SAN JOSE STATE UNIVERSITY ACADEMIC SENATE

2017/2018

Agenda

March 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 February 12, 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 February 5, 2018
Executive Committee Minutes of February 19, 2018

B. Consent Calendar –

C. Executive Committee Action Items –
Approval of the Senate Calendar for 2018-2019

AS 1687, Sense of the Senate Resolution, Honoring Professor Yoshihiro Uchida for His 70 Years of Service to San José State University (Final Reading)

V. Unfinished Business: None

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

A. University Library Board (ULB):

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

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

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

AS 1688, Policy Recommendation, Rescind F83-10 Entry- Level Mathematics (ELM) Examination; Sanctions; Probation (First Reading)

AS 1689, Policy Recommendation, Rescind S80-9 Resource Analysis Required for Curricular Proposals (First Reading)

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

AS 1684, Policy Recommendation, Rescind S66-20, Control of information Contained in Student Records (Final Reading)

AS 1685, Policy Recommendation, Amendment A to S16-9, Section A, to include accessible syllabus template requirement, and Section B.1.e, to include expected hourly commitment for each unit of credit (Final Reading)

AS 1686, Policy Recommendation, Rescinds S66-11, College Reports to Selective Service Boards (Final Reading)

D. Professional Standards Committee (PS):

AS 1682, Policy Recommendation, Amendment A to S99-8, Declaring our Support for Academic Freedom, Establishing the Academic Freedom Committee (First Reading)

AS 1683, Policy Recommendation, Amendment A to F81-7, Appointment Procedures for Grant-Related Instructional Faculty of Exceptional Merit (GRIF) (First Reading)

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

AS 1680, Policy Recommendation, Rescind S90-13 (At Large Committee Appointments (Final Reading)

AS 1681, Policy Recommendation, Rescind F71-14: Acting Appointments: Vice Presidents or Deans (Final Reading)

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

VII. State of the University Announcements:

A. Provost
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

VIII. Special Committee Reports:

Report on SOTES by Chair of the Student Evaluation Review Board (SERB), Dr. Emily Slusser and Chair of the Professional Standards Committee, Dr. Kenneth Peter in accordance with SS-S05-6, **Time Certain: 3:00 p.m.**

Report on Board of General Studies (BOGS) Activity for 2016-2017 by Chair of BOGS, Dr. Simon Rodan and Chair of the Curriculum and Research Committee, Dr. Winifred Schultz-Krohn in accordance with F15-13, **Time Certain: 3:30 p.m**.

IX. New Business:

X. Adjournment:

2017/2018 Academic Senate

MINUTES
February 12, 2018

I. The meeting was called to order at 2:00 p.m. and roll call was taken by the Senate Administrator. Forty-seven 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: Donahue, Gill, Norman
Absent: Busick, De Guzman, 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, Jensen
Absent: None

EDUC Representatives:
Present: Marachi, Mathur
Absent: None

ENGR Representatives:
Present: Chung, Pyeon
Absent: Sullivan-Green

H&A Representatives:
Present: Khan, Riley, McKee, Bacich, Ormsbee
Absent: None

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

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

II. Approval of Academic Senate Minutes–
The minutes of December 11, 2017 were approved.

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Frazier welcomed Senators Jensen, French, Pyeon, and Norman. Chair Frazier also welcomed Senator Trulio back from sabbatical.

Chair Frazier announced that Senate elections are underway and he encouraged Senators and their colleagues to run for the Senate. The deadline for nominating petitions to be turned into the Senate Office is February 23, 2018.

Chair Frazier reminded everyone that the Senate Retreat is this coming Friday, February 16, 2018.

Committee Preference Forms will go out shortly after the Senate elections are completed.

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

IV. Executive Committee Report:

A. Minutes of the Executive Committee:

Executive Committee Minutes of December 4 2017 **– No questions.**
Executive Committee Minutes of January 8, 2017 **– No questions.**
Executive Committee Minutes of January 29, 2017 – **No questions.**

B. Consent Calendar:

The consent calendar of February 12, 2018 was approved as amended by AVC Riley.

C. Executive Committee Action Items: None

V. Special Order of Business –

Proposal to extend the term of Senate Chair Frazier for one year.
Chair Frazier was re-elected for one year by acclamation.

VI. Unfinished Business: None

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

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

Senator Schultz-Krohn presented ***AS 1674, Policy Recommendation, Amendment A to F17-1, Policy for the Protection of Human Research Subjects (First Reading).*** Senator Peter presented a motion to suspend the rules and make AS 1674 a final reading. The motion was seconded and approved unanimously. **The Senate voted and AS 1674 was approved with 2 Abstentions**.

Senator Schultz-Krohn presented ***AS 1675, Policy Recommendation, Research, Scholarship, and Creative Activity: Advisor-Student Relationship, Sponsored Projects, and Proprietary and Confidential Information in RSCA (First Reading).*** In May 2017, the Senate passed a policy recommendation on RSCA. After this policy recommendation was passed, C&R reviewed the language on the non-disclosure agreements. C&R, in consultation with the Executive Committee, felt the language in this area needed to be clarified. C&R asked the Executive Committee to refer the policy recommendation back to C&R for clarification.

For some colleges, engaging in a Nondisclosure Agreement (NDA) for a specific period of time may allow additional research to be conducted. This policy

specifically addresses nondisclosure agreements related only to RSCA. It does not address all nondisclosure agreements. Thus far C&R has consulted with the Deans and Faculty, and is now bringing this policy recommendation back as a first reading to the Senate.

Questions:
Q: In the NDA section there is a bullet that says that NDAs may be time limited. Is C&R anticipating that there may be times when NDAs are not time limited?
A: Further down it states that the duration of the NDA will be negotiated by a member of the Research Office and shall not exceed one year.
Q: Would it be possible to get rid of the word "may?" Every other NDA I've ever read doesn't permit the possibility that an NDA could be permanent.
A: We can take that back to the committee and discuss that.
Q: Also, can you clarify what exceptional circumstances means?
A: The committee will discuss this.

Q: On page 4 where it talks about principal investigator eligibility, you say that the candidates must be qualified based on education, training, and experience, and yet the faculty members that are listed there are Assistant, Associate, or full Professors. I am questioning why lecturers are excluded, especially those with terminal degrees that would qualify?
A: So you are referring to B.1. Part of the discussion in the committee is that there is an expectation of RSCA activity for tenure/tenure-track faculty that is not included in appointments for temporary faculty. However, if you go back to the initial whereas clause, we are not excluding temporary faculty if there is an appointment where that is included. Tenure and tenure-track faculty are expected to engage in RSCA activity, but for many temporary faculty there in not an expectation of RSCA activity within their appointment.

Q: On page 5, section B.3. it says that adjunct faculty can serve as Principal Investigator (PI) with the prior authorization of the AVP for Research. Why must prior authorization be obtained?
A: I can bring that back to the committee, but when the committee was discussing this it was out of concern about the appointment of temporary faculty. There is an expectation of RSCA activity for tenure/tenure-track faculty, but that expectation is not there for adjunct faculty. If that appointment is done for adjunct faculty the approval needs to be at a different level.

Q: On page 3, could you clarify for the committee why FERP faculty are listed under the exceptions?
A: Part of the committee discussion was that FERP faculty are considered retired. This puts them in a different expectation with appointment. The idea is to allow people interested in RSCA to participate, but to make sure the safeguards are in place and appointments are not misconstrued. All the categories under the exceptions are people that are affiliated with the university, but do not specifically have RSCA included in their hiring clauses.

Q: On page 9, near the top, second paragraph, 3rd sentence, where it starts, "The university may not pressure a RSCA team member into participating in a project that requires an NDA…." Could you take back to the committee the request to end the sentence after "NDA." Also, a few lines down where it talks about a conflict of interest can you clarify what "RSCA team management" means in the final reading.
A: The committee will look at this.

Q: There is a disagreement in terms of qualified and eligible. Perhaps the term eligible should be changed to qualified, unless this is what you intended?
A: Yes, that's why there are the exceptions.
Q: I thought there were lecturers right now that are central PIs?
A: There are with prior approval and that's under B.3. where there are exceptions.
Q: Then wouldn't it be better to say it in another way rather than imply they are not eligible?
A: What we are trying to say is that tenure/tenure-track faculty, due to their hiring, are eligible for this without additional approval, but lecturers require additional approval because may not be included in their hiring.
Q: It just seems like you might want to retitle the principal investigator eligibility to make it clear. The way it sounds like now is that there are some people that are never going to be eligible. It's a very negative way of writing.
A: Maybe we can add another whereas. The committee will work on this.

Q: On page 2, the second paragraph of I.B. there is a generally very negative way of writing in this paragraph. The other question is that this paragraph seems to be explicit examples of the paragraph above, so maybe there's a better way of clarifying this.
A: The committee will consider this.

Q: On page 9, the second paragraph, the sentence after the sentence that begins, "The University may not pressure" appears to be just a different way of saying the same thing.
A: The committee will consider this.

Q: I have a suggestion for the "Internal Eligibility" section. Please consider referencing "Exceptions" at the end of "sponsored projects."
A: The committee will consider it.

Q: The policy that this policy will rescind is a very different kind of document. Is everything to do with that policy rescinded?
A: Yes, we went through everything and moved anything that was still relevant to RSCA into the new policy. Some of the items were far out of date. We had several different constituencies look at this.

Q: What do you mean on page 9 by "individual legal liability?"
A: What we were trying to say is not to enter into an NDA without following the

process we have outlined, and to make sure that you are not committing resources without the proper authorization.
Q: I'm not an attorney, but perhaps you should consult with one before you phrase it as "Individual Legal Liability."

Senator Schultz-Krohn presented ***AS 1676, Policy Recommendation, Request by Department or School for a Name Change (First Reading).*** There is a policy that currently exists, F13-9, that directs the actions for merging, dividing, transferring, and eliminating academic units. However, there is no policy in existence that identifies what an academic unit should do when requesting a name change without these other processes occurring. This has occurred with several departments when a change in name has been needed to better reflect interdisciplinary changes. The Graduate and Undergraduate Programs Office (GUP) has a process in place and they have been trying to house this under University Policy S13-9, but it doesn't really address name changes without the other processes occurring. C&R has consulted with the Chairs/Directors and Deans and a version of this policy has been posted on the GUP website for input and suggestions.

Questions:
Q: Why does number 7 contain a most insulting statement to our Provost, which states that the Provost "may seek additional clarification…?" Would the committee be willing to eliminate this?
A: The committee will discuss this. This is the process GUP recommends using right now.

Q: In the section where the college curriculum committee reviews the request, it says the college curriculum committee records its vote. However, did you consider the department should record what their vote is also?
A: I'm a little confused because line 39 specifies this.
Q: I'm sorry I didn't see that.
A: Does that address your concern?
Q: Yes.

Q: Is this process trying to imitate the process we have for the approval of curriculum? It looks like the same process.
A: To an extent.
Q: It isn't clear from procedural part of it if a proposal needs to advance even if it gets a negative vote along the way. For a curriculum proposal, if the department turns it down the college committee will never review it. If a department votes against a department name change does the process continue?
A: It does say in line 33 that a majority of the faculty approve the name change, but we could add some clarity here to be sure it clarifies the process would stop.

Q: Would the committee consider returning to a simpler form that is something like…the department signs off on it, and if there is not major objection from the university the Provost signs off on it?

A: The committee will consider it.
A: The reason the committee did not go with something more simple is that we have seen a couple of situations where the lack of communication has led to disagreement on the name change. What it has come down to when we've seen it is what does your department support and what does your college support. So we wanted the policy to clearly state that you need the verification and evidence at each stage or level.

Q: This speaks to the laundry list of everything that must be included in the memo. This seems very onerous to me. Maybe the committee could take that back and look at it?
A: One of the reasons we came up with that was to give some guidance and provide some information to those that are going through the process. Some of the things included are due to things that came up last year where departments didn't follow any procedure.
Q: It just seems kind of in-depth there.
A: We can look at that.

Q: We do need to go through the whole process. I'm speaking from experience on O&G. We did a review and this list is what was needed. We need to know what the academic standards in that profession are, if this is going to meet industry standards, and what the students' perspective was on this.

Q: Two years ago the Creative Arts program in the Humanities Department went through a process which included the chair writing a memo saying the department approved it, then the college approved it, then it went to the Chancellor's Office where it fell into a black hole and we never heard from it again. I don't see the Chancellor's Office listed on here, but I'm wondering if this policy will give hope to programs like Creative Arts? Do you think this will help?
A: I'm not going to make predictions on what the Chancellor's Office will do, but we can look at this.

B. Instruction and Student Affairs Committee (I&SA) – No report.

C. Professional Standards Committee (PS) –
Senator Peter presented ***AS 1673, Policy Recommendation, Rescinds S88-5 and F02-2 (Final Reading).*** **The Senate voted and AS 1673 was approved unanimously.**

D. Organization and Government Committee (O&G) –
Senator Shifflett presented ***AS 1677, Policy Recommendation, Rescinds F72-1: Athletics Board Composition (Final Reading).*** **The Senate voted and AS 1677 was approved unanimously**.

Senator Shifflett presented ***AS 1679, Policy Recommendation, Rescinds F88-5, Continuing Education Committee (Final Reading).*** **The Senate voted and AS**

1679 was approved unanimously.

Senator Shifflett presented ***AS 1678, Policy Recommendation, Amendment A to S17-6, Departmental Voting Rights (First Reading).*** Last semester the PS Committee brought a policy on the review of Chairs and Directors to the Senate. This policy included a provision on proportional voting for FERP and Partial Reduction in Time Base (PRTB) faculty. After that passed in the Senate, we had two policies that gave voting rights in a different fashion to FERP and PRTB faculty. This proposal recognizes the most recent discussion and debate in the Senate regarding votes for FERP and PRTB faculty in support of proportional voting. This amendment brings the voting rights policy into agreement with the chairs and directors policy so FERP and PRTB will have departmental voting rights proportional to their appointment.

Question:
Q: The committee may want to take a look at the statement "proportional to their appointment," because I believe the chairs and director's policy said "proportional to their annualized appointment." This means that a faculty member that has a .50 appointment in fall but none in spring, will still get a .5 vote in fall and spring.
A: Thank you. The committee will follow-up and verify with Faculty Affairs.

E. University Library Board (ULB) – No report.

VIII. State of the University Announcements. Questions.

A. CFA President (By Special Invitation):

CFA President Preston Rudy provided information on the Janus v. AFSCME Supreme Court case that impacts labor laws. The decision in this case will have broad implications for a contractual relationship with the university and with public education more generally. CFA President Rudy felt it was his responsibility as President of the CFA to speak to the Senate briefly because of these broader implications for the CSU, for faculty participation and governance, and for the faculty's economic standing.

The division of labor between the Senate and the CFA is established by law. In 1978 Governor Jerry Brown signed AB 1091 known as HEERA, the Higher Education Employer-Employee Relations Act. CFA President Rudy recently read through the principles and policies of the Academic Senate of the California State University (ASCSU) which has an enlightening history of our division of labor. Among the many items of interest, CFA President Rudy found the following paragraph from the 1985 document, "Collegiality in the CSU. The Academic Senate of the California State University does not believe the shared decision-making of the collegial model and the shared decision-making of the collective bargaining mode are inherently incompatible. They represent different approaches to different types of decisions." "As faculty we are simultaneously implicated in two coequal structures: one the long tradition of shared governance between faculty and administrators, and the other the tradition of collective bargaining between faculty

employees and administrative managers. These two decision-making processes mutually support each other and if one of the processes weakens the other may as well. This would be significant as the CFA and the Academic Senate collaborate on matters of shared concerns: Academic Freedom, Intellectual Property, Workload, and Tenure Density. CFA has also been at the forefront of demanding genuine joint decision-making which has been violated recently with the development of Executive Orders.

On February 26, 2018, the Supreme Court will hear arguments in the Janus case. The case was instigated initially by the billionaire governor of Illinois, Bruce Rauner, in his fight to shrink public services by crippling public employees collective bargaining. If the court sides with the governor and Mr. Janus, they would reverse established law in the 1977 Abood case. That earlier decision ruled that public employees whose contract is negotiated by the union must pay for the representation and bargaining provided by the union whether they are members or not. These are known as agency fees or fair share fees and we hear both of those terms.

In the name of free speech, the Supreme Court will weaken the united voice of employees. They will enhance the opportunity for public employers to be more autocratic in limiting employees' ability to exercise voice in the workplace and in public policy. In the absence of that collectively erected platform the employees' free speech disappears under the authority of employers. The purpose of the Janus case is to weaken public employees, because they are the main advocates for public services in agencies like the CSU. As representatives of the CSU faculty, the CFA regularly visits Sacramento to lobby for more robust funding of the university, to advocate for students and their families on fees and tuition, and to help legislators craft legislation. The CFA has a long record of promoting a CSU that provides a high quality, accessible, and affordable education to the people of California. The Janus decision will change all of this. If Janus is successful, the CFA will be less effective at defending the gains we have achieved during the last 30 years of bargaining. The University of Wisconsin as you probably know is the horizon that shows us desired outcome behind Janus. In conclusion, shared governance is at risk as much as our contract is. Remember, the CFA's origins are in the provocations of Chancellor Glenn Dumke, and his intransigent resistance to collegiality and disrespect for shared governance."

Questions:
Q: Is the CFA concerned that the case is going to come out in a negative way, or is the CFA just trying to balance things out by making sure we are well informed in case it does go that way?
A: Well, given the appointment of President Trump's new Supreme Court Justice, and given the statements made by Justice Alito and others, the thinking is that the decision is going to go in the direction of Mr. Rauner and they are going to reverse the 1977 law. This is why the CFA is very concerned.

Q: Recently I received some correspondence in the mail from the CFA that defined the difference between the agency fees and the other fees. Agency fees were about supporting bargaining activity and the other fees were for other lobbying. The split seemed to be about 60/40. What was the motivation for sending that particular correspondence out? Does the upcoming Supreme Court decision affect only that kind of political lobbying or both?
A: The court decision would eliminate agency or fair share fees. What that means is that currently non-members pay for the bargaining and representation they get and that is their fair share. What they do not pay for is the political lobbying, and you can always opt out of that. That would mean that you are not paying for any of the political activities, which seemed to be the objection of Mr. Janus and his supporters. The reason for sending that particular correspondence was to let faculty know that if they do not want to support political lobbying, they can opt out of that. The bulk of the fees pay for bargaining and representation that the union has to do whether you are a member or not.

Q: Does the CFA have any contingency plans in case the Janus decision goes against the CFA in terms of raising revenue?
A: We are encouraging everyone to become a member and that is our plan. We are going to get organized.

B. Vice President for Administration and Finance (VPAF):
Today we moved back into the CIES part of the Student Union. It took a little longer than we wanted, but we wanted to make sure we got rid of all the moisture and didn't have any ongoing problems.

Two weeks ago the VPAF put out an RFP for food service, there were two different activities related to this over the past week. Six different groups were brought onto the campus. They surveyed the students, faculty, and staff last week. The week before that they surveyed the different spaces where food is served around the campus. The VPAF expects responses back to the RFP over the next month or so. After that, a committee will review the responses to see if there is one clear cut favorite to recommend, or if there are a number of groups then they will be brought back on site for interviews. The whole process should be completed by April 15, 2018. On June 1, 2018, we will have either a new contract with Spartan Catering or a new food service provider on campus.

Questions:
Q: How long will the contract with the vendor last? In other words, if we signed a five-year contract and after a year they were not performing we would be stuck with them. Can you do a shorter contract?
A: Sure, we can even do one-year contracts. The firms we are talking with are international firms and they have a track record and that is part of the RFP. We are asking the hard questions up front. However, the longer the term the more funds we may get to help us build a new dining facility. Those are the tradeoffs the VPAF is looking at.

Q: What is your take on tech companies expanding into downtown and the impact on BART coming to downtown?
A: The two are completely independent. The best case scenario for BART is to be here in 2026. Getting to Berryessa was supposed to be here six months ago, then that was extended to June, and now it is October. The VPAF isn't sure when BART will actually get here. Google is talking about buying the land near Diridon, because they see the expansion of Diridon Center as reaching out to the central valley and reaching out to more affordable places for people to live. The VPAF applauds that because the tech companies can drive behaviors for our transit companies. However, VTA has a $20 million deficit this year and a $29 million deficit next year. This means they will have to cut service and when they cut service two groups get hit the worst. These groups are the lower income people and our students. The VPAF was talking to the Mayor of Fremont on Friday and they were talking about the cut of one of the buses that goes from Fremont to SJSU. This VTA 163 bus is being cut as soon as BART opens up and it will have a major impact on our students. The VPAF is talking to VTA and trying to keep those lines of communication open.

Q: Do you know anything about Google employees parking in our parking garages for $8 a day and then Google sending a bus to pick them up?
A: No, there might be a couple of people doing that but there are not a lot of people. There have been a few people sighted that come with an employee, probably a spouse, to the campus and then take a bicycle over to Diridon Station. However, the VPAF hasn't seen anything of significance.

Q: My fingers are hurting, because when it gets cold in my office my extremities hurt. It has been that way for a few weeks. In addition, I just learned that we are supposed to have a Forensics lab in the Health Building and we may not be able to do so because they do not have ducting and it is a health requirement when working with chemicals. Isn't there a prioritization of academic facilities on this campus when things go awry? Is there a plan for that?
A: This is the first I'm hearing of some of these issues, so call me or come by when something comes up. We are taking care of them as quickly as we can when we hear about the issues.

Q: On the food service contract, who has that contract right now? Also, on the new contract what type of sustainability requirements will the vendor have?
A: Spartan Shops is currently our food service vendor and is an auxiliary on campus. Part of the RFP cites going through the CSU requirements for sustainability.

Q: I'm concerned that we have a number of students and staff members that work for Spartan Shops right now, and it would not be a good thing to hire someone that pays substantially lower. Has this come up in discussions with the food service vendors?

A: We have about 950 students that work for Spartan Shops and they are all making the wages set by San José and there will be no back tracking on that. As far as the number of jobs, there will be more than 950 student jobs with the plans we discussed with the vendors. There are currently about 50 to 60 staff members that work for Spartan Shops and usually about 95% of those workers are rehired by the new vendor. We anticipate having more food service outlets on this campus, so the jobs should increase. When student wages jump to $15 in San José, they will also jump to $15 on campus.

Q: What is the status of the Science Building and what came of the idea of affordable faculty housing?
A: We continue to make progress and hopefully will begin site preparation within a year. There won't be any faculty housing in that building. It turns out that the Science Building is a very expensive building to build, much more so than a typical classroom building. Adding floors above the eighth floor on that building is cost prohibitive and having housing on the first floors won't work with the type of building, so this wasn't feasible. However, the VPAF continues to discuss and look for ways to increase affordable housing for our students, faculty, and staff on or near the campus. This is the hot topic in the Silicon Valley Leadership Group right now.

Q: It seems to me that having 2,000 high tech jobs come to downtown could create an affordable housing crisis for the university.
A: The VPAF is in agreement, and is looking for ways to address the issue.

Q: With the increase of bicycles around the campus, we are beginning to see them littered all over the sidewalks, etc. This concerns me.
A: Yes, we now have these semi-motorized scooters as well as the bicycles all over campus. The VPAF is working with FDO to come up with a plan on how to handle this.

Q: With the VTA bus lines being cut, and the increased cost for transportation as well as for food and housing, what plans are in the works to help ensure students can still afford to attend classes here?
A: That is a long answer, because there are a lot of things we are doing. The cost of attending school here is a major concern as well as the cost of housing. We have to make sure any housing we have for our faculty, staff, and students is below market rate. We are working on a number of projects and the VPAF would be happy to discuss it further offline when there is more time.

Q: My concern is that Aramark is one of the food service vendors being considered and during my research on school privatization in Chicago, they had some very serious health and safety concerns. What kind of internal vetting process will the vendors go through?
A: We have an outside consultant that is working with us as well as an independent third party. In addition, we have a committee of folks that are assessing the bids, so this is not just blind listening to what they have to say.

Q: Another one of the VTA bus lines that is being affected by the BART extension to Berryessa is the 168 Express bus to Morgan Hill and Gilroy. The cost for riding this bus is slated to increase $2.25 each way in addition to having a clipper card/eco pass as soon as the BART extension is finished. This is an additional $22.50 per week for students, staff, and faculty. There are a lot of students that live in the Gilroy area and take this bus. This will have a substantial financial impact.
A: They have talked about taking away the direct route and instead of an express bus having a local bus for the same price.
Q: The VTA 68 bus is the local bus that goes all the way to Gilroy along Monterey. This bus must make over 50 stops along Monterey and takes more than two hours to make that trip one way.
A: We are working on it, but there are no good options here.

C. Vice President for Student Affairs (VPSA):
The VPSA congratulated Academic Affairs on winning the Third Annual Spirit Competition on Saturday.

This is the last day to add. There is a "Key Dates" calendar that you can pick up on your way out with key dates for the Spring semester related to registration.

It has been a busy start to the semester. SA is concluding five weeks of welcome activities for new students starting with the "Ask Me" tables. Right now SA has a graduate student mixer going on in the Student Union.

Today is also the reopening of the Bowling Center. There are dollar games on Friday for employees.

Our three new student success centers (African-American, Latinx-Chicano, and UndocuSpartan) have opened.

February is African-American Awareness Month. There are a lot of activities planned. SA is also participating in "CSU Super Sunday" which is an outreach to African-American churches to bring more African-American students to campus.

Today 614 students were served at the mobile food pantry. This is the second highest number of students we have ever served, and we just had one two weeks ago where we served 530 students. We also sent a team to a CSU Basic Needs Initiative Conference last week and we are hoping they are going to come back with some new ideas on how we can better serve our students that are struggling with these very real concerns.

We are still open for graduate admissions until May 1, 2018. We received over 36,000 Freshman applications, and 16,000 transfer applications.

D. Chief Diversity Officer (CDO):

Our Intergroup Dialogue Program is starting on February 23, 2018. Two of our facilitators are Senators (Gill and Riley). They participated in four weeks of training and a refresher course. We have dialogues open for faculty and staff as well. They have a curriculum and have trained facilitators. There are three different time periods over the eight-week period. The morning sessions runs from 9 a.m. to noon, 10 a.m. to 1 p.m., and then 1 p.m. to 4 p.m. We anticipate hosting about 5 to 6 groups. Food will be provided as well as materials. Please encourage students to attend.

The CDO's office participated in the Leadership Today Leadership Institute. They led a retreat for two days in Watsonville where there was no WIFI, and nobody could look at their phones. There were about 72 students that attended.

Our Faculty-in-Residence have been running some programs for faculty, such as the "Pre-Tenure" Workshop. Deans were asked to work with their Chairs to identify faculty that should be invited to attend. They also have a separate reading group of about 20 faculty that runs for six weeks.

The CDO will be facilitating one of the workshops during the Senate Retreat.

The Chief of Staff and CDO met and talked with the Deans about Title IX cases and working with faculty and chairs in explaining their duty to report. The meeting went very well.

Questions:
Q: Student Teachers are not really employees of the schools they are placed in, so what kind of work is being done to inform student teachers and interns on what their reporting responsibility is?
A: The California Executive Orders cover all employees as well as all students. As long as they are part of the SJSU community, Title IX covers them.

E. Faculty Trustee:
Trustee Sabalius commented that in December he reported on the flurry of activities that he had to attend as a new Faculty Trustee. Things have calmed down over the break.

Trustee Sabalius attended the ASCSU meeting in Long Beach and the Board of Trustees meeting in January 2018. Trustee Sabalius was invited to give a speech at the CFA Board of Director's meeting in Sacramento at the beginning of February 2018. None of the five living former faculty trustees had ever reported to the CFA Board of Trustees and Trustee Sabalius' appearance was much appreciated. Trustee Sabalius' speech called on all CSU entities: the students, the unions, the CSU Board of Trustees, etc. to work together to obtain a larger allocation for the CSU from our state legislators.

Trustee Sabalius will be visiting the off campus center of CSU San Bernardino, CSU

Los Angeles, and SJSU in March 2018.

Trustee Sabalius will also be a part of several presidential searches and graduation ceremonies this year.

The CSU Board of Trustees (BOT) won the National Award for Board Leadership that is bestowed annually to one out of 400 boards that demonstrate innovation and exemplary leadership.

Trustee Sabalius volunteered at the food pantry on campus before the Senate meeting. He reminded Senators that for the next two months the food pantry is serving food right before the Senate meeting, and he encouraged all Senators to volunteer for a few hours.

F. CSU Statewide Senators:

Senator Van Selst sent a written report to Senators on January 30, 2018 to the Senate regarding ASCSU actions and discussions.

EO 1100 and 1110 are still being resolved. Their implementation under Graduate and Undergraduate Programs (GUP) is progressing nicely.

G. AS President:

There are a few events coming up. Students voted on events they would like to see on campus and one of them is "Dapper Day" which will be hosted on February 14, 2018. There will be a number of activities. Students will be shown things like how to tie a bowtie.

Eco Pass has changed to Smart Pass. AS is hosting a "Ride to School" day this Thursday, February 15, 2018, 10 a.m. to 2 p.m. Students, faculty, and staff are encouraged to ride their bikes to school and there will be repair stations on 7th street and other information regarding bicycling.

AS provides scholarships every year. This year AS has $81,000 to give away in scholarships. Please encourage your students to apply. Applications are due in April.

There is a Spartan Legacy Training Academy tomorrow, February 13, 2018, from noon to 2 p.m. There are a number of workshops that will be going on and tomorrow is Graduate School.

AS Elections are coming up and applications are already sent out. Applications are due March 1, 2018.

There are also a lot of jobs available for students at the Child Development Center. These jobs are specifically for child development majors. There are also some jobs available in the Transportation Solutions Center. Please let your students know.

There is a Black Student-Faculty-Staff-Admin mixer on February 22, 2018 from 4 p.m. to 5:30 p.m. in meeting room 4A. AS will be hosting a series of these mixers.

A tuition increase of $228 is being proposed. AS is collaborating with Students for Quality Education to work on efforts. The vote on the increase has been pushed until May, and AS is focusing on lobbying our legislators. If you know any students interested in participating have them contact AS President Manzo.

Questions:
Q: I attend lobby day every year, and it is really important to have student voices there.

Q: On the scholarships that you mentioned, would it be possible for you to send this information to the University Council of Chairs and Directors (UCCD)?
A: Yes.

Q: It has never been more critical for students to get registered to vote. Do you have any ongoing programs, because 2018 is coming fast and we need to get everyone onboard?
A: Thank you for bringing that up. In March we have students going to Sacramento from March 10 to March 12, 2018 to the California Higher Education Student Summit. We are taking 10 students to Sacramento to lobby. We are also open to whatever else we can do. In addition, AS has a Student Lobby Corp Committee that focuses on college campaigns. One of the campaigns AS is working on now is "College Brawl." Also, every year AS has a budget allocated to getting students to vote. That information will be coming out soon.

H. Provost and Senior Vice President for Academic Affairs:
There are four candidates coming to campus for the Lurie College of Business Dean search starting on February 19, 2018 and going through March 1, 2018.

The Provost is also in the midst of the College of Science Dean search as well. The search committee came up with 12 semi-finalists. There will be some airport interviews over the next few days, and on campus interviews begin on March 14, 2018.

Thanks to everyone that stayed on Friday for the Strategic Planning exercise. A lot of good work was done. If you haven't seen the five goals that we came up with there is a handout at the back of the room. We have also created the taskforce committees as well and they begin their work next week. There is additional information on the Strategic Planning website.

On March 15, 2018, the Student Success Center led by Stacy Gleixner and Debra Griffith will be opened. There will be lots of keynote speakers coming to campus to speak about student success and the Provost encouraged everyone to attend.

Questions:

Q: Where are we with strategic planning right now?

A: On the Strategic Planning website there is a time line you can take a look at to see where we are at. We had a forum in the fall to kickoff strategic planning. We have had a number of interviews and surveys. We received feedback from 500 faculty members. We've had about 10 meetings with external groups as well. The event on Friday was an unveiling of the draft goals. Now we will have individuals reviewing those goals and coming up with a set of desired outcomes, as well as establishing an initial set of strategies to meet those outcomes. This will be happening next spring. On May 9, 2018, we will come together again as a campus community. Our plan in the fall is to finalize the strategic plan and go live.

IX. Special Committee Reports – No report.

X. New Business – None

XI. Adjournment – The meeting adjourned at 4:26 p.m.

Executive Committee Minutes
February 5, 2018
Noon – 1:30 p.m., ADM 167

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

Absent: Willey

Guest: Kemnitz

1. The minutes of January 29, 2018 were approved as amended.

2. The committee discussed the Honors Convocation. The changes implemented with the new Honors Convocation policy, S17-13, have resulted in 2,000 additional students being honored. Unfortunately, the Event Center is not large enough to accommodate all honorees and their guests. The committee discussed allowing the Honors Convocation to proceed based on the old policy, F96-5, during Spring 2018 in order to allow the administration time to find a permanent solution. The committee agreed that it is permissible, given that the new policy was passed halfway into the affected semester.

3. From the President:
   The Governor's budget leaves a gap of $171 million between what the CSU is slated to receive and what we actually need. The best-case scenario is the Board of Trustees' (BOT) budget, but that would still leave the CSU with a shortfall. There will be consequences. The BOT does not want tuition increases. We need to do what we can. We may have to set limits on enrollment. We need to be as lean, efficient, and customer-oriented as we can possibly be.

4. Policy Committee Updates:
   a. Instruction and Student Affairs Committee (I&SA):
      I&SA has nine new referrals from the O&G committee. They will be working on prioritizing their referrals today. The priority at the moment is a revision of the Academic Integrity policy.

   b. Professional Standards Committee (PS):
      PS will be bringing a policy recommendation rescinding S88-5, an old SOTE and SOLATE policy, to the February Senate meeting.

      PS is working on a referral to fold staff awards as well as the Wang Award into the faculty awards policy.

      PS has started a conversation on bullying.

c. Organization and Committee (O&G):
O&G is continuing a clean-up of University policies and will be bringing to the February Senate meeting policies rescinding the Continuing Education Committee and an old Athletics Board policy that are both obsolete.

O&G will work on a modification to the Budget Advisory Committee (BAC) policy that was passed by the Senate, but not subsequently signed by the President.

d. Curriculum and Research Committee (C&R):
C&R will be bringing a policy recommendation that rescinds an old Human Subjects Policy amendment that is obsolete as well as a new policy on requests by departments or schools for name changes to the February Senate meeting.

C&R is also considering a syllabus template with credit hour time commitments specified (referred to I&SA).

C&R has rewritten the Research, Scholarship, and Creative Activity: Advisor-Student Relationship, Sponsored Projects, and Proprietary and Confidential information RSCA policy and will bring it back to the Senate for a first reading at the February meeting.

After C&R is finished with these policies they will be reviewing and prioritizing the referrals received from the O&G committee.

5. Updates from the Administration:
   a. From the Chief Diversity Officer (CDO):
   The CDO has hired a new investigator for a six-month position, and is working on a plan to develop a Title IX Coordinator.

   The CDO co-sponsored a leadership conference.

   Seventy-five students attended the student retreat. Key issues for students included how difficult it is to survive due to economic challenges. Even top students were just barely getting by with no time to concentrate on their studies due to bills, work, not enough food, etc.

The CDO met with the UCCD to discuss Title IX discrimination and faculty behavior. There has been a rise in cases and this is not confined to SJSU, but is happening across CSU campuses.

b. From the Vice President for Administration and Finance (VPAF):
There were five possible catering/food service providers on campus this week doing interviews to see if they would like to submit a proposal on becoming our catering/food service provider.

c. From the Associated Students President (AS):
AS recently held a student mixer. The mixers are a good ice breaker for students.

AS elections began on February 1, 2018. Applications have been sent out to students.

AS recently awarded a number of scholarships. Please let your students know that they may apply for scholarships from AS.

AS is hosting a "Dapper Day" next Wednesday (Feb. 14, 2018). This is a fun event students voted on having.

AS will host a Deferred Action for Childhood Arrivals (DACA) Clinic on February 19, 2018 from 4 to 6 p.m. in MLK 225. Students may still apply for funds for renewal applications.

AS will be meeting this Saturday to talk about strategic planning and reorganization of the AS Board.

d. From the CSU Statewide Senators:
The GE Taskforce is looking at what general education should look like in the future. Senator Van Selst recently sent updates to the Senate listserv.

e. From the Provost and Senior VP for Academic Affairs:
There is a large strategic planning event on Friday and the Provost encouraged members to bring their colleagues.

The Provost reminded everyone that this Saturday (February 10, 2018) is the Women's Basketball game and he encouraged everyone to attend.

6. The meeting adjourned at 1:28 p.m.

These minutes were transcribed by the Senate Administrator, Eva Joice, on February 14, 2018. The minutes were reviewed and edited by the Senate Chair, Stefan Frazier, on February 15, 2018. The minutes were approved by the Executive Committee on February 19, 2018.

Executive Committee Minutes
February 19, 2018
Noon – 1:30 p.m., ADM 167

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

Absent: Papazian

1. The minutes of February 5, 2018 were approved as amended.

2. The consent calendar of February 19, 2018 was approved as amended.

3. Chair Frazier reported editorial updates to the following three policies requested by the AVP of Research due to the changed title:

   - F12-5, Policy Recommendation, Responding to Allegations of Research Misconduct. *Update the title of the AVP for Graduate Studies and Research to Associate Vice President for Research (AVP Research)*
   - S05-13, Reporting of Organized Research and Training Units (ORUs). *Update in the policy where it refers to AVP for Graduate Studies and Research to The Associate Vice President for Research (AVP Research)*
   - S99-9, Board of Academic Freedom and Professional Responsibility. *Update in the policy where it refers to The Associate Vice-President for Graduate Studies and Research (AVP GS&R) to The Associate Vice President for Research (AVP Research)*

4. The committee discussed a draft Sense of the Senate Resolution honoring Professor Yoshihiro Uchida. Requested changes should be sent to Chair Frazier.

5. The committee discussed the Senate Calendar for 2018-2019. An amendment was seconded and approved to move the annual retreat to February 1, 2019. The committee voted and unanimously approved the calendar as amended.

6. Updates:
   a. From the Provost:
   The Dean of Education search is progressing. Candidates will be on campus for interviews over the next few weeks.

   WASC accepted SJSU's report without any further edits required.

Questions:

Q: Who pays for graduation celebrations?

A: The Provost does not encourage charging parents but will not intervene in department affairs regarding this matter.

Q: Is there any consideration of establishing "meta majors" similar to interdisciplinary studies where students link majors by career interests?

A: We are investigating multiple student success opportunities. We have some programs, such as Business that are similar to a meta-major.

b. From the Chief Diversity Officer:

The CDO hosted a diversity workshop during the Academic Senate retreat this past Friday and received some good feedback.

There will be intergroup dialogues soon. There will be five cohorts. The CDO hopes to fill 2 faculty/staff cohorts.

The CDO has established a faculty reading group that will be discussing how racism manifests itself in institutions.

c. From the Vice President for Administration and Finance (VPAF):

The RFP for a food service vendor has been approved. There is a two-hour training program for those committee members from 3 p.m. to 5 p.m. on Friday afternoon. On March 23, 2018, the committee will review and pick one or more qualified vendors. These vendors will then be brought onsite by April 16, 2018, and the VPAF will have a new vendor and contract in place for the campus by June 1, 2018.

Questions:

Q: Do we have a protocol if some shooter should come on campus?

A: We do. We don't have pull fire alarms so they can't be used to get people outside. We also have blue lights with speakers across campus to warn people if an event should occur. We also have speakers in the classrooms, and our outdoor cameras have gun shooting recognition software.

d. From the Vice President of Student Affairs (VPSA):

The VPSA thanked the Vice Chair and AS President for assisting with the student panel in her absence at the Senate retreat on February 16, 2018.

Census is tomorrow.

We had 30,354 freshman applicants for spring. Undergraduate student admissions went up by 42 whereas international student admissions went down by 44.

This is Black History Month. There are a number of events planned including speakers. W. Kamau Bell will be speaking about ending racism at 7 p.m. on Wednesday, February 21, 2018, in the Student Union Ballroom. In addition, the African-American Student Success Center opens this Wednesday.

The VPSA encouraged students to RSVP for the Student Success Symposium.

Questions:
Q: Do we have Black/Latino men's internships on campus?
A: We have programs. Please contact the VPSA for details.

e. Associated Student President (AS):
Deferred Action for Childhood Arrivals (DACA) Clinics will be held March 5, 2018. AS is still offering $495 renewal application fee scholarships to students.

AS is hosting their 120th Anniversary celebration on April 27, 2018.

AS is hoping to host a California gubernatorial debate on campus in March 2018.

AS would like to see mental health resources listed on each student syllabus if possible. The committee discussed the possibility.

f. CSU Statewide Senate:
No further update at this time. Senator Van Selst sent updates to the Academic Senate last week.

7. Policy Committee Updates:
   a. Curriculum and Research Committee (C&R):
   C&R will be bringing the policy proposal on Research, Scholarship, and Creative Activity as well as the Request by a Department or School for a Name Change policy proposal back to the Senate for final readings at the March 2018 meeting.

   C&R is working on a policy establishing a 4+1 option for Masters degrees.

C&R received 18 referrals from O&G and will also be working on prioritizing them.

b. Instruction and Student Affairs Committee (I&SA):
I&SA is working on a referral to rescind an old selective service policy.

I&SA is working on a referral regarding syllabus requirements.

The next priority for I&SA is the Academic Integrity policy revision.

After I&SA is finished with these policies and referrals, they will then begin sorting through the referrals from O&G and prioritizing them.

c. Professional Standards Committee (PS):
PS continues work on adding staff awards and the Wang Award to the faculty awards policy.

PS has also started conversations on bullying.

d. Organization and Government Committee (O&G):
O&G continues to review university policies and make referrals to the appropriate committees.

8. The Executive Committee moved into Executive Session and the Senate Administrator was excused.

9. The meeting adjourned at 1:30 p.m.

These minutes were transcribed by the Senate Administrator, Eva Joice, on February 19, 2018. The minutes were reviewed and edited by the Senate Chair, Stefan Frazier, on March 1, 2018. The minutes were approved by the Executive Committee on March 5, 2018.

Consent Calendar 12-Mar-18

Committee	Last Name/First Name	Term	Phone	Seat/College
ADD:				
ULB	Villena, Justin	2018	justin.villena@sjsu.edu	Seat 3
Program Planning	Martinez, Melissa	2018	melissa.m.martinez@sjsu.edu	Seat 2
C&R/Senate seat	Rodan, Simon	2018		G
ULB	Villanuava, Joshua	EXO	joshua.a.villanueva@sjsu.edu	Seat 1/AS Pres or designee
Program Planning	Koev, Plamen	2019	plaman.koev@sjsu.edu	Seat Q/Science
REMOVE:				
IRB	Lopez, S. B.	2019		Seat L/Social Sciences
Program Planning	Megwalu, A.	2018		Seat U/General Un
Program Planning	Rangasayee, V.	2019		Seat Q/Science
Program Planning	Sunada, D.	2019		Seat M/Eng
ULB	Manzo, Ariadna	EXO		Seat 1/AS Pres or designee

408-335-9696

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Academic Senate
2018-2019 Calendar of Meetings
Senate, Executive Committee,
and Policy Committees

Office of the Academic Senate
Administration Building 176, 0024
Office: 4-2440 Fax: 4-2451
http://www.sjsu.edu/senate
eva.joice@sjsu.edu

Fall 2018		Spring 2019	
Aug. 27	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meeting (2-4 p.m.)	Jan. 28	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4 p.m.)
Sept. 10	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4 p.m.)	Feb. 4	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4 p.m.)
Sept. 17	**Senate Meeting (2-5 p.m.)**	**Feb. 11**	**Senate Meeting (2-5 p.m.)**
Sept. 24	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meeting (2-4 p.m.)	Feb. 18	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4pm)
Oct. 1	**Senate Meeting (2-4 p.m.) (AA and University Budget)**	Feb. 25	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4pm)
Oct. 8	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meeting (2-4 p.m.)	**Mar. 4**	**Senate Meeting (2-5 p.m.)**
Oct. 15	**Senate Meeting (2-5 p.m.)**	Mar. 11	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4 p.m.)
Oct. 22	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meeting (2-4 p.m.)	Mar. 18	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4 p.m.)
		Mar. 25	**Senate Meeting (2-5 p.m.)**
Oct. 29	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meeting (2-4 p.m.)	Apr. 8	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4pm)
Nov. 5	**Senate Meeting (2-5 p.m.)**	Apr. 15	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4 p.m.)
Nov. 26	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meeting (2-4 p.m.)	**Apr. 22**	**Senate Meeting (2-5 p.m.)**
Dec. 3	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meeting (2-4 p.m.)	Apr. 29	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4pm)
		May 6	Executive Committee Meeting (12-1:30 p.m.) Policy Committee Meetings (2-4pm)
Dec. 10	**Senate Meeting (2-5 p.m.)**	**May 13**	Senate Meeting (2-4 p.m.) Last of 2018-2019 Senate Meeting (4-5 p.m.) First of 2019-2020 Senate Retreat: February 1, 2019 ***Notes:*** Jan. 1 New Years Day, Jan. 21 MLK Day, Apr. 1 – Apr. 5--Spring Recess, Apr. 1 Cesar Chavez Day-Campus closed. Last day classes May 13. Finals begin May 15.

Meeting Locations: All Senate meetings held in Engr. 285/287; Exec. Meetings held in ADM 167; Policy Committees – check with Senate Office
Notes: Campus closed Sept. 3 (Labor Day), Nov. 12 (Veteran's Day), Nov. 21 non-instruction day, Nov. 22-23 (Thanksgiving); Dec. 10 last day of classes. Finals begin Dec. 12

Approved by Executive Committee February 19, 2018

Approved by Senate_____

C&R meets CCB 222, PS meets SLIS 445, I&SA meets CLK 412, O&G meets MLK 4005, ULB meets MLK Boardroom

San José State University
Academic Senate **AS 1675**
Curriculum and Research Committee
March 12, 2018
Final 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. We re-affirm S94-8, that 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].

Whereas: Tenure/Tenure Track (T/TT) faculty are expected to engage in RSCA as indicated by the appointment process; this policy does not preclude others from engaging in RSCA, therefore be it

Resolved: That this policy recommendation be adopted to guide the above mentioned three aspects of RSCA activities.

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

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, act as an intellectual guide and advisor/mentor, and provide oversight of the student to ensure that applicable laws and university policies are followed such as IRB, animal care and welfare, and responsible conduct of research

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 for the student or competing commitments/obligations or third-party involvement that may impact the advisor's role as a teacher, mentor, or supervisor of RSCA. 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. The ultimate goal is to establish a clearly defined relationship between all parties and establish a quality educational experience.

C. Financial Support

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. 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) between an institution and an external sponsor, 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.

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. A SPA negotiates and executes Materials Transfer Agreements, RSCA-related Non-Disclosure Agreements (NDAs), intellectual property (IP), 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

Any award is to the University and the University is thus responsible for ensuring fiscal and other criteria are met. Not only must the PI and any Co-PIs be qualified by education, training and experience in the area in which the funded RSCA or other project is being conducted, additional responsibilities to the institution are required as a PI and Co-PI.

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. Additionally, Faculty Early Retirement Program (FERP), emeriti, temporary (lecturers), adjunct, visiting, and volunteer faculty, as well as University or auxiliary employees, may serve as PI upon approval. For academic personnel in these groups, the relevant department and/or college will make a recommendation regarding their expertise. The Dean or designee will make a recommendation regarding the stated willingness of the potential PI to comply

with administrative and fiduciary requirements. Non-academic personnel will use a parallel recommendation process. The recommendations are forwarded along with a Curriculum Vitae or resume to the AVP for Research for final decision. This approval may provide limited eligibility 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 or unit head will be notified and alternative PI solutions will be discussed.

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.

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 F17-1. 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 mentor students as to the appropriate uses and contexts for sharing RSCA information.

B. RSCA-related Non-Disclosure Agreements

The University's mission, the intellectual engagement, and professional growth of the faculty and students should be the principal consideration whenever an NDA is considered 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 use and disclosure of the shared information, knowledge, or materials.
- 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.
- *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 may be proposed when the University is considering entering into a 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.

While NDAs are common in private industry, they may be less 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 with the California Public Records Act, the McKee Transparency Act[2] (which applies to all SJSU auxiliary organizations and limits some disclosures) or other laws.

Participation in a RSCA project with a NDA requires both prior consultation between the PI and the RSCA team member and the RSCA team member's free and un-coerced consent.

In general, students 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.

NDAs related to an individual's private business or consulting are not subject to SJSU authorization. However, if these individual partnerships develop into a SJSU RSCA activity, a conflict of interest declaration must be disclosed by the individual and managed with the AVP for Research, recognizing a new NDA may be required. (For additional information see the SJSU Conflict of Interest Policy S99-11.)

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-related NDA. 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. Generally, SJSU enters into no contractual agreement that restrains it from disclosing the existence of the agreement, the broad nature of the work, or the identity of the sponsor.

2. Normally, SJSU will not enter into any RSCA-Related NDA 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 to allow sponsors to give input on whether their proprietary information may be revealed, or whether they will exercise their intellectual property rights in agreements with the institution.

3. Exceptions to Section III.C 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.

[2] 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).

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
F17-1	Policy for Protection of Human Research Subjects

Approved (C&R): 3-5-2018
Vote: 12-0-0
Present: Anagnos, Bacich, Buzanski, Cargill, Chung, De Guzman, Heil, Jensen, Stacks, Rodan, Trulio, Schultz-Krohn
Absent: Matoush

Curricular Impact: None anticipated.
Workload Impact: There is potential for University personnel to expand their grant and funding opportunities
Financial 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 AS 1676
Academic Senate
Curriculum and Research Committee
March 12, 2018
Final Reading

POLICY RECOMMENDATION
Department or School Name Change

Rationale: There is no current policy guiding a name change for departments or schools.

Legislative History: When a name change is proposed due to merging, dividing, or transferring academic units, use this policy in conjunction with S13-9.

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

Whereas the process to be used when requesting a department or school 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 requesting a name change for a department or school.

1. The name change proposal will include evidence of meaningful consultation with all academic units potentially affected by the proposed name change.
2. The name change proposal will provide a record of the vote at all levels of review.
3. The Department or School Name Change Guidelines, provided by the Office of Graduate & Undergraduate Programs (GUP), will specify the components to be included in the name change proposal.
4. The Office of GUP will review the name change proposal for adherence to the stated procedures before forwarding the request to the University Curriculum and Research Committee (C & R).
5. C&R will review the name change proposal and forward a recommendation, via the AVP of GUP, to the Provost.

Approved: 3-5-2018
Vote: 12-0-0
Present: Bacich, Buzanski, Cargill, Chung, Jensen, Heil, Stacks, Rodan, Trulio, Schultz-Krohn, Anagnos, De Guzman
Absent: Matoush

Workload Impact:	Minimal; will use existing committees and curriculum management system
Financial Impact:	Minimal; will use existing committees and curriculum management system

San Jose State University
Academic Senate
Organization and Government Committee AS 1678
March 12, 2018
Final 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 Pre-Retirement Reduction in Time Base (PRTB) Program.

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 Pre-Retirement Reduction in Time Base (PRTB). Faculty participating in FERP or PRTB retain departmental voting rights proportional to their annualized 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: 2/19/18
Vote: 10-0-0
Present: Bailey, Curry, French, Grosvenor, Higgins, Ormsbee, Rajkovic, Ramasubramanian, Norman, Shifflett
Absent: Hart

Financial Impact: None
Workload Impact: None

San José State University
Academic Senate
Organization and Government Committee AS 1680
March 12, 2018
Final Reading

Policy Recommendation
Rescind S90-13 (At Large Committee Appointments)

Legislative History

S90-13 established a process for converting unfilled college seats on the Senate to at-large seats. When F16-2 (Conversion of College Seats to At-Large Seats) modified Bylaw 6.13 it superseded S90-13.

Whereas: Through the systematic review of policies that the Organization and Government Committee has been conducting, older policies that have been superseded have been identified, and

Whereas: Bylaw 6.13 now specifies the process and timeline by which college seats become at-large seats, therefore be it

Resolved: That S90-13 be rescinded.

Rationale

This corrects an oversight when F16-2 was established. At that time the policy recommendation should have included rescinding S90-13.

Approved: 3/5/18
Vote: 8-0-0
Present: Bailey, Curry, French, Hart, Higgins, Ormsbee, Rajkovic, Shifflett
Absent: Grosvenor, Norman, Ramasubramanian

Financial Impact: None
Workload Impact: None

San José State University
Academic Senate
Organization and Government Committee AS 1681
March 12, 2018
Final Reading

Policy Recommendation
Rescind F71-14: Acting Appointments: Vice Presidents or Deans

Whereas: The Organization and Government Committee has been conducting a systematic review to identify policies that have been outdated and/or replaced, and

Whereas: F71-14: Acting Appointments: Vice Presidents or Deans has now been superseded by S16-8: Selection and Review of Administrators (with Amendment A as edited included), therefore be it

Resolved That F71-14 be rescinded.

Rationale

At the time the policy recommendation (S16-8) was approved, it should have included the recommendation to rescind the older policy: F71-14.

Approved: 3/5/18
Vote: 8-0-0
Present: Bailey, Curry, French, Hart, Higgins, Ormsbee, Rajkovic, Shifflett
Absent: Grosvenor, Norman, Ramasubramanian

Financial Impact: None
Workload Impact: None

SAN JOSE STATE UNIVERSITY
Academic Senate
Professional Standards Committee
March 12, 2018 **AS 1682**
First Reading

Policy Recommendation
Amendment A to S99-8 and
Declaring our Support for Academic Freedom and
Establishing the Academic Freedom Committee

Resolved: That this policy be adopted effective immediately, with the Academic Freedom Committee to be established by the beginning of AY 2018-19.

Resolved: Section I of S99-8 shall be deleted (as it is incorporated here unchanged.)

Rationale: This is part of a larger reform of the Board of Academic Freedom and Professional Responsibility.

Approved: *February 19, 2018*

Vote: *9-0-0*

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

Absent: *none*

Financial Impact: There could be some modest travel costs associated with sending members of the Academic Freedom committee to conferences.

Workload Impact: The creation of a new committee would represent more work, although necessary work. This is somewhat obviated by the work that could be saved if the committee's actions prevent misunderstandings or incidents arising from disputes over academic freedom.

Policy Recommendation
Academic Freedom at SJSU

1. Statement of Academic Freedom[1]

1.1. In General

1.1.1. The primary mandates of a university—the discovery and dissemination of knowledge and understanding, are absolutely dependent upon academic and intellectual freedom. Freedom in research is fundamental to the advancement of truth. Freedom in teaching is fundamental for the protection of the rights of the student in learning and of the faculty[2] in teaching.

1.1.2. San José State University has a responsibility to society to defend and to maintain these freedoms, and to ensure that those engaged in academic pursuits can effectively execute their responsibilities. SJSU faculty must remain free of the forces of special interests and political interference if they are to fulfill society's expectations and their educational responsibilities.

1.2. Academic Freedom as it Relates to Tenure

1.2.1. Tenure constitutes the procedural safeguard of academic freedom and individual responsibility and, as such, is essential for the maintenance of intellectual liberty and high standards in education and in scholarship. It is the means by which university faculty members are protected against personal malice or political coercion, and by which it is ensured that those who, following rigorous evaluation, secure continuing employment, can be dismissed only on professional grounds according to due process.

1.2.2. Historically, the indispensability of academic tenure to academic freedom in universities throughout the world has been proven by events in situations where tenure has not existed. We must not forget the lessons of the past but must work to insure that SJSU continues to fulfill the educational needs of a free society.

[1] Derived from the *International Statement on Academic Freedom and Tenure*, 1984. Signatories include the American Association of University Professors, the American Federation of Teachers, the National Education Association, and similar groups from the United Kingdom, New Zealand, Canada, Australia, Ireland, and France. Section 1 is unchanged from S99-8 and previously from S93-12.

[2] The faculty of the university include all those who engage in scholarly activities and/or those who directly or indirectly participate in instructional activity. Thus faculty members include professors, lecturers, teaching assistants, research assistants, coaches, counselors, librarians, and all those faculty employees under Unit 3.

2. The Academic Freedom Committee is established as a Special Agency.

2.1. Charge of the Academic Freedom Committee (AFC):

2.1.1. AFC shall monitor the state of academic freedom and shall serve as an advisory body on issues arising from the application of academic freedom on our campus.

2.1.2. AFC shall familiarize itself with policies, laws, court decisions, and current events concerning academic freedom so as to be prepared to offer timely and accurate advice. As part of this function it shall maintain contact (and membership if possible) with the American Association of University Professors (AAUP) and familiarize itself with relevant AAUP publications. Members of AFC should attend AAUP conferences on academic freedom when possible.

2.1.3. AFC shall work in concert with the Center for Faculty Development to advise and orient new faculty on academic freedom issues, by attending and presenting at events such as faculty orientations.

2.1.4. AFC shall educate all constituencies of the San Jose State Community on our own policies on academic freedom. It shall host at least one academic freedom forum each year, on a topic related to academic freedom and designed to stimulate interest in academic freedom.

3. Membership of AFC

3.1. Three faculty members, two of whom must be (or have previously been) tenured, chosen university-wide for their expertise and interest in academic freedom issues. One of the three faculty may be a member of the Emeritus Faculty Association. These faculty will serve 2 years terms and may be renewed twice (for a total of six years) before rotating off the committee for a minimum on one term.

3.2. One student, designated by Associated Students.

3.3. One administrator, designated by the President in consultation with the Executive Committee.

SAN JOSE STATE UNIVERSITY
Academic Senate
Professional Standards Committee
March 12, 2018 **AS 1683**
First Reading

POLICY RECOMMENDATION
Amendment A to F81-7
"Appointment Procedures for Grant-Related Instructional Faculty of Exceptional Merit" (GRIF)

Resolved: That F81-7 be amended with the revisions shown, effective immediately.

Rationale: *F81-7 is our campus policy regulating the appointment of a very small number of faculty who are appointed with annual salary supplements above that of the CSU/CFA contract. There are at present only 2 such faculty at SJSU. The number of these faculty are limited to 100 system wide, and the size of their supplementary salary is currently limited to 5-35% of their normal salary. The supplements are paid by non-state dollars, including grants, gifts, or foundation resources, and are designed "to permit campuses to appoint individuals of regional and national professional stature." These have become known as Grant-Related Instructional Faculty (GRIF.)*

This program is nearly 40 years old and is currently regulated by CSU coded memorandum HR 2005-37. The coded memo requires that campuses create their own procedures for the selection of GRIF faculty, and F81-7 is our campus's document to comply with this system requirement.

Some of the parameters have changed since our campus policy was first approved in 1981, such as the change from 25% to 35% for the maximum supplementary salary. These amendments are designed to bring our policy into compliance with the current coded memo, and to make it less likely that it will need to be amended in the future as new coded memos are released. We have, for example, removed the specific reference to the size of the award since it has changed and since the procedures should apply even if it were to change again.

In drafting these amendments, Professional Standards was loathe to become too specific about the process for appointment or renewal given that the policy concerns such a tiny number of cases. Instead, both the old and the revised policy rely upon the relevant actors to develop procedures as they go, within certain broad boundary lines. While faculty committees must be involved in approval, the policy is deliberately silent about which committees they will be—whether an existing personnel committee or a specially appointed committee. The nitty gritty details are primarily left to the Provost, as they are now.

Approved:	*February 19, 2018*
Vote:	*9-0-0*
Present:	*Chin, He, Marachi, Kauppila, McKee, White, Peter, Donahue, Kimbarow*
Absent:	*Pyeon, McKee*
Financial Impact:	*None.*
Workload Impact:	*None.*

1. Definition and Minimum Qualifications for Grant-Related Instructional Faculty (GRIF)

1.1. As a result of action taken by the CSU Board of Trustees, instructional faculty members meeting specified criteria may be appointed with additional ~~to two classes (10-month and 12-month); each provides for~~ compensation from grants, individual gifts or bequests, or foundation allocations at a ~~5-25%~~ differential above the salary for their regular rank and step. In addition to the education and experience normally required for the academic rank to which they are to be appointed, the criteria are that the candidates have exceptional professional merit in scholarship and teaching as evidenced by regional or national recognition.

1.2. CSU coded memo (HR 2005-37 at the time of this policy recommendation, or its successor memo if subsequently changed) ~~FSA 75-55~~ further describes these ~~classes~~ appointments and should be referenced whenever making a GRIF appointment. The most important provisions of the coded memo include the following:

1.2.1. Each appointment is to be made ~~Each appointment to one or the other class is to be made, as appropriate,~~ for one academic year or 12 month period only, subject to additional appointments by the president after faculty consultation and within funding limits. ~~the limits of the grant support.~~

1.2.2. No tenure accrual or salary rights attach to a GRIF appointment ~~either class~~ separate from the tenure rights and salary normally accruing from regular full-time faculty appointment. Appointment to either class does not constitute a promotion; nor does termination of an appointment without renewal constitute a demotion.

1.3. Qualifications. Candidates recommended for GRIF designation should be of "regional or national professional stature" and should be of "exceptional merit." Particular qualifications for positions shall be identified either by the fund grantor, subject to the approval of the appropriate department, college, or university committees and administrators, or by consultation among the appropriate committees and administrators.

2. Appointment Procedures.

2.1. GRIF faculty must first be appointed using university procedures for the recruitment and selection of faculty (S15-6 at the time of this policy recommendation or its successor policy.) No appointment may be made without the recommendation of the appropriate faculty committee(s) and administrator(s) in the unit to which the appointment is made, and without the approval of the Provost and the President.

2.2. Designation of a new or existing faculty position as a GRIF position shall be subject to the review of an appropriate faculty committee, with final approval from the Provost and the President.

2.3. Specific selection procedures. Procedures for selection of recipients of particular grants shall be developed by a process of consultation between the fund grantor and the relevant committees and administrators. Procedures will necessarily vary because of differences in the nature and terms of funding arrangements, but should include specific provisions relating to recruitment of candidates (whether by national search; nomination by grantor, university faculty, university administrators, etc.) and the final selection.

2.4. Renewal of a GRIF designation in subsequent years may be expedited according to procedures determined by the Provost, but shall require annual review by an appropriate faculty committee.

~~II. Appointment Procedures.~~

~~Appointment procedures for these classes shall be developed as follows:~~

~~1. Particular qualifications for positions shall be identified either by the fund grantor, subject to the approval of the appropriate department, school, or university committees and administrators, or by consultation among the appropriate committees and administrators. Normally, department recruitment committees, school policy committees, department chairs, and school deans should be consulted, with final approval from the Academic Vice President and the President.~~

~~2. Procedures for selection of recipients of particular grants shall be developed by a similar process of consultation. Procedures will necessarily vary because of differences in the nature and terms of funding arrangements, but should include specific provisions relating to recruitment of candidates (whether by national affirmative action search; nomination by grantor, university faculty, university administrators, etc.) and the final selection. Whenever possible, normal university procedures for the recruitment and selection of faculty should be used. No appointment may be made without the recommendation of the appropriate faculty committee(s) and administrator(s) in the unit to which the appointment is made, and without the approval of the Academic Vice President and the President.~~

San Jose State University
Academic Senate
Instruction and Student Affairs Committee **AS 1684**
March 12, 2018
Final Reading

Policy Recommendation
Rescind S66-20, Control of Information Contained in Student Records

Whereas: information provided in S66-20 is procedural in nature, and

Whereas: S66-20 is superseded by information in PD-2008-02: Institutional Policy on Access and Control of Information Contained in Student Records; therefore, be it

Resolved: That S66-20 be rescinded.

Approved:	3/5/18
Vote:	11-0-0
Present:	Bullen, Busick, Gill, Grindstaff, Hospidales, Khan, Kim, Ng, Sen, Sullivan-Green, Trousdale, Walters, Wilson
Financial impact:	None
Workload impact:	None

SAN JOSE STATE UNIVERSITY
Academic Senate
Instruction and Student Affairs Committee **AS 1685**
March 12, 2018
Final Reading

POLICY RECOMMENDATION
Amendment A to S16-9, Section A, to include accessible syllabus template requirement, and Section B.1.e, to include expected hourly commitment for each unit of credit

Whereas: Faculty are required to maintain course documents in an accessible format [http://www.sjsu.edu/accessibility/policies/] in response to federal law, state law, and CSU policy; and

Whereas: The university provides an accessible syllabus template for all faculty that ensures compliance with accessibility requirements; and

Whereas: The current syllabus policy does not require that faculty members utilize the accessible syllabus template;

Whereas: S16-9 updated the SJSU University Policy on course syllabi; and

Whereas: S16-9 rescinded S06-2 and S12-3; and

Whereas: WASC requires a statement indicating the expected hourly commitment for each unit of credit in the syllabus; therefore be it

Resolved That S16-9, Section A, be amended to say (amendments in bold):

A. General syllabus procedures

- Each member of the faculty at San José State University shall provide a syllabus to each student in every class, to be available no later than the first class meeting. **Faculty members shall follow accessibility guidelines and use the appropriate syllabus template format provided by the University to create their syllabus.** If the faculty member chooses to make the syllabus available only online and not distribute hard copies to students, it must be available online no later than the first scheduled day of class. The faculty member shall provide an electronic or hard copy of the syllabus to the department office for department files on or before the first day of class.

And, therefore be it

Resolved that S16-9, Section B.1.e be amended to say (amendments in bold):

e) Course requirements, e.g. papers, projects, exams, quizzes, homework, laboratory work, fieldwork, participation.

- Course calendar including assignment due dates, exam dates, final exam date and time, and any other relevant information.
- **The following language must be included in the syllabus:**

  "Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of forty-five hours over the length of the course (normally 3 hours per unit per week with 1 of the hours used for lecture) for instruction or preparation/studying or course related activities including but not limited to internships, labs, clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus."

San Jose State University
Academic Senate
Instruction & Student Affairs **AS 1686**
March 12, 2018
Final Reading

Policy Recommendation
Rescinds S66-11, College Reports to Selective Service Boards

Whereas, The Selective Service System does not currently classify registrants, and

Whereas, The Selective Service System does not have criteria regarding a reporting mechanism or required information to be reported; therefore, be it

Resolved: That S66-11 be rescinded.

Rationale:
The current policy is out of date. Given the lack of guidance on the Selective Service System Website regarding a reporting mechanism or standards for classifying registrants, there is insufficient information available to replace S66-11 with a revised policy.

Approved:	February 19, 2018
Vote:	12-0-0
Present:	Busick, Gill, Grindstaff, Khan, Manzo, Nash, Ng, Sen, Simpson, Sullivan-Green, Trousdale, Walters, Wilson, Yao
Financial impact:	None
Workload impact:	None

San José State University
Academic Senate
Executive Committee AS 1687
March 12, 2018
Final Reading

SENSE OF THE SENATE RESOLUTION

Honoring Professor Yoshihiro Uchida for His 70 Years of Service to San José State University

Whereas, Professor Yoshihiro Uchida began coaching judo at SJSU in 1940 as an undergraduate student, interrupting his studies to serve in the U.S. Army (while his family was relocated to an internment camp), and then returning to finish a degree in Biological Science and continue coaching; and

Whereas, As coach, Professor Uchida has led SJSU's judo team to 50 national championships (in the 56 years of the tournament) and has been the chief force behind the University's most successful sport; and

Whereas, Professor Uchida was instrumental in having judo sanctioned by the U.S. Amateur Athletic Union in 1953 and then making judo an official Olympic sport; he coached the first U.S. Olympic judo team at the 1964 Tokyo Olympics, where they won bronze, and has coached and mentored Olympic athletes ever since, most recently in 2016 in Rio de Janeiro; and

Whereas, Professor Uchida has been recognized and celebrated in many ways, including having a building on SJSU's main campus named after him (see University Policy F96-10); winning prestigious awards such as the Order of the Sacred Treasure (Japan's highest honor for a non-citizen) in 1986, SJSU's Tower Award in 1992, and a Doctorate in Humane Letters from SJSU in 2004; and being inducted into the San José Sports Hall of Fame in 1996; and

Whereas, Professor Uchida has taught with distinction, honor, and a deep commitment to students through the Department of Kinesiology (formerly Human Performance) since 1999; and

Whereas, Generations of SJSU students have revered Professor Uchida as a role model for his exemplary teaching, coaching, courage, determination, and wisdom; and

Resolved, That the Academic Senate of San José University offer profound gratitude to Professor Yoshihiro Uchida for his 70 years of service to the University and especially to the University's students; and be it further

Resolved, That the Academic Senate of San José State University congratulate Professor Yoshihiro Uchida for reaching this extraordinary milestone.

Approved:	March 5, 2018
Vote:	There was no dissent.
Present:	Feinstein, Shifflett, Sullivan-Green, Peter, Wong(Lau), Riley, Mathur, Willey, Schultz-Krohn, Faas, Papazian, Lee
Absent:	Frazier, Manzo, Van Selst
Financial Impact:	None
Workload Impact:	None

SAN JOSE STATE UNIVERSITY
Academic Senate
Curriculum and Research Committee **AS 1688**
March 12, 2018
First Reading

POLICY RECOMMENDATION
Rescind F83-10 Entry- Level Mathematics (ELM) Examination; Sanctions; Probation

Rationale: Executive Order 1110, issued by the Chancellor on August 2, 2017, discontinued, with immediate effect, the offering of the English Placement Test (EPT) and the Entry- Level Mathematics (ELM) Test. SJSU Policy F83-10 stipulates that students who are required to take the ELM test must do so during their first semester of enrollment. This requirement conflicts with EO 1110.

Whereas: Executive Order 1110 discontinued the offering of the English Placement Test (EPT) and the Entry- Level Mathematics (ELM) Test effective August 2, 2017, and

Whereas: F83-10 stipulates that students who are required to take the ELM test must do so during their first semester of enrollment, therefore be it

Resolved: that F83-10 be rescinded.

Approved:	3-5-2018
Vote:	13-0-0
Present:	Bacich, Buzanski, Cargill, Chung, Jensen, Heil, Matoush, Stacks, Rodan, Trulio, Schultz-Krohn, Anagnos, De Guzman
Absent:	None
Workload Impact:	None
Financial Impact:	None

SAN JOSE STATE UNIVERSITY AS 1689
Academic Senate
Curriculum and Research Committee
March 12, 2018
First Reading

POLICY RECOMMENDATION
Rescind S80-9 Resource Analysis Required for Curricular Proposals

Legislative History: S80-9 outlined the specific forms to be used for curricular proposals and directed new courses to use a specific proposal form.

Whereas: Curricular proposals are typically initiated at the department/school, and

Whereas: Budget and resources are handled at the college level, and

Whereas: The Office of Graduate and Undergraduate Programs provides information regarding the required elements to be included in a course proposal, and

Whereas: S80-9 designated that specific forms be used for course proposals that are no longer used in practice; therefore be it

Resolved: Rescind S80-9.

Approved:	3-7-2018
Vote:	11-0-0
Present:	Anagnos, Bacich, Cargill, Chung, De Guzman, Heil, Jensen, Matoush, Rodan, Schultz-Krohn, Stacks
Absent:	Buzanski
Workload Impact:	None anticipated
Financial Impact:	None anticipated

THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802-4210
(562) 951-4425

Date: August 30, 2005 **Code: HR 2005-37**

To: CSU Presidents **Supersedes:** HR 2004-07

From: Jackie R. McClain
Vice Chancellor
Human Resources

Subject: **Grant-Related/Specially-Funded Instructional Faculty Classification Update**

California State University (CSU) policy for use of the Grant-Related/Specially-Funded Instructional Faculty classifications (codes 2387 and 2388) is detailed in this memorandum. The classification standard is available on the Web at http://www.calstate.edu/HRAdm/Classification/index.shtml under the category of Faculty (Unit 3) and is provided for reference in Attachment A.

These classifications were established originally by the Board of Trustees to permit campuses to appoint individuals of regional and national professional stature. Such appointees receive additional compensation as specified in the faculty (Unit 3) Collective Bargaining Agreement (CBA). The differential portion, including related employee benefit costs, of the total compensation paid to each incumbent is funded by grants, individual gifts and bequests, or by foundation allocation.

Prior to making appointments into these classifications, each campus must transmit its procedures for selection of appointees to the chancellor. Such procedures should involve faculty consultation and recommendation similar to those currently used in other faculty personnel actions.

Each appointment is to be made for one academic year or 12-month period only, subject to additional reappointments by the president after faculty consultation and within funding limits. No tenure accrual or salary rights attach to either classification separate from the tenure rights and salary normally accruing from regular full-time faculty appointment. Appointment to either classification does not constitute a promotion, nor does termination of an appointment without renewal constitute a demotion.

Distribution:

Chancellor
Vice Presidents, Academic Affairs
Vice Presidents, Administration
AVPs/Deans of Faculty Affairs
Human Resources Directors
Director, SOSS

The salary differential for the Grant-Related/Specially-Funded Instructional Faculty classifications is 5% to 35% above the corresponding salary of the instructional faculty classification.

The CSU and the California Faculty Association (CFA) agreed that the CSU will not employ systemwide more than one hundred (100) faculty in these classifications at any one point in time. Systemwide Human Resources continues to monitor this limit.

Please note that this policy continues in effect for the 2005/06 year, pending the outcome of faculty contract negotiations that are currently underway. Any subsequent changes will be communicated as appropriate. Questions regarding this HR Letter may be directed to Dr. Cordelia Ontiveros at (562) 951-4503 or via e-mail at contiveros@calstate.edu.

This memorandum also is available on the Human Resources Administration's Web site at: http://www.calstate.edu/HRAdm/memos.shtml.

JRMcC/co

Attachment

Classification and Qualification STANDARDS

The California State University System

Grant-Related/Specially-Funded Instructional Faculty

12 Month Class Code: 2388
Academic Year Class Code: 2387
Date Established: 08-22-75
Date Revised: 02-01-04

OVERVIEW:
The Grant-Related/Specially-Funded Instructional Faculty serves as a California State University instructional staff member in a non-permanent, 12-month or academic year assignment. This classification can be used for grant-funded faculty assignments as well as faculty assignments funded by gifts and bequests or by foundation allocations.

MINIMUM QUALIFICATIONS:
The candidate must have a combination of education and experience required for the academic rank to which he/she is to be appointed plus exceptional professional merit in scholarship and teaching as evidenced by regional or national recognition in his/her discipline(s), as determined by the President, after appropriate consultation.

COMPENSATION:
5% to 35% differential above the corresponding salary of the Instructional Faculty classification.