SAN JOSE STATE UNIVERSITY ACADEMIC SENATE

2017/2018

Agenda

February 12, 2018, 2:00 pm – 5:00 pm

Engineering 285/287

I. Call to Order and Roll Call –

II. Approval of Minutes:

Senate Minutes of December 11, 2017.

III. Communications and Questions:

A. From the Chair of the Senate

B. From the President of the University

IV. Executive Committee Report:

A. Minutes of the Executive Committee
Executive Committee Minutes of December 4, 2017
Executive Committee Minutes of January 8, 2018
Executive Committee Minutes of January 29, 2018

B. Consent Calendar –

C. Executive Committee Action Items –

V. Special Order of Business – Proposal to Extend Term of Senate Chair for One Year.

VI. Unfinished Business: None

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

A. Curriculum and Research Committee (C&R):

AS 1674, Policy Recommendation, Amendment A to F17-1, Policy for the Protection of Human Research Subjects (First Reading)

AS 1675, Policy Recommendation: Research, Scholarship, and Creative Activity: Advisor-Student Relationship, Sponsored Projects, and Proprietary and Confidential Information in RSCA (First Reading)

AS 1676, Policy Recommendation, Request by Department or School for a Name Change (First Reading)

B. Instruction and Student Affairs Committee (I&SA):

C. Professional Standards Committee (PS):

AS 1673, Policy Recommendation, Rescinding S88-5 and F02-2 (Old SOTE and SOLATE Instruments) Which have been superseded (Final Reading)

D. Organization and Government Committee (O&G):

AS 1677, Policy Recommendation, Rescind F72-1: Athletics Board Composition (Final Reading)

AS 1679, Policy Recommendation, Rescinds F88-5: Continuing Education Committee (Final Reading)

AS 1678, Policy Recommendation, Amendment A to S17-6, Departmental Voting Rights (First Reading)

E. University Library Board (ULB):

VIII. State of the University Announcements:

A. CFA President (by special invitation)
B. Vice President for Administration and Finance
C. Vice President for Student Affairs
D. Chief Diversity Officer
E. CSU Faculty Trustee (by standing invitation)
F. Statewide Academic Senators
G. AS President
H. Provost

IX. Special Committee Reports:

X. New Business:

XI. Adjournment:

2017/2018 Academic Senate

MINUTES
December 11, 2017

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

Ex Officio:
Present: Frazier, Van Selst, Manzo, Lee, J., Rodan

Administrative Representatives:
Present: Faas, Wong(Lau), Willey, Feinstein
Absent: Papazian

Deans:
Present: Elliott, Stacks, Ehrman, Jacobs

Students:
Present: De Guzman, Busick Donahue
Absent: Gill, Tran, Hospidales

Alumni Representative:
Present: Walters

Emeritus Representative:
Present: Buzanski

Honorary Representative:
Present: Lessow-Hurley

General Unit Representatives:
Present: Trousdale, Matoush, Kauppila
Absent: Higgins

CASA Representatives:
Present: Schultz-Krohn, Shifflett, Grosvenor, Chin, Sen
Absent: None

COB Representatives:
Present: Bullen, He
Absent: None

EDUC Representatives:
Present: Marachi, Mathur
Absent: None

ENGR Representatives:
Present: Chung, Sullivan-Green
Absent: Hamedi-Hagh

H&A Representatives:
Present: Khan, Riley, McKee
Absent: Bacich, Ormsbee

SCI Representatives:
Present: Cargill, White, Rangasayee
Absent: Kim

SOS Representatives:
Present: Peter, Wilson, Curry, Liu, Hart
Absent: None

II. Approval of Academic Senate Minutes–

The minutes of November 20, 2017 were approved.

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Frazier announced that there would be a break at 3 p.m. for holiday cake.

Chair Frazier reminded Senators that the Senate holiday party at the President's house is this coming Friday.

Chair Frazier announced that CSU Faculty Trustee Sabalius is present today and will be giving an update shortly.

B. From the President of the University – Not present.

IV. Executive Committee Report:

A. Minutes of the Executive Committee:
Executive Committee Minutes of November 13, 2017 **– No questions.**
Executive Committee Minutes of November 27, 2017 **– No questions.**

B. Consent Calendar:
There was no consent calendar.

The Election Calendar of 2017-2018 was approved.

C. Executive Committee Action Items: None

V. Unfinished Business: None

VI. Policy Committee and University Library Board Action Items. In rotation.

A. Instruction and Student Affairs Committee (I&SA) –
Senator Sullivan-Green presented ***AS 1649, Policy Recommendation, Registration Priority (Final Reading).*** Senator Shifflett presented an amendment to add a resolved clause that reads, "Resolved that San José State University adopt the following guidelines related to priority registration." Senator Rodan presented an amendment to the Shifflett amendment to remove "guidelines." The Rodan amendment to the Shifflett amendment was friendly to the body. **The Senate voted and approved the Shifflett/Rodan amendment**. Senator Van Selst proposed a motion to allow the committee to make any updates or changes to the state laws and policies referenced in the legislative history prior to sending it to the President for signature. The Van Selst motion was friendly. The Senate approved ***AS 1649 as amended.***

B. Professional Standards Committee (PS) –
Senator Peter presented ***AS 1646, Policy Recommendation, Selection and Review of Department Chairs and Directors (Final Reading)***. Senator Peter presented a motion to substitute the Professional Standards Committee version of AS 1646 he distributed to the Senate for the version brought to the Senate at the last Senate meeting. The motion to substitute was approved by the Senate. Senator Peter presented a page of amendments to the Professional Standards Committee's most recent version of AS 1646 just approved for substitution by the Senate. The Peter amendments were approved. Senator Mathur presented an amendment that was friendly to the body to change the footnote under line 230 to read "… to to 50%" to "… to 50%." **The Senate voted and AS 1646 was approved as amended**.

C. Organization and Government Committee (O&G) –
Senator Shifflett presented ***AS 1671, Policy Recommendation, Addition to the Responsibilities of the Budget Advisory Committee (F15-9) Related to Lottery***

Funds (Final Reading). Senator Shifflett presented an amendment to line 39 to change the line in quotes to read, "Finally, F14-1 revoked the temporary…". Senator Peter presented an amendment that was friendly to the body to the Shifflett amendment to strikethrough rather than underline, "~~Finally, F14-1 revoked the temporary…~~" The Shifflett/Peter amendment was approved. Senator Lessow-Hurley presented an amendment to strike everything on lines 48 and 49 in parentheses, "(e.g., lottery funds, the initial CSU budget…)." The Senate voted and the amendment was approved with 1 abstention. **The Senate voted and AS 1671 was approved as amended unanimously**.

Senator Shifflett presented ***AS 1669, Policy Recommendation, Amendment to the Senate Constitution Regarding Administrative Representatives (Final Reading).*** The Senate voted, and with the final tally being 25-7-0, AS 1669 failed to achieve a "majority of the total membership of the Academic Senate" (which would have been 27) as required in the Constitution, Article VI.

Senator Shifflett presented a motion to pull ***AS 1656, Policy Recommendation, Modification of Bylaw 1.10 Pertaining to Administrative Representatives on the Senate (Final Reading)*** from the agenda due to the failure of AS 1669. The Senate voted and the Shifflett motion was approved with 1 Nay and 3 Abstentions.

D. Curriculum and Research Committee (C&R) – No report.

E. University Library Board (ULB) –
The Chair of the ULB, Nick Taylor, presented ***AS 1672, Policy Recommendation, Amendment A to University Library Policy S15-10 (First Reading).*** Chair Taylor presented a motion to substitute the version of AS 1672 brought to the Senate today for the version brought at the last Senate meeting. The motion to substitute was approved. Senator Shifflett presented a motion to suspend the rules and move the resolution to a final reading. The Shifflett motion was approved. **The Senate voted and AS 1672 was approved as amended**.

VII. State of the University Announcements. Questions.

A. CSU Faculty Trustee:
Trustee Sabalius gave the inaugural report by a CSU Faculty Trustee who is a member of SJSU. Trustee Sabalius announced that he has only been home 3 days this month and that he travels a lot, but he loves his job. When in San José he is in his office. Trustee Sabalius still attends all three days of the CSU Statewide Academic Senate meeting in Long Beach. Although he is no longer a Senator, he is still an ex officio member of the CSU Statewide Academic Senate's Executive Committee.

In November, Trustee Sabalius conducted his first campus visits as CSU Faculty Trustee. He visited the Humboldt and Chico campuses. When he visits the campuses, Trustee Sabalius submits a list of those he would like to meet with to the

President's Office of the campus. This usually includes the President, the Provost, the Vice President of Finance, the Vice President of Student Affairs, and the Chief Diversity Officer.

He also meets with the Senate and CFA leadership, as well as with representatives from the Associated Students. Then there are always special programs he would like to get to know and other campus members such as previous CSU Faculty Trustees. While at Chico State, Trustee Sabalius was able to observe practice in the Nursing simulator that allows students to experience almost real life scenarios. Trustee Sabalius also learned more about the CalFresh program while in Chico. The program is located at Chico, but cooperates with ten other CSU campuses. While at Humboldt, Trustee Sabalius also took part in an Associated Students meeting discussing the possible termination of the football program. While at Chico, Senator Sabalius also toured their aging facilities, such as the boiler room that heats and cools the campus. Chico is the second oldest campus next to San José State University.

Trustee Sabalius must give prior notice of any intent to visit a campus. He cannot just show up. While in the Bay area, Trustee Sabalius tries to meet with legislators such as Assembly member Evan Low. There are also numerous virtual meetings with the Executive Committee and the Chancellor. Trustee Sabalius has also made it a point to meet with all former Faculty Trustees across the state.

Questions:
Q: Could you say a few words about the budgeting process?
A: When the trustees talk about the budget they only talk about what is new as opposed to the entire budget. The Board of Trustees (BoT) makes a list of needs the CSU has and our obligations that are absolutely necessary to fund. They came up with $283 million of extra funds that we need on top of our $6.5 billion budget that we had in the prior year. We expect to get $102 million and we plan on 1% enrollment growth, which will net us another $20 million. This leaves us with a shortfall of $161 million. The governor is sitting on $6 billion in reserves. The BoT next will turn to our legislators in hopes that they carve out extra funds for the CSU. We are generally successful with this, but the legislators often attach unpleasant conditions to the funds.

The $283 million includes $122 million in increases we are obligated to pay for negotiated salary increases and then there are $31 million in mandatory costs. The governor is expected to give us only $102 million. Then the other big ticket item is the Graduation Initiative 2025, which costs another $75 million.

Q: One of the problems with the BoT in past decades is that many are not that informed about student and campus needs. What is your impression of your colleagues now? Are they more knowledgeable and do they understand the faculty and student perspectives?
A: I think you describe the situation correctly. You have to consider that the public

trustees are people from the community and being a trustee is only a small part of what they do in life. The Faculty Trustee and the Chancellor are the only two members of the board that are being paid to do this, so for me this is a full time job. I see this as one of my responsibilities as the Faculty Trustee to educate the BoT as much as I can. I believe they try as best as they can. The massive agenda for the BoT meetings comes to us ten days before the meeting and additionally it has numerous links to reports that need to be read. It is an excessive amount of material that does come primarily from the Chancellor's Office, so it is important to have other constituents address the issues. The trustees seem to be very dedicated and sincere and they want to do their best for the CSU. However, the question is to what extent are the members of the BoT knowledgeable about the complexities and full extent of the issues.

B. Vice President of Student Affairs (VPSA):

This is finals week and starting Wednesday we will have finals tables where our students can pick up free scantrons and number 2 pencils. There will also be some exam books, snacks, yoga, and free coffee at multiple locations.

In the last two days of spring admissions, the CSU received 350,000 of the 914,000 applications received through Cal State Applied. SJSU is up 17% with our freshman applications. We had over 35,000 applications this year compared to 30,000 last year. Transfer student applications were up 3%. We had 16,600 applications this year and last year we had 16,100. In the end it worked out, but there was a lot of stress involved. Graduate applicants are open until spring so no counts yet. Thus far we have 25,006 students enrolled for Spring 2018. Last spring we had 24,104 enrolled.

On behalf of the Student Affairs Division, we wish you a restful break. We also thank you for your support.

C. Chief Diversity Officer (CDO):

A number of workshops will be held next semester by our faculty-in-residence, Magdalena Barrera. Notification was sent out to deans and associate deans asking them to target and notify under-represented pre-tenure faculty. These workshops will be held in the first week of February, March, April, and May. The workshops are two hours each and will cover research on under-represented faculty and we eventually will link pre-tenure faculty with tenured faculty.

The Diversity Office has been invited to the Board of Academic Freedom and Professional Responsibility (BAFPR) to collaborate with them on either a workshop, panel, or discussion on academic freedom as well as freedom of speech.

The Diversity Office continues to work with the Faculty Diversity Committee. The Diversity Office will also be offering their last faculty diversity recruitment and search committee consultation workshop.

The President's Commission on Inclusive Excellence will launch this spring and the CDO is in the process of identifying people to recommend to the President to sit on the committee. The CDO anticipates about 30 people from all colleges sitting on the committee. There will be ex officio members as well as faculty, staff, key student success officers, and Senate representation. There will also be representatives from different student groups on the committee.

Questions:
Q: How does SJSU compare in terms of diversity requirements in curriculum to other CSU campuses?
A: Nationally or other CSU campuses? Some campuses have very specific requirements and use specific classes. Other campuses let departments fulfill it with special topic classes. The model we use here is very common. We have classes in different departments that meet the requirements.

Q: Someone asked me what the campus was doing in terms of bullying?
A: That is an issue that isn't really under the CDO, but we would consult on it. This is something that should be dealt with by the President's Cabinet and other offices on campus in terms of employee-on-employee bullying. Most campuses are struggling with this.

D. CSU Statewide Senators:
Last week the CSU Statewide Senate had their interim meetings. The resolution passed at the last ASCSU meeting was the standards for quantitative reasoning.

The BOT Chair is a member of the GE Task Force. We are able to ask some of the really tough questions around GE. We anticipate being able to bring a product of that to the ASCSU within the next 6 months to one year.

Questions:
Q: Can you give us potential changes just briefly?
A: One idea that has been floating is a system-wide course so that every graduate would have a similar experience. Another idea is to potentially add requirements instead of swapping things.

Q: Is there any consideration of including reading competency as a requirement of general education?
A: We have talked about it.
Q: Please talk about it some more.

E. Associated Students President (AS): No report (The AS President and Directors had another meeting to attend and had to leave early).

F. Provost and Senior Vice President for Academic Affairs:

Questions:

Q: Is athletics going to quit scheduling events during finals so that they can study for finals since nothing distracting like convocation is allowed during finals week?

A: We haven't discussed this. There is a lot of misinformation regarding commencement. There is information going around that we are getting rid of events and we are not. We are close to finalizing when each college will hold its commencement and I'd be happy to answer any questions anyone has regarding this.

G. Vice President for Administration and Finance (VPAF):

Last Monday a group of legislative staff met with the President and Executive Committee on campus. We walked them through our budget and all student success initiatives and deferred maintenance and facility plans. They asked a lot of questions and were very engaged. We took them on a number of tours across campus including student housing, the Hammer Theatre, the site new Science building, the Student Union, and the new housing area. It was a good education time for our legislators.

Questions:

Q: Some students are concerned about the loss of their field next to MH due to the new Science Building**.** Can you elaborate on this?

A: This field being about the size of this room? We don't have enough green space on campus. We are looking at South Campus to add additional fields and not just for our student athletes. We are looking to create some green spaces near student housing.

Q: Where will buses take off from if South campus can't be used?

A: I'm not sure what the President said.

Q: She said there will be no more parking on South Campus.

A: There will be plenty of parking on South Campus. We have our park and ride lot which has 850 spaces. This will continue to exist and we need more parking on South campus.

Q: Then what was meant by the President when she said that students that wish to graduate will have to be bused?

A: This refers just to commencement this year. We will have the 850 spots, but not the track for parking purposes. This is not enough parking to accommodate everyone. Hopefully in the future we will figure out better parking for everyone.

Q: There was a new sign today between DMH and HGH that says there is a new camera installed?

A: They are installed all over the campus.

Q: Are they on a loop, or are there people actually watching the cameras?
A: We have people watching everything (laughter). Our UPD has a lot better things to do than watch the monitors. The cameras are in case there is an incident and they need to review the film. We just wanted to let people know things are being filmed.

VIII. Special Committee Reports – No report.

IX. New Business – None

X. Adjournment – The meeting adjourned at 4:27 p.m.

Executive Committee Minutes
December 4, 2017
Noon – 1:30 p.m., ADM 167

Present: Frazier, Shifflett, Manzo, Peter, Schultz-Krohn, Mathur, Lee, Van Selst, Sullivan-Green,

Absent: Faas, Papazian, Wong(Lau), Feinstein, Willey

Guest: Elliott

1. The minutes of November 27, 2017 were approved.

2. There was no consent calendar for December 4, 2017.

3. Library Presentation:
   Dean Elliott gave a presentation on the library and proposed changes to S15-10, the University Library policy.

   The primary reason for the request to modify the library policy and make changes to the 2nd floor of the library is to move the staff out of the basement. Currently, the staff are located a floor below where they service students. The public library director has said she will also move her staff out of the basement if SJSU does. A library planner was hired last year to look at the layout of the library and see where changes could be made. The proposed changes include relocating technology and science collections to the basement and moving staff to the 2nd and 3rd floors. The Friends of the Library space on the 2nd floor would be reduced and research commons would be put in that space. The plan also calls for quadrupling the collaborative space. Students will not utilize the library if there is no collaborative space to work in. There would be 6,000 square foot of collaborative space on the 2nd floor and 16,000 square foot on the 6th floor. There would be no changes to the 7th and 8th floors. Our students that are seniors are the biggest group of library users and they want collaborative space.

   Questions:
   Q: What kind of changes will have to be made to be in compliance with the building code?
   A: One issue we have is there are not enough exits from the building and the escalators will need to be replaced with stairs. Another issue is there were too many people congregating on the 2nd floor. The planner came up with a solution to add spaces to the 6th floor. However, we need to get people up to the 6th floor quickly and one solution may be to make two of the five elevators express elevators to the 6th and 7th floors.

Q: A member commented that when you walk into the library it doesn't feel like a university library.
A: Dean Elliott is working with the designer to change one of the entrances to showcase the university when you enter.

4. University Updates:
    a. CSU Statewide Senators:
    Meetings were held last Friday in Long Beach and there were lots of K-12 and Executive Order issues. In addition, the Chancellor received a huge grant to expand Project Rebound to other campuses.

    Intermediate Algebra is no longer a prerequisite for D4 classes under Executive Order 1100. For instance, you can't say Intermediate Algebra is a prerequisite for Stat 95 unless you can prove all of it is needed for Stat 95. Early Start students will be required to do a concurrent class that is credit bearing. The question is how to identify students that should be placed in these classes and having enough sections. One answer is to identify and place them based on grade point average.

    b. Professional Standards Committee (PS):
    The Provost is attending the PS meeting today to talk about faculty borrowed from other departments. The Provost will also be speaking with the deans about this.

    PS has worked through the voting rights in the Chairs and Directors policy and will bring it to the Senate for a final reading at the December 11, 2017 meeting. Permanent faculty working in two colleges will have a full vote in their permanent department and no vote in their non-permanent department.

    c. Instruction and Student Affairs (I&SA):
    I&SA is in a data collection mode. I&SA is reviewing and working on advanced registration and add codes.

    d. Organization and Government Committee (O&G):
    O&G will be bringing the Constitutional Amendment regarding deans and administrators membership on the Senate, the Bylaw amendment regarding the procedures for the selection of deans and administrators on the Senate, and a policy recommendation adding lottery fund oversight to the Budget Advisory Committee (BAC) back to the Senate for the December 11, 2017 meeting.

    e. Curriculum and Research Committee (C&R):
    C&R hopes to bring the RSCA policy back to the Senate at the December 11, 2017 meeting.

C&R is working on two policies regarding curriculum. One policy establishes procedures for department name changes. The other policy establishes a 4+1 (years) option for a Master's degree. The department name change and 4+1 option will come back to the Senate in the spring.

5. The meeting adjourned at 1:20 p.m.

These minutes were transcribed by the Senate Administrator, Eva Joice, on December 8, 2017. The minutes were reviewed and edited by the Senate Chair, Stefan Frazier, on December 8, 2017. The minutes were approved by the Executive Committee on January 8, 2018.

Executive Committee Minutes
January 8, 2018
Noon – 2 p.m., ADM 167

Present: Frazier, Shifflett, Manzo, Schultz-Krohn, Mathur, Lee, Van Selst, Feinstein, Sullivan-Green, Willey, Wong(Lau)

Absent: Riley, Peter, Faas, Papazian

Guest: Bailey

1. The nominees for the VPSA search committee recommended by the President were approved (10-0-0).

2. The minutes of December 4, 2017 were approved.

3. The consent calendar for January 8, 2018 was approved.

4. The committee discussed nominees in the Senate Special Election for the College of Business. There was only one nominee. However, the nominee does not meet the 1-year-at-SJSU requirement. The Provost will ask the CoB Dean to appoint a temporary one-semester replacement.

5. It was approved that the vacant department chair slot on the Strategic Planning Steering Committee be filled by Monika Kress (10-0-0).

6. Policy Committee Updates:
    a. Curriculum and Research Committee (C&R):
    C&R is working on referrals regarding RSCA, students taking classes that count toward the master's degree during their last semester as UG, and a revision to S89-2 that will come to the February 2018 Senate meeting. The O&G Committee will be sending approximately 15 referrals to C&R this month.

    b. Professional Standards Committee (PS):
    PS is waiting on the Chairs and Directors policy to be signed and returned by the President. The O&G Committee will be sending one referral to PS this month.

    c. Instruction and Student Affairs Committee (I&SA):
    I&SA is working on the Academic Integrity, and the Academic Renewal and Course Repeat Policies. O&G will be sending eight referrals to I&SA this month.

d. Organization and Committee (O&G):
O&G, in collaboration with Institutional Effectiveness and Analytics, is working on establishing staff focus groups in which staff will be invited to provide their input on staff engagement. In addition, a campus-wide forum will be held to gauge staff engagement.

The committee discussed the constitutional amendment brought to the Senate by O&G that failed by two votes. O&G will discuss options regarding whether or not to bring the item back to the Senate. Executive Committee members urged O&G to consider the arguments that came on the floor of the Senate and to address those issues before returning a proposal to the Senate. This would be a motion to reconsider.

e. CSU Statewide Senate:
The CSU Statewide Senate continues to discuss EO 1110 and 1100. The Statewide Senate has a different perspective on how CSU tuition ought to be structured. There are historic documents advocating for predictability in tuition changes. Other documents endorse the original master plan target of fully state supported education (zero tuition). The state budget for this year may not be good for the CSU. The CSU struggles with how to pay for salary and health care increases which prior budgets moved from being a state responsibility into the CSU budget. The tuition model (break point at six units versus unit based charges) is also of concern.

7. Updates from the Administration:
   a. Vice President for Student Affairs (VPSA):
   Student Affairs held their finals tables and gave out 3,200 Blue Books and 7,900 Scantrons. There was an 82% increase in Accessible Education Center exams administered. Unfortunately, there has been an increase in cheating across campus.

   Some of the issues with Cal State Apply include high school counselors that are not familiar with the system yet, transfer students having to enter all classes, and the loss of being able to pay by check.

   Spring enrollment is up 1,413. There are 900 new students and we expect 1,200. There is a 34% decrease in international graduate students this spring.

Student Affairs has ASK ME tables set up for spring. We are on track with graduating students. In 2015-2016 we graduated 1,000 more than in 2014-2015.

b. AS President:
AS has a new Director of Internal Affairs, Kyle Norman. He will sit on the O&G Committee.

AS will host their winter retreat this Friday and will do budget training.

AS approved a $1000 donation to the family of the student that passed away recently.

AS spring elections will start on February 1, 2018.

AS is accepting Student Trustee applications for the CSU Board of Trustees.

c. From the Provost:
January 15, 2018 is the deadline for applications for the Dean of the College of Education. The Dean for the College of Science search application deadline is the February 1, 2018. The search should be completed soon after, and deans hopefully on board by July 1, 2018.

The Early Start requirement component pilot is in 2018. We will need to look into costs. The Provost wants to be informed if students can't get into classes.

d. From the Chief Diversity Officer (CDO):
A new Title IX Coordinator Search is underway. The interim coordinator will stay three more months. The CDO is looking for a new investigator for a six-month position. Last academic year there were 76 Title IX cases. We are already at 65 this academic year. There has been an increase in the number of cases reported by students involving faculty. Investigations are very labor intensive. A member asked about the possibility of offering training to CSU staff/faculty members through the CSU that would then be placed with campuses to work as investigators. The CDO will look into this. The website needs updates according the CA State Government audit. The CDO is working on this.

8. The meeting adjournment at 2:00 p.m.

These minutes were transcribed by the Senate Administrator, Eva Joice, on January 8, 2018. The minutes were reviewed and edited by the Senate Chair, Stefan Frazier, on January 20, 2018. The minutes were approved by the Executive Committee on January 29, 2018.

Executive Committee Minutes
January 29, 2017
Noon – 1:30 p.m., ADM 167

Present: Frazier, Shifflett, Wong(Lau), Manzo, Peter, Schultz-Krohn, Mathur, Lee, Van Selst, Feinstein, Faas, Sullivan-Green, Willey

Absent: Riley, Papazian

1. The minutes of January 8, 2018 were approved.

2. The EC discussed adding Preston Rudy, CFA Representative, to the Senate Agenda to discuss the Supreme Court case regarding abolishing agency fees. A motion was made to add Dr. Rudy to the Senate Agenda and allow 10 minutes to present information to the Senate. The motion was seconded and approved (6-2-5).

3. University updates:

   a. From the Vice President for Administration and Finance (VPAF):
      A water main cracked between 9th Street and Campus Village in the easement under the street. The CIES Lounge area had a little water from the flooding. No other buildings were impacted.

      The new tennis facility on South Campus opened in December 2017. The Bank of the West Women's Tournament will be held there at the end of July or beginning of August.

      Women's softball will now have their own field.

      The Spartan Shops Board approved the request for proposals to take over food service. The four potential companies are Aramark, Chartwell, Sedesco, and Spartan Shops. A decision will be made by mid-April.

   b. From the Vice President for Student Affairs (VPSA):
      The Accessible Education Center (AEC) accidentally gave an incorrect version of a final to a few students that was actually a midterm. Students have been contacted to retake the final.

      Spring 2018 enrollment is at 30,215 which is up 1,500 from last year.

      Cal State Apply continues to have some issues. The coding is not in place for test scores at this time. In addition, it is allowing students to apply for majors we do not offer.

The Chicanx/Latinx Student Success Center opens on February 5, 2018 and the welcome will be held in the Student Union Ballroom from 5 to 8 p.m. The African and Asian American Student Success Centers will be opening in early February as well.

The tuition deadline for spring is this Sunday and this is also the last day to drop classes. In addition, Peoplesoft will be down this weekend.

Welcome programs as well as a Student Success Symposium are being held for Spring.

c. Associated Students President (AS):

AS is still assisting with DACA renewal applications.

AB 1037 is about a Cal Grant Program for Undocumented Students.

In a recent meeting between the Chancellor and CSSA about proposed tuition increases, the Chancellor did not comment except to answer their questions.

d. CSU Statewide Senators:

The ASCSU has discussed EO 1100, EO 1110, the Tenure Density Report, and AB 320 changes.

The Governor's budget underfunds the CSU.

e. Provost:

The Provost will look into the fact that the new SOTE reports appear not to have norm ranges. [Subsequent update: this problem was cleared up. The norm ranges are there, just in a different format.]

The dean searches for the College of Science and College of Education are progressing. Candidates should be on campus before spring break.

Questions:

Q: At the department level there has been talk about us going to a 3/3 load. If so, we need to start thinking about this now. Have you looked at RSCA metrics? If a faculty member teaches a 4/4 load he/she may never get promoted.

A: RSCA needs to have outcomes that can be measured. The Provost will be looking at how to create a fair and balanced approach.

f. Chief Diversity Officer (CDO):
The CDO just go back from Washington D.C. and heard the announcement regarding the resignation of the MSU President. Campuses are looking at whether they are structured in a way to avoid something like this. On our campus there is more communication between the Title IX Officer and the CDO, since the Title IX Officer reports to the CDO. SJSU will be having mandatory training for all students. The CDO is asking for another investigator.

4. Policy Committee Updates:
   a. Professional Standards Committee (PS):
   The PS Committee approved a letter to the President asking for information on the Information Privacy policy that passed in the Senate in April 2017.

   PS is investigating the possibility of adding staff awards to the faculty awards policy as well as adding procedures for the Wang Award. The President had indicated she would look into establishing staff awards, but has not gotten back to PS regarding this referral.

   PS is working on referrals regarding S88-5 on SOLATES, and F81-7 regarding grant related instructional faculty.

   b. Organization and Government Committee (O&G):
   O&G held the first of several "Staff Engagement" focus group meetings. O&G noted that no staff had volunteered to be in the focus groups from the Administration and Finance Division. A suggestion was made for the chair of O&G to reach out the VPAF in this regard. After the focus groups are held, a forum will be held for all staff.

   c. Curriculum and Research Committee (C&R):
   C&R has been working on new UG programs and revisions to existing programs.

   C&R will be bringing a revision to the RSCA policy to the first Spring 2018 Senate meeting on February 12, 2018.

   C&R received 15 referrals from O&G this week and will begin sorting through them. Some will have to wait for Fall 2018.

C&R is also moving forward on the 4 + 1 policy.

d. Instruction and Student Affairs Committee (I&SA):
I&SA received 8 referrals from the O&G Committee in addition to 4 referrals that are currently outstanding. Many will have to wait until Fall 2018. I&SA will look into and prioritize them.

e. Senate Administrator:
The Senate Administrator reported on the Senate General Elections on behalf of the AVC who is out ill. The Senate Administrator has drafted and will send out election materials on Friday, February 2, 2018 in accordance with the Elections Calendar. Seat calculations for this year included an increase of one faculty seat due to this being a year without a past chair. The Chair, AVC, and Senate Administrator verified the seat calculations for Spring 2018 and the General Unit gained one seat. All other college seats remained the same.

5. The meeting adjourned at 1:26 p.m.

These minutes were transcribed by the Senate Administrator, Eva Joice, on February 4, 2018. The minutes were reviewed and edited by the Senate Chair, Stefan Frazier, on February 4, 2018. The minutes were approved by the Executive Committee on February 5, 2018.

Consent Calendar 12-Feb-18

Committee	Last Name/First Name	Term	Phone	Seat/College
ADD:				
Strategic Planning	Kress, Monika	2019	45230	G
C&R/Senate seat	Jensen, Scott	2018	43487	F
O&G/Senate seat	Norman, Kyle	2018	kyle.norman@sjsu.edu	L
ULB	Warde, Mansi	2018		3/ grad student
ADAPC	Miranda, Celinda	EXO		Seat J
ADAPC	Cutler, Chris	2018	chriscutler@ymail.com	Seat 4
ADAPC	Thomas-Williams, Ashley	2018	ashley.thomas-williams@sjsu.edu	Seat 3
Sustainability Board	Cloherty, Bethany	2018	bethanycloherty@gmail.com	Seat Q
O&G/Senate seat	French, Rachael	2018	rachael.french@sjsu.edu	Seat H
SPSC/UG Std	Malik Akile	2018		Seat E
SPSC/GR Std	Angela Iraheta	2018		Seat F
REMOVE:				
C&R/Senate seat	Rodan, Simon	2018		F
PR/Senate Seat	Hamedeh-Hagh, Sotoudeh	2018		E
Strategic Planning	Trulio, Lynne	1 sem only		G
O&G	Tran, Thi	2018		L
Campus Planning	Virick, Meg	F17 only		H
ADAPC	Preston, Stephanie	EXO		Seat J
SPSC	Ariadna Manzo	2018		Seat E

SAN JOSE STATE UNIVERSITY
Academic Senate
Professional Standards Committee
February 12, 2018 **AS 1673**
Final Reading

POLICY RECOMMENDATION
Rescinding S88-5 and F02-2 (Old SOTE and SOLATE Instruments) Which have been superseded

Whereas: S88-5 approved the questions for the Student Opinion of Laboratory Teaching Effectiveness (SOLATE) instrument in 1988; and

Whereas: F02-2 approved the questions for the Student Opinion of Teaching Effectiveness (SOTE) instrument in 2002; and

Whereas: S17-2 approved new SOLATE and SOTE instruments without formally rescinding the old ones; now, therefore, be it

Resolved: That S88-5 and F02-2 be rescinded immediately.

Rationale: Failing to rescind S88-5 and F02-2 was an oversight that this action will correct.

Approved: February 8, 2018 (email)

Vote: 7-0-0

Present: Chin, He, Marachi, Kauppila, McKee, Peter, Donahue, Kimbarow

*Absent: White, Donahue**

**Donahue was present and voted for an earlier version of this resolution.*

Financial Impact: None.
Workload Impact: None.

SAN JOSE STATE UNIVERSITY
Academic Senate AS 1674
Curriculum and Research Committee
February 12, 2018
First Reading

POLICY RECOMMENDATION
Amendment A to F17-1,
Policy for the Protection of Human Research Subjects

Whereas F17-1 updated the Policy for the Protection of Human Research Subjects; and

Whereas F17-1 rescinded S08-7 but did not rescind F08-1, an amendment to S08-7; and

Whereas F17-1 should have rescinded both S08-7 and the amendment to S08-7 (F08-1); therefore be it

Resolved that F17-1 be amended to rescind F08-1

Approved:	January 29, 2018
Vote:	10-0-0
Present:	Anagnos, Buzanski, Cargill, Chung, De Guzman, Jensen, Stacks, Matoush, Rodan, Schultz-Krohn
Absent:	Bacich, Heil, Trulio,
Workload Impact:	None anticipated
Financial Impact:	None anticipated

San José State University
Academic Senate **AS 1675**
Curriculum and Research Committee
February 12, 2018
First Reading

Policy Recommendation:
Research, Scholarship, and Creative Activity: Advisor-Student Relationship, Sponsored Projects, and Proprietary and Confidential Information in RSCA

Legislative History: Rescinds S94-8
First presented during AY 2016-2017 but language about the Non-Disclosure Agreements (NDA) needed revisions and the policy was returned to the Curriculum and Research Committee for AY 2017-2018.

Rationale: There is need to update the University policy on Research, Scholarship, and Creative Activity (hereafter RSCA) in compliance with the Integrated CSU Administrative Manual Section 11000. In addition, policies, procedures, and practices on campus have undergone significant changes in the last 20 years that necessitates an update to our RSCA policy.

RSCA at a university advances the frontiers of knowledge, keeps individuals energized and familiar with recent developments in their fields, and provides an experiential learning context for students. These activities enrich a university community, contribute to knowledge and progress in the profession, and contribute to high-quality education. San José State University (SJSU) endorses the principles of academic freedom in RSCA and the University promotes conditions of free inquiry as outlined in SJSU University Policy S99-8. As per S94-8, SJSU supports RSCA activity and the pursuit of research in concert with other university duties. All RSCA undertaken by SJSU personnel and students must be in compliance with all federal, state, CSU, and SJSU laws, regulations, and policies (contact Office of Research for guidance on laws, regulations, and policies). RSCA is defined by the discipline and may be further elaborated on within departments and colleges. RSCA typically excludes individual consulting or individual private business ventures.

Whereas: RSCA at SJSU includes a wide range of activities, funding approaches, disciplines, and practices, this policy covers only three aspects of RSCA: I. The RSCA

Advisor - Student Relationship; II. Sponsored Projects; and III. Proprietary and Confidential Information in RSCA[1].

I. The RSCA Advisor- Student Relationship

The involvement of students as active participants in RSCA projects provides students with richly rewarding, and often unique, learning opportunities, and the University encourages student involvement in RSCA. Thus, one of the criteria that may positively influence the decision to undertake RSCA projects or to accept extramural support is the potential to enrich quality of the student learning experience. The University thus adopts the following policy governing the RSCA Advisor - Student Relationship:

A. RSCA Advisor Role

When bringing students into a RSCA project as collaborators, the advisor should encourage the free pursuit of learning, should show respect for the student as an individual, and act as an intellectual guide and advisor/mentor.

B. Alignment of Commitments and Obligations

Prior to bringing a student into a RSCA project, the advisor and the student should discuss time constraints and commitments and establish their respective responsibilities, make clear any obligations to third parties, and discuss possible implications of research misconduct. In some cases, the advisor and student may face conflicts when there are simultaneous academic and RSCA obligations. In these cases, the RSCA advisor and/or the student should contact the department chair (or associate dean if the chair is the RSCA advisor) for guidance.

Situations may arise in which an advisor allows competing commitments/obligations or third-party involvement to influence his or her role as a teacher, mentor, or supervisor of RSCA, to the detriment of the student's educational experience. Such influence could include transmission of student's RSCA results to the organization before the project has been completed; inability of an advisor who is frequently absent from the research setting to give appropriate advice on the conduct of student's RSCA; and pressure on students to change research directions to work on projects that strengthen an external organization's position. The ultimate goal is to establish a clearly defined relationship between all parties and establish a quality educational experience.

C. Financial Support

[1] See Table 1 for list of other University Policies relating to RSCA.

The University affirms the student's right to know the source(s) of the RSCA funding. Should a student choose to reject financial assistance linked to the source, the student has the right to do so without adverse consequences.

D. Oversight

The University, and by extension the RSCA advisor, is committed to protecting the educational interests of students and maintaining an open environment free from undue influence of private interests. Allegations of deviations from acceptable standards in this regard should be brought to the attention of the college or division head and/or the AVP for Research. Such allegations will be investigated, and, where appropriate, action taken by the appropriate administrative officer. Any action is subject to review by the next level of administration and through standard University grievance processes to the extent applicable by authorized employees.

E. Recognition

Significant scholarly or artistic contributions from students must be acknowledged by the RSCA advisor. Prior to bringing students into a RSCA project, the RSCA advisor must discuss what is meant by significant contributions within the discipline.

II. Sponsored Projects

Sponsored projects are funded activities in which there is a formal written agreement (i.e., grant, contract, or cooperative agreement) and may be thought of as a transaction in which there is a specified statement of work with a related, reciprocal transfer of something of value. An externally-funded sponsored project is an agreement between SJSU and an external sponsor; such agreements are enforceable by law and performance is usually accomplished under time and fund use constraints with the transfer of support revocable for cause.

The University adopts the following guidelines governing sponsored projects:

A. Oversight of Sponsored Projects

With respect to externally-funded sponsored projects, the policies in Integrated CSU Administrative Manual Section 11000 "serve as the fundamental system-wide requirements governing the California State University's (CSU) involvement with the solicitation, acceptance and administration of awards from extramural sponsors for the conduct of research and scholarly activity, and other sponsored activities." [ICSUAM Section 11001.00]. ICSUAM Section 11002.01. Section 1.5 defines "Recipient" of a sponsored project as the university or auxiliary, but not

an individual, department or other constituent unit. Section 1.8 "Sponsored Program Administrator" (SPA) is defined by the Recipient as the entity that will administer the grant or contract. At SJSU, it can be the University, the Research Foundation (Office of Sponsored Programs) or the Tower Foundation (pre-award work for Tower Foundation is performed by Corporate and Foundation Relations).

In consultation with the Associate Vice President (AVP) for Research or his/her designee (hereafter: the term AVP for Research includes his/her designee except where specified), SPAs help the Principal Investigator (PI) address the requirements governing proposal preparation and submission, award negotiation, and post-award management. SPAs assist with identification of possible funding opportunities, management of solicitation of internal applications for limited submission opportunities, and facilitate development of current and pending reports. SPAs also negotiate and execute Materials Transfer Agreements, *RSCA-related Non-Disclosure Agreements (NDAs)*, IP and Tech transfer agreements, and all other legal instruments associated with sponsored programs.

The PI, acting for and on behalf of SJSU, has primary responsibility for the management of his/her sponsored project in accordance with federal, state, University, and sponsor requirements. For every funded award, a single PI must be designated who personally participates in the project to a significant degree. In circumstances where a sponsor specifies that the PI must be the President, Provost or Dean, the designated PI will serve on behalf of the President, Provost, or Dean.

B. Principal Investigator Eligibility

1. Internal Eligibility

The PI and any co-PIs must be qualified by education, training and experience in the area in which the funded RSCA or other project is being conducted. Generally, faculty members at SJSU on the tenure-line having the rank of Assistant, Associate or Full Professor as described in their letter of appointment are eligible to be a PI on sponsored projects. A co-PI may be a faculty member, student, or other University personnel.

2. External Eligibility

Certain sponsors or funders may specify PI or co-PI eligibility criteria. Such criteria may include degree(s), awards/honors, tenure, how many times the individual has been a PI, faculty membership, etc. In addition to the sponsor's

criteria, the potential PI or co-PI must be aware of his/her own responsibilities, have approval from his/her unit, and meet PI and co-PI eligibility requirements as dictated by SJSU policy.

3. Exceptions

An administrator, faculty member in the Faculty Early Retirement Program (FERP), emeritus, temporary, adjunct, visiting, volunteer faculty, University, or auxiliary employee may serve as PI or co-PI with the prior authorization of the AVP for Research. For academic personnel, PI and co-PI status must be recommended at the department and/or college level pertaining to expertise and by the Dean or designee based on the stated willingness of the potential PI to comply with administrative and fiduciary requirements. Non-academic personnel will use a parallel recommendation process. The petition for exception is forwarded along with a Curriculum Vitae or resume to the AVP for Research for final decision. The exception may provide limited approval for a specific proposal or provide status for submissions for a specified period. If the AVP for Research does not approve the request, the dean will be notified and alternative PI solutions will be discussed.

C. Externally-Funded Proposal Submission, Review, and Approval

All requests for externally-funded, sponsored projects (including but not limited to letters of intent, contracts or grant proposals that might be construed as a SJSU commitment to the external party) shall only be submitted to sponsoring agencies with prior written approval of the president and the chief financial officer, or their designees (at SJSU, the AVP for Research and AVP for Finance, respectively). The designees work closely with the SPA through which external funding proposals are submitted and subsequent awards are received. Other responsibilities of the SPA include: negotiating and accepting awards on behalf of the University and PI (it must be emphasized that all awards are given to the institution and not to the PI); drafting, negotiating and executing subcontracts; representing SJSU and the PI when interacting with sponsors. The Office of Research, SPA, and the PI are jointly responsible for ensuring institutional compliance with Federal and State regulations; sponsor policy and University policy compliance; coordinating pre-award and post-award actions that require either institutional or sponsor prior approval; and reporting responsibilities. Individual faculty members or non-authorized staff may not negotiate, sign, amend, or accept externally funded contracts and grants on behalf of SJSU or its auxiliaries. As noted above, each contract or grant proposal for extramural funding of RSCA, training, and public service projects, and extramural awards received for such projects, must name an eligible employee of the University or

auxiliary to serve as a principal investigator (see Section II B. to review eligibility guidelines).

Funding proposals to support students' RSCA activity must be sponsored by an eligible PI, as the designated PI. A student may be listed as a co-PI, but may not be the point of contact or PI for the project. In general, students who participate in sponsored programs must conform to all rules under the RSCA Student-Advisor Section 1, in addition to the policies listed in Table 1.

D. Principal Investigator Responsibilities

While there may be any number of co-PIs, there must be one individual who is recognized as PI (Lead PI) and is ultimately responsible to:

- Conduct the sponsored project and complete required reports and deliverables in accordance with applicable University, SPA, and sponsor or funder policies and guidelines;
- Ensure that all required University and SPA forms and certifications are completed in a timely manner;
- Conduct the work on the project according to the research protocol or statement of work that was submitted with the original proposal or as subsequently modified by the sponsor or funder in agreement with the PI and the University/SPA;
- Manage the project budget so that funds are spent in accordance with financial and administrative policies and ensure timely submission of expenses for reimbursement;
- Manage project personnel in compliance with federal and state laws, as well as University and SPA policy;
- Manage the retention and storage of all programmatic technical materials and reports in accordance with sponsor or funder guidelines and requirements.

E. Principal Investigator Performance, Compliance, and Review

Satisfactory progress and review of sponsored programs are determined by the sponsor or funding agency on a project-by-project basis. Any issues or concerns with the performance or regulatory compliance of a PI regarding adherence to University and SPA policies and procedures initially will be addressed with the PI by the SPA in consultation with the AVP for Research. If the PI is non-responsive or if the response does not result in adherence to applicable policies and procedures, the AVP for Research will involve the dean or University official to

resolve the circumstances including possible reassignment of PI responsibilities to accomplish compliance.

III. Proprietary and Confidential Information in RSCA

In general, while it is the policy of SJSU that RSCA should be accomplished openly and without prohibitions on the publication and dissemination of the results of academic and RSCA activities, in certain circumstances issues related to confidentiality or proprietary RSCA may take precedence. Proprietary RSCA refers to information or materials that cannot be made public or disseminated without the approval of the entity that owns the proprietary rights to that information or materials. SJSU recognizes that some publishable work can best be accomplished if a University investigator(s) has access to a sponsor's proprietary information or materials. Confidential research is any research that may need be kept non-public, but is not necessarily proprietary (e.g., medical or academic records). Specific situations are governed by complementary policies. Classified research is covered by SJSU University Policy F69-12. Student theses are governed by SJSU University Policy S14-10. RSCA involving human subjects are governed by SJSU University Policy F17-???? ~~Policies S08-7 and F08-1~~. RSCA dissemination related to Intellectual Property and Conflict of Interest is governed by SJSU University Policies S96-11, F98-3, and S99-11. The pursuit of RSCA upholds the principles of Academic Freedom and Professional Responsibility as outlined in SJSU University Policy S99-8.

A. Confidentiality in RSCA Projects

Information gathered and/or generated in RSCA projects may need to be considered as confidential. This information may include, but is not limited to, personal information regarding other RSCA team members, industry partners, and funders, as well as intellectual property, marketing plans, and financial and operational information. Every member of a RSCA team must take all reasonable precautions to ensure that access to this information is restricted to authorized individuals as determined by the PI of the team. RSCA team members may travel with confidential information to a location on campus or outside the campus, but team members must receive permission to do so from the PI. PI's should inform students on the requirements of confidentiality and to mentor students as to the appropriate uses and contexts for sharing RSCA information. When contacted by the media regarding a RSCA project, only designated media spokespersons are authorized to communicate with media sources.

B. ~~Non-Disclosure Agreements in RSCA Projects~~

B. RSCA-related Non-Disclosure Agreements

The University mission, the intellectual engagement, and professional growth of the faculty and students should be considered whenever an NDA is deemed

necessary for a particular RSCA project.

A *RSCA-related* Non-Disclosure Agreement (NDA) is a legally binding agreement that typically:

- Defines and describes information, knowledge, or materials to be shared between or among the parties; and
- Restricts the usage and disclosure of the shared information, knowledge, or materials.
- *Serves as the **starting** point to facilitate discussions between entities and may be time limited. It should not be interpreted as a **final** agreement.*

A *RSCA-related NDA* ~~Non-Disclosure Agreement (NDA)~~ may be proposed when the University is considering entering into a ~~business~~ relationship with a company or individual ~~and~~ or where there is a need to understand or evaluate each other's technology, research or processes, some of which might be proprietary or otherwise sensitive or confidential in nature. The duration of the RSCA-related NDA will be negotiated by the RSCA member, the AVP for Research and the outside party and should only exceed one year in exceptional circumstances.

While NDAs are common in private industry, they may be less ~~in~~appropriate in the University context because they can inhibit RSCA members' and the University's ability to use information. RSCA-related NDAs must be viewed in conjunction ~~of conflicts~~ with the California Public Records Act, the McKee Transparency Act[1] (which applies to all SJSU auxiliary organizations) or other laws. ~~; because they Intellectual engagement and professional growth of the faculty and students, in fulfillment of the University mission, should be considered prior to and while developing an NDA. As such, no NDA can be entered into that permanently bars dissemination and/or publication of RSCA information.~~

1 McKee Transparency Act 2011.
Senate Bill 8. Section 72696.5 (deals with trade secrets not being subject to disclosure and shall be redacted from auxiliary organization records before disclosure).

~~Students generally should not be asked to sign an NDA (e.g., as part of class projects or academic courses). In exceptional cases where faculty members believe it is necessary for students to enter into an NDA, they must obtain approval from an appropriate administrator.~~

Any *RSCA-related* NDA which purports to apply to SJSU or any department or unit thereof (or to commit or bind SJSU) can only be signed by *the AVP for Research.* ~~an authorized SJSU administrator.~~

Any SJSU faculty or staff member who signs without authorization could face *University sanctions and* individual legal liability for non-compliance with the NDA. *Participation in a RSCA project with an NDA requires both prior consultation between the PI and the RSCA team member and the RSCA team member's free and un-coerced consent.* The University may not pressure a RSCA team member into participating in a project that requires an NDA without prior consultation and consent. ~~or in which consultation with that individual has not been conducted~~. NDAs that ~~which~~ are related to an individual's private business or consulting are not subject to SJSU authorization. However, if these partnerships develop into a RSCA activity, a conflict of interest declaration must be made by the RSCA team management and managed with the AVP for Research, recognizing ~~by an authorized SJSU administrator, and~~ a new NDA may be required. (For additional information see the SJSU Conflict of Interest Policy S99-11.) ~~A conflict of interest declaration is also required if the RSCA member is participating both in an individual consulting and a sponsored RSCA project with the same entity.~~

In general, students ~~generally~~ should not be asked to sign a RSCA-related NDA (e.g., as part of class projects or academic courses). In exceptional cases where faculty members believe it is necessary for students to enter into an NDA, they must obtain approval from the college dean and the AVP for Research. ~~an appropriate administrator.~~

Any questions regarding proprietary research, confidential research, or the use of RSCA-related NDAs should be referred to the Office of Research.

C. Relationships with External Entities

The following statements establish the basis, under this general policy, on which SJSU will enter into contractual agreements with external entities dealing with RSCA. External entities may operate within a proprietary environment while the University functions on the principle of free inquiry and open expression. To serve the common interests of both the University and the external entities, reasonable and workable guidelines for collaborative work must first be established.

1. SJSU enters into no contractual agreement that restrains it from disclosing the existence of the agreement, the broad nature of the work, and the identity of the sponsor.

2. As noted earlier, SJSU will not enter into any Non-Disclosure Agreement (NDA) agreement that permanently bars investigator(s) from publishing or otherwise disclosing the findings publicly. However, the AVP for Research, on behalf of the institution and with the concurrence of the investigator(s), may negotiate in advance to delay publication and/or presentation for a maximum of 180 days to allow sponsors to give input on whether their proprietary information may be revealed, or whether they will exercise their rights under patent clauses in agreements with the institution. The AVP for Research on behalf of the institution with the concurrence of the investigator(s) may agree to an additional delay of up to 180 days.

3. Exceptions to Section III.C.2 may be granted by the AVP for Research who may rely on the recommendation of an ad hoc committee. The AVP for Research will make an annual report to the President specifying exceptions granted under this provision.

4. This section on “Relationships with External Entities” does not apply to individual, private, consulting projects. These would be projects that are not sponsored projects or do not use university resources or SJSU students.

Table 1: Other University Policies Relating to Research, Scholarship, and Creative Activities

Roles and responsibilities	
S99-8	Academic Freedom and Professional Responsibility
S99-11	Conflict of Interests Policy for Principal Investigators
S05-13	Reporting of Organized Research and Training Units
F69-12	Prohibition of Classified Research; Academic Freedom
F12-5	Responding to Allegations of Research Misconduct

S15-7	Retention, Tenure and Promotion for Regular Faculty Employees: Procedures
S15-8	Retention, Tenure and Promotion for Regular Faculty Employees: Criteria and Standards
Intellectual property	
F98-3	Intellectual/Creative Property
S96-11	Fair Use of Copyrighted Materials; Intellectual Property
Treatment of research subjects	
S14-6	Policy and Assurance for Humane Care and Use of Animals at SJSU
S08-7, F08-1	Policy for Protection of Human Research Subjects

Approved (C&R): 2-5-2018
Vote: 10-0-0
Present: Bacich, Buzanski, Cargill, Chung, Jensen, Stacks, Matoush, Rodan, Trulio, Schultz-Krohn
Absent: Anagnos, De Guzman, Heil

Curricular Impact: None anticipated.
Financial Impact: There is potential for University personnel to expand their grant and funding opportunities.
Workload Impact: The Office of Research may have increased workload as University personnel contact them for guidance in conducting RSCA, proprietary research and confidential research.

SAN JOSE STATE UNIVERSITY
Academic Senate **AS 1676**
Curriculum and Research Committee
February 12, 2018
First Reading

POLICY RECOMMENDATION
Request by Department or School for a Name Change

Legislative History: The Graduate and Undergraduate Program (GUP) website references S06-7 Amended by S13-9 when describing the process to be used when a Department or School requests a name change. These two policies specifically address Merging, Dividing, Transferring, and Eliminating Academic Units but do not specifically address the process a Department or School should use when only requesting a name change to better reflect disciplinary or curricular content.

Whereas the campus community would benefit from an operational roadmap to ensure procedural transparency when a department or school requests a name change; and

Whereas the process to be used by the Department or School when requesting a name change should allow the review of the proposed name change to occur in a timely manner, and

Whereas a policy should guide meaningful consultation across academic units to avoid conflict with a requested name change; therefore be it

Resolved that the following process be used when a Department or School requests a name change or a name change is initiated at a different level.

1. Definitions
    a. The term *Department* will be used when referring to either a department or school
    b. The term *Chair* will be used when referring to either a Chair or Director
2. Department vote: Please see S17-6, Section 2.3 University Policy, Departmental Voting Rights
    a. The faculty of the department votes to change the name of the department
    b. A majority of the faculty (See S17-6, Section 2.3) approves the name change
    c. The department chair writes a memo to the College Dean and College Curriculum Committee outlining the reasons for the requested name change including:
        i. Brief description about department, its history and why a name change is necessary including the record of the faculty vote.
        ii. Brief description of academic standards and trends.
        iii. *Include Data from professional organizations within the discipline*

iv. Academic Standards
v. Industry Standards
vi. Survey of Students
vii. How the new name relates to degree, curriculum and faculty expertise
viii. Impact on faculty, staff, students and degrees/programs involved
ix. Faculty support for the new name and alternate names discussed
x. Facilities rearrangement (such as labs, office space, etc.)
xi. Summary and Conclusion

3. The College Dean (or Associate Dean) with consultation from the College Curriculum Committee reviews the request.
    a. The College Curriculum committee records its vote on the request of a name change
    b. If the request for a name change is approved at the College level, then the College Dean (or Associate Dean) will solicit feedback from across colleges
    c. If the request for a name change is not approved at the College level, the request is returned to the department
4. Once approved at the college level, the College Dean (or Associate Dean) will present the name change request to the other college Deans (or Associate Deans) for review
    a. If there is support for the name change across colleges, the Dean (or Associate Dean) will submit the request to the office of Graduate and Undergraduate Programs (GUP). The Dean's authorization allows the subsequent review process to proceed.
    b. If issues are identified from other colleges with the requested name change, the college Dean may either:
        i. Ask the department for additional data/information to support the name change and resubmit for review by other college deans
        ii. Document the issues, inform the originating department of the issues from other colleges, and submit the request to GUP with an explanation for proceeding with the request
5. The Office of GUP reviews the requested name change and forwards the request to the University Curriculum and Research Committee (C & R)
6. C&R reviews the requested name change, records the vote from C & R, and then the C & R Chair forwards a recommendation, via the AVP of GUP, to the Provost.
7. Provost may seek additional clarification prior to making the final decision for approval or rejection of the request.
8. GUP updates the Academic Program Catalog and notifies Academic Scheduling.
9. Department updates in-house materials (business cards, stationery, websites, etc.) and makes appropriate announcements to students (current and prospective) and other campus units (budget office).

Approved:	February 5, 2018
Vote:	10-0-0
Present:	Bacich, Buzanski, Cargill, Chung, Jensen, Stacks, Matoush, Rodan, Trulio, Schultz-Krohn
Absent:	Anagnos, De Guzman, Heil
Workload Impact:	Minimal; will use existing committees and curriculog
Financial Impact:	Minimal; will use existing committees and curriculog

San José State University
Academic Senate
Organization and Government Committee **AS 1677**
February 12, 2018
Final Reading

Policy Recommendation
Rescind F72-1: Athletics Board Composition

Legislative History:

With respect to composition of the athletics board, F72-1 established the membership. Subsequently F07-2 and S13-7 superseded F72-1 but did not rescind F72-1. In addition, S08-2 amended F07-2 to rescind these prior athletics board policies: F83-4 and F79-4.

Whereas: Through the systematic review of policies, the Organization and Government Committee has been conducting, dated policies referring to committees that are no longer active or have been modified have been found, and

Whereas: Overlooked in S08-2 was the need to rescind the earlier policy: F72-1, therefore be it

Resolved: That F72-1 be rescinded.

Rationale: This will retain current membership established by F07-2 and subsequent amendments and update Senate records by retiring the original policy.

Approved:	2/5/18
Vote:	9-0-0
Present:	Curry, Grosvenor, Hart, Higgins, Norman, Ormsbee, Rajkovic, Ramasubramanian, Shifflett
Absent:	Bailey
Financial Impact:	None
Workload Impact:	None

San Jose State University
Academic Senate
Organization and Government Committee **AS 1678**
February 12, 2018
First Reading

Policy Recommendation
Amendment A to S17-6
(Departmental Voting Rights)

Legislative History: This proposal would amend the policy on departmental voting rights by specifying proportional voting for faculty who have entered the Faculty Early Retirement Program (FERP) or Partial Reduction in Time Base Retirement Program (PRTBRP).

Whereas: The Senate recently approved proportional voting rights for faculty in retirement programs (F17-3; Selection and Review of Department Chairs and Directors), and

Whereas: It is important to have consistency across policies where feasible, therefore be it

Resolved That section 4.6 of S17-6 (Departmental Voting Rights) be modified as follows:

4.6 Faculty Early Retirement Program (FERP) and Partial Reduction in Time Base Retirement Program (PRTBRP). Faculty participating in FERP or PRTBRP retain departmental voting rights proportional to their appointment. They retain a ~~full~~ proportional vote, regardless of their academic assignment in a given semester, through the last semester of their teaching appointment.

Approved:	2/5/18
Vote:	9-0-0
Present:	Curry, Grosvenor, Hart, Higgins, Ormsbee, Rajkovic, Ramasubramanian, Norman, Shifflett
Absent:	Bailey
Financial Impact:	None
Workload Impact:	None

San José State University
Academic Senate
Organization and Government Committee **AS 1679**
February 12, 2018
Final Reading

Policy Recommendation
Rescind F88-5: Continuing Education Committee

Legislative History:

With regard to F88-5 (Continuing Education Committee), while no specific policy has been identified that dissolves the committee, it does not currently exist. In addition, the portions of F88-5 pertaining to policies and procedures for review of programs have been superseded by policy (S16-17; certificate programs) or operating procedures within the College of International and Extended Studies.

Whereas: Through the systematic review of policies, the Organization and Government Committee has been conducting, dated policies referring to committees that are no longer active or have been modified have been found, and

Whereas: F88-5, refers to a Continuing Education Committee that no longer exists, and

Whereas: The section of F88-5 referring to review of certificate programs has been superseded by S16-17, and

Whereas: The section of F88-5 referring to review of continuing education proposals is now handled by the College of International and Extended Studies (see http://www.sjsu.edu/ceu/docs/ceu-course-proposal.pdf), therefore be it

Resolved That F88-5 be rescinded.

Approved:	2/5/18
Vote:	9-0-0
Present:	Curry, Grosvenor, Hart, Higgins, Norman, Ormsbee, Rajkovic, Ramasubramanian, Shifflett
Absent:	Bailey
Financial Impact:	None
Workload Impact:	None