

**ASSEMBLY BILL**

**No. 46**

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**Introduced by Assembly Member Pan**

December 19, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

AB 46, as introduced, Pan. California State University: trustees.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. Under existing law, the trustees are composed of a total of 25 members, which include 5 specified ex officio members, a representative of the alumni associations of the university, 16 members appointed by the Governor, subject to confirmation by  $\frac{2}{3}$  of the membership of the Senate, for 8-year terms, and 2 California State University students and one California State University faculty member appointed by the Governor for 2-year terms. Existing law prohibits a student member from voting at a board meeting during the first year of his or her term.

This bill would authorize an ex officio member to designate a staff person to attend a meeting or meetings of the board in his or her absence, and would prohibit a staff person designated under this provision from attending closed sessions of the board. The bill would prohibit an ex officio member from designating more than one staff person to attend board meetings in any calendar year. The bill also would authorize a student member to vote at a board meeting during the first year of his or her term if the other student member is absent from that meeting.

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) (1) The board shall be composed of the following  
4 five ex officio members: the Governor, the Lieutenant Governor,  
5 the Superintendent of Public Instruction, the Speaker of the  
6 Assembly, and the person named by the trustees to serve as the  
7 Chancellor of the California State University; a representative of  
8 the alumni associations of the state university, selected for a  
9 two-year term by the alumni council, California State University,  
10 which representative shall not be an employee of the California  
11 State University during the two-year term; and 16 appointive  
12 members appointed by the Governor and subject to confirmation  
13 by two-thirds of the membership of the Senate.  
14 (2) *An ex officio member of the board may designate a staff*  
15 *person to attend a meeting or meetings of the board in his or her*  
16 *absence. A staff person designated pursuant to this paragraph*  
17 *shall not attend any closed session of the board. No more than one*  
18 *staff person may be designated under this paragraph to attend*  
19 *board meetings in any calendar year.*  
20 (b) (1) Two students from the California State University, who  
21 shall have at least a junior year standing at the institutions they  
22 attend, and who remain in good standing as students during their  
23 respective terms, shall also be appointed by the Governor *to serve*  
24 *on the board* for two-year terms.  
25 (2) In the selection of students as members of the board, the  
26 Governor shall appoint the students from lists of names of at least  
27 two, but not more than five, persons furnished by the governing  
28 board of any statewide student organization that represents the  
29 students of the California State University and the student body  
30 organizations of the campuses of the California State University.  
31 Any appointment to fill a vacancy of a student member shall be  
32 effective only for the remainder of the term of the person's office  
33 that became vacated.  
34 (3) The term of office of one student member of the board shall  
35 commence on July 1 of an even-numbered year and expire on June

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

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

17 (B) *Notwithstanding subparagraph (A), during the first year of*  
18 *a student member's term, the student may vote at a board meeting*  
19 *if the other student member is absent from that meeting.*

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

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

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

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

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