

**SAN JOSÉ STATE UNIVERSITY
ONE WASHINGTON SQUARE
SAN JOSÉ, CA 95192**

SS-F20-3, Sense of the Senate Resolution, Opposing the Chancellor's Implementation Process for AB1460

Legislative history:

On November 9, 2020, the Academic Senate approved the following resolution presented by Senate Curry and Senator White from the floor of the Senate.

**SENSE OF THE SENATE RESOLUTION
OPPOSING THE CHANCELLOR'S IMPLEMENTATION PROCESS FOR
AB 1460**

Rationale: [AB 1460](#) was signed into law by Governor Newsom on August 17, 2020, providing for an explicit Ethnic Studies requirement in the CSU. The law calls for currently existing shared governance structures to allow maximum flexibility for campuses to implement the requirement in a way that best supports their students. In contrast, the Title 5 changes voted on by the CSU Board of Trustees in July 2020, currently being amended to remove "social justice," are unnecessarily intrusive in requiring campuses to place an Ethnic Studies course in lower division General Education and to reduce the number of units in lower division Area D, Social Sciences. The Title 5 changes and subsequent documents released by the Chancellor's Office would lead to massive changes in the General Education program at San José State University (SJSU). In contrast, implementation of AB 1460 may be less disruptive on our campus if we have greater flexibility and campus autonomy to implement the Ethnic Studies requirement by drawing on a variety of our new and existing courses. These courses might readily align with AB 1460 much faster than the changes required in Title 5. At SJSU, and in particular in the Academic Senate, we value the organic practice of collaboration and collegial processes and we prefer to use those practices to determine a local implementation plan that includes all SJSU faculty, while continuing our strong support for Ethnic Studies.

Whereas: Governor Gavin Newsom signed AB 1460 in August which stipulates the following by adding to the Education Code: SEC. 2. Section 89032 to read:

(a) It is the intent of the Legislature that students of the California State University acquire the knowledge and skills that will help them comprehend the diversity and social justice history of the United States and of the society in which they live to enable them to contribute to that society as responsible and constructive citizens.

(b) Commencing with the 2021–22 academic year, the California State University shall provide for courses in Ethnic Studies at each of its campuses.

(c) The California State University shall collaborate with the California State University Council on Ethnic Studies and the Academic Senate of the California State University to develop core competencies to be achieved by students who complete an ethnic studies course pursuant to implementation of this section. The council and the academic senate shall approve the core competencies before commencement of the 2021–22 academic year.

(d) Commencing with students graduating in the 2024–25 academic year, the California State University shall require, as an undergraduate graduation requirement, the completion of, at minimum, one three-unit course in ethnic studies. The university shall not increase the number of units required to graduate from the university with a baccalaureate degree by the enforcement of this requirement. This graduation requirement shall not apply to a post baccalaureate student who is enrolled in a baccalaureate degree program at the university if the student has satisfied either of the following:

(1) The student has earned a baccalaureate degree from an institution accredited by a regional accrediting agency.

(2) The student has completed an Ethnic Studies course at a postsecondary educational institution accredited by a regional accrediting agency.; and

Whereas: The Chancellor’s Office (CO) proposed to the CSU Board of Trustees (BOT) an alternative to AB 1460 by creating a new-General Education Area F of Ethnic Studies and Social Justice, which would have allowed the requirement to be met with courses other than Ethnic Studies, and a simultaneous reduction of Area D by 3 units. The BOT approved that proposal in their July meeting even with vigorous public debate and some dissent amongst the Trustees; and

Whereas: A Chancellor’s office memo dated on September 10, 2020 indicates that “Campus Academic Senates finalize revisions to their campus GE programs based on the revised EO on CSU GE Breadth” and provided a specific timeline for the creation of “Area F: Ethnic Studies”; and

Whereas: The timeline specified is virtually impossible to honor while also ensuring appropriate consultation, deliberation, and conversation among campus faculty on how to design and implement student-success driven curriculum changes; and

Whereas: The SJSU Senate and the campus have stated a commitment to creating a more welcoming environment for all students through recent resolutions focused on Undocumented Students, Veteran Students, LGBTQ+, African American, Native American, Asian Pacific Islanders as well as the establishment of Student Resource Centers for Black/African American Student Success, Chicana/o/x/Latina/o/x Student Success, UndocuSpartan Student Success; and

- Whereas:** To support its Ethnic Studies curriculum and promote student success, SJSU already has the only library center in the CSU dedicated to race and ethnic studies at the Dr. Martin Luther King, Jr. - the Africana-Asian American-Chicano-Native American Studies Center (AAACNA); and
- Whereas:** Consultation among the CO, Academic Senate CSU (ASCSU), and the CSU Council of Ethnic Studies (CSUCES), identified as collaborating parties in AB 1460, on all aspects of AB 1460 and Title 5 changes continues; and
- Whereas:** SJSU has historically underserved racial and ethnic groups named in AB 1460 as African American, Asian American, Latina/Latino and Native American in terms of representation, recruitment, retention, and promotion, and community outreach; and
- Whereas:** Ethnic Studies faculty are the experts in designing the curriculum for Ethnic Studies and the SJSU Academic Senate through campus input endorses the long-standing principle that curricular decisions are the responsibility of faculty as noted in the Sense of the Senate Resolution [SS-F17-2](#) and as stated in the Higher Education Employer Employee Act of California (HEERA) ; and
- Whereas:** The Academic Senate of SJSU stated its support for Ethnic Studies while opposing AB1460 as noted in [SS-F19-1](#) because the law inappropriately intervenes with the development of curricula which is the purview of the faculty, thereby affirming that “faculty have the primary responsibility and major voice in academic policy decisions which closely affect the curriculum, access to the curriculum, or the quality of the curriculum;”^[1] and
- Whereas:** SJSU has particularly been impacted by recent changes to our Area D through [Presidential Directive PD-2019-1](#) in which we were required to remove unique objectives in D1, D2, and D3 sub-areas to become ‘compliant’ with EO1100; and
- Whereas:** SJSU supports sister campuses that have already passed resolutions in their respective academic senates regarding AB1460 and Title 5 changes and encourage all campuses to take this debate up in their respective senates; therefore, be it
- Resolved:** That the Academic Senate of SJSU oppose the CO’s narrow interpretation of AB 1460 and allow for individual campuses to decide how they meet the requirements outlined in the law; and be it further
- Resolved:** That the Senate ask the CO to rescind their Title 5 July 2020 changes to allow for greater campus autonomy and flexibility; and be it further
- Resolved:** That the Senate asks the leadership of the CO and ASCSU to rescind the core competencies previously submitted by the Council on Ethnic Studies until the CO, ASCSU, and CSUCES have officially agreed upon them; and be it further
- Resolved:** That, through collaborative agreement across the Ethnic Studies faculty, the Senate, and Administration, SJSU develop an Ethnic Studies requirement that

creates a more welcoming environment for all students by providing courses that play an important role in building a more inclusive praxis of democracy to the benefit of all students and our nation; and be it further

Resolved: That nine units be retained in General Education Areas D Lower Division to support the integrity of the lower division SJSU GE program; and be it further

Resolved: That SJSU be given the flexibility to implement the Ethnic Studies requirement at our campus based upon a campus-wide discussion of faculty, students, and administrators; and be it further

Resolved: That beginning with the 2020-2021 academic year, SJSU take steps to earmark appropriate faculty and administrative support for the expansion of Ethnic Studies to adequately support the new undergraduate requirement by growing Asian American Studies and Native American Studies, and further strengthening existing departments of African American Studies and Chicana and Chicano Studies; and be it further

Resolved: That the Senate continue to recognize the expertise of Ethnic Studies faculty and ensure that faculty in Ethnic Studies prefix programs and departments are integrally included as leaders (with the Academic Senate and other faculty bodies) in the implementation process of AB 1460; and be it further

Resolved: That the timeline for implementation be extended to allow for effective and genuine collaboration between the CO, ASCSU, CSUCES, and Ethnic Studies faculty as defined in AB 1460; and be it further

Resolved: That this resolution be distributed to Chancellor White, EVC Blanchard, ASCSU Chair Collins, CSU Council of Ethnic Studies Chair, and the Campus Senate Chairs.

^[1] Collegiality in the California State University System Academic Senate of the CSU (1985)

Approved: November 9, 2020

Vote: 34-1-9