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Health Benefits Report: Taking Control of Health Care Decisions

By David Wagner, CSU-ERFA Health Benefits Director

We are reaching the time of year when many of us have abandoned some or all of our New Year's resolutions. I knew giving up chocolate would only last a few days. In an effort to boost our battered collective self esteem I offer a substitute resolution which all of us can achieve. Let's take control of health care decisions!

Your wishes should be discussed with family and trusted advisors and you may desire to involve medical and legal professionals in explaining and assisting with completing the forms.

Advance Health Care Directive. It is important that every adult, regardless of age, have a current Advance Health Care

Directive. This document, also referred to as a living will, is provided for in the California Probate Code, Section 4701. In general, you have the right to provide instructions about your own health care and to appoint a health care "agent" who will have legal authority to make health care decisions in the event that you are incapacitated, or immediately upon appointment if you expressly grant such authority. The form for an Advance Health Care Directive is available from many attorneys and health care providers or at <http://goo.gl/uFDyBA>.

If you already have a directive it is a good

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CFA: Will the Faculty Go On Strike?

By Leni Cook, CSU-ERFA Liaison to CFA

As the CSU and CFA await the results of the final step in the fact-finding process, there seems to be no change in the stance of either party. The union has asked for an across the board 5% raise and a 2% step adjustment (SSI) for those eligible. CSU has offered a 2% raise with no step adjustment.

Both sides have submitted their arguments to the fact-finding process and, although there is no required timeline, a final report from the fact-finding committee should be released sometime in March. After that there will be a 10 day period before it is legal for CFA to take direct actions such as a strike.

An actual 23 campus five-day strike has been announced if there is no agreement

prior to April 13. The walkout will be held April 13-15 and 18-19. In preparation, CFA has announced agreements with other unions and organizations and stated its positions publicly including rallying at the board of trustees meetings.

Strike sanctions have now been granted in every region in which there is a CSU campus. Having a strike sanction means the union labor councils call on the union members in their jurisdictions to support striking workers and not to cross picket lines.

Over 30 state legislators have sent letters to the chancellor and made statements in support of CFA, but for now it is a waiting

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www.csuerfa.org
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2015-2016

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The Reporter welcomes submissions by members of CSU-ERFA or other appropriate individuals of advertisements for academically oriented materials or services, to be printed at the discretion of the editor. To contact the editor, email tanagno@calstatela.edu.

From the President...

Dear Colleagues,

The CSU-ERFA executive committee met on January 23, 2016. We had a lengthy agenda with a number of important items for consideration. However, in my usual autocratic way, I was able to push things through so that our members could get on the freeway or to LAX on time.

President's Report. I informed the group that I had been in contact with Garrett Ashley, CSU vice chancellor for university relations and advancement. Vice Chancellor Ashley, with the support of the chancellor, has agreed to serve as the liaison to CSU-ERFA. Previously, we had not had an official liaison to facilitate communication between the chancellor's office and our organization. The main topic of conversation was the desire of our group to work with him to expand our involvement in lobbying for the CSU in Sacramento and with our local legislators. I mentioned the proposed CSU Multi-Million Shoe Campaign, and he thought it could provide some excellent PR for the system.

I also shared information with the executive committee about the Michigan State University survey regarding the role of retiree organizations in higher education. They requested that I complete the survey, and that each of our campus affiliates do so as well. Don Cameron and I decided that instead of obligating the campuses to do so and sending a list of their names to MSU, we would send information to the campus affiliate presidents and let them decide whether or not they wanted to respond.

Campaign for College Opportunity.

The third major topic I mentioned in my report was the recent publication by the non-profit Campaign for College Opportunity titled, "Access Denied: Rising Selectivity at California Public Universities." The theme of the publication is that due to a lack of resources, the University of California, the CSU and the community colleges are turning away tens of thousands of qualified students. The top one-eighth are eligible for UC, the top one-third for the CSU, and all high school graduates can be admitted to the two-year institutions according to the 1960 California master plan. All three systems are forced to violate this mandate due to budgetary constraints. The CSU set another

record for applications this year when it received 830,000 for fall 2016. Our system is funded in the governor's budget proposal for a meager enrollment growth of one percent. The chancellor's office says at least three percent is needed. CSU-ERFA will lobby for an increase of \$102.3 million to enroll an additional 12,600 students. Though many qualified students will still be turned away, this is a step in the right direction.

Faculty Salaries. Another budgetary constraint is the lack of commensurate salary increases. CFA today announced plans for a strike on all 23 campuses in April if their 5% salary augmentation is not met. A further related financial issue is the lack of funds to train teachers. During the recession-era layoffs, 32,000 K-12 teachers lost their jobs. Though many have been rehired, there is a dramatic shortage of trained teachers. There are three bills in the legislature (SB 62, SB 915, and SB 933) designed to address this critical issue that particularly affects low income and rural districts. Since the CSU is by far the major provider of credentialed teachers, this is another critical component of our wholly inadequate state support. CSU-ERFA will lobby vigorously to remedy this financial crisis.

CSU Multi-Million Shoe Campaign.

The CEO of Soles4Souls, Mr. Buddy Teaster, came from their headquarters in Tennessee to meet with the executive committee. He spent almost an hour answering the myriad of questions about the organization that our leaders fired at him. His informative responses satisfied most of us. The committee decided to pilot the program at Dominguez Hills this spring and learn from that experience so that we can decide whether or not to expand it to the other twenty-two campuses next year. My colleague Sam Wiley has agreed to chair our campus group. We are in the process of creating a committee representing all constituent groups, including a representative from the local assemblyman's office, to plan and implement the shoe drive. I will update the state council during the meeting at San Jose in April on our progress.

"Faculty" vs. "Faculty and Staff" Discussion. The major continuing and highly controversial topic that was

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CFA protects faculty rights on retirement annuities

By George Diehr, CFA Liaison to CSU-ERFA, and Elizabeth Hoffman, CSULB

An attempted maneuver by CSU management to shift faculty retirement investments without their consent was thwarted recently due to the swift efforts of CFA leaders and staff.

In November 2015, the CSU chancellor's office sent out a letter informing Tax Sheltered Annuity 403(b) Plan participants that the CSU was "making important changes" to the program. Subsequent information ("CSU TSA Contribution Amount Changes Participant Letter") was sent out by email on January 25, 2016.

CFA President Jennifer Eagan worked with a group of faculty and staff to look into the issue. Some CSU faculty, both active and retired, were not aware of the immediately upcoming changes. Many of those who were aware indicated that they were upset about the changes.

CFA pursued its contractual right to a "meet and confer" with the CSU chancellor's office. That meeting was held February 2, 2016, with CFA represented by Representation Chair David Bradfield, Representation Specialist Omar Joseph, and George

Diehr, Mary Anwar, and Elizabeth Hoffman from CFA's Joint Committees on Health & Retirement and Retired Faculty.

As a result of this meet and confer, the chancellor's office has agreed to reinstate participants' control and choices over current 403(b) investments. For active employees, there will be changes, going forward, in investment choices for future contributions to 403(b) plans.

The chancellor's office has agreed to widely disseminate clear information about the revised policies and timelines and will ask employee unions, the CSU academic senate, and other groups such as the CSU-ERFA to help get the information out.

The chancellor's office has also agreed that it will consult with these groups early in the process when contemplating future policy changes.

"This is yet another reason why faculty rights and the collective bargaining process is so critical," said David Bradfield, CFA's representation chair and a professor at CSU Dominguez Hills.

Letter to the Editor

To the Editor:

Prior to retiring from Cal Poly Pomona last May 2015, I scheduled an appointment with my local Social Security office and was informed that I could expect to receive approximately \$2100 a month when I retired. I proceeded with my separation from the university and began receiving my CalPERS benefit and the expected Social Security benefit.

Everything was fine until November when I was asked by Social Security to disclose my government pension. I did send that in and then shortly thereafter was informed that my monthly benefit would be reduced to about \$500 a month, and I also now had a debt of about \$10,000 as an "overpayment."

Although a subsequent letter did not mention the overpayment, it did inform me that I would be receiving about \$500 a month since I was also receiving a pension. I immediately filed an appeal of this decision and, because my son is a lawyer, mailed it with a "return receipt requested."

I am delighted to report that my case was

reviewed and my full benefit was reinstated just this month, February 2016. They reversed their decision because "the last 60 months of employment on which your pension is based were covered under Social Security." I wanted to make this public in case any other retiring faculty members receive a similar notice of reduction in benefits. File your appeal, and keep on fighting it until it is favorably resolved.

Wendy E. Slatkin
Department of Art
Cal Poly Pomona
wslatkin@cpp.edu

CSU-ERFA Foundation Challenge Grant

The CSU-ERFA Charitable Foundation recently received a fifth \$500 challenge grant from a CSU-ERFA member. The donor will match all donations from individuals received by the foundation through June 30, 2016 up to a total of \$500.

We are pleased to report that several members made contributions between July 1 and December 31, 2015, and our previ-

ous challenge grant was fully matched.

The CSU-ERFA Charitable Foundation is a 501(c)(3) organization that provides competitive grants to CSU-ERFA members to support their research and scholarly activities. Donations in any amount from both CSU-ERFA members and the general public are welcomed.

Donations to the foundation generally are deductible from state and federal income taxes, and all donations are acknowledged in writing.

You may donate to the foundation by sending a check made out to the "CSU-ERFA Charitable Foundation" to CSU-ERFA, 18111 Nordhoff Street, Northridge, CA 91330-8339.

Alternately, members can choose to donate to the foundation monthly through a deduction from their CalPERS pension warrant. If you wish to contribute through a deduction from your CalPERS pension warrant, please download our donation agreement form, fill it out and return it to the foundation at the above address: <http://csuerfa.org/pdf/Donation-Agreement.pdf>

ASCSU Report: Report of the January 2016 Meeting

By Harold Goldwhite, CSU-ERFA Liaison to ASCSU, and Barry Pasternack, Emeriti and Retired Faculty Senator

Visitors to the Senate provided, as usual, useful input for Senate deliberations.

Executive Vice Chancellor for Academic and Student Affairs Loren Blanchard has a goal of visiting every CSU campus within the year. He noted that the topic of inclusivity has become a national concern. The chancellor's office has prepared and shared a new draft of an academic freedom statement. Complicating the issue, as was later emphasized by the CSU legal counsel, is that since academic freedom is mentioned in the preamble to our collective bargaining agreement, and alleged breaches of academic freedom fall under the grievance procedures of the agreement, the matter may have to be bargained. A group including chancellor's office staff, CFA representatives, and senate representatives may be set up to further discuss the issues.

A new associate vice chancellor for research will be appointed; the search is underway.

CSU student trustees Kelsey Brewer and Maggie White gave an overview of student concerns. The fiscal sustainability report puts an increasing burden on students through steadily increasing tuition. The CSU's deferred maintenance backlog is visible daily to students in classrooms and other facilities.

CFA representative Andy Merrifield updated the senate on the state of bargaining. The end of the fact-finding process is expected by early March. If no agreement is reached strike action may follow. Because any increase in faculty salaries is contractually linked to salaries of other represented employees, the cost of a 5% general salary increase for 2015-16 is around \$100 million.

Andrew Martinez, CSU senior legislative advocate, gave an instructive report on lobbying in both Sacramento and legislators' district offices.

Lori Redfearn, assistant vice chancellor, advancement services, reported that 2014-15 saw a record for philanthropy to the CSU with \$314 million raised. Alumni giv-

ing has increased. Her full report can be seen at <http://www.calstate.edu/philanthropic>.

Resolutions Passed. The senate passed the following resolutions:

AS-3237-15/FGA. CSU Acknowledgement of California Taxpayers as University Donors. This resolution encourages the CSU to find ways to acknowledge the role of taxpayers in funding the CSU.

AS-3238-15/AA. Role of California State University Faculty in the Evaluation of Courses for Transfer. This resolution affirms that campus curricula and the satisfactory completion of degree requirements are the purview of local campus faculty. It also encourages campus academic senates to develop policies or review existing policies for transfer of courses that ensure the primacy of faculty in establishing the criteria for, and evaluation of, the transferability of courses; ensure communication between articulation officers, academic advisors, department chairs and curricular and shared governance bodies; maintain a clear and transparent process to meet degree requirements; facilitate progress toward graduation; and allow for the re-evaluation of articulated courses by faculty.

AS-3239-15/FA. Inclusion of Non-Tenure Track Instructional Faculty in Faculty Orientation Programs. This resolution advocates for the inclusion of lecturers in faculty orientation days (including these days as part of compensated contractual time).

AS-3240-15/FA/FGA Request for Joint Task Force to Develop an Action Plan for Ongoing Tenure/Tenure Track Recruitment. This resolution thanks the board of trustees, chancellor, governor and legislature for recognizing the need to increase tenure/tenure-density in the CSU and for providing in the 2015-16 budget, baseline funding specifically targeted for the hire of tenure-track faculty. The resolution further calls upon the chancellor, working with the ASCSU, to establish a joint task force for the purpose of develop-

ing a multi-year plan to increase tenure/tenure-track density in the CSU, while maintaining or reducing the student to faculty ratio. It also asks that the California Faculty Association be invited to have members serve on the Task Force.

AS-3242-16/EX. Acceptance of the ICAS Statement on Preparation in Natural Science Expected of Entering Freshman. The intersegmental committee of academic senates (made up of the executive committees of the statewide academic senates of the UC, CSU and CCC) creates competency statements as a means to advise high school students and their families about what kind of intellectual preparation is necessary for success in California higher education. ICAS competency statements are available at: <http://icas-ca.org/competencies>.

AS-3243-16/FGA. Commendation for Karen Y. Zamarripa, Assistant Vice Chancellor, CSU Advocacy and State Relations. This resolution commends Zamarripa for her advocacy efforts on behalf of the CSU during her 25 years with the system.

AS-3247-16/FA. Restoring Research, Scholarship, and Creative Activities (RSCA) Funds as a Line Item in the CSU Operations Budget. This resolution urges the chancellor's office to restore RSCA funds as a permanent line item in the CSU operations budget.

First reading resolutions distributed to campuses for possible action in March 2016 included the following:

AS-3241-16/APEP. Need for Analysis of the Data Related to Changing Demographics of California State University. This resolution calls for a task force to examine and analyze the existing student demographic data and determine the implications for students' abilities to meet curricular demands.

AS-3244-16/APEP. Support for Four Years of Mathematics as a

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CSU-ERFA Foundation Funds Five Research Grants

The CSU-ERFA grant committee, composed of Professors Sally Hurtado de Lopez (SO), Judith Hunt (SO), Beatrice Pressley (EB), and Marshelle Thobaben (HU), recommended that five of the eight applications received in the current grant cycle be funded. The CSU-ERFA executive committee concurred with the recommendation, as per the bylaws, and the following were awarded a total of \$5,000, the amount available this year:

Prof. Mary B. White, formerly the head of the SJSU School of Art and Design Glass Program from 1985 to 2005, was awarded \$1,250 for the project "Documentation of California Glass History, 1950 to 2015." The project involves the documentation of glass art history through digital and print media. The end result will be the creation of a permanent web site where information concerning the history of glass art in California and other glass art information will be accessible to interested parties.

Prof. Laurence D. Houlgate of Cal Poly San Luis Obispo was awarded \$1,150 for a project entitled "Philosophy, Family, and Law: A New Introduction to Legal Philosophy." The grant will fund editing, proofreading, and design of an ebook publication for law students focusing on the philosophical problems of family law. With current law books based on traditional nuclear family ideals, the new book will correct this omission with a new introduction including the relationship between law and morality, the correct theory of constitutional interpretation, the moral limits of legal intervention, theories of punishment, and tort liability.

The third grant award was awarded to Prof. David R. Stronck of CSU East Bay, who received \$1,000 for "Measuring, Monitoring, and Analyzing the Growth of Trees in Reforesting 10,000 Acres of Southern Alameda County." The background for the project is that students at CSU East Bay have been planting trees on local undeveloped land. The project will collect data regarding the growth of the trees, including analyzing the tree growth under different circumstances, such as planting in a hole with or without compost, with or without protective fencing around the holes. The data will help to determine the success or failure of planting under various conditions. Tree growth will again be measured after one year. The project has also received \$70,000 from CSU East Bay's program on excellence and innovation in learning.

Prof. David R. Maciel of CSU Dominguez Hills received \$1,100 for "Tin Tan-Mexico's Early Post Modern Cross-cultural Icon." The project addresses Mexico's icon, German Valdes, Tin Tan, during Mexico's cinema in the golden age era (late 1930s to early 1960s). Tin Tan is one of the greatest comedians and entertainers internationally known in the Spanish-speaking world. Tin Tan portrays the Pachuco, but has been referenced only by his attire (zoot-suit) and the Spanglish mixture of Spanish, English and Calo employed by him. However, one dimension of his talent has been much overlooked, his contribution to understanding the Mexican American/Chicano culture. Tin Tan exemplified Pachuquismo as a form of cultural rebellion and as a manifestation of person-

al identity and dignity. Moreover, he served as an interpreter of Chicano culture and society in the time where most intellectuals, writers and, in general, Mexican public opinion had a stereotyped and negative view of Mexican Americans in the United States. This research will explore in detail the context that led Tin Tan to embrace and popularize Chicano culture and how through Tin Tan's body of work, he managed to transmit to audiences, critics, and to the general public the relevance of the culture of the Pachuco in understanding the Chicano experience.

Prof. Herbert Arthur DeKleine of Cal Poly San Luis Obispo received the fifth award, \$500 for "Techniques for the Clonal Propagation of Hardwood Trees." The study will investigate the clonal propagation of hardwood trees (walnuts, chestnuts, and other hard to root deciduous trees) using rooted cuttings. Encouraging hardwood trees to grow advantageous roots has been a challenge for nursery growers. Getting a high enough percent of cuttings to root, so as to make the process commercially feasible, has not been obtained. More effective techniques for the promotion of clonal propagation can be obtained by looking at the critical conditions needed for rooting. The study will investigate the importance of Auxin treatment, maturity of the cutting, bud development, growing temperatures, available light, and soil characteristics in the propagation process. The Cal Poly College of Agriculture, Horticulture and Crop Science Department and the greenhouse facilities will be used for conducting experiments in search of more effective propagation techniques and procedures.

The California Senior Legislature

The California Senior Legislature (CSL) has just celebrated 35 years of writing legislation impacting the expanding aging population in California.

While we continue to celebrate our legislative successes, we also want to inform the public about our work and also makes sure they are aware of how we are financially supported. We are funded primarily through the voluntary contribution program on the California State Income Tax Return, Form 540 – identified as the California Senior Legislature Fund, Code 427.

The voluntary contribution program enables a taxpayer to make a contribution to specific charitable funds by designating amounts of \$1 or more on his/her state tax return. This election can be made on Form 540 on side 4 of the tax return or on Form

540EZ using side 3.

The organizations that participate in the voluntary contribution program represent a wide variety of charitable funds involving the support of seniors, memorial funds, medical research, animal causes, emergency funds, housing, ecology and schools. For all of these organizations contributions made under the voluntary contribution program are an important source of revenue for the year.

The California Senior Legislature Fund is no exception and has solely relied on these contributions over the years. The contributions have enabled them to submit over 200 proposals that have

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Legislative Report: Pension Initiatives in the Future

By Alan Wade, CSU Sacramento, CSU-ERFA Legislative Director

The lead article in the November *Reporter* carried the headline “They’re At It Again.” We warned about two new statewide initiative proposals from Mr. Reed and Mr. DeMaio: the “Voter Empowerment Act of 2016” and its companion, the “Government Pension Cap Act of 2016.”

Soon after the release of the Attorney General’s title and summary for each proposal, the authors – somewhat as expected – decided not to advance either measure at this time. It became clear by December that the authors were not receiving the political and big money fiscal support needed to fund such ambitious proposals in the teeth of fierce and well-funded union, retiree, and public employee opposition.

Californians for Retirement Security (CRS), largely public-employee union funded, was prepared to spend upwards of \$20 million to defeat either or both measures. Fortunately, that money can be saved for the inevitable future battles.

Reed and DeMaio say they may try again in November of 2018, a non-presidential year, when the turnout will be lower and chances of outside funding and passage better.

Justice Scalia’s death complicates Reed-

DeMaio’s plan to wait until 2020 to re-introduce their initiatives. An Obama appointment, if confirmed, would alter the liberal-conservative balance on the Supreme Court and might well nullify their plan to wait until union political activity is set back by the union fee case. If the court remains at 4-4, the previous decision of the Appellate Court would prevail, and the hope for crippling the unions would most likely be gone for the foreseeable future.

Even without Reed and DeMaio’s pet project, voters will still have plenty of ballot initiatives to keep them busy in November. A whopping total of 68 were cleared for circulation. Thirty failed to qualify. Four are eligible thus far, several are circulating, and 12 are currently awaiting AG title and summary. 365,880 valid signatures are required for statutory initiatives, and 585,407 for constitutional amendments to reach the ballot. (The requirements are lower this year because of low voter turnout in the last election.)

Several may be quite juicy and controversial, but fortunately – for now – we won’t have to be joining a big November fight to preserve our retirement benefits. CSU-ERFA has donated \$4,800 in each of the last two budget years to our larger and more inclusive partner organization, the

Retired Public Employees Association (RPEA). This modest but still significant contribution goes to the RPEA Independent Expenditures Committee, where it is used to support political activities (but not legislative candidates). I serve as CSU-ERFA’s representative to the RPEA Legislative Committee.

A *Sacramento Bee* report (February 6, 2016) on end-of-session campaign contributions to state legislators listed the California Faculty Association as among the biggest donors – a total of \$58,000, in fourth place – just behind two Indian Tribes and the State Building and Construction Trades Council. Higher education in California needs a lot of help; perhaps we should think about a closer liaison with CFA and other entities interested in higher education development and reform.

What is SCORE? I’ve mentioned SCORE in several recent articles. SCORE is a rather unstructured “organization” of California public retirees that meets regularly to discuss and plan member action regarding post-retirement issues, mostly “pensions” and health benefits. Organizations attending are CRA (California Retirees Association), CAHP (Highway Patrol retirees), CDF (Cal-Fire retirees); CSEA (California School Employees Association); CSU-ERFA; RPEA (Retired Public Employees Association), and recently, PORAC (Peace Officers Research Association). We meet for an hour or two about once a month, usually on days when the CalPERS board is meeting, a convenient time for out of town representatives. I send reports when appropriate through our legislative committee. We meet in the CalPERS headquarters. CalPERS outreach staff are also in attendance.

ASCSU Report: The January 2016 Meeting

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Requirement for Admission to the California State University. The CSU currently requires three years of high school math for admission to the CSU. This resolution calls for the CSU to require a fourth year of high school mathematics/quantitative reasoning as a requirement for admission to the CSU. It also calls for a mathematics/quantitative course to be completed as part of the senior (final) year of high school.

AS-3245-16/AA. Selection of Faculty to Serve on Campus Honorary Degree Committees. This resolution reasserts that faculty representatives serving on campus honorary degree committees should be selected by faculty.

AS-3246-16/EX. Promoting Inclusion Within the CSU Community. This resolution affirms the ASCSU’s commitment to promoting an inclusive CSU community, acknowledges the negative consequences of workplace bullying, and urges the chancellor, campus presidents, provosts and vice presidents of academic affairs to continue to expand policies and explore strategies that promote inclusive workplace environments.

The full text of resolutions approved by the ASCSU is available at <http://goo.gl/YUeC3Z>. (The authors thank Senator Catherine Nelson, Sonoma State University, for preparing a helpful digest of senate resolutions.)

CSU-ERFA New Members

East Bay – Nancy S. Harrison

Northridge – Dianne L. Philibosian

Sonoma – Rick Luttman

Health Benefits: Taking Control of Health Care Decisions

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practice to review it at least once a year. If you have named a health care agent be sure that person knows you have appointed them and remains willing and able to carry out your wishes.

Physician Orders for Life-Sustaining Treatment. Physician Orders for Life Sustaining Treatment (POLST) became a legally recognized document in California in 2009. It is often a complement to an Advance Health Care Directive and is typically used by those of any age with serious or chronic conditions. The POLST is “signed by patients and a medical professional” and “directs emergency responders and others how to handle treatment” (Sacramento Bee, February 2, 2016). The form stays with the person and should be displayed where medical responders will see it. Forms are available at <http://goo.gl/GJOD3I>.

End of Life Option Act. In October, 2015, ABX2-15, the “End of Life Option Act,” became law. This law is also referred to as the Physician Assisted Suicide statute. The California Medical Association (CMA) explains that the key tenet of this legislation is that terminally ill adult patients with capacity to make medical decisions may be prescribed an aid-in-dying medication if certain conditions are met. The CMA notes that a “request for a prescription cannot be made on behalf of a patient through an agent under a power of attorney, an advance healthcare directive, a conservator or any other person.” Therefore, an agent identified in an Advance Health Care Directive cannot make this request on your behalf and there is no reason to change your

directive because of this law.

Drug Pricing. In December 2015, a CalPERS staff report noted that CalPERS drug costs rose 7.5 per cent in 2014. Some of the increase was due to pricing of new drugs, but the cost of existing drugs continued to rise. Drug expenditures are one of the fastest growing components of increasing health care costs.

The spotlight in the Democratic Party primary contests, when not focusing on who is the most electable progressively “progressive,” occasionally shines on the issue of the high price of pharmaceutical drugs. Congressional hearings in early February, 2016, focused on two drug companies, Valeant and Turing, who raised prices dramatically in 2015 for certain existing specialty drugs. The *Sacramento Bee*, February 5, 2016, reported excerpts from the House panel noting that these companies “have made a habit of buying and then hiking prices for low-cost drugs given to patients with life threatening conditions such as heart disease, AIDS, and cancer.”

While these companies were the center of the House inquiry, other companies have increased pricing for existing drugs to very high rates. A study by Rosenberg and Rosenberg of brand-named prescription dermatological drugs’ pricing from 2009 to 2015 revealed mean price increases over 400 percent. They concluded in the article’s abstract that the “percent increases for multiple, frequently prescribed medications greatly outpaced inflation, national health expenditure growth, and increases in reimbursements for physician services” (JAMA Dermatol. Published online November 25, 2015. doi:10.1001/jamadermatol.2015.3897).

The release of new competing drugs does not necessarily lower prices. *Bloomberg Businessweek* (June 8, 2014) notes that “manufacturers tend to match one another’s increases.” Why are prices so high? Bloomberg Businessweek concludes: “the American health-care finance system allows companies to charge more or less what they choose.”

The November 2015 *Reporter* noted that signatures were being gathered for a ballot initiative for drugs purchased by the State of California. The initiative has qualified for the November 2016 ballot. The California Drug Price Relief Initiative would “regulate drug prices by requiring state agencies to pay the same prices the U.S. Department of Veterans Affairs pays for prescription drugs.” Go to <https://goo.gl/6Co4WQ> for additional ballot information.

CalPERS Long-Term Care Litigation. Arguments were heard in Los Angeles on November 23, 2015 on certifying a class of plaintiffs in the legal action against CalPERS’ long-term care program. Plaintiffs’ attorneys reported that the Judge issued a tentative ruling granting class standing before the hearing. Final arguments have been made and briefs filed on the judge’s tentative ruling. On February 5, 2016 the judge issued a final decision on this motion granting class status to the individuals who purchased plans. Class members will be notified by mail of the court’s decision and provided an opportunity to remove themselves from the lawsuit. For an explanation of the lawsuit and status updates please go to the plaintiffs attorneys’ site at <http://goo.gl/FWO7DI>.

CFA: Faculty on Strike?

(Continued from page 1)

game. Local campuses and the state officers are actively preparing and presenting their position under the banner of “The Fight for Five.”

For up to date information on the possibility of work actions and other CFA news, see the CFA web site, <http://www.calfac.org>

CSU-ERFA State Council to Meet April 23 at SJSU

The CSU-ERFA state council will meet at San Jose State University on Saturday, April 23, 2016, at 10 a.m.

Reservations at the host hotel, the San Jose Marriott, should be made by April 1 to obtain the group rate. On the agenda are reports on current developments in health benefits, retirement, state legislation, and whether CSU-ERFA membership should be open to staff members on campuses.

The president, vice president, and executive director of CSU-ERFA will meet with the presidents of the retiree organizations from the 10 northern California campuses on Friday afternoon, the day before the meeting.

Those planning to attend should notify the CSU-ERFA office by April 12. CSU-ERFA covers the expenses for one delegate from each campus.

Retiree Health Benefit Funding in California

By John Kilgour, Professor Emeritus, CSU East Bay

California adopted health care benefits for state employees and retirees in 1961. They were and are funded on a pay-as-you-go basis. Medical claims are paid as they occurred from the general fund.

The Governmental Accounting Standards Board (GASB) promulgates accounting and reporting standards (statements) for state and local governments. These standards are incorporated into the “generally accepted accounting practices” (GAAP) that states require to be used in their accounting and auditing.

In 2004, GASB adopted Statements 43 and 45 pertaining to “other postemployment benefits (OPEB). OPEBs are mainly health and related benefits. GASB 43 applied to trusts and GASB 45 to employers (governments). GASB 45 requires that “unfunded accrued actuarial liabilities” (UAAL) be amortized over a maximum of 30 years. That amounts to a 30-year full funding requirement. GASB issues accounting and reporting requirements, not funding requirements. Employers may continue to operate on a pay-as-you-go basis or on a partially prefunded basis.

GASB 45 also addressed the assumed discount rate that a sponsor must use. The discount rate is the interest rate that is used to convert future health care (and pension) obligations to present value. It is like the interest rate on a mortgage running backwards. The present value of future obligations drives the “annual required contribution” (ARC). That’s how much money that is supposed to be contributed to the plan to cover its “normal cost” (benefit costs and administrative expenses) and a portion of the UAAL for the plan year. The higher the discount rate, the smaller the ARC and vice versa.

GASB 45 requires the use of a split discount rate. For those liabilities backed by assets, the sponsor may use a discount rate based on its assumed rate of return on invested assets. CalPERS currently uses 7.5%. For those liabilities not backed by assets, the sponsor must use a discount rate based on its short term borrowing costs, say 4%. If the retiree health care plan is partially funded, a proportional “blended” rate is used. Retiree health care benefits for California state and CSU

employees are totally unfunded. Thus they must use the lower rate.

In 2007, the state established the California Employers Retiree Benefit Trust (CERBT) Fund and encouraged local governments to use it to prefund their retiree health benefits. To date, 450 local public employers have contributed a total of \$4.4 billion. The state has not contributed. Former State Controller John Chiang issued his first report on retiree health benefit funding in 2007 and found that the UAAL amounted to \$47.8 billion. As of June 30, 2014 the present value of the promised retiree health benefits over the next 30 years came to \$71.8 billion. That is up from \$64.6 billion a year earlier.

In his 2015-2016 budget proposal, Governor Jerry Brown proposed that employees pay for half of the future normal cost of retiree health care benefits. The government would pay the other half. This idea had been part of Brown’s 12-point plan that led to CalPERS pension reform in 2012 (AB 340). However, it was dropped when the unions indicated a willingness to bargain on the subject. The 2015 proposal is to be implemented through collective bargaining, not legislation. It would require state and CSU employees hired after 2015 to contribute 3% of earnings to pay for retiree health benefits. If implemented as proposed, the UAAL would be eliminated by about 2046. If nothing is done, the UAAL would be over \$300 billion by then.

Another part of the proposal concerns the eligibility for retiree health benefits, presently at 50% coverage after 10 years of service, increasing by 5% per year until it reaches 100% after 20 years. The 10 years would change to 15 and the 20 to 25 years.

The governor’s proposal also calls for CalPERS to establish a low-cost / high-

deductible retiree health benefit option. Presumably, employees would make this decision early in their careers. This could lead to “adverse selection,” underinsuring and increased costs in other plans.

Since the early 1990s, the state has paid 80% or 85% of the cost of health benefits for active employees and 80% for their dependents, the 80/80 formula. When they

The 2015 proposal is to be implemented through collective bargaining, not legislation. It would require state and CSU employees hired after 2015 to contribute 3% of earnings to pay for retiree health benefits.

retire, the formula reverts to 100% for the retiree and 90% for dependent coverage. Governor Brown wants to end this anomaly by returning the retiree rate to 80/80. Not addressed is the fact that active CSU employees remain on the 100/90 formula. New CSU employees would likely go to 80/80

too. It is unclear whether CSU retirees would shift to the 80/80 plan. Probably.

In March 2015, the nonpartisan legislative analyst’s office (LAO) reviewed the governor’s proposal and recommended that the legislature hold hearings on it even though it calls for minimal legislative action. The LAO pointed out that it may not make sense to develop and implement an elaborate prefunding mechanism to support a retiree health care system that may no longer be needed. A lot has changed since 1961 when the current arrangement was adopted. Medicare was enacted in 1965 and the Affordable Care Act (Obamacare), with its cost controls, guaranteed issue, marketplaces and subsidies, in 2010.

Thus far, the legislature has taken no action. However, Governor Brown’s 2016-17 budget proposal (released 1/7/16) states that the administration remains focused on eliminating the \$72 billion unfunded retiree health care liability by prefunding through collective bargaining.

Relax. It is unlikely that this will affect those of us already retired any time soon, if ever.

Pre- & Post Retirement: A Look Around Beyond the 6.5%

By Tom Donahue, Chair, Pre- and Post-Retirement Concerns Committee

Q. Why do you suppose the governor was eager to have CalPERS lower its rate of expected investment return for the future?

A. You refer to the fact that in recent negotiations Governor Brown felt that within five years a return of 6.5% was more appropriate than the former rate of 7.75%, lowered last year to 7.5%.

As John Myers reported in the *Los Angeles Times* last November 20, the governor wants to stabilize and augment the funds in CalPERS. After a period of disappointing investment returns, Brown's purpose with this new figure is to raise taxpayer contributions in order to lower the CalPERS balance required to fully fund all present and future pensions, a debt which is presently estimated at \$117 billion dollars over the system's current holdings.

During this year, and perhaps for the remainder of the governor's term, state budget funds to reduce this balance should be available, if not in future years beyond 2018.

The good news about this change in investment expectations is that the present governor intends to manage government debt in a constructive way that allows more hands-on control. One need only look around to see that governors of other states – New Jersey and Illinois, for example – have in the past put into prac-

tice a nihilistic hands off policy that involved omitting state support of pension funds entirely.

But there is a worrisome new issue, an emerging political and social instability that asks us to recall our youth and those classes in early sociology that emphasized Durkheim's concept of anomie and interrupted solidarity. You will recall that anomie occurs when past social organization is disrupted through failing traditions and a failing economy, and former values are dislodged or suspended in cultural attitudes of resentment, disrespect, and extraordinary pugnacity. Anomie thus is both a condition and a process that revolves around a transition stage in which there is a substitute normlessness, and it can ultimately result in values that are damaging to groups and persons alike.

Let's cut to the chase. The tone of current politics is being set through discourse on the national level. If you are wondering where the extreme demagogic values in the current presidential campaigns are leading, here are the likely results: deep conservatism holds that present social safety nets be removed, with no health care, social security, or pension supports of any kind. A lesser, more reactive conservatism reduces health care and social security support, and of course undermines government pensions as well. In the case of the candidacy of Donald Trump and the large number of persons of both political parties following his views and

his manner, promised policy changes emerge at random from his appeal to a disaffected blue collar base, and this is the exemplar of unpredictable change deriving from interrupted solidarity. Governor Brown's management practices may serve us well, but it can give a person shudders as to what we might expect concerning social safety nets on the national and the state levels from the political climate and the leadership after that.

If you have questions for future columns, please write Tom Donahue at donahue_thomas@ymail.com.

CSU-ERFA Letter Urges More CSU Resources

At the urging of the CSU-ERFA executive committee, President Bill Blischke has written to Governor Jerry Brown urging more resources for the CSU.

The letter points to the substantial budget cuts over the last decade or more and their implications: too many students turned away from all three systems of higher education in California, too much student debt, and a substantial shift in the burden of public education from the state to the individual students in the form of higher tuition.

The letter points out that the governor's budget proposal and even the higher three percent augmentation requested by the board of trustees will not eliminate the gap. A shortage of credentialed teachers makes it even more imperative that the budget gap be further closed.

Blischke notes the cuts that have severely impacted the CSU already: an increase in the numbers of part-time faculty, failure to hire adequate numbers of tenure track faculty, the inability to grant faculty appropriate pay raises, increased deferred maintenance, and administrative and faculty slots unable to be filled.

The letter concludes by urging new budget sources to assist higher education.

CA Senior Legislature

(Continued from page 5)

been signed into law, improving the lives of all aging Californians. Examples include SB40, which deals with the reporting of physical abuse, SB33 and 1018, which mandated the reporting of financial exploitation by financial institutions, and SB1047, the Silver Alert Program, which uses the existing Amber Alert network when seniors suffering from dementia are reported missing.

Your support of the California Senior Legislature Fund through your donation to Code 427 on the Voluntary Contribution section of the Form 540 will continue the invaluable work of the CSL.

In Memoriam

East Bay – Suzanne Fry
Ned Chapin

Long Beach – Lester B. Brown
John "Russell" Lindquist

Northridge - Frank McGinnis

San Jose – Ruth Roche
Donna Gustafson
Barbara D. Lopossa
Helen S. Merrick

Sonoma – Carolyn Saarni
John Palmer

A Retired Faculty Member on CSU's Board of Trustees?

By Harold Goldwhite and Barry Pasternack

The oversight of the CSU rests with the board of trustees.

According to the CSU website "...there are 25 trustees (24 voting, one non-voting). Five trustees are ex officio members: the governor, lieutenant governor, speaker of the assembly, state superintendent of public instruction, and the chancellor. The CSU statewide alumni council appoints an alumni trustee. The governor appoints a faculty trustee from nominees proposed by the statewide academic senate. The alumni and faculty trustees serve for two years. The governor appoints two student trustees from nominees proposed by the California state student association. These student trustees serve staggered two-year terms. One student trustee has full voting powers; the second, non-voting student trustee succeeds to the voting position upon the expiration of the term of the first. The sixteen remaining trustees are appointed by the governor, confirmed by the state senate, and serve eight year terms." (see <http://www.calstate.edu/bot/overview.shtml>)

It is worth noting that while the law specifies "sixteen remaining trustees," at present there are only eleven individuals serving. Also worth noting is that while there are two student trustees and an alumni trustee, there is only one faculty trustee.

In 2011 the academic senate of the California State University (ASCSU) unanimously passed AS-3017-11/EX which, in part, stated "RESOLVED: That the academic senate of the California State University (ASCSU) request that the CSU board of trustees recommend to the governor the addition of a second faculty trustee to the Board with a term of appointment staggered with that of the current faculty trustee." Part of the rationale for this resolution was that the ASCSU felt that with over 20,000 faculty in the system, the board could benefit from having more than one faculty perspective at their meetings.

The response to this resolution from the chancellor's office was "At this point in time, the CSU does not support the addition of a second faculty trustee to the board of trustees. The board

make-up is effective as it is currently populated." Given the rocky relationship that the faculty had with Chancellor Reed, this response was probably not a surprise to most members of the ASCSU.

With Chancellor White succeeding Chancellor Reed in 2013, the ASCSU was hopeful that a new relationship could be formed between the ASCSU and the chancellor's office. Things looked up when the chancellor's office supported AS-3153-13/FGA/FA. This resolution called for the faculty trustee to be able to remain in office for up to two additional years if the governor fails to appoint a new faculty trustee (a situation faced a few years earlier, when then Governor Schwarzenegger refused to appoint either of the two faculty members recommended by the ASCSU).

With the CSU's support, in 2014 Assemblymember Das Williams introduced AB 2324 which was signed into law by Governor Brown (see <http://goo.gl/I3pSSD>). While this law addressed having at least one faculty trustee, it did not address the issue of having more than one such trustee.

In November, 2015 the faculty affairs committee of the ASCSU (a committee whose meetings both of the authors attend) proposed the resolution "Addition of a Retired Faculty Member to the CSU Board of Trustees" (see <http://goo.gl/jMmDRq>). This resolution, which was approved by the ASCSU without dissent, called on the chancellor's office to join with the ASCSU to support amending the Education Code so that a retired faculty member would serve as a voting trustee on the board. This resolution was also supported by CSU-ERFA leadership.

Those who attended the CSU-ERFA state council meeting in October 2015, may recall that Chancellor White was asked his views on adding a retired faculty member to the board. While he did not express a position, his response was that he felt that it is important that board have sufficient institutional memory and that this may be lacking in the current board makeup. This is understandable, given that the current board has only eleven (out of a possible sixteen) politically appointed trustees and, of the eleven, while one is an emeritus administrator from CSU Fullerton appointed in 2015, six never worked or studied in the CSU. Of the entire board, only three were appointed prior to 2010.

We were therefore both surprised and extremely disappointed by the formal CSU response to ASCSU resolution which stated "The makeup of the California board of trustees is established through legislation and is rarely changed. The CSU is content with the current composition of the board of trustees and believes it is working effectively." This appears to be a not very carefully edited rewrite of the response the ASCSU received in 2011.

The CSU ERFA executive committee has sent a letter to the chancellor concerning his response and is discussing the next steps. It appears that this will require political support from outside the CSU.

From the President

(Continued from page 2)

discussed under "New Business" concerned expanding CSU-ERFA membership to staff. A number of campus affiliates do so, while others limit membership to emeritus faculty and/or to retired faculty irrespective of emeritus status. A change of this type would require a revision of our by-laws. We decided to address the topic at our next state council meeting.

I really enjoy the challenge of working with this incredible leadership group and look forward to continuing to do so. Please feel free to email me regarding the issues highlighted above or any other issues you think we should be addressing.

Bill Blischke
President, CSU-ERFA

Health Declines When Older Adults Stop Driving

For older adults, driving a car is an important aspect of having control over one's life. While 81 percent of the 29.5 million U.S. adults aged 65 and over continue to hold a license and get behind the wheel, age-related declines in cognition and physical function make driving more difficult, and many seniors reduce or eventually stop driving altogether.

Researchers at Columbia University's Mailman School of Public Health examined the health and well-being of older adults after they stopped driving and found that their health worsened in a variety of ways. In particular, driving cessation nearly doubled the risk of depressive symptoms, while also contributing to diminished cognitive abilities and physical functioning. Findings are published online in the *Journal of the American Geriatrics Society*.

"For many older adults, driving is more than a privilege; it is instrumental to their daily living and is a strong indicator of self-control, personal freedom, and independence," said Guohua Li, professor of epidemiology, the founding director of the Center for Injury Epidemiology and Prevention at Columbia, and senior author. "Unfortunately, it is almost inevitable to face the decision to stop driving during the process of aging as cognitive and physical functions continue to decline."

Dr. Li and a team of researchers reviewed and analyzed quantitative health-related data for drivers aged 55 and older from 16 studies that met eligibility criteria and compared results with

data from current drivers. Data showed that older adults experienced faster declines in cognitive function and physical health after stopping driving. Driving cessation was also associated with a 51-percent reduction in the size of social networks of friends and relatives - something the researchers say can constrain the social lives of seniors and their ability to engage with others. Decline in social health after driving cessation appeared greater in women than in men.

Former drivers were also nearly five times as likely as current drivers to be admitted to a nursing home, assisted living community, or retirement home, after adjusting for marital status or co-residence.

"As older ex-drivers begin substituting outside activities with indoor activities around the home, these activities may not be as beneficial to physical functioning as working or volunteering on the outside," said Thelma Mielenz, PhD, assistant professor of epidemiology at the Mailman School and co-author. "When time comes to stop driving, it is important to make personalized plans to maintain mobility and social functions."

The researchers note that merely making alternative transportation available to older adults does not necessarily offset the adverse health effects of driving cessation. "What we need most of all are effective programs that can ensure and prolong an older adult's mobility, physical, and social functioning," said Li.

Financial Literacy of American Adults Bleak

According to studies by University of Pennsylvania Wharton professor Olivia S. Mitchell, executive director of the Pension Research Council, and Annamaria Lusardi, professor at the George Washington University School of Business, the extent of financial literacy among adults over fifty is "pretty bleak." Mitchell was quoted in *Knowledge at Wharton* in early 2015 as stating that "when we first started this line of research back in 2004, we thought this was so simple, everyone would know [these things]."

Three simple questions were used to measure the extent of basic financial knowledge. The three questions were:

Question 1: "Suppose you had \$100 in a savings account and the interest rate was 2% per year. After five years, how much do you think you would have in the account if you left the money to grow?"

- A) More than \$102.
- B) Exactly \$102.
- C) Less than \$102.
- D) Do not know/Refuse to answer."

Question 2: "Imagine that the interest rate on your savings account was 1% per year and inflation was 2% per year. After one year, how much would you be able to buy with the money in this account?"

- A) More than today.
- B) Exactly the same.
- C) Less than today.
- D) Do not know/Refuse to answer."

Question 3: "Please tell me whether this statement is true or false: Buying a single company's stock usually provides a safer return than a stock mutual fund."

(Answers on the next page.)

What Mitchell and Lusardi found was that only half of all adults over 50 years old in the United States could answer the first two questions correctly, and that only one-third answered all three questions correctly.

The results were similar when the survey was given to a sample representing all Americans. Mitchell and Lusardi said that similar results held in western European

nations and markedly worse results in Russia and Romania.

Those with more education did better, with 44% of Americans with college degrees getting all three questions correct. However, only 13% of those with less than a high school diploma did the same. Among those with post-graduate degrees, just fewer than two-thirds got all three questions right (64%).

The researchers were particularly concerned that people who don't understand the principles underlying the questions will not be able to invest in the best way for their retirements.

The surveys from other nations found that men tend to be more financially literate than women. Studies also found that women are more likely to recognize their lack of knowledge and be open to learning. Men were confident of their knowledge even when they shouldn't be: "even when they are wrong, they reported being 'very confident' in their answers."

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

**The Retirement Center
18111 Nordhoff Street
Northridge, CA 91330-8339
<http://www.csuerfa.org>**

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

Address Service Requested



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

**A Hearing Test You Can Take
Over the Phone**

Approximately 36 million Americans have significant hearing loss, yet most have never had their hearing tested. Untreated hearing loss can lead to a serious decline in your quality of life, causing social isolation, problems on the job, and frequent embarrassment.

The National Hearing Test is a simple, affordable, and scientifically validated screening that can be taken over the phone. You listen to three-digit sequences presented in a background of white noise and then enter the digits using the telephone keypad.

Similar tests have been used with great success throughout Europe and in Australia; this is the first of its kind in the U.S. It was developed with funding from the National Institutes of Health and is provided on a nonprofit basis, although there is a small fee for it.

The goal is to give you information that can help you decide whether you should seek a full-scale evaluation of your hearing. AARP members for a limited time can

**CSU-ERFA
Calendar of Events**

April 23, 2016 - State Council Meeting at SJSU. Host hotel is the San Jose Marriott. Please notify the CSU-ERFA office by April 12 if you will be attending.

August 20, 2016 - CSU-ERFA Executive Committee meets in Torrance.

October 22, 2016 - State Council meets at Cal Poly Pomona.

April 2017 - State Council meets at CSU Dominguez Hills - exact date is pending.

take the test gratis. Others must pay \$5. To take the test or find more information about it, go to:
<https://www.nationalhearingtest.org>.

If You Move...

CSU-ERFA members who move after retirement to a location that is closer to another CSU campus should contact the CSU-ERFA office. Information will be provided about the CSU-ERFA campus affiliate at the nearby campus.

**Answers to financial
management questions**

Question 1 – more than \$102.

Question 2 – less than today.

Question 3 – false.

(Questions are on the previous page.)