

2018/2019 Academic Senate

**MINUTES
October 1, 2018**

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

Ex Officio:

Present: Frazier, Van Selst, Manzo,
Lee, J., Rodan

CHHS Representatives:

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

Administrative Representatives:

Present: Day, Ficke, Wong(Lau)
Faas
Absent: Papazian

COB Representatives:

Present: He, Khavul
Absent: Bullen

Deans:

Present: Stacks, Olin
Absent: Ehrman, Elliott

EDUC Representatives:

Present: Marachi, Mathur
Absent: None

Students:

Present: Fernandez-Rios, Gill,
Pang, Rodriguez, Kethepalli
Absent: Gallo

ENGR Representatives:

Present: Ramasubramanian, Kumar, Sullivan-Green
Absent: None

Alumni Representative:

Present: Walters

H&A Representatives:

Present: Khan, Riley, McKee, Mok, Ormsbee
Absent: None

Emeritus Representative:

Present: Buzanski

SCI Representatives:

Present: Cargill, French, Kim, White
Absent: None

Honorary Representative:

Present: Lessow-Hurley

SOS Representatives:

Present: Peter, Wilson, Curry, Hart, Trulio
Absent: None

General Unit Representatives:

Present: Higgins, Matoush, Hurtado
Monday, Trousdale
Absent: None

II. Approval of Academic Senate Minutes–

The minutes of September 17, 2018 were approved.

III. Communications and Questions –

A. From the Chair of the Senate –

Details on the Celebration of Life for Dr. Amy Strage will be announced shortly. Dr. Gleixner is collecting stories and memories to give to Dr. Strage's family at the event. The MLK Library is also hosting a table in honor of Dr. Strage from October 8, 2018 to November 6, 2018.

Chair Frazier is still working on getting a meeting setup between Athletics and the Senate to hear information about concussions.

The mayor of San José alerted the Senate Chair to Measure V on the ballot for November regarding affordable housing. The city is actively talking to SJSU administration about partnering on projects that would create rent restricted housing for SJSU staff and students. AS will be planning a forum and Chair Frazier will be sending out a message with details to the Senate.

There have been a number of policies that are still pending in the President's Office. In order to keep track of those, Chair Frazier has had the Senate Administrator create a document of pending policies and post it on the website with the policies.

B. From the President of the University – Not present-no report.

IV. State of the University Reports:

A. CSU Statewide Senator –

There are a group of venture philanthropists that are conducting field orchestrations of higher education. They create new media platforms and in-house research, and they form alliances of educators and government officials. They also create local groups that make it seem like there is a local grass roots issue going on. They have incentives for compliance and cooperation and they heavily lobby legislators. The U.S. is susceptible to these things. The problem is we aren't graduating enough students and we aren't graduating enough students of color at the rates others are graduating students. These groups say they have the solution for you. These groups include the Bill and Linda Gates Foundation, the James Irvine Foundation, Luna, and the College of Futures Foundation. Some of the alliances you will see include Complete College America, the College Futures Foundation, and the University Innovation Alliance.

The CSU has a relationship with Complete College America and the University Innovation Alliance. It looks like they want to use in-house publications to support change agenda. It looks like they want to target the minority serving institutions. They also want to test out new ideas to scale, which means taking them campus-wide and not just having small pilot studies. They want to report what works to others. However, here is an interesting fact. The Bill and Linda Gates Foundation says there is not universal agreement about the way forward and knowledge about what works is still being gathered, so this is an experiment on higher education. What's the plan? Data sharing and polling with Complete College America, opponents based funding, 15 to finish, math pathways and co-requisite sports, structured schedules, advising software and empowered staff advisers, reconfiguring academic calendars and schedules, providing degree credit for life experiences, online university and cost savings to cover added expenses of bringing in more students. We do have a response to this in the CSU and it is Graduation Initiative 2025.

This is affecting other campuses. It is not just us. The idea for Performance Based Funding is that you tie money to student retention, job placement, etc. College Futures Report indicates that we could reform faculty benefits to save some money,

and even the size of the graduate program. The disagreement is about the role of faculty in education. The reforms I just presented to you imply that the curricula must change without faculty involvement. The faculty role is being stripped away from planning degree programs, determining course content, assessing credit worthiness of courses, and how to offer a construction to fit learning. The EO 1110 and 1100 were the last straw in a series of decisions the Chancellor's Office had made that eliminated faculty involvement in decision-making. There is a law out there called HEERA that empowers faculty to have a role in governing their institutions. When EO 1100 and 1110 came out campuses reacted with shared governance resolutions, the ASCSU got into a tizzy, the unions got involved, and because of all of that the Senate wondered what to do next so they voted to have the Executive Committee of the Senate meet with the Chancellor's Office and come up with an agreed upon definition of joint decision-making and recommend the process by which decisions are made. This statement I'm referring to is known as the "Tenants of Shared Governance." Senator Lee will be forwarding the tenants to Senators for their review and comments.

Questions:

Q: Why does the ASCSU think this statement will be any more effective than the last statement?

A: I don't know.

C: I have two observations about the Tenants of Shared Governance. First, I'm not sure the words are as important as the process by which a conversation is started between the ASCSU, the Executive Committee, and the Chancellor's Office and a commitment that that conversation be ongoing. My second observation is that the debate over this last year in the ASCSU became highly uncivil. This was completely unproductive. When I contrast that with the tenor of debate in the Academic Senate at SJSU, I am extremely grateful for what we have.

Q: Do you think the Student Success Initiative is part of the umbrella of this larger initiative? How can we get full disclosure to students if their data is being shared? They should know.

A: It is absolutely part of the larger initiative. All data agreements are being vetted by legal counsel.

Q: There is a difference between a lot of the ideas that are out there that have been adopted after having went through proper channels, and an idea that hasn't went through proper channels but was still adopted.

B. Interim Provost Joan Ficke:

The outstanding faculty awardees were given a plaque after the football game.

We have a site visit and three deans visiting us that were recommended to us by the Council of Graduate Schools. They are the Deans of the Graduate Schools at Old Dominion, Western Carolina University, and Wichita State. They are visiting with us for three days and will help us understand from their perspective what we are doing

well and what we should be doing going forward. Time to degree is as important for our graduate students as it is for our undergraduate students.

Questions:

Q: The College Futures Foundation argues that too much money is being spent on graduate student education and it is not fair you are getting faculty with three, four, or five students per class, whereas at the undergraduate level you have up to 60 students and that we need to shift resources from graduate programs to undergraduate programs.

A: This is hopelessly unsophisticated. We need to have an analysis of what the curriculum is meant to do for the UG student and the Graduate student. There will be occasion where a graduate course will have a smaller number of students, but that shouldn't carry the day. However, sometimes that needs to happen to get students through. It need to be predicated on a real deep analysis.

C. AS President:

The Child Development Center on 8th Street now has 112 children. There are 56 children enrolled that have SJSU student parents, and 56 spots were opened to non-student families.

AS gave out 5,000 new Clipper cards, and has requested a grant of \$150,000 for to offset their transportation solutions budget.

AS had a transfer student mixer that went very well and they will be hosting another one in the spring.

Voter registration is being handled by Senator Pang and the campaign is being called SJSUVotes.org. AS is also pairing up with a SJSU class, POLS 108, and the Silicon Valley Leadership Group to get voters registered. AS is also participating in the CSU Ballot Bowl started by Alex Padilla and hopefully they win.

AS President Manzo has developed a presentation on Senate committees and is willing to come to faculty classes and give a few minute presentation. Please contact her for information.

A mixer for graduate students was held by Student Affairs last spring, and again this fall. There will be another one this coming spring semester.

D. Vice President for Administration and Finance (VPAF):

There were a number of high ranking officials at the football game this past weekend including the mayor, and our city councilmember, the head of VTA, the Commissioner of the Mountain West Conference, and Senator Beall. We gave them tours and talked about DASH, VTA, etc. Thirty percent of our students use VTA. I reminded the head of VTA of that this weekend. We have some clout with VTA. DASH ran from Diridon Station around town and back to Diridon Station. DASH is going away, but if BART opens up to Berryessa there will be a bus called Rapid 500.

That bus will go from Berryessa to SJSU to Diridon and back again. It will be faster and more expeditious.

Question:

Q: The faculty/staff dining room has been moved. Is there a replacement room planned?

A: The Academic Space Planning Group made the recommendation that that space was better used as a food pantry for our students. We do not have an answer right now as to where we can place a faculty/staff dining area.

C: We used to have a faculty/staff dining room which was adequate, but it didn't make enough money and they got rid of it. When they designed the Student Union, the Senate Chair was adamant we needed a faculty/staff dining area. Sometimes you need to have a space to get away and there are very few large institutions of this size that don't provide a private space for their employees. There is also a tremendous value in having a space where faculty and staff can find each other. There are many campuses where the President and VPs join a communal table in dining areas and it humanizes them to the campus. This campus has never really honored the idea of having a faculty/staff dining room. Some things are more important than money. I would really hope that you think about what you end up setting up as a faculty/staff dining room and honor the fact that people spend their entire days here. Faculty/staff would really enjoy having an elegant space they could meet and greet their colleagues that isn't just a room with two tables and a coffee pot. [Standing ovation and applause from Senate].

Q: Can students be involved when you meet with city leaders again like at the football games to give their views and share the support they get here, etc.?

A: Absolutely.

Q: Is anything being done about scooters on campus? A student nearly ran me over this morning in the hallway.

A: What we are looking to do is have two or three drop off places around campus.

Q: Is there any discussion about a "wheels free" campus? It isn't just scooters. It is bicycles too.

A: I'm not sure if we are ever going to be able to do that. We have worked out cages for the bicycles. It is a shame people can't walk the short distances across campus and need skateboards.

Q: Lot 14 is being used for Lyft and UBER pick up and drop off and our faculty are concerned it isn't safe due to lack of space. How can we ensure safety in that lot?

A: We need to designate specific UBER and LYFT pickup and drop off zones. They have done this at UCLA.

E. Vice President for Student Affairs (VPSA):

VPSA Day has now been at SJSU for six weeks. He acknowledged the faculty that supported the students and folks in Student Affairs from summer through

Homecoming.

Safety and security around the residence areas is an issue Student Affairs is looking closely at. VPSA Day has worked at several urban campuses. There are some places where we probably need to have some boundaries and the residence areas are one of those places. We need to thoughtfully consider what we can do there. Some examples of problems that need to be fixed include the fact that the entire campus has to walk through the residential quad to get to the dining commons.

The VPSA is also looking at processes in Student Affairs and what additional and cooperative operations Student Affairs needs to create. Student Affairs will be looking to faculty for their suggestions.

F. Chief Diversity Officer (CDO):

The CDO has completed about 1/3rd of the Faculty Diversity Training for search committees they have scheduled. The requirement is that at least one member of every faculty search committee attend the training, but more are attending.

Using the grant from the Chancellor's Office the CDO is developing materials such as a local resource directory for the Santa Clara region for non-profits and entities in the region, and information on library resources, etc. Chairs can offer this to candidates when they come to show that we have connections with the local community. This should be coming out by the end of the week.

The CDO and staff are currently training faculty search committee advocates that will work in the colleges and sit as consultants with college search committees. The CDO has also been doing training in different departments by request.

The CDO is sending two faculty members to Annual Society for the Advancement of Chicano/Hispanic/Native Americans in Science meeting.

The CDO and staff developed a travel kit.

University Advancement is working on a new poster to put in the display case of the new Science Building when it is completed.

Again this year, the CDO is having an "Identity in the Classroom and with Colleagues Seminar" for white identified faculty.

We have arranged a four-part diversity training for all the trades personnel in FDO.

The CDO has a search for a Diversity Trainer ongoing. There are some good candidates.

There is a new Title IX Coordinator coming onboard on October 2, 2018.

The CDO is completing a Title IX Investigator search as well. Candidates will be interviewed next week.

The CDO also has initiated a search for a Survivor Advocate position that will report to the Director of Counseling Services.

An email will be going out to all personnel telling them they need to do their sexual harassment online training.

Questions:

Q: Is there a streamlined way to help students file a complaint? When I try to help students file a complaint it is very confusing.

A: There is a button on the CDO website that allows you to submit either a named or anonymous complaint. Also there are a number of webpages that talk about Title IX and all the services. The CDO also trains all the resident advisors in these areas.

C: Could someone address the search engine on our website then maybe if you put in a search for sexual harassment complaint it could take you directly to the website that would be great.

A: There is an update coming to the general university website.

G. CSU Faculty Trustee (by invitation):

Friday was Trustee Sabalius first year as Faculty Trustee. Trustee Sabalius plans on running for another term as Faculty Trustee.

The trustees had a good year. The legislature almost fully funded the trustee's budget. There was no tuition increase, and they hired three new presidents. Right now more than half of the executive positions are filled with female presidents. In addition, half of our campus presidents are from an underrepresented minority. Together, over 80% of the CSU Campus Presidents are from underrepresented groups in higher administration, and that is amazing. However, there is more work to do. Just this morning another two CSU Presidents announced their retirement (San Francisco and Humboldt). Last week the President of San Marcos, our longest serving President, announced her retirement, and there is also a search for the President of Fullerton.

Trustee Sabalius recently visited Fullerton, and Long Beach State. In October, Trustee Sabalius will be at San Diego, Sonoma, and Cal Poly Pomona.

Next week, Trustee Sabalius will give a speech at the Council of Senate Chairs and at the Emeritus and Retired Faculty and Staff Association (ERFSA).

On Friday, Trustee Sabalius was at an Academic Freedom Conference at Berkeley.

The Chancellor's Office proposed that the Trustees make a larger budget request this year. Last year the Board of Trustees asked for \$283 million in additional funds. We

received more funds than requested, but some in one-time funds. This year the Chancellor's Office suggested we should ask for an additional \$400,000,000 to \$500,000,000 to our base budget. The numbers will be fine-tuned and then presented at the November meeting. Additionally, the Chancellor's Office suggested we ask for additional one-time funds of \$50 million for the CSU Basic Needs Initiative and \$150 million for deferred maintenance. Trustee Sabalius asked for \$1 billion in deferred maintenance costs. California's current rainy day fund is filled to the maximum at \$15.9 billion. Every year Governor Brown put several billion in that fund. Next year we should have extra funds to spend. If we don't spend it on the CSU in really good years then we are going to be in real trouble. Trustee Sabalius will ask for the \$1 billion for the next three years as well, because the CSU total deferred maintenance costs are \$3.7 billion. Not doing anything about it will cost us millions going from year-to-year. It also creates liabilities.

The Board of Trustees is very interested in getting a multi-year deal with the state legislators. It wasn't realistic in the last cycle, but the Governor and other legislators will cycle out this year. The student organizations have asked for it as well. It would help us with our budget planning as well.

Question:

Q: We have a history of getting less funds from the legislature than are needed and having to make do and then we are handed unfunded mandates. What can we do collectively to lobby in effort to see to it that we get the opportunity to identify where those funds are needed to be used.

A: The key is to tell our story about how successful we are with limited funds, but to also say how we are doing our best to improve education and graduation with what we have been given. We are doing a good job of that. This is why the legislature has been generous with us lately. Hopefully, the next Governor will have a better understanding of higher education needs.

Q: Wouldn't it be better to ask for a percentage of the total that is granted to the CSU dedicated to deferred maintenance and base the percentage on how old the campus and facilities are. According to my calculations, SJSU should then get 10% of the total, but what we got was 4.54% this year which is totally inadequate. You should make that statement over and over again.

A: You can be certain that I make this point over and over again. As the Faculty Trustee, I cannot advocate for one campus over another, but I will make the case for the system. If the legislature doesn't want to give us \$1 billion in one-time funds, they can give us \$67 million to our base budget which would allow us to purchase a General Obligation Bond for \$1 billion to address our deferred maintenance costs.

Q: Did the Chancellor suggest a general obligation bond at the last Board of Trustee's meeting?

A: Yes, about \$3 to \$4 billion was suggested to address our deferred maintenance. However, that would have to be put on the ballot way before an election and I don't want to put the future of our billions for maintenance in the hands of voters. I will ask

the legislators straight up for the money.

V. Executive Committee Report:

A. Minutes of the Executive Committee:

Executive Committee Minutes of September 10, 2018 –

Chair Frazier reminded the Senate that the minutes of the Executive Committee have already been approved by the Executive Committee and are in the packet if the Senate has questions about them and not edits.

Senator Van Selst commented that the minutes may be correct, but some of the information from the CSU Statewide Senate is incorrect. CDO Wong(Lau) and Senator Marachi also commented that some information from the CDO is also incorrect. Chair Frazier asked that this information be forwarded to him so he can review and determine if corrections need to be brought back to the Executive Committee for a second approval.

Consent Calendar:

The consent calendar of October 1, 2018 was approved.

B. Executive Committee Action Items:

VI. Unfinished Business:

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

A. Instruction and Student Affairs Committee (I&SA): No report.

B. Professional Standards Committee (PS):

Senator Peter presented *AS 1711, Policy Recommendation, Principles Regarding Privacy of Electronic Information, Rescinds and Replaces F97-7, Policy on Privacy of Electronic Information (Final Reading)*

The Senate voted and AS 1711 passed as written with No Nays or Abstentions.

Senator Peter presented *AS 1710, Sense of the Senate Resolution, Advocating Additional Protections for the Privacy of Electronic Information at San José State University (Final Reading)*. **The Senate voted and AS 1710 passed as written with no Nays and 1 Abstention.**

C. Organization and Government Committee (O&G):

Senator Shifflett presented *AS 1708, Policy Recommendation, Charge and Membership of the Institutional Review Board (Final Reading)*.

Senator Shifflett presented an amendment that was friendly to the body to strike the last resolved clause. Senator Riley presented an amendment that was friendly to remove the grammatical error of an apostrophe on line 54. Senator Mathur presented an amendment that was friendly to the body to change 1.0 on line 81 to (1). **The Senate voted and AS 1708 passed as amended with No Nays or Abstentions.**

Senator Shifflett presented *AS 1669, Policy Recommendation, Amendment to Senate Constitution: Regarding Administrative Representatives (Final Reading)*.
The Senate voted and AS 1669 passed as written by majority vote of (39-0-2).

Senator Shifflett presented *AS 1656, Modification to Bylaw 1.10 Pertaining to Administrative Representatives on the Senate (Final Reading)*.

Senator Peter presented an amendment that was friendly to the body to change the Resolved clause to read, “Resolved that “if the accompanying constitutional amendment (presented here as AS 1669) passes...” Senator McKee presented an amendment that was friendly to the body to change the capital letter “M” in “Modify” on line 10 to a lower case “m.”

The Senate voted and AS 1656 passed as amended with 1 Nay and 1 Abstention.

D. University Library Board (ULB): No report.

E. Curriculum and Research Committee (C&R): No report.

VIII. Special Committee Reports:

IX. New Business:

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