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**NOTICE TO CURE AND CORRECT VIOLATIONS OF THE RALPH M. BROWN ACT  
(SECTION 54953) IN THE SEPTEMBER 10-13, 2023 CALIFORNIA STATE  
UNIVERSITY BOARD OF TRUSTEES MEETING**

To Whom It May Concern,

From September 10, 2023, to September 13, 2023, the California State University Board of Trustees, a legislative body under the Ralph M. Brown Act (California Government Code, section 54952), had a meeting; we identify this as one meeting spanning the course of all four days, consistent with the agendas published for the meeting which list it as a singular meeting spanning multiple days. On September 12, 2023, a substantial number of members of the public were prevented from physically attending and observing the meeting. There were several ways this could have been remedied; in addition to allowing people to freely enter the meeting, the Board of Trustees could have kept the doors to the meeting room open but restricted entry into the room itself, which may have been compliant.

The public has a right under California Government Code, section 54953(a), to physically observe all open meetings of a public agency. This is not satisfied by virtual presence; the livestream of the meeting is not enough to satisfy the requirement. In denying the people

physical access to the meeting, a violation of Section 54953 of the Government Code occurred. Under Section 54960.1 of the California Government Code, violations of Section 54953 are sufficient to declare an action taken by an agency null and void. There was not substantial compliance, as indicated by Section 54960.1(d)(1), and none of the other exemptions in Section 54960.1(d) apply in this case.

As such, I, Amy Parker, acting as a representative of the Open Information Collective under its constitution, hereby demand (as defined under Section 54960.1(b)) through this writing that the California State University Board of Trustees immediately cure and correct this violation. Two actions suffice to cure and correct this violation:

1. Having the California State University, through any internal policies or procedures it has in existence, or through any options available to it under statutes of the State of California, declare all actions taken by the California State University Board of Trustees during the September 10-13, 2023 meeting on or after September 12, 2023 null and void, including all actions taken by committees, and their implementation immediately discontinued and reversed; or
2. Having the California State University Board of Trustees, during the next time it convenes, pass a measure which undoes all measures passed on or after September 12, 2023, during the September 10-13, 2023 meeting of the California State University Board of Trustees, and having all actions reversed not be passed during the next meeting unless the Ralph M. Brown Act's requirements of public access are properly followed.

Failure to do either of these, or to provide a response within 30 days, will constitute an actionable violation of the Ralph M. Brown Act, and may precipitate future actions. Do note that any Brown Act violation makes the rest of the meeting's actions invalidated, as the public has

been denied the right to continuously access the meeting. We have identified the following actions taken which must be reversed (note that, even if an item was voted no on by the Board, it must procedurally be reversed so all members have the right to make motions on the item):

1. Committee on Committees:
  - a. Approval of Minutes of the Meeting of May 1, 2023
  - b. Amendments to Board of Trustees' Standing Committee Assignments for 2023-2024
2. Committee on Audit:
  - a. Approval of Minutes of the Meeting of July 11, 2023
3. Committee on Governmental Relations:
  - a. Approval of Minutes of the Meeting of May 24, 2023
4. Committee on Campus Planning, Buildings and Grounds:
  - a. Approval of Minutes of the Meeting of July 12, 2023
  - b. Update and Approval of the Five-Year Capital Outlay Plan
  - c. California State University, Long Beach Hillside North Student Housing Schematic Design Approval
  - d. California State University, San Bernardino Palm Desert Off-Campus Center Student Services Building Schematic Design Approval
5. Committee on Educational Policy:
  - a. Approval of Minutes of the Meeting of May 23, 2023
  - b. Academic Planning
6. Committee on Institutional Advancement:
  - a. Approval of Minutes of the Meeting of May 23, 2023

7. Committee on University and Faculty Personnel:
  - a. Approval of Minutes of the Meeting of July 12, 2023
  - b. Amendment of California State University Conflict of Interest Code
  - c. Executive Compensation Update: Presidential Housing - California State University Chico
  - d. Executive Compensation: President - California State University, Los Angeles
  - e. Executive Compensation: Interim President - California State University, Bakersfield
8. Joint Committee on Educational Policy and Finance:
  - a. Approval of Minutes of the Meeting of July 11, 2023
9. Committee on Finance:
  - a. Approval of the Minutes of the Meeting of July 11, 2023
  - b. Tuition Policy
  - c. Approval of the 2024-2025 Operating Budget Plan and Multi-Year Tuition Proposal<sup>1</sup>
10. Plenary Session:
  - a. Approval of the Minutes of the Board of Trustees Meeting of July 11, 2023 and July 12, 2023
  - b. Approval of Committee Resolutions (item #2)
  - c. Approval of Committee Resolutions (item #3)<sup>2</sup>
  - d. Conferral Commendation - Sylvia A. Alva
  - e. Conferral of the Title of Faculty Trustee Emeritus - Romey Sabalius

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<sup>1</sup> This action had several motions, and all motions from it must be reversed.

<sup>2</sup> See footnote #1.

f. Conferral of the Title of Chancellor Emerita - Jolene Koester

Please also note that responses to this letter do not constitute responses to all other cure and correct letters than an individual or a district attorney may send, and others may exert their right of actions regardless of this letter.

Sincerely,

Amy Parker, A.A.

she/her/hers

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