SAN JOSÉ STATE UNIVERSITY ACADEMIC SENATE

2022/2023
Agenda
February 6, 2023/2:00 to 5:00 pm
In Person
ENG 285/287

I. Call to Order and Roll Call:

II. Land Acknowledgement:

III. Approval of Minutes:
   Senate Minutes of December 5, 2022

IV. Communications and Questions:
   A. From the Chair of the Senate
   B. From the President of the University

V. Executive Committee Report:
   A. Minutes of the Executive Committee –
      Executive Committee Minutes of November 14, 2022
   B. Consent Calendar –
      Consent Calendar of February 6, 2023
   C. Executive Committee Action Items –

VI. Unfinished Business:

   A. Organization and Government Committee (O&G):
      AS 1832, Senate Management Resolution,
      Update to the Standing Rules of the Academic Senate
      (Final Reading)

   B. Instruction and Student Affairs Committee (I&SA):
      AS 1841, Policy Recommendation, Amendment A to
      University Policy S22-2, Student Excused Absences (Final
      Reading)

   C. Professional Standards Committee (PS):
      AS 1840, Amendment A to University Policy F17-3,
      Selection and Review of Department Chairs and Directors
      (Final Reading)

      AS 1842, Sense of the Senate Resolution, In Opposition to
      the Exclusion of Faculty Early Retirement Program Faculty
      From Pandemic Compensation (Final Reading)
VII. Policy Committee and University Library Board Action Items (In rotation):

VIII. Special Committee Reports:

IX. New Business:

X. State of the University Announcements:
   A. SJSU Faculty Trustee (by standing invitation)
   B. Statewide Academic Senators
   C. Provost
   D. Associated Students President
   E. Vice President for Administration and Finance
   F. Vice President for Student Affairs
   G. Chief Diversity Officer

XI. Adjournment
2022-2023 Academic Senate Minutes
December 5, 2022

I. The meeting was called to order at 2:00 p.m. and roll call was taken by the Senate Administrator. Fifty-One Senators were present.

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<th>Ex Officio:</th>
<th>CHHS Representatives:</th>
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<td>Present: Van Selst, Curry, Rodan, Chuang, McKee</td>
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<td>Present: Tian</td>
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<td>Absent: Chen</td>
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<td>Present: Ehrman, Meth, d’Alarcao, Kaufman</td>
<td>Present: Mathur, Muñoz-Muñoz</td>
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<td>Present: Saif, Treseler, Rapanot, Herrlin, Shela</td>
<td>Present: Kao, Wong, Sullivan-Green</td>
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<td>Present: Khan, Frazier, Kataoka, Lee, Riley, Han</td>
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<td>Present: Jochim</td>
<td>Present: French, Andreopoulos, Shaffer</td>
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<td>Present: Peter, Lessow-Hurley</td>
<td>Present: Sasikumar, Haverfield, Pinnell, Raman, Gomez, Hart</td>
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<td>Absent: Buzanski</td>
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II. Land Acknowledgement: Interim President Perez presented the Land Acknowledgement.

III. Approval of Academic Senate Minutes–
The Senate Minutes of November 7, 2022 were approved as amended (36-0-1).

IV. Communications and Questions –
A. From the Chair of the Senate:
Chair McKee thanked Interim President Perez for his leadership over the past year.

Chair McKee announced Senator Sabalius’ nomination for Faculty Trustee from SJSU. Last month I sent out a call for nominations for faculty trustee and
only Dr. Sabalius submitted a nomination. According to Senate and CSU policies, I’m reporting this to the Senate as required. Two weeks are required after this notification during which time additional nominations can be submitted before we must report to the CSU on or before January 9, 2023.

We have an open policy committee chair seat for the Curriculum and Research Committee for Spring 2023. Thank you, Senator Haverfield, for serving as chair for Fall 2022. Chair McKee sent out that notification for statements of interest on November 29, 2022. Please submit your statement of interest to Chair McKee or Senate Administrator Joice.

Chair McKee announced that we will return to in-person monthly Senate monthly meetings for Spring 2023.

Questions:
Q: Given what will be presented today on modality, would you reconsider having in-person meetings for Spring 2023 if the Senate passes the resolution?
A: [Chair McKee] The decision to go to in-person meetings was made in consultation with many parties throughout Fall 2022. There are too many back-end issues not visible to Senators regarding scheduling and other issues to implement hybrid Senate meetings in Spring 2023.

Q: Given that for the past two years we have had virtual meetings and there is no other requirement to make changes, why are we defaulting to in-person meetings? I know people are conflicted about hybrid meetings, but we have demonstrated we can do virtual meetings. I’m wondering if you can make public the back-end issues and then people can make up their minds and vote accordingly?
A: Originally, the standing rule requirement for in-person Senate meetings was suspended in March 2020 due to COVID. The world has changed since then. There are just too many issues for Spring 2023.

Q: In the event that AS 1832 passes, my understanding is the decision on modality would no longer be up to the chair but would be up to the body. Is this a correct interpretation?
A: Correct.
Q: Then isn’t it premature to make a definitive determination about modality until after the resolution has been voted on?
A: This is a legitimate question. What I think people totally don’t understand is the back-end process that is invisible, thanks in part to the Senate Administrator, and to any Senate Chair holding the office. It is the logistics involved in making those things happen. Again, the modality on the approved calendar for this academic year was Zoom until further notice. That is what I’m sticking with. I totally understand your question, however.
Q: Why is this being done in the middle of the academic year? We have said we can’t impose changes in modality on students mid-year, but now it is being imposed on Senators. What if a Senator somewhere has taken on an assignment and can’t make it to the in-person meeting? I do not understand why we can’t complete this academic year online as we have been this past semester. What do people do now that cannot attend the in-person Senate meetings?

A: Again, this is a totally legitimate question. The Senate already has provisions in place for people that may need to miss a full Senate meeting. I think we have gotten used to the emergency suspension of the standing rule that requires in-person Senate meetings. It is the normal practice of the Senate to meet in person. This could change today. What we are requesting is that during these five meetings in Spring 2023, Senators make accommodations to attend the meetings. However, I live several hours away from campus so I understand.

C: This should be considered when AS 1832 comes up for debate and not during questions for the chair.

C: I’d like to encourage Senators to save these conversations for debate on the resolution, so that we can move on to other items on the agenda.

C: I just wanted to say that many of us, including myself, have not experienced an in-person Senate meeting. I think it would be useful to experience that before we make up our minds in the event the resolution passes and we are then required to vote on modality.

A: I appreciate that. If we could move forward please. I appreciate your responses.

B. From the President:

[Interim President Perez] Thank you Chair McKee. I’m looking forward to the debate later in this meeting on modality. First let me say thank you for your kind words and those I received in the chat. It has been my honor and privilege to work here over the past year. It is a tremendous university made up of great students, faculty, and staff that are people that care a lot. It is no wonder we are able to do great things here.

I want to wish everyone Happy Holidays! We are rolling through them. We are close to the end of the semester. I think tomorrow is the last day of instruction. Commencement is coming up and we will have 4,500 students graduating. If Fall Commencement is anything like Spring was, we are going to have great fun. It is really a special time.

Also I just wanted to address again that we have released our response to the Title IX investigation allegations from 2009 and 2010. You have the report I have. We sent it out the day we got it. It shows we failed in a few ways. We
know those failures have had lasting harm on individuals and for that we are very, very sorry as a university. We appreciate people’s courage in bringing those allegations forward. It takes a lot of courage and bravery, but from it we learn. We’ve learned how to get better. We’ve been working for years on building a Title IX Office and a campus where individuals that experience harassment, retaliation, sexual abuse, etc. can feel comfortable reporting to and feel like they are being heard. We are well on our way to doing this. I want to thank Peter Lim and all those that have been involved in our improvements over the last several years. I think we are building a system that very well could be the model for the CSU. We’ve made great strides and I’m proud of where we are right now.

Questions:

Q: I too would like to add my voice thanking you for your service. I was glad to see the report you shared with the campus last week. I have two questions about the report. First, I went from the link to the summary of the larger report. Will we see the full report at some time? The second question is in regard to conclusions on the first page of the report. Two of the conclusions begin with “SJSU failed” and I am very curious to know who at SJSU failed, because I was employed at SJSU during this time. When I read the report, there was only one individual named and he is deceased. There are two units mentioned by name, but they have many individuals in them. My question is, have the individuals that failed been identified? Are they still employed by SJSU? Have their cases been handled? Most importantly, what steps have been put in place to ensure this doesn’t happen again?

A: [Interim President Perez] This is the only report that I have, we weren’t given another one. That is why we felt it was important to share it right away in the name of transparency. I will say that some of your questions are leaning towards personnel actions and I cannot discuss that. We have done a number of things to prevent this from happening again, not the least of which is restructuring the Title IX Office. We have been hiring staff members for that office. We still aren’t up to the six staff members we hope to have, but we are working on it. We are facing the same staffing shortages they are seeing across the state and country. We’ve redone our intake process in the Title IX Office to try to make sure that investigators show a level of care for those coming in after trauma. We are a university and if someone brings something to us we are going to investigate it.

Q: [Senator Sen] I want to read something so I don’t misrepresent it. This is an email the student’s Sexual Assault Group brought to me to share with you. It was in response to an email that went out from your office. Some of the concerns were also brought up by Senator Sasikumar. “The actions we have taken because of this matter will better strengthen our practices and protocols for the entire Spartan community. We continue to be committed to fostering equity for students in an environment conducive to furthering their academic growth and development. The student leadership team is dedicated to
ensuring that our campus is welcoming, inclusive, and safe now and in the future. It is our opinion that now is the time to push for further action." The group also says that they have been attempting to meet with the president and the Title IX Office for over a month now and despite previously working very closely with us, they have canceled the meetings we’ve had scheduled. They also advocated for not having the Title IX Office where other administrators are on the 5th floor of Clark Hall. They do not feel it is a safe place for students. They have not seen any improvement or efforts since the Department of Justice (DOJ) visit. They have not seen the release of the campus-wide survey that was to be sent by the Title IX Office, and finally they say the responsible staff are still holding positions in our community. These are some pretty strong words. I’m not sure if you can respond to any of this?

A: [Interim President Perez] Those students have reached out to me and we have reached back out to them and tried to set up meetings on any number of occasions. I’m more than willing to meet whenever it is possible. I don’t know that they are referring to a meeting with me that was canceled. I don’t think so, but if it was it would have been due to an emergency. I’ve been trying to work with those students and I’m happy to do so because it is important to be responsive when students are reaching out and saying they aren’t feeling safe. I would encourage them to send their questions and concerns directly to me. I’d be happy to meet with them as I have done all year.

Q: Thank you, but what about the other issues they have brought up like moving Title IX to Clark Hall and the survey? I understand you can’t speak on personnel issues.

A: [Interim President Perez] I don’t know about the survey. You’d have to ask Director Lim. This is also the first I’ve heard that people don’t think Clark Hall is a good location.

C: OK. I’ll take that back to them.

Q: Thank you for your leadership as we navigated these difficult waters. I also wanted to say I appreciated the fact that you did send out a message to the campus. Although there will always be criticisms about the nature or the length of the communication, I appreciate that there is communication and I hope that SJSU will continue that legacy of communicating openly with the campus. In your email to the campus when I clicked on the link it didn’t really take me to the actions. It took me to some resources and information on how you report. I think it might behoove you to work with the Title IX Office to create a link where you can go to see a list of what actions have been taken. I do want to also emphasize that people have for years been concerned about the proximity of the Title IX Office to the President’s Office. Even tenured faculty were concerned even though they are somewhat protected. They are nervous and reluctant to report incidents, even when encouraged by the Senate Chair, because they are worried that information will get back to the President’s Office. The proximity of the Title IX Office to the President’s Office is critical. I know there was a reorganization and the Title IX Office was
moved into Institutional Affairs and those actions occurred, but there has actually been very little messaging to the campus as a whole. The Senate gets reports from the Title IX Office, but the rest of the campus doesn’t. I think people really want to know the answers to questions like what kind of training is being done for staff, etc., so we can tell the parents of the students that they are safe. I know you are probably writing a transition memo and that may be something you want to add to that memo.

A: [Interim President Perez] Thank you. I appreciate that. It is helpful.

Q: With the Title IX outcome does SJSU run the risk of facing repercussions from the NCAA or other Athletic Organizations?

A: [Interim President Perez] Athletically speaking, we are a part of the Mountain West Conference and we participate as part of the NCAA. What happened in the past was terrible, but these findings don’t impact our ability to compete within the rules and regulations of those two bodies to my knowledge.

Q: As you write the letter to the incoming president, I think you have been exemplary in terms of involvement with the Senate. I would encourage you to share your experiences with shared governance with the incoming president.

A: Thank you very much.

Q: Thank you for your engagement, not only with the Senate, but also with students. I would just like to encourage you to talk to the incoming president know about transparency, especially with students and processes like Title IX. These are really important to students. Let us continue with shared governance with students as well.

A: Let me just say that it has been a pleasure not only to work with the Senate, but also with the Associated Students President and Board of Directors. They are really engaged and hard workers.

C: Chair McKee expressed how grateful she was to Interim President and Senator Perez.

V. Executive Committee Report:
A. Minutes of the Executive Committee:

Executive Committee Minutes of October 31, 2022

Questions:
Q: It was noted in the minutes that International students are sometimes prevented from joining committees. Can that be explained more to the Senate? This is new news to me.

A: [AS President Chuang] A situation occurred where a student applied for a Senate committee and was appointed but was told by their department chair that there were policies restricting him/her from serving on a Senate committee. I just want to thank the AVC for her work on collaboration in
clearing up some misunderstanding about department policies as well as really clearing up these issues with International students. I had a conversation with the International House and spoke with them about what it means to be an engaged Spartan on our campus. International students already face barriers to being a student on this campus. It is important for us as a Senate to support them. When there is miscommunication here, the first impact is on the student.

Q: Just to be clear, there is no University policy prohibiting International students from serving on a committee. Correct?
A: [AS President Chuang] Yes.
A: [Chair McKee] Senator Chuang has been doing a very good job researching the policies. She and I are in contact about this, and a shout-out to AVC Kataoka.

B. Consent Calendar:
AVC Kataoka presented the Consent Calendar of December 5, 2022. There was no dissent to the consent calendar. Chair McKee acknowledged and thanked Senator Raman for her hard work beating the bushes to get members for the Board of Academic Freedom and Professional Responsibility (BAFPR).

Questions:
Q: I'm on the Committee on Committees (CC) and as I was reading the Executive Committee minutes there was a statement that it is difficult to fill these seats, so I'm wondering why there are so many limitations as to who can join the Senate? Who should I talk to about this since I am new, or should it just be discussed in the CC?
A: Chair McKee responded that the Senate is considering all of its membership and requirements, particularly for the BAFPR. Yes, some of these things are very restrictive.
A: AVC Kataoka responded that regarding the International students, we have clarified that there is no university policy restricting International students. As far as the requirements of the committee regarding membership, I think it is best if we discuss this in CC.

C. Executive Committee Action Items: None

VI. New Business:
Senator Frazier presented a motion to suspend the standing rules to allow "New Business" to be moved up to the next item in the agenda. The motion was seconded by Senator Mathur. The Senate voted and the Frazier motion passed (44-0-0).

Election of the Chair of C&R for Spring 2023:
There was only one candidate for Chair of C&R for Spring 2023, Senator Hiu-Yung Wong. Chair McKee called for nominations from the floor. There were no
nominations from the floor. Senator Hiu-Yung Wong presented his statement of interest. The Senate voted and Senator Hiu-Yung Wong was elected Chair of the C&R Committee for Spring 2023 (41-0-3).

VII. **Unfinished Business: None**

VIII. **Policy Committee and University Library Board Action Items (In rotation)**

A. **Professional Standards Committee (PS):**
   Senator French presented *AS 1839, Amendment D to University Policy F12-6, Evaluation in Effectiveness in Teaching for all Faculty (Final Reading)*. The Senate voted and AS 1839 passed as written (41-0-3).

B. **Curriculum and Research Committee (C&R):**
   Senator Haverfield presented *AS 1836, Amendment A to University Policy S16-17, Academic Certificate Programs: Review and Approval Process (Final Reading)*. Senator Mathur presented an amendment that was friendly to the body to add “letter” before “graded” on lines 111 and 146. The Senate voted and AS 1836 passed as amended (42-0-2).

C. **Organization and Government Committee (O&G):**
   Senator Hart presented *AS 1832, Senate Management Resolution, Update to the Standing Rules of the Academic Senate (Final Reading)*.

**Questions:**

Q: I’d like to know if you and the O&G Committee consulted with the Senate Administrator and others that work behind the scenes on the feasibility of these meetings and what was the outcome?

A: Yes, O&G invited the Senate Administrator, the Senate Chair, Senate Vice Chair, and the AVC to come to a meeting and answer questions from O&G. In a subsequent O&G meeting O&G analyzed that data using a qualitative approach and thought best how to integrate that feedback into the Senate Management Resolution (SM) and how to address it in the remarks I made today. We feel we can still run a hybrid meeting just using Engr. 285/287. The key thing this resolution does is give our Senators a voice.

Q: I am wearing two hats today. As incoming Senate Chair, I do have a question regarding feasibility. While Senator Hart has presented some evidence about the feasibility of the meetings, I believe there is still a difference of opinion about the feasibility, some of which was expressed on the Senate listserv before this meeting. I believe the only way to determine the feasibility is by actually having a hybrid meeting. My question is since we do not know at this time whether SJSU has the ability to offer a space large enough and equipped for a hybrid meeting, and I will
advocate for the Senate to be provided such a room, nevertheless, as the first Senate Chair that will confront this issue, I would not want to be in violation of the bylaws. Let me present a scenario: if the Senators in May vote on a modality and then in September I am not able to offer that modality, that places me in a position of potentially violating the bylaws. I’m asking for advice from the body as to how do I act in that situation? I do have an amendment when we get to debate. Would the committee be open to my proposing an amendment that might be a potential solution to this dilemma?

A: That is one of strengths of ranked choice voting. If the first option does not succeed then go to the 2nd option and then the 3rd. I think that the body could expect every effort would be made to honor the vote. However, if for a legitimate reason that vote couldn’t be honored, then that would be acceptable.

Q: My question has to do with the workload impact that has been spoken about back and forth on the listserv and how this would be addressed. Is it not possible for other positions within the Senate to support a hybrid modality? I don’t think we are saying the existing positions should have to work triply as hard. As someone who has hosted hybrid events that is just not feasible. However, I think there is a way to address the workload issue through other means that we have.

A: I agree with you. I think we already have precedent for sharing workload in committee meetings. As you know, I am chair of O&G, but other committee members do the minutes. On I&SA, as I understand is a very large committee, those members divide up that work in an even more robust way. I think the question you pose about dividing the workload in meetings is something we already do and I think that we need to continue if we had hybrid meetings. It would be unreasonable to expect one, two, or even three people to run a hybrid meeting. We would need to develop a process.

Q: If this fails, who decides modality in future meetings?

A: If this fails, we stick with the standing rules as written which say Senate and Executive Committee meetings will be in person. For policy committee meetings, the standing rules say that there may be exceptions. It places the responsibility for the arranging the exception on the person requesting the exception.

Q: I have two questions for you. The first is when were we told we can’t use the Student Union? I know that non-student organizations have used the Student Union for hybrid meetings. The second question is will this measure change the situation if, heaven forbid, we have another viral emergency and need to go online and take emergency measures?

A: To answer the first questions, the Senate was never told we could not use the Student Union. We were reminded in the Executive Committee
that the Student Union is first and foremost for students and student-run activity. We were told the Student Union is not there for the Senate to use routinely for hybrid meetings. It is to be used primarily for the students. As far as preventing us from going completely online if another viral situation occurs, this resolution does not prevent us from doing so. In the event of another viral wave there are other precedents that would take priority such as if we were told to shelter-in-place again. We would defer always to the higher authorities.

Q: Thank you and O&G for your work. I have two questions. You said the Senate Administrator and others that work behind the scenes gave you feedback. Would it be possible for us to hear that feedback and how it was incorporated into the resolution? My second question is that I believe students and staff are required to attend in person in general, so if that is the case then faculty would have a choice of attending in person, but they would not. Has the committee considered this?

A: When O&G was visited by the Senate Chair, Vice Chair, AVC, and Senate Administrator some of the key concerns are as follows. First, locating a room for the meeting if the voting on modality takes place in May. That is late in the game for booking a room. There is no guarantee we can book an adequate room that late for fall. Another issue was the budget. The Senate has a very limited budget and it would be inadequate to purchase any special equipment, and/or to hire additional support personnel. It was after that visit that O&G collected the data included with the resolution on small hybrid meetings on pages 5-15. We can run a hybrid meeting in Engr. 285/287. The key thing this does for all Senators is give all Senators a choice and voice.

Q: I want to emphasize one thing quickly. I do have a question for you. With regard to the finances involved, in your meetings with people that control the purse strings, what solid financial and personnel commitments were you able to secure in terms of equipment and personnel for hybrid meetings that would ensure high quality hybrid meetings possibly in perpetuity?

A: [Chair Hart] No financial and personnel commitments have come to me in the Executive Committee to date. However, our Interim President, President Perez has been vocally very supportive, but the general strategy I’ve heard unofficially and officially in leadership has been if we give you all this technology both in terms of technology and funding, maybe you will use it and maybe you won’t, so rather than our doing this, demonstrate to us that you need this, show us you are going to use it, and make a case for it. If you do this, then we will be willing to support you. I think it is a question of us making a decision and communicating that to our leadership with justification. If we vote on this and it passes to go to hybrid meetings, I personally feel confident that it will be supported. Then again, in all fairness, no one has put that in writing and agreed to the
support. I do think we need to take that approach rather than wait until the funding is given.

C: Thank you. I did mean to ask one additional question. I believe the Student Union costs money to rent. Is that not correct?

A: That is correct.

Q: Do you know when and why the current standing rules were written, and if so why they tried to force people to participate in person?

A: Thank you for this question. I’ll have to defer to our more senior Senators to tell us how why the Senate Standing rules were written that way. I can only speculate that this was simply our way of doing things, or our tradition prior to the pandemic. Do other Senators have more historic knowledge of the origins?

A: Senator Peter said he would address this during debate.

Q: Thank you for this resolution and the rigorous debate that I have not seen since before the pandemic. My question has to do with the questions I asked about the first reading in October 2022. Part of this was answered in terms of what you learned from the Senate Administrator, Senate Chair, Vice Chair, and AVC. Can you clarify how what you learned from the conversation with the Senate Administrator, Senate Chair, Vice Chair, and AVC were incorporated into this final reading resolution beyond noting that there may be an impact on the workload? You pointed out the necessity for shared collaboration and decision making and now you have the opportunity to do so.

A: Part of the concern was the vote and the late booking of rooms. There is really no guarantee that we can book an adequate room for Senate meetings or other meetings. Another question was in regard to the budget. The Senate budget is $24,000 and this is including a student salary and catering for meetings. The feedback was that this would not cover buying new technology, which would not allow us to buy equipment to run the meetings in hybrid format and allow for hiring additional support personnel. It was after this visit that O&G collected the data on small hybrid meetings that is included in this SM Resolution. What we learned is that a hybrid meeting can be run even if we can’t afford to buy cameras or book a sufficient room in the Student Union or elsewhere. We can still run a hybrid meeting given only a portion of Senators show up in person. These were very valid concerns from the Senate Administrator.

Q: I wonder if the committee would consider leaving the modality up to the policy committees for their meetings, but maintaining the current...
modality for the Senate and Executive Committee meetings? Is this something O&G would consider?
A: O&G would prefer that you consider the resolution as it is written.

Q: Thank you for your presentation and at one point you describe everyone coming to the podium to speak and it all being recorded and everything is wonderful. I don’t know I might be the last AVC that did that job for in-person Senate meetings. Have you considered that the AVC is the person that shares all the documents on the screen and makes all the amendments while the meeting is going on? Can you address how that laptop is also simultaneously on the podium for everyone’s use?
A: Yes, the short answer is they are not the same laptop. The laptop I addressed in my remarks was the laptop reserved for speakers. As you all know from Zoom meetings, you can’t have a bunch of microphones turned on. We would have only one laptop turned on. The AVC would have to be on another laptop as well as the Vice Chair and the Senate Administrator. Everyone would have to be on mute except for the laptop at the podium used by the Senate Chair and all speakers.
C: Thank you for clarifying that for me.

Q: [Senator Sullivan-Green from College of Engineering] Senator Hart, have you consulted with Dean Sheryl Ehrman from Engineering about the capabilities of Engr 285/287? I know that you indicated that Engr. 285/287 has been used for hybrid meetings, but if you talk to the people that have used that room for hybrid meetings, you will find there are some challenges with using it, so even if the equipment is there it might not function the way that we optimistically hope it will.
A: We have not consulted with the leadership in the College of Engineering, but I did have the opportunity to speak at length and discuss this the Center for Faculty Development (CFD) and Dr. Deanna Fassett who has experience running small hybrid meetings in Engr 285/287. Dr. Fassett did mention that the projector at one time just stopped working. Ironically, it was the fact that they were connected via Zoom that allowed their hybrid meeting to continue, because the presenter and all the people in the room on Zoom were able to continue the meeting and see the presentation. I absolutely acknowledge that maybe there are issues with technology in this room. However, the experience with CFD goes to show that even despite that with just WIFI and laptops, you can still run a good hybrid meeting.
C: I highly encourage you to consult with the people that use those rooms constantly.

C: [Chair McKee] We have been in question mode for quite some time and it is now 4:50 pm. and we need to move forward. Therefore, we are going to move into debate.
Debate:
Senator Rodan presented a motion to table this resolution until our next meeting in February 2023. There is a lot of debate to cover and I don’t think we can do it justice in the 10 minutes we have left.

Senator Peter commented that the motion should be to postpone to a time certain.

Senator Rodan amended his motion to postpone to a time certain of the first Spring 2023 Senate meeting. Chair McKee asked Senator Peter to explain why it should not be “tabled.” Senator Peter explained that when you table a motion, it stays tabled until you vote on the resolution. When you postpone it to a time certain you then guarantee that it will be considered at that specific time.

Chair McKee commented that a motion for postponing is a way of not killing the motion but continuing on with it. Senator Rodan commented that he did want to postpone the resolution until the first Spring meeting in February 2023. Senator Peter explained that it would come back as “Unfinished Business” and would precede any other Senate business. Senator Sasikumar asked if the list of speakers for debate should be carried forward to the Spring 2023 meeting, or should a new list be started at that meeting. Senator Peter commented that there was no rule on this but suggested that it seemed appropriate to continue with the current list.

Senator Hart asked a question from the chat as to whether if we postpone to the Spring 2023, how do we proceed at that meeting. Chair McKee said we would be in person in Spring 2023 and it would come as “Unfinished Business.” Senator Curry asked if this would mean that the modality for Spring 2023 of returning to in-person meetings would hold even if the resolution were approved at the February 2023 Senate meeting until Fall 2023? Chair McKee said yes, Spring 2023 would be in person. Chair McKee commented that she travels 1 ½ hours to campus and that she is prepared to do this for the five meetings in Spring and whenever needed. Senator Mathur called the question on debate. Chair McKee asked for unanimous consent to call the question. There was no dissent. The question was called. The Senate voted on the Rodan motion and the motion to postpone until the first Spring 2023 meeting in February 2023 passed (41-2-1).

D. University Library Board (ULB): No report.

E. Instruction and Student Affairs Committee (I&SA): No report.

IX. New Business: None

X. State of the University Announcements:
A. **Statewide Academic Senators:** No report.

B. **Provost:** No report.

C. **Associated Students President (AS):** No report.

D. **Vice President of Administration and Finance (VPAF):** No report.

E. **Vice President of Student Affairs (VPSA):** No report.

F. **Chief Diversity Officer:** No report.

G. **CSU Faculty Trustee:** No report.

**XI. Adjournment:** The meeting adjourned at 5:01 p.m.
Executive Committee Minutes
November 14, 2022
Noon - 1:30 p.m. via Zoom

Present: Alison McKee (Chair), Priya Raman, Karthika Sasikumar, Reiko Kataoka, Laura Sullivan-Green, Steve Perez, Marie Haverfield, Julia Curry, Nina Chuang, Patrick Day, Rachael French, Tabitha Hart, Kathy Wong(Lau)

Absent: Vincent Del Casino, Charlie Faas

Recorder: Eva Joice, Senate Administrator

1. The committee approved the consent agenda (Executive Committee Agenda of November 14, 2022, Consent Calendar of November 14, 2022, Executive Committee Minutes of October 3, 2022 (12-0-0).)

2. Update from the Chair:
   Chair McKee thanked the president for hosting the Senate at his home for the holiday party.

3. Update from the Interim President:
   The president recently attended the American Association of State Colleges and Universities Conference (AASCU). They were very interested in the Ahlquist Building and it was a great kickoff meeting. [There were no questions for the president.]

4. Board of Academic Freedom and Professional Responsibility (BAFPR):
   It looks like we have at least three confirmed professors to be added to the BAFPR which gives them quorum and they can proceed with business

5. Consideration of Special Committees:
   The Senate Office has received two referrals: one referral from the staff council to add staff to the Senate and one from Senator Mathur on Senate expansion in general asking for a special committee to be established to research both referrals in addition to the Organization and Government (O&G) Committee. Discussion of the formation of special committees ensued.

6. Senate Modality:
   The Organization and Government Committee (O&G) is bringing a resolution on Senate Modality to the December 5, 2022 Senate meeting for a final reading. Instead of the current modality being predetermined for each of the four types of meetings (e.g. Senate, Executive Committee, Policy Committees), the modality would be voted on and determined by the committee members.

Q: What type of support could the Senate expect from the President’s Office if the Senate voted for the resolution? For instance, could we expect any financial support for equipment, or a room equipped for hybrid meetings with tech support? Could we use rooms in the Student Union without being charged for them?
A: [Interim President Perez] We would need to see exactly what the Senate would be asking for and would need to see the costs associated with this.

Q: Does O&G have a list of what would be needed to make the hybrid option work?
A: No, but we have recommendations.

C: The Academic Senate CSU (ASCSU) has had in-person and online meetings. Policy committees have met online. If O&G is trying to present a way to address the future before an emergency occurs such as COVID-19, then it is very important to get the budget, extra personnel, and space all established first. We don’t want to be in another emergency transfer situation as with COVID.

C: [VP Day] We need to make sure that the passage of this resolution doesn’t depend on taking over rooms in the Student Union. The Student Union rooms are primarily for student use.

C: There would be a significant impact on the Senate Office that has one staff member. The resolution would have to contain language that the university would provide a room and tech support as well as additional personnel if needed for the meetings.

Q: If passed, would this resolution go into effect in Fall 2023?
A: Yes.

C: [Interim President Perez] We can’t write a blank check. We would need to know exactly what would be needed. The Senate cannot book Student Union rooms for the whole semester.

7. Policy Committee Updates:
   a. Instruction and Student Affairs Committee (I&SA):
      AS 1834 and AS 1835 will be coming to the Senate meeting on December 5, 2022 for final readings. I&SA received a referral, ISA-F21-1, on calculating GPAs. I&SA is also working on a referral to look at the student absence language in S12-7 regarding the consent for recording.

   b. Professional Standards Committee (PS):
      PS received feedback on AS 1839 and AS 1840 and will be discussing it. PS has also received an informal referral from Bethany Shifflett (Emeritus Faculty) regarding FERP faculty and pandemic compensation. PS also has a referral regarding the Board of Academic Freedom and Professional Responsibility (BAFPR), and is also working on a referral regarding the Retention-Tenure-Promotion (RTP) guidelines.

   c. Organization and Government Committee (O&G):
      In addition to the resolution on Senate Modality, O&G is working on a referral to update the Faculty Athletic Representative (FAR) policy. A Sense of the Senate Resolution passed by the Senate in Fall 2020 condemns anti-black racism. O&G is looking at this along with the referral on expansion of the Senate to ensure that diversity and equity are taken into account. O&G is also considering a steering committee to organize a Senate Speakers Committee.
d. Curriculum and Research Committee (C&R):
   C&R will be discussing feedback on University policy F19-3 about eliminating the WST. This may not be ready for the December 2022 Senate meeting. Regarding university policy S16-17, Academic Certificate Program, there are two curricular items to review today. Lastly, C&R will review a BA proposal in Information Science related to SAVi.

8. University Updates:
   a. Vice President for Student Affairs (VPSA):
      We are in the finalist stages of hiring an AVP of Enrollment Services and a Native Indigenous Program Director.

      We are seeing big declines in our junior and senior classes.

      We are doing some restructuring of Orientation over the summer.

      We are receiving funds from Graduation Initiative 2025, from Foster Care, from Basic Needs, from SB 24 regarding abortion and AB 367 regarding menstruation. There is lots of energy around these programs. We will talk about these more at another time. Bonnie Sugiyama and Traci Ferdolage are working on AB 367. SB 24 will be implemented in January led by the Executive Director of the Student Wellness Center.

      We are saddened by the murders of 7 students: 4 from the University of Virginia and 3 from the University of Idaho.

      Questions:
      C: [Interim President Perez] I personally have friends at the University of Idaho and this is devastating.

      Q: Any updates on the firearms policy from last spring? It was sent to the Chief of UPD for review.
      A: [VP Day] This is a question for VP Faas, but I'll follow-up and have him bring an update.

      Q: Many students and colleagues have increased mental health issues around Thanksgiving. Will the university be sending any messages to students about services during the break? For some students, not having classes next week and the holidays make it more difficult.
      A: I'm not sure we have a planned message but will be happy to send something out.
      C: Thank you for agreeing to send a message to students.
      C: The Guardian Scholars have programming over the long weekends for those with no family.
      A: First, we don't close the residences. Also, the leader of the Guardian Scholars is really exceptional. We have friends from Foster Care that work together to help us plan where to use the funds we are getting.

      Q: There are any Iranian students that are done with their studies and have to face returning home with no VISA. It is of great concern.
A: We will take a look at this for this group of students.

b. Chief Diversity Officer (CDO):
The Office of Diversity, Equity, and Inclusion (ODEI) InterGroup Dialogue (IGD) Facilitator Institute is about half way through training most faculty and staff. The CCDEI is working on tool kits with key performance indicators. The CDO is serving on the WASC Review Committee and they are working on the Campus Climate Survey. There have been many issues. There was a bicyclist battered and one of the attackers used racial language. We reached out to the Director of the Black Faculty and Staff Association and to the victim confidentially. We have provided as much support as possible. We have organized support groups. If anyone receives information about these incidents, reach out and we will let you know the processes.

c. CSU Statewide Senator:
The Board of Trustees will be meeting today and tomorrow.

The response to AB 928 is on the web.

Dominguez Hills will send out a notice on women’s leadership opportunities.

9. The meeting adjourned at 1:35 p.m.

The minutes were edited by Chair McKee on January 25, 2023.
The minutes were approved by the Executive Committee on January 30, 2023.
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SENATE MANAGEMENT RESOLUTION
Update to the Standing Rules of the Academic Senate

Rationale
In Spring 2020 the Academic Senate temporarily suspended Item 17 section g of the Standing Rules due to the global COVID-19 pandemic. This part of the Standing Rules predetermines modality for all Senate meetings; mandates in-person meetings; prohibits remote meetings for any full Senate or Executive Committee meetings; and limits remote meeting attendance of policy committees and all other Senate committees to only “rare” circumstances, while simultaneously placing the burden of any accommodation on the individual requesting it.

As they are currently written, the Senate’s Standing Rules provide little flexibility on the modality of its meetings. Further, by withholding any decision-making about meeting modality from the Senators who actually participate in them, the Standing Rules run counter to shared governance, where decision-making ought to be collaborative, consultative, and distributed\(^1\).

Meeting modality impacts access and participation in complex ways, and each type will necessarily pose affordances as well as constraints. Rather than predetermining the modality of all its meetings into the indefinite future, the Senate would benefit from a more flexible, adaptable, and inclusive approach, one which gives Senators a voice and vote in deciding what meeting modality will best serve them in the unique circumstances of their times.

Now, as we enter more fully into post-pandemic operations, we have an opportune moment to adapt the Senate’s approach to meeting modality in a way that will better empower its current and future members. In this spirit, we therefore recommend that Item 17 Section g of the Standing Rules be updated and that the updates contained herein be adopted once passed by the Senate.

\(^1\) See SS-S15-6, a sense of the Senate resolution titled “Endorsing the Statement on Shared Governance at San José State University.”
Senate Management Resolution
Recommended Updates to Senate Standing Rules

Item 17 Committee Meetings and Minutes, Section g Remote Attendance

1) Full Academic Senate:

The modality of the full Academic Senate meetings (i.e., meetings convening the entire membership of the Academic Senate) shall be decided by the Senate’s current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted sometime shortly after the first meeting of the new Academic Senate year in May, using an electronic survey instrument. The outcome of members’ votes shall be determined as per the guidelines for ranked choice vote tabulation.²

Additionally, the Senate should enable all interested members of the SJSU community to follow the proceedings of full Academic Senate meetings in real time. This access can be provided through a sufficient number of physical seats in the meeting room and also by telephone or internet enabled audio or video conferencing or other technological means, with the understanding that observer attendance may require pre-registration and/or some other form of RSVP.

2) Executive Committee of the Senate:

The modality of the Executive Committee of the Senate shall be decided by that committee’s current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted using an electronic survey instrument sometime after the first meeting of the new Academic Senate year in May, and shall be timed to adequately capture the votes of the new cohort. The outcome of cohort members’ votes shall be determined as per the guidelines for ranked choice vote tabulation.

² See the RCV Tabulator provided by the Ranked Choice Voting Resource Center at https://www.rcvresources.org/rctab
3) **Senate Policy Committees:**

The modality of each Senate Policy Committee shall be decided by each committee’s current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted using an electronic survey instrument sometime after the first meeting of the new Academic Senate year in May, and shall be timed to adequately capture the votes of the new cohort. The outcome of cohort members’ votes shall be determined as per the guidelines for ranked choice vote tabulation.

4) **Other Senate Committees:**

The modality of other Senate Committees shall be decided by each committee’s current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted using an electronic survey instrument sometime after the first meeting of the new Academic Senate year in May, and shall be timed to adequately capture the votes of the new cohort. The outcome of cohort members’ votes shall be determined as per the guidelines for ranked choice vote tabulation.

**Approved:** November 28, 2022

**Vote:** 10-0-0

**Present:** Andreopoulos, Baur, Han, Hart, Herrlin, Higgins, Jochim, Muñoz-Muñoz, Tan, Tian

**Absent:** Lee

**Financial impact:**

Regardless of modality, the Senate will continue to require equipment (laptops, projectors, displays, microphones, cameras, etc.), and technologies (reliable Internet access; software/platforms for synchronous document creation, such as Google Docs; software/platforms for presentations, such as Google Slides or PowerPoint) to successfully run its meetings.

Ideally, the University will also invest in a hybrid meeting space for full Senate meetings. As the campus considers the new Campus Master Plan, it should consider the technological needs to support hybrid modalities for instruction and meetings.
Workload impact:

Regardless of modality, the work of organizing, running, and actively participating in Senate meetings is considerable. For all of this important work, the Senate as a whole as well as individual Senators have always needed and will continue to need ongoing training, resources, and support to run their meetings.

If this SMR is adopted, there may be an impact on the workload of running Senate meetings. As experienced during the pandemic, when SJSU’s Academic Senate switched to online-only meetings via Zoom, transitional periods can increase workload as members familiarize themselves with and develop their competencies in new processes, tools, and protocols. This happens to some extent regardless of meeting modality, as members take on different roles and responsibilities in the Senate, and it also happens when newer and/or additional tools or technologies are introduced and integrated into meetings.

Depending on the size and complexity of the meeting, we anticipate that the Senate will benefit from having multiple people involved in running its meetings, especially when it comes to scheduling; tracking attendance; facilitating discussion, debate, and deliberation; managing the speaker’s list; voting; troubleshooting; and note-taking. While this is the case regardless of modality, it is especially true when it comes to transitioning from one modality to another, and to meetings into which newer and/or additional tools or technologies are introduced and integrated.

Technological resources (e.g., voting software, attendance, transcription of recordings) should also be considered as a means of alleviating workload impact on Senate personnel.

In short, while the labor required to successfully run the Senate’s meetings may ebb and flow depending on members’ experiences, circumstances, and conditions, it will never be eliminated.

Finally, the electronic survey instrument will need to be developed and updated as appropriate. It will need to be run once per academic year; the resulting ranked choice votes will need to be tabulated.
# Examples of successful hybrid meetings at SJSU

## Summary (in table format)

<table>
<thead>
<tr>
<th>Unit</th>
<th>Locations</th>
<th>Meeting activities</th>
<th>Attendance</th>
<th>Equipment</th>
<th>Support</th>
<th>Rationale</th>
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<tbody>
<tr>
<td>Center for Faculty Development (CFD) &amp; eCampus</td>
<td>IRC 202, Student Union, WSQ 205, BBC 32, ENG 285/287, SSC 500, MLK 225 (YUH 124)</td>
<td>Presentations; small &amp; large group discussions; Q&amp;A; cloud document creation; reflection activities</td>
<td>30-65 in the room, 20-30 via Zoom</td>
<td>laptops, OWL, microphones, connectors, wifi, cloud-based slides and docs (Google Drive), smart phones, earbuds or headsets</td>
<td>multiple members run the meetings, with additional support by tech teams depending on the room</td>
<td>Inclusivity for faculty who are 100% remote and for faculty (such as lecturers) who have heavy teaching loads and less flexibility with time. Increase opportunities for professional development. Support faculty who are doing caregiving (e.g., elder or childcare). Facilitate recording and transcription of events, captioning and accessibility Can be an effective modality for some learners' needs, speaker's strengths, planned activities, and contextual factors.</td>
</tr>
<tr>
<td>Institutional Research and Strategic Analytics</td>
<td>Provost's Conference Room (Clark Hall 412)</td>
<td>Presentations; discussion; Q&amp;A; deliberation; decision making; document drafting; voting</td>
<td>10 to 40 in the room, 5 to 30 via Zoom</td>
<td>laptop, projector, 1 pull-down screen, OWL camera</td>
<td>one trained staff person</td>
<td>Facilitates access for those who are off campus. Accommodate people who want to meet in person and those can only join via Zoom. Increase attendance for meetings that traditionally have fewer participants.</td>
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<tr>
<td>Unit</td>
<td>Locations</td>
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<td>COMM Dept</td>
<td>MLK 225</td>
<td>Presentations, speeches, sharing of still images and recorded music</td>
<td>17 in the room, 17 on Zoom</td>
<td>laptop, projector, 1 pull-down screen, podium, microphone</td>
<td>Two student assistants assigned by library; two departmental members facilitating in the room, plus one facilitating on Zoom</td>
<td>Considering varying teaching and on/off campus schedules, a hybrid modality creates more equitable opportunities for participation and ensures all voices can be heard.</td>
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<td>COMM Graduate Committee</td>
<td>HGH, Marie Carr conference room</td>
<td>Presentations; discussion; Q&amp;A; deliberation; decision making; document drafting; voting</td>
<td>up to 10 in the room, no limit via Zoom</td>
<td>laptops, wifi</td>
<td>none</td>
<td>Accommodate participants who, given ongoing pandemic concerns, would be reluctant or unable to attend in person.</td>
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<td>Student Union</td>
<td>presentations Q&amp;A, discussion</td>
<td>50-100 in the room, 5-20 via Zoom</td>
<td>OWL or Logitech conference camera with mic; laptop; Google Drive; switcher; projector with speakers; adaptors; cables</td>
<td>Audio, lighting, &amp; video techs; camera &amp; zoom tech, setup and tear down crew.</td>
<td>It allows those who are still hesitant in being around a lot of people the option to attend events at the comfort of their devices. It gives attendees who are not comfortable with being back in-person yet an opportunity to still be part of the event.</td>
</tr>
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</table>
Examples of successful hybrid meetings at SJSU (full answers)

Center for Faculty Development and eCampus

Submitted by
Dr. Deanna Fassett, Assistant Vice Provost for Faculty Development

Location
Various. IRC 202 is not yet fully renovated, and can only accommodate approximately 36 in the room.

For larger meetings such as Jump Start Common Convenings, we've tried a number of spaces on campus, including Student Union, WSQ 205, BBC 32, ENG 285/287, SSC 500, and MLK 225.

Facilitated by
MLK is the best at co-synchronous meetings that we've found. Their IT support sets up two cameras (one aimed at the speaker and the other aimed at the audience) and answers questions about the in-room features. For a meeting like that, I facilitate the interaction in the room, and it's wise to have someone keeping an eye on the Zoom.

BBC 32 is similarly "turnkey."

ENG 285/287 has had a lot of tech issues, including most recently a faulty projection system. I'm not sure where they are on resolving those issues. When things are working there, they work well enough.

For rooms like ENG 285/287, SSC 500, and the Student Union, we bring our homegrown remote kit, which includes a laptop, OWL camera, slide advancer, microphone, and collection of various connectors. Two staff members arrive in advance of the meeting—one typically handles catering and room arrangement and the other sets up the OWL, tests the tech, opens the Zoom and projects the slides.

For meetings where I have guest speakers, I'm the one keeping an eye on the Zoom. When I'm the presenter, I ask someone to keep an eye on the Zoom (this could be any number of people--e.g., faculty member who assumes responsibility, another colleague who has an interest in the Jump Start topic of the day, a staff member, or a student who has very clear instructions.)
Type of communication in the meetings

Presentations by speakers both in person and via zoom; small and large group discussions; Q&A; cloud document creation/annotation (e.g., Jamboard, Docs, Slides, Poll Everywhere), individual reflection activities.

Attendance

This varies depending on Jump Start vs, say, LEAD (chairs & directors), but it's usually about half in the room and half in the Zoom.

For our most recent Jump Start convening, we were about 30 in the room and 20 in Zoom.

For the hybrid course prep marathon we ran in WSQ 205 in August, we had 65 or so in the room and another 15-30 in the Zoom. That room is tiered, which is kind of tough for small group conversations, but for a lecture-style seating arrangement, it's set up well and includes a broad array of "turnkey" hyflex features, including lecture capture and additional monitors.

Duration

Varies. Fall Jump Start convenings are 75 minutes; LEAD meetings are 2 hours; the course prep marathon runs from 9 am to 2 pm.

Equipment/technology

I've alluded to some of this above, but we try really hard to get rooms that are already pretty shiny (MLK 225, WSQ 205, BBC 32).

When we can't get those rooms, then we use an OWL camera to supplement the presenter's laptop.

Rather than worrying about connectivity issues, we log in to Zoom and Google slides or Powerpoint ahead of the meeting on a CFD laptop (similar to how COMM used to support hyflex faculty meetings). Participants/Presenters in Zoom are able to share slides that way, and we can hear them via the room's speaker system (or, in a pinch, the OWL, but that's only if things have gone sideways).

Presenters in the room use the CFD presenter laptop, and we also supplement with a microphone for better audio quality. Participants in the room may also choose to log in via Zoom, which is what we did when the projector died in ENG 285/287 a few weeks back. This allowed the "roomies" to see the slides we were sharing in Zoom.

A good camera pointed at the speaker (e.g., similar in quality to what's on an iPad Pro), a microphone and a laptop are essential.

Someone needs to be able to pass through the SSO for wifi, cloud docs/slides, and Zoom access.

A camera pointed at the audience is nice.
I'm less and less impressed with the OWL for large convenings, and I'm instead more interested in two cameras aimed appropriately. If you're changing rooms a lot as we've done, it's wise to have a slide advancer and a pile of connectors (e.g., USB-C, HDMI).

If someone felt stressed out about looking at all the Zoom boxes (chat, video, participants, whatever), they make nice, lightweight portable monitors that sit next to or attach to your laptop. I haven't needed them, but we do have one in CFD just in case.

I also make sure to carry my phone and a set of noise canceling earphones in case I need to interact directly with Zoomies. The Apple air pods (I don't have the pro—I think they're 2nd gen) do a great job of noise canceling. I'm able to talk with Zoomies in a room full of people working in groups and they can hear me pretty well.

**Tech support**

We needed more in the beginning while we were figuring out how the different rooms worked and how it looked for roomies and Zoomies. If we're in MLK or BBC, we love the help we've received there.

Generally our analyst arrives early and works with that person to set everything up, and then I join closer to the meeting start time.

A lot of things are easier if you assemble a kit and use a checklist (e.g., turn on live transcription, check to make sure we're recording, check to make sure everyone's on mute, check audio quality with the Zoomies who arrive early).

**Rationale**

We have faculty colleagues who are 100% remote, and I don't want to exclude them from professional development opportunities. That's why you still see a lot of CFD + eCampus events in Zoom or on demand. When we do host synchronous online meetings, we're careful to make them low-stakes and very interactive. A few other reasons:

(1) I want to make it easy for lecturer faculty to join our offerings, and they're spread thin enough as it is. This is a small thing I can do to make sure they're not excluded from opportunities for professional development.

(2) I don't want people to feel as though they have to choose between taking care of themselves and others (e.g., staying home when they're sick, being able to engage in elder or child care) and learning more about how to do their work well, in ways that support them.

(3) It facilitates recording and transcription of events, and, as AI captioning improves, I expect accessibility will be easier to manage in the Zoom than in the room.

And (4) personally I think it's important to choose the most effective modality depending on the learners' needs, the speaker's strengths, the planned activities, and a host of contextual factors. I didn't start out with online and hybrid modes as a strength, but I
understand that these can be a lifeline for adult learners, and I have worked carefully to increase my confidence and competence in using them.

**Academic Innovation & Institutional Effectiveness**

**Submitted by**
Sarah Schraeder, Research Associate/Program Coordinator

Note that Sarah facilitates all Program Planning Committee meetings (a committee of 20 members), External Review Exit meetings, and Action Plan meetings as hybrid meetings in the following way.

Additionally, Sarah and her team facilitated all forums for the Accreditation Review Team visit in April 2022 in hybrid modality with the assistance of the IMS team.

**Location**
Provost's Conference Room (Clark Hall 412) (note that the meeting registration form has a question about needing the OWL)

**Facilitated by**
1 person who facilitates the Zoom interactions, and 1 person who facilitates the in-room interactions.

**Type of communication in the meetings**
Presentations by speakers, both in person and via zoom; discussion; Q&A; deliberation; decision-making; document drafting; and voting

**Attendance**
from 10 to 40 in the room; from 5 to 30 via Zoom

**Duration**
from 45 to 1.5 hours
**Equipment/technology**

Each Zoom participant joins on their own device.

In the room there is a projector and 1 pull-down screen and a laptop which is connected to the projector.

The Zoom attendees’ images are projected on the screen, and when they speak their voices are projected into the room via the **OWL intelligent 360° camera, mic, and speaker**.

Speakers in the room can sit at their seats, and can be seen and heard by the Zoom participants via the in-room laptop's built-in camera.

**Tech support**

One trained staff person

**Rationale**

Facilitates access for those interested in joining meetings even though they are off campus.

It’s a great way to accommodate those who are really interested in meeting in person as well as those who are only able to join via Zoom. We’ve found this expands attendance for meetings we’d traditionally see far fewer participants join.

Considering the varying faculty teaching and on/off campus schedules offering a hybrid modality creates more equitable opportunities for participation and allows us to ensure all voices can be heard.

**Department of Communication Studies**

**Submitted by**

Dr. Andrew Wood, COMM Department Chair  
Nikki Mirza, COMM Department Administrative Analyst

**Location**

MLK 225
Facilitated by
Three departmental members, one of whom joined via Zoom and facilitated all Zoom interactions, and two of whom joined in person and facilitated the in-room interactions.

Type of communication in the meeting
Presentations, speeches, and testimonials, both planned and spontaneous; sharing of still images and recorded music.

Attendance
17 in the room; 17 on Zoom

Duration
about one hour

Equipment/technology
Each Zoom participant joined on their own device. In the room there was a projector and pull-down screen, a podium with a microphone, and a laptop which was connected to the projector. The Zoom attendees’ images were projected on the screen, and when they spoke their voices were projected into the room via the projector’s speaker system. Speakers in the room came to the podium to speak, and could be seen and heard by the Zoom participants via the in-room laptop’s built in camera.

Tech support
The library assigned two Student Assistants to help with tech support

Rationale
We organized this memorial service as a hybrid event to accommodate participants who, given ongoing pandemic concerns, would otherwise be reluctant or unable to attend in person.
Department of Communication Studies Graduate Committee

Submitted by
Dr. Marie Haverfield, COMM Graduate Committee Chair

Location
HGH conference room, the Marie Carr Room

Facilitated by
1 person, committee chair who facilitates both the Zoom interactions, and the in-room interactions.

Type of communication in the meetings
Presentations by speakers, both in person and via zoom; discussions; Q&A; deliberations; policy drafting; voting.

Attendance
No more than 10 in the room, and no limit via Zoom

Duration
I would not necessarily put a range here. I think the duration would be consistent with any other meeting type.

Equipment/technology
Each Zoom participant joins on their own device. In the room each participant has a laptop in front of them, with the Zoom meeting open; their cameras are switched on, but only the meeting host (committee chair) has their microphone switched on (other in-room participants are on mute). The Zoom attendees have their cameras on and their mics muted except when they are speaking; and when they are speaking their voices are projected into the room via the chair's laptop.

If the meeting is held in a larger room, in-person participants may need to coordinate muting or move towards the unmuted computer in order for the Zoom participants to hear clearly.
**Tech support**

None.

**Rationale**

Everyone is already familiar with Zoom, accessible, enables visibility without having to use additional equipment, and provides captions regardless of who is speaking (in-person vs. online).

**Student Union AV & Event Services Department**

**Submitted by**

Erick J. Campos, AV Production Manager Student Union, Inc.
Donna L. Teutimez, Event Services Manager, Student Union, Inc.
Khristine Lugo, Event Planner, Division of University Advancement

**Location**

Student Union

**Facilitated by**

Usually around 2 -3 (1 usually a technician, the others are the event host) individuals facilitating zoom, and around 2- 4 facilitating in-room.

**Type of communication in the meetings**

1. usually a guest speaker in-person with attendees present in-room with others via zoom submitting Q&A through the chat or unmuting during discussion.
2. In-person discussion with guest speakers joining in via zoom.

**Attendance**

In person attendance 50 - 100, via zoom 5 - 20
**Duration**
From 1hr - 4hrs

**Equipment/technology**
Depending on the venue and the need determines the equipment. A small meeting room can use an OWL or Logitech conference cam with a conference mic easily.

When trying to build a virtual production with slides and logos a switcher is required with Projector, microphones and adaptors needed.

Ballroom setups will need a higher end camera to catch the distance and would require more labor to setup, operate, and cables to run.

With resources being low, having multiple venues at once needing equipment prevents consistent results.

**Tech support**
Ballroom setups: Would need audio tech, a lighting tech, a video tech running the switcher, a camera operator, and a zoom tech/runner. Usually will need a setup crew to prep and a tear down crew to reset the room.

Meeting Room size: a set up tech and camera tech. Depending on how much is needed. Usually can have a technician come by and check periodically if using an OWL or Logitech conference cam/mic

**Rationale**
Hybrid events: it allows those who are still hesitant in being around a lot of people (due to covid) the option to attend events at the comfort of their devices.

It gives attendees who are not comfortable with being back in-person yet an opportunity to still be part of the event.
POLICY RECOMMENDATION
Amendment A to University Policy S22-2
Student Excused Absences

Whereas: The word "accommodation" is a legal term associated with making a program accessible to a person with a disability; and

Whereas: Every effort should be made to utilize language that preserves the meaning of a legally protected accommodation; therefore, be it,

Resolved: That S22-2 be edited as shown below.

Approved: November 28, 2022
Vote: 11-0-0
Present: Melinda Jackson (non-voting), Varun Jaiswal, Sharmin Khan, Amy Leisenring (non-voting), Kelly Masegian, Ravisha Mathur, Sabrina Pinnell, Eric Rollerson, Soma Sen, Rushabh Sheta, Laura Sullivan-Green, Dominic Treseler
Absent: Michael Chadwick, Caroline Chen, Nina Chuang, Henderson Hill, Maria Martinez, Gilles Muler, Gregory Wolcott

Financial impact: None expected.
Workload impact: No anticipated change in workload from the current policy.
Student Excused Absences Policy

Students may have valid reasons to miss one or more classes, whether anticipated or unforeseen. Students are responsible for informing their instructor in writing about such absences as soon as possible. Absences may be considered “excused” and may require accommodation, modification, or flexibility for course requirements.

1. Student responsibilities

   If a student is aware of a future absence ahead of time, the student shall notify the instructor in writing within the first two weeks of classes or as soon as the student learns of the need for an absence. If the student must be absent for an unforeseen reason, they shall inform the instructor as soon as circumstances permit.

   Absences can happen for any number of reasons. The following list provides examples, but there are many other possibilities not captured among these.

   - ROTC or other military duties
   - Jury duty
   - Death of a family member or friend
   - Illness or injury, including physical and mental health-related issues
   - University-sanctioned SJSU Athletics competitions
   - University-sanctioned leadership conferences
   - Academic or research conferences
   - Adding a class late (though still during the add period)
   - Duties related to elected or appointed Associated Students representatives
   - Mandatory work-related activity or travel that temporarily impacts a student’s ability to participate in their academics
   - Caregiving duties for family members, including parents, spouses or domestic partners, a minor child, an adult child, a child of a domestic partner, grandparent, grandchild, or sibling
   - Personal instability in a student’s life that temporarily affects their ability to attend class
   - Religious holidays (see University Policy S14-7)
   - Unanticipated emergencies or instabilities

2. Faculty responsibilities

   Faculty shall treat personal matters of “reasons for absence” with the utmost sensitivity. Students may have reasons included in the list above, or they may have others; they also may be reluctant to mention specifics, and faculty should be understanding when that is the case. Faculty should request documentation only in rare cases. (Faculty members may only require students to provide verification for repeated or successive

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1 Family often extends beyond those defined herein. Faculty should be considerate of those family members that may not be clearly defined here, but have a familial relationship with the student.

2 Personal instability may include housing instability, food insecurity, or other financial crises.
absences, or absences on the days of tests, presentations, and other graded activities.) Faculty shall reasonably accommodate absences to the extent possible.

Excused absences normally should not exceed two cumulative weeks of class time. The faculty member should make arrangements with the student to address missed learning opportunities, which could include submitting work late, completing different but comparable assignments, or waiving an assignment.

3. Possible considerations following extended absences

The following are situations when an excused absence could become an incomplete or a course withdrawal. Students should consult with their instructor and advisor to determine the most suitable course of action.

- If the absence exceeds two consecutive weeks of class time.
- If the student returns to the class and attempts in good faith to complete the missing work but is overwhelmed and cannot finish.
Policy Recommendation

Amendment A to University Policy F17-3
Selection and Review of Department Chairs and Directors

Legislative History: This proposal would amend the policy on the selection and review of Department Chairs and Directors.

Rationale: University Policy F17-3 specifies that department chairs should ideally be Professors, and that exceptions should only be made in “rare instances and for compelling reasons.” As the normal Department Chair nomination process requires an election by the faculty of the department, and election by one’s peers is a “compelling reason” to appoint a Department Chair. However, the appointment of interim chairs outside of the normal nomination process is a less transparent process, despite a requirement for consultation with department faculty. Transparency could be improved by requiring the methods and results of consultation to be reported to the department faculty. In addition, a normal nomination election should happen as soon as feasible after the appointment of an interim chair, and while F17-3 is not silent on the maximum appointment duration for an interim chair, the language could be strengthened.

Resolved That sections 2 and 9 of F17-3 (Selection and Review of Department Chairs and Directors) be modified as provided in this recommendation.

Approved: 11/21/22
Vote: 7-0-0
Present: French, Gómez, Kazemifar, Monday, Rapanot, Smith, Wang
Absent: Barrera

Financial Impact: None
Workload Impact: Some additional work on the part of College Deans to report the results of department consultation.
F17-3, University Policy, Selection and Review of Department Chairs and Directors

Legislative History:

On December 11, 2017, the Academic Senate approved the following policy recommendation presented by Senator Peter for the Professional Standards Committee. This replacement of S14-8 incorporates the voting procedures for nominating Department Chairs and Directors that were formerly only available in a separate policy. The need to consult two separate policies each time a department nominates a Chair has led to confusion and procedural errors in the past. In addition, the policy has been reformatted for easier use and numerous corrections and clarifications have been incorporated at the suggestion of the University Council of Chairs and Directors and the Deans. Among those changes is a reordering of the policy to align chronologically with the stages of a Chair’s nomination, election, evaluation, and possible removal.

Rescinds: S14-8

Approved and signed by Mary A. Papazian
President, San José State University on December 20, 2017.

UNIVERSITY POLICY
Selection and Review of Department Chairs and Directors

Resolved: That S14-8 be rescinded and replaced with the following policy, effective immediately for all new nominations and reviews.

Rationale: This revision began with a referral from Organization and Government regarding the consolidation of voting procedures for Chairs that became necessary as the Department Voting Rights policy was revised. Next, a version was vetted before UCCD last year which actively participated in crafting some of the changes. We additionally received two rounds of suggestions and amendments from the Deans—most of which were accepted and incorporated. This revision appeared for a first reading on March 13,
2017 and for a final reading on April 10, 2017, but was pulled from the April 10 meeting to allow time for additional consultation with the Provost. The Provost appeared before Professional Standards on September 25 and relayed two concerns. The committee has responded to both concerns and it is our understanding that the policy language is now considered acceptable.

Following questions that occurred on the Senate floor at a final reading on November 20, the policy was postponed to allow for revisions that would clarify voting procedures for the various categories of faculty. This version incorporates the “friendly” amendments that arose from the floor on November 20 and adds provision 3.8 to clarify how different categories of faculty vote. Much of this language is imported directly from the Voting Rights Policy, but there is greater clarity for defining the voting procedures for joint appointments and for FERP and PRTB faculty (Articles 29 and 30 of the CSU/CFA Agreement.)

Approved: November 6, 2017

Vote: 10-0-0

Present: Chin, He, Marachi, Hamedi-Hagh, Kauppila, McKee, White, Peter, Donahue, Kimbarow

Absent: none

Reapproved with amendments shown: December 6, 2017

Vote: 9-0-0 email vote

Present: Chin, He, Marachi, Hamedi-Hagh, Kauppila, McKee, White, Peter, Kimbarow

Absent: Donahue

Financial Impact: No direct impacts. It is possible that this policy, by clarifying process, could result in some savings.

Workload Impact: No direct impacts, although the clarification of methods for selection and review of department chairs could potentially prevent some time consuming failures of process.
1. INTRODUCTION

1.1. Preamble

Department Chairs are the leaders of communities of faculty as well as the most important stewards of the mission of the University at the local level. Their effectiveness depends upon the continual support of the faculty they represent. The selection of a Department Chair is therefore the most important collective decision of department faculty. This policy is designed to assure that Chairs are chosen and reviewed in a manner that assures their continual legitimacy and effectiveness as they carry out the numerous functions assigned to them by university policies and the Collective Bargaining Agreement.

1.2. Definitions

1.2.1. Throughout this policy, the term “Chair” refers both to Chairs of Departments and Directors of Schools, while the term “Department” refers both to Departments and to Schools.

1.2.2. Departments elect a “nominee” to be department Chair; the President appoints a nominee to become Chair. Hence department elections are a nomination process with the outcome of choosing a “Chair nominee” and are called “nomination elections.”

1.2.3. The terms “Professor” and “Associate Professor” are also understood to include the equivalent titles in faculty disciplines that use alternative names, such as librarians and counselors.

1.2.4. This policy uses the generic term “chair” to refer collectively to all categories of chairs regardless of the manner of nomination and appointment. When there is a need for greater differentiation, the policy will refer to “acting chair” and “interim chair” as defined later in the policy, and “regularly appointed chair” to refer to a chair who has been nominated by the department and appointed by the President for the standard four-year term.

2. QUALIFICATIONS

2.1. Chairs should preferably be Professors but may be Associate Professors, if nominated by the department faculty. Chairs and should have earned rank and tenure prior to the time when the appointment to Chair would become effective. Exceptions should only be made in rare instances and for compelling reasons.
2.2. Acting or Interim Chairs: When an Acting Chair is appointed through the regular department nomination process (see section 3 below), section 2.1 applies. Acting or Interim Chairs appointed outside of the regular department nomination process (see section 9 below) should be Professors, but may be Associate Professors if there are no willing Professors available to serve. Exceptions should only be made for compelling reasons as determined by consultation with the department.

3. DEPARTMENT NOMINATING PROCESS

Every four years, the department faculty shall identify a nominee for Department Chair by secret ballot vote following these procedures. These are also the procedures for departments to recommend candidates for role as acting Chair (in section 10 below.)

3.1. Deans and departments should communicate about transitions as early as possible to allow for a collegial and orderly process. The Chair’s job description—which should include the fraction of assigned time to be provided to the Chair—should be developed by the Dean in consultation with the Department.

3.2. College Election Committee. The College will create a College Election Committee that will consist of three individuals: 1) The Dean or the Dean’s designee, 2) a member of the College RTP committee (chosen by the committee from a department other than the one holding the nomination election), and 3) one tenured faculty member from the department (chosen by the department tenured and tenure track faculty from among those department faculty who are not candidates.)

3.3. Responsibilities of the College Election Committee. The College Election Committee shall see that the department is informed of the requirements of this policy, shall (with the help of Faculty Affairs) interpret and explain the policy to the department when questions arise, shall count and certify the votes, and shall see that the results are delivered to the President and to the Department in the appropriate formats.

3.4. Charging the Department. The Dean (or, at the Dean’s option, the College Election Committee) should attend a Department meeting at the beginning of the nomination process to provide this policy and the Chair’s job description and fraction of assigned time, and to explain the process for nominating a Chair. If following the charge, the Department proceeds immediately to a department meeting as per the section below, then all persons who are not members of the Department should depart before deliberations begin, unless specifically invited to remain by the majority vote of the faculty present.

3.5. Department meeting. A meeting shall be held to begin the election of a nominee to serve as Department Chair. The department may determine the nature and medium of the meeting according to its own preferences, but the meeting must
be open to all faculty in the department and publicized a minimum of one week in advance.

3.6. Decision on external search. The department may decide at this stage, through normal voting procedures, to seek permission to search for an external chair (as per section 4.1 below) instead of proceeding immediately with a normal nominating election. Should permission be denied the department should proceed with the normal process to nominate a department Chair.

3.7. Faculty may suggest names to appear on the ballot for the nominating election. Nominated persons shall accept or decline nomination. Candidates will be given the opportunity to make statements and take questions from department faculty.

3.8. Voting for Chair Nominees.

3.8.1. Tenured and tenure track faculty members have a full vote in the department to which they are permanently assigned but no vote in a department to which they are temporarily assigned. Tenured and tenure track faculty holding joint appointments shall vote only in the department which holds the majority of their permanent assignment or—if equal—in the department that is responsible for their tenure. Tenured and tenure track faculty members on an approved leave retain voting rights.

3.8.2. Faculty participating in the Faculty Early Retirement Program (FERP)\(^1\) or the Pre-Retirement Reduction in Time Base Program (PRTB)\(^2\) shall have a proportional vote equal to their annualized time base (i.e., 1/2, 1/4) regardless of their academic assignment in a given semester, through the last semester of their teaching appointment.

3.8.3. Lecturers have departmental voting rights in proportion to their assignment in a department. Proportional voting rights of lecturers may fluctuate with fall and spring appointments. Lecturers on an approved partial leave retain the proportional voting rights of their teaching assignment. Those on full leave relinquish their voting rights.

3.8.4. Faculty suspended under article 17 (Temporary Suspension) of the CBA retain their voting rights.

3.8.5. Voting rights of any faculty member are suspended for any semester in which the individual holds a full-time administrative (i.e. MPP) or other full-time non-faculty position in the university. Faculty on re-assigned time engaged in administrative duties remain Unit 3 faculty and retain their voting rights.
See CFA/CSU Agreement Article 29. FERP employees are limited by contract to 50% of their previous time base.

See CFA/CSU Agreement Article 30. PRTB employees are reduced by contract to 2/3, 1/2, or 1/3 of their previous time base.

3.8.6. Visiting Professors or Interim or Acting Chairs from outside the department may not vote in a Chair nomination election.

3.8.7. Qualified faculty on approved leaves should be provided a means to vote in a chair nomination election. However, no faculty member may grant their vote by “proxy” to another individual.

3.9. The nominating election. Faculty may then vote by secret ballot on all candidates proposed and willing to serve. Balloting must be available for 5 working days and provide the opportunity to abstain.

3.9.1. If there is just one candidate, balloting must still occur, with a choice provided to “recommend” or “do not recommend” the candidate.

3.9.2. If there are two or more candidates, balloting will provide a choice between the candidates and a choice “do not recommend any candidate.”

3.9.3. If an election with three or more candidates fails to produce a majority for any candidate, there shall be a second round of balloting between those two candidates who received the most votes in the first round.

3.10. Counting the votes. The college election committee will meet to count votes. The candidates will be notified of the time and place of the count at least one day in advance, and each may send one observer (other than themselves). The committee is responsible for an accurate count and review of ballots. The committee will assure that balloting was secret, that votes are entered in the correct category, and that proper proportions are applied. The results shall be certified (signed) by the election committee.

3.11. Forwarding the results of the nominating election. Only the name of a candidate who receives a majority of votes cast by the tenured and probationary faculty shall be recommended to the President via the College Dean as the nominee of the department. The names of candidates who were not recommended by the department, together with all vote totals, shall also be forwarded to the President to provide context for the recommendation. This shall include a statement of the vote of all faculty, broken down into two categories – vote by tenured/tenure track faculty and by lecturers -- including the actual number of votes cast in each category.
3.12. Distributing the results. The department voting results shall also be distributed to the faculty from the relevant department. If the final vote total in either category of votes (tenured and probationary, lecturers) contains a fraction, it shall be rounded to help preserve anonymity.

3.13. Second round nomination elections. If a department is unable to nominate a Chair by a majority vote of the probationary and tenured faculty, it may continue to try to obtain a nominee by repeating the process if they are willing and the Dean determines that there is sufficient time. Otherwise the situation will be resolved via section 6 “Failure to Obtain...”

4. EXTERNAL SEARCHES

4.1. Request for an external search. An external search is a search in which candidates from outside San José State University are invited to apply to be hired as a tenured faculty member and as department Chair. Department faculty may request an external search for department chair. A department request for an external search should take the form of a majority vote of the department (following normal procedures for department voting rights). Such requests are not automatically granted.

4.2. Procedures for an external search. Successful completion of an external search for a department Chair requires coordination of two separate tasks: the appointment of a new faculty member in accordance with the appointment policy and the recommendation to the President of a Chair nominee in accordance with this policy. To expedite the successful conclusion of such a search, departments may combine some procedures that are common to both processes as outlined below. Departments should determine which of these three alternatives they will use by majority vote (following the normal procedures for department voting rights), and they must do so prior to the start of a search. Whichever method the department adopts, the recruitment committee must conform to the normal requirements of the appointments policy.

4.2.1. Departments may designate all tenured and tenure track faculty as a recruitment committee “of the whole” so that the appointment recommendation and the nomination recommendation are coterminous. When this method is chosen, the committee of the whole must provide lecturers with the opportunity to provide confidential feedback on the search prior to final recommendations. A department may only use this method when there are more tenured faculty than probationary faculty. If it chooses
this method, the normal prohibition of faculty serving on a personnel
committee evaluating faculty of higher rank is suspended.

4.2.2. Departments may use separate processes for the appointment and for
the nomination functions associated with an external search for a department
Chair. Using this method, a smaller recruitment committee makes a
recommendation under the normal appointment policy. Then the department
as a whole votes to endorse or not to endorse the recommendation of the
recruitment committee. For each candidate, the department’s endorsement
must specify whether or not that candidate is acceptable as a Chair. If more
than one candidate is acceptable, the department must rank them in order of
preference. The department’s endorsement serves to nominate a candidate
to be Chair, but should be accompanied by the recruitment committee’s
report to justify the appointment. In the event of conflict between the
recommendations of the recruitment committee and the department, the
department makes the final recommendation as to who to nominate as its
Chair, but may only nominate from among those candidates deemed to be
acceptable finalists by the recruitment committee. When this method is
chosen by a department, time must be budgeted to allow these procedures
to take place at the conclusion of the search.

4.2.3. Departments may choose to delegate their prerogative to nominate a
Chair exclusively to their recruitment committee.

4.3. In conformity with the Appointments policy, an external nominee for Chair shall
be reviewed and must receive a favorable recommendation for tenure from the
appropriate personnel committee of the department before the appointment can be
completed.

5. APPOINTMENT

1. 5.1. The President appoints and removes the Department Chair in
consultation with the Provost, College Dean, and department faculty. The
term of the appointment is normally four years.

2. 5.2. When a department follows the procedures of this policy to successfully
elect a Chair Nominee, the President shall -- except in rare instances and for
compelling reasons—appoint that individual to serve as Department Chair.

3. 5.3. Technical details concerning the appointment of a Chair (appointment
letters, salary adjustments, etc.) will be coordinated by the Office of the
Provost.

6. FAILURE TO OBTAIN CHAIR NOMINEES AS DESCRIBED IN SECTIONS 3
(Nominations), 8 (Reappointment), and 10 (Acting)

Departments may be unable to successfully conclude a normal nomination for
Department Chair. This could be the case in a department with no senior leadership
qualified to be Chair, or no willing candidates. If a department fails to reach consensus (majority vote of the tenured and probationary faculty) following a normal nomination process (Section 3), the Dean shall consult with the faculty at a department meeting to determine the best course of action. This could be either the nomination of an interim or acting Chair, initiation of an external search, extension of a prior interim appointment, or nomination of a non-departmental interim Chair--as per the relevant sections of this policy.

6.1. External Search. An external search may be requested as per section 4 of the policy, although such requests are not automatically granted.

6.2. Extended interim Chairs. If there has been a failure to reach consensus, and an interim Chair is serving and was not a candidate for Chair, the interim Chair may be extended by six months to allow time for more permanent solutions. Normally, a department should not have to operate under interim leadership for more than one year.

6.3. Non departmental interim Chairs. In extreme cases, and only when all of the aforementioned measures fail, the President may appoint a SJSU faculty member from outside the department to serve as interim Chair, after consultation with the College Dean and department faculty. External departmental interim Chairs are subject to all the normal limits provided in section 9. Consultation with the department faculty is normally done by the Provost and Dean soliciting advice at a department meeting.

6.4. Extended interim Chairs. The extension of an interim appointment beyond one year should be avoided if possible. If this occurs the Organization and Government Committee of the Academic Senate shall inquire into the reasons for the situation.

7. REVIEW OF DEPARTMENT CHAIRS

7.1. Timing of Normal Review: The Dean shall initiate the formal review of each Department Chair during the fourth year of an incumbent’s term, unless the incumbent states that he/she will not be a candidate to continue as Chair beyond the fourth year.

7.2. Early Review: Department faculty may initiate a formal review of the Department Chair by submitting a petition to the Dean, provided that at least one academic year has passed since the Chair’s appointment or previous review. The petition shall state simply that “The undersigned faculty call for a prompt review of our Department Chair.” If the petition is signed by department faculty totaling more than 50% of the department electorate, the College Dean will initiate a formal review of the Department Chair. The petition should preferably be delivered early enough to permit the review to be completed before the end of the current semester, but an early review should always be completed within 40 duty days from receipt of the
petition. To determine if the petition exceeds the 50% threshold, the signatures of both tenure/tenure track faculty and lecturers will be counted, with the signatures of lecturers weighted according to the proportion of their appointment. The Dean will announce the number of signatures and whether the petition exceeds the threshold, but will keep the petition itself and the signed names confidential from the incumbent chair.

7.3. Appointment and Composition of Review Committee: At the beginning of the fourth year of the Department Chair's term, under the direction of the College Dean, the tenured and tenure-track department faculty shall elect from its ranks a peer review committee to evaluate the Department Chair's performance. The review committee, in consultation with the College Dean, will determine the procedures and scope of the review.

7.4. Criteria for Review: The review committee, in consultation with the College Dean, shall specify the criteria for evaluating the incumbent's job performance. The principal criteria shall be derived from the job description that was provided to the Chair at the time of appointment. The incumbent shall be asked to examine the criteria developed and to make such comments or suggestions as may seem advisable.

7.5. Procedures for Review: The review committee, in consultation with the College Dean, shall develop procedures for conducting the review. The procedures shall be designed to secure appropriate information and appraisals of performance from as many persons as may be feasible who are knowledgeable of the incumbent's performance. If he/she so desires, the incumbent shall be given an opportunity to provide the review committee with a self-evaluation based upon the criteria developed by the committee. The opinions and judgments received by review committees, the deliberations and reports of such committees, and any accompanying materials, shall be confidential.

7.6. Report of the Review Committee: At the conclusion of its evaluative activities, the review committee shall prepare a written report embodying findings and conclusions. The report of the review committee shall include a statement of strengths found and improvements desired in the incumbent's performance with respect to the evaluative criteria. All raw data collected for review shall accompany, but not be part of, the review committee's summary narrative. Before forwarding the final report to the College Dean, the review committee shall:

7.6.1. Provide a draft copy of the narrative portion of the report to the incumbent;

7.6.2. Provide the incumbent with an opportunity to meet with the review committee in order to discuss the report;
7.6.3. Provide the incumbent with the opportunity to submit to the committee a written statement which shall become part of the report to the College Dean.

The review committee shall forward its final report to the College Dean. The College Dean will discuss the findings with the Department Chair and will report in general to the department faculty. On completion, the final report from the review committee, additional evaluation by the College Dean, and any response from the Department Chair will be forwarded to the Provost.

7.7. Confidentiality. The review committee, college dean, and officers of the University shall hold in confidence data received by the review committee, its report, and accompanying materials.

8. REAPPOINTMENT OF A DEPARTMENT CHAIR

In order to serve one or more subsequent terms, the Department Chair must proceed through the review process and regular nominating process.

9. SELECTION OF AN INTERIM CHAIR

An interim appointment occurs when a Department Chair’s position has or will be vacated and there is insufficient time or it is otherwise impractical to complete the regular nomination process explained in Section I (Nominations). The interim Chair serves only as long as required to complete the appointment of a regularly appointed chair, normally by the end of the next full semester.

9.1. Appointment procedure. The President may make interim appointments after consultation with the College Dean and department faculty, normally by soliciting advice from as many faculty as possible at a department meeting called for this purpose. The College Dean shall report to the department the methods and results of consultation at the time of the appointment of an interim chair.

9.2. Interim Chair requirements. Interim appointments should normally be a member of the department in which they will serve and they should be tenured faculty members (see section 6 for exceptions.)

9.3. Transition to a regularly appointed Chair. While overseeing all the complex tasks of the department, the interim Chair’s ultimate responsibility is to prepare the department for an orderly transition to a regularly appointed Chair. The interim Chair should serve until a regularly appointed Chair takes office, normally before the beginning of the next academic year when taking office in the summer or Fall, or by
the beginning of the following Spring semester when taking office in the Spring. If the department cannot transition to a regularly appointed Chair within one year, the situation should be resolved under section 6 (Failure to Obtain) of this policy.

9.4. Technical details concerning the appointment of an interim Chair (appointment letter, salary adjustments, etc.) will be coordinated by the Office of the Provost.

10. SELECTION OF AN ACTING CHAIR

An acting appointment occurs when a Department Chair is on a temporary absence (illness, vacation, or leave) but is expected to return within a year. If the absence is less than one month, the Dean, in consultation (if possible) with the continuing Chair may determine that there is no need for an acting Chair. Otherwise, an acting Chair is appointed and serves only until the regularly appointed Chair returns.

10.1. Planned need for acting Chair. When the short-term absence of a Chair can be anticipated, the Department should nominate an Acting Chair using the procedures outlined in section 3 (normal nomination.)

10.2. Sudden need for acting Chair. When there is insufficient time or it is otherwise impractical to complete the regular nomination process explained in section 3, an Acting Chair should be designated using the procedures outlined in section 9 (interim.)

10.3. Limit on length of service. An Acting Chair should not serve more than one full academic year, and possibly the summer before or after the academic year. A Chair who is absent for more than one year should be replaced.

10.4. Technical details concerning the appointment of an acting Chair (appointment letter, salary adjustments, etc.) will be coordinated by the Office of the Provost.

11. REMOVAL OF DEPARTMENT CHAIR

In rare circumstances it may become necessary to remove a Department Chair prior to the expiration of the four-year term. There are two possible situations in which a Chair may be removed.

11.1. Administrative removal. The administrative removal of a Chair previously recommended by the faculty of a department is a very serious matter, and should only be undertaken for compelling reasons. A Chair will be given an opportunity to meet with the Provost and Dean to defend their record prior to removal. Following removal, the President or Provost should meet with the Dean and the faculty assembled in a department meeting to announce the action and solicit advice on the transition. Replacement of the Chair should be initiated according to the procedures in sections 3 or 9 of this policy.
Faculty initiated removal. Faculty may not initiate the removal of their Chair unless a formal review has been completed within the previous six months. (They may initiate such a review as per 7.2 of this policy.) Following the conclusion of any faculty-initiated early review, the department will vote to determine if their Chair should be recalled. A recall vote will follow the same procedures as a vote to recommend a Chair nominee as described in section 3 of this policy, save only that it requires a vote of 2/3 of the tenure/tenure track faculty to forward a recommendation to the President that the Chair be removed, with the votes of lecturers also reported as per the above procedures. If removed, replacement of the Chair should be initiated according to the procedures in sections 3 or 9 of this policy.
San Jose State University
Academic Senate
Professional Standards Committee
AS 1842
February 6, 2023
Final Reading

Sense of the Senate Resolution

In Opposition to the Exclusion of Faculty Early Retirement Program Faculty From Pandemic Compensation

Whereas: The Chancellor’s Office of the California State University (“CSU”), in conjunction with the California Faculty Association, negotiated, and their constituents ratified, a new Collective Bargain Agreement (“CBA”) on March 22, 2022, which in part provides for faculty of the CSU to receive additional pay for having to spend time, transforming face-to-face classes into online courses during the 2020 pandemic period, and

Whereas: the CBA specifically calls out in section 31.7 that faculty shall receive a one-time $3500 payment per fulltime faculty, and a proportionate share of that amount pro rata for part-time faculty, based on the hours worked during the period in question, and

Whereas: Faculty Early Retirement Program (FERP) faculty, per the CBA, were to be included in such payment, subject to CalPERS approval, which subsequently has ruled such payment is not allowed, based on a prohibition of “extra pay for extra work”, FERP faculty being constrained per CalPERS law to 960 hours per year, and

Whereas: FERP faculty worked just as hard to convert their classes to online instruction as did any other faculty, and

Whereas: both the Academic Senate of the California State University (“ASCSU”) and the California State University Emeritus and Retired Faculty and Staff Association (“CSU-ERFSA”) have issued resolutions supporting this FERP payment under the CBA; therefore be it

Resolved: That the Academic Senate of San José State University (SJSU) strongly supports the sentiments expressed in the resolution of CSU-ERFSA; be it further

Resolved: That the Academic Senate of San José State University (SJSU) urges both the CSU Chancellor and the President of CFA to direct their relevant professional staff and legal counsel to work collaboratively to address CalPERS’ interpretation of regulations that negate the clear language and intent of the CBA to compensate FERP and other RA faculty; be it further

Resolved: That copies of this resolution shall be distributed widely to students, faculty, and staff members of the SJSU community, to the Academic Senate of the CSU, to the CSU Chancellor, Executive Vice Chancellor for Academic Affairs, President of CFA, Faculty Trustee of the Board of Trustees, the CalPERS Board of Administration, the CalPERS Chief Executive Officer, and the CalPERS Deputy Executive Officer, Customer Services & Support.

Approved: November 21, 2022
Vote: 7-0-0

Present: French, Gómez, Kazemifar, Monday, Rapanot, Smith, Wang

Absent: Barrera

Financial Impact: None foreseen

Workload Impact: None foreseen