

- 4) Requires that any person so appointed under 3) serves for not less than one year commencing on July 1.

This measure:

- 1) Requires the UC Regents to appoint two students enrolled at a UC campus to serve as members of the UC Board of Regents.
- 2) Continues to require student or faculty representatives appointed as members of the board to serve for no less than one year with all rights of participation.
- 3) Makes other technical and non-substantive changes.

BACKGROUND

The California Constitution and the UC. The California Constitution establishes the UC, a public trust to be administered by the Regents of the UC and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods, and services.

The California Constitution establishes the requirements for appointment and terms to be served by a member of the Regents of the UC. The Constitution specifically requires that members of the board be composed of seven ex officio members (the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president and the vice president of the alumni association of the university, and the acting president of the university) and 18 appointive members. The Constitution also provides that the Senate, a majority of the membership concurring, approve any Regent appointee made by the Governor.

The California Constitution authorizes the UC Regents to appoint student or faculty and establishes procedures for their appointment. Specifically, it authorizes the members of the board to appoint either a member of the faculty at a campus of the university or of another institution of higher education, or a person enrolled as a student at a campus of the university, or both, as members of the board serving for no less than one year with all rights of participation. The Constitution also provides that the board appointed student or faculty serve for not less than one year commencing on July 1.

Parity with California State University (CSU). In 2019, the Legislature adopted AB 514 (Medina), Chapter 61, Statutes of 2019, which granted the non-voting student member of the CSU Board of Trustees voting privileges, thereby giving two students voting rights. However, CSU Trustee appointments are established via statute. Additionally, AB 337 (Medina) of 2021, proposes to add a student member position with voting right on the Board of Governors of the California Community Colleges. Changes made to the Board of Governors also do not require a constitutional amendment.

COMMENTS

- 1) According to the author: SCA 5 would increase the voting rights of the student members of the University of California (UC) Board of Regents by allowing the existing non-voting student regent to receive voting power, thereby giving both students voting rights. This would only take into effect if approved by the voters of California.

Currently, two students serve on the UC Board of Regents. However, only one has voting power. When a student is appointed to the board, they serve a year as a non-voting member of the board, and at the completion of that year then become the voting student regent. This bill would vest both students with a vote at the board.

The student population is much more diverse than it was when the first student was added in 1975, and it is critical that these diverse voices, which represent so many varying perspectives, are held at Regent meetings. Without the right to vote, the non-voting trustee cannot participate in a meaningful way on the committees of the board of regents.

Student voices are among the most important factors in setting education policy. SCA 5 will allow an additional student regent to serve a one-year term as a full voting member of the Board and would allow this student to represent UC's 285,000 students as a voting member.

- 2) Increasing the Number of Voting Members. The California Constitution requires the UC Board of Regents to be composed of seven ex officio members and 18 appointive members (25 voting members total). The California Constitution also authorizes the members of the board to appoint either a member of the faculty at a campus of the university or of another institution of higher education, or a person enrolled as a student at a campus of the university, or both, as members of the board serving for no less than one year with all rights of participation (potentially two additional voting members - one student, one faculty member).

On the UC Board of Regents, there is currently a student regent who is a voting member. If SCA 5 is approved by voters, one additional student would be appointed to the UC Board of Regents with voting rights and both student regents would be required to be appointed following the measure's passage. This would increase the total number of required voting members of the UC Board of Regents to 27 members with a faculty member being a voting member if permitted (potentially 28 voting members).

- 3) Argument in Support. In a letter supporting SCA 5, the UC Student Association states, in part, the following:

In 1974, California voters approved Proposition 4, which allowed the regents to appoint one student, at least one year in length, as a regent with full voting rights. Since then, the UC has added an additional campus, UC Merced, as well as nearly 150,000 more students, but student voting eligibility has remained the same on the Board of Regents. The student population is much more diverse now, and that diversity requires the opportunity to have differing perspectives represented through a vote of the Regents. Without the right to vote, the non-

voting student regent cannot participate in a functional way on the committees of the board of regents.

- 4) Double Referral. Prior to being heard by this committee, SCA 5 was heard and approved by the Senate Committee on Education with a vote of 6-0.

RELATED/PRIOR LEGISLATION

AB 337 (Medina) of 2021 would eliminate the prohibition against a student member voting during the student member's first year on the Board of the Governors (BOG) of the California Community Colleges (CCC), thereby giving both students voting rights. AB 2190 (Medina) of 2020 was identical to AB 337.

AB 514 (Medina), Chapter 61, Statutes of 2019, increases the voting rights of the student members of the CSU Board of Trustees by removing the non-voting status of one of the two student members, thereby giving both students voting rights.

AB 1290 (Lee) of 2021 would expand the California Student Aid Commission to include two additional student members.

AB 2766 (López) of 2016, which was similar to AB 1290, was vetoed by Governor Brown with the following message:

"This bill adds two additional student members to the California Student Aid Commission, bringing the total student membership to four, and the total commission membership to 17. The current participation of the two student members should be sufficient to advancing the interests of students and protecting the public interest."

SCA 1 (Lara) of 2016 proposed to modify Article IX of the State Constitution to reduce the term of an appointment as a Regent of the University of California from 12 years to 10 years for terms commencing on or after the effective date of this measure and prohibits these members from serving more than two terms. SCA 1 was placed on the inactive file in the Senate Floor by the author.

SCA 45 (Rodda and Marler), Resolution Chapter 85, Statutes of 1974, among other changes to the membership of the UC Regents, permitted a student to serve on the board of the UC Regents if certain conditions were met. SCA 45 was seen as Proposition 4 on the November 1974 general ballot, where it was approved by voters (55.26% to 44.74%).

POSITIONS

Sponsor: University of California Student Association

Support: Alliance for a Better Community
Associated Students of the University of California
California Women's Law Center
Coalition of California Welfare Rights Organizations

Council of University of California Faculty Associations
Dolores Huerta Foundation
Evolve California
John Burton Advocates for Youth
Northern California College Promise Coalition
University Council - AFT

Oppose: None received

-- END --