

TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY

**Trustees of the California State University
California State University
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802**

March 12, 2008 – 9:45 a.m.

Presiding: Roberta Achtenberg, Chair

Board of Trustees--Open Session

Call To Order and Roll Call

Public Comment

Chair's Report

Chancellor's Report

Report of the California State University Alumni Council: *President—Valerie Vuicich*

Report of the California State Student Association: *Chair—Dina Cervantes*

Approval of Minutes of Board of Trustees' Meetings of January 22 and 23, 2008

Board of Trustees

1. Election of Members to Committee on Committees for 2008-2009

Reports from Committees

Committee on Collective Bargaining: *Chair—Lou Monville*

Committee of the Whole: *Chair -- Roberta Achtenberg*

Committee on Audit: *Chair -- Raymond W. Holdsworth*

Committee on Organization and Rules: *Chair – George G. Gowgani*

Committee on Educational Policy: *Chair -- Herbert L. Carter*

1. Academic Planning and Program Review

Committee on Campus Planning, Buildings and Grounds: *Chair – A. Robert Linscheid*

1. Amend the 2007-2008 Capital Outlay Program, Non-State Funded
3. Approval of Schematic Plans

Committee on Institutional Advancement: *Chair -- Carol R. Chandler*

1. Naming of an Academic Entity—California State University, East Bay and California State University, San Bernardino
2. Naming of a Facility – California State University, Fresno
3. Naming of an Academic Entity – California State University, Long Beach
4. Recognition for Support of San José State University
6. Naming of a Facility – California State University, Los Angeles

Committee on University and Faculty Personnel: *Chair -- Debra S. Farar*

1. Policy and Procedure for the Appointment of Vice Chancellors and the General Counsel

Committee on Governmental Relations: *Chair – Melinda Guzman*

1. 2007-2008 Legislative Report No. 8

Committee on Finance: *Chair -- William Hauck*

2. Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds for Various Auxiliary Refinancings

**MINUTES OF THE MEETING OF
BOARD OF TRUSTEES**

**Trustees of the California State University
Office of the Chancellor
Glenn S. Dumke Conference Center
401 Golden Shore
Long Beach, California**

January 22, 2008

Trustees Present

Roberta Achtenberg, Chair
Jeffrey L. Bleich, Vice Chair
Herbert L. Carter
Carol R. Chandler
Debra S. Farar
Kenneth Fong
George G. Gowgani
William Hauck
Raymond W. Holdsworth
A. Robert Linscheid
Peter G. Mehas
Charles B. Reed, Chancellor
Jennifer Reimer
Craig R. Smith
Glen O. Toney
Kyriakos Tsakopoulos

On Tuesday, January 22, the Board of Trustees heard one action item as follows:

Recommendations of the Trustees' Ad Hoc Committee on the Bureau of State Audits Reports: Part One: Compensation and Part Two: Hiring Practices (RBOT 01-08-01)

Trustee Achtenberg moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University that the actions recommended by the Ad Hoc Committee on the Bureau of State Audits reports on compensation and hiring practices as presented in the Agenda Item 1 of the January 22-23, 2008, meeting of the Board of Trustees are adopted.

January 23, 2008

Trustees Present

Roberta Achtenberg, Chair
Jeffrey L. Bleich, Vice Chair
Herbert L. Carter
Carol R. Chandler
Debra S. Farar
Kenneth Fong
John Garamendi, Lt. Governor
George G. Gowgani
William Hauck
Raymond W. Holdsworth
A. Robert Linscheid
Peter G. Mehas
Lou Monville
Charles B. Reed, Chancellor
Jennifer Reimer
Craig R. Smith
Glen O. Toney
Kyriakos Tsakopoulos

Chair Achtenberg called the meeting to order.

Public Comment

Chair Achtenberg called for public comment. The following individuals addressed the Board of Trustees: Pat Gantt, President CSUEU expressed confidence in the ability of all parties to work together to make the case for the CSU; Dennis Dillon, VP Representation, CSUEU, thanked Patrick Lenz for all his work on behalf of the CSU; Lillian Taiz, CFA President stated that she was pleased with the responsiveness of Chair Achtenberg and Chancellor Reed and looked forward to continued collaboration to ensure a strong CSU; Kim Gerón CFA Vice President and David Bradfield, CFA Associate Vice President both passed on their allotted speaking time; the following students gave their personal stories on how higher student fees would affect them and voiced their opposition to any student fee increases: Roberto C. Torres, ASI Sacramento; Christina Romero, ASI Sacramento; Erika Alatorre, ASI Sacramento; Felipe R. Zañartu; Chantal Navarro; Rocio Navarro, Pomona; and Ricky Gutierrez,

Chair's Report

Chair Roberta Achtenberg's complete report can be viewed on-line at the following url: <http://www.calstate.edu/BOT/RepArchive/index.shtml>

Chancellor's Report

Chancellor Charles B. Reed's complete report can be viewed on-line at the following url:
<http://www.calstate.edu/executive/reparchive/080123.shtml>

Report of the California State University Alumni Council

Valorie Vuicich, president, reported on behalf of the Alumni Council.

Report from the California State Student Association

Dina Cervantes reported on behalf of the CSSA.

Approval of Minutes

The board approved the minutes of the meeting of November 14, 2007.

Report of Committees

Committee on Collective Bargaining

Trustee Monville reported the committee heard from representatives of the Academic Professionals of California and the California State University Employees' Union.

Committee on Campus Planning, Buildings and Grounds

Trustee Linscheid reported the committee heard one action item, Status Report of the 2008-2009 State Funded Capital Outlay Program—Governor's Budget and one action items as follows:

Amend the 2007-2008 Capital Outlay Program, State Funded (RCBPG 01-08-01)

Trustee Linscheid moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that the 2007-2008 state funded capital outlay program is amended to include \$7,571,000 for preliminary plans, working drawings, and construction for the California State University, San Marcos, Energy Infrastructure Improvements project.

Committee on Governmental Relations

Trustee Farar reported the committee heard two action items as follow:

2007-2008 Legislative Report No. 7 (RGR 01-08-01)

Trustee Farar moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of The California State University that the Doctor of Nursing Practice degree and the Uniform Prudent Management of Institutional Funds Act legislative proposals described in Agenda Item 1 of the Committee on Governmental Affairs at the January 22-23, 2008 meeting of the CSU Board of Trustees is adopted as the 2008 Board of Trustees' Legislative Program; and further,

RESOLVED, that the Chancellor pursue mechanisms to achieve the recommendations of the Bureau of State Audits (BSA) with regard to outside employment and compensation studies for executives and faculty at the CSU.

California State University Federal Agenda for 2008 (RGR 01-08-02)

Trustee Farar moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that the federal legislative program described in Agenda Item 2 of the Committee on Governmental Relations at the January 22-23, 2008 meeting is adopted as the 2008 California State University Federal Agenda.

Committee on Audit

Trustee Holdsworth reported the committee heard two information items, Status Report on Current and follow-up Internal Audit Assignments; Report of the Systemwide Audit in Accordance with Generally Accepted Accounting Principles Including the Report to Management and passed one action item as follows:

Assignment of Functions to Be Reviewed by the Office of the University Auditor for Calendar Year 2008 (RAUD 01-08-01)

RESOLVED, By the Committee on Audit of the Board of Trustees of The California State University, that the 2008 internal audit plan, including FISMA, Information Systems, Auxiliary Organizations, Construction, Consultations, Investigations, Information Security, Public Safety, and Student Records and Registration be approved.

Committee on Institutional Advancement

Trustee Chandler reported the committee heard one information item, Council ofr Advancment and Support of Education Awards and three action items as follow:

Naming of an Academic Entity – California State University, Fullerton (RIA 01-08-01)

Trustee Chandler moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, By the Board of Trustees of the California State University, that the College of Business and Economics at California State University, Fullerton be named Steven G. Mihaylo College of Business and Economics.

Naming of an Academic Entity – San José State University (RIA 01-08-02)

Trustee Chandler moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University, that the College of Business Honors Program at San José State University shall be named the Gary J. Sbona Honors Program.

Approval of the 2006-2007 Annual Report on External Support to the California State University (RIA 01-08-03)

Trustee Chandler moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University, that the Board adopts the *2006-2007 Annual Report of External Support to the California State University* for submission to the California Postsecondary Education Commission, the California Joint Legislative Budget Committee, and the California Department of Finance.

Committee on Educational Policy

Trustee Carter reported the committee heard two information items, Co9mmunity Engagement in the California State University; Troops to College: A California Initiative and two action items as follow:

California State University Remediation Policies and Practices: Board Expectations and Directives (REP 01-08-01)

Trustee Carter moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED, by the Board of Trustees of the California State University, that systemwide policy on the attainment of readiness for university-level learning in English and mathematics (i.e., the attainment of proficiency) by first-time freshman students include the following.

1. It is the goal and continuing expectation of the Board of Trustees that regularly-admitted first-time freshmen be fully ready for postsecondary learning in English and mathematics (i.e., be proficient) based upon their work and learning through secondary school; and that entering first-time freshmen be assessed as to this learning based upon reasonable standards and via appropriate instruments and tests. In light of this goal and expectation, the Chancellor is directed to continue the engagement of the California State University with the public schools of this State, via the Early Assessment Program (EAP) and other means consistent with priorities and directions to be identified in the new CSU systemwide strategic plan, *Access to Excellence*.
2. In the light of the priorities and directions in the forthcoming *Access to Excellence* systemwide strategic plan, and as a product of the continuing engagement of the California State University with California public schools, the Chancellor is further directed to review the current numeric goal of 90% proficiency in English and mathematics at entry among first time freshmen; to report to the Board of Trustees the results of this review; and to propose to the Board of Trustees any changes to this goal that may be appropriate.
3. It is the expectation of the Board of Trustees that the validity of commonly-used tests and assessments of proficiency in English and mathematics be well established. In light of this expectation, the Chancellor is directed to review and freshly evaluate, in consultation with CSU faculty experts, the validity of the English Placement Test, the Entry Level Mathematics assessment, and other related instruments (such as the Early Assessment Program assessment, or EAP; the SAT; and the ACT).
4. It is the expectation of the Board of Trustees that first-time freshmen who are unable to show English and mathematics proficiency at entry shall attain such proficiency during their initial college year of study at the California State University, including the summer prior to initial fall

matriculation, plus the fall and spring semesters (or, on quarter campuses, in the fall, winter and spring quarters). To that end, the Chancellor is directed to engage CSU campuses in implementing recommended effective practices to guide and support first-time freshmen in attaining this proficiency. As appropriate, this engagement may include providing campus faculty and staff with opportunities to collaborate and share effective practices, and developing comprehensive periodic reports on successful programs.

5. It is the expectation of the Board of Trustees that programs that demonstrate success in bringing students to full proficiency be widely replicated in the CSU. To that end, the Chancellor and Presidents are directed to collaborate with CSU faculty in experimenting with, or piloting, programs such as the following, which were reported to show evidence of success in a summer 2007 survey of remediation practices on CSU campuses; to assess with care any such experiments and/or pilot programs; and to implement on a widespread basis those programs shown to be successful. To the extent that it is judged convenient and beneficial, collaboration with community colleges is encouraged.
 - A. “Early start” programs, including strong financial support to include both improved financial aid opportunities and opportunities for summer employment, for students with both significant and moderate remedial needs.
 - B. Alternatives to redirection to Community Colleges for students who narrowly miss achieving full proficiency in the course of an initial college year, including, for example, hosting Community College instruction at CSU campuses, while maintaining the basic principle that students must achieve proficiency before enrolling in their second year in the CSU.
 - C. For students who begin their mathematics or English study at a demonstrated “nearly proficient” level, courses that offer baccalaureate credit for the attainment of college-level course outcomes, while requiring enrolled students also to meet specific proficiency objectives.
 - D. Technology-assisted, Internet-based learning programs for remedial English and mathematics. Consortial efforts that involve several campuses in the development of these programs are encouraged.

Proposed Title 5 Revision: Amendment to Student Conduct Code (REP 01-08-02)

Trustee Carter moved the item; there was a second.

The Board of Trustees approved the following resolution:

RESOLVED by the Board of Trustees of the California State University that Section 41301 of Title 5 of the California Code of Regulations be amended as follows:

§ 41301. Standards for Student Conduct

(a) Campus Community Values

The University is committed to maintaining a safe and healthy living and learning environment for students, faculty, and staff. Each member of the campus community should choose behaviors that contribute toward this end. Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and to others in the campus community, and contribute positively to student and university life. ~~Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences.~~

~~(a) Student responsibilities~~

~~Students are expected to be good citizens and to engage in responsible behaviors that reflect well upon their university, to be civil to one another and to others in the campus community, and contribute positively to student and university life.~~

(b) Grounds for Student Discipline

Student behavior that is not consistent with the Student Conduct Code is addressed through an educational process that is designed to promote safety and good citizenship and, when necessary, impose appropriate consequences.

The following ~~behavior is subject to disciplinary sanctions~~ are the grounds upon which student discipline can be based:

- (1) Dishonesty, including:
 - (A) Cheating, plagiarism, or other forms of academic dishonesty that are intended to gain unfair academic advantage.
 - (B) Furnishing false information to a University official, faculty member, or campus office.

(C) Forgery, alteration, or misuse of a University document, key, or identification instrument.

(D) Misrepresenting one's self to be an authorized agent of the University or one of its auxiliaries.

(2) Unauthorized entry into, presence in, use of, or misuse of University property.

(3) Willful, material and substantial disruption or obstruction of a University-related activity, or any on-campus activity.

(4) Participating in an activity that substantially and materially disrupts the normal operations of the University, or infringes on the rights of members of the University community.

(5) Willful, material and substantial obstruction of the free flow of pedestrian or other traffic, on or leading to campus property or an off-campus University related activity.

(6) Disorderly, lewd, indecent, or obscene behavior at a University related activity, or directed toward a member of the University community.

(7) Conduct that threatens or endangers the health or safety of any person within or related to the University community, including physical abuse, threats, intimidation, harassment, or sexual misconduct.

(8) Hazing, or conspiracy to haze. Hazing is defined as any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university or other educational institution in this state (Penal Code 245.6), and in addition, any act likely to cause physical harm, personal degradation or disgrace resulting in physical or mental harm, to any former, current, or prospective student of any school, community college, college, university or other educational institution. The term "hazing" does not include customary athletic events or school sanctioned events.

Neither the express or implied consent of a victim of hazing, nor the lack of active participation in a particular hazing incident is a defense. Apathy or acquiescence in the presence of hazing is not a neutral act, and is also a violation of this section.

(9) Use, possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia, (except as expressly permitted by law and University regulations) or the misuse of legal pharmaceutical drugs.

(10) Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by law and University regulations), or public intoxication while on campus or at a University related activity.

(11) Theft of property or services from the University community, or misappropriation of University resources.

(12) Unauthorized destruction, or damage to University property or other property in the University community.

(13) Possession or misuse of firearms or guns, replicas, ammunition, explosives, fireworks, knives, other weapons, or dangerous chemicals (without the prior authorization of the campus president) on campus or at a University related activity.

(14) Unauthorized recording, dissemination, or publication of academic presentations (including handwritten notes) for a commercial purpose.

(15) Misuse of computer facilities or resources, including:

(A) Unauthorized entry into a file, for any purpose.

(B) Unauthorized transfer of a file.

(C) Use of another's identification or password.

(D) Use of computing facilities, campus network, or other resources to interfere with the work of another member of the University community.

(E) Use of computing facilities and resources to send obscene or intimidating and abusive messages.

(F) Use of computing facilities and resources to interfere with normal University operations.

(G) Use of computing facilities and resources in violation of copyright laws.

(H) Violation of a campus computer use policy.

(16) Violation of any published University policy, rule, regulation or presidential order.

(17) Failure to comply with directions or, or interference with, any University official or any public safety officer while acting in the performance of his/her duties.

(18) Any act chargeable as a violation of a federal, state, or local law that poses a substantial threat to the safety or well being of members of the University community, to property within the University community or poses a significant threat of disruption or interference with University operations.

(19) Violation of the Student Conduct Procedures, including:

(A) Falsification, distortion, or misrepresentation of information related to a student discipline matter.

(B) Disruption or interference with the orderly progress of a student discipline proceeding.

(C) Initiation of a student discipline proceeding in bad faith.

(D) Attempting to discourage another from participating in the student discipline matter.

(E) Attempting to influence the impartiality of any participant in a student discipline matter.

(F) Verbal or physical harassment or intimidation of any participant in a student discipline matter.

(G) Failure to comply with the sanction(s) imposed under a student discipline proceeding.

(20) Encouraging, permitting, or assisting another to do any act that could subject him or her to discipline.

Committee on Finance

Trustee Hauck reported the committee heard one information item, Report on the 2008-2009 California State University Support Budget Report on Student Fees, Financial Aid, and Student Fee Revenue and one action item as follows:

Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments for Various Projects (RFIN 01-08-01)

Orrick, Herrington & Sutcliffe LLP, as bond counsel, prepared resolutions as presented in Item 2 of the Committee on Finance at the January 22-23, 2008 meeting CSU Board of Trustees for projects at CSU Northridge (Northridge Student Housing Phase I); California State University, Long Beach Foundation, (Brooks College Acquisition Project and Foundation Office Building Refinancing); California State University, Long Beach, (Forty Niner Shops, Inc. The Outpost Food Services Replacement Building Project); California State University, Northridge, (The University Corporation, Performing Arts Center Project); California State University, Stanislaus, (Auxiliary and Business Services – Residential Life Village Refinancing); California State University, Fullerton

Foundation, (College Park Refinancing). The resolutions will achieve the following:

1. Authorize the sale and issuance of Systemwide Revenue Bond Anticipation Notes and the related sale and issuance of the Trustees of the California State University Systemwide Revenue Bonds in an amount not-to-exceed \$171,795,000, and certain actions relating thereto.
2. Provide a delegation to the Chancellor; the Executive Vice Chancellor and Chief Financial Officer; the Assistant Vice Chancellor, Financial Services; and the Director, Financing and Treasury; and their designees to take any and all necessary actions to execute documents for the sale and issuance of the bond anticipation notes and the revenue bonds.

The resolutions will be implemented subject to receipt of good bids consistent with the projects' financing budgets.

Chair Achtenberg adjourned the meeting.

BOARD OF TRUSTEES

Election of Members to Committee on Committees for 2008-2009

Presentation By

Roberta Achtenberg
Chair

Summary

In accord with the Rules of Procedure of the Board of Trustees of the California State University (Article IV, Item 2), Chair Roberta Achtenberg nominated trustees to serve as members of the Committee on Committees for the term 2008-2009 at the January 23, 2008 meeting of the Board of Trustees.

The following resolution is recommended for approval:

RESOLVED, By the Board of Trustees of the California State University, that the following trustees are elected to constitute the board's Committee on Committees for the 2008-2009 term:

Debra Farar, Chair
Jeffrey Bleich
Herbert Carter
Kenneth Fong
Melinda Guzman
William Hauck