

AGENDA

COMMITTEE ON GOVERNMENTAL RELATIONS

Meeting: 3:15 p.m., Tuesday, November 12, 2002
Glenn S. Dumke Auditorium

Murray L. Galinson, Chair
Martha Fallgatter, Vice Chair
Roberta Achtenberg
Robert Foster
Dee Dee Myers
Ralph R. Pesqueira
Frederick W. Pierce IV

Consent Items

Approval of Minutes of Meeting of September 18, 2002

Discussion Items

1. 2001/2002 Legislative Report No. 11, *Action*

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

September 18, 2002

Members Present

Murray L. Galinson, Chair
Martha C. Fallgatter, Vice Chair
Roberta Achtenberg
Debra S. Farar, Chair of the Board
Dee Dee Myers
Frederick W. Pierce, IV
Ralph R. Pesqueira
Charles B. Reed, Chancellor

Members Absent

Robert Foster

Other Trustees Present

Harold Goldwhite
William Hauck
Shailesh J. Mehta
Kyriakos Tsakopoulos

Chancellor's Office Staff

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

Chair Galinson called the meeting to order at 8:28 a.m.

Approval of Minutes

The minutes of July 16, 2002 were approved.

2001/2002 Legislative Report No. 10

Chair Galinson introduced Ms. Karen Y. Zamarripa, assistant vice chancellor, governmental affairs, and asked her to present the report.

Ms. Zamarripa stated that she would present a report regarding legislative proposals of interest to the CSU, and an overview of the final draft of the master plan report. She noted that the current legislative session ended on September 1, and that the governor has over 800 remaining bills before him for final decision. Hundreds of bills worked their way through the process in the last few days of session, with many bills being substantially amended or newly created in the final hours.

Ms. Zamarripa said that CSU was successful in moving all sponsored legislation to the Governor's desk, with one exception. That bill, SB 277, dealt with the rural health care program in California and our efforts to add CSU employees to this subsidy program. She stated this is an issue that CSU can address with employee organizations in the future. Also advancing to the governor and signed into law was AB 1863, extending the Board of Trustees authority in issuing regulations. The remaining sponsored bill on the governor's desk, SB 1539, would allow retired faculty who took advantage of the service credit retirement program offered in the early 1990's to return to the classroom without jeopardizing their 4-year service credit.

Ms. Yelverton Zamarripa highlighted the following legislative issues:

CSU was successful in the adoption of a resolution, SCR 93, which commemorates the joint education doctorate agreement between the CSU and the University of California. The resolution endorses the approach, as well as the investment, and urges the systems to continue to develop additional education doctorate programs for K-12 as well as the California community colleges.

Another bill of interest, SB 1646, was authored by Senator Dede Alpert, and would have created an elementary education major. That bill did not advance to the governor's desk. Senator Alpert moved it to the inactive file during the last few days of the session.

Also signed into law was AB 2950, authorizing the California subject matter projects for an additional seven years. More than half of the projects, which provide training for K-12 schools and teachers, are operated by CSU campuses and faculty.

Ms. Zamarripa then turned the focus of the discussion to the final report for the Joint Committee on the Development of a Master Plan for Education. She announced that the committee has issued a final report, following two prior drafts. The committee did not take a formal vote on the report; however, it has been signed by all members of the committee with the exception of

Assembly Member Leach and Senator O'Connell. Generally, the tone of the report is to provide and urge direction, rather than being prescriptive.

Ms. Zamarripa provided a synopsis of the report focusing on various recommendations and proposals of interest to, or affecting, the CSU.

- A section on increasing capacity and enrollment in teacher preparation programs within the state with a specific recommendation that higher education campuses should redirect and invest in departments of education at a level that meets the needs of the state.
- A proposal to restrict issuance of emergency credentials for teachers, by moving them to a pre-internship program that would be gradually phased-out over five years. The final goal being that only fully credentialed teachers would be placed in classrooms from the day they begin.
- The role of CPEC and the creation of two other commissions – one to coordinate policy, and the second to act as an education data repository for the state.
- All of the postsecondary education segments are encouraged to work together on improving articulation and transfer for community college students.
- The segments are requested to examine faculty promotion, tenure, and review policies to recognize excellence in teaching as well as learning assessments for students.
- CSU recommendations were recognized in the report, including our work with the state board of education relating to early diagnostic testing, as well as working on the associate degree with the community colleges for transfer students.
- Specific to higher education, there is a statement of support for the partnership agreement and the outcomes-based approach for accountability. However, there is nothing specific in the report as it relates to long-term investment in higher education.
- The report urges that the state develop a statewide student fee policy tied to one's ability to pay.
- The report includes a call to set aside funds for applied research for California for all segments to serve both the legislature, governor, and the public.
- And of final note, the report calls for the creation of an 'innovation' fund that sets aside dollars for intersegmental projects and facilities.

Ms. Zamarripa said that she and her staff would be working with the Chancellor's Office to prepare a formal analysis of the report for distribution to the board.

Trustee Galinson asked Ms. Zamarripa if she knew why Senator Alpert withdrew her bill on degree majors. She replied that she knew there were some concerns and a certain level of opposition, as well as confusion, about what the actual intent of the bill was. However, she did not know why Senator Alpert made the decision to move it to inactive status.

Dr. David S. Spence, executive vice chancellor, and chief academic officer, added that he agreed there was confusion on the bill and that the purpose was not made clear. He has indicated to Senator Alpert that CSU would look into the effectiveness of where we are in the development of blended programs as they relate to the preparation of teachers.

Trustee Galinson took a moment to commend Ms. Zamarripa and her colleagues in Sacramento on the excellent job they do for the California State University.

The committee recommended approval of the proposed resolution (RGR 09-02-06).

The meeting adjourned at 8:42 a.m.

COMMITTEE ON GOVERNMENTAL RELATIONS

2001-2002 Legislative Report No. 11

Presentation By

Karen Y. Zamarripa
Assistant Vice Chancellor
Governmental Affairs

Summary

This item contains a status report on the Trustees' Legislative Program, and priority legislation introduced this year.

Background

The following bills comprised the Trustees' Legislative Program for 2002. The final status of each bill is indicated.

Senate Bill 277 (Chesbro) Public Employee Health Care Benefits: Rural Areas: State University Employees. This bill would have made 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 co-sponsored SB 277 with CSEA, but the estimated \$2 million cost made its passage problematic in the current budget environment. The issue of providing health care benefits to rural residents will remain a critical issue during the next legislative session.

Status: Held in the Assembly Appropriations Committee

Assembly Bill 16 (Hertzberg) Education Bond. AB 16 placed Public Education Facilities Bond Acts on the ballot this November and in March 2004, in the total amounts of \$13.05 billion and \$12.30 billion respectively.

Status: Signed by Governor Davis; Chapter 33, Statutes of 2002 (Proposition 47 on November General Election ballot)

Assembly Bill 1863 (Higher Education Committee) California State University Regulations.
This bill extends the Trustees authority to adopt, amend, and repeal CSU regulations for five years.

Status: Signed by Governor Davis; Chapter 182, Statutes of 2002

Senate Bill 1539 (Public Employment and Retirement Committee) Retirement Benefits.
Among other provisions, the omnibus retirement benefits bill for 2002 would have enabled CSU faculty who retired under an early retirement incentive in 1992 to return to the classroom without forfeiting their service credit, under the same conditions as other retired annuitants.

Status: Vetoed by Governor Davis due to a provision in the bill unrelated to the above issue. Pursuing the matter in the next session in higher education omnibus legislation is currently under consideration.

Priority Bills

The following bills were designated as a priority for the 2002 Legislative session. The final status of each bill is indicated.

Assembly Bill 1122 (Corbett) Taxation: Federal Conformity

Senate Bill 657 (Scott) Income and Bank and Corporation Taxes: Federal Conformity

AB 1122 and SB 657 conform California tax law to the federal Economic Growth and Tax Reconciliation Relief Act of 2001 (EGTRRA). Among other provisions, these bills conform state law to the following EGTRRA provisions:

- Increase limits on distributions and contributions;
- Allow these funds to be used to purchase service credit in defined benefit 401(a) plans;
- Allow for recent retirees to retroactively take advantage of these provisions.

Status: AB 1122: Signed by Governor Davis; Chapter 35, Statutes of 2002
SB 657: Signed by Governor Davis; Chapter 34, Statutes of 2002

Assembly Bill 1506 (Wesson) Public Works. Assembly Bill 1506 requires any entity using education facilities bond funds for public works projects to initiate and enforce a labor compliance program, or to contract with a third party to do so, to ensure payment of prevailing wage rates.

Status: Signed by Governor Davis; Chapter 868, Statutes of 2002

Assembly Bill 1746 (Liu) Postsecondary Education: Tuition and Fees. Assembly Bill 1746 prohibits the California State University and the California Community Colleges from collecting any fees or tuition from any person who is the surviving spouse or child of any individual killed in the terrorist attacks of September 11, 2001.

Status: Signed by Governor Davis; Chapter 450, Statutes of 2002

Assembly Bill 1747 (Briggs) Statewide Need Study. This bill would have required CPEC to conduct a study of statewide need for public higher education, including the particular need within Tulare County, and require CPEC to report its findings to the Legislature by July 1, 2003.

Status: Held in the Senate Education Committee

Assembly Bill 1756 (Bogh) Higher Education: Noncitizen Students: Reporting. AB 1756 would have required CSU and the other higher education segments to report to the United States Immigration and Naturalization Service the name of any student-visa student who fails to enroll or commence participation by the 30th day after the institution's or program's deadline for classes for an academic term. This measure was the result of a special hearing on international students held in November 2001.

Status: Failed Passage in the Senate Education Committee

Assembly Bill 2077 (Koretz) Nursing: Education Resources. As introduced, AB 2077 stated the intent of the Legislature to identify ways to increase the number of nurses by providing more opportunities and financial resources to educate and train nurses at the community college and state university levels. As amended during the session, the bill would have established the Community College Nursing Education Fund to provide an additional allocation per nursing student beyond the full-time equivalent funding provided for community college students. The bill would have made an appropriation of \$125,000 to the California Community Colleges for this purpose.

Status: Held in the Senate Education Committee

Assembly Bill 2120 (Simitian) Professional Development Block Grant. AB 2120 stated the intent of the Legislature to develop a flexible professional development block grant for K-12 teachers by consolidating several current programs, including the Education Technology Professional Development program, the English Language Acquisition Program, the Beginning Teacher Support and Assessment Program (BTSA), the California Pre-Internship Teaching Program, the Paraprofessional Teacher Training Program, the California Technology Assistance Project, and the California Professional Development Institutes.

Status: Held in the Assembly Appropriations Committee

Assembly Bill 2225 (Lowenthal) CSU: Personal Services Contracting. AB 2225 would have placed in the Education Code provisions regarding contracting out that are currently used for non-university, civil service employees.

Status: Held in the Senate Education Committee

Assembly Bill 2314 (Thomson) Nursing Education. This bill requires by September 1, 2005, the California Community Colleges and the CSU to (a) standardize all nursing program prerequisites on a statewide basis, and (b) enter into nursing program articulation agreements, as specified.

Status: Signed by Governor Davis; Chapter 1093, Statutes of 2002

Assembly Bill 2497 (Negrete McLeod) CSU Probationary Employees: Probationary Proceedings. This bill would have authorized a nonacademic probationary employee who is rejected during probation to request a hearing before the State Personnel Board. The bill was dropped by Assembly Member Negrete McLeod after this issue was addressed in the collective bargaining agreement with the California State Employees Association.

Status: Dropped by Author

Assembly Bill 2549 (Nation) Part-Time CSU Employees. AB 2549 provides that temporary faculty at CSU who work half-time or more shall not be excluded from PERS if so provided in a collective bargaining agreement or by the Trustees with respect to excluded employees. The governor's signing message indicated that the sponsor of the bill (CFA) agreed not to pursue its implementation in the collective bargaining process until July 2005.

Status: Signed by Governor Davis; Chapter 1045, Statutes of 2002

Assembly Bill 2616 (Lowenthal) California State University: Visually-Impaired Pupils. This bill would have expressed the intent of the Legislature that the CSU fund programs and other measures, including interactive television, Web-based courses, and other off-campus options, for providing instruction to increase the number of teachers whose professional preparation and credential authorization are specific to pupils who are visually impaired. The bill also would have required CSU to report to the Legislature by 4/1/03 concerning the status of these programs and other similar measures.

Status: Vetoed by Governor Davis

Senate Bill 1175 (Soto) Higher Education: Labor Relations. This bill would have amended HEERA to authorize the Public Employment Relations Board to require either an employer or an employee organization that has committed repeated unfair practices, as specified, to pay part or all of the opposing party's litigation expenses.

Status: Vetoed by Governor Davis

Senate Bill 1227 (Burton) Housing and Emergency Shelter Trust Fund Act of 2002. SB 1227 placed the Housing Bond and Energy Shelter Trust Fund Act of 2002 on the November 5 General Election ballot. If approved, \$2.1 billion in general obligation bond funds would be available for state housing programs. The bill includes \$15 million for low-income CSU and UC student housing requiring UC and CSU to provide a dollar-for-dollar match.

Status: Signed by Governor Davis; Chapter 26, Statutes of 2002 (Proposition 46 on November General Election ballot)

Senate Bill 1339 (Vasconcellos) Postsecondary Education: Admissions. This bill requires the Superintendent of Public Instruction to advise school districts about the importance of making readily available to each high school student the list of courses that are certified by the University of California (UC) as meeting admission requirements. The bill would also request UC to assist each school district to ensure matters regarding UC and CSU admission requirements are understood and maintained by the school districts and to ensure that lists of courses certified as meeting admission requirement criteria are made available to each high school student.

Status: Signed by Governor Davis; Chapter 320, Statutes of 2002

Senate Bill 1412 (Romero) Voter Registration: University Campuses. SB 1412 would have required CSU and the California Community Colleges, and requested the University of California, to distribute a voter registration form to students and require voter registration materials to be made available at central campus locations.

Status: Vetoed by Governor Davis

Senate Bill 1450 (Romero) CSU: General Purpose Funds. This bill would have required the expenditure, for each fiscal year, of a minimum of 50% of the current expense of education for payment of instructional costs by the California State University and each CSU campus.

Status: Failed Passage in the Senate Education Committee

Senate Bill 1467 (Bowen) Public Contracts: Conflict of Interest. Senate Bill 1467 applies standard Public Contract Code conflict of interest and penalty provisions to the state's procurement of information technology goods and services, as well as to procurement by the CSU and the University of California systems.

Status: Signed by Governor Davis; Chapter 1122, Statutes of 2002

Senate Bill 1646 (Alpert) Teacher Credentialing. This bill would have required regionally accredited public postsecondary institutions to establish undergraduate degrees in elementary education. The bill would be implemented only if a federal waiver is granted to make students enrolled in California institutions offering a baccalaureate degree in elementary education eligible for federal Pell Grants.

Status: Held on the Senate Inactive File

Senate Bill 1652 (Sher) Athlete Agents. SB 1652 would have enacted the Uniform Athlete Agents Act (UAAA) to regulate the activities of an athlete agent in soliciting or contracting with a student athlete to represent him or her in negotiations for a professional sports or endorsement contract.

Status: Vetoed by Governor Davis

Senate Bill 1655 (Scott) Administrative Service Credentials. Existing law sets forth the minimum requirements for both a preliminary and professional services credential with a specialization in administrative services. SB 1655 authorizes the Commission on Teacher Credentialing to issue those credentials to persons who meet expedited alternative requirements, as follows:

Preliminary Services Credential: Possesses a teaching or services credential; and either a) successfully passes a test adopted by the commission that assesses the knowledge, skills, and abilities typically provided in a preparation program for an administrative services credential, or b) possesses a Master's Degree in Educational Administration or a related field from a regionally accredited institution of postsecondary education, and produces documentation of three years of administrative experience at a school, college, or university.

Professional Services Credential: Holds or is eligible for a preliminary services credential with a specialization in administrative services, and who meets one of the following requirements: a) successfully completes an accredited professional services program; b) demonstrates mastery of

commission accredited fieldwork performance standards for the credential; or c) passes a national administrator performance assessment adopted by the commission.

Status: Signed by Governor Davis; Chapter 225, Statutes of 2002

Senate Bill 1820 (Romero) Postsecondary Education: Retention and Support Data. This bill would have required the California State University and the California Community Colleges, and requested the University of California and the Association of Independent California Colleges and Universities, to collect data about retention and graduation support systems in their respective segments and submit this data to the California Postsecondary Education Commission (CPEC).

Status: Held on the Senate Appropriations Suspense File

Senate Concurrent Resolution 93 (Alpert) Joint Doctoral Programs: California Universities. SCR 93 expresses legislative support for the Joint Education Doctorate Initiative of the CSU and the University of California, and encourages the respective universities to take actions, including the submission of periodic joint reports to the Legislature, that will implement these joint doctoral programs.

Status: Approved by Legislature; Resolution Chapter 157

Adoption of the following resolution is recommended:

RESOLVED, By the Board of Trustees of the California State University, that the 2001-02 Legislative Report No. 11 is adopted.