



San José State
UNIVERSITY

A campus of The California State University

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SS-F00-2

At its meeting of July 11, 2000, the SJSU Executive Committee acting as the Academic Senate (By-Law 3.3b) passed the following Sense of the Senate Resolution presented by Annette Nellen for the Executive Committee.

**SENSE OF THE SENATE RESOLUTION
ADOPTING PRINCIPLES FOR GUIDING THE CONSIDERATION OF A
PARTNERING ARRANGEMENTS FOR FACILITIES DEVELOPMENT AT SJSU**

WHEREAS, SJSU has been approached by enterprises who seek to partner with SJSU to lease land for commercial activities.

WHEREAS, Such partnering possibilities should be explored because they could bring resources to SJSU for major capital projects.

WHEREAS, A set of principles to guide SJSU administrators involved in discussions with any potential partner would ensure that the concerns of the campus community with respect to such a project would be addressed.

WHEREAS, In April 2000, the Senate Executive Committee created a 7-member "ad hoc" committee to draft a set of principles to guide the process of considering any partnering arrangement and this ad hoc committee presented a set of principles to the Executive Committee on June 1, 2000.

RESOLVED: That the Senate Executive Committee endorses the attached document:
"Principles for Guiding the Consideration of a Partnering Arrangement for
Facilities Development at SJSU."

RESOLVED: That the attached set of principles be given to President Caret, posted to the Senate web page, and made available to the campus community.

PRINCIPLES FOR GUIDING THE CONSIDERATION OF A PARTNERING ARRANGEMENT FOR FACILITIES DEVELOPMENT AT SJSU

The following principles were created for the President and President's staff to guide the development of possible partnering arrangements that will generate resources for development and improvement of facilities at SJSU. These principles are designed to help set broad parameters for identifying and pursuing any project, rather than proscriptive limits on any possible project. In addition to these guidelines, there are various governing statutes, and campus policies and practices that must be considered along with the principles set forth below. The principles are set out within six areas of consideration: Academic, Co-Existence, Campus Design, Financial, Process, and University Image. These principles should be dynamic and reviewed regularly for currency by the Senate Executive Committee or its designee.

These principles were drafted by an Ad Hoc Committee¹ appointed in April 2000 by the Senate Executive Committee and adopted by the Senate Executive Committee on June 1, 2000.

ACADEMIC

- The partnership must serve our academic mission. In addition, the partnership must involve an activity that provides and enhances learning opportunities for one or more academic programs.
- Priorities shall be given to proposals that are most congruent with San José State University's academic plan
- The activity must involve an opportunity to improve facilities to enhance our academic mission.
 - It should help us to achieve our buildout of facilities for a 25,000 FTES campus.
 - It should move us away from shared faculty office space.

CO-EXISTENCE

- Any partner must be aware of and honor SJSU's status as a union campus.
- The project should offer the campus an expansion or enhancement of services.
- Safety of faculty, staff and students must be protected.
- SJSU will be responsible for providing and managing all utilities and services.

CAMPUS DESIGN

The project must:

- Be complementary to and respect our academic environment.
- Provide opportunities to improve our physical working conditions.
- Provide an opportunity for the campus to meet unmet building needs (such as for space that cannot be constructed with state funds).

- Provide an opportunity to better physically align colleges and “complementary” colleges.
- Be one that “builds up, not out” and that ideally enables the campus to maintain at least 50% of its surface area as open space.
- Follow current Campus Design Guidelines, Campus Landscape Master Plan and any other applicable guidelines, as well as applicable governing statutes.
- Maintain or improve access to parking and/or increase transportation alternatives.
- Maintain a level of pedestrian accessibility within the campus.
- Develop and maintain helpful and appropriate campus signage.

FINANCIAL

- Land is not for sale, but partnership arrangements are permissible.
- A variety of funding opportunities should be explored (state, city, RDA and private funds).
- Multiple scenarios and financing projections should be considered prior to reaching a final decision on a particular project.
- Any partnership must not cause a reduction in CSU funding for either general or capital purposes for the campus.
- Any revenue enhancement obtained should predominantly be used for capital projects.
- In all negotiations, SJSU will always have appropriate legal counsel to protect its financial interests.

PROCESS

- Any potential major capital partnering project at SJSU, including its auxiliaries, must be presented to the President and President’s staff who will consult with appropriate parties as deemed necessary.
- The President’s Office shall institute a mechanism to keep the campus informed of the process from negotiations to final completion.
- The President or designee shall consult regularly with the Senate Executive Committee as to the status of any negotiations. When appropriate, the Senate Executive Committee will consult with the full Academic Senate.
- Faculty, staff, administrators, labor, and students must be involved in the planning and development process when and where appropriate, as determined and selected by the Senate Executive Committee and applicable codes, statutes and MOUs.
- In the design and negotiation of any MOU, development agreement, and operating agreement, SJSU will always have appropriate legal counsel to protect its interests.
- Facilities for displaced programs must be arranged before old facilities are demolished.
- Standard university construction practices will be maintained including that the scheduling of construction and demolition projects must be coordinated with the academic schedule and be sensitive to the academic environment.
- SJSU will take into consideration the likelihood of the partner and project being broadly accepted by the campus, including consideration of campus climate issues.

UNIVERSITY IMAGE

- The project must increase SJSU's stature/place in the community.
- The project must fit with SJSU's Master Plan.
- Consideration must be given to the impact of the project to the surrounding community.
- The project must enhance SJSU as the Metropolitan University of Silicon Valley.

¹ Ad Hoc Committee members:

Carlos Aguirre, A.S. Controller, Associated Students
Alan Freeman, Director - Planning Design & Construction, Facilities Development and Operations
Susan Hansen, Director - University Housing Services
Elba Maldonado-Colon, Professor – College of Education, Chair of Campus Planning Board
Annette Nellen, Professor – College of Business, Senate Executive Committee (Chair of Ad Hoc Committee)
Carmen Sigler, Dean – Humanities and The Arts, Council of Deans
Steve Sloan, Information Technology Consultant, School of Journalism, President of California State
Employees Association (CSEA) Chapter 307.