SAN JOSE STATE UNIVERSITY ACADEMIC SENATE
2019/2020
Agenda
April 20, 2020, 2:00 pm – 5:00 pm
via Zoom: sjsu.zoom.us/j/94104563005

I. Call to Order and Roll Call:

II. Approval of Minutes:
Senate Minutes of March 23, 2020

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

IV. Executive Committee Report:
A. Minutes of the Executive Committee –
EC Minutes of March 16, 2020
EC Minutes of April 1, 2020
EC Minutes of April 6, 2020

B. Consent Calendar –
Consent Calendar of April 20, 2020

C. Executive Committee Action Items –
AS 1770, Sense of the Senate Resolution, Endorsing Senate Executive Committee Action on University Policy S20-4, Optional Exclusion of Student Opinion of Teaching Effectiveness Surveys (SOTEs) Administered During Spring 2020 (Final Reading)

AS 1771, Sense of the Senate Resolution, Endorsing Senate Executive Committee Action on University Policy S20-7, Temporary Modification to University Policies F18-5, Grading Policy, and S16-16, Probation and Disqualification due to Special Circumstances of COVID-19 (Final Reading)

AS 1777, Sense of the Senate Resolution, **Condemnation of Ethnocentrism, Xenophobia, and Racism in the Wake of the COVID-19 Pandemic (Final Reading)**

V. Unfinished Business:

VI. Policy Committee and University Library Board Action Items (In rotation)
A. Instruction and Student Affairs Committee (I&SA):
AS 1765, Policy Recommendation, Instructor Drop Policy (Final Reading)

B. Professional Standards Committee (PS):
AS 1772, Sense of the Senate Resolution, Expressing Support for The Report by the Professional Standard Committee: "Improving Implementation of San José State University's Retention, Tenure, and Promotion Policies" and Endorsing its Recommendations (Final Reading)

C. Organization and Government Committee (O&G):
AS 1775, Senate Management Resolution, Rescinding Senate Management Resolutions Related to Bylaws and Standing Rules (Final Reading)

AS 1776, Senate Management Resolution, Update of Senate Bylaws (First Reading)

AS 1774, Policy Recommendation, Rescinding Policies related to Bylaws (First Reading)

AS 1773, Policy Recommendation, Amendment B to S13-9 Merging, Dividing, Transferring, Eliminating Academic Units (First Reading)

D. University Library Board (ULB):

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

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

VII. Special Committee Reports:
Information Technology Updates by Bob Lim, VP of Information Technology and CIO, *Time Certain: 3:00 p.m.*

VIII. New Business:

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

X. Adjournment

Consent Calendar
SJSU Academic Senate
April 20, 2020

Add to Committee:	Last/First Name	Zip	Term	Phone	Seat/College
Strategic Planning Committee	Kothari, Tanvi	0065	2021	43577	Seat H – Faculty-at-Large
Instruction and Student Affairs	Bellad, Nikhil	0128	2020	46242	Seat K – Graduate Student

Remove from Committee:	Last/First Name	Zip	Term	Phone	Seat/College
Budget Advisory Committee	Hirsh, Sandy	0029	2021	42491	Seat F – Department Chair
Strategic Planning Committee	Hirsh, Sandy	0029	2021	42491	Seat H – Faculty-at-Large
Instruction and Student Affairs	Martinez, Ernesto	0032	2020	46059	Seat P – General Unit

SAN JOSÉ STATE UNIVERSITY
Academic Senate **AS 1770**
Senate Executive Committee
April 20, 2020
Final Reading

SENSE OF THE SENATE RESOLUTION
Endorsing Senate Executive Committee Action on University Policy S20-4, Optional Exclusion of Student Opinion of Teaching Effectiveness Surveys (SOTEs) Administered During Spring 2020

Resolved: That the Academic Senate endorse the actions of the Senate Executive Committee and the President to develop and approve University Policy S20-4, *Optional Exclusion of Student Opinion of Teaching Effectiveness Surveys (SOTEs) Administered During Spring 2020.*

Rationale: After the announcement on March 9, 2020 of the move to distributed or fully online learning with little advance notice, the Senate Executive Committee heard immediate concerns from faculty regarding the potential impact of a changed teaching modality on Student Opinion of Teaching Effectiveness surveys (SOTEs). In order to relieve the associated tremendous faculty stress and to allow faculty to focus on course conversion and on student support, there was a need to make a rapid decision regarding our university's use of SOTEs from the Spring 2020 semester. Based on our Senate bylaw 4.1, the Senate Executive Committee is able to act on behalf of the Senate when the full membership is not available. The Senate Executive Committee made the decision to act before the next scheduled full Senate meeting in order to address faculty concerns about disrupted teaching pedagogy midway through the semester and to minimize stress as quickly as possible.

The Senate Executive Committee does not take such an executive decision lightly. It values and upholds the tenets and tradition of shared governance, and generally prefers that the Senate speak for itself in its entirety. Under current exigent circumstances of mandated shifts in teaching and learning modalities, however, we felt the need to act quickly, thereby providing faculty the assurance they would have the option to take

into consideration the potentially negative consequences associated with these transitions in their future reviews.

Approved:	April 13, 2020.
Vote:	14-0-0.
Present:	Mathur, McKee, Marachi, Frazier, Sullivan-Green, Peter, White, Curry, Shifflett, Del Casino, Faas, Day, Wong(Lau), Parent.
Absent:	Papazian.
Financial Impact:	None.
Workload Impact:	None.

SAN JOSÉ STATE UNIVERSITY
Academic Senate **AS 1771**
Senate Executive Committee
April 20, 2020
Final Reading

SENSE OF THE SENATE RESOLUTION
Endorsing Senate Executive Committee Action on University Policy S20-7, Temporary Modification to University Policies F18-5, Grading Policy, and S16-16, Probation and Disqualification due to Special Circumstances of COVID-19

Resolved: That the Academic Senate endorse the actions of the Senate Executive Committee and the President to develop and approve University Policy S20-7,*Temporary Modification to University Policies F18-5, Grading Policy, and S16-16, Probation and Disqualification due to Special Circumstances of COVID-19*.

Rationale: As a result of the exigent circumstances surrounding COVID-19, there has been a need to make rapid decisions regarding our grading policies in order to be responsive to our students' and faculty's concerns about the potential impact of changed teaching modality on students' grades. Based on our Senate bylaw 4.1, the Senate Executive Committee is able to act on behalf of the Senate when the full membership is not available. The Senate Executive Committee made the decision to act between our regularly scheduled Senate meetings to address the pressing needs of students and faculty and to provide time for processes to be implemented at SJSU. We also wanted to ensure that students would have the maximum time in the academic calendar to make critical decisions regarding their grades.

The Senate Executive Committee does not take such an executive decision lightly. It values and upholds the tenets and tradition of shared governance, and generally prefers that the Senate speak for itself in its entirety. Under the current circumstances of mandated shifts in teaching and learning modalities, however, we felt the need to act quickly, thereby providing students with the maximum flexibility in making decisions regarding their grading options.

Approved:	April 13, 2020.
Vote:	14-0-0.
Present:	Mathur, McKee, Marachi, Frazier, Sullivan-Green, Peter, White, Curry, Shifflett, Del Casino, Faas, Day, Wong(Lau), Parent.
Absent:	Papazian.
Financial Impact:	None.
Workload Impact:	None.

SAN JOSÉ STATE UNIVERSITY
Executive Committee **AS 1777**
April 20, 2020
Final Reading

SENSE OF THE SENATE RESOLUTION
Condemnation of Ethnocentrism, Xenophobia, and Racism in the Wake of the COVID-19 Pandemic

Whereas: Since the outbreak of the COVID-19 disease, there has been a large and unfortunate uptick in racial discrimination, bigotry, assaults, and attacks particularly against Asians, Asian Americans, and Pacific Islanders, at SJSU and in other higher education settings, and indeed everywhere in the United States and the world, blaming them for the pandemic and essentializing race with disease; and

Whereas: Ethnocentrism, xenophobia, and racism against these groups (or any) is unacceptable anytime, but reactions to the COVID-19 pandemic have exacerbated the problem; and

Whereas: Such assaults on the bodies, dignity, and humanity of peoples can be direct and violent, but they can also take subtler forms, such as microaggressive jokes or offhand remarks; and

Whereas: Since 2015, the World Health Organization (WHO) has "called on scientists, national authorities and the media to follow best practices in naming new human infectious diseases to minimize unnecessary negative effects on nations, economies and people"[1]; and

Whereas: The United States has a long, shameful history of Orientalism feeding discrimination against Asians, Asian Americans, and Pacific Islanders (the 1882 Chinese Exclusion Act, the 1907 Gentlemen's Agreement, and the 1942 Executive Order 9066 that authorized the internment of Japanese Americans—including those who were born here—being just three among an extensive list of official discriminatory actions) as well as a long history of exploiting their labor, forcing segregation upon them, denying them basic services and legal status, stereotyping them as unclean, and labeling them as un-American "perpetual foreigners"; and

[1] "WHO issues best practices for naming new human infectious diseases" available at https://www.who.int/mediacentre/news/notes/2015/naming-new-diseases/en/

Whereas: Asians, Asian Americans, and Pacific Islanders as a group have the lowest utilization of mental health services and the highest reluctance to report hate incidents when victimized, so institutions may be unaware of the extent or scope of harm; and

Whereas: We recognize the horrific disparities in higher morbidity and infection rates for Black/African Americans and Latinx peoples from COVID-19 across the country in addition to issues faced by Asians, Asian Americans, and Pacific Islanders; therefore be it

Resolved:

1. That the Academic Senate of San José State University strongly decry and denounce the rise in ethnocentric, xenophobic, and racist hate crimes committed against people of Asian, Asian American, and Pacific Islander descent, at SJSU, in the Bay Area, across the state and country, and around the world;

2. That the SJSU Senate also decry and denounce subtler forms of assault against these groups, including rhetorical ones like jokes or the use of terms specifically targeting them, as such words and phrases, when they become entrenched, do great harm;

3. That the SJSU Senate recognize that our community's faculty, staff, and students have a unique responsibility to stand in allyship with and report instances of xenophobia and racist/ethnic acts encountered by all peoples, but especially by Asian, Asian American, and Pacific Islanders who are being targeted during the COVID-19 pandemic;

4. That the SJSU Senate stand in solidarity with Asians, Asian Americans, and Pacific Islanders in urging all people to stop using language that foments hate or bigotry and hinders the public health response to the COVID-19 pandemic;

5. That the SJSU Senate stand in unified opposition to rhetoric and violence that associates COVID-19 with nationality, race, ethnicity, or country.

Approved:	April 16, 2020
Vote:	11-0-0
Present:	Curry, Frazier, Marachi, Mathur, McKee, Parent, Peter, Shifflett, Sullivan-Green, White, Wong(Lau)
Absent:	Day, Del Casino, Faas, Papazian
Financial Impact:	None anticipated.
Workload Impact:	None anticipated.

San José State University
Academic Senate **AS 1765**
Instruction and Student Affairs
April 20, 2020
Final Reading

Policy Recommendation
Instructor Drop Policy

Effective Date: Immediately

Legislative History: A number of policies, dating back through the 1990s, was related to dropping courses after Advanced Registration. Most recently, F04-2, which was predated by F01-2, S99-12, S99-7, S93-13, and S93-10, focused mainly on the administrative consequences, i.e. refunds, census calendar, and late drops, and not on the circumstances leading to the instructor drop. Policy S93-5 made reference to the rights of an instructor to drop students from a course, though did not clarify the responsibilities of an instructor who does so.

Whereas: Students should not be dropped from courses without their knowledge and without clear rationale, and

Whereas: There exists no dedicated university policy regarding instructor drops, therefore be it

Resolved: That the following be adopted.

Approved:	April 6, 2020
Vote:	14-0-0
Present:	Delgadillo, Hill, Honda (non-voting), Jackson (non-voting), Khan, Kim, Kitajima, Parent, Roque, Sen, Sorkhabi, Sullivan-Green, Trang, Wilson, Wolcott, Yao (Sofish)
Absent:	Rollerson, Walters
Financial Impact:	None.
Workload Impact:	A small increase in work for instructors to track their communication with students.

Policy Recommendation
Instructor Drop

While instructors are not required to drop students, they are permitted to do so if a student:

1. Does not establish a committed presence in the class, as per F15-3. This policy defines committed presence as:

    - In-person classes. Attending the first class meeting or informing the instructor of the intention to continue in the class within 48 hours after the first official class meeting.
    - Online classes. Logging on to the Learning Management System class shell on the first scheduled day of class or informing the instructor of the intention to continue in the class within 48 hours after the first day of instruction.

    Or,

2. Does not meet the stated course prerequisites.

All instructor drops must be communicated directly to the student in writing by the instructor through MySJSU (student's email on record). Instructors must state the reason for the drop, as defined above, and provide a timeline by which they will drop the student that gives the student time to respond. Documentation of the written notification to the student should be kept on file. All Instructor Drop Requests are due by the date posted on the Registrar's Calendar, available at www.sjsu.edu/registrar/calendar.

Students have the responsibility to ensure they establish a committed presence, as defined above and in F15-3, and to meet the stated course prerequisites. If a student does not drop prior to the drop deadline, they must petition to drop a course with a "W" (Withdrawal). Otherwise, the student will receive either a "WU" (Withdrawal Unauthorized) or a "F" at the end of the semester. See the Academic Advising and Retention Services (AARS) website for details, available at: http://www.sjsu.edu/aars/.

SAN JOSE STATE UNIVERSITY
Academic Senate
Professional Standards Committee
April 20, 2020 **AS 1772**
Final Reading

SENSE OF THE SENATE RESOLUTION
Expressing Support for
The Report by the Professional Standard Committee:
"Improving Implementation of San José State University's Retention, Tenure, and Promotion Policies"
And Endorsing its Recommendations

Resolved: The Academic Senate of San José State University receives the attached report by the Professional Standards Committee entitled "Improving Implementation of San José State University's Retention, Tenure, and Promotion Policies;" be it further

Resolved: That the Academic Senate of San José State University endorses this report and calls upon the various faculty committees and administrative officers named therein to implement its fifteen recommendations.

Approved: *April 13, 2020.*

Vote: *9-0-1.*

Present: *Birrer, He, Cargill, Peter, Monday, Kumar, Mahendra, Riley, Chin, Kemnitz.*

Financial Impact: *A number of the recommendations require additional resources, some do not.*

Workload Impact: *Some of the recommendations involve additional work, some do not.*

San José State University
Academic Senate
Organization and Government Committee **AS 1775**
April 20, 2020
Final Reading

Senate Management Resolution
Rescinding Senate Management Resolutions Related to Bylaws and Standing Rules

Effective Date: Immediately

Legislative History: These Senate Management Resolutions pertaining to modifications to Senate Bylaws and Standing Rules were previously implemented at the time the resolutions were approved: SM-S19-6, SM-S19-5, SM-S19-3, SM-S19-2, SM-S18-1, SM-F17-4, SM-S02-1, SM-S93-3, SM-S93-2.

Whereas: The Organization and Government Committee has completed its examination of Senate Management Resolutions referred to the committee for review, and

Whereas: With few exceptions, the resolutions were implemented and updates incorporated into our current Standing Rules and Bylaws, and

Whereas: A separate web page archiving dated Senate Management Resolutions would preserve a record while keeping the existing Senate Management Resolutions web page current, therefore be it

Resolved: That the Senate create a web-based archive for rescinded Senate Management Resolutions, and be it further

Resolved: That the directions detailed on the following page be implemented in order to rescind and subsequently archive the specific Senate Management Resolutions listed.

Rationale: The specific Senate Management Resolutions proposed for rescinding have been incorporated into our current Bylaws and Standing Rules. Rather than lose them from our public records, this proposal suggests archiving the resolutions on a new web page for this purpose.

Approved:	4/13/20
Vote:	11-0-0
Present:	Altura, Grosvenor, Okamoto, Shifflett, McClory, Higgins, French, Kao, Skinnell, Sasikumar, Millora
Absent:	Gallo
Financial Impact:	None
Workload Impact:	Minimal. Time initially needed to create the web page for archiving Senate Management Resolutions.

Senate Management Resolutions		
SMR	***Topic***	***Recommendation***
SM-S19-6	Amending Bylaw 5, Membership of the Committee on Committees; https://www.sjsu.edu/senate/docs/SM-S19-6.pdf	Rescind and archive this item
SM-S19-5	Amendment to Standing Rule 10 (Motions); https://www.sjsu.edu/senate/docs/SM-S19-5.pdf	Rescind and archive this item
SM-S19-3	Amendment of Bylaw 1.10; https://www.sjsu.edu/senate/docs/SM-S19-3.pdf	Rescind and archive this item
SM-S19-2	Amendment of Bylaw 15a; Editorial Changes in documents; https://www.sjsu.edu/senate/docs/SM-S19-2.pdf	Rescind and archive this item
SM-S18-1	Rescinds SM-S95-2, Standing Rule 6 Amendment	Rescind and archive this item
SM-F17-4	Rescinds SM-F06-2, Related to Senate Standing Rule 7; https://www.sjsu.edu/senate/docs/SM-F17-4.pdf	Rescind and archive this item
SM-S02-1	Amendment of Standing Rule 15 Sponsorship of Events; https://www.sjsu.edu/senate/docs/SM-S02-1.pdf	Rescind and archive this item
SM-S93-3	Amend Standing Rule 16—Procedure for Discussion Sessions; https://www.sjsu.edu/senate/docs/SM-S93-3.pdf	Rescind and archive this item
SM-S93-2	Amend Standing Rule 16—Discussion Items; https://www.sjsu.edu/senate/docs/SM-S93-2.pdf	Rescind and archive this item

San José State University
Academic Senate
Organization and Government Committee **AS 1776**
April 20, 2020
First Reading

Senate Management Resolution
Update of Senate Bylaws

Whereas: The Organization and Government Committee has completed its review of all Senate Bylaws, and

Whereas: Areas in need of update were found, therefore be it

Resolved: That the attached updates be adopted once passed by the Senate.

Rationale: The updates proposed address areas where the need for clarification had been noted and where the work of the Senate could be facilitated.

Approved:	4/13/20
Vote:	11-0-0
Present:	Altura, Grosvenor, Okamoto, Shifflett, McClory, Higgins, French, Kao, Skinnell, Sasikumar, Millora
Absent:	Gallo
Financial Impact:	None.
Workload Impact:	None.

BYLAWS OF THE ACADEMIC SENATE
SAN JOSE STATE UNIVERSITY

1. Elections ~~of~~ and Faculty Representatives

1.1 ~~a)~~ Faculty representatives shall be elected to the Academic Senate of this University from the following representative units: College of Health and Human Sciences, College of Business, College of Education, College of Engineering, College of Humanities and the Arts, College of Science, College of Social Sciences, and the General Unit.

1.1.1 Members of the General Unit

a) Unit 3 faculty outside the above colleges (e.g., College of Professional and Global Education faculty, librarians, counselors, Division of Intercollegiate Athletics coaches [not-MPP]).

b) Student Services Professional III or IV (e.g., staff advisors)

1.1.2 A college, not presently represented in 1.1 would become a representative unit when that college has at least 50 FTEF and at least three departments.

1.1.3 ~~b~~) Members of the faculty electorate holding administrative positions (Management Personnel Plan) are not eligible to serve as faculty representatives while holding such positions.

1.2 Pursuant to Article II, Section 3 of the Constitution, the following positions and classifications are declared to be directly related to the instructional program. All employees serving in the following positions are qualified to vote (using proportional voting based on assignment) and are eligible as faculty representatives to the Senate with the exception of (i) administrators (covered by the Management Personnel Plan), (ii) employees in clerical and technician classifications, and (iii) volunteers.

a) All members of Bargaining Unit III who are not members of or included in one of the college representative units.

b) Employees classified as Student Services Professional III or IV.

1.2.1 Subject to approval of the Executive Committee, the Election Committee is authorized to decide questions of interpretation of this bylaw and may recommend amendments to it to the Organization and Government Committee.

1.3 ~~a)~~ The number of faculty senators ~~holding office under sections 3, 4 and 5 of Art. II of the Senate Constitution~~ must be twice the number of senators who are not faculty members ~~not holding office under these sections~~ [currently 18: Deans (4), AS President and students (7), the President and VPs (5), an Emeritus Representative (1), and an Alumni Representative (1)].

1.3.1 ~~b)~~ The number of faculty representatives to be apportioned among the colleges and the General Unit is the total number of faculty senators ~~holding office under these sections~~ minus the number of ex officio faculty senators ~~holding office under sections 4 and 5~~ (ASCSU senators, SJSU Senate Chair and Past Chair). The resulting difference is the number ~~factor~~ to be used in part 1.3.2 ~~b)~~ to apportion faculty representatives among the several colleges and the General Unit.

1.3.2 ~~b~~) Before each spring election, using the FTE/F of the preceding fall semester provided by University Personnel, the Senate Administrator ~~Election Committee~~ shall determine, and the Associate Vice Chair verify, the number of representatives allotted to each representative unit (as defined in Bylaw 1.1). The ~~That~~ number of representatives for each unit shall be determined by first dividing the combined total FTE teaching faculty of the college representative units plus the FTE faculty and staff in the General Unit by the ~~factor~~ number ~~as~~ determined in part 1.3.1 above ~~a)~~ and then dividing this value ~~quotient~~ into the FTE faculty of each of the college units and the FTE faculty and staff in the General Unit.

1.3.2.1 If the allotment of any representative unit is ~~thus~~ determined to be less than one, it shall be increased to one.

1.3.2.2 If the total number of faculty representatives on the Senate overall ~~thus determined~~ exceeds the ~~factor~~ number as determined in section 1.3 above~~)~~, the number ~~factor~~ as determined in section 1.3 ~~a~~ above shall be ~~in~~ decreased until the total number of faculty representatives allotted is equal to the number ~~factor~~ ~~as~~ determined in 1.3 ~~a)~~ ~~or less~~ (i.e., maintains the 2/3 proportion of membership being faculty representatives ~~as articulated in Article II sections 3, 4, and 5 of the Constitution~~).

1.3.2.3 If the total number of faculty representatives on the Senate overall ~~allotted~~ is less than the number ~~factor~~ as determined in section 1.3 ~~a)~~ above, one additional representative shall be allotted in turn to each of the units in order of greatest fractional representation until the total number of faculty representatives equals the number ~~factor~~ as determined in section 1.3 above ~~a).~~ (i.e., twice the number of senators not in sections 3, 4, and 5 of Article II of the Constitution).

1.4 If it is determined by the above procedure that the number of representatives allotted to any college will be changed from the previous year, the Senate Administrator in collaboration with the Associate Vice Chair ~~Election Committee~~ shall so report to the Academic Senate prior to the announcement of elections.

1.4.1 If a representative unit is allotted an additional seat and there is no vacancy in the representation of a unit losing a seat, the unit gaining a seat shall nevertheless elect an additional representative for a full term at the next general election. The next vacancy occurring, by expiration of term, resignation or otherwise, in the unit losing a seat shall not be filled.

1.5 Representatives to the Academic Senate shall be nominated by a petition signed by at least ten (10) members of the faculty electorate of the appropriate election unit. The candidate shall indicate by ~~his/her~~ signature on the petition their ~~his/her~~ willingness to serve if selected.

1.5.1 If there is no candidate for an Academic Senate seat by the end of the filing period, that seat shall be declared vacant and shall be filled according to the procedures outlined in 1.6.2.4~~)~~.

1.6 When there is a vacancy of a faculty representative (excluding CSU Senators) ~~his/her~~ the replacement for the remainder of the term shall be chosen as follows:

1.6.1 If a senator will be unable to perform their ~~his/her~~ duties as senator for one semester or less, a temporary replacement will be selected in accordance with the following procedures:

1.6.1.1 ~~a)~~ The ~~D~~dean of the ~~C~~college from which the senator serves shall call for nominations for a temporary replacement to be chosen by chairs and directors of that college from those nominated.

1.6.1.2 ~~b)~~ For the General Unit, the Senate Administrator shall call for nominations for a temporary replacement to be chosen by the Executive Committee from those nominated.

1.6.2 When there is a permanent vacancy of a senator, ~~his/her~~ the replacement for the remainder of the term shall be chosen as follows: the appropriate college dean (or Senate Administrator in the case of the General Unit) shall hold a special election as soon as possible after the determination of the vacancy.

1.6.2.1 ~~a)~~ Vacancies are created by

a) ~~1~~ resignation or recall from the Senate,
b) ~~2~~ termination of employment,
c) ~~3~~ removal from the Senate as a result of being absent from three Senate meetings in an academic year,
d) ~~4~~ removal from a policy committee as a result of being absent from three regularly scheduled policy committee meetings,
e) ~~5~~ removal from a policy committee due to failure to perform assigned policy committee duties as determined by the Executive Committee of the Senate in consultation with the policy committee chair, ~~or~~
f) ~~6~~ leave, with or without pay, which covers more than one semester,
g) ~~7~~ appointment to a full-time administrative (Management Personnel Plan) position,
h) ~~8~~ ~~assumption~~ election to ~~of~~ the role of Academic Senate Chair, or
i) ~~9~~ no candidate files for a vacant seat

1.6.2.2 ~~b)~~ When a Senate seat is vacated, the associated seat on that senator's assigned policy committee would become vacant.

1.6.2.3 ~~c)~~ Faculty representatives who accept one semester leaves with or without pay may resign from the Senate or request the selection of a replacement for one semester following the procedures listed in 1.6.1 above.

1.6.2.4 ~~d)~~ If no candidate files for that vacancy, it shall be filled for one year by a person in that constituency selected by the Executive Committee after consultation with the Senators from that constituency. A permanent replacement shall be elected to fill out the remainder of the term as part of the next general election.

1.6.2.5 ~~e)~~ If only one candidate files a nominating petition for a vacancy, the dean (or Senate Administrator for the General Unit election) shall not conduct an election but shall so report to the Executive Committee, and the Executive Committee shall declare the single candidate elected.

1.6.2.6 ~~f)~~ If a vacancy occurs during the months of January or February, the seat shall be filled following the procedures listed in 1.6.1 above for temporary vacancies and the senator shall hold the seat for the remainder of the academic year. A permanent

replacement shall be elected to fill out the remainder of the term as part of the general election.

1.7 Faculty Voting Rights for Elections to the Senate

1.7.1 ~~a)~~ ~~Regular~~ Tenured and tenure track faculty have full permanent voting rights for college representatives in the department of their primary assignment.

1.7.2 ~~b)~~ Lecturer faculty have proportional voting rights for college representatives in the department of their primary assignment. ~~Temporary~~ Lecturer faculty assigned to more than one representative unit may vote in each unit on a proportional basis determined by the percentage of their appointment in each unit.

1.7.3 ~~c)~~ Members of the general unit have voting rights proportional to their appointment(s).

1.8 No write-in votes are permitted.

1.9 Procedures ~~and forms~~ for faculty elections shall be determined by the Senate Election Committee, with the approval of the Executive Committee of the Academic Senate.

1.10 The phrase "academic deans" as used in Article II, Section 2 of the constitution means deans, and associate deans (MPP) ~~vice presidents~~ in the academic affairs division. Elections of representative deans shall be conducted and reported by the Provost, and vacancies shall be filled by special elections for the balance of unexpired terms.

1.11 ~~a)~~ Whenever the phrase "faculty electorate" is used in the constitution, bylaws, or standing rules of the Academic Senate, it refers to those faculty members eligible to vote for representatives to the Senate (including members of the General Unit), with proportional votes for lecturer ~~part-time~~ faculty, as specified in Article II, Section 3, Part ~~b~~ c, of the Senate's constitution.

1.12 ~~b)~~ Whenever the word "faculty" is used in connection with eligibility for or service on any committee and no other definition is stated, it means a member of the faculty electorate.

1.13 ~~c)~~ Whenever the phrase "teaching faculty" is used in connection with committee eligibility or service and no other definition is stated, it means university personnel holding the title of professor, associate professor, assistant professor, ~~instructor,~~ or lecturer whose primary assignment is instruction and not more than 50 percent of whose workload is administrative or other non-instructional duties (other than as department chair or equivalent). ~~Released~~,

Reimbursed or re-assigned time for research, curriculum development, committee service, etc., is instructional.

2. Senate Officers

2.1 The following are officers of the Academic Senate:

2.1.1 The Chair of the Senate (who must be a faculty member), who shall be its presiding officer, as provided in the constitution, and shall also be Chair of the Executive Committee, and general faculty meetings.

2.1.2 The Vice Chair (who must be a faculty member), who shall discharge the duties of the Chair during any temporary disability of the Chair, shall serve as a CSU Senator during the temporary disability of one of the SJSU representatives to the ASCSU, and shall succeed to the office of Chair when the Chair's term or terms expire or if the Chair resigns or that office becomes vacant for any other reason.

2.1.3 The Associate Vice Chair (who must be a faculty member), who shall be Chair of the Committee on Committees and the Election Committee, shall act as Vice Chair during the temporary disability of the Vice Chair, and shall act as Chair if both the Chair and the Vice Chair become temporarily unable to perform their duties.

2.1.4 The Past Chair ~~who~~ is the person who served as chair for the preceding year, provided that the Past Chair ~~s/he~~ is not the same person as the current chair and does not hold any other Senate office.
2.1.5 The Faculty-at-Large Representative. ~~provided that~~ There shall be no Faculty-at-Large Representative when there is a Past Chair.

2.1.6 ~~A~~ ASCSU ~~Senate~~ Representative to the Executive Committee

2.1.7 The chairs of the Senate Policy Committees.

2.2 Election Procedures for Senate Officers

2.2.1 Senate officers, other than the Chair, Past Chair and Faculty-at-Large Representative, shall be elected from the faculty members of the Senate annually for one-year terms. Nominees for Chair of Professional Standards must be tenured full professors.

2.2.2 Extension of Senate Chair's term

2.2.2.1 ~~a)~~ If the Chair so requests, the agenda for the first regular meeting of the Senate in spring semester shall include, as a special order of business preceding policy committee reports, a proposal to

extend that chair's ~~her/his~~ term. When the special order item is reached, the Associate Vice Chair of the Senate shall preside while the Senate debates and votes on the proposal. The vote shall be by secret ballot and approval of the extension shall require a two-thirds affirmative vote.

2.2.2.2 ~~b)~~ If the Senate approves the extension, the incumbent Chair is re-elected for the following year. The term of office of the Vice Chair is extended for one year. (If the term of the Vice Chair as an elected faculty representative expires at the end of the spring semester, ~~s/he~~ the Vice Chair shall take the place otherwise held by the Past Chair as an ex officio member.) The term of the Past Chair is not extended, and a Faculty-at-Large Representative shall be elected at the end of spring semester to fill the Past Chair's position on the Executive Committee for the following year.

2.2.2.3 ~~c)~~ If the Senate does not approve the extension of the Chair's term, the Vice Chair shall automatically succeed to the office of Chair at the adjournment of the last meeting of the current Senate in spring semester.

2.2.2.4 ~~d)~~ No chair shall serve for more than two full terms in succession.

2.2.3 If the previous year's Chair is not the same person as the current Chair, the previous year's Chair will be a Senate officer called the Past Chair. However, if the Past Chair is elected to any other/Senate office, there will be no Past Chair that year and a Faculty-at-Large Representative shall be elected instead.

2.2.4 As soon as possible after the election of new Senate members in the spring, the Chair of the Senate shall appoint a nominating committee to prepare a slate of officers for the forthcoming academic year. This committee should nominate at least two candidates for each open Senate office. The committee shall also ascertain the willingness of the nominees to serve if elected. The committee shall produce a brief written document regarding the qualifications and goals of each candidate which shall be distributed to the Senate prior to the day of election.

2.2.5 The slate of nominees proposed by the nominating committee shall be communicated to the Senate prior to the last regular meeting of the academic year. On that day, two consecutive meetings of the Senate shall be held. The first meeting shall be the final meeting of the Senate of the current academic year. Immediately following the adjournment of that meeting, the first meeting of the Senate for the next academic year ~~next ensuing~~ shall be held. The nominating committee shall make its report in

the second meeting, further nominations from the floor shall be accepted, and an election shall be held to fill all open Senate offices. Only the continuing and newly elected members of the Senate, who will be members in the next academic year ~~ensuing~~, shall vote in the election.

2.2.6 Should a vacancy occur in the office of Senate Chair, the Vice Chair shall automatically succeed to the position for the balance of the vacant term. ~~S/he~~ The Vice Chair shall then serve for the full term of the following year, and the full term shall be counted as that person's ~~her/his~~ first year in office for purposes of 2.2.2.2 ~~b).~~ Should a vacancy occur in any other Senate office, the Executive Committee shall nominate at least two candidates to fill the vacancy and present its nominees to the Senate. Additional nominations may be made from the floor. When nominations have been closed, the Senate shall elect a replacement to serve for the balance of the vacant position's term.

3. Senate Administrator

3.1 The Senate Administrative Analyst (an employee position in the Senate Office) shall serve as the Senate Administrator.

3.2 The Senate Administrator may participate in Senate proceedings on the same basis as a member of the Senate but shall not vote.

3.3 The Senate Administrator may speak at Senate and Executive Committee meetings on matters relevant to Senate operations and on other matters when requested by the Senate Chair.

3.4 The Senate Administrator may be present at executive sessions of the Senate and is subject to the same confidentiality requirements as are applicable to Senate members.

3.5 The Senate Administrator shall provide administrative support to the Senate Chair and the Associate Vice Chair, shall attend and take minutes of the Senate and Executive Committee meetings, shall have charge of the records and archives of the Senate and its website, shall prepare committee appointment letters and maintain and update committee membership lists, and shall assist in the preparation of election materials and the administration of Senate elections.

3.6 The Senate Administrator shall be a non-voting adviser on the Committee on Committees and the Election Committees~~s~~.

4. ~~6. Standing~~ Senate Committees.

4.1 Organization

4.1.1 ~~6.1~~ The Academic Senate shall establish and appoint ~~such standing~~ committees as may be needed.

4.1.2 Except as otherwise provided in these bylaws, university policy, or Senate Management Resolutions, all committees prepare, and submit to the Senate Chair, an annual report summarizing activities at the end of the academic year. These reports will be made available on the Senate's website.

4.1.3 ~~6.2~~ Except as otherwise provided in these bylaws, university policy, or Senate Management Resolutions, appointments to policy committees of the Academic Senate shall be recommended by the elected members of the Executive Committee and approved by the Senate; appointments to operating committees shall be recommended by the Committee on Committees and approved by the Senate. When an appointment is recommended more than one week before the next regular meeting of the Senate, the recommending body may make its recommendation effective at once as a temporary appointment. These temporary appointments shall last until the next meeting of the Senate and must receive Senate approval to become permanent. When appointments have been approved by the Senate, the Senate Administrator shall notify those appointed.

4.1.4 ~~6.3~~ Committees concerned primarily with faculty affairs shall contain a majority of teaching faculty with full-time appointments. Committees concerned with student affairs shall contain a significant proportion, but not a majority, of students.

4.1.5 ~~6.4~~ For purposes of service on Senate committees, all university ~~staff, academic or other,~~ faculty, full or part-time, active or retired, and all students, staff and alumni shall be considered members of the university community.

4.1.6 Vacancies

4.1.6.1 ~~6.13 a)~~ Each year the Senate Executive Committee will approve a calendar (referred to below as "appointment calendar") for appointing faculty to operating committees, ~~and~~ policy committees, special agencies, and other committees. The calendar will be structured such that colleges are given ample notification of vacancies before the start of the fall semester and also allow for faculty-at-large appointments to be confirmed at the first Senate meeting of the semester.

4.1.6.2 ~~b)~~ Notwithstanding the provisions of bylaw 4.5.2 ~~6.10.1~~, college seats on ~~both~~ policy committees, ~~and~~ operating

committees, special agencies and other committees for which no faculty from that college willing to serve have been found by the date specified on the appointment calendar shall become faculty-at-large seats for the balance of the academic year.

4.1.6.3 ~~c)~~ By the date specified on the appointment calendar, the Associate Vice Chair of the Senate shall inform each college representative and college dean which of that college's ~~operating~~ committee seats are still vacant and invite them to recommend faculty for those seats within one week's time. The college representative(s) on the Senate and deans shall be reminded that the seats will become faculty-at-large seats for the year if no college faculty to fill them can be found. The dean's recommendations shall be forwarded to the college's Committee on Committees representative~~s~~ who shall present one name to the Associate Vice Chair of the Senate to be reported to the Senate or to the Executive Committee, as appropriate under bylaw 4.1.3 ~~6.2~~.

4.1.6.4 ~~d)~~ By the date specified on the appointment calendar, all vacant college seats on operating committees, special agencies and other committees for which no faculty from the college have been recommended under paragraph 4.1.6.3 ~~(c)~~ above (or otherwise identified) shall become faculty-at-large seats for the balance of the academic year and all members of the Committee on Committees shall be requested to supply names of faculty from any representative unit to fill these vacancies.

4.1.6.5 ~~e)~~ By the date specified on the appointment calendar, all vacant college seats on policy committees shall become faculty-at-large seats for the balance of the year. First priority in filling these vacancies shall be given to elected faculty representatives on the Senate not assigned to other policy committees. If all elected faculty representatives (other than Senate officers) have been appointed to policy committees and there are policy committee seats still remaining vacant, they shall be filled as provided in 4.1.6.3 ~~6.13c~~ for policy committees. ~~and 6.13d for operating committees.~~

4.1.6.6 ~~f)~~ The Associate Vice Chair of the Senate shall coordinate this selection process so as to maintain as far as possible a representative balance across committees and shall report one name for each vacancy to the Senate or the Executive Committee as appropriate under bylaw 4.1.3 ~~6.2~~.

4.1.7 ~~g)~~ Elected faculty representatives (other than Senate officers) not appointed to seats designated for representative units and also not

appointed to faculty-at-large seats as provided above shall be appointed as additional members-at-large of policy committees. If there is only one such member, that person ~~s/he~~ shall be appointed to the Organization and Government Committee. If there is a second, ~~s/he~~ that person shall be appointed to the Instruction and Student Affairs Committee. A third shall be appointed to the Professional Standards Committee and a fourth to the Curriculum and Research Committee. The provision shall be implemented in a manner consistent with Academic Senate bylaw 4.5.2.1 ~~6.10.1~~.

4.1.8 ~~6.12 a)~~ If a member (non-ex officio) of an Academic Senate committee (policy, operating, 'other', special or special agency) cannot complete the term for any reason, the chair of the committee may request, through the Associate Vice Chair of the Senate, that a replacement be appointed. The Associate Vice Chair, using the normal procedures of the Committee on Committees, then solicits nominations for a replacement and brings a recommendation to the Executive Committee and subsequently to the Senate via the consent calendar.

4.1.9 ~~b)~~ If a non-ex officio member (~~non-ex officio~~) of an Academic Senate committee (policy, operating, 'other', special or special agency) is absent from three regularly scheduled committee meetings in an academic year or repeatedly does not perform assigned committee duties, the chair of the committee may request, through the Associate Vice Chair of the Senate, that the person be removed from the committee. The Associate Vice Chair, following discussion with and approval from the Executive Committee for removal of the committee member will then solicit nominations for a replacement (or notify the relevant college if an election is needed) and bring a recommendation to the Executive Committee and subsequently to the Senate via the consent calendar.

4.1.10 ~~c)~~ Removal of a senator from their assigned policy committee will result in removal from the Senate.

4.1.11 ~~6.5~~ Unless otherwise stipulated in university policy or Senate Management Resolutions, ~~R~~recommendation of students for membership on policy committees, operating committees, special agencies, and other committees shall be made according to the recommendation procedures of the Associated Students, Inc. and should be transmitted to the Associate Vice Chair by the second ~~first~~ meeting of the new Academic Senate for final approval by the Senate. The Associated Students, Inc. should give student appointments to the Student Fairness Committee a high priority.

~~Recommendations for appointment to policy committees of student members of the Senate and student policy committee representatives shall be transmitted to the~~

~~Associate Vice Chair by the Associated Student's, Inc. Board of Directors, acting in accordance with the appointment rules and nomination procedures of that organization. The recommendations should be transmitted to the Associate Vice Chair by the second meeting of the new Academic Senate.~~

~~When appointments have been approved by the Senate, the Senate Administrator shall notify those appointed.~~

4.1.11.1 ~~6.5.1~~ Should the Associated Students, Inc. Board of Directors not transmit recommendations of students for membership on Senate operating committees, ~~or~~ policy committees, special agencies or other committees by the fourth week of instruction, the following shall supersede the rules of the Associated Students, Inc. for nomination of students to policy and operating committees: student seats shall become university student-at-large seats for the balance of the academic year. These seats may be filled by any student in good standing at the university who self-nominates, or who is nominated by a member of the Academic Senate, and who is recommended by the elected members of the Executive Committee and approved by the Senate (subject to bylaw 4.1.3 ~~6.2~~). All student nominees shall submit a statement of interest ~~purpose~~ to the Associate Vice Chair ~~Executive Committee~~.

4.1.11.2 ~~6.5.2~~ Should a vacancy occur, the President of Associated Students, Inc. shall select a replacement to fill out the remainder of the term. This selection must be approved by a two-thirds majority of the total membership of the Board of Directors of the Associated Students, Inc. The name of the nominee should be transmitted to the Associate Vice Chair within 30 days of the time that the vacancy occurred for final approval by the Senate. When the appointment has been approved by the Senate, the Senate Administrator shall notify the appointee. If a nomination is not received within 30 days, the seat will be declared a student-at-large seat for the balance of the academic year and will be filled as per 4.1.11.1 ~~6.5.1~~.

4.1.11.3 In the event a student holding an Associated Students ex officio position has a conflict and cannot make committee meetings, then the AS President may designate a replacement as needed.

4.2 Executive Committee

4.2.1 ~~4.1~~ Charge: Acts as an Ad Hoc Advisory Committee to the President on request; acts for the Academic Senate at such times when the members may not be available; formulates policy proposals; refers

matters of business to the appropriate agencies; develops and approves the agenda for Senate meetings; handles external relations with elected officials and their staff, as appropriate; prepares nominations/appointments as needed to policy committees, operating committees, special agencies, and other committees for Senate (or administrator) approval.

4.2.2 ~~4.2~~ Membership:

a. Senate Chair (elected)
b. Vice Chair (elected)
c. Past Chair, or Faculty at Large in years when there is no Past Chair (elected)
d. President (EXO)
e. Provost (EXO)
f. VP, Administration & Finance (EXO)
g. VP, Student Affairs (EXO)
h. Chief Diversity Officer (EXO)
i. Statewide Senator (elected)
j. AS President (EXO)
k. Chair, Committee on Committees/Assoc. Vice Chair (elected)
l. Chair, Curriculum & Research (elected)
m. Chair, Instruction & Student Affairs (elected)
n. Chair, Organization & Government (elected)
o. Chair, Professional Standards (elected)

4.2.3 ~~4.3~~ Any action taken by the Executive Committee requires the presence of a quorum of the elected members. When acting for the Academic Senate, the Executive Committee shall distinguish whether it is expressing the position adopted by the Senate as a whole or of the Executive Committee alone. In handling relations with elected officials or their staff, these shall be on matters of relevance to the well-being of the university, and this duty shall be carried out in coordination with university employees involved in government relations; the Executive Committee is encouraged to recruit an appropriate number of university employees and students to assist in its external relations efforts. In acting as an ad hoc Presidential advisory committee, only the elected members of the Executive Committee shall sit in this capacity. Normally, the President should seek the advice of the full Senate on issues of policy, rather than that of the Executive Committee or its elected members.

4.3 ~~5~~ Committee on Committees

4.3.1 ~~5.1~~ Charge: Prepares nominations for policy committees, operating committees, special agencies, and other committees as needed. In cooperation with the Organization and Government Committee, makes

recommendations for the improvement of the Senate's committee operations and structure. Maintains a record of faculty, staff, students, and administrators currently serving on University-level committees. ~~and~~ At the request of the President, or other administrator making the appointments, recruits nominees and suggests names of faculty, staff, and students for service on ~~such~~ committees as needed. Acts as Election Committee.

4.3.2 ~~5.2~~ Membership:

The Senate's Associate Vice Chair serves as Chair for the Committee on Committees. Additionally, one faculty member from each of the Senate's representative units who shall not be members of the Senate. If a seat is not filled and becomes an 'at large' seat, Senators from the college where there is a vacancy, who are already serving on a policy committee, would be eligible to serve on the Committee on Committees.

a. The Associate Vice Chair of the Senate [EXO], who shall be chair
b. 1 faculty, College of Business
c. 1 faculty, College of Education
d. 1 faculty, College of Engineering
e. 1 member, General Unit
f. 1 faculty, College of Health and Human Sciences
g. 1 faculty, College of Humanities and the Arts
h. 1 faculty, College of Science
i. 1 faculty, College of Social Science
j. 1 Student Senator

4.3.3 ~~5.3~~ Appointments to the Committee on Committees shall be recommended by the elected members of the Executive Committee and approved by the Senate. Members (other than the Chair and the Student Senator) shall serve for staggered two-year terms.

4.4. ~~8~~ Election Committee

4.4.1 ~~8.1~~ There shall be an ~~standing~~ Election Committee. Its members shall be the members of the Committee on Committees. Its chair shall be the Associate Vice Chair of the Senate.

4.4.2 ~~8.2 a)~~ The Election Committee shall arrange for the election of faculty representatives to this Senate and of the university's representatives to the CSU Academic Senate, referenda under Articles V and VI of the Academic Senate Constitution, and all other campus-wide elections required by university policies.

4.4.3 ~~b)~~ Elections shall be conducted by colleges and departments under instructions of the Election Committee.

~~8.3 The Election Committee shall determine the allotment of representation based on Article I of these bylaws. The determination of representation FTE is to be based on eligible faculty and staff as of the previous fall November 1 and will be reported to the Academic Senate.~~

4.4.4 ~~8.4~~ The Election Committee shall be responsible for the establishment of voting procedures and their supervision.

4.4.5 ~~8.5~~ The Election Committee shall assure that the results of the elections will be available for presentation to the Academic Senate ~~by~~ not later than one week prior to the last spring Senate meeting. ~~May 15th.~~

4.4.6 ~~8.6~~ In carrying out a referendum under Article V of the Constitution, the Senate Administrator in consultation with the Election Committee shall prepare an electronic ballot which indicates the specific action of the Academic Senate which is being referred to the faculty electorate. The question to be voted on will be stated as follows: "Shall the action of the Academic Senate specified above be sustained?" The ballot in a referendum may be accompanied by pro and con arguments of not more than 300 words each. If such arguments are to be included, the Chair of the Senate will designate one or more persons to write the pro argument; the person(s) offering the motion or submitting the petition for a referendum will designate one or more persons to write the con argument. In the event that persons requesting the referendum are in support of the Senate action which is the subject of the referendum, then the Chair of the Senate will designate one or more persons opposed to the Senate action to write the con argument. Failure to submit an argument on one side shall not prevent distribution of an argument submitted by the other side.

4.5. Policy Committees

In general, these committees study policy issues and investigate policy problems in their areas at the request of the Academic Senate and prepare policy recommendations for official action. Current Policy committees:

Curriculum & Research (CR)
Instruction & Student Affairs (ISA)
Organization & Government (O&G)
Professional Standards (PS)

4.5.1 ~~6.6~~ The establishment or elimination of any ~~regular~~ policy committee shall require a two-thirds (2/3) majority of the Senate.

4.5.2 ~~6.10~~ Policy committees shall normally be composed so that at least one half of the members of a policy committee are also members of the Senate. ~~Thus, all Senators will normally be appointed to a policy committee prior to appointments of faculty who are not senators.~~ Generally, no person shall serve on more than one policy committee. Exceptions may be made for the President of the Associated Students, officers of the Senate, and university administrators.

4.5.2.1 ~~6.10.1~~ Normally, ~~one faculty member from~~ each policy committee includes representation from each of the units from which faculty representatives are elected ~~is assigned to each policy committee~~. In no instance shall more than two faculty members from any of the units from which faculty representatives are elected be assigned to one policy committee.

4.5.2.2 ~~6.10.2~~ The senators representing the Emeritus and Retired Faculty Association and the Alumni Association are eligible for appointment to policy committees with the exception of the Professional Standards Committee. If they wish to serve, they shall, at the beginning of the academic year, ~~make a~~ request to the Associate Vice Chair to be appointed to a policy committee ~~appointment~~. Although they may request a specific committee assignment, they may be appointed to another committee where representation is needed. ~~they may not serve on the same committee~~. ~~Requests shall be made to the Executive Committee.~~ When appointed, these senators ~~they~~ shall have the status of ex officio members.

4.5.3 ~~6.9 a)~~ All policy committee appointments shall be for one year, commencing with the first meeting of the new Senate for the year, which usually takes place in the last month of the Spring semester.

4.5.3.1 ~~b)~~ Seniority shall not be the primary factor in selecting members of policy committees.

4.5.3.2 ~~c)~~ Tenured faculty should be given priority for appointment to the Professional Standards Committee.

4.5.4 ~~6.10~~ Members of Senate policy committees, including ex officio members, can vote and be counted for quorum (defined in Senate Standing Rule 13) only if present in person or via remote attendance.

4.5.5 ~~6.8~~ Chairs of policy committees shall be elected annually by the Senate from its faculty representatives.

4.5.5.1 Nominees for the Chair of Professional Standards must be tenured full professor~~s~~.

4.5.6 ~~6.7~~ Policy committees shall report to the Executive Committee of the Academic Senate. ~~Committee recommendations within the report shall show the names of the committee members present and the vote totals. All operating committees shall report to the designated standing policy committees.~~

4.5.7 ~~6.7.1~~ All policy committee recommendations for the Senate's consideration ~~Committee recommendations within the report~~ shall show the names of the committee members present and absent; the vote totals, and shall state: ~~include~~

a) ~~A statement of t~~ The rationale for of the policy, including its source, intent and claimed need; in language suitable for communication to faculty, staff and students affected.

b) ~~Either t~~ The ~~policy committee's finding that the recommended policy is not~~ expected ~~to have any significant~~ estimated financial impact, ~~or an estimate,~~ obtained from a named body or person responsible for implementing the policy, ~~of the approximate direct cost or saving to the university~~ if ~~the recommended policy is~~ adopted.

c) ~~A statement of the likely~~ The workload impact of the policy, that is, whether and how much compliance will increase or decrease required activity or expenditure of time by faculty, staff, or students.

4.6 Operating Committees

In the context of their charge, operating committees serve a range of functions including the preparation of reports and making recommendations for changes in policy to their designated policy committees. Current Operating Committees:

Faculty Diversity (reporting to PS)
Graduate Studies & Research (reporting to CR)
Institutional Review Board (reporting to CR)
International Programs & Students (reporting to ISA)
Program Planning (reporting to CR)
Student Evaluation Review Board (reporting to PS)
Student Fairness (reporting to ISA)

Undergraduate Studies (reporting to CR)

4.6.1 The establishment or elimination of any operating committee shall require a simple majority of the Senate.

4.6.2 ~~6.7~~ All operating committees shall report to their designated ~~standing~~ policy committees.

4.6.3 ~~6.8~~ Except as otherwise provided in these bylaws, university policy, or Senate Management Resolution, chairs of operating committees shall be elected by the members of the operating committee. Any member of the committee, except an ex officio member, is eligible to serve as chair.

4.6.4 ~~6.11~~ Near the end of each spring semester, each operating committee shall elect from among its membership, a chair for the following academic year. The outgoing committee chair shall recommend, through the appropriate policy committee, to the Organization and Government Committee ~~Committee on Committees~~ any changes in committee responsibility or organization.

4.6.5 ~~6.11~~ Appointments of faculty to operating committees shall be for staggered three-year terms unless otherwise specified. After service for a full three-year term, members should be reappointed only in special circumstances. Appropriate administrative officers or their officers or designees shall be included on operating committees as ex officio members.

4.6.5.1 ~~a)~~ Faculty serving on a policy committee are ineligible to serve on any operating committee reporting to that same policy committee.

4.6.5.2 ~~b)~~ The Committee on Committees chair will assure that, when appointments are made, they take into consideration part 4.6.5.1 ~~(a)~~.

4.6.5.3 ~~c)~~ To the extent possible, administrative designees to operating committees and their parent policy committee should not result in concurrent membership.

4.6.6 Student membership on operating committees is normally for a one-year term.

4.7 ~~10~~ Special Agencies and Other Senate Committees

Special agencies and other committees are created as needed by the Senate. Their charge, membership, and reporting responsibilities are specified in the

policy or Senate Management Resolution that established them. Current special agencies and other committees:

~~10.1 Existing~~ Special Agencies ~~are:~~

~~a)~~ Accreditation Review Committee
~~b)~~ Alcohol & Drug Abuse Committee
~~c)~~ Athletics Board
~~d)~~ Budget Advisory Committee
~~e)~~ Campus Planning Board
~~f)~~ Strategic Planning Steering Committee
~~g)~~ Student Success
~~h)~~ Sustainability Board
University Library Board
University Writing Committee (reporting to CR)

Other Committees

Academic Disqualification and Reinstatement Review
Board of Academic Freedom and Professional Standards
Board of General Studies
Sustainability Board
Traffic, Transit, and Parking

~~7. Special Committees~~

4.7.1 ~~7.1~~ The Senate shall establish and appoint ~~such~~ special agencies and other committees as may be needed. The establishment or elimination of any special agency or other committee shall require a simple majority of the Senate.

4.7.2 Appointments of faculty to special agencies and other committees shall be for staggered three-year terms unless otherwise specified. After service for a full three-year term, members should be reappointed only in special circumstances. Appropriate administrative officers or designees shall be included on special agencies and other committees as ex officio members.

4.7.3 ~~7.2~~ Unless otherwise specified in a ~~provided by a the~~ Senate Management Resolution or university policy, ~~a)~~ Members of special agencies, other committees, and task forces shall be nominated by the elected members of the Executive Committee; and ~~b) Special committees and task forces shall report to the Senate;~~ reporting requirements for special agencies and other committees follow bylaw 4.1.2

4.7.4 ~~c)~~ Unless otherwise specified in a Senate Management Resolution or university policy, chairs of special agencies, other committees, and task forces may be designated by the elected members of the Executive Committee.

4.7.5 Student membership on special agencies, other committees, and task forces is normally for a one-year term.

4.7.6 ~~10.~~ Special Agencies

4.7.6.1 ~~10.2~~ Special agencies are bodies created by policies or Senate management resolutions recommended by the Academic Senate which, because of functions or membership, are not designated as Senate policy or operating committees. Subject to the provisions of 4.7.6.2 ~~10.3~~, special agencies shall be appointed, their officers selected and they shall report as provided in the policies creating them.

4.7.6.2 ~~10.3~~ The following shall apply to all special agencies.

a) Unless otherwise provided in the policy creating the special agency, at-large faculty members shall be nominated by the Committee on Committees.

~~b) In addition to any reports required by its policy, each special agency shall make an information report annually to the Executive Committee. The Executive Committee shall, at its discretion, refer this report to appropriate policy committee(s). The report shall summarize the agency's activities for the preceding year.~~

b) ~~c~~ A special agency and related ~~the designated~~ policy committee may consult on any matter of common concern.

c) ~~d~~ Special agency recommendations requiring changes in university policy ~~recommended originally by the Senate~~ shall be reported to the Executive Committee for referral to an appropriate policy committee for consideration. ~~for recommendation to the Senate~~.

d) ~~e~~ The Executive Committee (or a designated policy committee at the request of the Executive Committee) may, from time to time, review the policy establishing a special agency and may require reports from special agencies.

e) ~~f~~ When filling faculty appointments, the Associate Vice Chair of the Academic Senate shall have the responsibility to stagger the terms, unless otherwise specified by policy.

5. ~~9~~ Procedure

5.1 ~~9.1~~ Robert's Rules of Order, most recent edition, shall apply unless superseded by the constitution, bylaws, or standing rules of the Academic Senate.

5.2 ~~9.2~~ The meetings of the Academic Senate are open, but the number of non-members present shall not exceed the room capacity ~~number of seats available for them~~, and preference shall be given to ~~representatives of the press and other media and~~ guests officially invited by the Senate Chair. The Chair shall request audio-visual coverage of meetings when necessary.

5.3 ~~9.3~~ Spectators at Senate meetings shall not take part in or attempt to influence the proceedings of the Senate, except as may be authorized in the standing rules. Violators shall be excluded. At the Chair's ~~his/her~~ discretion, the Chair may recess the meeting.

5.4 ~~9.4~~ The Academic Senate shall be called into ~~E~~ executive ~~S~~ session by the Chair upon approval of a majority of the members present. Only Academic Senate members and the Senate Administrator may be present during ~~E~~ executive ~~S~~ sessions. Normally, only personnel or fiscal matters may be discussed in ~~E~~ executive ~~S~~ sessions, but final action on all matters shall be taken in regular Academic Senate meetings. Proceedings in ~~E~~ executive ~~S~~ session are confidential and are not published within the senate minutes.

6. ~~11~~ Senators as Representatives

6.1 ~~11~~ It is the responsibility of each elected member of the Academic Senate to assess the attitudes and viewpoints of their ~~the~~ constituency. ~~that elected him/her~~. However, each member represents and serves the entire university. Thus, ~~it is a policy that~~ no member shall come instructed as to how to vote on any item before the Senate or its committees. ~~and that, in voting, each member represents the entire university.~~

6.2 ~~11~~ Senators are to maintain ~~regular~~ communications with their constituency regarding Senate activities and accomplishments as needed.

7. ~~12~~ Approval of Policies

7.1 ~~12~~ Measures adopted by the Academic Senate intended to have binding effect on the university generally or on persons or matters external to the Senate itself

are policy recommendations and are submitted to the President for approval under Article IV, Section 2, of the Senate constitution.

7.1.1 Bylaws adopted in accordance with standing rule 10.a.2 (Senate Management Resolutions) ~~under Article III, Section 5, of the constitution are also submitted to the President for approval. Measures affecting only the rules, procedures, committees or other internal affairs of the Senate~~, or resolutions expressing only the opinion of the Senate, are not policy recommendations and do not require approval of the President.

8. ~~13.~~ Representation, Academic Senate, CSU

8.1 ~~13.1~~ The following are subject to applicable provisions of the constitution of the Academic Senate of the California State University (ASCSU).

8.1.1 ~~13.1.1~~ Candidates for the ASCSU from the SJSU ~~that body from this~~ campus shall be nominated by the faculty electorate from the faculty electorate-at-large, following procedures similar to those prescribed for nomination of candidates for the Academic Senate of San José State University.

8.1.2 ~~13.1.2~~ Simultaneous candidacy of the same person for both the ~~Academic Senate~~ ASCSU and the Academic Senate SJSU at the same election is prohibited. ~~not permitted~~.

8.1.3 ~~13.1.3~~ A faculty representative on the SJSU Senate who is elected to the ASCSU ~~Senate~~ vacates their ~~his/her~~ seat as an elected member of the SJSU Senate.

8.1.4 ~~13.1.4~~ Temporary Vacancy

8.1.4.1 ~~a)~~ A temporary vacancy is defined as one in which a CSU Senator will be unable to perform his or her duties for a period of one semester or less. In such cases, the Vice Chair of the SJSU Academic Senate shall serve as temporary CSU Senator.

8.1.4.2 ~~b~~) If the Vice Chair is unable to serve, the Chair of the SJSU Academic Senate may designate any elected faculty representative of the current SJSU Academic Senate to act as temporary CSU Senator.

8.1.4.3 ~~c)~~ ~~A temporary CSU Senator~~ An SJSU senator temporarily serving as an ASCSU Senator shall remain ~~be~~ an SJSU Senator for all purposes of the SJSU Senate.

8.1.5 Permanent Vacancy

8.1.5.1 ~~a)~~ If a CSU Senator will be absent from the SJSU campus or unable to perform the duties of ~~Statewide~~ an ASCSU Senator for a period of longer than one semester, the seat held by that senator shall be deemed vacant.

8.1.5.2 ~~b)~~ When a permanent vacancy occurs, a special election shall be held to fill the vacancy for the balance of the term. The election shall be held promptly after the determination is made that there is or will be such a vacancy. If there is no advance notice, the position will be filled temporarily as described in section 8.1.4 ~~13.1.4~~ above until an election can be held.

~~13.1.6 These terms become effective with any elections for CSU Senator held after enactment of this policy and do not affect any current CSU Senator during his or her current term of office.~~

9. ~~14~~ Faculty Appointments to Off-Campus and Presidential Bodies

9.1 ~~14.1 Occasionally~~ Faculty (as defined in the Academic Senate Constitution) occasionally ~~are required or permitted to~~ serve as representatives on bodies not established by nor under the authority of SJSU (e.g., system-wide or other off-campus agencies or committees). In ~~those~~ instances in which no other procedure for their designation is prescribed, representatives shall be appointed by the Academic Senate on nomination of the Executive Committee.

9.2 ~~14.2 a)~~ Where no other procedure has been approved by the Academic Senate, appointments of faculty to presidential task forces, ~~and~~ advisory committees, and commissions shall be made by the following process: ~~T~~the elected members of the Executive Committee shall consult with the President in regard to these appointments. Nominations shall be presented to the Senate for approval.

9.3 ~~14.2 b~~) Appointments of faculty to the boards of University auxiliary organizations shall be made by the President after consultation with the elected members of the Executive Committee.

9.4 ~~c)~~ Appointments of faculty to the Instructionally Related Activities (IRA) Advisory Committee shall be made by the President after consultation with the elected members of the Executive Committee.

10. ~~15~~ Editorial Changes - Senate Documents

10.1 ~~a)~~ When identifiers ~~such as the title related to a university official, agency, or course designations, or unit of the university appearing in Academic Senate documents (including the constitution, bylaws, university policies, and resolutions providing for committee membership)~~ are changed, but the function, responsibilities, purpose, or content remain the same, the Senate Chair may approve replacement in ~~the~~ Senate documents of the old identifier by the new one, as an editorial change. Such changes shall be explained and reported to the Executive Committee of the Senate and recorded in the meeting minutes. Example identifiers include the title related to a university official, agency, or course designations, or unit of the university appearing in Academic Senate documents (including the constitution, bylaws, university policies, and resolutions providing for committee membership).

10.2 ~~b)~~ When the number, title or designation of a law, regulation, executive order, or policy, referred to in a Senate document, is changed or rescinded by competent authority, but no other change affecting university policy is involved, the Senate Chair may authorize replacement of the old number, title or designation by the new one in Senate documents, as an editorial change. ~~a law, regulation, executive order, policy, or Senate document is referred to in a Senate document by number, title or other official abbreviated designation, and the number, title or designation is changed or rescinded by competent authority, but no other change affecting university policy is involved, the Senate Chair may authorize replacement of the old number, title or designation by the new one, as an editorial change.~~ Such changes shall be reported to the Executive Committee of the Senate and recorded in the meeting minutes.

10.3 ~~c)~~ When a policy recommendation or Senate Management Resolution is found to contain editorial errors, that when corrected would not change the intent of the policy recommendation or resolution, the Senate Chair can correct the error(s) following consultation with and obtaining unanimous consent from, the Executive Committee ~~can correct the error(s)~~. The edited version of the policy recommendation approved by the Executive Committee will be submitted to the President for final review and signature. Approved editorial corrections shall be recorded in the Senate Executive Committee meeting minutes and changes will be made by Senate staff to the document being corrected. If the editorial changes are not approved by the Executive Committee or the President, the document will be returned to the appropriate policy committee for revision and brought to the Senate for debate and vote.

11. ~~16~~ Specific Designation of Rescinded Policies

Adoption and approval of a new policy resolution overrides all prior conflicting policies, whether or not the previous policies are specifically identified. However, it is best practice to ~~refer~~ list specifically in a new policy ~~to~~ all ~~prior~~ superseded policies ~~superseded~~. If, subsequent to the adoption and approval of a policy resolution, the Senate Administrator finds that not all prior

policies which should have been rescinded were specifically so listed in the subsequent policy, the Senate Administrator ~~s/he~~ shall notify the Senate Chair and the appropriate policy committee chair. The committee shall review the policies and, if satisfied that the older policies were superseded and should be specifically designated as rescinded, the Senate Chair shall authorize the Administrator to note their rescission in the Senate records. The Senate ~~Administrator~~ Chair shall report the committee's decision to the Executive Committee, and the Senate Administrator shall record the information in the minutes. ~~Academic Senate~~.

San José State University
Academic Senate
Organization and Government Committee **AS 1774**
April 20, 2020
First Reading

Policy Recommendation
Rescinding Policies related to Senate Bylaws

Legislative History: These policies pertaining to modifications to Senate Bylaws were previously implemented at the time the recommendations were approved: F05-1, S06-2, F06-6, S07-5, F07-1, S08-5, F08-3.

Whereas: The Organization and Government Committee has completed its examination of University Policies referred to the committee for review, and

Whereas: The recommendations were implemented and updates incorporated into our current Bylaws, therefore be it

Resolved: That the directions detailed on the following page be implemented in order to rescind and subsequently relocate the specified policies to the Senate's web page archiving past/superseded Bylaws and Standing Rules, and be it further

Resolved: That future proposals related to changes to Senate Bylaws be brought to the Senate as Senate Management Resolutions rather than policy recommendations.

Rationale: The specific policies proposed for rescinding have been superseded and changes incorporated into our current Bylaws. Updates to our Bylaws and Standing Rules are clearly matters specific to the Senate and its operations. Thus, the appropriate vehicle for updates is a Senate Management Resolution.

Approved:	4/13/20
Vote:	11-0-0
Present:	Altura, Grosvenor, Okamoto, Shifflett, McClory, Higgins, French, Kao, Skinnell, Sasikumar, Millora
Absent:	Gallo
Financial Impact:	None
Workload Impact:	None

Policies		
Policy	***Topic***	***Recommendation***
F05-1	Update of Senate By-Laws; https://www.sjsu.edu/senate/docs/F05-1.pdf	Rescind and archive this item on wording and title/name changes and other clarifications.
S06-2	Update of Senate By-laws; https://www.sjsu.edu/senate/docs/S06-2.pdf	Rescind and archive this item on senate representation for the college of social work (related to dissolution).
F06-6	Policy Recommendations to Include Rationale and Estimated Effect on Workload [amends bylaw 6.7.1]; https://www.sjsu.edu/senate/docs/F06-6.pdf	Rescind and archive this item.
S07-5	Amendment of By-Law 10 (Special Agencies), Responsibility to Stagger Faculty-at-Large Terms; https://www.sjsu.edu/senate/docs/S07-5.pdf	Rescind and archive this item.
F07-1	Senate Vacancies; https://www.sjsu.edu/senate/docs/F07-1.pdf	Rescind and archive this item on vacancy of a faculty representatives (excluding ASCSU reps).
S08-5	Revision to By-Law 13, Representative, Academic Senate, CSU; https://www.sjsu.edu/senate/docs/S08-5.pdf	Rescind and archive this item to clarify temporary and permanent vacancies in the Representation to the CSU Academic Senate.
F08-3	Changes to the Composition of the Professional Standards Committee, Senate bylaw changes; Amends bylaws 2.21, 6.8, and 6.9; https://www.sjsu.edu/senate/docs/F08-3.pdf	Rescind and archive this item regarding the need for the PS chair to be a tenured full professor and details related to policy committee appointments.

San José State University
Academic Senate **AS 1773**
Organization and Government Committee
April 20, 2020
First Reading

Policy Recommendation
Amendment B to S13-9
Merging, Dividing, Transferring, Eliminating Academic Units

Legislative History: Amendment A to S13-9 rescinded S06-7 (Merging, Dividing, Transferring, Eliminating Academic Units). An earlier version of this recommendation was passed by the Senate in Fall 2019 and subsequently vetoed by President Papazian in Spring 2020. This proposal would amend S13-9 taking into consideration the concerns of the President.

Whereas: Issues related to implementation of S13-9 centered on the need for proposals to merge, divide, transfer, or eliminate a unit to be in writing to inform voting, and

Whereas: Greater clarity on the minimal content to be included in proposals to merge, divide, transfer, or eliminate a unit will facilitate discussions prior to and subsequent to changes, and

Whereas: A collaborative process with reasonable timelines would facilitate implementation of S13-9, therefore be it

Resolved: That S13-9 be replaced with the attached proposal, and be it further

Resolved: That this policy, following approval by the President, be implemented with the 20-21 Academic year and until that time, processes to merge, divide, or eliminate Academic Departments in progress as of spring 2020 continue under the existing policy.

Rationale: The referral to the Organization and Government committee highlighted the difficulties encountered in recent attempts to implement S13-9. For example, the policy does not specify that a proposal to merge, divide, transfer, or eliminate a unit must be in writing (though section 8 in S13-9 did mention a “copy” of the proposal). The serious nature of proposals to merge, divide, transfer, or eliminate units makes clarity in policy of particular importance. A clear understanding of implications for students, faculty, and staff is important and facilitates informed discussion and subsequent decisions. The updates proposed here would facilitate the effective implementation of S13-9 and address concerns related to the need for greater precision, collaboration, reasonable timelines, and discussion of issues.

Approved:	4/6/20
Vote:	12-0-0
Present:	Altura, Grosvenor, Okamoto, Shifflett, Gallo, McClory, Higgins, French, Kao, Skinnell, Sasikumar, Millora
Absent:	
Financial Impact:	None
Workload Impact:	Some additional work for faculty/administrators to prepare documentation prior to voting.

Policy Recommendation
Merging, Dividing, Transferring, Eliminating Academic Units

When a proposal is made by an academic unit, college dean or the Provost (or other university authority) to divide or eliminate an academic unit, to merge it with another academic unit or to transfer it to another college, the basic principle established by this policy is that there should be meaningful collaboration with all affected academic departments, faculty, staff, and students before any such proposal is approved or implemented. Any associated termination of degree programs shall comply with S99-4, Degree Termination.

Meaningful collaboration calls for all affected academic units and administrators to be engaged in discussions leading to the development, by the affected chair(s) and dean(s), of written documentation to be distributed to faculty to inform voting. Discussions and subsequent documentation must, at a minimum, provide a rationale for the proposed organizational change and identify anticipated impacts in each of the following areas.

A. Resources
B. Retention, tenure, and promotion
C. Curriculum and accreditation
D. Implications for students (e.g., degree completion, assistantships), lecturers, tenure track and tenured faculty (e.g., entitlements, academic assignments), and staff (e.g., positions/responsibilities)

The dean(s), in consultation with chair(s), should establish a reasonable timeline for (a) the evaluation of the written proposal prior to voting (e.g., 10 duty days) and (b) voting (e.g., allow between 5 and 10 duty days) in the fall or spring semester. Voting would be conducted in accordance with the policy on department voting rights (S17-6). The Provost will announce the timeline for voting on the proposal related to merging, dividing, transferring, or eliminating academic units.

The vote of the regular (tenured and tenure-track) faculty and the vote of the temporary faculty in the affected academic unit(s) shall be tallied and recorded separately. The vote of the faculty shall be advisory only. The results of the voting should be made public within 7 calendar days.

If any parties involved in the process believe that policy was not followed, they may request a hearing before the Organization and Government Committee (O&G) of the Academic Senate within 20 faculty duty days after the results of the vote are announced. For O&G to proceed with a hearing, the request must make a clear case that meaningful consultation among affected faculty did not occur. O&G will not evaluate the merits of the proposed reorganization, only whether the principle of meaningful consultation was followed. At the hearing, all such academic units and authorities may be heard, as well as all faculty of affected academic units. After the hearing, the Organization and Government Committee shall make a written report to the Provost, the

President, and the Academic Senate with its determination of whether meaningful consultation among all affected parties was achieved.

A copy of all approved proposals, as well as an account of the consultation process, will be provided to the Academic Senate Office by the dean(s). The Academic Senate will archive the information so it can serve as a resource to the University community.