
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: AB 514 **Hearing Date:** June 5, 2019
Author: Medina
Version: February 13, 2019
Urgency: No **Fiscal:** No
Consultant: Olgalilia Ramirez

Subject: Trustees of the California State University: student members.

SUMMARY

This bill increases the voting rights of the student members of the California State University (CSU) Board of Trustees by removing the non-voting status of one of the two student members, thereby giving both students voting rights.

BACKGROUND

Existing law:

- 1) Establishes the CSU to be administered by the Trustees of the California State University. The composition of the 25 member Board of Trustees includes:
 - a) Five ex-officio members: (i) the Governor, (ii) the Lieutenant Governor, (iii) Speaker of the Assembly, (iv) the Superintendent of Public Instruction, and (v) the Chancellor of the CSU.
 - b) Sixteen Governor Appointees confirmed by two-thirds of the Senate, each serving an eight-year term.
 - c) One alumni association representative, who cannot be an employee of the CSU, appointed by the Governor serving a two-year term.
 - d) One tenured CSU faculty representative appointed by the Governor, for a two-year term, from a list of names of at least two persons furnished by the CSU Academic Senate. The faculty member cannot participate on any subcommittees of the board responsible for collective bargaining negotiations.
 - e) Two CSU students, who have at least sophomore year standing at the institutions they attend and who remain in good standing during their respective terms, appointed by the Governor for staggered two-year terms from a list of at least two but not more than five nominees furnished by the governing board of any statewide student organization that represents CSU students and the student body organizations of the CSU campuses. Only one student is eligible to vote at any time. (Education Code § 66602)
- 2) Authorizes each appointive Trustee to receive actual and necessary travel expenses and \$100 for each day he or she is attending to official business.

(EC 66604.5)

- 3) Provides that the term of office of one student member of the Board of Trustees is to begin on July 1 of an even-numbered year and expire on June 30 two years thereafter. Existing law also provides that the term of office of the other student member is to begin on July 1 of an odd-numbered year and expire on June 30 two years thereafter. (EC § 66602)
- 4) Provides that, during the second year of a student member's term, a student member may attend all meetings of the Board and its committees, and has the same right to vote as the other members of the Board. (EC § 66602)
- 5) Provides that, during the first year of a student member's term, a student member is a member of the Board of Trustees and may attend all meetings of the Board and its committees. Existing law authorizes a student member to fully participate in discussion and debate but is prohibited from voting. (EC § 66602)
- 6) Authorizes, during the first year of a student member's term, the student member to vote at a Board of Trustees meeting if the other student member is absent from that meeting. (EC § 66602)
- 7) Provides that a student member is to have his or her tuition fee waived for the duration of his or her term of office. (EC § 66602)

ANALYSIS

This bill increases the voting rights of the student members of the California State University (CSU) Board of Trustees by removing the non-voting status of one of the two student members, thereby giving both students voting rights. Specifically, this bill:

- 1) Deletes existing provisions that prohibit a student member from voting during the first year of the student's term on the CSU Board of Trustees.
- 2) Deletes the existing limit on voting to only the student who is in his or her second year of membership on the Board of Trustees.
- 3) Deletes the authority for a student member, during the first year of the student's term, to vote at a Board of Trustees meeting if the other student member is absent from that meeting.
- 4) Deletes existing provisions that provide for the immediate assumption of office by a student when the other student member resigns from office or a vacancy is otherwise created.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "the student trustee exercises a crucial role of representing all students on the California State University (CSU) Board of Trustees. In 1975 the position was established to represent students in the governance structure of the CSU. In the time between 1975 and 1999, the

student population grew to over 300,000, which doubled the student population in the California State University (CSU). In 1999 the student trustee position was expanded to include a non-voting, second student.

Since 1999, the CSU has added an additional campus, CSU Channel Islands, as well as over 180,000 more students, but student voting eligibility has remained the same on the Board of Trustees.

The student population is much more diverse now, and that diversity requires the opportunity to have differing perspectives represented through a vote of the trustees. Without the right to vote, the non-voting trustee cannot participate in a functional way on the committees of the board of trustees.”

This bill vests upon the non-voting student trustee position the ability to vote on matters that come before the Board of Trustees.

- 2) ***One nonvoting student.*** In 1999, the Legislature added one additional student member to the Board of Trustees. At that time, the California State Student Association (CSSA) believed additional representation was needed on behalf of students in order to assure their needs were being met. Furthermore, they had contended the student population had grown by incredible amounts since the initial inception of a student trustee. The CSSA argued it was nearly impossible for one student to represent the concerns of hundreds of thousands of students and 23 campuses, especially when there are a number of committees and subcommittees to attend as a representative of the Board of Trustees.

The two student members of the Board of Trustees serve staggered two-year terms, with the first year of a student’s membership limited to participation but not voting. The first year of a student’s membership is meant to serve as a learning experience to enable the student to be a more experienced and knowledgeable representative in his or her second year of membership on the Board.

- 3) ***Prior legislation.***

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

AB 2386 (Williams, 2016), revised the membership of the CSU Board of Trustees by requiring the Governor to appoint a permanent non-faculty CSU employee for a two-year term. AB 2386 was vetoed. The Governor’s veto message read:

This bill would require one of my appointments to the California State University (CSU) Board of Trustees to be a permanent non-faculty employee of the CSU, preselected by a newly created systemwide staff council.

While the knowledge and perspective of rank-and-file employees should be sought out and considered within the decision-making authority of the board, I am not convinced that constraining the Gubernatorial appointments process is necessary when other alternatives could achieve the same result.

I would advise both the Trustees and the Chancellor to find ways to utilize the expertise of non-faculty employees in considering the many issues that come before the board

SB 325 (Block Chapter 175, Statutes of 2013) waived the tuition fee for student Trustees of the CSU for the duration of their terms of office and allowed sophomores to be appointed student Trustees.

SB 1515 (Yee, 2012) reduced the number of gubernatorial appointees requiring Senate confirmation, from 16 to 14, required one member to be a faculty member and one to be a represented permanent non-academic employee at the CSU, and increased the required number of students, from two to four. SB 1515 was held in the Senate Appropriations Committee.

SUPPORT

Academic Senate of the California State University
California Faculty Association
California State Student Association (Sponsors)
Public Advocates Inc.

OPPOSITION

None received

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