the primary focus of CSU's governmental affairs office during the next year. The newness of many of the legislative members and staff members this year will undoubtedly make it a complicated and interesting challenge for the new budget year. Ms. Yelverton Zamarripa indicated she intends to bring the proposed legislative program for 2002 to the board in January after consultation with the Chancellor's cabinet and Executive Council. There will be few proposals, given the status of the budget. However, we are still hoping to achieve a bond in the 2002 election cycle for K-12 and higher education.

Ms. Yelverton Zamarripa said that CSU will continue to work closely with higher education constituencies on several important policy issues, including financial aid and outreach programs promoting the Cal-Grant Entitlement Program, and interest in continuing investments in nursing and other high cost programs.

Chancellor Reed then took a moment to inform the board on the status of CSU's pursuit of the education doctorate, and Senate Bill 713 by Senators Alpert and Scott (the education doctorate bill).

The Chancellor explained the steps taken in cooperation with the University of California (UC), to achieve an agreement on the joint issuance of the education doctorate. He described the plan as a co-equal partnership between the CSU and the UC to offer together the joint doctoral degree. The concept would include a joint CSU/UC board to be co-chaired by Dr. David S. Spence of the CSU, and Dr. Judson King of UC, along with four other members from the CSU and UC.

The charge to the board will be to solicit, develop, fund, and expedite joint doctoral programs throughout the state. Ms. Yelverton Zamarippa indicated special attention was focused on assuring the agreement included a provision indicating that all regions of California will be served. Ideally, the partnership would be 50/50 between CSU and UC programs and faculty. However, if for any reason that split cannot be achieved, CSU's ability to issue the degree would not be hampered.

Of particular note, funding for the degree will be at the UC graduate research rate. This is a very positive step for CSU and the first time the university has been recognized for funding at that rate. Additionally, the board will conduct an assessment in all regions of California to determine the needs of the community colleges and school districts in those areas and in turn, solicit proposals to serve those needs.

The degree will be issued as a University of California/California State University degree when awarded. The existing program at Fresno State has been grandfathered in to assure a smooth transition. It is hoped program offerings will commence next August.

The program will be designed as a part-time program to allow working students to attend classes in the evening, on weekends, and during the summer to better accommodate their needs.

Chancellor Reed expressed his belief that such a partnership could potentially prove to be more beneficial than one offered individually by either university. He reiterated his commitment to the faculty that funds would not be diverted from other areas to fund the program.

As a result of the agreement and upon conversations with the co-sponsors of SB 713, we have asked them to withdraw their bill and replace it with a resolution to be passed by the legislature. Chancellor Reed stated this is a terrific achievement and big step forward for the CSU system.

Trustee Vitti noted that previous attempts by CSU to obtain a joint doctoral agreement had been unsuccessful and asked why this one appears to be successful. Chancellor Reed replied it was a combination of a number of factors and timing. He also remarked that if things did not work out at this time, we would return to pursue it again.

Trustee Galinson congratulated the chancellor on this important step. He then asked for additional explanation regarding CSU's ability to proceed with the degree should the UC not be able to fulfill its entire commitment. The Chancellor assured him consideration had been given to that possibility and that the CSU's ability to offer the degree would not be jeopardized in the event UC is unable to fully participate.

Trustee Hauck suggested that based on the board's previous experience with this issue, and in light of the trustees' current comments, it might be more beneficial to proceed with a bill that formally sets forth the terms of agreement regarding CSU's ability to award the degree.

Chancellor Reed said he understood the reasons for the trustees' concern, however, given the current climate of cooperation with the legislature, school districts, community colleges and the UC, he felt it was important to pursue the resolution path. The Chancellor indicated he had been open with President Atkinson in saying that if this plan did not work, we would return again to pursue another attempt. In his observation, the UC appears to be recognizing the changing public trend toward supporting a joint program, and that it is in their best interest to continue working together with CSU to make this program a reality.

The committee recommended approval of the proposed resolution (RGR 11-01-06).

The meeting was adjourned at 3:55 p.m.

COMMITTEE ON GOVERNMENTAL RELATIONS

2001/2002 Legislative Report No. 6

Presentation By

Karen Y. Zamarripa
Assistant Vice Chancellor
Governmental Affairs

Summary

This item contains a presentation of items for inclusion in the Trustees' Legislative Program for 2002, and a status report on Trustee-sponsored and priority legislation carried over from the first year of the legislative session.

Background

The Legislature convened on January 7th to begin the second year of the 2001-02 Regular Session. The following dates correspond with the key milestones for the session:

January 31	Last day for Senate and Assembly to pass bills introduced in 2001
February 22	Last day to introduce bills
March 5	Primary Election
April 26	Last day for policy committees to hear bills for referral to fiscal committees
May 24	Last day for fiscal committees to hear and report bills to the floor
May 31	Last day for bills to be approved on the floor in house of origin
June 28	Last day for policy committees to hear and report bills in their second house
July 5	Summer Recess begins, provided Budget Bill has been enacted
August 5	Legislature reconvenes
August 16	Last day for fiscal committees to meet and report bills to the floor
August 31	Last day for any bill to be passed; Final Recess begins upon adjournment

New Proposals for 2002

The following proposals are presented to the committee for approval for inclusion in the Trustees' 2002 Legislative Program. Each item has advanced through several levels of review, including Governmental Affairs, Business and Finance, Executive Council, and the Chancellor and his executive leadership staff.

Permanent Authority to Adopt, Amend, Repeal CSU Regulations. Before January 1, 1997, all changes to CSU's portion of Title 5 of the California Code of Regulations required advance notice in the state Office of Administrative Law's (OAL) notice register and after adoption, review for necessity, authority, clarity, consistency, reference, and non-duplication of the regulation by OAL's staff before the changes could be filed with the Secretary of State and published in Title 5. Assembly Bill 3132, approved in 1996, eliminated the duplicative notice and review by OAL, allowing the Trustees to notice the rulemaking activity on its own (by posting on the web and by letter to agenda mailing list recipients) and to submit the adopted regulation immediately to the Secretary of State, thereby resulting in an earlier effective date. The simplified administrative process has resulted in less expense to the State and more immediate effective dates, resulting in greater efficiency. The Trustees' governance has been strengthened while conserving State resources.

This year, legislation was approved extending this authority for one year. The proposal for 2002 would grant this authority on a permanent basis.

Information Practices Act/FERPA Reconciliation. The state Information Practices Act (IPA) prohibits state agencies, including the CSU, from disclosing personal information without the written consent of the subject in question. The federal Family Educational Rights and Privacy Act (FERPA) contains similar prohibitions pertaining to students, but allows student directory information (student's home address and telephone number, considered personal information under the IPA) to be released without the written consent of the student.

Legislation approved in 1996 to "clean up" the Education Code by deleting obsolete portions of the code inadvertently deleted a section providing that in instances regarding student records, FERPA would prevail over IPA. Although CSU and other higher education institutions have proceeded as if that section still existed, it has been recommended that a clarifying amendment be added to IPA to confirm that such is the case.

2001 Trustee-Sponsored Legislation: Status

Assembly Bill 16 (Hertzberg), Education Bond. The bond proposal that was under consideration during the final week of the first year of session would have placed an \$11.4 billion bond on the March 2002 *and* November 2004 ballots. \$2.3 billion of each bond would have been devoted to higher education, in the following manner:

- \$0.66 billion – University of California
- \$0.66 billion – California State University

- \$0.86 billion – California Community Colleges
- \$60 million – Joint Use/Intersegmental Facilities
- \$60 million – New Campuses/Off Campus Centers

Status: Discussions regarding the placement of a bond act on the March 2002 ballot continued during the Interim Recess, but ultimately were not successful. There appears to be support from the Davis Administration and the Legislature for adopting a multi-year approach to meeting the capital outlay needs of K-12 and higher education through 2006.

Senate Bill 277 (Chesbro) Public Employee Health Care Benefits: Rural Areas: State University Employees. This bill would make employees of the California State University eligible to access the Rural Health Care Equity Trust Fund, which provides subsidies and reimbursements for health care costs incurred by state employees and annuitants who live in rural areas where there is no available health maintenance organization (HMO) plan that has been approved by the Public Employees' Retirement System (PERS) Board of Administration. CSU has co-sponsored SB 277 with CSEA and will seek the funds necessary to support this benefit through the bill.

Status: Assembly Appropriations Committee

Senate Bill 713 (Alpert) Doctorate of Education Degree. SB 713 requires the state to ensure that a sufficient number of affordable, high-quality opportunities to obtain the doctoral degree in education (Ed.D.) are made available to interested candidates.

Status: Senate Education Committee. Pursuant to the recent agreement with the University of California on joint education doctorates, CSU will not pursue passage of Senate Bill 713 in 2002. However, a legislative resolution endorsing and commemorating the tenets of the agreement will be proposed, and the agreement will be included in some form in the final Master Plan report that will be completed in 2002.

Adoption of the following resolution is recommended:

RESOLVED, By the Board of Trustees of The California State University, that the legislative proposals described in this item are adopted as the 2002 Board of Trustees' Legislative Program.