
REVIEW OF BOARD OFFICER AND COMMITTEE DELEGATION

Attachment(s): None

PowerPoint(s): None

PURPOSE

The purpose of this item is to review the delegations of authority by the board to its officers, committees, and members in accordance with Education Code section 22208 and California Code of Regulations, Title 5, Section 20520.

DISCUSSION/SUMMARY

Permanent Delegation

The board has delegated authority to act finally as set forth below. Although characterized herein as “permanent” the board retains authority to revoke any delegation at any time.

Duties of the Chair

The board has delegated certain authority to the Chair, as set forth in Board Governance Manual (“BGM”) Section 2(C).

The Board Chair shall assure that the Board operates consistent with statutes, procedures and policies; preside over Board meetings; subject to Board approval in accordance with Section 2(B), appoint chairs, vice-chairs and members to the various Board committees; supervise the Chief Executive Officer (CEO); execute on behalf of the Board delegations of various responsibilities to the CEO and other staff and other duties as deemed necessary; exercise final authority over Board and Committee agendas and supporting materials.

Appeals Committee

The board has delegated certain authority to the appeals committee, as set forth in the Appeals Committee Charter:

- To hear and act finally on all appeals, proposed decisions, and determinations of whether an administrative hearing will be granted pursuant to the applicable provisions of the Education Code and the California Code of Regulations. However, at the request of the board chair, any appeal may be removed from the committee prior to being heard and be brought before the board for determination.
- To designate all or a part of an administratively adjudicated decision as a Precedential Decision pursuant to the board policy on Designating Precedential Decisions (Board Governance Manual Section 7(D)) and Government Code Section 11425.60.

Investment Committee

As a committee of the whole, the Investment Committee's delegation is specified in its charter, to consider and act finally on all matters relating to the CalSTRS investment portfolios.

Legislation

Section 5 of the Board Governance Manual specifies that if the board is unable to take a position on the legislation or regulations in a timely manner, the board delegates authority to the chair and vice chair to adopt a position on legislation or regulations based on the following guidelines if expressing the position would aid in executing the board's policy. Upon action via delegation, the reason for delegation and the position taken shall be communicated to the board immediately. The minutes of the next board meeting shall reflect the delegation, the reason for the delegation and the position taken.

Pension Solution Contracts

In April 2017, the board delegated to the chair and vice chair authority to approve Pension Solution related contracts with the value greater than 1 million dollars, but not to exceed 10 million dollars, only when waiting for the next scheduled board meeting could cause project delays. Staff will include as information to the board, any contract item approved in an intervening month using this method of approval in the Contracts Requiring Board Approval item at the next meeting.

Emergency Contract Approval

The board delegated in the BGM Appendix III Section (a), contract approval authority to be used in the case of a declared state of emergency delegating to the chair and vice chair authority to approve contracts greater than 1 million and up to 10 million dollars under certain limited circumstances. The approval must be recommended by the CEO, reported to the full board, comply with applicable law, regulations and procedural requirements including legal review and approval.

Board Travel

The board has delegated in policy Section 2(D)(3)(c) to the chair the authority to approve board member travel when necessary, between board meetings.

Mid-Year Performance Review of the CEO/CIO

Under BGM Section 2 I, a mid-year performance review of the CEO is conducted by the board chair/vice-chair and a mid-year performance review of the CIO is conducted by the investment committee chair/vice- chair.

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RECOMMENDATION

Staff is not recommending any changes to the current Board Officer and Committee Delegations.