

AMENDED IN ASSEMBLY MARCH 12, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 46

Introduced by Assembly Member Pan

December 19, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

AB 46, as amended, 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~~ *each* ex officio member, *other than the Chancellor of the California State University*, to designate a staff person to attend a meeting or meetings of the board in his or her ~~absence, and would~~ *absence, in accordance with a prescribed procedure, and to speak and vote on his or her behalf during those meetings. This bill 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~~ (A) *Each* ex officio member of the ~~board~~ board, other
15 than the Chancellor of the California State University, may
16 designate a staff person to attend a meeting or meetings of the
17 board in his or her absence. ~~A staff person designated pursuant to~~
18 ~~this paragraph shall not attend any closed session of the board.~~
19 *absence and to speak and vote on his or her behalf during those*
20 *meetings. The designee shall not attend any closed session of the*
21 *board. No more than one staff person may be designated by an ex*
22 *officio member under this paragraph to attend board meetings in*
23 *any calendar year.*

24 (B) *If an ex officio member of the board designates a person*
25 *pursuant to subparagraph (A), the ex officio member shall do both*
26 *of the following:*

27 (i) *Notify the secretary of the board in writing of the name and*
28 *contact information of the designee by January 10 of the calendar*
29 *year for which the designee was chosen to attend board meetings.*

30 (ii) *Notify the secretary of the board in writing at least 10*
31 *business days before a board meeting if the ex officio member will*
32 *be sending the designee to attend the meeting in his or her place.*

1 (b) (1) Two students from the California State University, who
2 shall have at least a junior year standing at the institutions they
3 attend, and who remain in good standing as students during their
4 respective terms, shall also be appointed by the Governor to serve
5 on the board for two-year terms.

6 (2) In the selection of students as members of the board, the
7 Governor shall appoint the students from lists of names of at least
8 two, but not more than five, persons furnished by the governing
9 board of any statewide student organization that represents the
10 students of the California State University and the student body
11 organizations of the campuses of the California State University.
12 Any appointment to fill a vacancy of a student member shall be
13 effective only for the remainder of the term of the person's office
14 that became vacated.

15 (3) The term of office of one student member of the board shall
16 commence on July 1 of an even-numbered year and expire on June
17 30 two years thereafter. The term of office of the other student
18 member of the board shall commence on July 1 of an
19 odd-numbered year and expire on June 30 two years thereafter.
20 Notwithstanding paragraph (1), a student member who graduates
21 from his or her college or university on or after January 1 of the
22 second year of his or her term of office may serve the remainder
23 of the term.

24 (4) (A) During the first year of a student member's term, a
25 student member shall be a member of the board and may attend
26 all meetings of the board and its committees. At these meetings,
27 a student member may fully participate in discussion and debate,
28 but may not vote. During the second year of a student member's
29 term, a student member may exercise the same right to attend
30 meetings of the board, and its committees, and shall have the same
31 right to vote as the members appointed pursuant to subdivision
32 (a).

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

36 (5) Notwithstanding paragraph (4), if a student member resigns
37 from office or a vacancy is otherwise created in that office during
38 the second year of a student member's term, the remaining student
39 member shall immediately assume the office created by the vacancy
40 and all of the participation privileges of the second-year student

1 member, including the right to vote, for the remainder of that term
2 of office.

3 (c) (1) A faculty member from the California State University,
4 who shall be tenured at the California State University campus at
5 which he or she teaches, shall also be appointed by the Governor
6 to serve on the board for a two-year term. In the selection of a
7 faculty member as a member of the board, the Governor shall
8 appoint the faculty member from a list of names of at least two
9 persons furnished by the Academic Senate of the California State
10 University.

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

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

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