

AMENDED IN ASSEMBLY MARCH 15, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2386

**Introduced by Assembly Members ~~Cristina Garcia and Williams~~
*Williams and Cristina Garcia***

February 18, 2016

An act to amend Section 66602 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2386, as amended, ~~Cristina Garcia~~ Williams. Postsecondary education: education: California State University: trustees.

Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University. Existing law provides for the membership of the Trustees of the California State University to include 5 specified ex officio members, 16 members appointed by the Governor and subject to confirmation by the Senate, one representative of the alumni associations, 2 student members appointed by the Governor, and a faculty member appointed by the Governor.

This bill would revise the membership of the board of trustees by requiring the Governor also to appoint a permanent nonfaculty employee of the university for a 2-year term, as specified. The bill would require a systemwide staff council, as specified, to provide to the Governor a list of 2 nominees for the Governor's consideration, and would require the Governor to appoint one of the nominees. The bill would provide that the permanent nonfaculty employee member of the board shall receive for board service only actual and necessary travel

expenses and \$100 for each day he or she is attending to official business of the trustees.

~~Existing law sets forth the missions and functions of the 4 segments that comprise the state’s postsecondary education system. These segments are the University of California, administered by the Regents of the University of California, the California State University, administered by the Trustees of the California State University, the California Community Colleges, administered by the Board of Governors of the California Community Colleges, and independent institutions of higher education.~~

~~This bill would express the intent of the Legislature to enact legislation relating to postsecondary education in this state.~~

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

The people of the State of California do enact as follows:

1 SECTION 1. Section 66602 of the Education Code is amended
2 to read:
3 66602. (a) The board shall be composed of the following five
4 ex officio members: the Governor, the Lieutenant Governor, the
5 Superintendent of Public Instruction, the Speaker of the Assembly,
6 and the person named by the trustees to serve as the Chancellor
7 of the California State University; a representative of the alumni
8 associations of the state university, selected for a two-year term
9 by the alumni council, California State University, which
10 representative shall not be an employee of the California State
11 University during the two-year term; and 16 appointive members
12 appointed by the Governor and subject to confirmation by
13 two-thirds of the membership of the Senate.
14 (b) (1) Two students from the California State University, who
15 shall have at least sophomore year standing at the institutions they
16 attend, and who remain in good standing as students during their
17 respective terms, shall also be appointed by the Governor to serve
18 on the board for two-year terms.
19 (2) In the selection of students as members of the board, the
20 Governor shall appoint the students from lists of names of at least
21 two, but not more than five, persons furnished by the governing
22 board of any statewide student organization that represents the
23 students of the California State University and the student body

1 organizations of the campuses of the California State University.
2 Any appointment to fill a vacancy of a student member shall be
3 effective only for the remainder of the term of the student member's
4 office that became vacated.

5 (3) The term of office of one student member of the board shall
6 commence on July 1 of an even-numbered year and expire on June
7 30 two years thereafter. The term of office of the other student
8 member of the board shall commence on July 1 of an
9 odd-numbered year and expire on June 30 two years thereafter.
10 Notwithstanding paragraph (1), a student member who graduates
11 from his or her college or university on or after January 1 of the
12 second year of his or her term of office may serve the remainder
13 of the term.

14 (4) (A) During the first year of a student member's term, a
15 student member shall be a member of the board and may attend
16 all meetings of the board and its committees. At these meetings,
17 a student member may fully participate in discussion and debate,
18 but may not vote. During the second year of a student member's
19 term, a student member may exercise the same right to attend
20 meetings of the board, and its committees, and shall have the same
21 right to vote as the members appointed pursuant to subdivision
22 (a).

23 (B) Notwithstanding subparagraph (A), during the first year of
24 a student member's term, the student member may vote at a board
25 meeting if the other student member is absent from that meeting
26 due to illness, a family emergency, or a medical emergency.

27 (5) Notwithstanding paragraph (4), if a student member resigns
28 from office or a vacancy is otherwise created in that office during
29 the second year of a student member's term, the remaining student
30 member shall immediately assume the office created by the vacancy
31 and all of the participation privileges of the second-year student
32 member, including the right to vote, for the remainder of that term
33 of office.

34 (6) A student member shall have his or her tuition fee waived
35 for the duration of his or her term of office.

36 (c) (1) A faculty member from the California State University,
37 who shall be tenured at the California State University campus at
38 which he or she teaches, shall also be appointed by the Governor
39 to serve on the board for a two-year term. In the selection of a
40 faculty member as a member of the board, the Governor shall

1 appoint the faculty member from a list of names of at least two
 2 persons furnished by the Academic Senate of the California State
 3 University.

4 (2) The faculty member of the board appointed by the Governor
 5 pursuant to this subdivision shall not participate on any
 6 subcommittee of the board responsible for collective bargaining
 7 negotiations.

8 (3) ~~The two-year term of office of the faculty member of the~~
 9 ~~board shall commence on July 1, and, if the Governor has not~~
 10 ~~appointed a successor under paragraph (1), the faculty member~~
 11 ~~may remain in office after the term expires for one additional year,~~
 12 ~~or until a successor is appointed by the Governor, whichever occurs~~
 13 ~~first. and shall expire on June 30 two years thereafter.~~

14 (d) (1) (A) *A permanent nonfaculty employee, who is not in a*
 15 *management personnel plan, a confidential classification, or an*
 16 *excluded classification, also shall be appointed by the Governor*
 17 *to serve on the board for a two-year term. An independent*
 18 *systemwide staff council formed for this purpose shall provide a*
 19 *list of two nominees for the Governor’s consideration, and the*
 20 *Governor shall appoint one of these nominees.*

21 (B) *The employee organizations of permanent nonfaculty*
 22 *employees of the California State University shall fund the council*
 23 *to be established pursuant to this paragraph.*

24 (2) *The permanent nonfaculty employee member of the board*
 25 *appointed pursuant to this subdivision shall not participate on any*
 26 *subcommittee of the board responsible for collective bargaining*
 27 *negotiations.*

28 (3) *The term of office of the permanent nonfaculty employee*
 29 *member of the board appointed pursuant to this subdivision shall*
 30 *commence on July 1 and shall expire on June 30 two years*
 31 *thereafter.*

32 (4) *The permanent nonfaculty employee member of the board*
 33 *shall receive compensation for board service only as authorized*
 34 *pursuant to Section 66604.5.*

35 ~~SECTION 1. It is the intent of the Legislature to enact~~
 36 ~~legislation relating to postsecondary education in this state.~~