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THIRD READING

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Bill No: SCA 5  
Author: Glazer (D), et al.  
Amended: 8/26/21  
Vote: 27

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SENATE EDUCATION COMMITTEE: 6-0, 6/9/21  
AYES: Leyva, Ochoa Bogh, Cortese, Glazer, McGuire, Pan  
NO VOTE RECORDED: Dahle

SENATE ELECTIONS & C.A. COMMITTEE: 5-0, 6/28/21  
AYES: Glazer, Nielsen, Hertzberg, Leyva, Newman

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/26/21  
AYES: Portantino, Bates, Bradford, Jones, Kamlager, Laird, McGuire

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**SUBJECT:** University of California: regents: student members

**SOURCE:** Author

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**DIGEST:** This constitutional amendment modifies Article IX of the State Constitution to require, rather than authorize, the University of California (UC) Board of Regents to appoint two students enrolled at a UC campus to the UC Board of Regents.

**ANALYSIS:**

Existing law:

- 1) Establishes, in the California Constitution, 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. (Article IX, Section (9)(a) of the California Constitution)

- 2) Establishes, in the California Constitution, 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 7 ex officio members of which include; 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. (Article IX, Section (9)(a) and (b)(1) of the California Constitution)
- 3) 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. (Article IX, Section (9)(c) of the California Constitution)

This constitutional amendment proposes to place before the voters a change to the California Constitution to modify the membership of the Board of Regents of the UC. Specifically, this constitutional amendment:

- 1) Requires, rather than authorizes, 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 the length of service for an appointed student or faculty representative be no less than one year with all rights of participation.
- 3) Makes other technical and non-substantive changes.

### **Comments**

- 1) *Need for the bill.* 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) *Increases 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.

- 3) *Constitutional amendment requirements.* As a proposed Constitutional amendment, this measure would not go into effect unless approved by the majority of voters at a statewide election. This proposal requires a 2/3 vote of each house of the Legislature in order to be submitted to the voters. It does not require approval by the Governor.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- This measure would result in one-time General Fund costs to the Secretary of State (SOS) in the range of \$546,000 to \$728,000, likely in 2021-22, for printing and mailing costs to place the measure on the ballot in a statewide election. Actual costs may be higher or lower, depending on the length of required elements and the overall size of the ballot.
- The UC indicates that any costs resulting from this measure would be minor and absorbable within existing resources.

**SUPPORT:** (Verified 1/11/22)

Alliance for a Better Community  
Associated Students of the University of California  
California Nurse-Midwives Association  
California Women's Law Center  
Coalition of California Welfare Rights Organizations  
Council of UC Faculty Associations  
Courage California  
Dolores Huerta Foundation  
Evolve California  
John Burton Advocates for Youth  
Motivating Individual Leadership for Public Advancement  
Naral Pro-Choice California  
Northern California College Promise Coalition  
The Education Trust - West  
University Council-American Federation of Teachers  
University of California Student Association  
Women's Foundation California

**OPPOSITION:** (Verified 1/11/22)

None received

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\*\*\*\* END \*\*\*\*