

SAN JOSÉ STATE UNIVERSITY ACADEMIC SENATE

2023/2024

Agenda

November 6, 2023/2:00 to 5:00 pm

In Person

ENGR 285/287

- I. **Call to Order and Roll Call:**
- II. **Land Acknowledgement:**
- III. **Approval of Minutes:**
 - A. Approval of Senate Minutes of Oct 2, 2023
 - B. Approval of the Senate Minutes of October 16, 2023
- IV. **Communications and Questions:**
 - A. From the Chair of the Senate
 - B. From the President of the University: **None**
- V. **Executive Committee Report:**
 - A. Minutes of the Executive Committee: May 1, September 25, October 9, Oct 23, 2023
 - B. Consent Calendar: Consent Calendar of November 6, 2023
 - C. Executive Committee Action Items: **None**
- VI. **Unfinished Business: none**
- VII. **Policy Committee and University Library Board Action Items (In rotation):**
 - A. University Library Board (ULB): None
 - B. Organization and Government Committee (O&G): **SMR**

Amendment to Senate Constitution, Section II.2 and Senate Bylaws - Section 1.3

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

Amendment C to S19-3 Requirements/Guidelines, University Writing Committee

 - D. Instruction and Student Affairs Committee (I&SA): None
 - E. Professional Standards Committee (PS):

Amendment B to S99-8 Policy on Professional Responsibility
- VIII. **Special Committee Reports: None**
- IX. **New Business: none**
- X. **State of the University Announcements:**
 - A. Statewide Senator
 - B. Provost
 - C. Interim CDO
 - D. Associated Students President
 - E. Vice President for Student Affairs

F. Vice President for Administration and Finance

XI. Adjournment

2023-2024 Academic Senate Minutes
October 02, 2023

I. Call to Order and Roll Call:

The meeting was called to order at 2:02 p.m. Forty-six senators were present.

Ex Officio: Present: Curry, Mckee, Multani, Rodan, Sasikumar, Van Seltst	CHHS Representatives: Present: Baur, Chang, Sen
Administrative Representatives: Present: Day, Del Casino, Faas, Lee, Teniente-Matson	COB Representatives: Present: Chen
Deans/AVPS: Present: D'Alarcao, Meth Absent: Kaufman, Shillington	COED Representatives: Present: Mathur Absent: Muñoz-Muñoz
Students: Present: Brown, Gambarin, Guzman, Lacson, Mejia, Tikawala	ENGR Representatives: Present: Kao, Sullivan-Green, Wong
Alumni Representative: Absent: <i>Vacant</i>	H&A Representatives: Present: Buyco, Frazier, Katoka, Absent: Han, Lee
Emeritus Representative: Present: Jochim	COS Representatives: Present: French, Heindl, Shaffer Absent: Muller
Honorary Representatives: Present: Lessow-Hurley, Peter Absent: Buzanski	COSS Representatives: Present: Hart, Haverfield, Pinnell, Raman, Sabalius
General Unit Representatives: Present: Johnson, Masegian, Pendyala, Absent: Flandez, Velarde	

II. Land Acknowledgement: Senator Hart read the history of the land acknowledgment and Senator Reiko presented the land acknowledgment.

III. Approval of Academic Senate Minutes–

The Senate Minutes of the last meeting of 2022-2023, May 8th were approved (20-0-10). The Senate Minutes of the first meeting of 2023-2024 were approved 26-0-8.

The Senate Minutes of September 11, 2023, were approved as amended 29-0-5.

IV. Communications and Questions –

A. From the Chair of the Senate:

Chair Sasikumar acknowledged today is Gandhi's birthday and so the United Nations declared today to be the international day of non-violence. She thanked everyone for taking the time from their labs, classrooms, offices, and families to attend today's meeting, thus contributing to a culture of deliberation and non-violence.

Chair Saskiumar welcomed our two newest senators, Senators Romey Sabalius and Raymand Buyco. Senator Sabalius is joining us in a new role, he is now the senator from the College of Humanities and the Arts. Senator Buyco, who many know as the president of the faculty union, is representing the College of Social Sciences for the semester. Our colleague, Senator Marco Meniketti is on sabbatical.

Chair Sasikumar introduced her student assistant, Maharsh Soni. He is a master's student here at SJSU studying data Analytics. He has made himself invaluable to us.

Chair Sasikumar reminded everyone that the meeting is being recorded on Zoom for the purpose of the minutes. It will be destroyed once those are done. Chair Sasikumar asked all the Senators to please sign the roll call sheets at the back of the room. She let everyone know we were still only using one mic and if for any reason someone did not feel comfortable standing up to please raise their hand and the mic would be brought to them.

Chair Sasikumar let everyone know we have made progress in constituting the Special Committee on Senate representation based on the SMR passed at the last meeting.

Chair Sasikumar let everyone know that Senator administrator, Eva Joice is well enough to return to work. She is in her office on the fifth floor of Clark Hall. Unfortunately under doctors' orders, she cannot leave her cubicle.

Chair Sasikumar reminded everyone that the next meeting will not be in the normal ENG venue. It will be in the library room 225 and it will only be two hours long so it will finish at 4 pm. The meeting is on October 16 and will feature a budget presentation from CFO Charlie Fass as well as a presentation from Provost Vincent Del Casino and Vice-Provost Magdalena Barrera on Academic Affairs.

Chair Sasikumar reminded everyone of the calls for nominations for the Wang Family Excellence Awards and the Faculty Awards. There are four faculty awards, Outstanding Lecturer, Outstanding Professor, Distinguished Service, and President's Scholar Award.

Chair Sasikumar reminded Senators there is a time certain presentation of 3:15 pm. on AB 928, ICAS & CAL-GETC: Implications for SJSU's GE Program. We will all be affected by the changes in GE that were triggered by legislative action. The Senate has the responsibility of collecting the views on the campus and we are working with the deadline of exactly one month. Please take this opportunity to ask questions and please go back to your constituency and talk to your colleagues about these changes. Have them send their views and report back to us using a survey that will be shared. This is the quickest and most efficient way to guarantee academic input on intercurricular issues.

Chair Sasikumar welcomed Senator and President Cynthia Teniente-Matson.

B. From the President of the University:

President Teniente-Matson invited and welcomed Lisa Millora to the front of the room to provide an update on the Title IX progress as well as respond to a question that was presented to her at the last Senate meeting.

Lisa Millora thanked the Senate for allowing her to join today's meeting. She shared that the US Department of Justice will be coming to campus in late October as part of their regular monitoring. All those who are not familiar with the US Department of Justice resolution agreement can visit the Title IX website and select the section called compliance which stores all the reports and timeline.

Lisa Millora thanked Senator Curry and Senator McKee for providing Title IX with groups and feedback last year. Based on their feedback a graphic was produced.

Lisa Millora explained that as part of the Department of Justice's resolution agreement, they will be working with us for the next four years. One year is completed, this is year two so there are two more years left. They will be here in October to do a series of meetings with faculty, staff, and students to try to understand how we are meeting the parents to the resolution agreement. Those who would like to meet with them can meet during business hours or outside of standard hours. Meetings are scheduled between October 16 and 19.

Lisa Millora provided an update on the search for a permanent Title IX coordinator, which is now a search for an Associate Vice President for Title IX and Equal Opportunity. She provided background on how the decision to combine both roles was made. We have engaged with a search firm, WittKieffer which has a master agreement with the system. The timeline we hope to meet is interviewing semifinalists in November with campus business taking place in the last week of November. Ideally, make an offer and have the person in the role by January.

Lisa Millora spoke about a previously asked question about the conduct of concern which is a language that was in one of the reports. One of the things that came up in the Cozen O'Connor review of the entire system administration of Title IX and discrimination, harassment, and retaliation is that there are reports made about behavior that does not rise to the level of policy violation. Going back to the alignment of Title IX and DHR under one roof will allow for better responsiveness to the conduct of other concerns.

Questions:

Q: Is the title still associate vice president? That seems to insinuate that the person will report to a vice president. Is that desirable for Title IX officers? From the Title IX officer, not be reporting to anybody but the president directly.

A: Part of it is based on the California State University's expectation that the reporting line is 3 vice presidents. Another way to think about it is to report to the president through a vice president. The President and I have talked through how to ensure she's kept apprised of information without being involved to allow the process to move forward fairly and neutrally.

President Teniente-Matson stated she wanted to share a couple of items that came from the trustees' meeting that are relevant to Title IX. There is a new memorandum from the Chancellor that asks that the Chancellor's Office and the Chancellor be notified of any conduct that involves the president, the vice presidents, the athletic director, and the chief of police. The second part of the memorandum is that the Chancellor would be advised immediately of any sexual violence acts that occur on our campus. One additional item from the trustees' meeting is that the chair of the board herself has requested that at each meeting an update on Title IX activities at the campus level be given so that there is a continual loop with the trustees as well in terms of accountability.

President Teniente-Matson informed the senate that the trustees approved a 6% tuition increase effective next fall. She and AS President Multani have been

meeting on this and will be activating some tabling events to talk with students specifically about their unmet needs or concerns as we move forward into the fall of 2024. She is working with our new AVP Julie Nagai on the creation of additional scholarship dollars that would be available to students who may have unmet needs.

President Teniente-Matson thanked all individuals who participated in the Budget Summit. Vice President Faas will cover some of the next steps in his report. She is delighted with the work that was presented and the video presentations from members of the Budget Advisory Committee. Based on the feedback Vice President Faas will present some revenue projections back to the BAC. She has asked him to drop 3 scenarios and take them back to BAC for enrollment targets.

President Teniente-Matson spoke about free speech on campus and some videos that were done by several campus leaders. As many are aware there will be some potentially controversial speakers on campus and appropriate measures to preserve the maximum protection of free speech and assembly have been taken. She encourages all to look at the websites, check out the videos, and pass them along to your student communities and faculty communities.

President Teniente-Matson reminded all that October 16th is the same day as the Senate meeting which has a focus on budget, will be the legacy date of action. On this day, at noon we will be celebrating on the Smith and Carlos Lawn. She invited all to participate.

President Teniente-Matson shared updates on two meetings that she held. One was with the Black Spartan advisory group for the council regarding the Black Student Success Report. She took their input with assistance from Dawn Lee, our interim Chief Diversity Officer on not only the findings of the report but also on the steps that we may move forward in. She also met with the Athletics Board which gave her an opportunity to talk to them about their charge for this particular year.

Questions

Q: What is the charge to the Athletics Board? In regards to your last comment, could you say a little more?

A: What I talked to the Athletics Board about is the Senate policy on which they are governed. I asked them to review the charge and determine if it was still relevant.

Q: You mentioned a revised charge. Will this have anything to do with financial sustainability?

A: I think there is a nexus between the work being done with the Budget Advisory Committee and some of the recommendations that include athletics fundraising and reliance on the general fund. I am asking them to also have this conversation as we look at sports sponsorship as well as the options that are out for our conference realignment and how we remain competitive in that space.

Q: For the event today, I looked at the flyers and what they have posted on Instagram, and very clearly they seem to be using our name, San Jose State University, in their promotion materials. Is there a way moving forward to kind of consider how those events are marketed and to minimize the use of our name?

A: We have had a number of conversations about ensuring we have a safe event in terms of the marketing itself.

VP of Student Affairs Patrick Day: This event is sponsored by a recognized student organization on our campus of which there are 350. We have training around this, how the name is and is not supposed to be used relative to their student groups and there is also a CSU policy on this. The challenge is once you get to social media it gets further and further from the center. We do respond specifically when people have that question, we have shared this with members of our staff and incoming inquiries, making it very clear that this is an event sponsored by one of our recognized student organizations.

Q: We are in tight budgetary times which means that across the academic colleges, some really tough decisions and discussions are happening. I have heard from colleagues that there are potential suspensions or degree/program terminations that are happening. Can you talk about this?

A: We're going to defer to the pros and we can bring this back to a future meeting for further conversation.

Provost Del Casino: To be clear, there are many different pathways to why a program may or may not be closed. I signed like half a dozen program suspensions or discontinuations in the past week that were all driven by local units. These were not driven by the dean or the provost's office but rather some come by external reviews or department conversations. The board reaffirmed the 1971 policy on program closure at the last meeting which in part suggests

that campuses need to look at their programs and they've set some metrics. They're going to let those campuses decide what to do with that data once they get it. Where a unit or department wants to be, drive those conversations and they have invited me in to offer my opinion but I am not driving that process as the provost.

V. Executive Committee Report:

A. Minutes of Executive Committee:

Executive Committee Minutes of August 21, 2023 - No questions.

Executive Committee Minutes of August 28, 2023 - No questions.

Executive Committee Minutes of September 18, 2023

Questions:

Q: It was noted that NACADA is coming and they will be conducting a review on faculty advising, is this correct?

A: Yes, that is correct.

Q: Just faculty advising not the staff?

A: Yes that is correct because we've already done a staff analysis.

B. Consent Calendar

AVC Kataoka presented the Consent Calendar of October 2, 2023. There was no dissent to the consent calendar.

C. Executive Committee Action Items: None

VI. Unfinished Business: None

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

A. Professional Standards Committee (PS):

Senator French presented ***AS 1858, Amendment C to the University Policy S13-6 (Final Reading).***

The Senate voted and AS1858 passed unanimously.

Senator French presented ***AS 1859, Amendment A to University Policy F08-4 (Final Reading).***

The Senate voted and AS1859 unanimously passed.

VIII. Special Committee Reports:

Special Committee Report by Senators Curry and Wong on AB 928, ICAS & CAL-GETC: Implications for SJSU's GE Program.

Senator Curry & Wong acknowledge the fact it is the senators themselves who are experts in GE and have been active members in the Statewide Committee on General Education and the ASCSU Policy committees that address these issues, both in academic affairs and academic preparation programs. It is important to note that our Senate has had several discussions on AB 928, ICAS, and Cal-GETC. We have also gathered data regarding general education with our former chair Mathur and the former chair of Curriculum and Research. Dr. Wong and Senator Curry have had extensive meetings with the chair of the ASCSU, Dr. Beth Steffel, and the current chair of GEAC, Dr. Eniko Csomay therefore this report is on the training they have received as well as their participation and discussion on these issues.

The first slide is Terms and Acronyms which describes various terms that will be used throughout the report.

The second slide is about AB928. It is a law regarding the transfer program, not regarding CSUGE. This is the really important point that my colleague, Dr. Wong, and I [Senator Curry] want to deliver today. We will probably have changes to general education because it is kind of like bylaws and constitutions, they are living documents that need to be updated.

The third slide is in regard to the ICAS program, which was presented, and approved in June of 2023. There are documents you can find and the last slide of this presentation provides resources with live links. Regarding the comment Chair Sasikumar made about the narrow timeframe, it is not about CSU GE. The AB 928 & Cal-GETC already left, that is what the Board of Trustees will be deciding in either November or January but they are not deciding on our campus's general education program.

The next slide is to reiterate what we were told by Chair Steffel and Chair Csomay that we are no longer talking Statewide or with the Board of Trustees about the changes to GE. We need to think about the chatter and persistent lack of trust which is a persistent issue that dates to other elements but always has to do with shared governance.

The fifth slide is to reflect and act upon the implications of Cal-GETC. The CSU input process is much like the resolution we just approved, we discuss them, we vote on them, and then send them to the President to sign. In addition, they give Dr. Van Selst, Dr. Rodan, and myself information about what we deliver to the statewide senate which is why we really want to focus today. We were told we had time because we are not voting on campus GE so we have time to gather evidence through a survey. This survey is very short and very direct in terms of asking you what the chatter that you have heard regarding AB928. The next slide spoke more regarding this, asking the SJSU faculty to exercise their voice.

The next slide, CSU GE Breadth and the Transfer Curriculum Proposed by ICAS is being provided for informational purposes only. You will notice on the right is our CSU GE Breadth of 39 units and the other side is the Cal GETC with only 34 units which applies only to transfer students. It is very important that we recognize that they didn't just give us a pattern of courses, they provided very important guidelines and standards including grading. Cal-GETC requires a very different grading structure than what we use in our general education program. You will notice that areas E, C3, and the laboratory have changed. I believe that it is our responsibility to speak about what are the consequences of those changes. It is very important that you all speak up and think of general education as one of the most treasured areas in our curriculum. Why? Because it tells us what we believe students must have to be educated citizens to participate in our nation, campus, and state democracy.

The next slide contains some guiding questions. How does it affect our students in terms of admissions? How does it affect our students in terms of academic success in our conversations? In my long-term conversation with folks regarding the community college system, one of the things that we frequently hear is the poor advising at the community college level. Should we be accepting this poor advising at the community college level? What control do we have over that advising? We have control of what happens to our students here.

There are some very important points we want to address. To reiterate, we are professors but this is not about us, it is about what will be the impact on our students. What will the SJSU students encounter if we do not think ahead about informing the ASCSU and the Board of Trustees to take special consideration of the program that already has been passed which will affect Title 5? We are being told that there will be 2 pathways effectively. They are the frosh first-year pathway with 39 units and the CAL-GETC pathway with 34 units.

Slide 12 shows what we are doing today which is we are promoting a survey. We are promoting feedback from all of you because you are the only experts in this field. We want the campus to speak up loudly given our expertise. We have been leaders in providing information and in answering the call from ASCSU for feedback in their effort to address shared governance.

Dr. Wong and I are available to respond to this particular presentation on these issues. But we do have other experts, Dr. Rodan and Dr. Van Selst can also be approached. I wish to reiterate that we want feedback and informed examinations of how your programs fit versus the university's general education programs. We want to prepare a report that will go back to the ASCSU and through them to the Board of Trustees.

Questions, Comments, Feedback

C: Sharing from a perspective point of view of the Academic Affairs Committee. Not sure I share this optimism that this won't be on the board's agenda. For the last 2 years what we have been hearing from the Chancellor's office is that they would like to see an alignment of CSU-GE with CAL-GETC. The second thing we have been hearing is that they do not want to present to the Board of Trustees independent requests for Title 5 changes. This means that the work that was developing in CAL-GETC could be voted on by the Board of Trustees immediately. In fact, the Senate passed two resolutions one in May of last year and another in the September meeting, calling on the Board of Trustees to make a decision to adopt CAL-GETC curriculum for transfer students. My sense is that the Chancellor's Office wants to get this done as soon as possible. We are talking about CSU-GE, not CAL-GETC because that is a done deal. The question is should we align CSU-GE with CAL-GETC? The Chancellor's office wants to present this to the Board of Trustees as a single package.

C: The questions I have are slightly off-topic at this point but I present them to you as suggestions for further consideration and debate when you are talking to whoever is guiding this. The feedback of the questions posed by instructors who teach lifelong learning and e-courses is more of an informational need. They are writing to ask us what is the current guidance at SJSU regarding the future viability of area courses. As you proceed with this fact-finding mission, I hope you include our students because they would have some pretty valuable perspectives to share as well. The question is will the university incorporate life-long learning as university-required units? If you would like instructors and chairs to work on

making sure their existing courses are viable, what kind of support can they expect? This may need to get done quickly so it can effectively occur.

C: Going back to AB928 was believed to require alignment of CSU-GE and CAL-GETC. The law does not state this but that is not how it has been presented. The Chancellor's Office is full steam ahead on the belief it should be 1 path and 1 path only. The difficulty is that CAL-GETC requires students to be UC-eligible and that cuts off the number of students. Admissions does not require GE so I think moving forward when we look at the associate's degrees for transfers and those degrees are defined as narrowly as possible for your disciplines, that will determine what courses people will come in with. The Trustees believe that it should be 1 path and 1 path only. When we look at the associate degrees for transfers, if it is narrow rather than broad you can guarantee what the students come in. When we look at implementation, it will be important to look within the major and see what associated career content is.

C: I do feel that it is going to be taken to the Board of Trustees at some point and it will be what the Chancellor's office would like it to be, which is exactly the same for frosh and transfers. Our CSU GE breadth will not be a discussion after that point. This also means that there will be the elimination of E, the extra C, and the integrated lab. There are other opportunities like that where we can determine around this system what we would like to have for our students here in SJSU outside of area G, meaning university requirements. We should all blow up the survey but we all have different perspectives and in the end, it will be what the Board of Trustees is likely to say. So we need to be prepared to not have CSU GE requirements.

Q: The call for the survey is very faculty-centric but there are other areas on this campus that aren't a part of Academic Affairs that will also be affected by this change. Are we [those outside the division] invited to respond to the survey as well?

A: Yes, we are asking senators and there is a section in the survey where you can say you are a student.

C: My suggestion based on what others have also stated is that this is a great opportunity to examine the first-year experience requirements.

Q: Based on what Senator Rodan talked about Title 5, the US Institutions, we have heard rumors about including that in any cuts.

A: American Institutions is actually outside of GE and it is not part of CAL-GETC or CSU-GE.

C: I want to go back to something Senator Mathur said which is to acknowledge the importance of us going back to whatever group we represent and are educating. I find that in different departments, even within a single department, there is a greater or lesser knowledge of GE. We have to make sure that they understand that this is relevant perhaps to their own teaching.

Q: Just for clarity, for one-unit labs. Do they have to be standalone or can they be a part of the classes?

A: Like CAL-GETC, the one-unit lab is in addition and has to be tied down to a course. It cannot be standalone.

C: In regards to looking at this from the student perspective, this can be very confusing. There are a lot of acronyms and there are a lot of things that very few of us have heard about. One thing that we could do is to simplify this and take it to our Academic Affairs Committee. We have student representatives from each college and this is important.

IX. New Business: None

X. State of the University Announcements:

A. Vice President for Student Affairs

VP for Student Affairs, Patrick Day spoke about the parent and family weekend that brought 18,000 people to the campus. We are seeing a different kind of relationship of students being more connected to their parents. This is growing as it was 200 more than we saw last year. Most were parents of the freshmen we have on campus but a number were parents of sophomores and juniors. This is a pattern we see and should pay attention to.

Tomorrow as part of Legacy Month, Ibram Kendi will be speaking for the Spartan Speaker series which will be happening at 6 pm in the Student Union ballroom. We may keep the program hybrid as it allows access to certain folks depending on where they are.

Homecoming is coming up the week of the 22nd. This lines up with the events the President mentioned. We will have a broad series of celebrations like Fire on the Fountain. You are likely to see more parents and families around, so it would be very valuable to put at least one or two of those events on your calendar.

For the first time, we are doing a fall preview before students are admitted. This is inviting people to learn more about our campus so that we can have an earlier engagement with folks. It will be on Oct 27, 9:30-2 p.m., and will be a great event that will include presentations of some of the colleges as a broad university welcome. It allows us to be connected with students and families, earlier in the process.

Regarding the event that the President alluded to, it is sponsored by one of our recognized student organizations. We are providing support like we would do with any student group. We are also aware of the students who are planning protests and have met with them to make sure they know they are supported and are safe as well. We are taking a balanced approach.

Questions:

Q: Will the event tonight be on campus and where?

A: Yes, it will be in the Student Union in the ballroom.

Q: Other universities have had problems with highly controversial events due to the security to keep everyone safe. How expensive are these events for us and can the university sustain this level of security?

A: We are providing a reasonable level of security and providing it at a level that is sustainable. This may be more expensive as we go on but as of now, we are okay. What we are telling groups is that as we continue to have these events there is a cost that might be pushed on to you.

Q: I wanted to check in on the incident that happened with the student. Any resolutions that happened after this? Is the student okay and were they supported? What happens after incidents like this?

A: UPD responded immediately, and the Office of Student Involvement responded immediately as well. The second student was caught within 15 minutes. Things were addressed fairly rapidly, with the appropriate follow-up from a legal and student conduct perspective. We have been in touch with the student and both associations sharing the messaging.

Q: Follow-up on something Senator Mathur brought up last year regarding Scantron machines. The testing office has one scantron machine that is now broken. Now halfway through the semester, I need to switch to a different form that I will need to run through a different institution in order to be graded. Is there another option on campus, or have we explored other options for in-person? It is

starting to look like everyone is going to push for online, whether we like it or not.

A: I got your email and followed up with my team. I will connect with you when I get the answer and I can share it here or directly with you. The Provost and I will also connect on that question as well.

Q: In regards to the event that will anticipate Admitted Spartan Day. Can you speak about the drill down? Probably high school, is my best guess, but even in junior high?

A: The Provost and I are working and thinking about new strategies. This is actually one of the new strategies. Our drill downs, you see some groups happening on campus. We have a particular drill down on the East Side where we have a deeper relationship. We are bringing back the African-American Summit which we stopped doing during the years of Covid. There are also additional drill downs that are happening but one of our biggest challenges is with our students in the community college and getting those transfers. We are developing those relationships.

Q: Regarding these speaker series, and particularly the student groups that are bringing in controversial speakers. Diversity of viewpoints is very important. Do we have any guidance on who we're going to allow to speak and who we're not?

A: My job is to make sure that we allow for multiple viewpoints. We follow what the law says, and short of someone inciting a riot, calling for violence, or grasping behavior, there is nothing that says we can't invite that speaker. This is a challenging conversation. We work with our cultural centers to make sure they are providing support for our students. As a public institution, these are things that we have to live with but we can be clear on what our values are and who we are as a campus.

C: This question was raised from whether or not we can afford the security for controversial speakers. We must afford it based on previous events throughout the CSU.

B. Interim Chief Diversity Office

Interim CDO, Dawn Lee mentioned a lot of what she wanted to show had already been covered so she would be brief to avoid being redundant. Just a couple of things she wanted to draw attention to. You might have missed it earlier this semester. She sent out a message which was co-signed by the Provost and VP of Student Affairs about upcoming religious observances that

included a Google calendar. This should help you plan and talk to your students about how to handle classes.

I have been sending out communications that are co-signed with others. The next one will be regarding the latest Government ruling which lifts the travel ban. My intention in these communications is to recognize what is happening and to openly discuss these issues and I welcome your feedback.

We have been doing microaggression sessions for our MPPs and the staff as well. This summer our IT department had 83 out of 93 members of their staff go through this training. In the post-assessment, we learned that 89% of them felt like they had a strong understanding and ability to identify microaggression. Our MPPS were trained earlier this Spring and there was a session most recently.

Questions & Comments:

C: Just an expression of gratitude for the email that recognized the Jewish holidays. This is the first time I have seen these holidays recognized on the campus. Religion is often ignored as a component of culture which is remarkable because most people have one. I am one of the people who were very pleased to see your email.

C. Associated Students President

Associated Students President Multani stated they are currently looking to revise their budget policy in terms of allocation and funding requests for organizations. This revision would reaffirm the fact that positions, views, and opinions have never and do not affect whether or not a club or organization receives funding from their allocations.

As the VP of Student Affairs mentioned earlier, Homecoming is quickly approaching and our Director of Co-Curricular Affairs and Director of Student Resource Affairs, Michelle & Sam have been working tirelessly on this with company teams. We want to make sure the faculty and staff are involved as you guys are a big part of this university.

Some Senate updates, I have been charged with appointing student seats onto our committees. We still have 26 vacancies, and we've received 9 applications so far. I am working with VP Day on sending out an email and if you feel like you have nominations please reach out to me as well.

In our subcommittee within ISA, we will be working on advising referrals. We are waiting on some updates from Shonda Goward to talk about some of the existing data on advising and how we can move forward with the solution.

Regarding the state of the university, as the President mentioned earlier, she and I have begun scheduling some tabling sessions. We are thinking instead of setting up a program and event we should take ourselves to the students in their space to talk to them, be transparent, and be open-minded, listen, and offer resources.

The last item, I heard concerns about the event today and I just want to say the university collectively handled this really well. We stress free speech, remaining neutral, and providing reassurance to those concerns. As young adults, we expose them to different views. I believe as young adults, it is very important to get exposed to different points of view which prepares students for the real world. They get to learn firsthand how to practice and respond to different opinions and free speech expressions responsibly.

One request, can we please get our Academic Senate website updated with chairs and meeting times? It has been difficult for a lot of the students to figure out which meetings they have time for. This would be extremely helpful to them.

Questions & Comments:

C: Thank you for everything you are doing. Just a suggestion, maybe use faculty as partners to spread emails to their students that might help you. Success Centers as well.

A: I have been giving speeches to my classes and sending out emails to them as well. Please let me know those faculty that are open to help, I will email the entire senate to inquire.

D. Vice President for Administration and Finance

VP of Finance, Charlie Faas thanked everyone who attended the budget summit. He also thanked all those who came up on stage with him and the members of the Budget Advisory Committee who worked to put the presentation together.

There are two good articles in the Spartan Daily on UPD. Please take the time to read these two articles. One is in community policing and first aid which are written from the student's perspective and they nailed it.

Regarding one of the alerts that came out last week about the YUH area where a student was accosted by a 6-foot 219-pound individual with a pair of scissors. The difficult part about my team's efforts, UPD, is that sometimes they do not get told the truth. As we now know, this was something that a student made up. We had to go through a real case, investigate it, send out an alert, and then investigate it which is when the student recanted it and went back on it. Which is what you and the rest of the community do not get to see because we do not put that out.

Questions:

Q: Thank you for the budget summit. It was very informative. Last year you talked about some usages of space on the campus, can you give us an update on the other library spaces?

A: Nirvana Soul is going into the library soon. In the next month or two, the contract is done. This would be their 3rd location.

E. Provost

Provost Del Casino mentioned how Shonda Goward, our Associate Vice Provost for Undergraduate Advising and Student Success, led an effort to get a \$2.8 million grant from the MSI Department of Education to build a program around retaining probation students. This grant is going to include a lot of people and a lot of programs which is pretty exciting.

A message went out regarding the reorganization of the College of Professional and Global Education. I am happy to answer questions about this, what are the next steps, what is going on there?

We are in the middle of the start of RTP season, the files have come in and now the departments are starting to work through that which will be a big part. Because the President has given me the authority to make the final decision as the Provost, we changed the timeline to give the colleges and Deans more time.

Since a question came up regarding tenure density I would like to jump into a quick presentation. I'm going to deconstruct the numbers in that article and offer a sort of walkthrough of what drives it and some of the local challenges. The first slide defines tenure density. Here is the complexity of it, the definition is the ratio of tenure track instructional faculty and they pull this data from the behavioral system. This accounts for the total number of people. A tenure track faculty member not in the faculty early retirement programs is 1 point. Then they go in and look at the instructional fractions of each non-tenure track faculty and they

bring them all together and you get a number and you divide. Important to note this is a fall number only and they use the fall after census.

In the 2021 article, we had 731 tenure track faculty and 696 equivalent full-time lectures which gave us a 51.2%. In 2022 we reported an uptick of 52.1% density that was based on 744 tenure track and 683 full-time lecturers. We have not yet calculated the 2023 percentage. But for context to this presentation in 2018 the tenure track number was 696 but the density was 53.6%. We increased it by 48 headcount tenure track faculty but decreased tenure density in that period. We have had a pretty good tenure track faculty since the last time I reported to the Senate based on 2 things, hiring and successful retention.

The second slide of the presentation presents the numbers for the “good campuses,” campuses with very high tenure faculty which can be a little misleading when all the campuses are treated equally. On the screen are campuses with very high tenure & tenure track densities, San Francisco, Chico, East Bay, and Humboldt. All of these campuses have had a significant enrollment decline. This is not a strategy for increasing tenure density, this is the result of enrollment change and likely a decline in lecturing faculty. There are some exceptions, Maritime, San Luis Obispo, San Diego State, Northridge, and Sacramento.

The next slide focuses on San Luis Obispo, there is something we need to understand which is that not all campuses are created equal. SJSU brings in \$7,992 in California resident tuition and fees. For international students, we have a nonresident fee for those who take 30 units a year; it is \$11,880. This is our revenue based on the state side. San Luis Obispo has a California resident tuition fee of \$11,706 and a non-resident fee of \$11,880 along with what they call an opportunity fee for all non-residents of \$8,304. If you go there as a non-resident student and live in the dorms the annual cost of education is \$55,000. This means they have \$3,714 more dollars per California resident than we do plus the \$8,304. This is definitely a piece of the puzzle when you look comparatively at the campuses.

The next slide focuses on what local decisions impact density. I want to point to two right away. The first is the RSCA program and the second is the student/faculty ratio. If you go back to 2017, we are spending about a million dollars on the RSCA program and we are now at 5 million. This is a 4 million dollar annual difference which is equivalent to 57 full-time faculty. If we did not have this program our tenure density would be 2.1% higher assuming we could

recruit and retain all the faculty. There is only one other campus with this level of investment in the RSCA program, San Diego State.

The next slide focuses on what other local factors play into the density formula. I have been over-investing in this, not the faculty minimum. Investments in the radical program have been 1 million a year. In the last two years, I have granted sabbaticals to all eligible faculty who have been recommended. I have not been using the contractual minimum in fact I have over-invested in this. The 1 million dollars goes into hiring non-tenure-track faculty, this changes the relationship of tenure density. The Chair refresh program which is under 50k a year, also has an impact. Administrative assigned time, which is roughly 5 million dollars a year also leads into the RSCA program.

The average faculty workload of tenure track faculty for instruction is just shy of 50%, i.e. a 2-2 load when you add it all up and put the chairs in. For research expenditures, we have \$660,000 in research buyouts. This all goes in and produces the denominator. There are all other kinds of things and some intangibles like curricular complexity that mandate smaller courses.

If you look by category, the student-faculty ratios are lower for the tenure-track faculty. We've had a demonstrable increase in lecturer faculty and a drive-down in the student-faculty ratio which has precipitated more non-tenure track hiring. All of these things combine into the ratio.

The last slide was about the big questions. Would we recruit all of these people without the programs we put into place? The strategies we have put into place to get where we are have made the lift in tenure density difficult. I would love to see more full-time people in general and start to think about our full-time density. Invest in people, give them good salaries, and have lecturers who have a full load. This would probably be a better representation but until we get to a place where we can start to balance out some of those costs and deal with the realities, we won't.

Questions & Comments

C: While the numbers paint a momentary picture of our campus, the movement of the number as the progress eloquently explained should not be overrated. In 2001 the State Legislature passed ACR 73, which urged the CSUs to have a 75% tenure density. This is not a law, it is a recommendation by the Assembly and by the Legislature but they do not give us any money for this. In 2017 or 2018, the average tenure density in the CSU was 54% and San Jose State was

right in the middle. I predict in the next 2 years, tenure density will go up but sadly due to the anticipated budget constraints, we will not hire many faculty on the tenure track or lecturers will not be hired or reappointed. When you lose a lecturer, your tenure density goes up but this might be painful for some of our colleagues. Another way to increase tenure density when budget times get better is by hiring a new tenure-line faculty. But the best way we could double the effect is if we take a current lecturer and hire them on the tenure track because we eliminate a lecturer in a positive way.

Q: Even though we have hired more of these faculty than anyone else in the CSU we are exactly where we were in 2014. Is there any hope that we might hire without firing a lot of temporary faculty? Could we learn a little more in the budget report about how many faculty tenure faculty we are losing to attrition? Finally, we are hiring 70 a year and the ratio wasn't changing which kinda suggests we need to hire 70 a year so our ratio doesn't change. Do we stand to dip below 50%?

A: I do not want to lose sight that we are the top 3 in the system in terms of total tenure track faculty. Some of the decisions we have made including the curricular ones, the SFT, and other things like this are driving the change. We have added people to the campus while we went through a 1,500 FTES drop in enrollment which does not make a lot of sense. I am all for getting lectures into tenure-track jobs but this is a very local decision. You have to remember that for each new tenure track faculty member you go from 15 units of teaching to 9 which is a change of 6 units. This is something you have to locally think about.

Q: Do we have any data from UP or Faculty Affairs regarding exit data, why are faculty leaving?

A: [Joanne] We have a system called HSD metrics and it's an anonymous survey system and people decide if they want to answer or not. We just started this so we are collecting data.

XI. Adjournment: The meeting adjourned at 5:00 p.m.

2023-2024 Academic Senate

MINUTES
October 16, 2023

- I. The meeting was called to order at 2:08 p.m. Prior to that time, Chair Sasikumar requested all senators to sign in using the QR code and/or on the roll call list. Chair Sasikumar thanked Dean Meth and the MLK Jr. Library for the meeting room. Vice Chair Hart confirmed the Quorum. 43 Senators were present.

Ex Officio: Present: Curry, McKee, Multani, Rodan, Sasikumar, Van Selst, Absent: None	HHS Representatives: Present: Baur, Chang, Sen Absent: None
Administrative Representatives: Present: Del Casino, Faas, Teniente-Matson Absent: Day, Lee	COB Representatives: Present: Chen Absent: None
Deans / AVPs: Present: d'Alarcao, Kaufman, Meth, Shillington Absent: None	EDUC Representatives: Present: Mathur, Munoz-Munoz Absent:
Students: Present: Brown, Chevis-Rose, Gambarin, Guzman, Mejia, Tikawala Absent: None	ENGR Representatives: Present: Wong Absent: Kao, Sullivan-Green
Alumni Representative: Absent: Vacant	H&A Representatives: Present: Blanco, Frazier, Kataoka, Lee Absent: Han, Sabalius
Emeritus Representative: Present: Jochim	SCI Representatives: Present: French, Heindl, Muller Absent: Shaffer
Honorary Representative: Present: Peter Absent: Buzanski, Lessow-Hurley	SOS Representatives: Present: Hart, Haverfield, Pinnell, Raman Absent: Buyco
General Unit Representatives: Present: Flandez, Johnson, Masegian, Pendyala Velarde Absent: None	

- II. **Land Acknowledgement:** Senator Flandez read the land acknowledgement.

- III. **Approval of Academic Senate Minutes:** None

IV. **Communications and Questions**

A. From the Chair of the Senate:

Chair Sasikumar announced that the rest of today's meeting was devoted to the presentation of the budget and a presentation from Academic Affairs. Chair

Sasikumar then welcomed the new student representative, senator Chevis-Rose, and the new H&A representative, senator Blanco.

B. From the President: None

V. Executive Committee Report:

A. Minutes of the Executive Committee: None

B. Consent Calendar: None

C. Executive Committee Action Items: None

VI. Unfinished Business: None

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

A. Instruction and Student Affairs Committee (I&SA): None

B. University Library Board (ULB): None

C. Organization and Government Committee (O&G): None

D. Professional Standards Committee (PS): None

E. Curriculum and Research Committee (C&R): None

VIII. Special Committee Reports:¹

**Notes: All reports were made using slides. In the following minutes, the title of each slide is given in square brackets.*

**A. University Budget Report by CFO and VP of Administration and Finance
Charlie Faas**

[Senate Budget Presentation 2023]

budgets are difficult at universities even in the best of times, and we are not in the best of times. We are trying to create a sustainable financial model to operate and teach our students.

The Board of Trustees passed a tuition increase of 6% over the next 5 years. We recognize that it is not easy for everyone, but it is necessary. Two years ago, the Governor made a compact to provide a 5% annual growth funding into the CSU, but it is contingent on graduation rates and growing enrollment; it is not a guarantee.

[Agenda] Today, I will talk about: Current financial status, how we got here, our current budget, and where we go from here. There is a QR code for a budget model that you can download after this meeting and simulate the budget.

[Current Financial Situation] Current deficit: Today we have approximately a \$15 million structural deficit. Last year, it was \$37 million. Working with the Budget Advisory

¹ The minutes for Section VIII are aligned with the left margin for space consideration.

Committee, Cabinet, and President, we took that 37 million down to the 15 million. Structural budget is what we spend in a year, and the key is to reduce the normal spending. We do not use the one-time money to solve the structural budget problem.

Operational reserves: As shown in the CSU Transparency portal in the Chancellor's website, we had about \$188 million worth of reserves five years ago. We had the same amount this past year, but the operational part has shrunk.

Labor negotiations: About three of the unions have either settled or about to settle, but the CFA is not there yet.

Tuition: There will be a 6% increase. It will not impact this year; it will start next year.

Enrollment fluctuations: We are about 99.6% of the plan in the fall. We will focus on what we need to do to regrow our California enrollments. International enrollment also dropped by 1000, resulting in significant loss of revenue.

State financial picture: The state budget is declining now and for the next few years. Until the state budget recovers, it will be difficult for the CSU to ask for more money.

[What got us here]

Rising costs: The pandemic, which caused all kinds of expenses, and inflation, caused more money to be spent by everyone at the institution. Our expenses are up across the board.

Enrollment: It has been down considerably. Last year, we were down by over \$10 million in revenue due to the shortfalls in enrollment.

Transformation 2030: We tried to accelerate our strategic plan. It includes expansion of Research and Innovation, more Athletics spending to be a part of the Mountain West, and creating new divisions in the past few years.

[All milestones & challenges have associated costs] There are many positive things that have happened (e.g., providing basic needs & mental health, hiring tenure-track faculty) – our pride points. There are challenges (e.g., IT cost due to the pandemic) as well. Decrease in number of international students means significant revenue decrease (i.e., $\$16,000 \times 1000 = \16 million drop) for multiple years.

[SJSU Enrollment vs. Target] In 1999-2020, the enrollment was growing and exceeding the target. In the next couple of years, during the pandemic, the target went up but the actual enrollment went down. When the tuition rate remains flat and the budget is based on the number of students coming in, we lose revenue.

[Enrollment Headwinds] Over the past number of years, the number of high school seniors has declined across the country. Fewer students go to community college and

they go to the UC, so our transfer number was down. We are seeing fewer international students. We are improving graduation rates, which is great, but it impacts the budget negatively. Decrease in retention also impacts our revenue.

[Budget 101]

[State Funding], [2023-24 State of California Budget] & [2023-24 State of California Budget Higher Education] This is the instructional part. The state gives money to the CSU system, not to us directly. The State has a \$226 billion budget, and 10% of it is for higher education. Of the \$2.6 billion, the CSU gets 20-21%.

[CSU – 2023/24 Budget Request] The compact is for \$240 million, it is 5%, though the Board of Trustees requested 11%. A part of it was the \$1.6 million for compensation that we asked and got denied. We got \$240 million at the system level.

[Tuition & Fees] About 10 plus years ago, tuition was \$5472. This year, it is \$5742, up by \$270. It has been basically the same revenue for 10-12 years. On campus fees, these fees were all approved by students in various years by votes. The votes were based on the HEPI (Higher Education Price Index) index. Fee growth went from \$1650 to \$2250 now. It is an average 3% growth over time. If we did the same on tuition, we would not need to burden our students with the 6% over the next 5 years. We are doing a catch up here. All expenses are going up but the revenue is the same.

[The Picture at SJSU] We have about \$450 million worth of revenue. Half of the operating fund revenue is state allocations: 40% for in-state tuition and 5% for international tuition. We also have another \$300 million from Auxiliaries, Enterprises (mostly fee-based), and self-support.

[Additional Funding Sources] We have about a \$200 million endowment. That is 5th best in the CSU. 4% goes out mostly to scholarships for students. Though we are one of the best, that money does not go to the General Fund; it will go to students and specific projects that donors specify. Associated Students have student fee revenues. On enterprise funds, PaCE and Research Foundation, we get a fee that comes back, but that is a very small amount.

[SJSU General Operating Fund Revenue] & [SJSU Operating General Fund Expense Budget] 52% is from the state and 39% is from tuition fees. 63% of the expenditure is for Academic Affairs. The percentage went up because we transferred about \$10.5 million of enrollment management from the Student Affairs and we did \$20 million reductions throughout the university.

[SJSU Operating Fund Expense Budget] 51% of our expense is for labor salaries, and another 27% is for benefits. This 78 to 80% is reasonably fixed.

[Impact of Potential Salary/Benefit Examples] We have \$370 million worth of salary and benefits. 1% salary increase means \$3.7 million impact on our General Fund budget; 5% increase, \$18 million; and 12%, which is what the CFA is negotiating for, will have a \$44 million impact. Our \$15 million structural deficit would go up accordingly. When it comes to making sure people are paid fairly and reasonably, it needs to be done, because without faculty and staff, we don't have an institution.

[Sources of funding for Capital Improvements/Buildings] A lot of people ask if money is taken from the General Fund to build buildings. The answer is "no" with one exception where money was taken from a State Revenue bond to build buildings. All the newer buildings around the campus have been refinanced with 2-3% interest rates. Sometimes we get money from donors for different areas.

[Interdisciplinary Science Building] This Science building cost about \$190 million; \$120 million from State Revenue bonds with 2-2.5% interest rate. We used Campus General Fund reserves of \$30 million to buy down that cost. The Research Foundation put in \$15 million. PaCE put in \$21 million, and the Student Union put \$4 million in. This was a campus-wide collaboration to fund the extra upper floors. The State gives \$100 million per building, but we asked and got \$119 million.

[Spartan Athletics Center] The Spartan Athletics Center is a \$57 million building. \$40 million is a Tower Foundation loan: we got \$20 million from donors, \$10 million Generated Revenues from the naming rights of the Stadium.

[Spartan Recreation and Aquatic center] The Spartan Recreation and Aquatic center, a \$132 million facility, was built without a dime from the General Fund. All of it came either from State Revenue Bonds and Student Union Reserves – the money the previous generation of students put forth to build it.

[Campus Village 3] This is Campus Village 3 to provide more affordable housing. We will use \$89 million of the Higher Education Housing grant and Housing Reserve. Again, nothing is used from the General Fund.

[Reserves]

[CSU Transparency Portal] This is that \$188 million back 6 years ago or so, and this year, on June 30th, has the same \$188 million. Operation was \$100 million 6 years ago, and now it is \$70 million. It is still a lot of money.

[SJSU Operating Reserve Details] All others (Health Center, Capital project Mgmt., Utilities Reserve, FD&O, Faculty Start-Up, RSCA, etc.) grew from \$50 million to \$65 million, but the General Fund Reserves dropped tremendously on this campus. We have a \$15 million deficit, so we will have to borrow whatever is available in reserves at the end of the year. This is why we are building a sustainable financial model over the next couple of years, so that we do not have to pay debt service to pay back our structural deficit.

[Budget Advisory Committee]

[Who we are] & [What we do] I thank all members of the Budget Advisory Committee. We have been meeting on a regular basis. This past year, the committee got into budget, and came up with a series of actions to reduce the \$37 million deficit down to \$15 million.

[Stepping Stones to Recovery] These actions include: \$20 million in base reductions and one-time savings; moving enrollment from Student Affairs to Academic Affairs; encouraging tuition growth, etc.

[\$20 M in Base Reductions for 2023/24] We closed some of about 300 “dormant” positions – long open positions. We also used salary savings to offset structural deficits. It does not fix the base problem, so next we will fix the base problem, by going through and cutting different areas.

[Financial Model for You to Try] & [QR code] I encourage you to download this Financial Model and input different conditions to see how revenues, teaching load, etc. will change. I will send this QR code to everyone.

[Some Final Questions] If you have ideas on reducing costs and potential new revenue opportunities, now is the time to raise your hand.

[Going Forward] We need to fix the structural deficit and stop borrowing as soon as possible to get us onto a sustainable financial model going forward. We will regrow operational reserves. Labor negotiations are TBD. The tuition increase was approved. Enrollment is at 99.6% of planned today, so we will need to make up ground in the spring. The State financial picture is not looking good, so this is on us to figure out. Thank you.

Q-A and Comments:

[C]: This is a correction, not a question. You mentioned that all campus fees were approved by students by votes. Actually, these were just a few of them; there were many IRA fees on which students were consulted but didn't vote and approve.

[A]: Thank you.

[Q]: You talked about the dormant positions that were eliminated. What were they; in what divisions were they; and how was the elimination determined?

[A]: First, the Budget Advisory Committee identified a pool of 300 positions and tasked Vice Presidents to look at the positions to have and cannot have. For example, in my finance group, I identified 8 such positions. Each VP determined what could be reduced while keeping the necessary level of service.

[Q]: I have a question about planning for reserves. Do we find reserves by looking at our positions at the end of the year, or do we plan at the beginning of the year about how much to put into reserves?

[A]: It depends. We planned what we could grow and it depends on the fund. We also want to grow to the needed level, not for the sake of growth. We spend money where we need and put money aside for a rainy day. So, it is a balancing act. We have not had a surplus all these years, so we are using our reserves to cover our structural deficit.

[Q]: On the operating reserve slide, the legend doesn't show everything. What are these two categories?

[A]: I will check them and inform you after the presentation.

[Q]: My understanding is that Federal Student Aid covers more for higher tuition fees. Is there a possibility of raising tuition to the point where we will be able to deal a lot more with the Federal money?

[A]: That is the difficult part of the equation. About 60% of our students receive full coverage, so raising tuition fees will not impact them and only benefit the institution. On the other hand, for the other 40%, who are not or only partially funded, it will cost a lot more and we will not be the approachable public institution that we promise to be.

[Q]: You said reserves were used to pay the deficit. Can we utilize other monies to pay off some of the deficit or to build up reserves again? For example, we are running a comprehensive campaign (although we don't know what the status of that campaign is), could we develop funds from that space to fund some of the logistics of the university?

[A]: So, the question is: how "fungible" are our reserves from account to account? Fungibility to these reserves are rather limited. For example, the reserve for the Health Center cannot be used to solve our reserve problem and Tower Foundation Money from donors is for specific purposes. We rarely have unencumbered money.

[Q] (follow-up): But could we ask our donors for unencumbered funds?

[A]: Yes, that is possible.

[Q]: This year, Athletics had \$5 million more overall budget than last year. I am pleased that all of it came from self-support funds, not by raising the General Fund or student fee support. But are those self-support funds sustainable? For example, if the additional money that came from donors goes away next year, will we be reducing the budget accordingly?

[A]: There are other revenues coming into Athletics. Part of it is from Mountain West fees that includes multi-year TV revenue contract deals and other deals that have only increased over time. Another one is the implosion of the Pac-12. There is a chance for more West Coast revenue than before, and there is a limited concern about Mountain West money going away. We also saw a significant increase in sponsorship from the Playfly site. We are one of their premier accounts.

[Q]: On ways to reduce the deficit, is anyone looking at it from a bird's eye view to identify duplication of services across the campus that can be eliminated?

[A]: That is exactly the next step that the Budget Advisory Committee will have to do this year. We will look at shared services and duplication efforts across various units and groups for possible consolidations and better use of resources.

[Q]: On the Student Recreation Aquatic Center, if we have a \$100 million bond, why do we not use it for the building instead of using the Student Union funds? Can the Student Union reserve be used in a better way?

[A]: It is similar to the previous question that asked if we plan for reserves. We had a certain amount of money in the Student Union Trust account. The plan was to grow those reserves to finance a good chunk of it, but also to use what we saved over time for this building. Now \$20 million is sitting in the Student Union Reserve account, which will not be used for any other issue.

B. Academic Affairs Budget Report by Provost and Sr. VP of Academic Affairs Vincent Del Casino

Prior to the report, Provost requested that Vice Provost for Faculty Success Magdalena Barrera be recognized for the additional report after the provost's report. The Provost also announced that the presentation slides will be distributed at a later time.

[2023-24 Academic Budget]

The overall operational fund for the Academic Affairs is \$358 million, out of the \$756 million. We called out Enrollment Management, so it is under the division now.

[Campus-Wide Budget Reductions] VP Faas talked about the \$20 million budget reduction. We are 63% of the university and our budget was cut by 41% this year.

[Allocation of Reductions] We did the cut in different ways: 10% operations reduction to all units; centralized cost savings; reallocation of PaCE to cut \$1.7 million; and distribution – that is salaries and benefits – for another \$3.5 million. The library budget was maintained. We distributed cuts and preserved some of the core missions.

[Configuring Enrollment Management] Enrollment Management takes about \$10 million in operational funds. One of the challenges we have in Enrollment Management is that a lot of OE&E is accounted for such as management systems and OnBase. That area took a \$1.4 million cut (=10% of the budget cut) this year.

[Institutional Investments] The Academic Affairs contributed to the structural deficit of the institution through institutional investments. We invested in RSCA programs. It costs \$7.8 million, and with the \$6 million investment, we are still short for \$1.8 million. So, people ask if RSCA programs are sustainable. It is sustainable at a \$6 million level, but not yet at a \$7.8 million level. We need a long-term sustainable model.

We also allocated \$1.2 million for student assistants for the fall. With the spring \$2.4 million is committed. We will see how much is actually needed.

Contractual salary increases: The last CFA contract got a 7% raise over 2 years. This is completely funded by the system. In the contract, there were two other items not funded by the system. One is the PPI (Post Promotion Increase) and the other is additional \$4.4 million for the two SSIs (Service Salary Step Increases). The campus has to absorb them. When compared with the budget of about 2014, the instructional budget has gone up about \$50 million.

[Examining the AAD Operations] As we think where we are, we must restore Student-Faculty ratio to the previous level and evaluate and tighten up assigned times and guidelines for low-enrollment classes. We are also not effectively maximizing some of our academic spaces; there are courses that can enroll more. We are working on that. We are also trying to create shared services to cut down administrative costs and directly invest in faculty and staff.

[Student-Faculty Ratio] We are back to the fall 2018 level (25.7), but given the tight budget we need to go back at least to the fall 2017 level (26.3). That is where your RSCA programs and other money would come from.

[Assigned Time (fall 2018 - fall 2023)] Not surprisingly, College/Dept RSCA has dropped, while University RSCA has increased. We took the burden off the colleges to invest in those programs. Assigned time for Admin/Committee type of work has decreased.

[College & Department Assigned Time Cost] You can see some of the cost savings. There has been a million dollar decrease since fall 2020. Again, that is how you backstop the RSCA programs.

[Stateside Enrollment Targets] Enrollment is where the money comes from, and what I have been doing is moving the enrollment to where the enrollment is. We had no one-time enrollment money this year, so I made changes in base budgets. We got 39 FTE (Full-Time Equivalent) increase in terms of the budget. As Charlie mentioned, the 99.6% is the prediction. If it holds in spring, then it will be one of the things that are impacted. Another thing is the Average Unit Load (AUL). The number we report to the CSU system is FTES, so if we raise AUL, say, from 12.5 to 13, we will be well ahead of the target and be on the opportunity side of the funding redistribution of the system. For students, taking units below 15 means another semester in school, and it will impact students' lives. For us, if we hit 17 AUL, it will mean 102 or 103%; it will make a big difference.

[CPGE Organizational Change] We are taking the service areas out of the college and putting them into the central Provost's Office, leaving the academic programs in the college. These programs are larger than one college by headcount, and another by FTES, so although these are only two academic departments, it is not a small operation.

The infrastructure is already there, and we have not added any new MPP lines. The Associate Vice Provost – a person with an associate dean role – was named and given

more responsibility, but we have not added a new line. The Dean of the College is the same. There needs to be some state operations investment into that position, but the college has grown dramatically in terms of FTES, as there has been a big FTES investment in Professional and Continuing Education because they have taken more State-supported students. The overall goal is to make it revenue neutral as much as possible and centralize services that would produce savings.

We are going to maintain the college and program reserve levels at 90 days, which is more than what we have on the State-side. I will not be concerned about paying for administrative oversight, because they are much larger on the Self-support side with more financial flexibility than any other units in the division.

Q-A and Comments:

[Q]: You mentioned that the student-to-faculty ratio is near its historical high level, but student enrollment has been dropping. How was the student-to-faculty ratio increased?

[A]: We close small sections and classes. During the pandemic we dropped enrollment but we increased the number of faculty by hiring more people. We had smaller classes, which drove expenses in budget. So, we will manage back on class sizes.

[Q] (follow-up): So, many part-time lecturers are let go?

[A]: Yes. There will be a reduction ostensibly in the non-tenure track faculty. In fact, there has been movement in that the tenure is going up, and total Full Time Equivalent Faculty and Non-Tenure faculty going down, increasing tenure density. We are 1500 FTE down from our height, so we should have some change in the overall faculty number.

[C]: This is a critique. We have saved some money by cutting back on non-RSCA assigned time. But work in departments does not go away when assigned time is cut, and someone such as department chairs will have to do it. There will be consequences for morale in general.

[A]: Thank you.

[Q]: Who is responsible for recruiting international students? Should we invest more in that? Would it be a hopeless endeavor or would there be an opportunity?

[A]: There is an opportunity to restore international student enrollment, but you have to do it very specifically. Our advantage is our location; a lot of international graduate students want to come and have the opportunity to work. It changed not because we have not been able to recruit but we do not enroll them. Historically departments have made decisions about enrollment, and we could debate whether it is the right thing or not.

[Q]: Is the RSCA program sustainable?

[A]: We run some part of RSCA on base money and some part on one time money. It is now sustainable at a level of about \$6 million, but not at a level of \$7.8 million. By the way, the RSCA program reduced the average teaching load of a tenure track faculty; taking RSCA and other assigned time, the average teaching load is 2 courses per

semester. So (on the previous comment), I am less concerned about the reduction of the assigned time. If we want the \$7.8 million, we have to make some decisions, or it will go back to \$6 million next year. Are we then losing the faculty we have recruited? These are the questions we have to ask ourselves.

[Q]: On the roadmap to graduation, sometimes students do not take 15 units because the classes are not available. Is there technology available to make predictions on how many sections are needed for specific courses?

[A]: Yes, we have some tools coming in place to get those numbers earlier. The other thing that is happening in undergraduate education is to create different kinds of alternative load maps (vs. one size fits all type) that help students and do better jobs teaching.

[Q]: Expanding on the previously made points, the number of students that faculty have will be the same when the classes are redistributed to raise the SFR (Student-to-Faculty Ratio), so the impact of actual assigned time through RSCA is a wash-out. Also, when you reduce assigned time, it does not mean reduced workload, in fact the opposite. So, how is the RSCA program sustainable in terms of actually reducing faculty workload to allow for greater research productivity?

[A]: If we are above Fall 2017 SFR, this would be a real conversation, but we have not even passed where we were. Between 2017 and now, class caps were set at lower numbers than before. We also had an increase in administrative and other assigned times and RSCA. So, we now have a \$15.7 million budget problem. Second thing is, if you go to a place of our size with 3-3 load, the classes are larger and they have graders and other supports. So, it does not have to be the individual faculty's burden entirely. Also, three classes of 33 may be less work than four classes of 25, due to fewer preps, commute, etc. We don't have money to do everything, so I would like feedback on what we can give; Should we have a reduction of RSCA to afford smaller class sizes, or slight increase in the class size to maintain RSCA? Should we keep \$4 million for administrative and other assigned times? That is where we are at this time.

Chair Sasikumar asked if any senator would like to make a motion to extend the meeting by ten minutes. Senator Mathur moved to extend the meeting by ten minutes. The motion was supported by acclamation. The meeting was extended by ten minutes.

Chair Sasikumar acknowledged Vice Provost for Faculty Success, Magdalena Barrera, for an additional report.

Academic Affairs Tenure Track Hiring Report by Vice Provost for Faculty Success Magdalena Barrera

[2023-24 Tenure Track Faculty Hiring Trend]

[New TT Faculty AY 23-24 (N=40)] I will share with you a picture of who is in our incoming faculty class. There were 67 searches approved and we have had 40 new hires. Of them, three-quarter are Asian or White, with the majority identified as female.

We received a question on the number of international applicants and how many were hired, their RTP progresses, and separation rates. We do not have tools to obtain those data nor definition of “international” faculty. We can work on some of them for future presentations.

[New Faculty Members 2023-2024] I hope you all have had a chance to check out our new faculty member yearbook. Thanks to University Marketing Communications for their help. It has been shared to colleges and departments so you can welcome new colleagues and find opportunities for collaboration.

[New TT Cohorts: 5-year Trends in Diversity] Between 2018 and today, there have been fluctuations in Black, Latinx, Native American faculty. Work to diversity faculty is a challenging one. We need to engage with intention and purpose. It is critical to have buy-in from college leaderships on practices and tools, including dean’s support for a search committee and training members selected for the committee. A culture of accountability is also critical and we must hold ourselves to what we say we want for a strategic plan to be able to deliver the best to our students.

We continue the practice of reviewing applicant pools to see what diversity we can reasonably expect for a particular search in the light of national data. We continue this practice with the applicants, semi-finalist, and finalist polls. This is an opportunity for search committees to work with the leadership on who is applying and how to evaluate the applicants. Searchers may return to their pools to see if someone who got cut before could be included if that can net us the diversity.

It is important to note that there is pushback that is very hard to deal with, such as questioning the purpose and value of the training. Doing better in diversity is a constant educational process. There is always something new to learn for committees. There is also a concern that focusing on certain characteristics would result in a less diverse pool. It is frustrating because it is a non-starter. Our mission is to have the most diverse pools that we possibly can. We really need to think and talk about how we support each other in the process and hold everyone accountable.

[Faculty Hiring for Appointments Starting AY 2024-25] We are committed to the max number of hiring under the current budget model. We prioritize couple of things, including hires that can grow enrollment, hirings with dollars associated with them (e.g., AB 1460, PaCE), searches within established hiring themes (e.g., data analytics, design thinking, ethnic studies), and those that integrate a focus on Black and Latinx experiences and address equity gaps in critical fields. We might also consider opportunity hires that directly support our diversity efforts.

[Tenure Density (TT/All Faculty) – in Context] From 2018 to 2022, tenure density was relatively steady, at around 52. But the reality is that we have more T/TT faculty who teach fewer FTES than a decade ago. When the buy-outs are accounted for, the density would go to closer to 58%. So, the traditional definition of density is a little out of touch or may be updated for our campus.

[SJSU Faculty by Race/Ethnicity (F23 headcount)] Between Tenure-line and Lecturers, demographic makeups are similar, except slightly more Asian and slightly fewer Latinx faculty among Tenure-line faculty than Lecturers.

[SJSU Faculty by Gender (F23 headcount)] Finally, there is a slightly higher percentage of women over men overall, with a small but growing number of faculty who identify as non-binary.

Q-A:

[Q]: What is the average work load for lecturers? How many 1.0 lecturers are there?

[A] (from Provost Del Casino): I am trying to grow a number of 1.0 lecturers; it's good for the campus. It was about 200-300 when last checked. The head count is about 1500, so there is a huge number of lecturers with 0.4 and 0.6 appointments. We put \$7.8 million into buyout. Regarding tenure density, the number no longer works for us. We have a lot of committed people. Maybe we should give them very good salaries.

[Q]: I have two questions. First, how are Middle Eastern faculty classified in terms of the racial/ethnic category? I'm asking because their needs are very different. Second, why is it difficult to recover the number of international faculty? Is it a visa issue? Anything else?

[A] (from VP Barrera): On the first question, there are a number of faculty who are not specified. I think it is partly because the category labels are imperfect and people may not feel represented by them. Another CSU campus had a campaign to encourage everyone to double check if they are specified and revisit their initial choices. This is something we can pursue in the future. Your second point recognizes the needs and concerns about visa issues. That is something we can work on.

Chair Sasikumar thanked everyone for the extra ten minutes and reminded that further questions may be sent to <senate@sjsu.edu>.

IX. New Business: None

X. State of the University Announcements:

A. Chief Diversity Officer (CDO): None

B. Statewide Academic Senators: None

C. Provost: None

D. Associated Students President: None

E. Vice President for Administration and Finance: None

F. Vice President for Student Affairs: None

XI. Adjournment: The meeting adjourned at 4:10 p.m.

Executive Committee Minutes
May 1, 2023
Noon - 1:30 p.m.

Present: Alison McKee (Chair), Priya Raman, Karthika Sasikumar, Reiko Kataoka, Laura Sullivan-Green, Cynthia Teniente-Matson, Marie Haverfield, Nina Chuang, Patrick Day, Rachael French, Tabitha Hart, Patience Bryant, Vincent Del Casino, Charlie Faas

Absent: Julia Curry

Recorder: Eva Joice, Senate Administrator

1. The committee approved the consent agenda (Executive Committee Agenda of May 1, 2023, Consent Calendar of May 1, 2023, Executive Committee Minutes of April 10 and April 24, 2023 unanimously (10-0-0).
2. The Executive Committee discussed the three nominees for the Athletics Board, and the six nominees for the Sustainability Board. The committee voted and Mathew Faulkner was recommended for the Athletics Board. Kelly Shi, David Chai, and Jeyachandran Indermathi were recommended for the Sustainability Board (11-0-1).
3. Update from the President:
President Teniente-Matson discussed a candidate for the Interim CDO position with the Executive Committee. An announcement will be made soon.

Questions:

Q: Is the Interim CDO going to be considered for the permanent CDO position?

A: We are doing a national search.

The President thanked everyone that participated in the campus summit. There will be a summit for students on May 10. There was a lot of positive feedback on the survey. We are also looking to have a summit on enrollment in the future.

We have prepared an implementation team for the Cozen Report. All 23 teams of the CSU met with Cozen. Similarities and differences will be shared by campus. There are some core themes. We have more resourcing needs than some other campuses.

Bullying is a much broader CSU system issue. We need to look at examples of what we mean when we say bullying.

4. The Executive Committee discussed a Senate Management Resolution Creating a Special Committee on Senate Expansion (Final Reading). The committee discussed the timeline. This special committee is requested to make a report to the Senate in Fall 2023 and to

submit its recommendations to the Senate by March 2024. The Senate voted and the resolution passed (6-1-5). It will be brought to the Senate as a first reading.

5. The meeting adjourned at 1:50 p.m.

The minutes were edited by Chair McKee on October 12, 2023.
The minutes were approved by the Executive Committee on _____, 2023.

Senate Executive Committee

Minutes of September 25, 2023

Present: Baur, Curry, Day, Del Casino, Faas, French, Kataoka, Multani, Sasikumar, Sullivan-Green, Teniente-Matson

Absent: Hart, Lee, Wong

The meeting was called to order at noon. The minutes of the Senate Executive Committee meeting of Sep 18, 2023 were unanimously approved, as was the agenda.

Senate Chair Sasikumar presented a short update and announced that the application for the Special Committee on Senate Representation had been circulated to the staff and the faculty. A separate email would be sent out to students, and administrators would be nominated by the president to serve on the committee. She also reported that she had discussed with the Provost the necessity of determining opinions from the campus regarding potential changes in General Education, in the aftermath of AB 928.

President Teniente-Matson gave an update on the Athletics Board meeting of the previous week. She reported that conference realignment would have an impact on SJSU. We offer more sports than any other university in our league. She has asked the board to

re-evaluate the number of sports offered. She also reported on the first of several discussions regarding the Black Student Success Report which concluded with a matrix of recommendations. She promised that at least three of the thirteen recommendations would be adopted and implemented on our campus, although we would report on all thirteen. She also attended a meeting of the Tower Foundation. Our advancement campaign priorities will be announced shortly.

The group then discussed the issue of the potential changes in GE, which were a consequence of the implementation of the legislation known as AB 928. Although the legislation affected only transfer students from/to the CSU, UCs and community colleges, there then arose the question of whether a package with fewer GE requirements would be implemented for first-time students as well. It is important to have faculty input into the curricular issue of whether and how the GE package should be modified. Julia Curry reported that the Academic Senate of the CSU (ASCSU) was able to hold back the vote of the Board of Trustees of the CSU until the campuses had an opportunity to provide feedback on the issue.

She said that at the October 2 meeting of the Senate, she and Hiu Yung Wong would present slides to the senators, which would enable them to go back and talk to their constituents about the GE

changes. She asked the Senate Executive if it would be willing to write a letter on behalf of the entire SJSU to the ASCSU, on the GE issue. The campus cannot be expected to have a unified stance, given that some colleges such as Engineering and Business, will benefit from the extra units that will become available if first-time students are required to take the smaller GE package. However, the College of Education will lose enrollment in its GE courses if the smaller GE package becomes the requirement.

Policy Committee updates were then presented. Professional Standards proposes to bring forward one amendment that will address the lack of clarity in the sabbatical policy, and another one that will clarify the timelines in the policy for the election of department chairs. They also plan to revise the policy that prescribes the paper application procedure for certain university awards. In the meetings to come, they plan to revise the policy regarding the Board for Professional Responsibility, and guidelines on administrative recusal of faculty members due to conflict of interests, and the exclusion of Student Opinion of Teaching Effectiveness.

Instruction and Student Affairs reported that they were working on two policies: revision of the syllabus website to reflect current policies, and a referral to rescind and replace S10-3, on inappropriate sexual behavior.

AS President Multani presented his report. He said that his organization was supposed to respect (but had been in violation of) the principle of viewpoint neutrality while funding Registered Student Organizations (RSOs). He was working on a better process to address the problem. He stated that AS was surveying freshmen, given that there were problems reported with advising. Provost Del Casino recommended that transfer students be included in the survey.

Several members, including the AS President, expressed concern about the planned visit of the founder of Turning Point USA to the campus. AS President Multani also expressed thanks to President Teniente-Matson for tabling and making a video with him on the tuition hike.

Several members asked questions about the availability of, and dissemination of information about, funding for RSOs. President Multani and VP for Student Affairs Patrick Day reported that Student Involvement facilitates the process, and officers of RSOs receive training on how to apply for funding.

Patrick Day also reported that Stephanie Beatriz had spoken as part of the Spartan Speaker Series and that Ibram X. Kendi and Wilson Cruz were next in the series. 1800 people had attended the Family

and Parent Weekend. He predicted that around 800 people would attend the TPUSA event and that while the RSO was within its rights to invite the speaker, the rights of those who were protesting would also be stewarded.

The meeting was adjourned at 1.30 pm.

These minutes were taken by Karthika Sasikumar on September 25, 2023. The minutes were approved by the Executive Committee on ___October 9, 2023____.

Executive Committee Minutes
October 9, 2023
Clark 551, 12:00 p.m. to 1:30 p.m.

Present: Baur, Curry, Faas, French, Hart, Kataoka, Lee, McKee, Multani, Sasikumar (Chair), Sullivan-Green, Teniente-Matson, Wong

Absent: Day, Del Casino

Recorder: Reiko Kataoka, Senate Associate Vice Chair

1. The meeting agenda was approved (12-0-0).
2. Executive Committee Minutes of September 25, 2023 were approved (9-0-3).
3. Consent Calendar of October 9, 2023 was approved. (12-0-0).
4. Appointment of Angel Ruiz Blanco as a senator from H&A, replacing senator Riley, who is on Chair Refresh leave for fall 2023, was reported.
5. Election Calendar for 2024 General Election, drafted by Senate Administrator Eva Joice, deliberated and approved by the Committee on Committees with unanimous vote on October 5, 2023, was approved (12-0-0).

Q&A

- Q: Does the Senate need assistance on updating the Senate website?
A: Chair Sasikumar will assess the need.
- Q: What strategies can be employed to promote greater interest and participation in the Senate?
A: A regular newsletter and video messages to the campus community are currently being considered.

6. Update from the Chair

- a. We received a request to recommend a Faculty-at-Large representative for the Alquist RFP/Q Committee. After discussion the committee decided to consider suggestions for the FAL representative at its 10/23 meeting.
- b. Due to organizational restructuring, a change has been made in the membership of the Graduate Studies & Research Committee: the EXO seat for the “Director of Research Development” has changed to the “Senior Director of Research Services.”
- c. We received a request to recommend a General Unit member on the selection committee of the Exceptional Levels of Service to Students Award.

- After discussion, the committee decided to solicit nominations in upcoming days via the Senate Chair.

- d. Report on recruitment for the Special Committee on Senate Representation: There were eight applications for five FAL seats; the Staff Council forwarded four names to be considered for the two Staff seats; names for two student members and two MPP members are expected. It is hoped that the committee will be formed and can move forward with its charge in mid-October.

7. Update from the President

- a. We will offer needed support to our students who have been impacted by the tragedy in Israel.
- b. Closing GI 2025 Equity Gaps & New CO initiatives—Conference scheduled for November 23-24.
- c. Black Student Success: We are taking a tri-chair approach, led by the Black Spartan Advisory Council Chair Monica Allen and three Advisory Board members (Shawn Fletcher, Patience Bryant, & Trevon White). They will work for the next several years in collaboration with the Faculty Success Office and the CDO.

Q&A

- Q: What are the timelines and action plans for this work?
A: There will be annual reports; a preliminary report will come out in November. 13 initiatives are already underway.
- d. Housing: Negotiations are underway to secure a long-term lease of the south building of the two-tower hotel that used to be the Fairmont in downtown SJ for student housing.
- e. Title IX: We are moving forward on a Resolution Agreement with the DOJ, which will visit the SJSU on October 17th.
- f. Regarding the October 5 email on the recent arrest of a former SJSU student and auxiliary employee, this Title IX notification was issued to fulfill the obligation to address matters in a timely manner.

Discussion/Q&A

- There was a discussion of the south tower as a future conference site and opportunities for SJSU and wider upcoming discussions in various SJSU and CSU contexts about such possibilities.

- Q: How can we respond to and support students from all groups in the Middle East?
A: I will work with the ODEI and Student Affairs to respond and support students.
- Q: How will you address the safety concerns in downtown SJ as we explore increasing downtown housing options?
A: We will reach out to Bill Wilson Center for rapid housing support.
- Q: What is the status of any plans to eliminate programs and/or academic departments as governed by University Policy S13-9 on meaningful consultation?
 - It was decided to discuss this topic formally as a separate agenda item at the next Senate Executive meeting.

8. University Updates

a. VP Administration & Finance

Turning Point event on October 2nd: 400-500: people attended. There were about 75 protestors, mostly non-affiliates. There were also press reporters. There was an Emergency Operation Center in place. While there was a broken window inside the Student Union, it didn't cause severe disruption.

Q&A

Q: You may not be the right person to whom to address this question, but you do work on campus affairs. The recent Title IX update reports that 200 Sexual Harassment and 127 Sexual Assault/Sexual Misconduct were reported in AY 2022-23. Who was reported?

A: It can be anyone. Another way to look at it is a police report. For an urban university downtown, the number of crimes is very low.

To this, a committee member pointed out that even the police report cases tend to be lower than actual occurrences.

b. VP Student Affairs

VPSA was absent. No report.

c. Provost

Provost was absent. No report.

d. AS President

- Working with the AS Lobby Corps to discuss sociability/small businesses in downtown SJ and safety concerns to the unhoused population.
- There will be two tabling events in October to hear students' concerns, in collaboration with the president.

e. Interim CDO

- The Black Experience Survey for Black students and faculty respondents is being conducted to increase retention. 35% response so far.
- We are increasing support for Employee Affinity Groups (EAGs) via newsletter etc.

Discussion

- There was a suggestion to highlight cultural events on campus, such as the Day of the Dead, Indigenous People's Day. Sharing opportunities to get involved was suggested.

f. ASCSU Statewide Senator

- There was an Interim Meeting on the previous Friday for policy work. One main topic was re-structuring of Sonoma State and SF State.
- ASCSU Senators were asked to invite campus senates to provide feedback on the CSU Second Start Pilot Program Draft which was shared by Chair Steffel.
- Mercer Compensation Study – the Fiscal and Governmental Affairs (FGA) Policy Committee will be submitting a resolution for an audit. Of particular concern is the comparison of institutions for salary equity.

9. Policy Committees

None

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

The minutes were approved by the Executive Committee on October 23, 2023.

Senate Executive Committee

Minutes of October 23, 2023

12:00 – 1:30 p.m.

Clark 551

Present: Josh Baur, Julia Curry, Rachael French, Vice Chair Tabitha Hart (filling in for Chair Karthika Sasikumar), Reiko Kataoka, Alison McKee, Laura Sullivan-Green, Hiu-Yung Wong

Absent: Vincent Del Casino, Patrick Day, Charlie Faas, Dawn Lee, Sarab Multani, Karthika Sasikumar, Cynthia Teniente-Matson

Minutes: Alison McKee, Past Senate Chair

- I. Approval of the Senate Executive agenda of October 23, 2023 (8-0-0)
- II. Approval of the Senate Executive minutes of October 9, 2023 as amended (8-0-0)
- III. Approval of the Senate Executive consent calendar of October 23, 2023 (8-0-0)
- IV. Guest and Senator Ravisha Mathur reported that at President Teniente-Matson's request and in consultation with her cabinet, the Faculty and Staff Recognition Events are being merged and re-envisioned in 2024. University Policy [S13-6](#) states that "a Calendar organizing the deadlines for campus shall be created by mutual consent of the President and the Executive Committee of the Academic Senate. This Calendar will be distributed with the annual announcement and instructions for nominations." However, because there is only one available date for the joint event which both the President and Provost can attend (March 28, 2024) and because the call for nominations has already gone out to the campus with the Calendar deadlines stipulated in S13-6, an adjusted timeline for selection committees' review and recommendation of nominees for the President's selection was presented to the Senate Executive Committee for its consideration. The Senate Executive Committee approved the revised timeline (8-0-0).
- V. The Alquist Redevelopment RFQ/P Evaluation Committee seeks a faculty member from any unit to participate in the selection of a developer.
 - a. Applicants were asked to send a statement of interest & CV to senate@sjsu.edu by the end of October 20, 2023. Two applications were received. Dr. Fred Cohen of the School of Music was selected.
- VI. Update: Discussion of nominations for the Special Committee on Senate Representation
 - a. Six faculty were recommended by the elected members of the Senate Executive Committee (Julia Curry*, Denise Dawkins, Behin Elahi, Reiko Kataoka*, Eduardo Muñoz-Muñoz*, Ken Peter, at least one of whom shall be co-chair (*denotes current faculty members of the SJSU Academic Senate). As members of the Senate Executive Committee, Julia Curry and Reiko Kataoka excused themselves and left the room during deliberations. All six nominees were approved for the Special Committee by the remaining members of the Executive Committee.

- b. Four non-MPP staff not represented by the General Unit were nominated by the Staff Council. By ranked-choice voting, Nha-Nghi Nguyen (Administrative Analyst, Department of Psychology) and Janet Sundrud (Finance Systems & Operations Senior Analyst, Finance Support & Innovation) were selected by the Senate Executive Committee.
- c. Two students, the Associated Students President or designee, and an additional student yet to be recommended by AS, will be considered by the Senate Executive Committee at a future meeting.
- d. Two administrators to be designated by the President by the Senate Executive Committee will be considered by the Senate Executive Committee at a future meeting..

VII. Policy Committees Updates (in rotation)

- a. Professional Standards: Among other items in the next couple of weeks it will be working on the policy on the election of department chairs, including the timelines for the selections of department chairs as well as election and review procedures. It is also working on New Faculty Services Guidelines and on the exclusion and rebuttal of SOTEs and SOLATEs. Other items include updating S99-8 to address bullying and other problematic conduct.
- b. Instruction & Student Affairs: Among other items, it will be looking at instructor drop referrals. I&SA subcommittees are also looking at updating policies on advising and inappropriate sexual behaviors.
- c. Organization & Government: Under consideration is the Provost's referral to expand eligibility beyond deans from Academic Affairs leadership to include AVPs etc. During O&G's conversation with the Provost, the Provost offered to have one seat from Academic Affairs moved over to the recently launched division of Research and Innovation. O&G is preparing a first read to present at the Nov 2023 senate meeting. In addition, it is revisiting the issue of modality of full Academic Senate meetings.
- d. Curriculum & Research: Among other items it is engaging in a discussion of the graduate-level GVAR requirement modification, a new Credit for Prior Learning policy, an update of Curricula Priorities Policy, and program discontinuation approvals.

VIII. University Updates (in rotation)

- a. Statewide Senator Julia Curry
 - i. Emphasizes importance of garnering responses to the survey regarding CSU GE Changes (deadline: October 30, 2024)
- b. University Administrators and Senate Leaders were not able to be present. No updates offered.

IX. Brief Q&A followed items VII and VIII.

- a. Q for C&R: Can you confirm that the AVP and Deans seats will, indeed, be equivalent positions? A: Yes.

X. The meeting adjourned at 1:27 p.m.

The minutes were taken by Past Senate Chair Alison McKee on October 24, 2023, reviewed by Vice Chair Tabitha Hart on October 26, 2023 and accepted by Senate Chair Karthika Sasikumar on October 26, 2023. The minutes were approved by the Senate Executive Committee on Oct 30, 2023

SJSU 2023-2024	ACADEMIC SENATE
11-06-2023	CONSENT CALENDAR
2023-2024	COMMITTEE SEATS

Consent Calendar Dates:
white = 10/09
yellow = 10/23
green = 11/06

ADD TO VACANT SEATS

COMMITTEE TYPE	COMMITTEE NAME	SEAT	SEAT TITLE	NAME	ZIP	PHONE	TERM ENDS	CONSENT CALENDAR
POLICY	Instruction & Student Affairs	M	Business	Gita Mathur	0070	43553	2024	11/06
POLICY	Organization & Government	H	Social Sciences --> FAL	Katrina Long	0059	43139	2024	10/09
POLICY	Professional Standards	D	Education --> FAL	Sarika Pruthi	5112	46520	2024	10/09
POLICY	Professional Standards	G	Humanities & Arts	Angel Ruiz Blanco	0091	43685	2024	10/09
OPERATING	General Education Advisory	C	Business	Tsu-Hong Yen	0211	43292	2023 Fall	10/23
OPERATING	Graduate Studies & Research	B	Senior Director of Research Services	Jessica Trask	0022		EXO	10/23
OPERATING	Intl Programs & Students	L	Education --> FAL	Belen Moreno Albarracin	0055	43273	2026-->2024	10/23
OPERATING	Intl Programs & Students	1	Student	Devansh Bansal		devansh.bansal@sjsu.edu	2024	10/23
OPERATING	Intl Programs & Students	2	Student	Surleen Randhawa		surleen.randhawa@sjsu.edu	2204	10/23
OPERATING	Program Planning	A	Vice Provost Academic Innovation & Institutional Effectiveness	Ron Rogers	0053	45652	EXO	10/09
OPERATING	Student Fairness	4	Student	Nathan Wang		nathan.wang@sjsu.edu	2024	10/23
OPERATING	Student Fairness	5	Student	Abdul Sohail Ahmed		abdulsohailahmed@sjsu.edu	2024	10/23
OPERATING	Undergraduate Studies	F	General Unit --> FAL	Sara Benson	0119	45568	2026--> 2024	11/06
OTHER	University Library Board	3	Student-Graduate	Abdul Sohail Ahmed		abdulsohailahmed@sjsu.edu	2024	10/23

REMOVE FROM SEATS

COMMITTEE TYPE	COMMITTEE NAME	SEAT	SEAT TITLE	NAME	ZIP	PHONE	TERM ENDS	CONSENT CAL
POLICY	Professional Standards	J	Student-Senator	Ariana Lacson	0128	46241	2024	11/06

SENATE MANAGEMENT RESOLUTION

Amendment to Senate Constitution, Section II.2 and Senate Bylaws -
Section 1.3

Rationale

San Jose State University's (SJSU) Constitution and By-laws govern eligibility to serve on the university's Academic Senate (Senate). As currently written, [Section II.2](#) of the Constitution stipulates that university administration representatives must include "four (4) academic deans, at least two of whom shall be deans of colleges." Additionally, SJSU Academic [Senate by-law 1.3](#) stipulates that four deans must serve on the senate.

In spring 2023, the Provost submitted a referral ([O&G-S23-2](#)) to the Senate which was assigned to the Organization and Governance Committee (O&G). The Provost requested that the language pertaining to eligibility to serve on the Senate in Section II.2 of the Constitution and By-law 1.3 be amended to expand eligibility to any member of Academic Affairs leadership. The Provost's reasoning was that expanding eligibility to members of the Academic Affairs leadership beyond only college deans will result in a more diverse pool of eligible candidates to serve on the Senate. In the course of our review, O&G has found precedent for equivalent classification between deans and other personnel in Academic Affairs, specifically Associate Vice Presidents (AVPs).

Language found in other SJSU policies establishes that AVPs are defined as equivalent to a dean. For example, SJSU Policy S16-8 clearly identifies deans and equivalent positions in Section 1.1 which describes "**deans and all other associate vice president or equivalent** positions." Additionally, SJSU Policy S06-3 establishes the equivalency of college deans "to all other associate vice president or equivalent positions."

Precedent exists for classifying positions other than college dean (such as associate vice president) as equivalent to deans for the purposes of serving on the Senate. O&G concludes that the Provost's request to expand eligibility to serve on the Senate would be appropriate as to AVPs or equivalent positions from Academic Affairs leadership as this is supported by other SJSU policies and is likely to be a net positive step.

There is a second piece to this referral that was not included in the original referral. During the Provost's 8.28.23 meeting with O&G to discuss the referral, the Provost stated that he was willing to move one of the four Academic Affairs Senate seats to the Division of Research and Innovation (DRI). Currently, personnel from DRI are not eligible to serve on the academic senate. In the past, an AVP from the Office of Research was able to serve because they were in the Academic Affairs division, but

recent changes to the organization of divisions at SJSU eliminated eligibility for research personnel.

For a number of years prior to 2014, oversight and management of research at SJSU resided in the Office of Graduate Studies and Research (OGSR). OGSR was a part of the Academic Affairs division under the supervision of the provost. The provost, president, and presidential cabinet members decided to create the Office of Research in Academic Affairs, overseen by an associate vice president of research (AVP). In 2014, OGSR was reorganized into two distinct entities: College of Graduate Studies and Office of Research.

Between 2014 and 2019, SJSU leadership continued to take steps to strengthen the university's research and scholarship/creative activity (RSCA) portfolio. In 2019, university leadership again changed the organization and management of RSCA activity at SJSU by removing the Office of Research from Academic Affairs and moving it to a university level office, the Division of Research and Innovation managed by a Vice President of Research and Innovation (VPRI).

During the period in which the Office of Research was housed within the Division of Academic Affairs, the AVP of Research was eligible to serve on the SJSU Academic Senate as a representative of Academic Affairs leadership. For many years, AVP of Research Pamela Stacks served on the senate representing a voice for RSCA. In 2019, when the Division of Research and Innovation (DRI) was launched, the AVP of Research previously housed in Academic Affairs, became the VPRI in the DRI, and lost eligibility to serve on the Senate because of the move out of Academic Affairs. Since 2019, RSCA representation in the senate has been absent. Provost Del Casino suggested that moving one of his Academic Affairs Senate seats over to the DRI was an equitable and inclusive action that did not upset the balance of Senate representation (which would necessitate senate expansion) and returned a Senate seat to a representative of research at SJSU.

RESOLVED that the SJSU Constitution and By-laws be amended, as follows, to expand eligibility to serve as a senator on the SJSU Academic Senate to any member of Academic Affairs leadership in the position of Dean, Associate Vice President or other equivalent position, and;

RESOLVED that one (1) Senate seat from the Academic Affairs division shall be relocated to the Division of Research and Innovation, to be filled by the Vice President of Research and Innovation, ex officio.

Senate Management Resolution

Recommended Amendments to SJSU Constitution and By-laws of the Academic Senate

SJSU Constitution, Section II

Section 2. Administration representatives shall consist of the President, the Provost, the Vice President for Administration and Finance, the Vice President for Student Affairs, **the Vice President for Research and Innovation**, and the Chief Diversity Officer, ex officio; and ~~four~~ **three (3) (4) members of Academic Affairs (deans, academic vice provosts, associate vice provosts, and/or associate vice presidents, or equivalent) , two of whom must be academic deans, at least two of whom shall be** deans of colleges, selected by the college deans to serve for staggered two-year terms.

SJSU Senate By-laws

1.3 The number of faculty senators must be twice the number of senators who are not faculty members [currently 18: **Three (3) representatives Academic Affairs two of whom must be college deans Deans (4)**, AS President and students (7), the President and VPs **(6) (5)**, an Emeritus Representative (1), and an Alumni Representative (1)].

Approved: 10.30.23

Vote: 5-0-0

Present: Andreopoulos, Chierichetti, Jochim, Johnson, Muñoz-Muñoz

Absent: Baur, Lee, Gambarin, Long, Wright

Financial impact:

There are no foreseeable financial impacts from this proposed amendment.

Workload impact:

Restoring a senate seat to the VPRI will create additional workload for the VPRI. O&G anticipates that the VPRI will be required to fulfill responsibilities consistent with other university administrators serving on the senate.

**San José State University
Academic Senate
Curriculum and Research Committee
November 6, 2023
First Reading**

AS XXXX

**Policy Recommendation
University Writing: Writing Requirements/ Guidelines,
University Writing Committee**

**Amendment C: S19-3, University Policy, University Writing:
Requirements/Guidelines, University Writing Committee**

Whereas: Per updated CSU policy on the Graduation Writing Assessment Requirement (GWAR), GWAR is not required for graduate students; and

Whereas: Achieving satisfactory graduate-level proficiency in writing skill is essential for professional and leadership development in every discipline; and

Whereas: The requirement of writing proficiency varies across disciplines and the design of writing assessment may involve significant domain expertise; and

Whereas: Faculty in every program are deemed to be the experts in their field to decide the most suitable writing assessment for their disciplines by aligning with a set of guidelines developed by the College of Graduate Studies (CGS) and University Writing Committees (UWC) in consultation with Graduate Studies and Research (GS&R); and be it further

Resolved: That the following amendment to section 2 of S19-3 be adopted.

Approved: October 30, 2023

Vote: 10-0-0

Present: Richard Mocarski, Heather Lattimer, Megan Chang, Kourosh Amirkhani, Ellen Middaugh, Hiu Yung Wong, Cristina Velarde, Stefan Frazier, Scott Shaffer, Marie Haverfield

Absent: Het Tikawala, Marc d'Alarcao

Workload Impact: Departments who provide an alternative writing assessment to satisfy the GVAR will need to devote resources to design and execute the assessment and evaluate its effectiveness. CGS, UWC, and GS&R will need to review the proposals. GVAR class numbers and sizes might change if many departments opt for providing an alternative writing assessment plan.

Financial Impact: The design and execution of some alternative writing assessments might require release time for the faculty-in-charge. GVAR class FTES might be reduced.

UNIVERSITY POLICY
University Writing: Requirements/Guidelines
University Writing Committee (UWC)
(from <https://www.sjsu.edu/senate/docs/S19-3.pdf>)

**1. Graduation Writing Assessment Requirement (GWAR), undergraduate level.
[unchanged]**

2. Graduation Writing Assessment Requirement (GWAR), graduate level.

- a. Every department (or equivalent unit) responsible for a graduate degree program shall include a course that satisfies GWAR in the program requirements and overall units **unless they have an approved alternative writing assessment (section 2.d)**. If a student's GWAR is fulfilled as described in section 2.b, **and the mechanism of fulfillment reduces the number of units the student completes in the degree**, the required units shall be made up with a departmentally-approved course, so that the unit count for the program is identical regardless of a student's pathway for completion of the GWAR.
- b. Fulfillment of the GWAR shall be a requirement of classified graduate students as a condition necessary for advancement to candidacy for the award of the graduate degree. Master's and doctoral degree requirements may be considered separately. Fulfillment of the GWAR shall be established by:
 - i. Satisfactory completion of a course approved by the College of Graduate Studies of at least three units in which a major written report is required. The course should be completed prior to advancement to candidacy; or
 - ii. Approval by the **department and** College of Graduate Studies of a professional publication written in English for which the candidate was a primary author; or
 - iii. Completion of a master's or doctoral program with a substantive writing requirement at an accredited university in which the primary language of instruction is English unless a department requires additional documentation of writing proficiency; or
 - iv. **Satisfactory completion of an alternative writing assessment as described in 2.d.**
- c. Courses proposed to satisfy the graduate-level GWAR must be approved by the College of Graduate Studies. Courses will use guidelines developed by the College of Graduate Studies in consultation with Graduate Studies and

Research and University Writing Committees. The College of Graduate Studies shall review and recertify these courses at the time of the course's home Department's Program Planning Process. Approved courses may be recommended for withdrawal by the Dean of the College of Graduate Studies if sufficiently high standards have not been maintained or the course has otherwise become deficient. The University Writing Committee (UWC) shall be consulted for advice at the request of the College of Graduate Studies.

- d. Departments with graduate programs may develop an alternative writing assessment to satisfy the GVAR in place of an approved course. The alternative writing assessment must be designed to ensure that every student graduating with a graduate degree from the program has achieved satisfactory graduate-level proficiency in writing according to disciplinary standards, as determined by the evaluating department. Such alternative writing assessments (e.g., series of assignments across courses, or a portfolio developed over the course of the graduate program) must include a mechanism to assess the student's writing proficiency and a process whereby a student who does not meet the standard can work to meet the standard. Alternative writing assessments will align with a set of guidelines developed by the College of Graduate Studies (CGS) and the University Writing Committee (UWC) in consultation with the Graduate Studies and Research (GS&R). Proposals for an alternative writing assessment should be submitted to CGS, who will seek review by the UWC before determining whether to approve the proposal. Alternative writing assessments, once approved, are reviewed and recertified at the time of the home department's program planning process. Satisfactory completion of an alternative assessment shall be reported to the Graduate Admissions and Program Evaluations office for use as part of candidacy and graduation review.

3. University Writing Committee (UWC) Charge and Membership [unchanged]

San Jose State University
Academic Senate
Professional Standards Committee
November 6, 2023
First Reading

AS 18XX

Policy Recommendation
Amend S99-8 (Professional Responsibility)

Legislative History: This proposal would amend the policy on Professional Responsibility

Rationale: The statement of Professional Responsibility found in University Policy S99-8 has not been updated in nearly a quarter of a century, while the statement(s) upon which it is based have undergone some revisions in that time. In addition, in recent years many institutions of higher education have begun to enact policies to describe unprofessional conduct (often described as “bullying”) that does not fall under any specific statutory protections, but is nevertheless disruptive to the work of the university, and that undermines the environment for free pursuit of scholarship. At present, SJSU does not have a formal definition of bullying in University policy. This policy adds such a definition, and includes it as an example of behavior that falls outside of acceptable standards for professional responsibility among faculty.

Resolved: That S99-8 (Professional Responsibility) be modified as follows:

Approved: October 30, 2023
Vote: 6-0-0
Present: Blanco, Chen, French, Pruthi, Raman, Smith
Absent: Barrera, Kazemifar, Lacson, Pendyala

Financial Impact: None anticipated
Workload Impact: None anticipated

PROFESSIONAL RESPONSIBILITY

† Statement of Professional Responsibility³¹

A. Preamble

Professional responsibility is the natural complement of the academic freedom essential to the university's mission. Through their responsible professional conduct, faculty members² promote and protect academic freedom. Since faculty members belong to a profession with the rights of self-~~government~~governance, they also have the obligation to establish standards of professional conduct and procedures to enforce them. The following standards provide guidance for ~~many~~certain ethical questions which may arise over the course of a faculty member's career, but they are not ~~intended to be~~ an exhaustive list. They are built upon the foundations of academic freedom; they are the ideals to which all faculty members should aspire.

B. Faculty Responsibilities

The responsibilities of faculty members may be considered from five related, but somewhat conceptually distinct, perspectives: (1) as members of an academic profession; (2) as teachers⁴³; (3) as colleagues; (4) as members of an academic institution; and (5) as members of a community.

1. As members of an academic profession, faculty members:

- a. serve as intellectual leaders; they
 - seek and state the truth as they see it.
 - develop and improve their instructional and scholarly competence.

³¹ Derived in part, from the Academic Senate of California State University proposed policy AS-2080-92/FA-I, May 7-8, 1992. Also consulted were the original sources on which AS-2080-92/FA-I was based, including earlier AAUP documents: primarily the *Statement of Principles on Academic Freedom and Tenure* (1940), the *Statement on Professional Ethics* (1966, revised 1987 and 2009), the *Statement of the Association's Council: Freedom and Responsibility* (1970, revised 1990).

[†] ~~Derived from the *International Statement on Academic Freedom and Tenure*, 1984. Signatories include the American Association of University Professors, the American Federation of Teachers, the National Education Association, and similar groups from the United Kingdom, New Zealand, Canada, Australia, Ireland, and France.~~

² The faculty of the university include all those who engage in scholarly activities and/or those who directly or indirectly participate in instructional activity. Thus faculty members include professors, lecturers, teaching assistants, research assistants, coaches, counselors, librarians, and all those faculty employees under Unit 3.

⁴³ Teaching is meant in an inclusive sense. All those who directly or indirectly contribute to instructional activity are teachers. For example, librarians and other academically related faculty contribute to instructional activity, even in those cases where they do not engage in direct classroom instruction.

- exercise critical self-discipline and judgment in applying, extending, and transmitting knowledge.
- practice, foster, and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus.
- promote the free and open exchange of ideas in the classroom as related to the subject matter.
- strive to foster a campus environment that i) supports a robust discussion of issues (including political and societal issues), ii) promotes respect for the opinions of others, and iii) encourages sensitivity to the possibility of multiple interpretations of speech and actions.
- do not allow their subsidiary interests to compromise their freedom of inquiry.

b. engage in research and other professional and creative activities; they

- perform their research with honesty and integrity.
- respect the ethical and legal considerations⁵⁴ that underlie their work and output, as consistent with the ethical principles and guidelines of their discipline.
- comply with guidelines governing any grant or other funds related to a research or creative project.
- strive to contribute to the body of knowledge in their discipline and to disseminate such knowledge appropriately.
- critically evaluate their work prior to dissemination.
- use university and other resources with integrity and consideration of the mission of the university.

2. As teachers, faculty members:

a. treat students fairly and respectfully; they

- assure that their evaluations of students reflect only matters relevant to the students' academic performance.

⁵⁴ Such ethical and legal considerations include compliance with copyright laws and not plagiarizing.

- guard against improper disclosure of confidential information regarding students.⁶⁵
 - ~~insure~~ensure that their professional contacts with students are free from any exploitation, harassment, or discrimination.
 - acknowledge significant academic or scholarly collaboration with or assistance from their students.
 - adhere to published descriptions of course content and grading practices, such as those contained in syllabi and course catalogs.
 - maintain awareness of and adhere to University policies governing student rights and responsibilities.
- b. encourage the free pursuit of learning; they
- encourage students to make their own judgments and to express them when appropriate.
 - allow students to take reasoned exception to or to reserve judgment about the data or views offered in a course of study.
 - refuse to tolerate exploitation, harassment, or discrimination by students in an instructional setting.
 - **protect student academic freedom**
- c. exhibit and uphold the highest scholarly and ethical standards of their disciplines; they
- foster honest academic conduct.
 - do not instruct, advise, or supervise students with whom they have personal or professional conflicts of interest.⁷⁶
- d. serve as intellectual guides and advisors; they
- are available during reasonable, posted hours to assist students who request their intellectual and academic help.

⁶⁵ The confidentiality of student records and information is also governed by law and SJSU policy. See the federal Family Educational Rights and Privacy Act (often referred to as the Buckley Amendment), information available from either the SJSU Division of Student Affairs or the SJSU Office of Faculty Affairs, and University Policies S66-20 and S90-5 (and any related updates or modifications) available at the Senate Web site.

⁷⁶ For a discussion of the concept of "conflicts of interest" in the context of this Statement of Faculty Responsibility, see Section C of this policy. A separate University policy (S99-11) exists dealing with conflicts of interest for principal investigators; see the Senate Web page.

- utilize instructional time to help students learn course materials.

⁶⁵ The confidentiality of student records and information is also governed by law and SJSU policy. See the federal Family Educational Rights and Privacy Act (often referred to as the Buckley Amendment), information available from either the SJSU Division of Student Affairs or the SJSU Office of Faculty Affairs, and University Policies S66-20 and S90-5 (and any related updates or modifications) available at the Senate Web site.

⁷⁶ For a discussion of the concept of "conflicts of interest" in the context of this Statement of Faculty Responsibility, see Section C of this policy. A separate University policy (S99-11) exists dealing with conflicts of interest for principal investigators; see the Senate Web page.

3. As colleagues and co-workers, faculty members:

- a. respect and defend free inquiry **even when it leads to findings and conclusions that differ from their own.**
- b. show due consideration for diverse opinions.
- c. acknowledge the contributions of others to their academic work.
- d. seek objectivity in their professional evaluations.
- e. do not evaluate or supervise those with whom they have personal or professional conflicts of interest.⁸⁷
- f. avoid exploitive, harassing, or discriminatory behavior.
- g. hold themselves and colleagues to high ethical standards and address ethical abuses when they become known.

4. As members of an academic institution, faculty members:

- a. observe the stated regulations of the institution that are consistent with the statement of academic freedom in ~~this document~~ **Amendment A to University Policy S99-8**, and with their contractual and legal obligations.
- b. maintain the right to criticize regulations and seek their revision.
- c. assure that their outside interests do not compromise the obligations of their primary appointment.
- d. request a leave of absence or resign when the claims of outside interests preclude the fulfillment of substantial academic obligations.
- e. give appropriate notice of their intent to interrupt or terminate their services to the university.
- f. share in the responsibilities for governing the university.
- g. share in periodic review and improvement of curriculum.
- h. cooperate in the pursuit of stated goals of one's program, department, college, or university.
- i. help ensure that the university meets its commitment to maintain an environment that values diversity and that is free from discrimination and harassment.

5. As members of a community, faculty members:

- a. publicly distinguish when they speak or act as private citizens from when they do so as an official representative of the university so as not to lead others to mistake them as a spokesperson for San José State University or the California State University system.⁹⁸
- b. recognize that breaking legal and civil codes for academic gain is also an infringement of professional ethics.⁴⁹⁹
- c. promote conditions of free inquiry.
- d. further public understanding of academic freedom.

C. Conflicts of Interest

⁸⁷For a discussion of the concept of "conflicts of interest" in the context of this Statement of Faculty Responsibility, see Section C of this policy.

⁹⁸Also see California Education Code Section 89005.5.

⁴⁹⁹Also see California Government Code Section 8314 on unlawful use of state resources by state employees.

Definition: In the context of professional responsibility, a conflict of interest is an agreement, relationship, or other arrangement, be it personal or professional, formal or informal, that undermines the faculty's disinterested performance of its professional duties and obligations.

⁸⁷For a discussion of the concept of "conflicts of interest" in the context of this Statement of Faculty Responsibility, see Section C of this policy.

⁹⁸Also see California Education Code Section 89005.5.

¹⁰⁹Also see California Government Code Section 8314 on unlawful use of state resources by state employees.

Importance: Students have a just expectation that they will be instructed, evaluated and supervised by a disinterested faculty. Faculty members have a similar expectation that their professional and academic evaluations and supervision are free from the self-interest of their peers. Maintaining disinterestedness is one of the faculty's central ethical responsibilities. The disinterestedness of the faculty assures both the academic integrity of the University and the faculty's academic freedom.

Conflicts of interest between faculty and students: In addition to the legal contracts existing between students and the University, there is an equally important "social contract" between them and the faculty, in which each fulfills its duties and obligations to the other. Many of the faculty's responsibilities under this "contract" are found in Section ~~H~~B.2. of this document. Interests that conflict with those obligations include actions or requirements of the faculty that appear to be grounded in private interest or gain, not in professional responsibility. Examples of conflicting interests are: requiring the purchase of course materials from which an instructor makes a profit (texts and other materials professionally reviewed, published, and distributed are excluded); and giving academic credit for student research which the instructor puts to use for private gain or profit.

Other conflicts of interest may arise in view of the disproportion of influence and power between faculty and students. Instructors, thus, ought not engage students in their classes or under their supervision in relationships that are so personal that the presumption of professional disinterest is difficult to maintain. Faculty members, for example, ought not instruct or supervise students who are obligated to them financially; and faculty ought not supervise or instruct students with whom they have relationships grounded in interests inconsistent with their professional responsibility and the mission of the University. These conflicts of interest include but are not restricted to sexual relationships.

A similar caveat applies, of course, to the instruction and evaluation of students who are family members, since faculty disinterestedness is problematic in this case as well.

Exceptions to these injunctions may be made after consultation with an instructor's department chair or other appropriate party, such as a supervisor or a dean. The grounds for exception must be compelling (e.g., curricular or staffing restrictions in a student's chosen academic program).

While acknowledging that the propriety of a personal relationship between a student and an instructor is indeed a sensitive issue for all involved, the faculty holds that the rights of faculty and students to free association must be honored and protected in instances when professional disinterestedness is not expected or required. The faculty also acknowledges that disinterestedness thrives best in an atmosphere free from suspicions of favoritism, nepotism, coercion and harassment.

Conflicts of interest in professional relationships: Faculty members rightfully expect unbiased evaluations of their academic and professional performance. The responsibilities of the faculty in this regard are detailed in Section II.B.3. of this document. Examples of conflicts of interest here include evaluating or supervising faculty who are family members or parties in relationships grounded in interests (e.g., personal, professional or financial interests) that preclude disinterestedness.

Beyond questions of peer evaluation, the faculty must ensure that its research or comparable activities are consistent with the mission of the University and with professional standards. The faculty must maintain a disinterested pursuit of truth in their professional activities, one uncompromised, for example, by the pursuit of fees, royalties, and other forms of compensation. Disinterestedness comes into question when subsidiary concerns or private gain makes one's intellectual honesty and freedom of inquiry problematic.

The faculty holds that the right of a faculty member to freely associate with colleagues must be honored and protected in instances when professional conflicts of interest are not at issue. Following the principle of disinterestedness, the faculty also recognizes that non-academic relationships between faculty members may become sensitive issues when placed in the context of professional evaluation and supervision (e.g., the recruitment, retention, tenure or promotion of faculty). A faculty member should be excused from these duties when a potential conflict of interest exists. If it is not possible to excuse a faculty member in such circumstances, the faculty member who conducts the evaluation or supervision should advise his/her chair or other appropriate party (e.g., a supervisor or dean) of the situation.

Importance of ethical conduct in fact and appearance: Recognizing a conflict of interest in the area of faculty responsibility is often a matter of common sense; at other times it is a matter of law. But beyond the ethical minimums of law and common sense, there exists a higher standard toward which the faculty should strive. That is, a faculty member ought to avoid actual conflicts of interest as well as the appearance of such conflicts whenever possible. This ethical standard is not born of scrupulosity. Rather, it arises from the faculty's full awareness of the wide scope of thought and expression it enjoys under the protection of academic freedom.

D. Bullying and Other Unprofessional Conduct

Definition¹⁰: In the context of Professional Responsibility, “other” unprofessional conduct is defined as repeated unprofessional behavior that does not fall under statutory protections, including but not limited to Title IX, discrimination, harassment, or retaliation. Of particular concern in this area is bullying. Bullying is behavior that a reasonable person would find hostile, intimidating, offensive, and unrelated to the University’s legitimate instructional or research interests. Such behavior is generally pervasive or severe to the extent that it makes conditions inhospitable and undermines another person’s ability to carry out their responsibilities to the university. A single act will typically not be sufficient to qualify as unprofessional conduct or bullying, but an especially severe or egregious act may so qualify. Examples of bullying could include, but are not limited to:

1. Abusive expression directed at another person in the workplace, such as derogatory remarks that are outside the range of reasonably accepted expressions of disagreement, disapproval, or critique in an academic or professional setting;
2. Unwanted physical contact and/or nonverbal and/or nonvocal expressions;
3. Exclusion and/or isolation leading to harm to another person’s reputation or hindering of another person’s work;

¹⁰This definition is partially derived from the following sources:

1. The CSU Chancellor’s Strategic Workgroup Black Student Success Report (<https://www.calstate.edu/impact-of-the-csu/diversity/Documents/CSU-Black-Student-Success-Workgroup-Report-2023.pdf>)
2. The University of California, Berkeley definition of “bullying” (<https://campuspol.berkeley.edu/policies/bullying.pdf>)
3. The University of Wisconsin, Madison policy on Hostile and Intimidating Behavior (<https://hr.wisc.edu/hib/principles-and-policies/>)
4. The University of New Mexico Respectful Campus Policy (<http://policy.unm.edu/university-policies/2000/2240.html>)
5. The California State University, Chico Policy on Campus Behavior and Violence Prevention (<https://www.csuchico.edu/pres/em/2012/12-025.shtml>)

4. Sabotage of another person's work and/or impeding another person's capacity for academic expression.
5. The sharing of personal or private information about another person causing embarrassment, intimidation, shaming and/or humiliation.
6. Cyberbullying, which is the use of electronic/digital communication in any form to engage in any of the behaviors listed herein.

Importance: Severe, persistent, or pervasive unprofessional behavior can undermine other faculty member's performance of their professional duties and obligations with regard to the university's mission, and chill the environment for free pursuit of learning.

E. Applicable Laws and Regulations Governing Conduct

Various federal and state laws and regulations apply to the university and its employees. Faculty members must take responsibility for awareness of such rules and to comply with them. Many of these laws and regulations are noted in this and other University policies related to faculty responsibilities (a partial list is included at Section EF below).

Examples of laws and regulations applicable to the university and its employees include:

- a. California law prohibits use of state resources or the "California State University" name to advocate a position regarding a candidate or ballot proposition.¹¹
- b. As a recipient of federal and state funds, and other grants, the university and its faculty involved in research projects or programs may be governed by certain laws, regulations, and guidelines.
- c. Federal and California laws dealing with non-discrimination, equal employment opportunity, and affirmative action govern employment practices at SJSU and are relevant to faculty members involved in retention, tenure, promotion, and similar employment decisions.
- d. In order to protect the privacy of students, federal and California laws prohibit certain disclosures of student records.

Faculty members may obtain assistance in gaining awareness and understanding of laws and regulations that may govern their conduct from their department chair (or equivalent unit head) and the Office of Faculty ~~Affairs~~Services.

¹¹ See California Government Code Section 8314, California Education Code Section 89005.5, and *Stanson v. Mott*, 17 Cal.3d 206, 210 (1976). The CSU Office of General Counsel's *Handbook of Election Issues*, dated February 1997, provides general guidance to the legal background on the use of state resources in elections. This handbook is available at the Web site for this policy on Professional Responsibility. It is also available from the SJSU President's Office.

¹² Faculty are encouraged to review University Policies (which are available at <http://www.sjsu.edu/senate/senatpol.htm> as well as in the Academic Senate Office) to be sure they are fully aware of the most current policies pertaining to their activities as teachers, researchers, mentors, and employees and members of the SJSU/CSU community. Any questions about these policies or matters covered by this policy on Professional Responsibility, or relevant federal and state laws, should be directed to the department chair, college dean, Office of Faculty Affairs, or Academic Senate Office, as appropriate.

EF. Additional References

University policies that relate to academic freedom and faculty responsibilities include:¹²

1. S92-12, Statement on Academic Freedom and Artistic Expression.
2. ~~{insert policy number}~~F12-5, Policy and Procedures for Responding to Allegations of Scientific or Other Misconduct in Funded Research.
3. ~~{insert policy number}~~S99-11, Conflict of Interest Policy For Principal Investigators.
4. F97-6, Policy and Assurance for Humane Care and Use of Animals at San José State University
5. F90-4, Policy for Protection of Human Research Subjects; Ethics; Institutional Review Board (IRB).
6. S94-8, Policy on Research, Scholarship and Creative Activity; Grants; Academic Freedom.
7. ~~{S94-5, F95-1 (insert new policy number)S99-9}~~, Board of Professional Responsibility (BFR)—provides an implementing mechanism for some of the policies described or referenced in this document.
8. S90-5, Student Rights and Responsibilities.

History

S93-12, Professional Responsibility, superseded F67-17, Academic Freedom and The Common Good (approved February 5, 1968), and S88-9, AAUP Statement on Professional Ethics (approved May 6, 1988). S88-9 superseded S67-10, Professional Ethics (approved May 11, 1967). S94-3 added the explanation on conflicts of interest to S93-12 (originally added as Appendix A) and made slight changes to two footnotes. S95-9 added Appendix B on conflicts of interest for principal investigators. S93-12 was approved as University Policy on May 13, 1993, S94-3 was approved on April 12, 1994, and S95-9 was approved on April 6, 1995.

¹² Faculty are encouraged to review University Policies (which are available at <http://www.sjsu.edu/senate/senatpol.htm> as well as in the Academic Senate Office) to be sure they are fully aware of the most current policies pertaining to their activities as teachers, researchers, mentors, and employees and members of the SJSU/CSU community. Any questions about these policies or matters covered by this policy on Professional Responsibility, or relevant federal and state laws, should be directed to the department chair, college dean, Office of Faculty Affairs, or Academic Senate Office, as appropriate.