I. Call to Order and Roll Call:

II. Land Acknowledgement:

III. Approval of Minutes:
    Senate Minutes of March 20, 2023

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

V. Executive Committee Report:
    A. Minutes of the Executive Committee –
       Executive Committee Minutes of March 6, 2023
       Executive Committee Minutes of March 13, 2023

    B. Consent Calendar –
       Consent Calendar of April 17, 2023

    C. Executive Committee Action Items –

VI. Unfinished Business:
    A. Organization and Government Committee (O&G):
       AS 1847, Modification of the Senate Constitution Related to
       Powers and Responsibilities (Timely Responses to Senate
       Resolutions and Policies) (Final Reading)

    B. Professional Standards Committee (PS):
       AS 1848, Policy Recommendation, Amendment A to
       University Policy F14-2, Emeriti Faculty (Final Reading)

       AS 1850, Sense of the Senate Resolution, In Opposition to
       Florida House Bill 999 and in Solidarity with Public
       University Faculty in the State of Florida (Final Reading)

       AS 1851, Policy Recommendation, Amendment I to
       University Policy S15-8, Retention, Tenure, and Promotion
       for Regular Faculty Employees: Criteria and Standards
       (Final Reading)
VII. Policy Committee and University Library Board Action Items (In rotation):
   A. Curriculum and Research Committee (C&R):
      AS 1852, Policy Recommendation, Replacement for F68-24 and F67-11 (First Reading)

   B. Organization and Government Committee (O&G):
      AS 1843, Amendment B to University Policy S16-1, Faculty Athletics Representative (FAR) (Final Reading)
      AS 1855, Amendment D to University Policy F17-1 and Amendment A to University Policy F18-3, Institutional Review Board (First Reading)
      AS 1856, Senate Management Resolution, Modification of the Charge and Membership of the I&SA Committee (First Reading)

   C. University Library Board (ULB):

   D. Instruction and Student Affairs Committee (I&SA):
      AS 1853, Amendment E to University Policy S16-16, Academic Notice, Administrative Academic Probation, Disqualification (First Reading)
      AS 1854, Amendment A to University Policy F17-4, Priority Registration (First Reading)

   E. Professional Standards Committee (PS):
      AS 1849, Policy Recommendation, Declaring our Support for Academic Freedom and Establishing the Academic Freedom Committee (First Reading)

VIII. Special Committee Reports:
      ULB Report, Time Certain: 3:00 p.m.

IX. New Business:

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

XI. Adjournment
2022-2023 Academic Senate Minutes
March 20, 2023

I. The meeting was called to order at 2:00 p.m. Forty-eight Senators were present.

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<thead>
<tr>
<th>Category</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ex Officio</td>
<td>Chuang, McKee, Van Selt, Rodan</td>
<td>Curry</td>
</tr>
<tr>
<td>CHHS Representatives</td>
<td>Sen, Smith, Baur, Chang</td>
<td>None</td>
</tr>
<tr>
<td>Administrative Representatives</td>
<td>Day, Del Casino, Faas, Bryant</td>
<td>Teniente-Matson</td>
</tr>
<tr>
<td>COB Representatives</td>
<td>Chen</td>
<td>None</td>
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<tr>
<td>Deans / AVPs</td>
<td>d’Alarcao, Ehrman, Meth, Kaufman</td>
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<tr>
<td>COED Representatives</td>
<td>Mathur, Muñoz-Muñoz</td>
<td>None</td>
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<tr>
<td>Students</td>
<td>Saif, Treseler, Maldonado, Herrlin, Sheta, Chadwick</td>
<td>None</td>
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<tr>
<td>ENGR Representatives</td>
<td>Kao, Wong</td>
<td>Sullivan-Green</td>
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<td>Vacant</td>
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<td>H&amp;A Representatives</td>
<td>Khan, Frazier, Kataoka, Lee, Riley</td>
<td>Han</td>
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<td>Emeritus Representative</td>
<td>Jochim</td>
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<td>COS Representatives</td>
<td>French, Muller, Shaffer, Andreopoulos</td>
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<td>Honorary Representatives</td>
<td>Peter, Lessow-Hurley</td>
<td>Buzanski</td>
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<td>COSS Representatives</td>
<td>Sasikumar, Pinnell, Raman, Gomez, Haverfield</td>
<td>Hart</td>
</tr>
<tr>
<td>General Unit Representatives</td>
<td>Masegian, Flandez, Pendyala, Monday</td>
<td>Higgins</td>
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</tbody>
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II. Land Acknowledgement: Chair McKee read the history of the land acknowledgement and Senator Masegian presented the land acknowledgement.

III. Approval of Academic Senate Minutes–
The Senate Minutes of February 27, 2023 were approved as amended (36-0-8).

IV. Communications and Questions –
A. From the Chair of the Senate:
Chair McKee asked that all Senators remember to sign the roll call sheets at the back of the room, and asked all Senators to sit in the front room so we can see and hear you. If you have amendments to the resolutions presented,
please give the line number first so the Associate Vice Chair can find it on the resolution.

Chair McKee announced that we have a very packed agenda. Chair McKee asked Senators to be mindful of time and to engage in as little wordsmithing as possible from the floor of the Senate. Chair McKee also announced that she was invoking Robert’s Rules of Order around debate so that a Senator may only speak once to a resolution until all the other Senators have had the opportunity to speak. Also, no Senator may speak more than twice to each motion. There will also be a time limit to debate of 10 minutes. We also have a time certain of 3 p.m. for a report on the Athletics Board by the FAR, Tamar Semerjian.

Chair McKee announced that it is women’s history month. The Academic Senate is one place where we can ensure that our resolutions recognize gender equity, diversity, and inclusion.

Chair McKee announced some editorial changes to a very old policy, F66-13, that prohibits the double-numbering of courses. Chair McKee has authorized the Senate Office to make these changes as requested by the Curriculum and Research Committee.

Chair McKee anticipates we will carry over to the April 17, 2023 Senate Meeting some of today’s resolutions and we will also have a report from the University Library Board (ULB).

There are several Sense of the Senate Resolutions coming up. One is on a Day of Remembrance, and the other is on support for Dr. Ulia Gosart’s work with Ukraine’s Libraries. There may also be one or two Senate Management Resolutions around Senate composition.

The Cozen-O’Connor visit is happening this week and Chair McKee will be meeting with them.

Chair McKee reached out to Senators to consider running for Vice Chair of the Senate this year. Vice Chair Sasikumar will automatically become Chair of the Senate on May 8, 2023 at 4 p.m. and at this time new Senate Officers will be elected.

Chair McKee recognized Senator Frazier who acknowledged the recent passing of past President Mary Papazian’s husband.

Chair McKee announced that the president could not be here today because she is at the chancellor’s office for a Board of Trustee’s (BOT) meeting.

B. From the President: [not present, no report]
V. Executive Committee Report

A. Minutes of the Executive Committee:

Executive Committee Minutes of February 13, 2023 –
AS Chair Chuang asked for an amendment to the February 13, 2023 Executive Committee Minutes to change, “AS is discussing the possibility of installing glass about shame/internment of Japanese on Uchida Hall with the Campus Planning Board right now” to read, “AS is discussing the possibility of installing a mural about the incarceration of Japanese Americans.” Chair McKee responded that the Senate cannot correct the minutes of the Executive Committee, however, the Executive Committee can correct their own minutes and she will bring this back to the Executive Committee at their next meeting.

Executive Committee Minutes of February 20, 2023 – No questions.

B. Consent Calendar:
AVC Katoaka presented the Consent Calendar of March 20, 2023. There was no dissent to the consent calendar.

The Senate voted and approved the Senate Calendar for 2023-2024 as amended (48-0-0).

C. Executive Committee Action Items: None

VI. Unfinished Business:

A. Professional Standards Committee (PS):
Senator French presented AS 1844, Amendment I to University Policy S15-8, Retention, Tenure, Promotion for Regular Faculty Employees; Criteria and Standards (Final Reading). Senator Mathur presented an amendment to lines 50 and 51 “…before deliberations begin or during deliberations.” The amendment was seconded. Senator Mathur withdrew her amendment. Senators Del Casino and French presented an amendment to add “immediately” before “report” and to delete everything after “faculty services” on line 49/50. The Del Casino/French amendment was seconded. The Senate voted and the Del Casino/French amendment passed (36-1-2). Senator Haverfield presented an amendment to change lines 50/51 where it reads, “…Faculty Services,” to add, “in consultation with the Professional Standards Committee.” The Haverfield amendment was seconded. The Senate voted and the Haverfield amendment failed (2-40-0). The Senate voted and AS 1844 passed as amended (42-0-2).

B. Curriculum and Research Committee (C&R):
Senator Wong presented AS 1846, Amendment B to University Policy S19-3, University Writing Requirements/Guidelines, University Writing Committee (Final Reading). Senator Khan presented an
amendment to line 150 to strike out “the uniformity of.” The amendment was friendly to the body. Senator Van Selst presented an amendment to line 48 to strike “Reduction” and replace with “Elimination of the WST.” The Van Selst amendment was friendly to the body. The Senate voted and AS 1846 was approved as amended (approved by unanimous voice vote).

C. Organization and Government Committee (O&G):
Senator Baur presented AS 1843, Amendment B to University Policy S16-1, Faculty Athletics Representative (FAR) (First Reading).

Questions:
Q: Are there any term limits left?
A: The term limit would be a 3-year term renewable for addition 3-year terms.

Q: Is O&G aware that we set term limits because the FAR wasn’t changing?
A: Yes, we did have that discussion.

Q: Is this actually required in line 70 and 71 that the candidate needs prior successful leadership experience?
A: We can look at that.
Q: Also, you show no financial impact? If the outgoing and incoming have to consult and go together places, there will be impact.
A: The committee will look at this.

Q: Why is there a difference in line 61 and 79. One says the Chair of the Senate/Executive Committee approves and then in the other the Executive Committee. Can we make this consistent?
A: We will look at this.

Q: Would the committee consider term limits and the balance between experience and new blood?
A: In principle it could be unlimited, but there is a reevaluation every three years. That’s why there is consultation with other parties.

Q: I appreciate the explanation. If it takes 5 years of experience before you can serve in a higher level committee, it makes sense to let them stay at least 6 years, and then perhaps 3 years after that?
A: We will consider it.

Q: I think one of the concerns in 2016 was that ultimately the president alone would make the final decision. The FAR can be a watch person for the president and I think there should be a larger review committee. We’ve had some problems with Athletics. Can the committee consider?
A: Yes.
C: O&G did look at FAR policies at other campuses. This was the most common policy across all campuses.
C: Please expand beyond the CSU campuses and look.

D. Professional Standards Committee (PS):
Senator French presented AS 1845, Amendment K to University Policy S15-7, Retention, Tenure, Promotion for Regular Faculty Employees; Procedures (Final Reading).
Senator Van Selst presented three amendments. The first amendment is to line 79 to change it to read, “A procedure to request, and the criteria to evaluate” before “administrative recusal...”. The second amendment was on line 81 after “conflicts of interest” add “(or the appearance of bias or conflicts of interest)”. The third amendment is to line 81 to add “and” and strike “in consultation with” before “the Professional Standards Committee.” Senator Gomez presented an amendment to the Van Selst Amendment to delete “to request” after “A procedure” in line 79. The amendment was seconded. The Senate voted and the Gomez amendment to the Van Selst Amendment failed (2-42-0). The Senate voted on the 1st Van Selst Amendment and it passed (42-2-0). The Senate voted on the 2nd Van Selst Amendment and it failed (16-19-3). The Senate voted on the 3rd Van Selst Amendment by voice vote and it failed. Senator Khan presented an amendment to replace Faculty Affairs with Faculty Services throughout the resolution and it was friendly to body. **The Senate voted and AS 1845 passed as amended (40-0-0).**

VII. Policy Committee and University Library Board Action Items (In rotation)
A. Organization and Government Committee (O&G): No Report
B. University Library Board (ULB): No Report.
C. Instruction and Student Affairs Committee (I&SA): No Report
E. Curriculum and Research Committee (C&R): No Report.

VIII. Special Committee Reports:
Athletics Board and Faculty Athletics Representative (FAR) Report by Tamar Semerjian, Time Certain: 3:00 p.m.
Tamar Semerjian introduced herself and said she was here today with Jamaal Mayo, the Senior Associate Athletics Director for Advancement and Laura Alexander, the Associate Athletics Director for Student Athlete Wellness and Leadership Development.

**Tamar Semerjian, FAR**
It is the FAR’s role to represent faculty perspectives on all aspects of the intercollegiate athletics program and serve as an advocate for athletic wellbeing and to play a part in maintaining institutional control of the athletics program. This is probably my last time presenting to the Academic Senate as my term as
FAR ends at the end of the calendar year. I am pleased to see that the Senate is taking up the FAR policy and that future FARs may have the ability to serve San José State for longer periods of time and are able to develop the necessary institutional knowledge to function in the role effectively. Since we met last year, I have a few things I wanted to update the Senate on. The landscape of the NCAA continues to change as student athletes are able to benefit from and gain compensation for their name, image, and likeness. At this point, this has not had significant impact on our campus, but it is something the Athletics Board continues to keep an eye on. Additionally, with a loosening of the rules, we have been able to see a significant number of students transferring from one institution to another. This gives student athletes the same flexibility and choice as other students. FARs have been noticing that it does take time for student athletes to academically acclimate and this is something that can impact their GPA. Another thing that is happening is that when a student athlete transfers into an institution that institution is on the hook for their education and whether or not they stay on with school. When you accept the transfer student athlete you would get the scholarship, but you don’t see a state increase. This is a big change that is coming as well.

There continues to be a great deal of movement in athletics here. Only this month have we fully staffed the compliance office that oversees many critical aspects of compliance with the NCAA. The Student Athlete Resource Center, which provides academic support for student athletes, is still in the process of finding a managing director. The Mountain West Conference has a new commissioner and the NCAA has a new president. A lot is going on in the state. SJSU President Cynthia Teniente-Matson has made it clear that her primary interest is in making sure our student athletes feel safe and well supported and I look forward to working with her.

Finally, last year I told you we were looking at a grant from the Sloan Foundation with a former student athlete that plays water polo here. We secured that grant and are working with some great folks to help secure pathways in the STEM fields.

Athletics Board Report from Annette Nellen [as presented by Tamar Semerjian]. What is the Athletics Board? The Athletics Board is a special committee of the Senate that reports to the President and the Senate. Its charge per F07-2, as amended, is to carry out its responsibilities to ensure the academic integrity of the athletics program and compliance with NCAA and affiliated conference athletics rules. It shall recommend to the President and Executive Committee policies that promote a strong environment of rules and compliance and that provide a positive academic environment for all student athletes. It is to act in an advisory capacity to the President and to the Director of Athletics. It shall have an overall awareness of the athletic programs of the university and rules, procedures, and guidelines of the athletic organizations of which the university is a member in order to make recommendations and to act in an advisory capacity.
The board consists of six faculty including the FAR, a student from the student athlete advisory pool, a staff member, the AS President, a representative from the president’s office, the president from One Spartan Nation, the Athletics Director, the Director of Compliance, and a senior athletics administrator for academic student services. One of the board’s activities this year is to work with the O&G Committee in updating the FAR policy. You have that for a first reading today. The board also gets reports from the Athletics Director, the staff director, and the FAR. The board’s charge also includes getting reports about the budget, conference, and NCAA updates and other matters. Annette Nellen is chair of the board, but was unable to be here today. Also, several of our staff including the Athletics Director are traveling with the basketball team.

Jamaal Mayo, the Senior Associate Athletics Director for Advancement
I bring you greetings and updates on behalf of our Director of Athletics. First, in terms of updates, I want to comment on one of the most competitively successful years in SJSU history. It is the first time both our men’s football and basketball teams have experienced post season play. Our men are down in Florida currently and our football program went on to compete in the Potato Bowl in December. This is the first time since 1986 that both programs were over 500%. Our women’s soccer program won the Mountain West regular season and Championship. Our men’s soccer program competed in the WAC Championship game. Our volleyball team made the Mountain West Conference Championship game. For the first time in history, we’ve had a woman compete in the indoor track championship. At the time, she ranked 7th in the country in the triple jump. As of today, she is ranked 1st in the country in the triple jump. Our women’s gymnastics program came in 2nd in their championship. Those four young ladies are going to represent us in Los Angeles next week. The men’s basketball team had 21 wins. Our women’s golf team upset Stanford in the battle of the day. They are ranked in the top 10 in the country. Two of our women’s golfers qualified for the NCAA Championship. SJSU realized over 22 million impressions of social media engagements. We realized over $2 million in publicity exposure this last six months. Our student athletes are performing in the classroom as well. As a department, we achieved a 3.4 overall GPA. I also wanted to give you some information on how we are measured academically by the NCAA and that is by the Academic Progress Rate or APR in the cohort. A student athlete in the cohort is eligible to earn 2 APR points for each semester. One point for retention and one point for eligibility. Two teams at SJSU have achieved 1000% which is perfect. We also have an increase to the multiyear rate in 11 of our programs. All of our teams have a multiyear rate above the NCAA minimum of 930.

Laura Alexander, the Associate Athletics Director for Student Athlete Wellness and Leadership Development.

We did some research this year and realized we were seeing more concussions. The number of concussions rises and falls each year. Some years we will have
10 and some years as many as 20 concussions. There seems to be no rhyme or reason why they are that way. We did notice that this year there was an oddly high rate early on, particularly in football. In the meantime, an article came out on the number of concussions post-COVID. We reached out to the Mountain West Conference and Pack 12 and other universities and their increases have been significant as well. It seems to be across the board. They compared rates after a COVID infection and without a COVID infection in high school seniors across six different states. Any sort of previous infection like asthma was completely removed. A little over 72,522 student athletes in 6 states were studied. Forty-five percent were female, 55% were males. In total, 1,273 concussions were reported among those 72,522. The majority did not have a history of COVID infection. The total without a history of infection was 7,092. The number of concussions in students without a history of COVID came down to 17 concussions per 1,000 student athletes. There were a total of 430 out of that pool that had a history of concussion and COVID and they tallied 32 which came out to 74 per 1,000 student athletes. So, without a history of COVID infection there were 17 per 1,000, and with a history of COVID there were 74 per 1,000.

Questions:
Q: What is President Teniente-Matson doing to help student athletes?
A: These are really early days for her right now, so I think we need to give her a little time. I will say she has been extremely passionate about student athlete wellness and welfare. She has recognized student participation across the Athletics Board.

Q: What will student wellness and welfare look like on campus? Will there be more events, or more tutors?
A: In terms of wellness we are looking at big growth in our mental health areas. Student athletes coming in will be given support through sport psychology. Then we are also looking at a sport recovery medicine program coming in the fall.

Q: What advances have happened in terms of advising for students? I’ve heard advising for students was pretty short almost like an assembly line. I’ve heard we are trying to make it more student interest-focused.
A: We are in flux with advising. Advising used to be in Student Affairs and now is in Academic Affairs for athletes. We are waiting for a permanent director. We are working on it.

Q: You’ve given us some fascinating information that Student Athletes that had COVID are about three times more likely to get a concussion. What are we doing about it? Other than removing the predator that harmed our student athletes for years, what are we doing now to educate our student athletes and empower them?
A: You cannot eliminate the possibility of a concussion unless we eliminate sports. What we do is educate them and educate ourselves. We teach them how to recognize the symptoms and we are very careful with returning them to
play. As more research comes out we will do more. We have been working with the university on a Chaperone policy that has been published over a year ago. We have had numerous discussions with our staff and the Title IX office. We’ve presented these to our students on a number of occasions.

Q: As an academic adviser, I’ve had some coaches coming in for their athlete students for advising. We need our athletes to come in. Some students tell me they are encouraged not to go into engineering because they can’t get classes.

A: That is part of what the grant is doing. There are four Mechanical Engineers on the women’s polo team.

IX. New Business: None

X. Adjournment: The meeting adjourned at 5:10 p.m.
Executive Committee Minutes  
March 6, 2023  
Noon - 1:30 p.m. via Zoom

Present:  Alison McKee (Chair), Karthika Sasikumar, Vincent Del Casino, Charlie Faas, Patrick Day, Patience Bryant, Reiko Kataoka, Julia Curry, Priya Raman, Hiu Yung Wong, Laura Sullivan-Green, Tabitha Hart, Rachael French, Cynthia Teniente-Matson

Absent: Nina Chuang

Recorder: Eva Joice, Senate Administrator

1. Consent Agenda:
   The committee approved consent agenda items (Consent Calendar of March 6, 2023 and Executive Committee Minutes of February 13, 2023 and February 20, 2023)(13-0-0).

2. The committee approved the Senate Calendar for 2023-2024 as amended to replace 2022-2023 for the last meeting in May to 2023-2024 and 2023-2024 for the first meeting in May to 2024-2025 (13-0-0).

3. Senator Hart, Senator Curry, and Vice Chair Sasikumar will be working on a Senate Management Resolution to create a special committee to look into Senate expansion for the next Executive Committee meeting.

4. The committee discussed a Sense of the Senate Resolution proposed by Honorary Senator Lessow-Hurley Acknowledging and Supporting Dr. Ulia Gosart’s Initiative to Save Ukrainian Libraries from destruction. Chair McKee will get back to Senator Lessow-Hurley on this matter. Vice Chair Sasikumar and Senator Curry offered to present this from the floor of the Senate. Senator Chuang said Associated Students was working on a Sense of the Senate Resolution, Honoring and Recognizing a Day of Remembrance.

5. Policy Committee Updates:
   a. Instruction and Student Affairs Committee (I&SA):
      I&SA is working on two referrals on priority registration and calculating GPA.

   b. Professional Standards Committee (PS):
      PS is working on a referral to RTP standards and timing, a Sense of Senate Resolution regarding the Florida Government, an amendment to F14-2 to allow for a Tower Card for Emeritus Faculty, and separation of the Board of Academic Freedom and Professional Responsibility policy into two separate policies.
Questions:
Q: Has any work been done on standardizing RTP guidelines? Has the Student Evaluation Review Board (SERB) ever shared any trends with you? I know there was some momentum by Associated Students to get students to do SOTEs. Is that still happening?
A: There was no consensus in the committee as to whether we should impose department guidelines. PS was uncomfortable forcing guidelines, so no movement was made on this. PS asked AS to assist in getting students to do SOTEs. PS doesn’t have the information on trends, but we can ask SERB. Response rates are a broad problem across the board. PS has discussed both the pros and cons of SOTEs.

c. From the Organization and Government Committee (O&G):
O&G is working on an amendment to the Faculty Athletics Representative (FAR) policy on term limits. O&G also has a policy recommendation looking at how policies are handled by the president. This would require a change to the Senate constitution, which requires a campus-wide faculty vote.

d. From the Curriculum and Research Committee (C&R):
C&R is reviewing a new concentration, and looking into old referrals and policies. Some are controversial.

6. From the President:
The president wants to do a strategic recalibration of Transformation 2030 to build on it. It began in 2016 and was completed in 2019, but it was put on hold due to COVID and never published. The president wants to go back to the first five goals and make sure that, post pandemic, they are still good goals. Our students have changed and we’ve changed. The goals are linked to our resource allocation. A second part is our shared values. The president has looked at our mission statement and compared ours with those at other institutions. We need to look at what we want to aspire to be. We need to get back to a common set of values. The president has been speaking with University Personnel about our turnover rates. We have had a 70% increase in turnover, and 36.5% of our workforce is new (not including student workers). This is why we need to get back to basics. Broken trust and promises are something the president hears about frequently and will be addressed. The cabinet will start with a draft, then the president may begin by taking it to committees to look at.

Questions:
Q: I would love to know what the plan is after you are done? Are we going to have dashboards that back this up?
A: We need a common set of institutional values. There were some actions to move forward before the pandemic, but they were put on hold. We need a
common ground of values we expect people to follow. Chair McKee and the Provost are heads of the Strategic Planning Steering Committee.

Q: I’m particularly excited about the value statements. Are any value statements particularly geared towards a specific group or applicable to all stakeholders?
A: Values are applicable to every stakeholder group. The what and how may look a little different, but no one should be able to say they don’t apply to them or it is a wrong value. I’m not suggesting student don’t have a role.

C: Equity and Inclusion belongs to everyone with the campus having no Equity, Diversity and Inclusion Officer (ED&I).
A: Yes, we will be bringing this to committees across campus for input.

Q: Some numbers that are measurable would be a good backup. For example, for inclusion we could have a turnover rate that is acceptable right?
A: Relevant to outcomes and actions, we need to have some measures in place guided by values. You will hear more about this at the State of the University Address.

[President Teniente-Matson] I wanted to mention the Cozen-O’Connor report about how we are examining the system work on Title IX given we have a contract with Cozen. I took to heart Senator Curry’s comments about how we ensure responsiveness without fear of retaliation. I will put together an implementation team. There are a multitude of things coming forward related to Title IX in response to the Cozen report.

The call for nominations for the search committees for the Vice President of University Advancement and a new Chief Diversity Officer (CDO) will be going out shortly. The president hopes to finalize the contracts in March. The search committee will meet with the consultant at the end of March. Recruiting will occur in April with first round interviews at the beginning of May, and finalist interviews at the end of May.

Q: I’m concerned that no one from ODEI is on the search committee.
A: No, but they will be involved in the interview session.
C: I share that concern.

7. The meeting adjourned at 1:30 p.m.
Executive Committee Minutes  
March 13, 2023  
Noon - 1:30 p.m. via Zoom

Present: Alison McKe (Chair), Karthika Sasikumar, Vincent Del Casino, Charlie Faas, Patrick Day, Patience Bryant, Reiko Kataoka, Julia Curry, Priya Raman, Hiu- Yung Wong, Laura Sullivan-Green, Tabitha Hart, Rachael French, Cynthia Teniente-Matson, Nina Chuang

Absent: None

Recorder: Eva Joice, Senate Administrator

1. Consent Agenda:
   The committee approved consent agenda items (Consent Calendar of March 13, 2023 (11-0-0).

2. The committee approved the appointment of Colleen Johnson as a Senator from the General Unit for a term ending 2024 (11-0-0).

3. Senator Hart inquired about the results of the Senate General Election. The deadline for voting was Friday, March 10, 2023. The Senate Administrator replied that the colleges have to verify the appointment times prior to the counting of the votes. The Senate Administrator will notify everyone as soon as she counts the votes and AVC Kataoka certifies the count.

4. The committee discussed a draft Senate Management Resolution regarding creating a special committee to look into Senate expansion.

   Questions and Comments:
   Q: The charge gets there at the end, but comes across as tone deaf. The resolution is asking the committee to investigate and do research, but not that staff should be added. How do we get staff added?

   Q: I suggest adding a sentence that says we will collaborate on research. There is no timeline, and what are the parameters?

   C: We need to look at expansion and inclusion. The purpose is to find a way to add staff. We don’t understand the call since this was requested several times.

   C: It is important to emphasize that this needs to be done. I have concerns about another survey being done and how it is structured. Surveys can be leading. There have been four different referrals requesting staff be added to the Senate.
C: Chair McKee wants some form of resolution this semester.

5. Travel Ban and Research Scholarship and Creative Activity (RSCA):
The committee discussed the travel ban to 23 states. It is critical for some junior researchers to travel to these states to do historical research in the archives. We need to join forces as the Senate leadership to address this issue. Provost Del Casino noted that there are some exceptions. The Provost was asked to provide information on how one goes about this for faculty.

6. From the President:
The president was recently at the Mountain West Conference and also in Sacramento with our legislators. Senator and AS President Nina Chuang was also in Sacramento and lobbied our legislators as well.

The governor has included the compact in the budget even though our coffers are even less than anticipated. We will have to honor our commitments in the compact to expand enrollment and we must have a fiscally sound budget. The president expressed her gratitude to VP Faas and Vice Chair Sasikumar as the co-chairs of the Budget Advisory Committee.

The president is continuing to meet with affinity groups. She met this weekend with the Tower Board. A lot is happening. The State of the University Address is tomorrow. Please attend.

The recent flooding and the levee break have impacted 17 of our employees. The president is looking into what resources they need.

Questions:
Q: Can our alumni be a source of support for us with our legislators?
A: At other universities that I’ve worked the alumni and students have been the biggest push with the legislators.
C: Balancing the budget is a very difficult process for the governor. The CSU hasn’t made a good case to the governor. We will do a better job activating our students and alumni.

Q: I just heard some students from Santa Cruz have their power out and can’t come to campus. Are there any instructions for faculty?
A: Students should talk to their faculty and employees should talk to their supervisor. It is really up to the faculty member how they handle it.

Q: Are there any additional opportunities to go back to lobby again?
A: We talk with our legislators all the time.
A: The CSU lobbies in Sacramento every day. Our students might not see that, but it happens. The president is also meeting with the mayor on Wednesday.
C: Visiting the legislature has been a hobby of mine. I attended an event for Evan Low. He was a student of mine. There are budget lobbying days, then there is immigration day. I used to take students with me. It was a great way to get them involved. I work with students on their testimony.

7. University Announcements:

a. Vice President for Student Affairs (VPSA):
   Fall applications are up. We attended an event in Oakland last weekend with over 250 people. We will be in Long Beach this weekend. Every contact matters.

   The committee discussed a report on college affordability for undocumented students.

b. Associated Students President (AS):
   AS President Chuang will be graduating in 10 weeks and is very excited.

   She has been formulating a transition plan for the incoming AS President.

   AS will be bringing a Sense of the Senate Resolution to the April 17, 2023 meeting.

   AS President Chuang attended the Uchida Legacy Gala. There were lots of elected representatives and local community leaders there. They spoke about Mr. Uchida’s legacy and impact on the San Jose and greater community. Mr. Uchida served in the army during Executive Order 9066, and his family was processed and went to camp. The event had many stakeholders at SJSU including the University President, faculty, SJSU Judo Team, and students, which shows us how important it is for us to acknowledge how SJSU was involved in the incarceration of Japanese Americans during Executive Order 9066.

   AS President Chuang commented on SB 11, Mental Health Services and Contracting out. It was not supported by the CSSA as students are concerned due to the lack of dedicated funding from the state and CSU that tuition might increase and this bill might decrease the ability to find alternative means to support our student’s mental health needs.

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

The minutes were edited by Chair McKee on March 31, 2023. The minutes were approved by the Executive Committee on April 3, 2023.
## ADD TO VACANT SEATS

No new additions

## REMOVE FROM SEATS

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<td>AVP Enrollment Services (or designee)</td>
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<td>0009</td>
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<td>0038</td>
<td>45957</td>
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POLICY RECOMMENDATION
Modification of the Senate Constitution Related to Powers and Responsibilities (Timely Responses to Senate Resolutions and Policies)

RATIONALE
At the January 2023 plenary of the Academic Senate of the California State University (ASCSU), policy AS-3584-22/FA “Establishing Timely Responses to Campus Senate Resolutions and Policies” was presented for a second reading and subsequently approved (i.e. passed) by that body.

The intention of AS-3584-22/FA, as stated in its preamble, is to “recognize and reaffirm the rights and responsibilities of CSU faculty via their campus senates;” improve faculty “cooperation with the campus administration;” and ensure “timely communication from the President regarding resolutions and policies passed by the campus senate.”

Specifically, AS-3584-22/FA calls on all senates of the CSU to clarify the processes by which resolutions and policies passed by those senates are handled once they have been sent on for presidential review. To this end, AS-3584-22/FA recommends that,

“where a presidential signature is required on resolutions or policies, to establish within [the senate’s] constitution or bylaws, a timely deadline not to exceed sixty calendar days for presidential responses to curricular and academic policy related resolutions and policies passed by the campus senate, beyond which deadline such legislative resolutions and policies shall be considered enacted and in force;” and that

“each campus senate [should] require all presidential vetoes to include a rationale that is reported to the Senate and accessible to the campus community.”

Considering this, and given that the Constitution of SJSU’s Academic Senate is not sufficiently clear on these points, O&G therefore recommends that Article IV (Powers and Responsibilities) Section 2 of our senate’s Constitution be amended as described herein.
ARTICLE IV -- POWERS AND RESPONSIBILITIES

Section 2. Upon passage by the Academic Senate, proposed policies and procedures shall be submitted to the President of the University for consideration and action to be taken within a deadline of sixty calendar days after receipt. Those policies and procedures that are approved by the President within this deadline become official University Policy and will be implemented as soon as practicable feasible. The President will report to the Senate promptly on those proposed measures of which he or she does not approve. Policies and procedures that are vetoed by the President shall include a rationale that is reported back to the Senate in writing and made accessible to the larger campus community within this deadline. In the absence of any presidential response within this deadline, the proposed policies and procedures will be considered automatically approved and will go into effect as soon as feasible.

Approved: March 6, 2023

Vote: 8-0-0

Present: Andreopoulos, Baur, Hart, Herrlin, Higgins, Jochim, Lee, Tan

Absent: Han, Muñoz-Muñoz

Financial impact: None anticipated.

Workload impact: The changes proposed here require that presidential vetoes be accompanied by a written rationale within the given deadline. This would disambiguate expectations that were already in place, and formalize processes that were already being followed, albeit in an informal manner. For these reasons, no significant impact to workload is anticipated.
Policy Recommendation
Amendment A to University Policy F14-2
Emeriti Faculty

Legislative History: This proposal would amend the policy on Emeriti Faculty to include access to buildings at SJSU.

Rationale: University Policy F14-2 grants emeriti faculty a number of privileges, including library privileges, access to campus recreational facilities, and official SJSU email accounts. Emeriti faculty often teach classes and continue their RSCA activities. Access to campus buildings is a necessary component of both teaching and scholarship, and F14-2 currently has no provision for building access. In addition, F14-2 makes several references to “regular” faculty, but this language has been replaced in recent policy with language that is more inclusive and specific.

Resolved: That F14-2 be modified as provided in this recommendation.

Approved: 3/6/23
Vote: 9-0-0
Present: Barrera, French, Gómez, Kazemifar, Monday, Pruthi, Riley, Smith, Wang
Absent: Maldonado

Financial Impact: None anticipated
Workload Impact: Some additional work by FD&O to process updates to Emeriti Faculty building access

EMERITI FACULTY

1. Eligibility for Emeriti Faculty Status

1.1. Emeritus standing shall normally be conferred on each tenured faculty member upon retirement from the University.
1.2. Emeritus standing shall normally be conferred on non-tenured faculty upon retirement from the University who meet the following conditions:

1.2.1. They have been employed for a minimum of ten years. Those years shall be continuous except for leaves consistent with the Collective Bargaining Agreement.

1.2.2. They have been approved by a Department personnel committee, which must find that the faculty member has made significant contributions to the University, allowing for the particular character of the academic assignment, i.e., most Lecturers are employed strictly as teachers, non-tenured Counselor faculty are employed as counselors, etc. As evidence of its approval, the committee shall summarize its decision in writing and shall provide a copy of the decision to the President or his their designee.

1.3. In special circumstances the President may withhold the awarding of emeritus standing for cause. Prior to the conferral of emeritus standing, the President may ask appropriate officials and the Board of Academic Freedom and Professional Responsibility whether there is cause to withhold this standing.

1.4. The President may confer emeritus standing on any other retiring faculty member.

1.5. Faculty participating in the Early Retirement Program are considered to be tenured regular members of the faculty and therefore are not yet eligible for emeritus standing.

2. Privileges of Faculty Emeriti

2.1. Faculty emeriti may place the Latin designation *emeritus* or *emerita* following the title of their highest academic position on official correspondence, (i.e. Professor Emerita, Professor Emeritus, or Lecturer Emeritus, Lecturer Emerita, Librarian Emerita, Librarian Emeritus, Counselor Faculty Emeritus, Counselor Faculty Emerita, etc.)

2.2. New faculty emeriti shall be listed in the program of the commencement ceremony closest to their retirement. Faculty emeriti will be listed in a position of honor on a prominent University website and in appropriate University publications.
2.3. Faculty emeriti shall be given a certificate of emeritus status and a permanent ID card indicating their status as emeritus members of the faculty.

2.4. Faculty emeriti shall be granted the same library privileges and held to the same responsibilities as all other regular faculty.

2.5. The University should, so far as space, resources, and priorities permit, assist faculty emeriti in their scholarly or professional pursuits. Such assistance may include, but is not limited to, the assignment of an appropriate office space if available, access to equipment or services, and the right to compete for research grants through the University Foundation. Decisions about the provision of resources should be broadly consultative and should include officials from affected units (i.e., Chairs when Department resources are involved, Deans when college resources are involved, etc.)

2.6. Faculty emeriti should have access to campus recreational facilities and to cultural and athletic events on the same basis as all other regular faculty.

2.7. Upon request, faculty emeriti shall be granted, insofar as space allows, free parking permits.

2.8. Faculty emeriti shall be permitted to keep and continue to use their official SJSU email accounts.

2.9. Faculty emeriti shall have access to campus buildings on the same basis as all other faculty.

3. Association for emeriti and retired faculty

3.1. A voluntary association has been established to serve the needs of emeriti and retired faculty, and to help them maintain a continuing and fruitful association with the University.

3.2. All emeriti and retired faculty are eligible for membership, and the association's members should elect its officers. The association shall determine its own name and constitution, and is presently named the Emeritus and Retired Faculty Association (ERFA).

3.3. The association endeavors to keep emeriti and retired faculty informed of University affairs, and to develop means to facilitate their participation as may be appropriate in the life of the University.
San Jose State University
Academic Senate
Professional Standards Committee
April 17, 2023
Final Reading

Sense of the Senate Resolution
In Opposition to Florida House Bill 999 and in Solidarity with
Public University Faculty in the State of Florida

Whereas: HB 999 would put control of curriculum and institutional mission statements entirely in the hands of political appointees, substituting the ideological beliefs of those in power for the freedom necessary for institutions of higher education to serve the common good, and

Whereas HB 999 would effectively silence faculty and students across the ideological spectrum, limit or ban students’ ability to pursue certain areas of study, and purge whole fields of study from public universities, and

Whereas: HB 999 would destroy academic freedom, tenure, and shared governance in Florida’s public colleges and universities, and

Whereas: Historically, autocratic regimes have set their sights on cultural centers, the arts, and colleges and universities, because they see these places as threats to their power and control, and

Whereas: HB 999 is clearly an attempt to stifle ideas, silence debate, and make Florida’s institutions of higher education into an arm of Governor DeSantis’ political operation; therefore be it

Resolved: That the Academic Senate of San José State University (SJSU) must, in the strongest possible terms, denounce these authoritarian measures and express our solidarity with the faculty, students, and staff of Florida’s public colleges and universities; be it further

Resolved: That the Academic Senate of San José State University (SJSU) calls on the faculty and administration of SJSU to speak out in opposition to HB 999 and in support of academic freedom everywhere; be it further

Resolved: That copies of this resolution be distributed widely to students, faculty, and staff members of the SJSU community, to the Academic Senate of the CSU, to the CSU Chancellor, Executive Vice Chancellor for Academic Affairs, President of CFA, Faculty Trustee of the Board of Trustees, and the President of the United Faculty of Florida (UFF), the Academic Senates of Florida’s public universities, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the Chronicle of Higher Education, and other public venues.
Approved: 3/6/23
Vote: 9-0-0
Present: Barrera, French, Gómez, Kazemifar, Monday, Pruthi, Riley, Smith, Wang
Absent: Maldonado

Financial Impact: None anticipated
Workload Impact: None anticipated
Policy Recommendation
Amendment I to University Policy S15-8
Retention, Tenure, and Promotion for Regular Faculty Employees: Criteria and Standards

Legislative History:  This proposal would amend the policy on Criteria and Standards for Retention, Tenure, and Promotion to clarify the standards for early tenure and promotion to Associate Professor.

Rationale: In recent years, SJSU has continued to hire exceptional faculty and increase support for RSCA endeavors, which has resulted in more faculty applying for early tenure and promotion, with a high success rate, in their fifth year in rank. As a result, an increasing number of faculty are applying for early tenure and promotion in their fourth (and occasionally third) year in rank. In addition, candidates who join SJSU with service credit for work at other universities may apply for early tenure and promotion having never completed a performance review. University Policy S15-8 currently does not specify any requirement for how many years relative to rank are needed before applying for early tenure and promotion.

S15-8 indicates that the standards for retention include “increasing effectiveness in academic assignment, or consistent effectiveness in the case of individuals whose performance in academic assignment is fully satisfactory from the start”. Assessment of whether performance is increasing over time requires evaluation of a track record of accomplishments at SJSU.

In addition, the standards for early promotion to Associate currently require “evaluations of Excellent in two categories and Baseline or better in the remaining category.” If the standards for tenure and promotion in the fifth year of rank are significantly higher than in the sixth year of rank, in order to assess the potential for ongoing success at SJSU, they should be still higher in the fourth year of rank.

Resolved That section 4.1 S15-8 (Retention, Tenure, and Promotion for Regular Faculty Employees: Criteria and Standards) be modified as provided in this recommendation.
Approved: 3/6/23  
Vote: 9-0-0  
Present: Barrera, French, Gómez, Kazemifar, Monday, Pruthi, Riley, Smith, Wang  
Absent: Maldonado  

Financial Impact: None anticipated  
Workload Impact: None anticipated  

S15-8, Retention, Tenure, and Promotion for Regular Faculty Employees: Criteria and Standards

4.1.4 Early decisions. Candidates may request consideration for tenure and promotion up to two years early, provided they have previously completed a performance review for retention and are not currently scheduled for a special retention review.

4.1.4.1 Favorable early decisions require a significantly higher level of achievement than a favorable decision after the normal period of review.

4.1.4.1.1 One year early. Candidates may be tenured and promoted to Associate one year early at the prior to the end of their fourth year of service probationary period if they attain evaluations of Excellent in two categories and Baseline or better in the remaining category.

4.1.4.1.2 Two years early. Candidates may be tenured and promoted to Associate two years early if they attain evaluations of Excellent in two categories and Good or better in the remaining category.

...
San José State University  
Academic Senate AS 1852  
Curriculum and Research Committee  
April 17, 2023  
First Reading  

Policy Recommendation  
Guidelines For Experimental Courses: 96/196/296/596  

Whereas: Current experimental course policies were implemented more than five decades ago with outdated terminology; and  

Whereas: It is more streamlined to combine the graduate-level experimental course policy (F67-11) with the undergraduate experimental course policy (F68-24) into one single policy; and  

Whereas: Course number 596 has been used for experimental courses in doctoral programs; be it therefore  

Resolved: That F67-11 and F68-24 be rescinded, and the following become university policy.  

Approved: April 10, 2023  
Vote: 9-0-0  
Present: Richard Mocarski, Thalia Anagnos, Megan Chang, Collin Onita, Ellen Middaugh, Vishnu Pendyala, Hiu Yung Wong, Stefan Frazier, Scott Shaffer,  
Absent: Marc d’Alarcao, Marie Haverfield, Safiullah Saif  
Workload Impact: None  
Financial Impact: None
UNIVERSITY POLICY
Guidelines For Experimental Courses: 96/196/296/596

1. Course numbers 96, 196, 296, and 596 are reserved for experimental courses. Departments that wish to experiment with new subject matter, to meet needs of the community, etc., will use these numbers.

2. An experimental course must go through the established curriculum review process before being included in the schedule of classes. Request for approval will include all pertinent data about the course – a description of the content (a syllabus), the number of units, the reason for offering it, etc. Subsequent approval for the same course must be secured through the curriculum review process.

3. An experimental course offered more than once must be evaluated during the second offering by the departmental curriculum committee for possible inclusion in the regular departmental curriculum, after which standard procedures for the approval of new courses is to be followed. An experimental course may be offered a maximum of three times.

4. Departments may not offer experimental courses that previously have been rejected in the curriculum approval process, or that cover subject matter which impinge on or duplicate the offerings of other departments.
The following shows the old policy for convenience. Major modifications are highlighted.

F67-11 GRADUATE EXPERIMENTAL COURSES; INDIVIDUAL STUDY (Not used in the new policy)

Legislative History:


At its meeting of November 13, 1967, the Academic Council adopted the following Policy Recommendation presented by the Honors Program Committee:

ACTION BY COLLEGE PRESIDENT:


HONORS PROGRAM COMMITTEE REGARDING COURSE # 296 F 67-11

RESOLVED: That course #296 (comparable to #196 on the undergraduate level) be used for graduate courses that are experimental in nature or that are known as "special topics" courses that vary from semester to semester or professor to professor. That course #298 should continue to be used for individual study or research just as it is now.
F68-24 GUIDELINES FOR EXPERIMENTAL UNDERGRADUATE COURSES:

96/196

Legislative History:
At its meeting of December 16, 1968, the Academic Council approved the following proposed revisions for Experimental Undergraduate Courses, presented by Chairman Gustafson of the Curriculum and Instruction Committee.

ACTION BY COLLEGE PRESIDENT:

GUIDELINES FOR 96/196: EXPERIMENTAL UNDERGRADUATE COURSES F 68-
24

1. 96 and 196 are the numbers reserved for experimental courses. Departments which wish to experiment with new subject-matter, to meet demands voiced by the community, etc., will use these numbers.

2. Initial approval to offer a 96 or 196 course must be secured from the Academic Vice-President's office before it appears in the Schedule of Classes. Request for approval will include all pertinent data about the course--a description of the content (a "green sheet," if possible), the number of units, the reason for offering it, etc.

Subsequent approval for the same course must be secured from the Undergraduate Studies Committee.

3. A 96 or 196 course may be offered for a maximum of three consecutive semesters. A course offered more than once must be evaluated during the second semester by the departmental curriculum committee for possible inclusion in the regular departmental curriculum, after which standard procedures for the approval of new courses is to be followed.
4. No department may ordinarily offer more than two courses under the 96 and 196 numbers in any one semester.

5. Departments may not offer under the 96 or 196 number courses which have been disapproved by College Curriculum Committees, nor subject-matter which impinges on or duplicates the offerings of other departments.
POLICY RECOMMENDATION
Amendment B to University Policy S16-1
Faculty Athletics Representative (FAR)

RATIONALE

This policy recommendation concerns term limits and reappointment for SJSU’s Faculty Athletic Representative (FAR) role, which are questions that all U.S. American universities with NCAA-sponsored intercollegiate athletics programs must wrestle with:

Some institutions put limits on how long a FAR may serve, in part to protect against a FAR who becomes too comfortable with athletics and too enamored with the perks. However, the steep learning curve at the start of the job pays off the longer the FAR serves and the more experience the FAR gains. FARs who have been in the position for several years understand the athletically-related processes on their campuses, have forged solid working relationships with stakeholders across campus and in their conference, and can bring a wealth of practical experience to the job.  

Prior to 2016, SJSU’s policy on the FAR role allowed them to serve an unlimited number of three-year terms with the approval of the President, an approach consistent with most other CSUs and many universities across the United States.

Then, in Spring 2016, an update to the FAR policy, S16-1, was approved by the Senate and signed by then-Interim President Martin. This updated policy limited each FAR’s service to a maximum of five years, with no further reappointment possible, an approach that some other U.S. American universities have also adopted to ensure regular turnover in the FAR role.

Ideally, SJSU should strike a reasonable compromise between allowing sufficient time for a FAR to become effective, while reducing the risk of any one FAR becoming entrenched in the role.

With this in mind, O&G therefore recommend that S16-1 be amended as described herein.

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1 Roger Munger. "Best Practices for Working Effectively with Your Faculty Athletics Representative (FAR)" Metropolitan Universities (2014) Available at: http://works.bepress.com/roger_munger/26/
2 In 2013 the NCAA published the FAR Study Report: Roles, Responsibilities and Perspectives of NCAA Faculty Athletics Representatives. The report stated that the typical FAR had been in their role for seven years. Further, most FARs reported that their term had no specific limit, and sixty-five percent of Division I FARs reported having no fixed term. Within the Mountain West Conference, of which SJSU is a member institution, there are no term limits among the FARs. Available at: https://ncaaorg.s3.amazonaws.com/research/far/2013RES_FinalReportNCAAFARSurvey.pdf
3.1 The Senate Chair, Chair of the Athletics Board and the President are responsible for establishing, regularly reviewing, and updating as needed, the position description for the FAR.

3.2 The FAR will serve a 3-year term. The FAR could be re-appointed for up to 2 years by the President. An example of a situation when an extension might be appropriate would be where an NCAA investigation begins during the FAR’s last semester but extends into the following year. The term of a FAR’s appointment shall be three years, renewable for additional three-year terms at the President’s discretion, with input from the Chair of the Academic Senate and the Chair of the Athletics Board. Recruitment of applicants to serve as the Faculty Athletics Representative will be done through the President’s Office. All full time tenured faculty interested in the FAR position will be required to submit a 1-page application detailing their experiences and qualifications to serve as SJSU’s FAR. All applications will be forwarded to the Executive Committee of the Senate and the Athletics Board for review. In review of applicants consideration should include (a) the candidate must be a full time tenured faculty member, (b) the candidate should have prior successful faculty leadership experience, unrelated to intercollegiate athletics, (c) there should be no conflict of interest, and (d) the candidate should have experiences and skills likely to enhance their effectiveness as SJSU’s FAR.

The Senate Executive Committee and the Athletics Board each will forward its recommendations to the President who will arrange for the individuals nominated to be interviewed by the Chair of the Academic Senate, Chair of the Athletics Board, and the President. The President shall appoint a FAR following the interview process.

3.2.1 Reappointment of a FAR. Reappointment shall not be automatic, but rather shall be carefully considered by the President in consultation with the Chair of the Academic Senate and the Chair of the Athletics Board. Reappointment for up to 2 years would be appropriate in special cases where continuity is needed.

3.2.1.1 Timeline for re-appointments: At the conclusion of the second year of each three-year term, the President will consult with the Chair of the Academic Senate and the Chair of the Athletics Board if considering the re-appointment of an incumbent FAR.

3.2.1.2 Review process. At the conclusion of the second year of each three-year term, Following a decision to consider re-appointment of a FAR, the Chief of Staff will initiate and complete a review of the performance of the FAR in sufficient time to identify a FAR elect if the incumbent is not re-appointed. The Review of the performance of the FAR shall be shared with includes a review by the Chair of the Academic Senate and the Chair of the Athletics Board for consideration and input. Additional input may be solicited from
and faculty members of the Executive Committee of the Academic Senate, and input from other members of the Senate.

3.2.1.3 Reappointment. When considering the reappointment of a FAR, the performance review (described in 3.2.1.2) shall be taken into consideration, and input shall be sought from the Chair of the Academic Senate and the Chair of the Athletics Board. The president makes the final decision on reappointment.

3.2.2 Interim appointments. When a FAR will be unable to serve for just one semester (e.g., sabbatical) an interim appointment can be made by the President in consultation with the Executive Committee of the Academic Senate. If a FAR will be unable to serve for a year or more, recruitment of a new FAR will be needed.

4. Recruitment and appointment of the FAR-elect.

At the start of the final last year of a FAR’s term, the President’s Office will put out a call for applicants to serve as FAR-elect in the final semester of the FAR’s term and subsequently assume the FAR role. The selection and appointment process followed is that noted above in section 3.2.

4.1 FAR-elect responsibilities. Confer and work with the outgoing FAR the semester before assuming their role as FAR. To facilitate a smooth transition, efforts should be directed toward gaining a solid understanding of and ability to assume their FAR responsibilities. Timing and release time should be considered to provide the incoming FAR with sufficient on-the-job training, ideally from the outgoing FAR.

4.2 FAR-elect term. A FAR-elect serves for one semester as FAR-elect followed by a 3-year term as SJSU’s FAR.

Approved: April 10, 2023
Vote: 9-0-0
Present: Andreopoulos, Baur, Han, Hart, Higgins, Jochim, Lee, Muñoz-Muñoz, Tan
Absent: Herrlin

Financial impact:
When incoming FARs are granted release time for their onboarding to overlap with the outgoing FAR’s term, then there could be financial implications.

Workload impact:
When the outgoing FAR is meaningfully involved with the onboarding process for the incoming FAR, this could temporarily impact the outgoing FAR’s workload.
POLICY RECOMMENDATION

Amendment E to S16-16, University Policy, Academic Notice, Administrative Academic Probation, and Disqualification

Legislative History:

Resolved, that S16-16 be amended to clarify requirements, promote student success, and update language.

Approved: April 10, 2023
Vote: 9-0-0
Present: Sullivan-Green (Chair), Chen, Chuang, Jackson, (non-voting), Leisenring (non-voting), Masegian, Mathur, Pinnell, Sen, Sheta, Wolcott
Absent: Chadwick, Hill, Jaiswal, Khan, Muller, Rollerson, Treseler
Financial Impact: None
Workload Impact: TBD

Approved: April 18, 2016
Vote: 14-0-1
Present: Bruck (nonvoting), Brooks, Sen, Sofish, Campsey, Branz (nonvoting), Walters, Kaufman, Sullivan-Green, Abukdheir, Medina, Medrano, Khan, Wilson, Simpson, Nash, Amante
Absent: Gay, Rees
Financial Impact: None
Workload Impact: Not significant
University Policy

Academic Notice, Administrative Academic Probation, and Disqualification

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I. Glossary of Terms

**Academic Notice (formerly Academic Probation):** academic standing category for students with a SJSU cumulative GPA below 2.0 (undergraduates) or 3.0 (graduate students)

**Academic Disqualification:** academic standing category for students on academic notice who have not met the criteria to remain on continued notice (term GPA of at least 2.0 for undergraduates, at least 3.0 for graduate students), or return to good academic standing (cumulative SJSU GPA of at least 2.0 for undergraduates, at least 3.0 for graduate students)

**Academic Standing:** status applied to student record based on GPA; categories include good standing (no notation on record), academic notice (formerly academic probation), continued notice (formerly continued probation), academic disqualification, administrative academic probation, and administrative academic disqualification

**Administrative Academic Probation:** students are placed in this category by appropriate campus authorities based on unsatisfactory academic progress toward their degree program (regardless of GPA) or if there are noted behavioral or safety concerns

**Administrative Academic Disqualification:** students are subject to administrative academic disqualification if they fail to meet the criteria defined in their administrative academic probation notice, or in the case of serious concerns about the safety or well-being of the student or others in certain course contexts such as clinical, laboratory, or fieldwork courses (see policy for details)

**ADRRC:** Academic Disqualification and Reinstatement Review Committee, Academic Senate committee that serves as a review and appeals committee for various policies and student petitions

**Continued Notice (formerly Continued Probation):** academic standing category for students with a term GPA of at least 2.0 (undergraduates) or 3.0 (graduate students), but a cumulative SJSU GPA below that threshold

**Former Student Returning (FSR):** a student who attended SJSU as a matriculated student and is seeking to return following disqualification or a stop-out period

**GPA:** Define all GPAs for clarity [Term GPA, SJSU Cumulative GPA, All College GPA]
GPA, Major GPA)

Open University: option for non-matriculated students to take SJSU courses, if seats are available; students who have been disqualified may take courses through Open University to improve their cumulative SJSU GPA

Post-Baccalaureate (PBXT): category of students who have earned a Bachelor’s degree and are not currently matriculated in a graduate program

Readmission: the process by which students apply for admission to the university after being disqualified and reinstated. Special consideration is given to Former Students Returning (FSRs) through the FSR Petition for Readmission

Reinstatement: the process by which students may return to academic good standing, or academic notice, after being disqualified. Note that students must also be readmitted to the university to be eligible to continue as a matriculated student at SJSU

II. Undergraduate Students

Per Sections 41300 and 41300.1 Title 5 of the California Code of Regulations, undergraduate students studying for a baccalaureate degree are expected to maintain a grade point average (GPA) of 2.0 or better in their academic work at SJSU in order to be classified as being in good academic standing. In determining a student’s eligibility to remain enrolled at SJSU, both quality of performance and progress toward the degree or other program objectives are weighed. Quality of performance is determined by the GPA in all letter-graded courses. Other factors, such as the total number of units taken, the number of courses repeated, or the GPA in the major may be considered in determining progress toward degree or other degree program objectives.

A. University Academic Notice and Continued Academic Notice

Undergraduate students will be placed on academic notice if at any time (following a Fall, Spring, or Summer term) their SJSU cumulative GPA falls below 2.0. The academic notice status is shown on the transcript.

Undergraduate students on academic notice will remain on continued academic notice when the following term GPA is 2.0 or better, while the SJSU cumulative GPA remains below 2.0. The continued academic notice status is shown on the transcript and is treated like academic notice in terms of academic standing.
First year students\(^1\) on academic notice are allowed a second consecutive semester of academic notice (known as continued academic notice) if the SJSU cumulative GPA is in the range 1.50 to 1.99.

The Registrar’s Office will notify students who are placed on academic notice when term grades are posted. The notification will include a referral of the students to their advisors for consultation. Undergraduate students on academic notice may have restrictions placed on their total unit load until they return to good standing.

Undergraduate students on academic notice or continued academic notice will have holds placed on their records and will not be allowed to participate in further registration activities until they have conferred with their academic advisor(s) to design a study plan to raise their SJSU cumulative GPA to at least 2.0 in the most expeditious manner. The registration hold will continue until the student returns to good standing.

Undergraduate students will remain on academic notice or continued academic notice until they return to good standing or are disqualified. They are removed from academic notice and returned to good standing when the SJSU cumulative GPA is at or above 2.0. Academic standing will be updated when a change affecting the GPA is made to the academic record, such as the addition of new grades (following a Fall, Spring, or Summer term) or approval of a petition for a grade change or retroactive course drop or semester withdrawal.

Special Session programs, including SJSU Online, may have their own calendar/process for placing students on academic notice or continued academic notice and disqualification. Programs should have their process approved by the ADRRC.

**B. University Academic Disqualification**

Undergraduate students on academic notice or continued academic notice will be academically disqualified when the term GPA for a Fall or Spring semester is below 2.0. The disqualified status is shown on the transcript.

Undergraduate students will not be disqualified before they have attempted a minimum of 30 units; instead, students will be placed on continued

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\(^1\) First year students are defined as first-time students who have attempted up to 30 units at SJSU. Transfer students are not included in this category.
academic notice until 30 attempted units are reached.

C. Reinstatement following Academic Disqualification

Undergraduate students disqualified from the university can petition to be reinstated. Reinstatement is a process separate from readmission. Readmission requires reapplication to the university. Reinstatement is the process by which a student is returned to the university. Reinstatement is the process by which a student is returned to the original major or a different major. University Policy F12-7 provides a mechanism to give Former Students Returning (FSRs) priority for readmission as upper-division transfers. This is a separate petition process with its own deadlines distinct from those pertaining to university application deadlines and to reinstatement petition deadlines.

The reinstatement petition and FSR petition processes include department and college-level approvals. Reinstatement on academic notice requires, additionally, the signature of the Associate Dean of Undergraduate Education. For undergraduates, reinstatement into the university does not guarantee reinstatement into the previous major. Undergraduate students who do not obtain department or college-level approval for reinstatement into their previous majors may petition for reinstatement into new majors or into an undeclared status. The ADRRC is charged with establishing and evaluating the guidelines for reinstatement.

There are four categories available for petitioning for reinstatement as an undergraduate student:

1. Raising the SJSU Cumulative GPA to 2.0 or Better. Generally, the SJSU cumulative GPA is raised through SJSU Open University coursework, although retroactive (after the last day of classes) actions by students, such as completion of Incomplete ("I") grades or course drops, can also raise the SJSU cumulative GPA.

2. Extenuating Circumstances. Reinstatements in this category will be granted only for serious and compelling circumstances that were clearly beyond a student’s control and are clearly documented in the petition. The criteria for approval under this category are similar to those required for a retroactive course drop or retroactive semester withdrawal. Sometimes the approval of such retroactive petitions will raise the SJSU cumulative GPA to 2.0 or better (good academic
standing), thus shifting to a Category 1 approval.

3. **Special Consideration.** This category is reserved for students whose petitions cannot be accommodated within the other categories. Typically, such students have spent substantial time (five years or more) away from SJSU since their disqualification and can demonstrate that their life experiences have prepared them for a successful return to school. Students disqualified while in the lower division may be reinstated and readmitted in fewer than five years. Generally, students must be eligible for readmission on academic notice prior to approval under this category. Multiple reinstatements under this category are rarely granted.

4. **Petitioned Grade Change.** This category is reserved for changes in grade approved under Section III (Grade Appeal) and Section IV (Change of Grade) of University Policy S09-7. If a timely grade change results in an increase in the term GPA or in the SJSU cumulative GPA to 2.0 or better, the student may qualify, not only for reinstatement under this category, but also for the rescinding of the academic standing of academic notice or disqualification (meaning that the academic standing is removed from the transcript). The rationale for the rescinding of academic standing is that the instructor and not the student made the error that led to an incorrect posting of academic standing. Generally, the grade change must be made by the Drop Deadline of the following Fall or Spring semester. Further extension of this deadline will be considered only when there is documentation of the student’s attempt(s) to contact the instructor and/or the department chair, and the late submission of the change of grade form is clearly beyond the student's control, as described in University Policy S09-7.

Reinstatement of undergraduates following a second disqualification must generally be done under Category 1.

D. **Administrative Academic Probation and Disqualification**

Per Sections 41300.1 Title 5, “An undergraduate... student may also be placed on academic probation or may be disqualified by appropriate campus authorities for unsatisfactory scholastic progress regardless of cumulative grade point average or progress points. Such actions shall be limited to those arising from repeated withdrawal, failure to progress toward an
Limitations. As with academic notice and disqualification, administrative academic notice must precede administrative academic disqualification in all but the most exceptional circumstances (see below). In most cases, a direct reassignment from good standing in the major to disqualification from the major is prohibited. In other words, at least one semester of academic notice in the major is required prior to disqualification from the major. The underlying philosophical premise is that students should be placed on notice prior to disqualification.

Transcript Notation. Both administrative academic notice and administrative academic disqualification status will be shown on the transcript.

Academic Progress in the Major. Most instances of administrative academic probation and disqualification result from academic notice and disqualification in the major. Despite maintaining a SJSU cumulative GPA of 2.0 or better, an undergraduate student’s academic performance in the major may fall below the minimum standards for that major. In these cases, while the student

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2 Definition of Major. For the purposes of this policy, “major” means a unique degree program. Specifically, each individual concentration is a degree program. For example, there is only one individual type of baccalaureate degree in the College of Business, the B.S., Business Administration. There are, however, multiple concentrations, many of which have different criteria related to probation and disqualification, change of major, and (re)admission to the major. Each of these concentrations is treated as its own major.

3 Supporting Student Success. Although it may seem harsh to disqualify students from the majors of their choice, in many instances, students will be well served by such departmental policies. For example, there are many students who barely progress through their major degree programs, only to discover when they are high unit seniors that they are unable to complete key upper-division or capstone courses, or they have major GPAs well below 2.0 even though their SJSU GPAs are above 2.0. It is better for students to discover early in their degree work that either they need to demonstrate improvement in courses leading to the major or they should find another major more suited to their talents and interests. All policies developed to be consistent with this policy will still require advising and student support structures (tutoring, counseling, etc.) to function as intended. Academic notice and disqualification in the major, at its best, can provide a mechanism to compel struggling students to recognize areas for improvement, successfully negotiate hurdles, and get back on track. Alternatively, such policies can help students realize early in their academic careers that they should be exploring other majors and possible careers prior to spending a great deal of time and money pursuing a major that is a poor fit. In summary, well-designed and well-implemented policies for academic notice and disqualification in the major will be beneficial as an early warning system for students and enhance retention and graduation efforts more generally.
remains in overall good standing with the university, they are subject to administrative-academic notice in and disqualification from the major. Each college, school, department, and program (hereafter referred to as "program") may employ program-specific criteria for determining a policy of academic notice in, disqualification from, and reinstatement into the major. These criteria must be reviewed and approved by the ADRRC.

Notification. Undergraduate programs must ensure that all students within the concerned majors are advised of these program-level criteria and the consequences of being placed on Administrative Academic Notice or Disqualification. At a minimum, criteria in addition to or differing from university regulations must be posted on departmental and/or program websites and any other program documents, such as student handbooks.

E. Academic Notice in the Major and Disqualification from the Major.

1. Academic Notice in the Major

Undergraduate students may be placed on academic notice in the major when their cumulative GPA in the major falls below 2.0. The GPA in the major is generally defined by the section of the catalog labeled Requirements of the Major, but for the purposes of this policy major GPA may be specified to include courses in Preparation for the Major. SJSU and non-SJSU courses should be considered.

Departments and schools must notify students in writing of (new) academic notice in the major or disqualification from the major status no later than two weeks following the posting of university academic standing. They must also be provided with the conditions for release from administrative academic notice and the circumstances that would lead to administrative academic disqualification should academic notice not be cleared. There should be a mechanism to permit return to good standing from academic notice. Undergraduate students must be advised to meet with an advisor in the major to design a study plan to raise their GPA in the major to 2.0 in the next semester of enrollment.

2. Disqualification from the Major

If undergraduate students on academic notice in the major fail to achieve a minimum term GPA of 2.0 in the major during a subsequent Fall or Spring semester, they may be disqualified from the major.
Departments and/or colleges must notify the Registrar’s Office.

Students disqualified under this policy will be notified by the program that they are no longer eligible to continue in the major and that their major will be changed to undeclared unless another major for which they are qualified is selected. Notification will include a referral of the students to appropriate advisors for consultation.

3. Guidelines and Criteria for Programmatic Academic Notice and Disqualification

Maximum Course Grade or GPA Requirements. Programs may not require individual course grades to be higher than “C” for undergraduates. At the most, a department may require that each and every course required for the degree program be passed at this standard. The corollary is that the maximum GPA that can be required for any set of courses cannot be higher than 2.0 for undergraduates. Related to these general guidelines are the following stipulations:

a. Admission requirements and degree requirements are different. Admission to an impacted degree program may include supplemental criteria such as a GPA greater than the 2.0 threshold. However, once a student is admitted to a major, the degree requirements must be limited to “C or better” for undergraduates (Title 5).

b. Following a disqualification from the major, reinstatement to the major may include course grades or GPA requirements higher than the standard thresholds. In effect, students seeking such reinstatements are being admitted to the major again and may be held to higher standards than are required to complete a degree. This is especially appropriate for impacted majors that already apply supplemental criteria for admission of new students to the major.

Restrictions on Course or Unit Load Per Semester. Programs may restrict a student to two attempts of any course offered by the program. The basic guideline is that the university rules for repeating courses should be followed unless the program chooses to be more lenient than the university. These parameters may be set as a
minimum or maximum. For example, cohort programs may require that a minimum number of courses/units be taken each semester in order to best utilize resources or to ensure that the program is completed while student knowledge is still current. Alternatively, setting a maximum number of units may make sense for students on academic notice in the major. Special situations include the following:

a. Approved course drops or semester withdrawals (W grades) are considered to be without prejudice and should not be counted as an attempt at a course if the program restricts the number of attempts of a course (per University Policy S09-7).

b. If grade forgiveness is allowed (undergraduates only), then the repeat grade must be considered without prejudice (as implicit in University Policy F08-2).

c. If grade forgiveness is not possible when a course is attempted multiple times, the university will use grade averaging in computing the SJSU GPA (per University Policy F08-2). A program may also do this or may consider the final attempt at the course or the highest grade in the course for the purposes of the major GPA or to satisfy any requirements prior to completion of the major.

d. If the course in question is offered by another department, the program may choose to consider only the first two attempts in determining academic notice or disqualification status. Clearly, the major department cannot restrict the number of times a student enrolls in a course offered by another department, but it is permitted, for instance, to ignore the grade from a third attempt to pass a class with a C or better.

Exceptions. Exceptions to the rule that administrative academic disqualification must be preceded by an academic notice period may be made in the following cases:

a. In clinical courses, laboratory courses, or other types of programmatic requirements, there may be such serious concerns about the safety or well-being of the student or other students, clients, patients, etc., that repetition of the course is not reasonable. For such courses or programmatic
experiences, departments may establish “no repeat” policies, i.e., a course may not be repeated if not passed on the first attempt. The course catalog description, course syllabus, and programmatic information must all clearly provide this information. In clinical or lab settings in which safety or well-being are severely compromised, an instructor may disenroll a student from the course, which may lead to disqualification from the major. In general, the immediate move from good standing to disqualification (without a term of academic notice in between) should be associated with the inability to satisfy a specific course requirement on the first and only allowable attempt, not with a less specific programmatic requirement.

b. There may even be time limits or unit limits established to satisfy certain conditions, which, if not met, may lead to disqualification from the major degree program without an intervening term on academic notice. Cohort programs must provide in their policies a reasonable accommodation for students who must stop out for legitimate reasons.

Programs may consider university academic notice or disqualification as a factor in determining academic notice in or disqualification from the major.

4. Reinstatement to the Major

Programs employing a policy for disqualification from the major may have a procedure or set of conditions for reinstatement of those students into the major. Conditions for reinstatement should be clearly communicated to students at the time they are disqualified. If it is not possible to be reinstated after a programmatic disqualification, which is a programmatic option, then that too must be communicated. Conditions for reinstatement from administrative academic disqualification, if it is to be allowed, should be stringent enough that students return to the major in good standing as opposed to being reinstated on academic notice.

A critical step in achieving reinstatement to the major following disqualification from the major is consultation by students with their advisors to design a study plan that addresses scholastic deficiencies and demonstrates that they are ready to resume rigorous academic
work.

5. Petitions

In cases of error or extenuating circumstances, upon receiving notice of administrative academic notice or disqualification, students may petition to an appropriate faculty committee at the program level or to the department chair/school director to appeal such action. In the case of a negative decision in response to the petition, students may appeal to the ADRRC, the process for which is described in Section III below. After review of the petition, the ADRRC will make a recommendation to the Associate Dean of Undergraduate Education to confirm or rescind the action.

III. Graduate, Post-baccalaureate, and Credential Students

A. University Academic Notice and Continued Academic Notice

Graduate and post-baccalaureate teaching credential candidates will be placed on academic notice if at any time following a Fall, Spring, or Summer term their SJSU cumulative GPA falls below 3.0. The academic notice status is shown on the transcript.

Graduate students and credential candidates on academic notice will remain on continued academic notice when the following term GPA is 3.0 or better, while the SJSU cumulative GPA remains below 3.0. The continued academic notice status is shown on the transcript and is treated like academic notice in terms of academic standing.

Distinction between SJSU Cum GPA (as shown on the transcript) and GPA for the degree program (as shown on the candidacy form). All upper-division (100 level) and graduate-level (200 level) courses, including SJSU Open University courses taken as a post-baccalaureate while in a GRAD career, will be used in the calculation of SJSU cumulative GPA. Courses from other institutions, courses taken via SJSU Open University in any career other than GRAD, and courses from the SJSU undergraduate career will not be counted in the graduate SJSU cumulative GPA. In addition, the GPA among all of the courses that appear on the candidacy form (count toward the degree) must also be a minimum of 3.0 for degree conferral. SJSU courses taken at the lower-division level (numbered below 100) will be shown on the student transcript but cannot be used to satisfy graduate degree requirements and will not be included in the graduate
The Registrar’s Office will notify students who are placed on academic notice when term grades are posted. The students will also be advised of conditions required for return to good standing, the consequences of not maintaining a term GPA of 3.0, and the necessity of conferring with their graduate advisor.

Graduate and credential candidates will remain on academic notice or continued academic notice until they return to good standing or are disqualified. They are removed from academic notice and returned to good standing when the SJSU cumulative GPA is at or above a 3.0. Academic Standing will be updated when a change affecting the GPA is made to the academic record, such as the addition of new grades (following a Fall, Spring, or Summer term) or approval of a petition for a grade change or retroactive withdrawal.

Completion of all Degree or Credential Requirements While on Academic Notice. Enrollment in at least one letter-graded course is required of graduate students in each Fall and Spring semester that they are on academic notice.

If a graduate student does not complete the graduate degree program with the minimum 3.0 GPA in the candidacy coursework (thus in all degree requirements), his or her major department may terminate the candidacy or permit completing additional courses in an attempt to raise the GPA in the program to the 3.0 threshold. When the student’s major department recommends the latter, 30% of the total units in the major may be added to the candidacy form, but this total is for the entire duration of the graduate career. The additional courses can be ones already taken or courses to substitute for elective courses on the candidacy form. Note that the original grade, even with a substitution, cannot be eliminated but instead is counted in GPA calculations along with the new grade. Any course with a grade less than a “B” may be repeated at the graduate level, but no more than 9 units in the graduate career, no matter the number of units required in the degree program, can be repeated per University Policy F08-2.

Failure to raise the candidacy and SJSU cumulative GPA to 3.0 after completing these additional courses(s) will result in a termination of the student’s candidacy and an inability to earn the graduate degree.
Credential candidates who fail to achieve a 3.0 GPA upon completion of the credential program will be precluded by the department from attempting additional coursework and therefore not be recommended for an award of a credential by the State of California.

B. University Academic Disqualification

Graduate students on academic notice or continued academic notice will be academically disqualified when the term GPA for a Fall or Spring term is below 3.0. The disqualified status is shown on the transcript.

C. Reinstatement following Academic Disqualification

Graduate students disqualified from the university for the first time can petition to be reinstated, unless otherwise disallowed by an accrediting body or other governing agency. Reinstatement is a process separate from readmission. Students must file an application for readmission to register for classes following reinstatement. Application for readmission can be done during the semester in which the program of study is underway or in which the reinstatement petition is being considered.

A graduate student may petition for reinstatement on the basis of any of the following five categories:

1. **Raising the SJSU Cumulative GPA to 3.0 or Better.** The SJSU cumulative GPA can be raised through SJSU Open University coursework as part of a Program of Study (see below), although retroactive (after the last day of classes) actions by students, such as completion of Incomplete (‘I’) grades or course drops, can also raise the SJSU cumulative GPA.

2. **Extenuating Circumstances.** Reinstatements in this category will be granted only for serious and compelling circumstances that were clearly beyond a student’s control and are clearly documented in the petition. The criteria for approval under this category are similar to those required for a retroactive (course) drop or retroactive (semester) withdrawal. Sometimes the approval of such retroactive petitions will raise the SJSU cumulative GPA to 3.0 or better (good academic standing), thus shifting to a Category 1 approval.

3. **Special Consideration.** This category is reserved for students whose petitions cannot be accommodated within the other categories. Such
students will have spent substantial time (five years or more) away from SJSU since their disqualification and can demonstrate that their life experiences have prepared them for a successful return to school.

Because this category of reinstatement exists to give students a fresh start on their degree pursuit, past grades that led to the previous disqualification should not hinder a student’s progress through the newly begun degree program. Circumstances could exist in which the original scholastic performance was so poor that, even with excellent progress through the new degree program, the GPA could not be returned to a 3.0 level. Therefore, the previous grades should not be counted against the student. This can be effected by means of a Disregard of All Previous Graduate Coursework for Reinstatement Petition. The corollary to this benefit is that none of the disregarded coursework may be used in the new degree program; however, satisfaction of the graduate-level Graduation Writing Assessment Requirement (GWAR) would carry over to the new program. By the same token, no other courses from any source may be transferred into the new degree program.

4. **Petitioned Grade Change.** This category is reserved for changes in grade approved under Section III (Grade Appeal) and Section IV (Change of Grade) of University Policy S09-7. If a timely grade change results in an increase in the term GPA or in the SJSU cumulative GPA to 3.0 or better, the student may qualify not only for reinstatement under this category, but also for the rescinding of the academic standing of academic notice or disqualification (meaning that the academic standing is removed from the transcript). The rationale for the rescinding of academic standing is that the instructor and not the student made the error that led to an incorrect posting of academic standing. Generally, grade change must be made by the Drop Deadline of the following Fall or Spring semester. Further extension of this deadline will be considered only when there is documentation of the student’s attempt(s) to contact the instructor and/or the department chair, and the late submission of the change of grade form is clearly beyond the student’s control, as described in University Policy S09-7.

5. **Program of Study.** A graduate student must confer with his or her graduate advisor to develop a schedule of classes appropriate to the student’s major. The courses must consist of a minimum of 6 units.
per term, and all must be taken in a single term. They must be letter
graded, upper division (100-level), and taken through the SJSU Open
University or SJSU’s Extended Studies winter or summer session.
The 100-level courses may or may not be part of the graduation
requirements for the student’s degree program. The advisor may
require more than 6 units of coursework but no more than 9 units.
(International students must also work with an advisor from
International Student and Scholar Services before their program of
study is approved to ensure that their plan satisfies F-1 visa
requirements.)

Graduate (200-level) courses are not permitted in the program of
study, and disqualified students cannot enroll in 200-level courses.

Courses taken prior to approval of the program of study via
submission of the Graduate Petition for Reinstatement will not be
accepted. Also precluded from the program of study are courses
taken at another university, 300-level, 400-level, or 500-level courses,
and lower-division courses. If the student plans to pursue a different
degree program upon readmission to the university, the program of
study must be applicable to the new major, be developed in
conjunction with the graduate advisor of the new major, and
demonstrate the student’s capacity to complete the new graduate
degree requirements. If a course on an approved program of study
becomes unavailable, another reinstatement petition must be
submitted and approved immediately after enrollment in a substitute
course. Once the program of study has been completed successfully
with a minimum GPA of 3.3 (“B+”) and no grades lower than B, the
student will be reinstated and, after reapplication to the university,
readmitted to the university and the department. Should the student
fail to achieve the 3.3 minimum GPA, additional programs of study
are permissible with entirely new classes and consent of the graduate
program coordinator of the major they intend to matriculate into.

Reinstatement is not allowed for a second disqualification. Unless
extenuating circumstances can be cited that result in rescinding the
second disqualification, a Graduate Petition for Reinstatement to the
university will not be accepted from students who have been
disqualified more than once.

Graduate students reinstated following university disqualification
normally return on academic notice. Subsequently, they must achieve
D. Administrative Academic Probation and Disqualification

Per Sections 41300.1 Title 5, "… [A] graduate student may also be placed on probation or may be disqualified by appropriate campus authorities for unsatisfactory scholastic progress regardless of cumulative grade point average or progress points. Such actions shall be limited to those arising from repeated withdrawal, failure to progress toward an educational objective and noncompliance with an academic requirement..."

Despite maintaining a SJSU cumulative GPA of 3.0 or better, a graduate student’s academic performance in the major may fall below the minimum standards established in that major. In these cases, while students remain in overall good standing with the university, they are subject to academic probation in and disqualification from the graduate major. As with undergraduate programs, each college, school, department, and program (hereafter referred to as “program”) may employ a policy of academic probation in, disqualification from, and reinstatement into the graduate major. The criteria must be reviewed and approved by the ADRRC.

As with academic notice and disqualification, administrative academic probation must precede administrative academic disqualification in all but the most exceptional circumstances (see below). In most cases, a direct reassignment from good standing to disqualification is prohibited. In other words, at least one semester of academic probation that is initiated by the department and approved by the College of Graduate Studies is required prior to disqualification from the university. The underlying philosophical premise is that students should be placed on notice prior to disqualification.

For example, a substandard grade in one course could not result in disqualification; rather, the student would be put on administrative academic probation and afforded the opportunity to repeat that class. Passage of the repeated course with the required grade would result in the return of the student to good standing. Programs can limit the number of semesters on academic probation in the student career to as few as one.

Graduate programs must ensure that all students within the concerned majors are advised of these program-level criteria. At a minimum, criteria in
addition to or differing from university regulations must be posted on departmental and/or program websites and any other program documents, such as student handbooks.

Transcript Notation. Both administrative academic probation and administrative disqualification status will be noted on the transcript.

1. **Administrative Academic Probation**

   Departments and schools must notify students in writing of (new) probation no later than two weeks following the posting of university academic standing. Students must also be provided with the conditions for release from administrative academic notice and the circumstances that would lead to administrative academic disqualification should academic notice not be cleared. There should be a mechanism to permit return to good standing from academic probation. Graduate students must be advised to meet with an advisor or program coordinator in their program to design a plan to return to good standing. When administrative-academic probation occurs, students will be notified of the reasons in writing by the program with copies delivered to the Associate Dean of Graduate Studies and the Registrar.

2. **Administrative Academic Disqualification**

   When administrative academic disqualification occurs, students will be notified of the reasons in writing by the program with copies delivered to the Associate Dean of Graduate Studies and the Registrar.

3. **Guidelines and Criteria for Administrative Academic Probation and Disqualification at the Program Level**

   Examples. Among the standards that a program might make mandatory is the achievement of grades of “B” in every class or in particular classes with a stipulated number of repetitions permitted. Similarly, an acceptable standard would be to require a “CR” in field, student teaching, or internship courses with a stipulated number of “NC” grades allowed for repetition. In addition, graduate students are expected to make reasonable progress through their degree program. One cannot, for example, have been admitted to one program but take no courses in it while taking courses in a second program. Usually, graduate students must successfully form a master’s or doctoral committee. While the program should make every attempt to aid a student in forming a committee, the inability to do so would be grounds for dismissal from the program.

   Repeated failure to complete a project or thesis research proposal would constitute reasonable justification...
Qualifying or Comprehensive Exams. In programs in which qualifying or comprehensive exams must be passed, policies governing exam procedure, for example, with regard to the number of times the exams may be attempted, must be formulated and publicized by the programs.

**Maximum Course Grade or GPA Requirements (Title V).** Programs may not require individual course grades to be higher than “B” for graduate students. At the most, a department may require that each course required for the degree program be passed at this standard. The corollary is that the maximum GPA that can be required for any set of courses cannot be higher than 3.0 for graduate students.

Admission requirements and degree requirements are different. Admission to a graduate degree program may include supplemental criteria such as a GPA greater than the 3.0 threshold. However, once a student is admitted to a major, the degree requirements must be limited to “B or better” for graduate students.

**Restrictions on Course or Unit Load Per Semester.** Programs may restrict a student to two attempts of any course offered by the program. The basic guideline is that the university rules for repeating courses should be followed unless the program chooses to be more lenient than the university. These sorts of criteria may be set as a minimum or maximum. For example, cohort programs may require that a minimum number of courses/units be taken each semester in order to best utilize resources or to ensure that the program is completed while student knowledge is still current. Alternatively, setting a maximum number of units may make sense for students on academic notice.

a. Approved course or semester withdrawals (W grades on the unofficial transcript) are considered to be without prejudice and should not be counted as an attempt at a course if the major program restricts the number of attempts for a course (per University Policy S09-7).

b. For graduate students, the university will use grade averaging for disqualifying a student.

Commented [16]: Can we clarify if this is during matriculation or both as PBXT AND Grad standing?

Commented [ITR16]: Programs can create their own policies regarding administrative academic probation.
in computing the SJSU GPA (per University Policy F08-2).

c. If the course in question is offered by another department, the program may consider only the first two attempts in determining academic notice or disqualification status. Clearly, the major department cannot restrict the number of times a student enrolls in a course offered by another department, but it is permitted, for instance, to ignore the grade from a third attempt to pass a class with a B or better.

Exceptions. Exceptions to the rule that administrative academic disqualification must be preceded by an academic notice period may be made in the following cases:

a. In clinical courses, laboratory courses, student teaching assignments, or other types of programmatic requirements, there may be such serious concerns about the safety or well-being of the student, other students, clients, patients, and so forth, that repetition of the courses is not reasonable. For such courses or programmatic experiences, departments may establish “no repeat” policies, i.e., a course may not be repeated if not passed on the first attempt. However, the “no repeat” option would not have to be in place to disqualify a student from a course. In clinical or lab settings in which safety or well-being are severely compromised, an instructor may disenroll a student from the course, which may lead to disqualification from the major. In general, the immediate move from good standing to disqualification (without a term of academic notice in between) should be associated with the inability to satisfy a specific course requirement on the first and only allowable attempt, not with a less specific programmatic requirement. Unless clearly falling into the category described here, courses by which immediate disqualification can be imposed must be approved in advance by the ADRRC.

b. A program can initiate disqualification of a student without a probationary period for behavior that fails to comply with professional standards of conduct appropriate to the field of study. This conduct could occur in or out of class. It must be highly egregious for the disqualification action to be taken. Generally, a department will base its decision on a student's
failure to comply with a written set of professional standards in the field of study. The disqualification action is appealable through ADRRC.

c. Conditional acceptance to a program is, in effect, acceptance under academic notice. Typically, a specified set of courses or requirements must be passed prior to attaining good standing in the program. There may be time limits or unit limits established to satisfy the conditions, which, if not met, may lead to disqualification without an intervening term on explicit academic notice. Cohort programs must provide in their policies a reasonable accommodation for students who must stop out for legitimate reasons.

d. Teaching credential students do not receive a degree from SJSU and are subject to the regulations of the state legislature and licensing agency. Credential courses that exceed the seven-year limit cannot be revalidated. As with graduate master's degree programs in the CSU, the overall GPA and candidacy GPA must be at 3.0 or above for completion. In the case of credentials, a recommendation from the university to the state credentialing agency would be withheld without the requisite GPA. Students who fail to achieve this level of scholastic success or who are deemed dispositionally unsuitable for a teaching career can be precluded by the program from repeating courses or taking other courses to raise the GPA and so are effectively permanently terminated from the university without the credential recommendation.

4. Reinstatement after Administrative Academic Disqualification

Without compelling reasons, administratively academically disqualified graduate students may not be reinstated to the major from which they were dismissed.

Should a graduate student wish to be considered for admission into a different program they may apply for readmission to the university in the new program. Disqualified students may not take graduate-level courses through Open University.

IV. Appeal of Administrative Academic Notice or Disqualification for
Upon receiving notice of administrative academic notice or disqualification, students should first consult with their program coordinators and/or advisors, then, if necessary, file a written appeal first with a program-level faculty committee, then with the appropriate ADRRC appeals officer, the Associate Dean of Undergraduate Education or an Associate Dean in the College of Graduate Studies. In either case, the appeal should be based on (a) advising or administrative errors, (b) actions by the department or school that were contrary to university policy, or (c) extenuating circumstances.

A critical first step in the appeal process is consultation by a student with an advisor representing the major in which reinstatement is sought. A report of the consultation and the advisor’s recommendation should be forwarded to the ADRRC.

In cases of extenuation, a student must present evidence of extenuating circumstances beyond their control that disrupted previously satisfactory academic performance, and documentation that such conditions will no longer affect academic performance.

Establishing and evaluating the procedure for the appeal process is the charge of the ADRRC. The following operating rules have been put into effect for appeals of academic notice and disqualification, and administrative academic probation and disqualification.

A. **Student Appeal Filing.** Students must submit a written appeal to the appropriate appeals officer of the ADRRC, the Associate Dean of Undergraduate Education or of Graduate Studies, within one calendar month after the start of the succeeding Fall or Spring semester. The student name, ID, contact information (email and phone), unofficial transcript, and a personal statement must be included.

B. **Validity of Appeal.** The appeals officer is afforded the authority to determine whether adequate grounds exist for a formal hearing. He or she will conduct a review to determine whether the student has been treated according to the approved departmental/school policy (that is, whether policy has been faithfully executed by the department or school), whether the student was adequately and reasonably informed of the policy, whether an adequate and persuasive written record of actionable student conduct was constructed, and whether the student’s conduct and/or course grade makes
him or her subject to the consequences of the policy. If the case cannot be settled by consultation with department/school personnel and if the complaint is based on violation of an approved departmental policy that the ADRRC deems to be confusing, unclear, or unfair, then the ADRRC will form a subcommittee and schedule a hearing, normally within 45 working days of receiving the student appeal.

C. **Subcommittee Structure.** The subcommittee will be chaired by the Associate Dean of either Undergraduate Education or Graduate Studies, based on the student career, and he or she will also be a voting member. The subcommittee will further consist of one college Associate Dean as a second voting member, chosen on a rotating basis. The Associate Dean of the college in which the student’s program resides will also serve, but as a nonvoting member. The third voting member, again on a rotating basis, will be an ADRRC member who is not an Associate Dean.

D. **Hearing Rules.** Documentation can be submitted by either party but must be disclosed to the other party. Testifying individuals may include the student complainant, the department chair/school director or a designee, and other individuals requested by either party if deemed relevant by the subcommittee chair. Nontestifying individuals present for emotional support or legal representation may not speak unless directly addressed.

E. **Decisions.** Unless additional testimony or significant investigation is needed following an appeal hearing, the ADRRC subcommittee will notify the student of its decision in writing within 10 working days. Of the three voting members of the subcommittee, a majority is needed for a decision.

Students have the right to consult with the University Ombudsperson at any point during this process.
Policy Recommendation
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 2023-2024.

Resolved: That Section I of S99-8 shall be deleted (as it is incorporated here
unchanged.) The title of S99-8 shall be changed from “Academic Freedom
and Professional Responsibility” to “Professional Responsibility.”

Resolved: Throughout S99-9 the name of the “Board of Academic Freedom and
Professional Responsibility” shall be changed to the “Board of
Professional Responsibility.” Items 1, 2, and 3 of its charge (related to the
education about Academic Freedom) will be deleted (as they are
incorporated here.)

Rationale: Academic Freedom is at the heart of the success of the modern university,
but in recent years faculty, students, and others have begun to lose touch
with an understanding of this critical concept. The classic statements in
defense of academic freedom were articulated at the start of the twentieth
century by the American Association of University Professors (AAUP) in
response to egregious acts in which faculty appointments, research
programs, and curricular content were attacked or manipulated for political
reasons. Faculty organized and fought hard to secure tenure and other
protections, and by the 1950s they won a key court decision that
eloquently summarized the need for academic freedom. “Teachers and
students must always remain free to inquire, to study and to evaluate, to
gain new maturity and understanding; otherwise our civilization will
stagnate and die.”\footnote{
[Sweezy v. New Hampshire, 34 U.S. 234, 250 (1957)]}

Today, however, many faculty and others do not know much about the
history of academic freedom, its legal status, or its ultimate purpose. When
the term is used it is sometimes perceived incorrectly as an individual
privilege rather than as a critically important tool for fulfilling the academy’s
scholarly and educational roles. Professional Standards believes it is the
responsibility of each new generation of faculty to take on the challenge of
renewing the community’s understanding of academic freedom, and has
crafted this policy recommendation to fulfill this task.

A generation ago, the Academic Senate combined the Academic Freedom
Committee with a new board focused on professional ethics. The
motivation was sound—to symbolize the deep interconnection of academic
freedom to professional responsibility. We continue to agree with this
principle, but experience has taught that the Board of Academic Freedom
and Professional Responsibility (BAFPR) has not been a consistently
effective committee. Its sweeping responsibilities, extended membership,
and restricted qualifications have resulted in a committee that is difficult to
fill and which is torn between its educational and its quasi-judicial functions.
As a result, the BAFPR has been the subject of review and reform by
Professional Standards for 4 years, with numerous starts and stops and no
resolution to the problems. After extensive consultation, Professional
Standards is determined to solve this problem, and this policy
recommendation is the first of two important steps.

This policy recommendation removes the educational functions centered
on Academic Freedom from BAFPR and gives them to a new Academic
Freedom Committee (AFC.) The AFC will be much smaller than the Board
and its qualifications for membership less restrictive. (BAFPR consists
solely of full Professors elected from each College.) By creating a smaller
committee with a sharper focus, Professional Standards hopes to create a
vibrant, active committee of experts that can engage in the continual
education of the university on academic freedom issues, and provide
useful and timely information to faculty, students, and administration when
issues related to academic freedom arise.

Other features of this reform are to pull the eloquent AAUP-derived
statements on Academic Freedom and Tenure into this policy creating the
Academic Freedom Committee, so that the AFC’s charge will be connected
to its structure. We have added a section on professional responsibility that
underlines the interconnection between freedom and responsibility and
links to the (retitled) Professional Responsibility policy.

The creation of the AFC will nevertheless leave another reform of the
Board of Professional Responsibility to be taken up in a second stage.
The most effective way to enforce our campus policy on professional
responsibility, given the collective bargaining system and the growing
importance of legal codes operating within the academy, has yet to be
decided. The existing Board is advisory to Faculty Services and has
had mixed success over the years with this function. Furthermore, the
statement of professional responsibility is itself in need of revision after
more than twenty years of legal developments. But Professional
Standards would like to see an effective and functioning AFC in place
while our work continues on the (now) separate professional responsibility policy.

Approved: 3/6/23
Vote: 9-0-0
Present: Barrera, French, Gómez, Kazemifar, Monday, Pruthi, Riley, Smith, Wang
Absent: Maldonado

Financial Impact: None anticipated
Workload Impact: None anticipated

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. 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 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.

2 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.

3 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.

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.
1.3. Academic Freedom as it Relates to Professional Responsibility

1.3.1. According to the AAUP, Academic freedom “is a professional right extended to members of the profession and is subject to certain limitations. Academic freedom means that faculty are free to engage in the professionally competent forms of inquiry and teaching that are necessary for the purposes of the university. It does not mean that individual faculty members are free to teach or publish whatever they want without repercussions.” AAUP makes clear that the academic freedom of an individual faculty member is subject to matters of professional responsibility, including those related to 1) the collective; 2) professional ethics; and 3) professional competence. AAUP says more about each category below:

“The collective: The faculty who are responsible for a particular course of study may share responsibility for determining courses to be offered or texts to be assigned to students. The shared academic freedom to make this decision trumps the freedom of an individual faculty member to assign a textbook that he or she alone prefers.”

“Professional ethics: A faculty member must act ethically in their teaching and research; for example, by following regulations on human subject research.”

“Professional competence: In order to produce and disseminate the highest quality of knowledge in a given field, academics are regulated by other academics who are in a position to judge the work of their peers. A faculty member is not entitled to teach something that their academic peers judge is invalid—–for example, teaching that 2+2=5 would not be protected; neither would teaching intelligent design in an evolutionary biology class.”

Professional responsibility is thus the natural complement of the academic freedom essential to the university's mission. Through their responsible professional conduct, faculty members promote and protect academic freedom. Because faculty members belong to a profession with the rights of self-government, they also have the obligation to establish standards of professional conduct and procedures to enforce them. These standards are set in the SJSU Statement of Professional Responsibility.

1.3.2. Academic freedom is a privilege granted to faculty in return for their obligation to serve the public good, which they do through the advancement of scholarship, the search for truth, and the higher
education of our communities. We agree with the AAUP 1915 Declaration that "not only that the profession will earnestly guard those liberties without which it cannot rightly render its distinctive and indispensable service to society, but also that it will with equal earnestness seek to maintain such standards of professional character, and of scientific integrity and competency, as shall make it a fit instrument for that service."6

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 both at San Jose State and in the broader academic environment. In addition, it shall safeguard and promote academic freedom at SJSU, and shall serve as an advisory body on issues arising from the application of academic freedom on our campus.

4 https://www.aaup.org/programs/academic-freedom/faqs-academic-freedom

5 S99-8 at the time of this policy recommendation

6 American Association of University Professors, 1915 Declaration of Principles on Academic Freedom and Academic Tenure.

2.1.2. AFC shall educate and advise on the meaning and scope of academic freedom and its application. To do so, AFC shall familiarize itself with policies, laws, court decisions, and current events concerning academic freedom. 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 educate 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. Organization of the AFC

3.1. Membership

3.1.1. Three faculty members, two of whom must be (or have previously
been) tenured, chosen university-wide for their expertise and/or
interest in academic freedom issues. One of the three faculty may
be from among our emeriti faculty. One of the three faculty may be
a lecturer or a probationary faculty member. 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 of one
term.

3.1.2. One student.

3.1.3. One administrator.

3.2. Chair. Each year the AFC shall choose its own Chair from among the
tenured (or previously tenured) faculty members of the committee.

3.3. Reporting.

3.3.1. If the AFC has suggestions for policy changes it shall report them
to the Professional Standards Committee of the Academic Senate.

3.3.2. The Chair of the AFC shall be permitted to address the
Professional Standards Committee and the Academic Senate to
report on issues relating to academic freedom.

3.4. Selection

3.4.1. All candidates for membership shall submit statements
discussing their expertise and/or interest in academic freedom
issues, and (if faculty) a curriculum vitae.

3.4.2. Faculty candidates for membership shall be screened by the
Executive Committee and approved by the Senate.

3.4.3. The Administrative representative shall be designated by the
President after consultation with the Executive Committee.
3.4.4. The student representative shall be designated by Associated Students after consultation with the Executive Committee.

3.5. Meetings. The AFC should meet at least once every month during the academic year.
POLICY RECOMMENDATION
Amendment D to University Policy F17-1, Amendment A to F18-3 on Institutional Review Board (IRB)

RATIONALE
As per the Code of Federal Regulations (CFR) Title 45 Subtitle A Subchapter A Part 46 Subpart A § 46.107 on IRB Membership¹:

(a) Each IRB shall have at least five members, with varying backgrounds to promote complete and adequate review of research activities commonly conducted by the institution. The IRB shall be sufficiently qualified through the experience and expertise of its members (professional competence), and the diversity of its members, including race, gender, and cultural backgrounds and sensitivity to such issues as community attitudes, to promote respect for its advice and counsel in safeguarding the rights and welfare of human subjects. The IRB shall be able to ascertain the acceptability of proposed research in terms of institutional commitments (including policies and resources) and regulations, applicable law, and standards of professional conduct and practice. The IRB shall therefore include persons knowledgeable in these areas. If an IRB regularly reviews research that involves a category of subjects that is vulnerable to coercion or undue influence, such as children, prisoners, individuals with impaired decision-making capacity, or economically or educationally disadvantaged persons, consideration shall be given to the inclusion of one or more individuals who are knowledgeable about and experienced in working with these categories of subjects.

(b) Each IRB shall include at least one member whose primary concerns are in scientific areas and at least one member whose primary concerns are in nonscientific areas.

(c) Each IRB shall include at least **one member who is not otherwise affiliated with the institution** and who is not part of the immediate family of a person who is affiliated with the institution.

(d) No IRB may have a member participate in the IRB’s initial or continuing review of any project in which the member has a conflicting interest, except to provide information requested by the IRB.

(e) An IRB may, in its discretion, invite individuals with competence in special areas to assist in the review of issues that require expertise beyond or in addition to that available on the IRB. These individuals may not vote with the IRB.

The problem arising from SJSU’s current IRB Board membership is that research proposals submitted to the IRB have been delayed by an additional month because IRB protocols could not be approved in the absence of the Community-at-Large member.

On September 13, 2022, the Executive Committee of the Academic Senate passed a proposal to amend F18-3 temporarily. This amendment allows the IRB to have one alternate member appointed to serve on the IRB in the capacity of a Community-at-Large member in the absence of the primary Community-at-Large member. The alternate member may only vote when the primary Community-at-Large member is not present at the meeting, and the total number of Community-at-Large votes will only be one.

The amendments proposed herein would make this change permanent, thereby enabling the IRB committee to more expeditiously approve IRB applications and make the approval process more efficient for faculty.

With this in mind, O&G therefore recommend that SJSU’s IRB policies, F18-3, and F17-1 be amended as described herein.
Membership
IRB Coordinator [EXO]
1 Faculty, College of Business
2 Faculty, College of Education
1 Faculty, College of Engineering
1 Member, General Unit
2 Faculty, College of Health and Human Sciences
1 Faculty, College of Humanities & Arts
1 Faculty, College of Science
2 Faculty, College of Social Science
1 student
2 Community-at-large members who are not otherwise affiliated with SJSU, and whose primary concerns are in non-scientific areas, 1 primary and 1 alternate
Physician or licensed health professional
Physician (Kinesiological Consultant) - as needed
Prisoner Advocate - as needed

F17-1

4.2.3 Convened Committee / Full Review – If the research is not eligible for an exempt or expedited review because it involves more than minimal risk to subjects, the protocol must be reviewed by the convened IRB membership at the monthly meeting. Full review will take place with a quorum of the IRB, defined as a majority of the total membership, including at least one member whose primary concerns are in a nonscientific area. Regarding the Community-at-large seats, the alternate shall vote only in the absence of the primary Community-at-large member, keeping the total number of votes for that seat at one. Research protocols shall be distributed to the full membership at least one week in advance of the scheduled meeting. A protocol shall be approved if it receives the approval of a majority of those members present at the meeting. A primary reviewer is identified to present a specific protocol to other members in attendance. Following presentation and discussion, the committee will vote on a motion to either: 1) approve the protocol as it stands; 2) request revisions to the protocol to secure approval; 3) request that additional information be provided prior to further review by the convened committee; or 4) disapprove the protocol.

Approved: April 10, 2023
Vote: 9-0-0
Present: Andreopoulos, Baur, Han, Hart, Higgins, Jochim, Lee, Muñoz-Muñoz, Tan
Absent: Herrlin
Financial impact:
Workload impact:
POLICY RECOMMENDATION
AMENDMENT A TO F17-4, University Policy, Priority Registration

Legislative History:

Whereas, California Bill AB-2881 requires that campuses of the California State University system grant priority registration to student parents, and

Whereas, The previous policy lacked clarity on the criteria utilized to evaluate registered student organizations or other university-recognized sponsoring organizations who are requesting priority registration and require regular review, and

Whereas, The Office of Student and Faculty Success no longer exists; therefore, be it

Resolved: That F17-4 be amended to accommodate student parents within the priority registration structure; and be it further

Resolved: That the process by which registered student organizations or other university-recognized sponsoring organizations apply for and receive approval for priority registration be clarified and updated to reflect the current offices on campus.

Approved: April 10, 2023
Vote: 9-0-0
Present: Sullivan-Green (Chair), Chen, Chuang, Jackson, (non-voting), Leisenring (non-voting), Masegian, Mathur, Pinnell, Sen, Sheta, Wolcott
Absent: Chadwick, Hill, Jaiswal, Khan, Muller, Rollerson, Treseler
Financial Impact: None
Workload Impact: Enrollment services and Undergraduate Education will be required to establish the parameters by which student parents are identified and actively manage the list each term. Additionally, Undergraduate Education may have to adjust their process by which they review and approve registered student organizations or other university-
recognized sponsoring organizations’ requests for priority registration.

Approved: November 27, 2017
Vote: 14-0-0
Present: Bullen, Busick, Gill, Grindstaff (non-voting), Hospidales, Kim, Khan, Sullivan-Green, Nash, Manzo, Sen, Trousdale, Walters, Wilson, Yao
Absent: Hill, Kinney, Ng, Simpson
Financial Impact: None
Workload Impact: No change from previous vote.

Approved: April 3, 2017
Vote: 11-0-0
Present: Kaufman (Chair), Walters, Yao, Simpson, Miller, Wilson, Nash, Perea, Mendoza, Spica, Sen, Bruck (non-voting)
Financial Impact: None
Workload Impact: Initial work will be needed by enrollment services to adapt the registration process to account for students in California Promise program. Continued workload will be needed by the Office of Student and Faculty Success to ensure the list of students enrolled in the California Promise program are accurate.
University Policy
Priority Registration

1.0 Scheduling of Registration Groups

Students shall be allowed to register in the following order:

- Group 1: Specific Priority Students (see 2.0 below)
- Group 2: Graduating seniors (Undergraduate- and graduate-level students who have a graduation application on file with an anticipated graduation date for the current or next term)
  - Group 2a: Graduating seniors in the California Promise program
  - Group 2b: Graduating seniors identified as student parents
  - Group 2c: Remaining graduating students
- Group 3: Graduate students
  - Group 3a: Graduate students identified as student parents
  - Group 3b: Remaining graduate students
- Group 4: Seniors
  - Group 4a: Seniors in the California Promise program
  - Group 4b: Seniors identified as student parents
  - Group 4c: Remaining seniors
- Group 5: Second baccalaureate students
- Group 6: Juniors
  - Group 6a: Juniors in the California Promise program
  - Group 6b: Juniors identified as student parents
  - Group 6c: Remaining juniors
- Group 7: Sophomores and continuing first-year
  - Group 7a: Sophomores and continuing first-year in the California Promise program
  - Group 7b: Sophomores and continuing first-year identified as student parents
  - Group 7c: Remaining sophomores and continuing first-year

Students in Groups 2-7 will register on the basis of rotating alphabetical cycles within each group.

Note: First-time freshman registration is based on orientation. Incoming-transfer students have a registration date dependent on when they matriculate and/or attend orientation.
2.0 Categories of Group 1: Specific Priority Students

Students who fall into Group 1 are those whose participation in an activity or their designation within a special group poses significant restriction on their ability to register for courses.

2.1 Category A includes:

Students who are required by external agencies such as the National Collegiate Athletic Association (NCAA), or by law, to receive priority.

- This category excludes students covered by the California Promise program or who are identified as student parents unless they fall under another group with required priority registration. Priority registration for students in the California Promise program or who are identified as student parents is addressed in the registration scheduling as outlined in Section 1.0.

Students whose contributions through university-sanctioned activities are recognized as being so extensive that their enrollment opportunities may be compromised due to schedules mandated by the sponsoring organization. These activities must meet the following criteria:

- The sponsoring organization is acknowledged as significantly promoting the mission of the University;
- The activity has a regularly scheduled class, event, or practice offered only at specific times that conflict with classes;
- Participation at every scheduled class, event, or practice is mandatory; Mandatory meetings must be set prior to the first day of the semester.

The sponsoring organization must initially apply for priority registration via Undergraduate Education. They must provide a justification for the request, an estimation of the number of students affected each semester, as well as a minimum GPA threshold and progress-to-degree criteria for students to qualify, and monitor students’ progress each semester.

2.1.1 Groups in Category A do not require regular review due to the nature of the organization’s mission and activities. A review may be requested if/when circumstances change. Organizations in this category that do not require regular review/renewal include:

- Accessible Education Center (AEC) students and note takers
- Student Fairness Committee
- NCAA Athletics
• Guardian Scholars
• Campus offices that utilize students in support of student success, such as peer mentors, orientation leaders, and student success leaders
• Reciprocal Exchange programs
• Veterans Resource Center (as per Cal. Educ. Code §66025.8)
• Academic Senate and Senate committees
• Any group that has a contractual agreement with SJSU to provide a full course load

2.2 Category B includes:

Students who participate in a recognized student organization or other university-recognized sponsoring organization whose participation requires students to attend scheduled activities, but the organization’s inclusion in priority registration must be reviewed and approved per Section 3 below.

The organization’s university-related activities must meet the following criteria:

• The activities require significant time contributions by the student.
• The activities are regularly scheduled classes, events, or practices offered only at specific times.
• Participation at each class, event, or practice is mandatory; Mandatory meetings must be set prior to the first day of the semester.

The sponsoring organization must apply/reapply per Section 3 below.

2.3 Category C includes:

Students enrolled in an integrated package of courses that meets all of the following criteria:

• Covers at least four areas of the General Education Program;
• Involves being part of a cohort group of students from multiple colleges; and
• Requires enrollment together in a specified course sequence occurring over multiple semesters.

Priority registration will be granted to students in this category beginning with the second semester of enrollment. If significant changes are made to the package of courses, eligibility for priority registration should be reviewed.
3.0 Approval and Management of Priority Registration for Student Organizations

Undergraduate Education will review and approve applications from organizations or offices seeking priority registration for their students. Groups A and C do not need to reapply unless significant changes have been made to their mission or activities.

3.1 Organizations or offices covered in Categories A and C must initially apply for priority registration. Review of their status must only be done if significant changes have been made to:

- Their mission or activities provided in their justification has significantly changed
- The number of students receiving priority registration via the group has increased significantly
- The scheduled meetings have changed

3.2 Approval will typically be granted for five years. Undergraduate Education will be required to provide justification for denial or for approval of shorter terms.

3.3 Organizations or offices requesting priority registration must submit an application that includes the following:

- A summary of the organization/office and its mission
- A justification for priority registration, including an explanation of the schedule that impacts students’ ability to register for courses
- An estimation of the number of students who will be impacted each semester
- Standards that students must meet in order to remain eligible for priority registration, including a minimum GPA and progress-to-degree criteria

3.4 Undergraduate Education and the Registrar’s Office will maintain records of student organizations with priority registration, including:

- Contact information for the faculty/staff member(s) responsible for overseeing the organization’s roster and student eligibility.
- Approved estimated number of students receiving priority registration for each group
- Historical data on the number of students who actually received priority registration through the organization each semester

3.5 All faculty/staff member(s) who apply for priority registration are responsible for:
• Maintaining an accurate roster of students eligible for priority registration.
• Providing names and SJSU ID numbers to the Registrar by the required deadline for granting priority registration.
• Reporting changes in the organization duties/mission that may affect eligibility for priority registration and/or the number of students eligible for priority registration through the organization to Undergraduate Education.
• Applying or reapplying for their priority registration no less than one semester prior to the desired start/expiration of the organization's priority registration.
SAN JOSÉ STATE UNIVERSITY
Academic Senate
Organization and Government Committee
April 17, 2023
First Reading

SENATE MANAGEMENT RESOLUTION
Modification of the Instruction and Student Affairs
Committee Membership

Rationale
At 20 members, the Instruction and Student Affairs Committee (ISA) is currently the Senate’s largest policy committee. While previous senate management resolutions (SMRs) have noted that no documentation exists describing ISA’s original membership; increases to its membership are traceable in three SMRs.

SM-S04-2 formally dissolved the Improvement of Instruction Committee and added three of its members to ISA: the Director of Student Life and Leadership, the Director of Residential Life, and one graduate student.

SM-F04-2 added the Associate Vice President for Undergraduate Studies to ISA as a non-voting member, though without a rationale for their non-voting status. This SMR also replaced the seat for the Director of Academic Services with a seat for the Associate Vice President of Enrollment and Academic Services.

SM-F13-1 added the Associate Dean of Graduate Studies to ISA as a non-voting member, though without a rationale for their non-voting status.

In an effort to reduce the size of the committee to make its operations wieldier, in light of changes in organizational structure, and in careful consideration the subject matter expertise that is most critical to ISA’s historical and current work, we therefore recommend that the updates to ISA’s membership contained herein be adopted once passed by the Senate.
ISA membership & proposed changes

An AVP from Student Affairs, or Designee designated by VP of Student Affairs (EXO)
AVP, Enrollment Services or Designee Registrar (EXO)
Associate Dean for Undergraduate Studies (EXO - nonvoting)
Associate Dean for Graduate Studies (EXO - nonvoting)
Director, Student Involvement (EXO)
Director, University Housing Services (EXO)
Alumni Representative
1 faculty, College of Business
1 faculty, College of Education
1 faculty, College of Engineering
1 member, General Unit
1 faculty, College of Health and Human Sciences
1 faculty, College of Humanities & Arts
1 faculty, College of Science
1 faculty, College of Social Science
AS President
3 Student Senators
1 Graduate Student
4 students, at least three of whom are student senators, and at least one of whom is a graduate student

Approved: April 10, 2023
Vote: 8-1-0
Present: Andreopoulos, Baur, Han, Hart, Higgins, Jochim, Lee, Muñoz-Muñoz, Tan
Absent: Herrlin

Financial Impact: None
Workload Impact: None