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# Health Benefits Report: LTC Lawsuit Finally(!) Over, You'll Hear in January

By David Wagner, Health Benefits Director

**LTC Class Action Settlement.** The CalPERS class action long-term care settlement became final on September 28, 2023. Those participating in the settlement will receive a mailing from the settlement administrator in January 2024 that will notify you of the category of claimants you are in (A-H); the amount of your award; a dispute form; and a check in the amount of your final award.

If your address has changed during this lengthy process please notify the settlement administrator at 1-866-217-8056 or by email at [updates@CalPERSLTCClassAction.com](mailto:updates@CalPERSLTCClassAction.com).

Please do not contact CalPERS, the court

or the litigation attorneys. This matter is now in the hands of the settlement administrator. If you have questions use the toll free number above, contact by email at [info@CalPERSLTCClassAction.com](mailto:info@CalPERSLTCClassAction.com) or write to: Wedding v. CalPERS, P.O. Box 6790, Portland, OR 97228-6790.

A cautionary note to be alert for scammers. Don't post your settlement details online or click on links from unknown email addresses. If you have doubts as to the authenticity of those communicating with you, call the number above to discuss with the settlement administrator.

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# The (In)Effectiveness of a Faculty Trustee

By Romey Sabalius,\* CSU Faculty Trustee Emeritus

Ineffectiveness? How could that possibly be? After all, a faculty trustee should be the most knowledgeable among the trustees about the academic enterprise and the best informed about the organizational structure of the university. Faculty members rising to the higher echelons of governing boards usually have served for decades in the institution, and they have been intensively involved not only in academic matters, but also in aspects of shared governance and system operation (e.g., system-wide committees, academic senate, etc.). Yet, exactly therein lies the problem.

\* See bio at the end of the article.

Governing boards – mostly called Boards of Trustees, but in the case of the University of California it is the Board of Regents – generally consist of members from outside of academia. Those are typically entrepreneurs, lawyers, leaders of civic organizations, and people who have contributed to their communities. It is not a prerequisite that they have an academic background – in fact, that would be the exception. After all, a governing board is an oversight entity. It is supposed to be a team of outsiders, who are beholden to act in the best interest of not just the educational institution, but ultimately in the

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**CSU-Emeritus and Retired Faculty and Staff Association**  
**www.csuerfsa.org**

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**From the President...**

The CSU-ERFSA fall 2023 State Council meeting was held via Zoom on October 24th from 9:30 am to noon. There were more than 30 individuals in attendance. We heard reports from new Faculty Trustee Darlene Yee-Melichar and Chair of the ASCSU Beth Steffel. While we invited new Chancellor Millie Garcia to attend, she unfortunately she had a previous commitment. We plan on inviting her to the spring 2024 meeting and hope she can make this meeting.

At the meeting, I announced that we had terminated our relationship with AMBA / AMBIA as we were disappointed in their lack of progress in assisting us in building our membership. The State Council also voted to terminate the "half-price sale" for new members on June 30, 2024.

We are also looking for an individual who may be interested in chairing the Health Benefits Committee, someone who take over the webmaster duties from our current webmaster, Mark Shapiro, and individuals who are interested in working on a revision of the *CSU-ERFSA Survivors Guide*, as it has been several years since it was last updated.

New Treasurer David Speak reported that the organization is fiscally strong, with balances totaling over \$250,000 in various accounts. The savings from having virtual meetings may be the only positive outcome of the COVID 19 virus.

My best wishes to you and your family for a wonderful holiday season.

Barry  
[bpasternack@fullerton.edu](mailto:bpasternack@fullerton.edu)

**Pocket Calendar**

The pocket calendar is currently being sent ONLY to those who have opted in - please notify the office at the email, phone, or address on page 2 if you would like to continue receiving the calendar.

**However, if you have opted in already, you do not need to opt in again. You will remain on the list to receive the calendar.**

**CSU-ERFSA's Half Price Membership Offer Expires 6/30/24**

CSU-ERFSA's half-price membership deal expires June 30th of 2024. You will be joining the only association solely dedicated to supporting and improving CSU retiree benefits. All CSU retirees are eligible for membership.

For more information on this deal, see: <https://tinyurl.com/2s3c8hu4>.

DETAILS: Send your check to CSU-ERFSA, 18111 Nordhoff St., Northridge, CA 91330-8339 in the relevant amount below. Please send your name, email, phone, CSU campus and department retired from, and the date you retired.

Half-price is valid for 12 months from the date received. Thereafter, you pay at the normal rate. Half-price rates:

<b>Gross Monthly CalPERS Benefit for the First Year</b>	<b>Dues</b>
Less than \$3,000	\$30
\$3,001 - \$3,600	\$36
\$3,601 - \$4,300	\$42
\$4,301 - \$5,300	\$48
\$5,301 - \$6,300	\$54
\$6,301 and above	\$60
Donor Member	\$66 and up

**Doubts Abound Re New Alzheimer's Blood Test**

A new Alzheimer's blood test, from Quest Diagnostics and called AD-Detect, is about to go on the market for approximately \$299. You can order the test and get the results in the privacy of your own home.

There are some major caveats. The possibility of false positive results is high, as is the likelihood that older adults won't understand the significance of the results. The test should be taken under a MD's supervision, according to critics. The test does not diagnose Alzheimer's - it is meant to help assess an individual's risk of developing the condition.

You can read the complete article on Kaiser Health News at: <https://tinyurl.com/8v4wxd3v>.

# Pre-/Post-Retirement Report: Should CalPERS Divest?

By George Diehr, CSUSM, Pre- and Post-Retirement Concerns Chair

For several years there has been pressure on CalPERS and CalSTRS to divest their equity holdings in fossil fuel companies. Several months ago Mark Shapiro posted an interesting piece on YouTube titled "Divesting From Fossil Fuels Pays!" <https://tinyurl.com/ycx8ft4w>. I reviewed a paper Mark cited: "The Impact of Energy Investments on the Financial Value and the Carbon Footprint of Pension Funds," out of the University of Waterloo.

This paper led me to many position pieces including; 1) CalPERS and interviews / statements by its CEO, 2) Senate Bill 522, requiring divestment, 3) a CalMatters piece summarizing pros and cons, 4) a *Forbes* article arguing against divestment, and more. I should have known that attempting to summarize the issue was beyond the time and space available. Therefore, I am presenting a brief analysis of the Waterloo paper, followed by comments pro and con, and neutral pieces with links to them.

**Pro: The Waterloo Paper.**  
<https://tinyurl.com/4k6c4zrv>.

The study examined investments returns for eight pension funds that face demands to "decarbonize" their investment holdings. The analysis compared the returns if the pension funds divested from these holdings versus the returns actually realized without divestment (the "base" case). The analyses covered a 10-year period, 2013-2022. The funds studied include CalPERS and CalSTRS. The authors' summary of the study results concludes (emphasis added): "The analyses demonstrate that the cumulative value of the public company equity portfolio of pension funds would have been 13 percentage points higher on average *if the funds had been divested from the energy sector ten years ago.*"

Can we extrapolate the results to the next decade? Recommendations on investments that cite historical performance inevitably include the caution: "Past performance is no guarantee of future performance." Or, as a quote attributed to many people, from the Nobel prize-winning Quantum physicist Niels Bohr to the legendary baseball player (and philosopher) Yogi Berra: "It is difficult to make predictions, especially

about the future."

There are also questions of whether an examination of a single 10-year period is anything more than a sample of one. In addition, since the investments across the eight funds have much in common, they really can't be characterized as "independent." A more convincing analysis would involve more than a single 10-year period.

There are, however, much more extensive research and analyses on this issue reviewed below.

**Neutral: CalMatters: "Will California's largest pensions, CalPERS and CalSTRS, divest from fossil fuels?"**  
<https://tinyurl.com/mr3wn3kc>.

This is an excellent, balanced summary with focus on CalPERS and CalSTRS and a good place to start if you want to explore further. The report's summary: *Climate activists and some lawmakers want two of California's pension funds to shed about \$15 billion of fossil fuel holdings. They say the move would reduce oil and gas companies' political power, but opponents say it would be a bad move financially.*

**Pro: Institute for Energy Economics and Financial Analysis. "Major investment advisors BlackRock and Meketa provide a fiduciary path through the energy transition."**  
<https://tinyurl.com/kt6wmj5s>.

The papers cited in this article provide a more convincing argument that divestments from fossil fuel companies have no negative financial impact. Some of the core findings are:

"Divestment actions by hundreds of funds worldwide have passed the prudence tests required of fiduciaries."

"Fossil fuel stocks have underperformed for the last five years and forward-looking analysis shows they are exposed to significant regulatory, technological and market risks."

However, these studies do not address the objections raised by CalPERS and other pension funds that divestment reduces their ability to influence fossil fuel compa-

nies through advocacy and engagement.

**Pro: Senate Bill 252.**  
<https://tinyurl.com/m4dmupsf>. (Did not pass; will be heard again next year):

"(3) Fossil fuel companies' plans to expand production, public relations campaigns, and efforts to obstruct climate stabilization policies are incompatible with California's climate goals, and our obligation to current and future generations."

"(6) The purpose of this section is to require the Public Employees' Retirement System and the State Teachers' Retirement System, consistent with, and not in violation of, their fiduciary responsibilities, to divest their holdings of fossil fuel company investments as one part of the state's broader efforts to decarbonize the California economy and to transition to clean, pollution-free energy resources."

**Pro: Energy Research & Social Science: "Conflicting commitments? Examining pension funds, fossil fuel assets and climate policy in the Organization for Economic Co-operation and Development (OECD)."**  
<https://tinyurl.com/2p8vxbvj>

From the study's abstract: "This paper studies the scarcely addressed relationship between investors like pension funds and climate policy implementation by addressing the question: what is the extent of pension fund investments in the fossil fuel sector, what is the range of actions that pension funds take to address environmental issues, and what does this suggest about pension fund commitments to ambitious climate targets through leaving fossil fuels underground?"

This is a 26-page paper with loads of citations, references, and links.

**Con: CalPERS: "Why We're Opposing Divestment in Senate Bill 252."**  
<https://tinyurl.com/9sjyfn49>.

"The California Constitution requires CalPERS to put its members' retirement benefits before all other obligations and to manage the pension fund with this

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# Why It Took 37+ Years to Finish My Book

By Robert Cherny, San Francisco State University

In 1985, I started researching a biography of Harry Bridges. I thought it would take a few years to complete. *Harry Bridges: Labor Radical, Labor Legend* came out in 2022. What happened in between could form a book by itself.

CSU-ERFSA members likely remember Harry Bridges. A native of Australia and long-time leader of the International Longshore and Warehouse Union, Bridges survived four challenges to his citizenship based on allegations he was a Communist, including two appeals to the U.S. Supreme Court.

In 1985, Nikki Bridges, Harry's wife, called me. They had been working on Harry's memoirs, got bogged down, and asked a colleague of mine to take over. He recommended me. He also persuaded them that they should aim for a full academic biography. That's what I agreed to do.

I quickly realized that I was facing a LOT of archival research. I ordered Bridges' FBI file; it arrived over fifteen years, filling ten file cabinet drawers. By then, I had completed many interviews and traveled to twenty-some archives in ten states, including Hawaii. I hadn't initially realized I'd have to go to Hawaii, but making such sacrifices is all part of one's professional commitment.

Before Bridges died, in 1990, I'd drafted the first few chapters and given them to him to read. He once introduced me as knowing more about his life than he did.

Shortly after Bridges' death, archival files of the U.S. Communist Party in Moscow were opened to U.S. researchers. I needed to go. I received a Fulbright to teach U.S. history at Moscow State University beginning in January 1996 - winter in Moscow! - and I spent some time each week at the archive.

By then, I'd been emailing with an Australian scholar who suggested I apply as visiting scholar at the University of Melbourne. I did. I spent June-August 1997 - winter in Australia! - in the libraries and archives of Melbourne and Canberra.

By 2000, fifteen years into the project, I'd finished nearly all the archival research

and interviewing and had drafted several chapters. However, in 1995, I'd been elected to the CSU Academic Senate. Between 1998 and 2004, I served in several senate positions and had almost no time to write. In 2004, I chose not to run again, so I could concentrate on the Bridges book. That summer, I went back to the Moscow archives - summer is better than winter in Moscow. Then the provost asked me to be interim dean of undergraduate studies. I expected to do it for a year but ended up spending three years, again, with little time to write. In 2008, I entered FERP but left in 2012, because half-time proved not much different than full-time when it came to finding time to write.

By then, I had three books in various stages. I'd also been doing research on Victor Arnautoff, a San Francisco artist best known for his New Deal murals, and I planned to draw on my Moscow research for a book on the Communist Party in San Francisco. In 2014, I attended the annual meeting of the Organization of American Historians armed with a prospectus for each book. I went from publisher to publisher, hoping to use the Bridges book to leverage contracts for all three. Several editors wanted only the Bridges book. Fortunately, the editor at the University of Illinois Press--which offers the largest list on U.S. labor history--wanted all three. When I said that the Arnautoff book would require color photos, she said, "Of course." *Victor Arnautoff and the Politics of Art* came out in 2017.

Once *Arnautoff* went into production, I planned to go full-bore on *Bridges*. But I required shoulder surgery in 2015 and had to keep my left arm immobilized for weeks. Then, in spring 2017, I developed medical problems that required several surgeries and hospitalizations over the next 18 months. Back on my feet, I completed archival research in some collections that hadn't existed in the 1990s. In March 2020, I submitted my first draft: 900+ pages and 290,000+ words.

Unfortunately, my contract called for 180,000 words. My editor consulted with her supervisor and advisory board, and then told me to cut it by a third. After those painful cuts, I also had to respond to peer reviewers.

The book finally went into production in November 2021, and the first copies appeared in November 2022. The review process, painful as it was, produced a better book. Of the six books I've done with a university press, this one involved the longest process between submitting a first draft and holding a bound book. It has also been the most beneficial. (PS: *San Francisco Reds* is slated to appear next March.)

## CSU-ERFSA New Members

**Bakersfield** – Constance I. Orlicki

**Channel Islands** – Zhong John Lu  
Alan L. Murray  
Charles Sackerson

**Chico** – Sandra M. Flake

**East Bay** – Jean Moran

**Fresno** – Sudarshan Kapoor

**Long Beach** – Kenneth R. Curtis  
Fay Shin

**Sacramento** – Margaret Beddow  
Kimberly A. Gordon Biddle  
Evelyn M. Bradley-Owens  
William Cordeiro  
Joel Elias

**San Francisco** – Asta Sveinsdottir\*  
Anna-Lisa S. Van der Valk

**San Jose** – Stephanie Coopman  
Patricia Stroh  
Gilbert J. Villagran

**San Marcos** – David J. Barsky\*

**Sonoma** – Suzanne Toczyski

**Stanislaus** – Susan L. Marshall

\* Denotes lifetime member

# Executive Director's Report: Building New Members

By Merry Pawlowski, CSU Bakersfield, CSU-ERFSA Executive Director

With each issue of *The Reporter*, I plan to share information about the activities and events of our affiliates. I welcome your news and ask all affiliate leaders to email me information to include in my upcoming articles.

In August the Channel Islands Retiree Association held a reception and recruitment event at a lovely venue, the Channel Islands Boating Center in the Channel Islands Harbor. Guests were treated to a spread of hors d'oeuvres and beverages while being entertained by a trio of students in the CSUCI music program.

CSU East Bay Emeritus and Retired Faculty Association held a luncheon meeting on October 13 in the Zen Garden on the East Bay campus with guest speaker Dr. Chandra Kahn, AVP for the Office of Research and Sponsored Programs, whose talk emphasized current faculty research. The Zen Garden sounds like an amazing location.

Cal Poly's Retired Faculty and Staff Association held its fall

luncheon on November 7 at the Justin and J. Lohr Center for Wine and Viticulture – what a fabulous place to have a luncheon! Don Oberhelman, the Director of Athletics at Cal Poly, was the featured speaker and guests enjoyed a barbecue lunch catered by the Agricultural Engineering Society – this sounds like a wonderful meal in a great venue.

Cal State LA's Emeriti Association held its annual scholarship/fellowship recognition event on October 28th via Zoom to introduce and honor the 2023-24 Emeriti Association scholarship and fellowship recipients.

Lastly, Sonoma State Emeritus and Retired Faculty and Staff Association hosted a luncheon on November 3 at the Green Music Center, another stellar location, honoring twenty-four faculty awarded emeritus status in spring and fall 2023.

All these events highlight the vibrant nature of affiliate activities and should inspire us all as we think about how to grow both the local affiliates and statewide CSU-ERFSA.

## Thank you, Jack Kilgour & David Wagner

By the Editor

Avid readers of *The Reporter*, and I know there are some of you out there - will recognize David Wagner's name on the quarterly Health Benefits column (p. 1 in this issue). David is writing his last column after more than 10 years. David, the former HR director at Sac State, has written sober and factual words about virtually every health related issue that can face retirees, and some of them almost yearly. We appreciate his dedication - he's gone far beyond the norm - thank you David for all of your columns, for your sober and fact-based analysis, and your numerous sensible recommendations.

You'll also notice that John Kilgour of CSU East Bay has no article in this issue. Except for one or two issues where he was pursuing other activities, this is the first issue in twelve years that has not carried one of Jack's pieces seeking to explain the basics of the pension and health systems supporting older Americans and in particular supporting us as retired faculty. Jack has had a stroke. I don't know the details, but he has communicated with me by email that he won't be able to continue supplying these basic explanations that I hope have helped many of you understand the factors underlying the checks you receive, the health care you obtain, and perhaps, some benefits you don't get.

Thank you David and Jack – you both have both gone far above and beyond what we expect of our contributors. We appreciate both of you and all the articles you have done for more than a decade. We hope Jack's recovery is speedy, and that David enjoys a well-deserved retirement from his quarterly duties.

## Health Benefits Report

(Continued from page 1)

The question of whether your settlement is taxable in whole or in part can be answered definitively by your tax planner or accountant. In most instances it will not be taxable but check to be sure.

**2024 Health Plans.** If you changed health plans during open enrollment, the effective date of the change is January 1, 2024. Determine if you need to reschedule appointments with your current provider. It is also recommended that you have sufficient medication to last until your scheduled appointment with your new physician.

Announced health plan premiums and benefit adjustments vary among health plans and are also effective January 1. Some of these changes will welcome - reduced co-pays, lower drug prices, new covered services. Other changes, not so happily received.

**Special Power of Attorney.** It is important to consider designating a representative to conduct your health and retirement benefits if you are not able to do so. CalPERS cautions that an existing power of attorney document may not sufficiently address CalPERS requirements. You are encouraged to visit Special Power of Attorney on the CalPERS website for additional information.

If you are reading *The Reporter* online and would like to drop your paper subscription (i.e., read *The Reporter* online only) please drop the office a note at [csuerfsa@csun.edu](mailto:csuerfsa@csun.edu).

# Legislative Report: CalPERS, Legislation, CSU News

By Robert Girling, Sonoma State University, CSU-ERFSA Legislative Director

**CalPERS News.** CalPERS Chief Investment Officer Nicole Musicco resigned as of September 29. She had been at CalPERS for only about 18 months. Musicco maintained her residence in Canada, commuting to Sacramento. This is bad for CalPERS in many respects. The chief investment officer at a major pension fund is the top producer and should be, and is at CalPERS, its best paid employee.

Bloomberg Business News reported “some longtime employees expressed unease to each other about the decisions of the newly arrived boss....Her constant travel not only put a strain on Musicco, according to a person close to her, but also on senior staff, who had been eager for a clearer blueprint on how the fund would meet its investment goals after an 18-month leadership gap.”

Undaunted by the unstable management, and her handling of the data breach that exposed the social security numbers of more than 769,000 CalPERS beneficiaries, CalPERS’ board awarded Chief Executive Officer Marcie Frost a nearly \$200,000 bonus and almost 5% raise.

CalPERS is considering a \$53 billion increase in its climate-related investments by 2030, along with new guidelines for exiting or reducing its holdings in polluters. The climate push would roughly double the fund’s exposure to areas such as wind, solar and carbon capture, bringing the total to \$100 billion, according to a policy proposal published Friday. The divestment rules would be aimed at assets that pose a fiduciary risk because they “fail to present a credible net zero plan” for emissions. This is in response to persistent pressure from organizations including CSU-ERFSA and members of the Assembly.

## Legislation.

**California State University: doctoral programs, AB 686.** Would authorize the California State University to award professional or applied doctoral degrees statewide that do not duplicate University of California doctoral degrees and satisfy certain requirements.

**CalNAGPRA, AB 389.** Requires the CSU to create and implement a variety of policies and committees, collaborate with tribes, and other items to ensure the CSU is in compliance with CalNAGPRA and NAGPRA. Supported by the CSU.

**Dream Loan Program, SB 633.** Improves the DREAM Loan Program for undocumented students by offering unawarded funds from the revolving fund.

**Sexual Harassment Reporting, SB 808.** Requires an annual report by the Chancellor’s Office of sexual harassment complaints submitted to Title IX offices. This legislation aligns with the state auditor’s recommendation that the Chancellor’s Office should be “regularly collecting and analyzing sexual harassment data.” We expect a larger legislative discussion on Title IX next year.

**Postsecondary education: Coordinating Commission for Postsecondary Education in California, AB 1142.** Would establish the Coordinating Commission for Postsecondary Education in California, composed of 5 public members with experience in postsecondary education, appointed as specified, as the statewide postsecondary education oversight, coordination, and planning entity. The commission would develop and publish an independent annual report on the condition of higher education in California.

**Protecting Students from Creditor Colleges Act, AB 1160.** Would prohibit a school from refusing to provide a diploma or certificate, as defined, for a current or former student on the grounds that the student owes a debt, conditioning the provision of a diploma or certificate on the payment of a debt, charging a higher fee for obtaining a diploma or certificate or providing less favorable treatment of a diploma or certificate request because a student owes a debt, or using a diploma or certificate issuance as a tool for debt collection. The bill would prohibit a school from engaging a third-party debt collection agency to collect a student debt or selling a student debt to a third party.

**California State University: University of California: graduation**

**requirements: service learning, AB 1390.** Commencing with the 2024–25 academic year, would require each California State University campus, and UC if it agrees, to provide on its internet website information on service learning programs and opportunities for undergraduate students.

**California State University: mental health counseling, SB 11.** Would require the trustees to comply with various requirements on mental health counseling at CSU, including having one full-time equivalent California-licensed mental health counselor per 1,500 students enrolled at each CSU campus.

**Controlled substances: decriminalization of certain hallucinogenic substances, SB 58.** This bill would require the California Health and Human Services Agency to convene a workgroup to make recommendations on the establishment of a framework governing the therapeutic use, including facilitated or supported use, of those substances. The bill would require that workgroup to send a report to the Legislature containing recommendations by January 1, 2025.

## CSU News.

**CSU Board of Trustees raises tuition by 33%.** California State University students next fall will see their tuition spike 6% annually for the next five years, an increase that will affect 460,000 students. The increase, the first since the 2011-12 academic year, is intended to narrow the \$1.5 billion funding gap facing the 23-campus system.

State Superintendent of Public Instruction Tony Thurmond voiced opposition of the tuition hike, with his office stating it “would be a huge setback for California students and families.” In the past, the superintendent had convened a working group to explore a tax on billionaires that could generate up to \$22 billion for California’s public universities, his office said, among other efforts to secure long term funding for such institutions. “As a state, we should be investing in our students, not placing financial roadblocks in the way of aspiring teachers, school

(Continued on the next page)

# Pre-/Post Retirement Committee

(Continued from page 3)

responsibility first and foremost. CalPERS recognizes the material risk that climate change poses to all of us, the global economy, and to our long-term investments. But we also believe it is *a risk that we must address through investment practices such as advocacy and engagement*” [emphasis added].

(However, studies find little evidence of impact on the fossil fuel sector by such claimed activism.)

“Forcing CalPERS to sell fossil fuel companies’ stock does not change the amount of gasoline people use to drive to work, to pick up children from school, or to deliver food to the grocery store.”

**Con: Forbes: “California Dreamin’: CalPERS And CalSTRS Caught In Climate Crossfire”**

<https://tinyurl.com/27p4rvj2>.

“Conclusion: Two, really. First, divestment from Western oil and gas companies isn’t going to change the behavior of national oil companies. Second, we need our own oil and gas for energy security. Who wants to

be the next Germany?”

“Conclusion: Fossil fuel companies have an essential role to play in the energy transition and investors can play an important role in engaging with them to do so—for the benefit of the long-term returns of these companies and their shareholders.”

“Conclusion: Engagement, not divestment, is the best way to generate long-term returns for beneficiaries while addressing the challenges of climate change.”

**My conclusions:**

1. Divesting fossil fuel company securities by public pension systems would be unlikely to result in losses to their investment funds.
2. The impact on total fossil fuel production due to divestment by public pension funds is unlikely to be significant. The impact of divestment on U.S. public fossil fuel companies has yet to be determined.
3. Claims by public pension funds of the impact of their advocacy on fossil fuel companies is lacking.

# Legislative Report: CalPERS, Legislation, CSU News

(Continued from the previous page)

counselors, and the next generation of workers and leaders,” Thurmond said.

Meanwhile, CSU’s incoming chancellor Mildred García, will receive a base salary of \$795,000, with annual deferred compensation of \$80,000, a monthly auto allowance of \$1,000 and a monthly housing stipend of \$8,000.

**CSU Enrolments.** Each year, more than 160,000 in-state students apply to the California State University system. As the country’s largest four-year public university system, Cal State educates more than 400,000 undergraduates across its 23 campuses that stretch across the state — about 170,000 more students and twice as many campuses as the state’s more renowned higher-education system, the University of California. While most CSU campuses receive thousands of applications each year, three schools stand out as

being the most popular and competitive to get into. For the 2022 fall semester, CSU Long Beach and San Diego State each received about 70,000+ applications from California residents, and Cal Poly SLO had about 52,000 in-state applications.

**CFA Considers a Strike.** CFA members voted to authorize a strike, demanding an increase to the minimum salary for our lowest-paid faculty, a 12-percent across-the-board raise to keep pace with rising costs of living, a full semester of paid parental leave for new parents, reasonable workload/course caps, a proper counselor-to-student ratio, safe and accessible lactation spaces, and safety provisions for faculty interacting with university police on campuses.

**New CSU Faculty Trustee.** Darlene Yee-Melichar. Dr. Yee-Melichar has been a professor at San Francisco State University since 1990 teaching in five academic units (Health Education,

# In Memoriam

**Chico** – Donald D. Hall  
Charles M. Price

**Dominguez Hills** – Judson Grenier  
Garry D.Hart

**Fresno** – Edwin F. Terry

**Fullerton** – Gloria G. Castellanos  
Myron Orleans  
Leo J. Schmidt

**Humboldt** – Bernadette Cheyne  
Charles R. Myers

**Long Beach** – Fred Rogers

**Los Angeles** – Alfredo O. Morales  
William Taylor

**Northridge** – John W. McGhee  
Patricia Y. Murray  
Iris Shah

**Pomona** – Myra White  
Donald V. Shupe

**San Bernardino** – Robert B. Nelson

**San Diego** – Mary Dee Dickerson  
Aubrey C. McTaggart  
Daniel Saltz

**San Francisco** – Kenneth L. Briney  
Roger W. Cummings  
Lawrence A. Ianni

**San Jose** – Fay L. Bower  
Bobbie Gorenberg  
Nancy G. Markham

Gerontology, Ed.D. in Educational Leadership, Social Work, and Public Affairs & Civic Engagement). Dr. Yee-Melichar teaches with a focus on workforce development for an aging society. She has served on the executive committees of both the SF State Academic Senate and the Academic Senate CSU. She is committed to the work of the CSU in providing access, affordability and quality for inclusive excellence and student success enhanced by faculty, staff and administrator supports.

# Holiday Presents for Nature Lovers

By Sherry Keith, Professor Emerita, SFSU

**Get Ready for Spring and Summer 2024 with the following gift guides:**

**It's a Secret: San Francisco State University has a Sierra Nevada Field Campus.** (<https://sierra.sfsu.edu>).

The field campus offers a wide range of workshops as well as classes for academic credit from early June until mid-August. The field campus is open to the public. I have taken workshops in astronomy, geology of the Sierra Nevada, poetry, and nature writing. There are many other fabulous offerings. The program for Summer 2024 will be announced sometime in January 2024. Make your selection early, as workshops fill up fast.

**The Laws Field Guide to the Sierra Nevada** by John Muir Laws. My all-time favorite guide to flora and fauna of the Sierra Nevada with the most beautiful and accurate drawings of plants & animals. Find it at [johnmuirlaws.com](http://johnmuirlaws.com) This is the most comprehensive and easy to use guide for wanderers and holiday-ers in the Sierra Nevada.

**The Night Sky: shown in Dual Perspective** available for various degrees of latitude, depending on where you are stargazing. This is an old school, cardboard star chart which can be used for a month, day, and time to identify the constellations. I like it much better than the phone apps: it gives a large sky view without all the annoying sounds because you don't need to be Wi-Fi umbilical cord; and you can see how the night sky changes through hours of darkness and times of the year. Available for purchase online.

## Book Reviews:

**My Antonia** (Willa Cather). *My Antonia*, first published 1918, is definitely an oldie, but still a goodie for those who like historical fiction combined with a highly refined sensitivity to natural settings. A number of Cather's early 20th century novels are set in rural Nebraska (a place I have never been) and told from the perspective of the hard scrabble pioneers who turned this region of North America into the corn/wheat basket of the continent. I was drawn to Cather's empathy for her characters in *My Antonia*, especially the sensitivity shown for Antonia's immigrant

Bohemian family. The cultural challenges they faced were more than equal to the physical hardships they had to endure to make a life in a new country. The story's raconteur, young Jim, relates their and his own changing circumstances over several decades. The stories are told with empathy and insight, often forgotten or brushed aside when considering the difficulties faced by twenty-first century immigrants to America.

The other aspect of *My Antonia* that spoke deeply to me is Willa Cather's facility for description of the natural world. Farmers and rural people are clearly closer to and more steeped in nature than we urbanites. Cather captures the carefree moments Jim and Antonia share as kids lying on a grassy hillock, sunshine caressing their bare arms with the sound of a creek gabbling nearby. She brings these moments to us, the readers, as if they were ours. For a step back into the past I recommend *My Antonia*, or others in the Nebraska series like *O Pioneers*, and *The Song of the Lark*.

## Two American Women Nature Writers:

Mary Oliver, poet extraordinaire, has many books, but I recommend *Devotions*, (2017) a collection of her selected works. She writes with sensitivity, keen observation, and force, taking her readers along on each poetic journey and foray into the arms of the natural world.

Terry Tempest Williams, a prolific nature writer's *The Hour of Land: A Personal Topography of America's National Parks*, Sarah Crichton Books/Farrar, Straus & Giroux (2016). Tempest Williams takes the reader on a tour of her favorite National Parks, some places you may never visit or may decide to visit after reading this compilation of essays.

Explore California:

*California's 35 Must See Natural Wonders* is a website/blog hosted by Josh that features places California. Even I, a California native, haven't seen everything Josh features. You might enjoy checking this when formulating your 2024 Spring and Summer plans. <https://tinyurl.com/3jc29yfs/>

## Book Review

**The Marriage of Opposites** by Alice Hoffman (Simon and Schuster, 2016).

When author Alice Hoffman visited an exhibit of the French Impressionist artist Camille Pissarro, she made a surprising discovery about his life. She learned that he was born Camile Pizzaro in the Danish West Indies, and as she dug deeper, she uncovered an astonishing story about his Jewish mother. The result of her research led her to pen a mesmerizing portrait of 19th-century life on the idyllic island of St. Thomas based on the true story of Rachel Pizzarro, who lived amidst an enclave of Jewish refugees who fled to the West Indies during the European Inquisition.

Growing up on idyllic St. Thomas in the early 1800s, Rachel was an unruly child, and her mother, a pillar of their small refugee community of Jews, is perplexed by this difficult girl who refuses to live by society's rules. Rachel's salvation is her relationships with their maid Adelle, who recognizes her strengths, and her daughter Jestine, with whom she formed a lifelong friendship. Together they teach her about the mythology of the island with its magical herbs, turtle girls, flamboyant trees, and congee porridge, but they also dream of another homeland in the modern metropolis of Paris.

At a young age, Rachel is married off to a widower twice her age with three children in order to save her father's business. When her older husband dies suddenly, and his handsome, much younger nephew, Frederick, arrives from France to settle the estate, Rachel and Frederick begin a defiant, passionate love affair that violates Jewish family laws against marrying a relative and sparks a scandal that affects all of her family. Rachael was a strong independent woman who did what she pleased, but as she gets older, she becomes more conservative and more worried about her son Camille who had a strong rebellious nature. Despite a growing distance between them, mother and son remain kindred spirits as Rachel began to realize the great artist her son has become and

(Continued on page 9)

# CFA Report: 95% of Members Vote to Authorize a Strike

By Jay Swartz, Cal Poly Pomona, CSU-ERFSA Liaison to CFA

California Faculty Association members have continued their typically busy agendas over recent months but only one topic — an impending strike — has dominated almost all discourse.

Across all 23 California State University campuses, CFA members voted overwhelmingly by more than 95 per cent ayes to authorize a strike – if necessary – to secure a deal that addresses systemic issues like low pay, large class sizes, and lack of mental health counseling access for students. The reported yield on most campuses exceeded eighty per cent of all eligible members casting their ballots.

At the recently concluded statewide CFA assembly meetings in Long Beach, it was clear that low pay, growing workloads, and systemic inequities are not sustainable. CSU management needs to invest their money where it matters – the people and programs with direct impact on stu-

dent learning and success, CFA leaders maintain.

Among CFA's demands are:

- A pay raise that stays ahead of inflation.
- Pay equity and raising the floor for the lowest-paid faculty.
- Manageable workloads that allow for more support and engagement with students.
- More counselors to improve students' much-needed access to mental health counseling.
- Expanding paid parental leave.
- Accessible lactation and milk storage spaces for lactating faculty.
- Safe gender-inclusive restrooms and changing rooms.
- Safety provisions for faculty interacting with university police on all campuses.

As the fact finding process concludes the next step will be arbitration. Many cam-

pus statewide already have staged practice strikes, among them CSULA where more than 1,000 faculty, students and allies convened in a public rally.

“When our re-opener bargaining campaign began on May 1st – International Workers’ Day – we asserted that faculty working conditions are student learning conditions. Our aspirational contract demands insist that our students deserve better, that our faculty deserve better,” said Vang Vang. CFA treasurer and Fresno State librarian.

As *The Reporter* press deadline nears, CFA members next plan to bring their demands before the CSU Board of Trustees and new Chancellor Mildred Garcia at the impending BOT meeting in Long Beach November 7. The administration's bargaining team contends the CSU cannot afford CFA proposals, while the union's own fiscal analysis claims otherwise, pointing to billions of dollars resting in reserve fund accounts.

## Holiday Presents for Nature Lovers

(Continued from page 8)

grants him the freedom to leave the island for Paris – a freedom that she never had.

The book is richly painted with a brush of magical realism. For example, Rachel recounts: "It was the coldest day anyone could remember, and butterflies froze and fell to earth. There was a shimmer of blue and white on the ground. I stood and wept, and even my tears were cold. I still have the marks from that day, though they have turned to freckles." The characters are rich and their psychologies come alive through different perspectives as each chapter is told in a different voice. And the voices are authentic as Rachel's life was well documented through her letters.

Reading this book was a rich experience. It made me feel like I was living the beau-

ty and color of this tropical world while learning and encountering the characters' personal trials couched in the culture and history of these times.

### Did You Know & How You Can Find Out

- That more Americans are diagnosed with kidney disease than with cancer?
- That the best treatment for kidney disease is diet, regular exercise and a good night's rest.
- There are more than 100,000 people waiting for a kidney transplant, and only 20,000 will receive one due to scarcity of kidney donors.
- That Dr. Shuvo Roy, at the University of California San Francisco, has been developing a small implantable bio-artificial kidney that requires no immune suppressants drugs? Check out The Kidney Project at <https://pharm.ucsf.edu/kidney>.
- That you can read more about kidney failure and kidney transplants in the following:

**Shift Your Fate: Life Changing Wisdom for Proactive Kidney Patients** by Risa Simon, 2012..

Previously, interim Chancellor Jolene Koester released a video stating the administration's position of systemwide need for austerity, using a metaphor that all should resort to continuing the magic that makes the CSU great, a point mocked as smoke and mirrors by the CFA rank and file.

Passions have also been exacerbated as a result of Governor Newsom having recently again vetoed the parental rights bill passed by both chambers of the legislature, the governor having stated that this is a collective bargaining measure.

It remains uncertain when or if both sides will decide to settle on any sort of compromise.

**Lost in Transplantation: Memoir of an Unconventional Organ Donor** by Eldonna Edwards, 2014.

**The Next Quarter: Scoring Against Kidney Disease** by Donald Jones, 2015.

### Welcome

If you are reading *The Reporter* online and are not a member, welcome. We'd like you to join - please consider it. See [www.csuerfsa.org](http://www.csuerfsa.org)

# ASCSU Report: New Chancellor But Same Issues

By Jerry Schutte, CSUN, Emeriti Academic Senator

This month's Academic Senate of the California State University (ASCSU) met November 2-3, 2023, in hybrid format with approximately half attending in Long Beach and the other half attending via Zoom. Chair Steffel was in Washington D.C., so the sessions were conducted by Vice Chair Elizabeth Boyd. The first hour of the first day was spent in what has been identified as "interruption time," elevating to a "committee of the whole" to reflect on civility during the September meetings.

The balance of the first day was populated with reports from the chair and standing committees, followed by visits from new CSU Chancellor Mildred Garcia. She spent time giving us her background in teaching at community college and state university, and her administrative positions as Provost, and President (CSU Fullerton), as well as her position heading the American Association of State Colleges and Universities (AASCU) before being appointed as CSU Chancellor. She is now in her second month and continues with her "listening tour." She emphasized her goal of facilitating student progress and advisement. Questions about legislative intrusion, budget consultation, and transfer protocols were asked. Board of Trustee Chair Fong and Faculty Trustee Yee-Melichar also met with the plenary remotely to discuss presidential selection progress, the direction of the board in budget/tuition issues, and shared governance.

Following the trustees, Dilcie Perez, Deputy Vice Chancellor of Academic Affairs, and Nathan Evens, Vice Chancellor of Academic and Student Affairs & Chief Academic Officer, presented on several issues of current impact, including the implementation of the community college single student pathway (CalGETC). A difference of opinion persists between the chancellor's office, who apparently desire to conform GE breadth requirements to the recently ratified CalGETC document (defining the single pathway transferring to the CSU or the UC), whereas the ASCSU and campus faculty want to keep them separate.

Jaishankar Raman, Executive Director, International Affairs, visited explaining

the structure of his office, how the application for international education abroad is accomplished, as well as the logistics of bringing students home in the event of international crisis. Leora Freedman, Vice Chancellor, Human Relations attended the plenary session, on Friday, elaborating on the new rules and regulations in her venue, particularly how the Cosen-O'Conner report and the passage of AB 808 are manifest in new policies and procedures of the CSU HR system. A significant discussion of the difference between "hate speech" vs "hate crime" evolved in addressing what can be reported to campus HR and what can't.

Several other reports were presented, including that of the California Faculty Association. President Charles Toombs discussed the vote, passed by 95% of faculty responding, calling for a strike if necessary concerning the impasse based on CFA's request for a 12% salary raise vs the Chancellor's Office offer of 5%. It was noted that the first opportunity for a strike would be the week after Thanksgiving. Therefore, it would not likely occur before the end of the year. As well, Jerald Schutte discussed the content of the October 24th meeting of CSU-ERFSA, including the status of AMBIA, membership, fees to join, legislation passed, and CalPERS negotiations. Finally, Genesis Galilea Pompa, CSSA Vice President of Systemwide Affairs, reported on the continuing efforts of, among other issues, the white paper on restoring Native American artifacts.

In addition to the guests and reports, five resolutions were introduced, debated, and passed.

- "On CSU GE and the Tenets of Shared Governance" stipulates that any change in CSU General Education, without a concurring resolution from the ASCSU, is at odds with the tenets of shared governance.
- "Necessity of Curriculum Review in Application of Cal-GETC Standards" argues that any course meeting CalGETC content standards shall be deemed to satisfy the corresponding subject area requirements, regardless of course title.

- "Request for Continued Covid-19

Mitigation on CSU Campuses" urges the systemwide office of risk management and risk management officers on each campus continue to focus on actively protecting the public health of the students, staff, and faculty to minimize the spread of SARS-Cov-2.

- "Call to Action to Advance Black Student Success and Elevate Black Excellence in the CSU" resolves that the ASCSU endorse the findings and recommendations articulated in the corresponding report.

- "Condemning Acts of Terrorism, War Crimes, Crimes Against Humanity, and Genocide Against all People, and Support for the CSU Community and Conversations" voiced opposition to the suffering of people in the Middle East, recognized that the CSU community is an intersecting diverse group of heritage communities, denounced disinformation, urged building spaces for good-faith articulation of informed analyses of the crisis, and urged campus senates and administration to develop policies against hate crimes.

## About 20% of Nursing Facilities Currently Meet Proposed Requirements

Eighty-one percent of nursing facilities would need to hire additional staff to comply with new nursing staff requirements that the Centers for Medicare and Medicaid Services (CMS) proposed in September 2023, according to a new analysis from KFF. Under the proposed rule, 19% of nursing facilities currently meet the minimum staff hours for registered nurses and nurse aides.

A smaller share of for-profit facilities would meet the proposed staffing requirements. Compared to 60% of non-profit and government facilities, 90% of for-profit facilities would need to hire additional nursing staff. Four in five for-profit facilities would need to hire nurse aides in particular, compared to about half of non-profit and government facilities. For more information, see

<https://tinyurl.com/bdh2mnr>

# The (In)Effectiveness of a Faculty Trustee

(Continued from page 1)

best interest of the state and its citizens.

Hence, many boards do not have any trustees at all who represent internal constituents. In this regard, the Board of Trustees of the California State University is somewhat unusual. According to the National Association of System Heads (NASH), which compared 25 boards of somewhat comparable university systems, a majority (21) do have student trustees. Yet, only in half of the cases (11) are they voting trustees. Faculty trustees are decidedly less common. Only five boards (20%) have non-voting faculty trustees, and merely in two institutions do they have voting rights (the CSU being one of them). That said, in many cases faculty representatives sit with governing boards, but they are not members (as in the case of the Board of Regents for the UC). In addition, the CSU also has an alumni trustee, which is even a greater rarity. The reason for that is that boards often recruit members from their alumni. On many of them – especially on those of private institutions – a significant group of trustees are alumni, sometimes even constituting the majority.

Now to the California State University specifically. It was my experience that the faculty trustee on the Board of the CSU is – regrettably – of limited effectiveness. That is not the case for the alumni trustee, who does not represent internal constituents and usually has left the institution many years or decades ago.

Interestingly, the student trustees command a significant influence. In the spirit of our mantra “ultimately, we are all here for the students,” their voice is usually respected and compassionately acknowledged. By contrast, faculty trustees are often met with skepticism. Can they really be neutral and be willing to strive for objectivity? Will they merely echo the voice of the faculty, which is already reflected in the report to the board by the Chair of the Academic Senate? Or worse, will they be spokespersons for the faculty labor union?

It takes a tremendous effort to convince the other trustees that the faculty trustee is willing to execute the charge from the Governor, which is to oversee the operations of the university system and to assure that actions are conducted and expenditures are made in the best interest of the citizens of the state. Given that the board meets only every other month, it takes a year or longer to gain the respect and trust of their fellow trustees – and in some cases, that might not happen at all.

Despite the inclusiveness of the CSU Board of Trustees, the limitations for “constituent trustees” are built in. The public trustees are appointed for renewable terms of eight years, which is a reasonable amount of time to gain a solid understanding of our large and complex system for those from outside of academia, who – in most cases – still pursue their full-time careers. Student trustees can only serve for one term of two years, which seems reasonable given the limited duration that

they spend in our institution. The two-year term of the faculty trustee, however, is renewable and currently, there is no term limit.

I had the privilege and honor to have served three terms, which is quite exceptional for a faculty trustee. As a “senior trustee” during my last term (in 2023, three-quarters of the board members were appointed after I was in 2017), I was increasingly able to have my voice acknowledged and at times even managed to gain support for my initiatives. I assume that exactly this was the reason why I was not appointed to a fourth term, despite a solid record on the board and exceptional references. The system works!

\* The author: Romey Sabalius, Professor of German at San José State University since 1995 and now Faculty Trustee Emeritus, served on the CSU Board of Trustees from September 2017 to June 2023. Prior to that, he was an elected member of the statewide Academic Senate CSU for 14 years. His educational passion is to promote and to increase international student exchanges and study-abroad programs. Being an eternal optimist, yet recognizing the practical realities, he established himself as a staunch advocate for robust state funding for the CSU’s massive deferred maintenance backlog and was the first CSU trustee who asked the legislature, ultimately successfully, for \$1 billion + for our deferred maintenance, gaining his nickname the “Billion Dollar Trustee,” a label he wears with pride.

## Long-Term Care Insurance Warning from the State Department of Insurance

A statement put out in August 2023 by the California Department of Insurance notes that the Department has received several complaints regarding misleading marketing and communications by some long-term care insurers and agents in connection with the work of the California Long-Term Care Insurance Task Force (Task Force). These communications falsely assert that a new payroll tax will be imposed in the near future, and that consumers should rush to buy long-term care insurance before the end of 2023. The Department stated that it condemns these tactics and will take all steps it deems appropriate to curtail these ploys, up to, and including, legal action. These tactics

are not only unfair to the insurers and agents who are acting honestly and ethically, they are also illegal.

The Department notes that:

- The Legislature has not created a public LTC insurance program.
- No payroll tax is being implemented at this time.
- There is no enactment date or deadline to buy LTC insurance before a state-imposed deadline.
- California law protects consumers from

misleading statements by insurers and agents.

- Any communication that states that a public LTC program will be enacted on January 1, 2024, or on any other specific date, is untrue and a presumed knowing violation of the law.

The task force was created at the behest of the legislature, and it has recommended that there be a public long-term care insurance program in California. However, the legislature has taken no action on the proposal, nor does your editor feel that action is likely in the near future.

**CALIFORNIA STATE UNIVERSITY  
EMERITUS AND RETIRED FACULTY  
AND STAFF ASSOCIATION**

**The Retirement Center  
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Northridge, CA 91330-8339**

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Have you moved? If so, please report your new address to the CSU-ERFSA office at the above address.



**California State University  
Emeritus & Retired Faculty and Staff Association**

**Personal and  
Professional**

**Harold Goldwhite** (Los Angeles) gave talks on "Space Fact and Space Fiction" at Monte Cedro retirement home in Altadena in August 2023; and on "Conquest of Pain: a Chemical History" at Villa Gardens retirement home in Pasadena in September 2023. Both were under the auspices of the Cal. State L.A. Lifelong Learning Retirement program directed by Peter Brier.

Professor Goldwhite is teaching a course on History of Chemistry in fall semester 2023 at Cal. State, Los Angeles; this is his 61st anniversary as an active faculty member on his campus.

**Brian H. Spitzberg**, Senate Distinguished Professor Emeritus of the School of Communication at SDSU, is the author of *Theorizing Mediated Information Distortion: the COVID-19 Infodemic and Beyond* (Routledge, September 2023). This book explores the phenomenon of distortion of information through media via the lens of the COVID-19 pandemic, and the ways in which relevant information distortion

and virality have occurred in regard to the disease and its risks. Positing that the interrelated processes of misinformation, disinformation, fake news and conspiracy theories are related forms of distortion of information through media (DIM) and can only be understood through a multilevel theoretical model that incorporates message-based, individual difference, social network-based, societal and geotechnical factors, Spitzberg develops an integrative and well-evidenced framework within which these issues can and should be addressed.

This book offers a model for further research across such disciplines as communication, journalism/media studies, political science, sociology, cognitive psy-

chology, social psychology, evolutionary psychology, public health, big data analytics, social network analytics, computational linguistics and geographic information sciences, and will interest researchers and students in those areas.

Brian H. Spitzberg, Senate Distinguished Professor Emeritus in the School of Communication at San Diego State University, is author or co-author of over 175 scholarly publications on communication competence, media and the dark side of communication, including meme and misinformation diffusion, assessment, interpersonal communication competence, jealousy, conflict, threats, coercion, violence, and stalking.

**CSU-ERFSA  
Calendar of Events**

CSU-ERFSA Winter Executive Committee meeting - via Zoom, January 2024. Open to all. For the exact date of both meetings, contact the CSU-ERFSA office.

CSU-ERFSA Spring State Council meeting, April 2024. Will be "hybrid," both in person and over Zoom.