

AMENDED IN ASSEMBLY MAY 31, 2016
AMENDED IN ASSEMBLY MARCH 15, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2386

Introduced by Assembly Members Williams and Cristina Garcia
(Coauthor: Senator Pan)

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, Williams. Postsecondary 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~~ *require* the Governor ~~also~~ to appoint a permanent nonfaculty employee of the university ~~for a 2-year term, as one of the 16 appointive members of the board,~~ 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.~~ *nominees to fill a vacancy*

in an appointive position on the board. The bill would require that this appointive position on the board thereafter be filled only by permanent nonfaculty employees appointed in accordance with this bill. 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.

Vote: majority. Appropriation: no. Fiscal committee: 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 members appointed
12 by the Governor and subject to confirmation by two-thirds of the
13 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
24 organizations of the campuses of the California State University.
25 Any appointment to fill a vacancy of a student member shall be
26 effective only for the remainder of the term of the student member's
27 office that became vacated.

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

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

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

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

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

32 (c) (1) A faculty member from the California State University,
33 who shall be tenured at the California State University campus at
34 which he or she teaches, shall also be appointed by the Governor
35 to serve on the board for a two-year term. In the selection of a
36 faculty member as a member of the board, the Governor shall
37 appoint the faculty member from a list of names of at least two
38 persons furnished by the Academic Senate of the California State
39 University.

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

5 ~~(3) The term of office of the faculty member of the board shall~~
 6 ~~commence on July 1, and shall expire on June 30 two years~~
 7 ~~thereafter.~~

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*
 13 *occurs first.*

14 (d) (1) (A) ~~A~~ *One of the 16 appointive members of the board*
 15 *referenced in subdivision (a) shall be a permanent nonfaculty*
 16 *employee, who is not in a management personnel plan, a*
 17 *confidential classification, or an excluded classification, also shall*
 18 ~~be appointed by the Governor to serve on the board for a two-year~~
 19 ~~term.~~ *classification. An independent systemwide staff council*
 20 *formed for this purpose council, that is formed solely for this*
 21 *purpose and consists of permanent employees who are not*
 22 *management personnel and who are not in confidential or excluded*
 23 *classifications, shall provide a list of two nominees for the*
 24 *Governor's consideration, and the Governor shall appoint one of*
 25 ~~these nominees.~~ *nominees to fill a vacancy in an appointive*
 26 *position on the board. This appointive position on the board shall*
 27 *thereafter be filled only by permanent nonfaculty employees*
 28 *appointed in accordance with this subdivision.*

29 (B) The employee organizations of permanent nonfaculty
 30 employees of the California State University shall fund the
 31 *systemwide staff council* to be established pursuant to this
 32 paragraph.

33 (2) The permanent nonfaculty employee member of the board
 34 appointed pursuant to this subdivision shall not participate on any
 35 subcommittee of the board responsible for collective bargaining
 36 negotiations.

37 ~~(3) The term of office of the permanent nonfaculty employee~~
 38 ~~member of the board appointed pursuant to this subdivision shall~~
 39 ~~commence on July 1 and shall expire on June 30 two years~~
 40 ~~thereafter.~~

- 1 ~~(4)~~
- 2 (3) The permanent nonfaculty employee member of the board
- 3 *appointed pursuant to this subdivision* shall receive compensation
- 4 for board service only as authorized pursuant to Section 66604.5.

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