SAN JOSE STATE UNIVERSITY ACADEMIC SENATE

2017/2018

Agenda

December 11, 2017, 2:00 pm – 5:00 pm

Engineering 285/287

I. Call to Order and Roll Call –

II. Approval of Minutes:
Senate Minutes of November 20, 2017

III. Communications and Questions:

A. From the Chair of the Senate

B. From the President of the University

IV. Executive Committee Report:

A. Minutes of the Executive Committee
Executive Committee Minutes of November 13, 2017
Executive Committee Minutes of November 27, 2017

B. Consent Calendar –
Election Calendar of 2017-2018

C. Executive Committee Action Items –

V. Unfinished Business: None

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

A. Instruction and Student Affairs Committee (I&SA):
AS 1649, Policy Recommendation, Registration Priority and Amendment A to S73-4 (Final Reading)

B. Professional Standards Committee (PS):
AS 1646, Policy Recommendation, Selection and Review of Department Chairs and Directors (Final Reading)

C. Organization and Government Committee (O&G):
AS 1671, Policy Recommendation, Addition to the Responsibilities of the Budget Advisory Committee Related to Lottery Funds (Final Reading)

AS 1669, Policy Recommendation, Amendment to Senate Constitution Regarding Administrative Representatives (Final Reading)

AS 1656, Policy Recommendation, Modification to Bylaw 1.10 Pertaining to Academic Deans (Final Reading)

D. University Library Board (ULB):
AS 1672, Policy Recommendation, Amendment A to University Library Policy (First Reading)

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

VII. State of the University Announcements:

A. Vice President for Student Affairs
B. Chief Diversity Officer
C. Statewide Academic Senators
D. AS President
E. Provost
F. Vice President for Administration and Finance

VIII. Special Committee Reports:

IX. New Business:

X. Adjournment:

2017/2018 Academic Senate

MINUTES
November 20, 2017

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

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

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

Deans:
Present: Elliott, Stacks, Jacobs, Ehrman
Absent: None

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

Alumni Representative:
Present: Walters

Emeritus Representative:
Present: Buzanski

Honorary Representative:
Absent: Lessow-Hurley

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

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

COB Representatives:
Present: Rodan, Bullen, He
Absent: None

EDUC Representatives:
Present: Marachi, Mathur
Absent: None

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

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

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

SOS Representatives:
Present: Peter, Wilson, Curry, Hart
Absent: Liu

II. Approval of Academic Senate Minutes–

The minutes of October 23, 2017 were approved.

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Frazier congratulated Senator Rodan on being elected as our third CSU Statewide Senator and welcomed Dean Sheryl Ehrman as a new Senator.

Chair Frazier announced that the University of Washington has pulled out of the Coalition of Intercollegiate Athletics (COIA). This does not affect SJSU, but is for informational purposes.

Chair Frazier thanked Senators for their support and hard work this semester and wished everyone a Happy Thanksgiving!

B. From the President of the University –
President Papazian acknowledged Romey Sabalius on being appointed as the Faculty Trustee.

President Papazian commented on the recent death of one of our students, and thanked the staff that assisted during those trying times for their extraordinary support to the family and the campus.

Last week was the kickoff of the Student Success Collaborative with the Education Advisory Board. This is something that the campus is participating in with a number of other campuses across the CSU. The agreement is through the Chancellor's Office, but it is an institution-by-institution implementation. For those of you that may not be familiar with it, the Student Success Collaborative is a data-driven analytics company that has been working in higher education for about 10 years. They use the data to develop best practices and strategies for student success. It really is something that will engage faculty and our advisors very well. This is just the first step, but there will be more opportunities in the spring for faculty to ask questions and explore how it might be helpful to them in the service of their students.

We are continuing with the development of our South Campus Athletics Field. The ribbon cutting on the outdoor Tennis Courts will be on December 1, 2017. These are tournament grade courts and there will be a tournament on the tennis courts next year. They were paid for by private donations.

SJSU also received a $500,000 gift for women's softball. This is the largest gift we have ever received by SJSU for women's athletics. This gift will allow us to move forward right away with the softball facilities upgrade. Our women's softball team won the Mountain West Conference last year without being able to practice on campus. They had to practice at a high school, because they didn't have a home field.

Due to all the construction on South Campus we won't have any parking in May during commencement. For that reason, we have opted for a different model for commencement. We have had some very vigorous conversations in the Executive Committee about commencement, but we do have to make some decisions. The President will be meeting with the deans and chairs in the next couple of weeks and will be discussing this. One thing we will not have is celebrations during final exams week. This is not fair to students. We owe it to our students not to have this distraction during finals week.

In Washington news, the House of Representatives just passed a tax plan, and the Senate has a tax plan close to passing. Both of these bills are very bad for higher education. In the higher education leadership community, we are doing everything we can to reach out to our representatives with SJSU concerns. For instance, here are some of the proposed changes;

Any tuition waiver that is part of a benefit for staff and faculty for their child will now be taxed. Stipends for graduate students would also now be taxed. There is also discussion about the way endowments will be taxed. Our endowment is $150 million and isn't the size of some of the endowments, but once that happens it starts to affect philanthropic giving. There is a proposal to double the standard deduction. This means that people that would have given more in order to itemize deductions and claim more in returns, won't have to which would reduce giving. There is a proposal to eliminate the estate tax which would impact bequeaths. Another proposal is that students that are taking Pell Grants and don't complete their degree would have to pay the money back. The House bill proposes the elimination of the state and local tax deduction, and this would impact the funding the CSU gets from the state of California. The House has also proposed eliminating the mortgage deduction, and the Senate is proposing limiting it to $10,000. This is the worst environment we have had nationally for higher education. This is what we are facing in Washington right now.

The President wished the Senate a Happy Thanksgiving.

Questions:
Q: Would it be possible to have a year implementation period as far as changing what the departments are doing with regards to commencement?
A: We don't really have a choice on the stadium for commencement which means we have to convert somewhere. I believe we can all agree that our students shouldn't be disturbed during finals. Aside from this, the idea is to work with the departments as much as possible to ensure they can do as much of what they want to do as can be accommodated. There is no desire to take anything away from the departments. However, we do not want students to feel like they have to pay to graduate and we know from what students are telling us that they think the department graduation is their formal graduation event.

Q: How much of an overlap is there between what the Office of Institutional Effectiveness and Analytics (IEA) is already doing with what the Student Success Collaborative is proposing? Is this costing us anything, and if so, how much?
A: There is a cost, but some of it is being paid for by the Chancellor's Office. The idea is that it will allow us to provide better service to our students and is really more of an investment than a cost. There is very little overlap with what IEA has because it is at the aggregate level. This brings it down to 10-years worth of data for the student level that is major and course specific. The Student Success Collaborative is part of the Student Success Initiative and the funding comes out of those dollars.

Q: I would encourage us to protect the student data so that it is not used in ways that could be potentially harmful to our students. We need to do whatever we can to ensure our cyber security.
A: I couldn't agree with you more. This data will not identify individual students, but we will be mindful of this.

Q: UCCD sent the President a memo about our concerns. If you could help us understand why these changes were initiated. You have stated that students see the department

ceremonies as their graduation, but that isn't what we hear from students.
A: Thank you. We can go into more detail next week when we meet. Students the President meets with tell her this all the time. For instance, 10,000 students graduated this year, and 5,500 rented caps and gowns, but only 2,000 attended commencement because they thought they had already graduated. Students don't know the difference necessarily. The President had initially thought we could wait until next year, but then we got all the philanthropic activity and couldn't wait.

IV. Executive Committee Report:

A. Minutes of the Executive Committee:

Executive Committee Minutes of October 16, 2017 **– No questions**
Executive Committee Minutes of October 30, 2017 **– No questions**

B. Consent Calendar:

There was no dissent to the consent calendar of November 20, 2017.

C. Executive Committee Action Items:

V. Unfinished Business: None

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

A. Professional Standards Committee (PS) –

Senator Peter presented ***AS 1646, Policy Recommendation, Selection and Review of Department Chairs and Directors (Final Reading).*** This policy was necessitated when O&G Committee undertook the revision of the Voting Rights policy. PS decided that the voting for the department chair nominees needed to be contained outside of the voting rights policy and within the Department Chair's policy. Many chairs and deans had complained that two different policies needed to be consulted to run an election for a chair nominee. Sometimes only one of the two policies were consulted. This policy combines all the information from both policies into one. Secondly, the Provost requested some changes to the language regarding administrator removal under the old policy. That policy listed several specific grounds for removal. This language is more generic and is also favored by some department chairs. Third, and most importantly perhaps, the election procedures were updated. The deans recommended quite a few of the changes. Among the changes suggested was allowing online participation for departmental meetings. Another change was the clarification of what to do if no one candidate received a majority of the votes, how the ballots are to be counted and who may be present, how the vote totals are to be presented to the President, and the rounding of the lecturer vote so as not to be able to identify a lecturer with an unusual fractional appointment. Deans also wanted changes to how external searches are conducted for department chairs. Under the old policy departments had to have failed in electing a chair before they could ask for an external search and under this policy

they can ask for an external search from the beginning.

Debate:
Senator Peter presented an amendment that was friendly to the body to strike the first "a" in line 23 of the Rationale.

Senator Shifflett presented an amendment that was friendly to the body to line 173, after "5 working days" to add, ", and provide a choice to abstain" in section 3.8.

Senator Lee presented an amendment that was friendly to the body to put an accent mark over the "e" in José in line 217, and in line 485 to change "his/her" to "their."

Senator Khan presented an amendment that was friendly to the body to change section 2.8 and 3.10 from "part-time faculty" to "lecturers.

President Papazian noted that three different terms are being used to describe lecturers; part-time faculty, temporary faculty, and lecturers. The President asked for clarification. Senator Peter explained that lecturers could be part-time or full-time, but tenure/tenure-track faculty are full-time. O&G cleaned up the voting rights policy and lecturer is used throughout. Senator Lee pointed out that the voting rights policy says that proportional voting rights are given to tenure/tenure-track faculty who are given voting rights in non-permanent departments of assignment. Senator Peter responded that as pertains to this policy a permanent faculty member votes only in his/her home department. The voting rights policy gives them proportional voting rights if the department grants it to them, but would not extend to voting in chair elections.

Senator Lee commented that Senator Peter just said that FERP faculty do not vote in department chair elections however, section 3.8 of this policy says that all faculty can vote by secret ballot. Does this mean FERP aren't included among faculty. Senator Peter noted FERP faculty are retired. However, Senator Shifflett noted that they have all the rights of regular faculty. Senator Peter noted that the voting rights policy would have to be amended then, and that he was wrong. Senator Buzanski noted that from a legal point of view, when you retire you are an ex-employee. SJSU is one of the few of the CSU campuses that does not take the position that a FERP faculty member has retired.

Senator Peter presented a motion to postpone debate until the December 2017 meeting when he could get clarification on FERP faculty. The Senate voted and the motion to postpone was approved unanimously.

Senator Peter presented ***AS 1666, Policy Recommendation, Amendment F to University Policy S15-7, Retention, Tenure and Promotion for Regular Faculty Employees: Procedures Regarding Department Chair Participation on RTP Committees (First Reading)***. **The Senate voted and AS 1666 was approved**

unanimously.

B. Organization and Government Committee (O&G) –
Senator Shifflett presented ***AS 1669, Policy Recommendation, Amendment to Senate Constitution Regarding Administrative Representatives (First Reading).*** Senator Shifflett explained that if the Senate approved this proposal it is a constitutional amendment that would go out to the full faculty for a campus-wide vote before going to the President for approval/signature. If approved the amendment would modify the representation of deans and administrators on the Senate and it would remove from Article II, Section 2 any reference to process. Process has been moved to the bylaws. Article II, Section 1 of our constitution says that at least 2/3rds of the membership of the Senate will be members holding office under sections 3, 4, and 5 of this Article, and that is faculty. Currently there are 35 faculty members, 9 administrators, 7 students, 1 alumni representative, and 1 emeritus representative.

The Senate currently has 4 deans or Academic AVPs. The recommendation is to have 2 deans, 2 AVPs from Academic Affairs, and 1 AVP from another Division outside of Academic Affairs.

O&G was asked to review the membership of the Deans and AVPs with the structural changes recently made to move the AVP of Faculty Affairs out from under Academic Affairs, and at the same time was asked to consider expanding the membership to allow for the inclusion of the Deputy Provost. There are currently 4 AVPs in Academic Affairs and 12 outside Academic Affairs. With regard to the Deputy Provost, O&G felt that the Provost was already on the Senate and it would be better to have the other representatives from Academic Affairs come from the college deans and AVPs.

Questions:
Q: Can you explain the effect of adding an additional AVP on the requirement that the Senate have 2/3^{rds} of its membership be faculty?
A: If we drop below the 2/3rds rule then O&G would have to go back and look at the bylaws and make changes to accommodate that by changing the percentage of faculty on the Senate, or add additional faculty. O&G will have to review this.

Q: What are the pros and cons of ex officio nonvoting in this circumstance?
A: O&G just addressed membership. We would still be out of compliance with the number of faculty seats. The Senate has a long history of having administrators vote. However, O&G will discuss this.

Q: The Senate Administrator, Eva Joice, commented that the Senate seat calculation in the bylaws contains a formula and procedure which adjusts and ensures that the Senate maintains the 2/3^{rds} faculty ratio each year. It adjusts itself based on changes such as adding in an additional AVP each year.
A: The Senate may be out of compliance.

Q: As someone that has been the AVC, the Senate may be out of compliance this year, but with the calculation of Senate seats for next year we will be in compliance again. Has O&G looked at this?
A: No

Q: I'm trying to determine how the total number of faculty seats is determined. Does the number of seats automatically expand to adjust to the ratio, or are there a set number of seats?
A: The constitution names the positions, but there is no number identified as to the size of the body. It flexes over time.

Senator Shifflett presented ***AS 1656, Policy Recommendation, Modification of Bylaw 1.10 Pertaining to Academic Deans (First Reading).***

This resolution needs to be considered along with the constitutional amendment to the Academic Deans. This amendment addresses the procedure for selecting the AVP seats on the Senate.

Questions:
Q: Did the committee consider allowing the AVPs outside of Academic Affairs to select the AVP?
A: Yes, extensively. However, O&G felt that the President in consultation with the Executive Committee was in a better position to select the right AVP outside the Senate to serve on the Senate based on what issues the Senate is facing.

Q: Senator Peter announced that the Senate Administrator, Eva Joice, was absolutely correct and that bylaw 1.3a states that the number of faculty on the Senate must be double those not holding faculty seats on the Senate, and if the number of administrators increases the number of faculty will also increase by 2. Has the committee considered whether there is enough interest in serving on the Senate to meet the increase by 1 administrator and 2 faculty?
A: The committee will consider this.

Q: The constitution and bylaws specified who was considered a Dean or Academic AVP, so is this carried over into the changes with the constitution and bylaws?
A: Yes, the constitution tells who the membership is, and the bylaws specify how they are selected. The deans will elect the deans.

Q: Is there a reason not to move this to a final reading?
A: I think O&G needs to really discuss the 66% and know what we are bringing back to you for a final reading and the impact it will have.

Senator Shifflett presented ***AS 1670, Senate Management Resolution, Rescinds SM-S96-6, SM-S01-1, and SM-F08-3 (Final Reading).***

Senator Mathur presented an amendment that was friendly to the body to add "Graduate" to line 39 before "Studies." **The Senate voted and AS 1670 passed unanimously as amended**.

Senator Shifflett presented ***AS 1671, Senate Management Resolution, Addition to the Responsibilities of the Budget Advisory Committee (BAC) Related to Lottery Funds (First Reading).***

This resolution would place responsibility for review and advice regarding disposition of lottery funds with the BAC. O&G gathered information, over time responsibility for lottery funds moved from the Lottery Committee to the BAC and then to the Strategic Planning Board, etc. O&G believes this responsibility should be brought back under the charge of the BAC.

Questions:
Q: Lines 41 and 42 do not make sense. There appears to be some typographical errors.
A: It actually is correct if you read the strikeouts.

Q: Can you clarify why you struck-out "operating fund," because does that mean that the BAC should be reviewing Tower and Research Foundation funding?
A: The BAC should review, analyze, and advise the President regarding significant budget actions external to the campus. We did not consider our auxiliaries to be external to the campus. They are part of us. We were talking about matters external to the campus.
Q: Why strikeout operating funds?
A: O&G felt that phrasing was too constraining, that's all.

Q: Why is there an apostrophe in line 66?
A: O&G will fix that.

Q: I just want to clarify then does this open up review of Tower and Research Foundation funds and the funds of other auxiliaries to the BAC?
A: This policy is explicit in many ways and we will definitely discuss this.

Q: I'm having trouble understanding what a budget action is. Is the federal government's action around state taxes a budget action external to the campus?
A: You have to understand that it was written under the context of the CSU budget proposal budget action. Lottery funds are a budget action, so it seemed to fit. However, if that is making things muddy, O&G will revisit it.

Q: Would O&G consider bringing this back to the Senate as a policy recommendation because it modifies a policy? It is my understanding that Senate Management Resolutions do not go to the President for review and therefore cannot

modify a policy that the President has approved.
A: O&G will consider it.

C. University Library Board (ULB) –

Senator Lee presented a motion to postpone AS 1672, Policy Recommendation, Amendment A to University Library Policy, S15-10 (First Reading) until the December 11, 2017 Senate meeting. The Senate voted and the motion was approved unanimously.

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

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

Senator Sullivan-Green presented ***AS 1649, Policy Recommendation, Registration Priority and Amendment A to S73-4 (First Reading).***

This amendment is to a policy brought to the Senate in the Spring. It was the policy that changed the priority registration order due to the California Promise Campaign. During the review of the policy, it was recognized that the categories that were used for the specific priority, as well as sections three and four related to procedure were unclear, so I&SA rewrote this policy.

In section 1, each group was split into California Promise Students and regular students. In section 2, the original policy had 4 categories. Categories A, B, and D were related to student organizations or groups and it was not clear what the distinction between the groups was, so we put them all into one category and that category is now A. In section 2.1.1 we made the distinction that some of the groups do not have to reapply every year. Category B relates to special courses. Sections 3 and 4 were grouped into one category that pertains to approval and management of priority registration. Approval of priority registration was previously handled by the Student Success Committee, but their charge and membership was changed this year. I&SA felt oversight should be handled by the Office for Student and Faculty Success. The policy also specifies what everyone's responsibilities are.

Questions:

Q: Who is eligible? What constitutes a California Promise student? Does it apply to all transfer students?
A: The California Promise is a choice that students can elect to participate in, but are not required to. The Frazier legislature established the California Promise and this is just giving us a way to implement this new state statute.

Q: In the rationale it clearly states transfer students with an AA degree for transfer with commitments from the university. I'm wondering if that belongs in the rationale?
A: I&SA will take that under advisement.

VIII. State of the University Announcements:

A. Chief Diversity Officer (CDO):

The CDO is rolling out a new campus climate survey in April 2018. We just completed five focus groups that included faculty, staff, and students in reviewing the last campus climate survey. This year a separate survey will be created for administrators.

Our Title IX Officer search is in its final stages and we will be having interviews next week on campus.

We have been having campus conversations regularly and are having one right now on on gender equity and Title IX and about 50 people were scheduled to attend.

Next semester we will be running intergroup dialogues with our facilitators.

The CDO is examining why graduation rates for our Asian-American students have been declining over the past four years.

Questions:

Q: When Paul Ryan tells congressional people that perform these same kinds of training sessions that they are absolutely useless without the victim being able to confront their own problem with an outside agency that is not responsible to the employer that they are accusing, does that same question occur on this campus?
A: Yes, in the CSU campuses we are fortunate we have an Executive Order. The CDO's Office is paying for a complainant advocate that reports to Kell Fujimoto in Counseling Services. That person does not report to the CDO. The reason is that whether that person decides to file a complaint or not they get services no matter what. We accommodate graduate students and students from other campuses as well. We also have a contract with the YMCA to offer services outside the 9 to 5 frame. A lot of our efforts are in support of students.

B. CSU Statewide Senators:

Last Monday Senator Van Selst sent out a summary of items being considered at the CSU Statewide Senate.

The two most pressing items from the last statewide meeting have been shared governance around the Executive Orders and what should be done both on campuses and at the system level, and the impact the changes from EO 1100 and 1110 will have on campuses. By the Fall 2019, early start will include Math and English courses. This is not an option, the EO says they will include it. A large number of departments and colleges that haven't been in the proficiency development business will have to if they offer D4 courses. This will impact our budget and also International and Extended Studies (IES) as they have typically controlled summer classes. Curriculum is pretty disrupted right now.

C. Associated Students President (AS):

AS recently passed a resolution in support of Dream Act 2017.

Applications for the Student Trustee on the Board of Trustees are being solicited right now and will be accepted until January 12, 2017. Applications can be found at http://www.calstatestudents.org.

Senator Gill held a workshop for students called, "Know Your Rights." Over 20 students attended and AS is very happy about that.

The AS Director of Communications is working on a video to teach students how to get involved, and hopefully that will help AS recruit more students for AS and committees, etc.

AS is working to address some of the issues with University Policy S05-4.

AS recently implemented a workplace attire policy.

At the California State Student Association (CSSA) some issues have come up such as accepting EBT on campus for students, and students being mislabeled on class rosters and referred to as "it."

AS endorsed the Student Loan, Refinancing, and Recalculating Act.

AS has invited CSU Statewide Senate Chair, Christine Miller, to come speak to AS about EO 1100 and 1110.

Senator Tran was congratulated on his graduation this December. AS will be reviewing applications and appointing a new AS Director of Internal Affairs that will serve on the Senate and his policy committee by the December meeting.

D. Provost: No report, not present.

E. Vice President of Administration and Finance (VPAF):

VP Faas announced that the Spartan Shops Board voted to put an RFP process in place to look at outsourcing the food and beverage service around campus. Spartan Shops is an auxiliary that reports to a board. That board is made up of 3 faculty, 2 admin, 3 students, and a community person. That is the oversight board that looks at the operations of Spartan Shops Inc. Over the past year and a half that the VPAF has been here, it has been obvious that Spartan Shops Inc. has been underperforming in their role of providing food and beverage service on campus. Their performance is particularly lacking in the dining commons and catering. The VPAF put a motion before the board and the board hired an outside consultant to review Spartan Shops practices. As part of the motion, Spartan Shops will be allowed to try and improve. If Spartan Shops does improve they will be allowed to be included in the bidding for the RFP. The VPAF fully believes that by next June we will have significantly improved offerings to our students, faculty, and staff on campus.

Questions:
Q: How will this affect the student meal plan costs?
A: The VPAF will not allow that rate to go up more than the normal 2% to 3% per year. The quality of food will definitely go up.

Q: What are the big companies you think will be considered?
A: Just in general the three large catering companies are the Chartwells, the Aramark, and Sodexo.
Q: I encourage you to look very closely at the reviews for Aramark, especially in Chicago. They have had some very troubling reviews there that I know of.
A: The committee will look at this and we will bring in people with expertise in the area.

F. Vice President for Student Affairs (VPSA):
For Freshmen applications we are now down only 26% CSU-wide. At one point we were down 50%. For transfer students we are down 24% CSU-systemwide. At SJSU we are down 20% for Freshmen, and 26% for transfer students. Graduate applications are down 34%, but they have a longer application period and have until May 2018 to apply. Today is the deadline if you want to apply to the CSU to be entered into a contest to win a $5,000 scholarship. The CSU has never done this before. We are hoping we will get much closer to our goal.

We are in the middle of Spring registration right now. We have 25,021 students registered for spring. Spring registration continues until January 21, 2018. We are down for two days, January 22nd and 23rd and then we reopen on January 24, 2018, the first day of classes.

For Spring 2018, so far we've admitted just over 1,000 students, and we are still open for a number of graduate programs.

There are only 12 days left in the semester so we will be starting our finals tables soon. We will have Scantrons, pencils, etc. for students starting on December 13, 14, 15, and again on the 19th.

Questions:
Q: Can you offer any theories why the new application system has become the disaster it appears to be?
A: I can offer you two theories we suspect. One is that for the first time our transfer students have to enter all of their courses. Another theory is that this is also the first time students have not had the option to pay by check.

Q: What amount of anxiety is around these lower numbers?
A: When we were down 50% and 60% we were more nervous but even in the last couple of days we have dropped to just 20% below target. We hope to get a significant push during the last two weeks before the deadline of November 30, 2017.

Q: Regarding international students, which in many ways balance the budget, what are our rates?
A: We are still looking to meet target. We are down 30% for International Freshmen, but we are up 12% for International Transfers. We are also down 34% for International Graduates, but again they have a lot more time. We remain open for international applicants until April 1, 2018.

VIII. Special Committee Reports – No report.

IX. New Business – None

X. Adjournment – The meeting adjourned at 4:20 p.m.

Executive Committee Minutes
November 13, 2017
Noon – 1:30 p.m., ADM 167

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

Absent: Faas, Papazian, Wong(Lau)

1. The minutes of October 30, 2017 were approved as amended by Senators Peter and Mathur.

2. There was no dissent to the consent calendar of November 13, 2017.

3. The 2018 Senate Election Calendar was approved (12-0-0).

4. Administrative updates:

   a. From the University Library Board (ULB):
      ULB will be bringing an amendment to the library policy (S15-10) to the Senate meeting on November 20, 2017. This amendment has to do with a change to the location and delivery of reference materials.

   b. From the Provost:
      The College of H&A Dean Search Committee will be reviewing feedback this Wednesday morning and should complete its work this week.

      The College of Education Dean Search is posted. Applications should be reviewed by January 22, 2018 and interviews conducted the first week of February with the final candidates on campus late February to early March 2018.

      The College of Science Dean Search is also posted; its time frame is a few weeks after Education.

      The Research Foundation Executive Director search is posted and will be open for two weeks.

   c. From the Vice President of Student Affairs (VPSA):
      Fall 2018 applications are significantly down. Freshmen applications are down 45%. SA is doing more outreach efforts. Part of the problem is the new registration system (Cal State Apply), which – in addition to being new – is fairly complicated to use. Also, students can't pay by check – only credit cards are accepted, which disadvantages some. The

application period is being extended. We are hoping for a two-week rush over Thanksgiving. There are currently over 250,000 applications in progress in the CSU system.

Spring 2018 registration will open this Thursday at 5 p.m. Peoplesoft will not be available between 5 p.m. Thursday and Monday morning.

Student Affairs is hosting finals tables where students can receive free #2 pencils and Scantrons during finals from December 13 through December 15, 2017.

The mobile food pantry will be here today and again on December 11, 2017.

d. From the CSU Statewide Senators:

The lack of shared governance in the development of EO 1100 and 1110 continues to be a topic of discussion.

Deferred Action for Childhood Arrivals (DACA) continues to be addressed.

The prerequisites for quantitative reasoning (intermediate algebra) were removed via EO1100 (revised).

The argument to do so is that any student that is college-ready should be taking college earning courses.

Although some students clearly need proficiency development, this remediation would now be built into credit-earning classes.

Part of the rationale for the change is that the pre-assessment before the B4 course was different for community college students and CSU students.

EO 1100 removes the intermediate Algebra requirement for both CCC and CSU and did not replace it with anything.

The senate has a resolution to ask for definitions of foundational and baccalaureate level quantitative reasoning to be incorporated into GE. It appears that much of the push for credit bearing work for students in need of proficiency development has to do with the accumulation of units to support faster graduation (graduation initiative as student success).

Project Rebound is one success story where education out of incarceration has resulted in efficiency and student success with adults.

5. Policy committee updates:

   a. Organization and Government (O&G):
      O&G will be bringing the Constitution and bylaw changes related to the Academic AVPs and Deans to the Senate at the November 20, 2017 meeting. O&G voted to go with the "4+1" scenario though equally comfortable with the 3 reps from academic affairs + 1 rep from outside academic affairs. O&G will also be bringing a resolution to add review of lottery funds to the BAC charge.

   b. Curriculum and Research (C&R):
      C&R will be bringing the Research, Scholarship, and Creative Activity (RSCA) policy to the Senate at the December meeting for a first reading. C&R is currently working on the curriculum policy and a white paper on BOGS.

   c. Professional Standards (PS):
      PS will be bringing the chairs and directors policy back to the Senate for another final reading at the November 20, 2017 meeting. PS will also be bringing an amendment to the Retention-Tenure-Promotion (RTP) policy regarding chairs service on RTP committees to the November 20, 2017 Senate meeting. PS has received a referral to look into adding annual staff awards for the campus.

   d. Instruction and Student Affairs (IS&A):
      I&SA is working on the Priority Registration policy and will be bringing it back to the Senate at the November 20, 2017 meeting.

6. The meeting adjourned at 1:33 p.m.

These minutes were transcribed by the Senate Administrator, Eva Joice, on November 13, 2017. The minutes were reviewed and edited by the Senate Chair, Stefan Frazier, on November 20, 2017. The minutes were approved by the Executive Committee on November 27, 2017.

SAN JOSÉ STATE
UNIVERSITY

Academic Senate Office
ADM 176, 0024

GENERAL ELECTIONS

2018 Calendar

Timeline	Election Events
Friday, February 2	Cover letter with instructions and petitions sent to all faculty. Petitions on line/attached.
Friday, February 23	Nominating petitions due in Senate Office (ADM 176).
Monday - Friday February 26 – March 2	Verification of petitions and preparation of online ballots.
Monday, March 5	Ballots online and info sent to faculty via college deans or directly or via college deans' offices electronically.
Friday, March 16	Online voting deadline 5 p.m.
Monday - Friday March 19 – March 23	CoC Representatives verify appointment times for faculty that voted with College Deans' Offices.
Monday – Tuesday April 2 – 3	Final ballot count by the Senate AVC and Senate Administrator.
Monday, April 9	Results reported to Academic Senate.

Approved: November 8, 2017
Committee on Committees

Approved: November 13, 2017
Executive Committee

Approved: _____
Academic Senate

Executive Committee Minutes
November 27, 2017
Noon – 1:30 p.m., ADM 167

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

Absent: Riley

1. The minutes of November 13, 2017 were approved as amended by Senators Feinstein, Shifflett, and Van Selst.

2. There was no consent calendar for November 27, 2017. However, the committee discussed whether Senator Rodan should remain in the College of Business seat on the Curriculum and Research Committee given that he was just appointed as an ASCSU Senator, and must vacate his College of Business seat on the Senate. The committee agreed to leave Senator Rodan in the College of Business seat until his replacement from that college is elected and at that time consider moving him to the Education seat as a faculty-at-large member (Note: No faculty member has come forward to fill the Education seat despite heavy recruitment attempts by the Committee on Committees.)

3. President's Update:
   The President thanked the committee for their hard work and commented that this was one of the best groups of faculty she had ever worked with, and that she does not take that for granted.

   Questions:

   Q: The Professional Standards Committee (PS) has received a referral to add staff awards to the University Awards Policy. PS is unsure if they are the correct group to look into this because there are no staff members on the PS Committee, and there could be some financial implications that the President's Office would have to assume. The President was asked for her thoughts on the matter.

   A: The President agreed it is a great idea and will discuss with the Chief of Staff.

   Q: Concern was raised that the process for determining award recipients be kept with a fair and impartial selection committee, and not just delegated to Human Resources (where most staff matters are handled).

4. Policy Committee Updates:
   a. Instruction and Student Affairs Committee (I&SA):
      The Priority Registration Policy will come back to the Senate at the December 11, 2017 Senate meeting. I&SA is also working on the Student

Office Holder Qualification and Academic Integrity Policies. A suggestion was made that I&SA consult with other California Student Services Association (CSSA) campuses to find out what policies exist at their campuses for Student Office Holders.

b. Organization and Government Committee (O&G):
O&G will be making referrals to the other policy committees as they complete their review of all University policies to determine which policies need to be rescinded or amended.

O&G is still unclear if the language referring to the "operating fund" should stay in or be taken out of the amendment to the Budget Advisory Committee policy regarding lottery funds. Send comments to the Chair of O&G.

Questions:
Q: A member asked if there was really a need to specify what funds the BAC watched over in the charge.

A: A member responded that the Auxiliaries have boards that provide transparency, but there is no specialized group watching how lottery funds are used.

O&G will be bringing the constitutional amendment and the bylaw change regarding the Deans and AVPs membership on the Senate back as a 3+1 (members) recommendation. This would be two Deans, one Academic Affairs AVP, and one AVP from outside Academic Affairs recommended to the President by the AVPs outside of Academic Affairs.

O&G is partnering with the Office of Institutional Effectiveness and Analytics (IEA) in setting up focus groups to survey staff and faculty about adding staff to the Senate, and/or committees.

c. Curriculum and Research Committee (C&R):
C&R is working on two policies regarding curriculum. One policy establishes procedures for department name changes. The other policy establishes a 4+1 (years) option for a Master's degree. The department name change policy will come to the Senate at the December 11, 2017 meeting, but the other curriculum policy will not come to the Senate until March or April 2018.

C&R is also finalizing the Research, Scholarship, and Creative Activity policy (RSCA) to bring to the Senate. C&R recently got approval from legal counsel regarding the non-disclosure agreement.

Questions:

Q: What was the reason for removal of the 180 days + 180 days publication delay clause? Does this mean publication can be delayed indefinitely?
A: C&R could not find a historical reason for that number of days. Instead, with the AVP of Research consultation delays will be mutually discussed and agreed upon.
Q: Is it possible that with the new NDA information, we can now have an NDA that permanently bars dissemination?
A: It may be that faculty could sign an NDA that bars dissemination of a particular project, but that there will be satellite projects that will emerge as a result of the original collaboration; these satellite projects would be then be subsequently research productive (and disseminated) for faculty.

d. Professional Standards Committee (PS):
PS is working on a referral to establish staff awards, but is unsure if they are the right committee to handle this, given there are no staff members on the PS Committee. They are consulting with the President.

PS will be bringing a substitute policy to the December 11, 2017 Senate meeting to replace the Chairs and Directors policy that they postponed at the November 20, 2017 Senate meeting.

e. From the CSU Statewide Senate:
Executive Orders 1100 and 1110 may be more disruptive to the campus than originally thought, around the Early Start Program.

5. Administrative updates:

a. From the Provost:
The College of H&A Dean search is close to being completed.

b. From the Chief Diversity Officer (CDO):
The Title IX Officer search has been closed down. Several finalists have withdrawn recently and the pool is insufficient. The CDO will be working with the interim Title IX Officer to see if her appointment can be extended.

The campus has received a $300,000 grant to improve faculty diversity.

The President congratulated the CDO on getting an article published in AACU Liberal Education. The CDO will send it to the Executive Committee.

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

The grand opening for the new tennis facility is this Friday at 1 p.m. at South Campus. The VPAF is working on some lighting issues with the new facility.

Questions:
Q: Were the safety issues noted during last year's walk through the campus all corrected this year?
A: Yes.
Q: A member noted the continuing problem with skateboarders both on campus and in the buildings.
A: This is an ongoing problem that we continue to try and address.

d. From the Vice President for Student Affairs (VPSA):
We were down 80% or 80,000 applications CSU-wide before the break. Thursday's deadline for domestic undergraduate applications may be extended. We are down 30% in graduate applications, but they have more time to submit applications as their deadline isn't until April/May 2018.

Questions:
Q: Is there a way to link from the department homepage to the CSU application so that there don't have to be separate applications?
A: Hopefully, Cal State Apply will eliminate the need for separate applications.

e. From the Associated Students President (AS):
AS is reviewing applications for the AS Director of Internal Affairs and hopes to have someone appointed by December 11, 2017.

Questions:
Q: Does AS have a policy on travel to states banned by SJSU?
A: Yes, AS has adopted a policy and will not fund travel to places the university has banned.

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

These minutes were transcribed by the Senate Administrator, Eva Joice, on November 27, 2017. The minutes were reviewed and edited by the Senate Chair, Stefan Frazier, on November 30, 2017. The minutes were approved by the Executive Committee on December 4, 2017.

San Jose State University
Academic Senate
Instruction & Student Affairs Committee **AS 1649**
December 11, 2017
Final Reading

Policy Recommendation
Registration Priority

Legislative History: Rescinds F14-1, Amends Section 2 of S73-4

Whereas, Senate Bill 412 prompted review of the student registration categories defined in F14-1 to accommodate California Promise; and

Whereas, It is the intention that priority registration also be reserved for students whose extracurricular duties, as defined below, could interfere with their enrollment opportunities; and

Whereas, It is the intention to clarify approval and oversight of student organizations receiving priority registration, in part due to S17-4 which redefines the Student Success Committee's membership and charge; therefore be it

Resolved:

1.0 Scheduling of Registration

Students shall be allowed to register in the following order:

- Group 1: Specific Priority Categories (see 2.0 below)
- Group 2a: Graduating seniors (bachelors-level students who have a graduation application on file with an anticipated graduation date for the current or next semester) in the California Promise program
- Group 2b: Remaining graduating students (bachelors- and graduate-level students who have a graduation application on file with an anticipated graduation date for the current or next semester)
- Group 3: Graduate students
- Group 4a: Seniors in the California Promise program
- Group 4b: Remaining seniors
- Group 5: Second baccalaureate students
- Group 6a: Juniors in the California Promise program
- Group 6b: Remaining juniors
- Group 7a: Sophomores and continuing freshman in the California Promise program
- Group 7b: Remaining sophomores and continuing freshman

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**

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 excludes students covered by the California Promise program unless they also fall under another group with required priority registration. Priority registration for students in the California Promise program is addressed in the regular 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 prime time classes that are offered and cannot be moved outside of prime time;
  - Participation at every class, event, or practice is mandatory; mandatory meetings must be set prior to the first day of the semester.
  - The sponsoring organization must apply for priority registration, establish a minimum GPA and process-to-degree criteria, and monitor students' progress each semester.

2.1.1 Some groups in this category do not require regular review due to the nature of the organization. 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
- AEC note takers
- Associated Students Board of Directors
- Student Fairness Committee
- NCAA Athletics

- Guardian Scholars
- Reciprocal Exchange students
- Veterans (as per Cal. Educ. Code §66025.8)
- Students serving on Academic Senate committees that require student participation in order to perform essential functions
- Students who are part of any group that has a contractual agreement with SJSU to provide a full course load

2.2 Category B 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
- Requires enrollment together in a specified course sequence over multiple semesters.

Priority registration will be granted to students in this category beginning with the second semester of enrollment.

3.0 **Approval and Management of Priority Registration for Student Organizations**

3.1 The Office for Student and Faculty Success (SFS) will review and approve applications from student organizations seeking priority registration. Approval will typically be granted for five years. The Office for Student and Faculty Success will be required to provide justification for denial or for approval of shorter terms.

3.2 The Office for Student and Faculty Success and the Registrar's Office will maintain records of student organizations with priority registration, including:

- Contact information for the faculty/staff member responsible for overseeing the organization's roster and student progress
- 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

3.3 All student organization coordinators who apply for priority registration are responsible for:

- Maintaining an accurate roster of students eligible for priority registration and 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 the Office of Student and Faculty Success.

- Applying/Renewing priority registration no less than one semester prior to the desired start/expiration of the organization's priority registration.

Rationale:
Senate Bill 412, passed on September 21, 2016, defines the California Promise program and legislates the requirement of priority registration for California Promise students. This program is available to freshman and to transfer students with an associate degree for transfer. It facilitates four-year graduation for freshman and two-year graduation for transfer students with commitments on the part of the university and the student. One such commitment on the university side is priority registration. This policy integrates the priority registration for students in the California Promise program into the registration for all students by class level in order to balance the requirement to give priority registration to students in the California Promise program with the need to maintain access to classes for all students.

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.

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.

SAN JOSE STATE UNIVERSITY
Academic Senate
Professional Standards Committee
December 11, 2017 **AS 1646**
Final Reading

POLICY RECOMMENDATION SELECTION AND REVIEW OF DEPARTMENT CHAIRS AND DIRECTORS

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

Rationale: *This replacement of S14-8 incorporates the voting procedures for nominating Department Chairs and Directors that were formerly only available in a separate policy. The need to consult two separate policies each time a department nominates a Chair has led to confusion and procedural errors in the past. In addition, the policy has been reformatted for easier use and ~~a~~ numerous corrections and clarifications have been incorporated at the suggestion of the University Council of Chairs and Directors and the Deans. Among those changes is a reordering of the policy to align chronologically with the stages of a Chair's nomination, election, evaluation, and possible removal.*

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

Following questions that occurred on the Senate floor at a final reading on November 20, the policy was postponed to allow for revisions that would clarify voting procedures for the various categories of faculty. This version incorporates the "friendly" amendments that arose from the floor on November 20 and adds provision 3.8 to clarify how different categories of

faculty vote. Much of this language is imported directly from the Voting Rights Policy, but there is greater clarity for defining the voting procedures for joint appointments and for FERP and PRTB faculty (Articles 29 and 30 of the CSU/CFA Agreement.)

Approved: *November 6, 2017*

Vote: *10-0-0*

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

Absent: *none*

Reapproved with amendments shown: December 6, 2017

Vote: *9-0-0 email vote*

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

Absent: *Donahue*

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

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

POLICY
RECOMMENDATION
Selection and Review of Department Chairs and Directors

1. INTRODUCTION

1.1. Preamble

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

1.2. Definitions

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

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

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

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

2. QUALIFICATIONS

Chairs should preferably be Professors but may be Associates, and should have earned rank and tenure prior to the time the appointment to Chair would become effective. Exceptions should only be made in rare instances and for compelling reasons.

3. DEPARTMENT NOMINATING PROCESS

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

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

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

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

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

3.5. <u>Department</u> ~~Open~~ meeting. A meeting shall be held to begin the election of a nominee to serve as Department Chair. The department may determine the nature and medium of the meeting according to its own

preferences, but the meeting must be open to all faculty in the department and publicized a minimum of one week in advance.

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

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

3.8. Voting for Chair Nominees.

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

3.8.2. Faculty participating in the Faculty Early Retirement Program (FERP)[1] or the Pre Retirement Reduction in Time Base Program (PRTB)[2] shall have a proportional vote equal to their annualized time base (i.e, ½, ¼) regardless of their academic assignment in a given semester, through the last semester of their teaching appointment.

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

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

3.8.5. Voting rights of any faculty member are suspended for any semester in which the individual holds a full-time administrative (i.e. MPP) or other full-time non-faculty position in the university.

[1] See CFA/CSU Agreement Article 29. FERP employees are limited by contract to to 50% of their previous time base.

[2] See CFA/CSU Agreement Article 30. PRTB employees are reduced by contract to 2/3, ½, or 1/3 of their previous time base.

Faculty on re-assigned time engaged in administrative duties remain Unit 3 faculty and retain their voting rights.

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

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

3.9. The nominating election. ~~All~~ Faculty may then vote by secret ballot ~~(proportional votes for part-time faculty)~~ on all candidates proposed and willing to serve. Balloting must be available for 5 working days and provide the opportunity to abstain.

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

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

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

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

3.11. Forwarding the results of the nominating election. Only the name of a candidate who receives a majority of votes cast by the tenured and probationary faculty shall be recommended to the President via the College Dean as the nominee of the department.[3] The names of candidates who were not recommended by the department, together with all vote totals, shall also be forwarded to the President to provide context for the recommendation. This shall include a statement of the vote of all faculty, broken down into two categories – vote by tenured/tenure track faculty and by lecturers -- including the actual number of votes cast in each category.

3.12. Distributing the results. The department voting results shall also be distributed to the faculty from the relevant department. If the final vote total in either category of votes (tenured and probationary, lecturers) ~~from~~

[3] See CFA/CSU Agreement 20.30.

~~part-time faculty~~ contains a fraction, it shall be rounded to help preserve anonymity.

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

4. EXTERNAL SEARCHES

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

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

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

4.2.2. Departments may use separate processes for the appointment and for the nomination functions associated with an external search for a department Chair. Using this method, a smaller recruitment committee makes a recommendation under the normal appointment policy. Then the department as a whole

votes to endorse or not to endorse the recommendation of the recruitment committee. For each candidate, the department's endorsement must specify whether or not that candidate is acceptable as a Chair. If more than one candidate is acceptable, the department must rank them in order of preference. The department's endorsement serves to nominate a candidate to be Chair, but should be accompanied by the recruitment committee's report to justify the appointment. In the event of conflict between the recommendations of the recruitment committee and the department, the department makes the final recommendation as to who to nominate as its Chair, but may only nominate from among those candidates deemed to be acceptable finalists by the recruitment committee. When this method is chosen by a department, time must be budgeted to allow these procedures to take place at the conclusion of the search.

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

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

5. APPOINTMENT

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

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

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

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

Departments may be unable to successfully conclude a normal nomination for Department Chair. This could be the case in a department with no senior leadership qualified to be Chair, or no willing candidates. If a department fails to reach consensus (majority vote of the tenured and probationary faculty) following a normal nomination process (Section 3), the Dean shall consult with the faculty at a department meeting to determine the best course of action. This

could be either the nomination of an interim or acting Chair, initiation of an external search, extension of a prior interim appointment, or nomination of a non-departmental interim Chair-- as per the relevant sections of this policy.

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

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

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

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

7. REVIEW OF DEPARTMENT CHAIRS

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

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

the threshold, but will keep the petition itself and the signed names confidential from the incumbent chair.

7.3. Appointment and Composition of Review Committee: At the beginning of the fourth year of the Department Chair's term, under the direction of the College Dean, the tenured and tenure-track department faculty shall elect from its ranks a peer review committee to evaluate the Department Chair's performance[4]. The review committee, in consultation with the College Dean, will determine the procedures and scope of the review.

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

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

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

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

7.6.2. Provide the incumbent with an opportunity to meet with the review committee in order to discuss the report;

7.6.3. Provide the incumbent with the opportunity to submit to the committee a written statement which shall become part of the report to the College Dean.

[4] See CFA/CSU Agreement Article 15

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

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

8. REAPPOINTMENT OF A DEPARTMENT CHAIR

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

9. SELECTION OF AN INTERIM CHAIR

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

9.1. Appointment procedure. The President may make interim appointments after consultation with the College Dean and department faculty, normally by soliciting advice from as many faculty as possible at a department meeting called for this purpose.

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

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

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

10. SELECTION OF AN ACTING CHAIR

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

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

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

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

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

11. REMOVAL OF DEPARTMENT CHAIR

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

11.1. Administrative removal. The administrative removal of a Chair previously recommended by the faculty of a department is a very serious matter, and should only be undertaken for compelling reasons. A Chair will be given an opportunity to meet with the Provost and Dean to defend their ~~his/her~~ record prior to removal. Following removal, the President or Provost should meet with the Dean and the faculty assembled in a department meeting to announce the action and solicit advice on the transition. Replacement of the Chair should be initiated according to the procedures in sections 3 or 9 of this policy.

11.2. Faculty initiated removal. Faculty may not initiate the removal of their Chair unless a formal review has been completed within the previous six months. (They may initiate such a review as per 7.2 of this policy.) Following the conclusion of any faculty-initiated early review, the department will vote to determine if their Chair should be recalled. A recall vote will follow the same procedures as a vote to recommend a Chair nominee as described in section 3 of this policy, save only that it requires a vote of 2/3 of the tenure/tenure track faculty to forward a

recommendation to the President that the Chair be removed, with the votes of lecturers also reported as per the above procedures. If removed, replacement of the Chair should be initiated according to the procedures in sections 3 or 9 of this policy.

San José State University
Academic Senate
University Library Board AS 1672
December 11, 2017
First Reading

Policy Recommendation
Amendment to University Library Policy (S15-10)

Whereas: University library policy is drafted to support the curricular and research needs of the University; and

Whereas: The library needs the flexibility to modify service delivery to ensure quality and effectiveness based on the evolving nature of librarianship and service to all users. That may require multiple locations or changing locations over time.

Resolved S15-10 Section 5.1 be amended to remove language specifying location of the reference desk, as follows:

> 5.1 General Faculty and Staff Support. The academic mission of the Library shall be advanced by specialized practices unique to a University or an academic library setting, whenever such practices are customary in libraries of institutions of higher education. Library faculty and staff will be enabled to carry out academically oriented functions and shall not merge unique academic functions and practices with the City Library. The City and University will share delivery of basic reference services. ~~through a common service area on the second floor.~~

Approved:	December 4, 2017
Vote:	8-0
Present:	Cabrera, Megwalu, Tian, Taylor, Sasikumar, Bodart, Gayle, Borchard
Absent:	Khavul, Lee, Smith
Financial Impact:	None
Workload Impact:	None

San José State University
Academic Senate
Organization and Government Committee AS 1671
December 11, 2017
Final Reading

Policy Recommendation
Addition to the Responsibilities of the Budget Advisory Committee (F15-9) Related to Lottery Funds

Legislative History: This proposal seeks to place responsibility for review, oversight, and advice regarding the disposition of lottery funds with the Budget Advisory Committee thus amending F15-9. S01-9 abolished the lottery funds committee and re-assigned the group's responsibilities.

Whereas: S01-9 abolished the lottery committee and directed that "the general categories of lottery funds dispersal reside with and be determined each Academic Year by the Senate Budget Advisory Committee and recommended to the President", and

Whereas: Over time, the charge and responsibilities of a Budget Advisory Committee have been less than clear and at times redirected to other groups (e.g., Senate Executive Committee), and

Whereas: F15-9 re-instituted a Budget Advisory Committee and noted that the group would provide "input and recommendations to the President throughout the planning, implementation and subsequent review of budget expenditures including advice on key campus priorities." and

Whereas: Lottery funds in the recent past have been used to address budget shortfalls (e.g., library acquisitions); oversight from a university-wide committee would be better able to address needs through review across divisions regarding the allocation of funds, and

Whereas: F15-9 contained an error in the legislative history section, therefore be it

Resolved: That F15-9 be amended to strike this sentence: "F14-1 revoked the temporary assignment of Budget Advisory Committee responsibilities and returned responsibilities to the Strategic Planning Board." and be it further

Resolved That the responsibilities of the Budget Advisory Committee be modified as follows:

Modify 1.3.9 from F15-9 to read:
Review, analyze, and advise the President regarding significant budget actions external to the campus (e.g., lottery funds, the initial CSU budget proposal, and the Governor's May Revise) that could impact the University's Operating Fund.

Add a section 1.3.9.1:

The committee should review and make recommendations regarding the use of lottery funds and include this information in its annual summary report to the Senate.

Rationale: After the lottery funds committee was discontinued (S01-9) responsibilities related to the allocation of these funds changed over time and eventually lost the engagement of a group to provide review and advice. S01-9 charged the Senate's Budget Advisory Committee with the responsibility to determine and recommend to the President the categories for distribution of lottery funds. At that time, it appears that college-based lottery committees existed and that dispersal guidelines, oversight, and evaluation of specific lottery-funded programs would be their responsibility. Though not explicitly including reference to lottery funds, in S07-3 (the planning and budget process) or S09-6 (strategic planning) the broad responsibilities connected to the Resource Review Board (S07-3) included resource allocations. Later, the Strategic Planning Board (S09-6) was charged with serving as the budget advisory committee. The responsibilities of the Budget Advisory Committee subsequently were given to the Senate's Executive Committee (SM-S11-1).

At the time a new Budget Advisory Committee was established (F15-9) neither the charge or designation of responsibilities included work pertaining to lottery funds. Given the BAC's broad engagement in University-wide budget issues as well as its connection to strategic planning, this is the group best able to take into consideration issues pertaining to the use of lottery funds. Given the changes over time it is deemed appropriate for information on lottery funds to be included in the summary report.

In the course of reviewing F15-9, it was found that an erroneous reference to a policy (F14-9; priority registration) was made and needed to be removed.

Approved:	12/4/17
Vote:	7-0-0
Present:	Curry, Grosvenor, Hart, Higgins, Rajkovic, Shifflett, Ormsbee,
Absent:	Bailey, Ramasubramanian, Rangasayee, Tran
Financial Impact:	None
Workload Impact:	None

San José State University
Academic Senate
Organization and Government Committee AS 1669
December 11, 2017
Final Reading

Policy Recommendation
Amendment to Senate Constitution Regarding Administrative Representatives

Legislative History: This proposal, if subsequently approved by the full faculty, would modify the Senate's constitution related to administrative representatives to the Senate so that an AVP from outside the academic affairs division would be selected by the President in consultation with the Senate's Executive Committee. This proposal also clarifies representation from the academic affairs division from among Deans and AVPs.

Whereas: SJSU's challenges, initiatives, and strategic goals evolve over time, and

Whereas: Clarification is needed regarding administrative representatives from the academic affairs division, and

Whereas: Interest has been expressed in a wider representation of administrators on the Academic Senate, therefore be it

Resolved That Article II, section 2 of the Senate Constitution pertaining to administrative representatives be amended as follows:

ARTICLE II -- MEMBERSHIP

Section 2. Administration representatives shall consist of the President, the Provost, the Vice President for Administration and Finance, the Vice President for Student Affairs, and the Chief Diversity Officer, ex officio; ~~and four (4) academic~~ two college deans from academic affairs inclusive of CIES and the library; *one* Associate Vice President from Academic Affairs; and one Associate Vice President from a division outside academic affairs. ~~at least two of whom shall be deans of colleges, elected by the academic deans for staggered two-year terms.~~

Rationale: This modification allows for the selection of administrators to the Senate whose expertise would be particularly valuable in any given year in the context of the University's changing needs over time. Historically, substantive benefits to the Senate have been realized due to the fact that our Senate is an Academic Senate inclusive of administrative representatives who can be engaged in discussions at the starting point regarding the formulation of university policy proposals. The particular designation of representatives in our constitution highlights the Senate's need for collaboration with

administrators engaged in a wide range of leadership responsibilities from visionary planning to concrete implementation responsibilities across divisions.

The change also clarifies representation from among the Deans and AVPs in a way that does not require further definition in Senate bylaws. In conjunction with changes being considered to bylaw 1.10, the change keeps this section of the constitution focused on membership and places process in the bylaws.

Approved:	11/27/17
Vote:	8-0-0
Present:	Grosvenor, Hart, Higgins, Rajkovic, Rangasayee, Shifflett, Tran, Ramasubramanian
Absent:	Bailey, Curry, Ormsbee
Financial Impact:	None
Workload Impact:	None

San José State University
Academic Senate
Organization and Government Committee AS 1656
December 11, 2017
Final Reading

Policy Recommendation
Modification of Bylaw 1.10 Pertaining to Administrative Representatives on the Senate

Legislative History: This proposal would Modify bylaw 1.10 so as to keep all process matters pertaining to the selection of administrative representatives to the senate in the bylaws while keeping identification of who the administrative representatives are in the Senate's constitution.

Whereas: Administrative changes and reporting lines have changed in the academic affairs division with the appointment of a deputy provost, and

Whereas: The language in bylaw 1.10 presently conveys that AVPs report directly to the provost, which is no longer the case, therefore be it

Resolved That bylaw 1.10 be modified as follows:

1.10 ~~The phrase "academic deans" as used in~~ With regard to Article II, Section 2 of the constitution, ~~means~~ college deans within Academic Affairs will select their two representatives for staggered two-year terms. ~~and~~ Associate Vice Presidents (AVP) within Academic Affairs will select their one representative for a two-year term. ~~reporting directly to the Provost.~~ Finally, the Associate Vice Presidents from outside Academic Affairs will recommend to the President one candidate from amongst themselves; subsequently, the President, in consultation with the Senate Executive Committee, will make the final selection of this representative from outside Academic Affairs for a two-year term. ~~Elections of representative deans shall be conducted and reported by~~ The Provost will report the selection of representative Deans and Associate Vice Presidents from Academic Affairs to the Senate Chair. The President will report the selection of the AVP representative from the division outside Academic Affairs to the Senate Chair. ~~and~~ Any vacancies arising before the end of a term shall be filled for the balance of that term by selection as outlined above. ~~special elections~~

Rationale: In conjunction with changes to the constitution being considered concurrently with this bylaw change, the bylaw now appropriately focuses on process. For the AVP representative outside of academic affairs, the selection process is intended to meet the needs of the Academic Senate in any given year. It therefore involves both recommendations from the AVPs as well as faculty and administrators to facilitate discussions related to the needs of the Senate in the context of University initiatives, challenges, and priorities.

Approved:	12/4/17
Vote:	9-0-0
Present:	Curry, Grosvenor, Hart, Higgins, Rajkovic, Shifflett, Ormsbee, Tran, Rangasayee
Absent:	Bailey, Ramasubramanian,
Financial Impact:	None
Workload Impact:	None