SAN JOSÉ STATE UNIVERSITY ACADEMIC SENATE

2022/2023
Agenda
May 8, 2023/2:00 to 4:00 pm
In Person
ENGR 285/287

I. Call to Order and Roll Call:

II. Land Acknowledgement:

III. Approval of Minutes:
Senate Minutes of April 17, 2023
Senate Minutes of October 24, 2022

IV. Communications and Questions:
A. From the Chair of the Senate
B. From the President of the University

V. Executive Committee Report:
A. *Minutes of the Executive Committee –*
Executive Committee Minutes of April 3, 2023
Executive Committee Minutes of April 10, 2023
Executive Committee Minutes of April 24, 2023

B. Consent Calendar – No consent

C. Executive Committee Action Items –
AS 1857, Senate Management Resolution, Establishing a Special Committee on Senate Representation (First Reading)

VI. Unfinished Business:

VII. Policy Committee and University Library Board Action Items (In rotation):
A. Curriculum and Research Committee (C&R):
AS 1852, Policy Recommendation, Replacement for F68-24 and F67-11 (Final Reading)

B. Organization and Government Committee (O&G):
AS 1855, Amendment D to University Policy F17-1 and Amendment A to University Policy F18-3, Institutional Review Board (Final Reading)

C. University Library Board (ULB):

D. Instruction and Student Affairs Committee (I&SA):

AS 1853, Amendment E to University Policy S16-16, Academic Notice, Administrative Academic Probation, Disqualification (Final Reading)

AS 1854, Amendment A to University Policy F17-4, Priority Registration (Final Reading)

E. Professional Standards Committee (PS):
AS 1849, Policy Recommendation, Declaring our Support for Academic Freedom and Establishing the Academic Freedom Committee (Final Reading)

VIII. Special Committee Reports:

IX. New Business:

X. State of the University Announcements:

A. Vice President for Student Affairs
B. Chief Diversity Officer
C. CSU Faculty Trustee (by standing invitation)
D. Statewide Academic Senators
E. Provost
F. Associated Students President
G. Vice President for Administration and Finance

XI. Adjournment

2022-2023 Academic Senate Minutes
April 17, 2023

I. The meeting was called to order at 2:00 p.m. Forty-eight Senators were present.

Ex Officio: Present: Chuang, McKee, Van Selst, Curry Absent: Rodan	**CHHS Representatives:** Present: Sen, Smith, Baur, Chang Absent: None
Administrative Representatives: Present: Day, Del Casino, Faas, Bryant, Teniente-Matson Absent:	**COB Representatives:** Present: Chen Absent: None
Deans / AVPs: Present: d'Alarcao, Ehrman, Meth, Kaufman Absent: None	**COED Representatives**: Present: Mathur, Muñoz-Muñoz Absent: None
Students: Present: Saif, Treseler, Maldonado, Herrlin, Sheta, Chadwick Absent: None	**ENGR Representatives:** Present: Wong, Sullivan-Green Absent: Kao
Alumni Representative: Absent: Vacant	**H&A Representatives:** Present: Khan, Frazier, Kataoka, Riley, Han Absent: Lee
Emeritus Representative: Present: Jochim	**COS Representatives:** Present: French, Muller, Shaffer, Andreopoulos Absent: None
Honorary Representatives: Present: Peter, Lessow-Hurley Absent: Buzanski	**COSS Representatives:** Present: Sasikumar, Pinnell, Hart, Gomez, Haverfield Absent: Raman
General Unit Representatives: Present: Masegian, Flandez, Pendyala, Monday Absent: Higgins	

II. Land Acknowledgement: Chair McKee read the history of the land acknowledgement and Senator Sen presented the land acknowledgement.

III. Approval of Academic Senate Minutes–
The Senate Minutes of March 20, 2023 were approved (unanimous voice vote).

IV. Communications and Questions –

A. From the Chair of the Senate:
Chair McKee welcomed all distinguished guests from the community.

Chair McKee welcomed our newest student Senator, Senator Dillon Gadoury and congratulated Senator Treseler who was elected the Chair of the California State Student Association (CSSA).

Chair McKee acknowledged that it is Asian Pacific Islander Desi American (APIDA) Heritage Month and also Sexual Assault Awareness Month. One out of every four women and one out of every 26 men have survived a rape or attempted rape. That means there are many sexual abuse victims in the room and Chair McKee is one of them. Please remember that abuse can happen anywhere such as at work, home, and school.

Chair McKee announced she had authorized the Senate Office to make an editorial change to University Policy S85-4 based on a referral that came to the C&R Committee.

Chair McKee asked that all Senators remember to sign the roll call sheets at the back of the room, and asked all Senators to sit in the front room If you have amendments to the resolutions presented, please give the line number first so the Associate Vice Chair can find it on the resolution.

Chair McKee announced that we have a very packed agenda. Chair McKee asked Senators to be mindful of time and that wordsmithing on the floor should be avoided at all costs.

Chair McKee reminded Senators there is a ULB Report at a time certain of 3 p.m.

Questions and Comments
Q: I am wondering and so are my constituents, what is happening with the Senate Expansion?
A: That is actively being worked on by a team and should come to the May 8, 2023 meeting.

B. From the President:
President Teniente-Matson yielded her time due to the packed agenda and said she would just take questions.

Questions and Comments:
Q: What is the current status of the Cozen report?
A: The next round of the Cozen Report will be shared at the May Board of Trustees (BOT) meeting. That will then be shared and given to people for action to be taken.

V. Executive Committee Report

A. Minutes of the Executive Committee:
Executive Committee Minutes of March 6, 2023 – No questions.

Executive Committee Minutes of March 13, 2023 – No questions.

B. Consent Calendar:
AVC Katoaka presented the Consent Calendar of April 17, 2023. There was no dissent to the consent calendar.

C. Executive Committee Action Items: None
Senator Chuang made a motion to suspend the standing rules in order to present a ***Sense of the Senate Resolution from the floor, Honoring and Recognizing a Day of Remembrance (Final Reading).*** The motion passed. **The Senate voted on the Chuang Sense of the Senate Resolution and it passed unanimously by voice vote.**

VI. Unfinished Business:

A. Organization and Government Committee (O&G):
Senator Hart presented ***AS 1847, Policy Recommendation, Modification of Senate Constitution Related to Powers and Responsibilities (Timely Responses to Senate Resolutions and Policies (Final Reading).***
The Senate voted and AS 1847 passed as written (37-0-4).

B. Professional Standards Committee (PS):
Senator French presented ***AS 1848, Policy Recommendation, Amendment A to University Policy F14-2, Emeriti Faculty (Final Reading).*** Senator Khan presented an amendment to add to line 12, "as well as access to SJSU's online communication platforms." And, to add after line 100, "2.10 Faculty emeriti shall have access to SJSU's online communication platforms as all other faculty." The Khan amendment was seconded. The Senate voted and the Khan amendment failed (5-23-11).
The Senate voted and AS 1848 passed as written (38-0-0).

Senator Sasikumar made a motion to suspend the standing rules to present a ***Sense of the Senate Resolution from the floor, Acknowledging and Supporting Dr. Ulia Gosart's Initiative to Save Ukranian Libraries from Destruction (Final Reading).*** **The Senate voted and the Sasikumar resolution passed as written by unanimous voice vote.**

Senator French presented ***AS 1850, Sense of the Senate Resolution, In Opposition to Florida House Bill 999 and in Solidarity with Public University Faculty in the State of Florida (Final Reading). Senator Van Selst presented an amendment that was friendly to the body to add to the distribution list, "California Assembly and Senate Chairs of Higher Education Committees."*** ***The Senate voted and AS 1850 passed as amended.***

Senator French presented ***AS 1851, Policy Recommendation, Amendment I to University Policy S15-8, Retention, Tenure, and Promotion for Regular Faculty Employees: Criteria and Standards (Final Reading).*** **The Senate voted and AS 1851 passed as written (38-0-1).**

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

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

Senator Wong presented ***AS 1852, Policy Recommendation, Replacement for F68-24 and F67-11 (First Reading).***

Questions:
Q: Is there a 296 for the master's program in the new policy?
A: Yes.

Q: Should University Policy F67-2 be included?
A: We overlooked that policy.

Q: Is there another policy that includes 298?
A: We did not consider it.

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

Senator Baur presented ***AS 1843, Policy Recommendation, Amendment B to University Policy S16-1, Faculty Athletics Representative (FAR) (Final Reading). Senator Mathur presented an amendment to add, "3.2 Term limit of the FAR will be three years renewable for two additional three-year terms at the president's discretion." The Senate voted and the Mathur Amendment passed (26-10-2).*** **The Senate voted and AS 1843 passed as amended (38-0-1).**

Senator Hart presented ***AS 1855, Amendment D to University Policy F17-1 and Amendment A to University Policy F18-3, Institutional Review Board (First Reading).***

Questions:
Q: Couldn't the non-scientific member be from a different area on campus instead of using a community member?
A: It's possible.

Q: Are both community members to attend each meeting or is it that the alternate only attends if the community member can't make the meeting?

A: The alternate is not required, but can attend. However, the alternate would not be able to vote if both are attending.

Senator Hart presented ***AS 1856, Senate Management Resolution, Modification of the Charge and Membership of the Instruction and Student Affairs Committee (First Reading)***

Questions:
Q: Would you consider reducing the number of students?
A: The committee will consider it.

C: As the only adviser in the room, I'd like to see an adviser on this committee.

Q: I'm glad to see you didn't reduce the number of students, but do they have to be student senators?
A: The committee will consider it.

Q: Student Senators are required to sit on a policy committee. Is the alumni representative being removed?
A: Yes.
[Note from Senate Administrator-The Alumni and Emeritus Representatives may serve on a policy committee, but cannot serve on the same committee if they choose to according to Senate bylaws.]

Q: Faculty are supposed to be a majority. How do we include more, maybe two Faculty-at-Large?
A: We will consider it.

C: Getting a quorum is a problem right now, but Associate Deans always come.

C. University Library Board (ULB): See special committee reports.

D. Instruction and Student Affairs Committee (I&SA):
Senator Sullivan-Green presented ***AS 1853, Amendment E to University Policy S16-16, Academic Notice, Administrative Academic Probation, Disqualification (First Reading).***

Questions:
Q: Does GPA in the major replace SJSU GPA?
A: The two are separate.

Q: What conversations came up regarding community college courses and upper division courses?

A: It is tied to the Chancellor's Office and what a first-year student means. Right now it doesn't mean transfers. We are waiting for clarification from the Chancellor's Office.

Senator Sullivan-Green presented ***AS 1854, Amendment A to University Policy, F17-4, Priority Registration (First Reading).***

Questions:
Q: What percentage of students get priority registration?
A: Outside of the groups, there are fewer than 1,000 students per year.

Q: It doesn't say which body determines who student parents are?
A: That would fall to the Registrar to manage documents that would determine that.

E. Professional Standards Committee (PS):
Senator French presented ***AS 1849, Policy Recommendation, Declaring our Support for Academic Freedom and Establishing the Academic Freedom Committee (First Reading).***

Questions:
Q: I noticed that section 1.2 relates to tenure/tenure track, but there isn't a section for lecturers. Why aren't they included?
A: It was an oversight. My apologies.

Q: What have some of the issues been over the years?
A: The board itself was designed to help Faculty Affairs adjudicate disputes between faculty. They are not doing what they are supposed to do which is professional responsibility standards. This resolution takes out Academic Freedom and creates a separate committee.

Q: Was the problem when they moved Faculty Affairs into University Personnel?
A: No. It was before that. There is a big problem getting people to apply, they must be full tenured professors, and they must be elected by the college.

Q: What problem will we solve by creating this committee?
A: Practically speaking the Board of Academic Freedom and Professional Responsibility (BAFPR) has ceased to have any function.

VIII. Special Committee Reports:

ULB Report by Dean Michael Meth and co-chairs Maureen Smith and Jihyun Lee.

Dean Meth recognized ULB members and the co-chairs for their hard work. Dean Meth acknowledged he is working with the Provost to keep the library funded and to allow it to continue to grow.

The first slide is on Library Operating Expenditures such as Open Access Publishing Opportunities. This is electronic usage. We continue to acquire with the funds we have. You can see some of the new acquisitions and collections. If you go to the next slide you can see everything that is accessible to you, A-Z, including emeritus faculty. We've also acquired open access collections and agreements which allow us to publish. We have Cambridge University Press, Elsevier, and ACS agreements that allow you to publish for free. We are estimating that roughly 60 articles were published with a cost of somewhere in the neighborhood of $230,000. The light rail system continues to support student affordability initiatives with textbooks available as e-books in the library. We also keep supporting our Leganto course reading list. If you adopt Leganto as your course reading list tool, we get full text and reading list view. You've all been introduced to our Discovery Services as part of the CSU-wide Inter Library Loan (ILL) system.

As far as staffing goes, we were very successful with open vacancies, and again we have more [laughter]. Our library services are listed on the next slide followed by the reference services. Library services include late-night tutoring, information literacy, reference, and research services, Ask a Librarian with Zoom integration, and KingBot which is our artificial intelligence chatbot that answers question during non-staffed hours. There were 3,500 live chat requests, 1,078 email requests along with some appointments and web conferences.

The next slide is about our Information Literacy Instruction and the breakdown of questions is quite interesting. About 3,878 or 31.4% of questions were about the 100W. Then 3,396 or 23.6% were upper division questions, 4,351 or 25% lower division, and 2,363 were graduate level.

The next slide is about Top Library Research Guides from 2021-2022. Not surprisingly, the top requested guides are on plagiarism.

Our website remains very active and the top researched subject is Library hours followed by Reserve a Study Room. The homepage was accessed 1,147,680 times. Undergraduate students are the majority of users on our website. We reopened in August of 2021 and as you can see all our study rooms were booked again.

The next slide lists our exhibits which include East Side Dreams: The Untold Story of East San José, Body Politics, Celebrating the Alexanders: Community

Activism, Art of the African Diaspora Satellite Exhibition, Betita Martinez, A Memorial Exhibit, and the Jennifer and Philip DiNapoli Exhibit Gallery.

The next two slides are of events we host such as the University Scholar Series, To Mint or Not to Mint: The NFT Question, and Black Excellence in the Name of Resistance. Join us on Thursday, April 20, 2023 from 1 p.m. to 4 p.m. if you want to learn about Artificial Intelligence for KLevr Tech Talks: AI Tools, Tips, and Traps.

We continue to be active in grants. Some where we are partnering with you. If you are working on grants, talk to us and partner with us.

We just completed our self-study for program planning. We had our external review and are waiting for the report right now. Thank you to everyone that participated.

We established our first faculty chair in our shared governance. This has been many, many years coming. We also established a Digital Services Department.

We also have an Diversity, Equity, and Inclusion (DEI) and Anti-Racism group (ARAWG and ARCWG) that we established two years ago. We are now moving from a working group into a committee structure. If you want to see the progress, please check out the website at https://library.sjsu.edu/arawg.

Recruitment and retention are a big issue for us. Particularly challenging for us is finding funding to push into new areas such as Data Services positions. Increased inflation in acquisitions costs and a lack of funding for new collection areas, especially graduate programs is another challenge. Funding for library maintenance, renovation and repurposing to meet the changing needs of hybrid learning and diverse populations is a big challenge. Finally, just evolving services to meet emerging needs in areas of scholarship, such as Machine Learning, Artificial Intelligence, and Digital Humanities are challenges as well.

Co-Chair Maureen Smith:
One of the things the ULB has been working on for two years is a survey for faculty, undergraduate, and graduate students to figure our what the barriers are to using and accessing the library, and to find out what people do not know about the library. The ultimate goal is to bring everybody on this campus into the library.

Co-Chair Jihyun Lee:
We really hope this survey will help the library find ways to make the library more accessible.

Dean Meth announced the ULB has a number of members rolling off this year and asked Senators to consider serving.

Questions and Comments:
Q: The Chancellor's Office has a doctoral program and that might be one way of hiring for the library. It is a way of recruiting faculty. Has the library considered it?
A: I'm not familiar with it. Please send me the information.

Q: Will the survey also be sent to staff?
A: Yes, it will be sent out tomorrow and there will be a faculty and staff survey as well as an undergraduate and graduate student survey.

C: I just wanted to say thanks to Dr. Lee and Dr. Smith because I know they have been working on that survey for two years. I especially appreciate the part where it focuses on why we don't use the library.

Q: I believe there used to be a link sent to people where they could propose exhibits. is there a way now for people to do that?
A: We have multiple places where exhibits can be hosted. We have places on the 2nd floor and also in the office space. If you have something in mind, reach out to me.

IX. New Business: None

X. Adjournment: The meeting adjourned at 4:59 p.m.

2022-2023 Academic Senate Minutes
October 24, 2022

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

II.

Ex Officio: Present: Van Selst, Curry, Rodan, Chuang, McKee Absent: None	**CHHS Representatives:** Present: Sen, Smith, Chang, Baur Absent: None
Administrative Representatives: Present: Perez, Wong(Lau), Faas, Del Casino, Day Absent: None	**COB Representatives:** Present: Tian Absent: None
Deans / AVPs: Present: Ehrman, Kaufman, Meth, d'Alarcao Absent: None	**COED Representatives**: Present: Mathur, Muñoz-Muñoz Absent: None
Students: Present: Chadwick, Saif, Treseler, Rapanot, Herrlin, Sheta Absent: None	**ENGR Representatives:** Present: Kao, Wong, Sullivan-Green Absent: None
Alumni Representative: Absent: Vacant	**H&A Representatives:** Present: Khan, Frazier, Kataoka, Lee, Riley, Han Absent: None
Emeritus Representative: Present: Jochim	**COS Representatives:** Present: French, Andreopoulos Absent: None
Honorary Representatives: Present: Peter, Buzanski, Lessow-Hurley Absent:	**COSS Representatives:** Present: Sasikumar, Haverfield, Pinnell, Hart, Raman Absent: None
General Unit Representatives: Present: Monday, Higgins, Masegian, Flandez, Lee Absent: None	

III. Land Acknowledgement:
Chair McKee read the history of the land acknowledgement and Senator d'Alarcao presented the land acknowledgement.

IV. Approval of Academic Senate Minutes–
There were no minutes.

V. Communications and Questions –
A. From the Chair of the Senate:
Chair McKee asked the Senate to take a moment of silence for SJSU freshman and football player Camdan McWright who was struck and killed by a bus On October 21, 2022.

Chair McKee announced that today's meeting is a budget only meeting and that no regular business will be conducted during this two-hour session

B. From the President:

VI. Executive Committee Report:

A. Minutes of the Executive Committee: There were no minutes.

B. Consent Calendar: There was no consent calendar.

C. Executive Committee Action Items:

VII. Unfinished Business: None

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

A. Organization and Government Committee (O&G): No report.

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

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

D. Professional Standards Committee (PS): No report.

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

F. Organization and Government Committee (O&G): No report.

IX. Special Committee Reports:
University Budget Report by Vice President Charlie Faas

Accomplishment of last seven years: Back in 2016, President Papazian brought in new campus leadership. That team was assembled and tried to lead by what I call enhanced transparency. In those early years we were growing enrollment, and everyone remembers the nightmare in Dudley Moorhead Hall with the air conditioning and also planning for the new Science Building. We were also trying to get the Hammer Theatre going. We were kind of in a boom when it came to international students. We put together our strategic plan. We also hired over 100 tenure/tenure-track faculty. We've been busy with our racial justice initiative. We saw state surpluses and then we saw budget cuts and then we saw surpluses again, so we've kind of been all over the place. The big thing is the pandemic that hit a few years ago and continues to happen.

Hopefully we are exiting that as our governor would have us believe. We've seen fire and heat and smoke and climate changes. We've been doing Title IX

expansion and more Research, Scholarship, and Creative Activity (RSCA). At the same time more recently, however, we've seen a significant reduction in our international students. We've been seeing a declining annual unit load (AUL), and that is somewhat concerning. Then this year when you look at the climate and what is going on, our enrollment is down. It's definitely less than what we had planned for over the last couple of years. When you go CSU systemwide it is really down, especially in the North. The state surplus which was massive at one point is now starting to dwindle. The governor is being very careful about handing our base funding and is only doing one-time funding. The economy and stock market are not good and we are in a pretty tough space when it comes to our endowment and other things affected by that. SJSU Online is one of those breaths of fresh air when it comes to new revenue. Output planning is going really, really well.

In terms of Transformation 2030, our strategic plan, we are a much better campus for addressing all of these things and enacting these programs, but they all come with a cost. We believed and we continue to believe that we can grow our enrollment. The cabinet is talking about that also and looking at ways we can enhance our image and grow our enrollment in the future. We are continuing to look for more CSU funding, although we are one of 23 that is at the well there. We are advocating more and more for state, federal, and grant funding as we go forward.

Over the past four years, we have been essentially flat in the state appropriations we get. We got a $20 million increase back in 2020, and then budget cuts that came down. The governor restored those cuts but neglected to give us an allocation that particular year. Then this year, we got $28 million but $21 million of that was compensation-based items I look at tuition. That is the other half of this equation. It is 96%-97% of our monies that come in. Since 2017-2018 we've been flat on tuition. When you have no money coming in from the state and no tuition increases, and your enrollment has been flat or declining, you see where this is going. It is not a positive thing. The higher education price index is just one of the measures that we use. We talked about this at the Budget Advisory Committee (BAC) meeting, and people were asking what is the difference between the Consumer Price Index (CPI) and the Higher Education Price Index (HEPI)? HEPI is targeted towards higher education and CPI is just all consumers. We typically increase our fees each year but during the pandemic years, we took those increases down to zero. When you look at the cost of all we have to pay for, whether that's salaries or utilities or contracts, we are seeing big price pressures. all across the board in our contracts, as well as drops in enrollment.. We had good facts. It was all substantiated. But then the pandemic hit, high school graduates went down, as did enrollments. Now we have to make sure we are seeing our way through these challenges because we are just not seeing the enrollment growth.

Anong the areas that have impacted us include community colleges. When they are giving away free tuition, we don't get those freshmen. The UC is taking people right out of community college even more so now, so we are losing some of the transfers. Then there is a lower number of high school seniors. That is a national trend. We have been trying to bolster that some by going down to Southern California and this is where we get about 15% of our enrollment. Then also our international students are down. We were at a high a number of years ago and hoped to get to 3,000 and now we are in the 2,000 range. Also, improved graduation rates take away from our enrollment as well. That's great because we want to our students to graduate, but it does impact enrollment. While we are trying to open up new sections, we are also seeing recruiting and retention issues with faculty. The pay rate and cost of living here are very challenging.

Last fall we asked for $673 million for the CSU System. The governor came back and gave SJSU $211 million, which is less than half of what we asked for. We got a couple of other things in June like the Graduation Imitative (GI) 2025 and special needs things. That's positive, but it paled in comparison to what we were asking for. When you look at the headlines you see that the CSU got a 5% compact and that is wonderful, because we've been asking for consistency in budget planning for many, many years. I'm personally very happy that we have this multi-year compact, and that it gives us $211 million of this undesignated money for the campus. All these things are good and positive, but what does this mean? The reality is that of that 5%, it really only yields 3.5% because there are many commitments that go with that 5%. Then when you dig further down and see all these enrollment challenges, we have to watch where we are going here. If we don't make our enrollment numbers, the governor has the ability to change that 5% compact. He could give us the 5%, or he could give us more, or he could give us less, so we need to watch what happens. The governor is very concerned about base funding. He's doing a lot of one-time funding, but he isn't doing much in the way of base funding. Nothing that we got this year is really going towards the staff and upcoming faculty salaries. We got the increases that were well deserved but judging by the salary surveys, we still have a long, long way to go. The CSU system got $500 million for infrastructure. A lot of that went to new buildings and new endeavors on various campuses. There was $125 million infrastructure money that came to the system, and we got $7 million. That is just a drop in the bucket. The Higher Education Emergency Relief Funds (HEERF) are gone. There is $1 million left that we are spending this year. However, many of the expenditures that we have had from HEERF remain. And, like I said before, inflation, supply chain, retention, recruiting, and cost of living continue to be very problematic.

Faculty Trustee Romey Sabalius has been advocating for the Board of Trustees (BOT) to start putting their budget together much earlier than it currently does. When you put your budget together much earlier, you come out with what you need and can plug that into the budget process in the November/December

timeframe that leads into the governor's budget. In the past, we waited until too late into the cycle in January before we were going to impact the governor's budget. By waiting we were adjusting to a set of numbers the governor had already put out. This is really, really important, because now we are asking early, and we're guiding the governor a little bit. Then we will continue to do all the things we do in the spring in trying to get more from the state, and more understanding from the state about what we need and why we need it.

Our stop/starting point has always been understaffed and underfunded. From the time that I arrived here, we have been under pressure to do more and to have more staff, whether that's faculty, MPP's, or staff. It's across the board. We have two ways of getting our revenues and that is tuition and state appropriation. The third way is to influence that tuition number through enrollment. This is something we need to take control over and make happen. Tuition increases is a systemwide issue. The governor has been pretty adamant that if we are going to increase tuition, he is going to take back money from state appropriations, so it has been a net zero gain. My hope is that the BOT will put more pressure on the governor and we find ways of increasing our tuition. I understand student concerns about tuition increases, but it is impossible to pay increasing costs with no increases in either tuition or state appropriation. Lastly, we need to find new revenue sources. SJSU Online is great, but we need five, six, or seven other sources as well. Historically, we have not asked for what we need but rather for what we thought we could get. Here again is where Faculty Trustee Sabalius, was banging on the door telling the BOT to ask for what we need and ask for it early. So, what is the gap? When we talked a few years ago, the gap was $92 million. We were going to resolve it through reserves, salary savings, HEERF dollars, and travel, etc. Last year, that number was $30 million, the same number as this year. We are resolving it the same way through unspent salary savings. We aren't cutting salaries or positions. This is normal salary savings that we see with people in between jobs and unstaffed positions. This yields about $10 million a year. Then we will use reserves and we have a little bit of HEERF money left. Then we cut O&E budgets across campus.

How do we recover from this in more sustainable ways? What do we do? How do we get to a better position where we are in control of our own destiny? We have to fix the enrollment. On top of that, all need to continue to look at our campus priorities, our funding levels, what our focus is, and what doesn't get done. We need agree on what doesn't get done and clearly recognize and communicate that. In the longer term we have to have growth strategies. We have to have reallocation or scope focus here. We need to grow online and grow more revenue.

When you look at our expenses this year, Academic Affairs has 61.5%. This is up from 60% last year, so there's a point and a half gain in Academic Affairs. Our Athletics folks are down from 3.9% to 3.8%. These are the ones people have asked about in the past. Expenses are 78% labor, salaries and benefits.

Historically, this has been 51%, but due to the 11% increases this year it is at 78%.

We have our $480 million operating fund and overall three quarters of a billion dollars is our total expenditures on the campus. Our lottery number was at $2 point something million last year, and rounds up to $3 million this year. A little bit more in the lottery funds this year. Everything else is more or less the same. Some of these things are increasing coming out of the pandemic. We have more people in housing. We also have more people parking on campus and those types of things. However, everything else is more or less the same.

Questions and Comments:
Q: On page 13, I have a question about basic needs. I understand that basic needs is only a one-time fund, but where specifically is this money going to?
A: It is going into Student Affairs and some goes to Academic Affairs, but Vice President Day is the lead on this and determines where it will be spent. This year it is one-time funds from the Chancellor's Office, but we have been told it will be ongoing dollars, so we anticipate next year it will be part of the base budget. What that means if you get one-time money, you typically don't want to hire people with that. You want to spend it on activities or meals or rooms or that kind of thing. However, next year VP Day will have more flexibility for those kind of things.

Q: I was noticing that Athletics is being subsidized with SSETF funds and I was wondering about this subsidy. Can you explain?
A: Sure, the Instructionally Related Activities (IRA) fund within Student Success Excellence in Technology Fee (SSETF) has historically been funding part of the Title V rules as far as how IRA dollars can be spent. With that there is money that goes back to the campus, and there are free tickets to events also for faculty and staff. This is somewhat typical. It is approximately the same number that comes out of San Diego and Fresno as well. The difference between us and San Diego and Fresno is they have more generated revenue, though we are doing better on our generated revenues. We are up $1 million this year. We hope to be at a couple million dollars next year. Our women athletes did extremely well this weekend in golf and the football team is 2 for 2, so we are hoping for generated revenues.

Q: On page 16 we have a comparison of SJSU and the other big five CSUs, and it appears we are spending the least on student financial aid among the other CSU campuses. Can you speak to that a little bit? Are we ensuring that students that need help are getting the appropriate financial aid?
A: Yes, we are making sure that we are getting as much aid out to the students as we possibly can. We have a significantly lower number of PELL-eligible students relative to these other campuses. When the PELL eligibility is there, that is where the student aid is getting much, much, higher. We will have Vice President Day come in and address the Senate and talk about that at one of our

next Senate meetings. We aren't giving out as much because a lot of our students aren't in as much need as some of these other campuses.

Q: I wanted to ask about enrollment as you've said that is the most important piece here. What programs have we implemented to increase enrollment?
A: I'm going to take that as a "to do." Among Patrick, Vin and I, we will come back here at a future meeting and start reporting on what those plans are and the ways we are going to try and increase enrollment.

Q: VP Faas, thank you for your report. My question pertains to spending on two fronts. One is mental health and counseling because I saw it was health services but there was no breakdown on mental health and counseling, and the other is university police. I want to know how much are we spending on counseling services and how much on police services and have these gone up or remained the same?
A: No, the police services are essentially the same. There has been no change on the police side. We are understaffed. We will continue to underrun the budget when it comes to the university police department. That said, part of what we are looking to do there and what we have talked about is having more mental health services that are within the police department so that it is not always just police responding to a 5150 or mental health crisis, but that there are also some non-uniformed folks that are responding to our students. The bulk of our 5150 mental health crisis calls are not affiliates, but our police are involved from a safety perspective for all involved. From a mental health point of view we are continuing to see more and more spending and you see that within the Wellness Center predominantly and their spending is up as well as the Wellness Center and continues to do an outstanding job in my mind as well as Vice President Day's. They are continuing to do that as well as the basic needs folks. The SJSU Cares folks continue to see their budgeta increase as well. They aren't massive increases, but those are all increases in their budget.

Q: My question has to do with the student enrollment center, but not necessarily with spending. Is there any money levied towards staff and faculty for wellness centers?
A: Yes, there will be more over there. We have any number of groups around the campus that have significant staffing challenges. Housing has it, the Wellness Center has it, Facilities, Development and Operations (FD&O) has it. There are quite a few places around the campus that are having the challenges. Associated Students (AS) came to the cabinet meeting last week and that was one of the things that was brought up. How do we shorten the time of students getting an appointment, and making sure they do get an appointment? We need to make sure we are paying people appropriately and we need to make sure we are hiring as best as we can in a very difficult hiring market. I don't have a great answer for you there, other than that Vice President Day and his team know they have to.hire. it is just difficult to hire.

Q: My question is related to the expenditures in the operating fund budget on page 14 about Institutional Affairs and University Advancement. It seems like they are going to be one division, or is this just temporary?
A: It's a temporary thing. The way we aligned it was this is Lisa Millora's responsibility. She has assumed temporary responsibility for University Advancement.
Q: Looking at last year's budget in terms of the expenditures and operating fund, and University Advancement was 2.5% and this year with the combination it appears to be 6.6% and even with the shift out of the President's Office, which used to be 3.9% and it's now .6% it still seems like there is a larger expenditure there. Can you explain what this means in terms of the operating fund and the budget plan? Is this in alignment with the strategic plan?
A: The Racial Justice Initiative, the Title IX Initiative, all are in those spaces. There are a number of things that are in the Human Resources budget this year as well. It ended up being something like a .3% or .4% change.
Q: So in the future when those are split back up, University Advancement will stay at approximately 2.5%? Because all of those initiatives you mentioned are in the IA/strategic division as opposed to University Advancement.
A: I'll have to look at the numbers and see. That sounds logical. We are getting ready to go into a campaign. We have to decide whether we keep that over on the Tower side or some of that goes off, because part of the campaign is having normal recurring giving. That normal recurring giving could be considered a state side expense as far as the people go behind that.

Q: You've said one of the ways to increase funds for the university is through enrollment. Are you looking for particular programs to grow and if so are you concerned with eligibility for those students?
A: This is where I get into a murky area being a finance person and talking about what enrollment should or how classes should be or any of that. I'm going to let the Provost address that a little later on. This is an Academic Affairs Initiative not mine.
C: I and some of my colleagues are concerned that the more we get into increasing enrollment that students that aren't qualified will be let in.
A: Understood.

Q: I was looking on page 21 at the Student Affairs allocations and I was wondering if there was going to be any funding increase for any of the centers outside of the Native American and APIDA Centers?
A: Similar to my previous answer, Vice President Day determines where his budget is allocated. At some point Vice President Day can come back and speak to this. Your predecessor approved the use of the SSETF funds last year for the Native American Student Success Center.
C: I would just like a little more clarity on the breakdown of funds from the SSETF and, say, Athletics.
A: Ok. We can work on getting that for you.

Q: Thank you for that report. On page 13 under Athletics, there is a special line for Sports Medicine Chaperones. I have no idea what that is, but I'm hopeful it has something to do with making our sports safer for our students. That is my first question: what is that?
A: The reason that money was put there is to make sure no athlete is alone in a room with a trainer.
Q: I've been through four recessions and during all the other recessions except COVID, we had a boom in enrollment. Assuming that this continues, what has always happened in the past is that student fees go up and state support goes down. It is hard to provide education for all those extra students if we don't have the general funds, so what is the strategy?
A: Part of it is when you have a Chico, Humboldt, Sonoma or Stanislaus and they are all down on their enrollment, the CSU has to reallocate some of those enrollments. If they do reallocate some of those enrollments and we can show that we can bring students in, then they become funded and that is a positive cash flow for us. It's not about fees. The fees are small relative to the tuition and everything that is here. I'm much less concerned about the fees than I am the tuition and on top of that the enrollment.
C: So we get some of the enrollment target from the other campuses with declining enrollment.
A: That is the hope.
A: [Interim President Perez] Thank you Charlie. One of the things that maybe isn't entirely clear is that we are not meeting our funding target right now, so when we talk about campuses not meeting their funded target, we are one of those campuses. It is incumbent upon us to at least increase our enrollment to meet our funded target so that we can make a case going forward that we have very strong academic programs and bring in great students. We are turning away students from several of our active programs. We can grow in those if we can build some capacity there, but before we start trying to build FTES, we need to meet our own target there.

Q: In the past, we've seen that when people lose their jobs they go back to get other degrees. Is that something we are continuing to see, or aren't they doing this any longer?
A: [Interim President Perez]
We certainly have seen a significant change in public opinion about college and universities. I don't think we have reason to believe that we won't see people go back to school, but we are in an environment where our value is being questioned publicly.

Q: Graduate student enrollment declined obviously with the political machinations over the last couple of years, how are we going to recover since they represent a fair part of our budget? Why was there such a big increase in Athletics funding from this year to last, almost $6 million from $10.6 million to $16.4 million?

A: No, it went up because their salaries went up by the same amount everybody else's did. However, in no way was it $6 million. You must have read that wrong.

Q: I noticed there was $150,000 for chaperones. I was wondering how these people are being recruited? Also, what is the protocol for requesting chaperones or are they automatically assigned to every interaction between a student and trainer or doctor?
A: I'd be happy to have Athletics come and talk about how the Athletics program has changed.

Q: I was looking at the contribution to Athletics and as far back as I can remember it has been about $9 million. The ticket sales and revenue seems to be about the same. What seems to have risen over the years is the money from the general fund. When I started thinking about this, what accounts for the proportion of money coming from the general fund which seems to have increased almost 50%?
A: Well, the only reason the SSETF or IRA money would change is if it was voted on by the CPAC Committee. The generated revenues have been more. You and I as well as Senator Peter had that discussion with the new Athletics Director last year that we were going to right that ship and bring more revenue in. I think it is up $1 million to $1.5 million this year. We are moving that in a better direction, but we are nowhere near where we need to be. We need to get people buying tickets and buying sponsorships. We're selling naming rights. All these things are very important. However, we are at the bottom of Mountain West Conference of teams by total spent on Athletics. We as an institution are committed to playing these sports and having Division 1 Athletics. We have to provide the funding for that but it needs to come more from generated revenue.
C: This is the same thing that has been said for 50 years and nothing seems to change.
A: Frankly, our donors feel completely differently than what you are saying. Our donors have put tens of millions of dollars into our South campus and to improve the various venues that were nonexistent for decades such as for golf. Our women's golf team is one of the highest ranked in the world. We came in second place last year. We're in first place in the division this year. When you look at women's gymnastics, a donor came in and funded the gymnastics pit. They then won the Mountain West last year. In baseball a donor came in and put up a practice field. They won 30 games and were Mountain West champions, so helping these teams is getting us the results weß want. Donors are giving hard earned dollars for these facilities, because they believe in it and they see the results.

Q: On page 38 under housing and student fees, it lists $700,000. Can you speak to what that is?
A: I'm not sure I'll have to get back to you.
A: [VP Day] I'm looking and will have an answer in a few minutes.

Q: My question is about the deferred maintenance. As you mentioned, the CSU got $1 billion. SJSU also got some one time state funding allocations on page 8. There was $18 million for Wildfires and the Moss Landing Dock. Then there is the additional $6.8 is that combined with these other priorities or is that separate?
A: The Wildfires, the Moss Landing Dock, and the Legacy project are run off of government requests. The $6.8 is really for things going on around campus that you're never going to see, usually below ground work.
Q: How are the decisions made on what gets priority?
A: When we get the money in, we compile a complete list and then see what the clear priorities are. We have $1 billion worth of deferred maintenance, so it is really triage.

Academic Affairs Budget Report by Provost Del Casino:
The budget for the Academic Affairs Division is 61.5% of the university budget. We have gotten a few other things over the years as when AB 1460 came in. We created an SJSU Online Assessment fund. We have become an Adobe anchor campus which brings funding directly to the division. We pay for academic advising through SSETF. We've got some instructional student assistant support through the general fund. At the same time this year, we have a vacancy savings target this year. We have a deficit of $36 million and $18 million is covered by reserves, but the other $18 million is being covered by various reductions. Our savings target is $5.8 million this resulted in operating fund reductions of about $1 million. We also have a one-time tuition funding hold back. It looks like a lot of money is coming in, but most of it is one-time funds. There is one-time enrollment support, but we are not distributing it because we are not hitting the target. There is no point in distributing that $4.4 million when we aren't meant to spend it. We had $2 million for the division in RSCA. It worked out to $1.4 million. The staff brought in as student assistants are being covered in different ways. This is again excluding benefits. We have about $181 million in the Operating Fund and about $57 million in PACE. Not surprisingly, almost all our budget is personnel-related.

We had a goal of 28,840 which we are not going to hit. We are predicting a negative change to every college but the College of Professional and Global and Education (CPGE). What that looks like is this. We had a trend where we were sort of going up. We had a budgeted goal of 26,690. We have a divisional goal shown there. However the actual enrollment is 26,043 which is why we have to hold back dollars that won't get distributed. You can see the gap that finance has budgeted us of 27,690. That's why the $4.4 million is being held back because we have to return it.

One of the things that is thought to impact an overall target enrollment is shift in Average Unit Load (AUL). We had a nice trend up in Fall 2018 and then a

decline this last past Fall except for sophomores. All other categories of students have dropped their AUL. This impacts our ability to hit target, because students are not taking as many classes overall. The other thing that has been going on as a trend is our student-faculty ratio by course size has dropped over the past five years. We are down about 2 overall, but if you look here there was a big drop last year in lecturers. This moved from about 35 to 32. This is one of our biggest category of classes. We did some work with the colleges, but our activities and labs are still in decline. Overall, we are not where we were in 2017. This is tied in part to the change in the budget. The academic colleges have less chew into their budget. This was changed when we brought the budget dollars back, so we are seeing an uptick in that. This is a big part of our financial puzzle.

For looking at tenure/tenure-track faculty workload distribution, one of the interesting things that has come over time is that an investment in tenure/tenure-track faculty over time has led to directed instruction being under 50% of the workload of your average tenure-track faculty. We saw that last year when we were looking at tenure-track faculty average weighted teaching units it was around seven. The RSCA program obviously plays into this as do some of these other buyouts. This service listed here is the service obligation we have under contract. When you look at this, assigned time increases have gone up. Relative to the strategic plan, we've seen an increase in university RSCA, some slight declines in administration, and slight declines in college RSCA as the university has taken over some of that. This gives you a sense of the trends. When you look at this in terms of real numbers, we are paying $14.7 million in various assigned time. That is a .5 million decline from last year. There is an interesting uptick in direct instruction and a downtick in academic administration and committee work, but a big increase in the university RSCA program. This includes the investments from the institution. When you look at the structural budget gap that we have, as Vice President Faas mentioned enrollment is critical, and we have to think about increasing space and high impact practices.

To speak to the question about the impact on those programs and whether students are admissible, we have thousands of students that are eligible under the criteria for admission that don't get in because of our high impact practices. We don't have room for them. That being said, just to continue to pound on our high impact programs is probably not the best answer, so we need to really look at new draws, interdisciplinary marketing, new pathways for self-support, and philanthropic investments. I think one of the things we need to consider is a return to 2017-2018 student-faculty ratios. We also need to look at minimum class sizes in certain programs. There are colleges where the minimum enrollment for class size is 15. That is a pretty small number for a large public university. That is not very typical for something of our size and is something to consider. We are also looking at assigned time and expenditures. We are also out of compliance with the large section policy that is in the Collective Bargaining Agreement (CBA). We are looking at that and administration. Also, in my

opinion, we need to increase the number of full-time faculty in all categories and that would help us as well. Also, we need to invest in the people we need to run the campus.

The other thing I want to talk about is pay. We have about $17.5 in total pay distribution. What we did was create a new policy where at each college level they are allowed to retain 90 days of expenditures going into the next year which is about 3 months of payroll, because those dollars have been sitting around the campus for years going largely unspent when they could be used for things like SJSU Online. We also have some central academic support that we provide to the various colleges that we pay out of PACE right now. The other thing you will see is that some of the colleges have capital funds where they sock away over time dollars out of PACE that could go into larger capital projects. The other place some of this money has gone is into SJSU Online investment and revenue distribution. What we are doing that is unique from our standard CPGE is building an entirely new infrastructure for it which is where a lot of the money is going. The key here is the programs are outlining direct instruction, program administrative support, student assistants, operating expenses and then we're building out all the admissions, recruitment, success, wellness, and scholarship as well as all the marketing and recruitment efforts, and also program support and instruction design. Very importantly, and I'm highlighting it in red, is the mention of program startup. In the case of almost every single program in SJSU Online, none of them will break even the first, second, and maybe even third year, so we've collected up money to invest in that startup. Once the programs become solvent, they'll be paying back into the investment fund. In conversation with, for example, the business school, it could be up to $1 million to launch a general business degree in SJSU Online. This pays for all the faculty time, because you've got faculty building things before you even start making any revenue coming in on any of the programs so you need a pot of money. That's sort of where we are there. I just wanted to share that going into this initially we are already seeing a national investment from students in interest in SJSU Online. That doesn't completely surprise us, but there are a lot of people out there across the country and these are just a map of inquiries from the first month and a half. Not surprisingly, most are from California, but as you can tell we are already having a reach. We are not spending any dollars to tell people. Any money we are spending to tell people is really local. It's very much s Santa Clara County focus, but nonetheless that's where we sort of are. I wanted to go quickly so I can give people time for questions, so I'll stop this part of the presentation and take questions.

Questions:
Q: What does it mean to be an Adobe Anchor Campus? What are the benefits to SJSU and what are the benefits to Adobe? Regarding SJSU Online and similar programs, at what time do you expect it to be mature and start turning a profit?

A: As an Adobe Anchor Campus we got a donation last year from Adobe of $1 million. They gave to three campuses. This is an attempt to invest in campuses with outstanding diversity, equity, and inclusion strategies. There could be more to come as well. As a creative campus, we were identified as one of the leaders in integrating digital and creative literacy into curriculum. The benefit of that is that Adobe is ready to go anytime we want to talk about different approaches, etc. Adobe really is one of those companies that put their money where their mouth is. If you look at pricing relative to retail prices, I don't think they are making any money on their education items. This money has helped us launch the Hispanic Serving Institution (HSI), Jonathan Gomez is building a digital storytelling program for faculty to integrate into their programs. We are also going to have an Adobe specialist working in the library. As to your second questions about SJSU Online, probably three years at the program level. Our goal is by year three, they typically be solvent at the program level.

Q: I want to ask a couple of questions about possible enrollment strategies. As you know, doing online well is hard and expensive. Clearly, we are chasing online dollars with self-support programs. Is there a move to try this with the state support side? In the past, the system has moved to summer enrollment. That way we somewhat artificially increase our enrollment to hit target. There is also the opportunity to use special admissions to change the status of folks to have them count. Then, of course, in the past we've also had discussions about attracting graduate students around prudential programs, so basically the question is what kind of enrollment gains are we expecting this year?
A: I think the stateside summer stuff is definitely being churned around system. I'd rather go in with honest, open enrollment. The interesting thing about online within the context of stateside is we are already seeing that at some level, because we aren't back at 95% face-to-face. We are trending about 70% to 75%. I think there is almost an organic movement towards trying to create more online pathways. I think we should do that. Really SJSU Online is targeting part-time adult learners. It is intended to be a different population. If you meet someone that is a full-time learner they really belong in our stateside program and that is where we need to put them. That is the key. Can we create enough pathways so that people can see that reflected in the campus and then make their own decision about how they get through? Graduate enrollment was up. It is up. There is a conversation about where graduate education plays into the larger enrollment picture. The challenge for us is that it's 22%. It's already, as we know, more expensive to run those programs that we barely get any more money for. That's a really hard conversation with all the other things we want to do so I think we're looking at all the strategies you identify and at the same time I'd rather grow the campus with authentic enrollment. The last thing I'll say is AUL is a big deal to me. When you take all those .2's across the number of students, I wouldn't be surprised if it added up to 2.5% or what we would need to hit target. This is a big issue as well and that is getting our students back up to the levels we had, because that's what drove our outstanding graduation rates. That's what quadrupled the four-year graduation rates in undergraduates.

Q: My question has to do with the sustainability of all the initiatives. With SJSU Online, for instance, how are you tracking the success? SJSU Online is targeting older adults, but the national average age of most online students is 18-20.
A: SJSU Online is easy. In four to five years if we are in the toilet, we are going to shut it down. I don't believe that will happen. What we will do if we don't grow is not open programs. We will keep it small. The RSCA program is a much harder thing to track. This is really a philosophical question about where we want to be as a campus. Are we retaining people? Are we recruiting better people? It is really hard to track. Are they sustainable? I believe they are.

Magdalena Barrera, Vice Provost for Faculty Success

Thank you for allowing me to share some information on our faculty hiring trends and demographics. The first slide is on faculty hiring by race and ethnicity. As you may recall from last year's presentation, we had 72 approved searches which yielded 51 new faculty. As you can see from this breakdown, what is most notable for this year is our great strides in LatinX hiring. As you can see here it is just under 30% of the incoming faculty. In the next slide you will see the breakdown by gender. I want to remind folks that we have a new first-time faculty members' book that celebrates the entire incoming cohort. I hope to make this a new tradition at SJSU every Fall. I would really like to think the university marketing for their support of this project. It starts off with some facts about faculty research and demographics and then goes college by college to introduce you to all the new faculty. It is really exciting to see this come together. In the next slide we are looking at tenure line faculty expansion over the last couple of years. What we are looking at here is a story that's being told about how we hire different demographic groups and the outcomes of our hiring. I want to go back to where we were talking about hiring this cycle having almost 30% Latino. If you look at where we were at in 1920, see how small that bar was.

I want to take a moment and talk about the different elements of what it takes to diversify our faculty year-to-year. The first point is the need to engage with real intention and purpose. You need clear guidance from leadership that is consistent and can be applied as practices and tools that are outlined and can be required as training for all search committees. It comes down to in part that deans, department chairs, and search committee chairs need to work together to make sure they carryout the best practices to the full success that we can. The second point here is our need to create a culture of accountability. How do we hold ourselves and others to what we lay out in our strategic plan, especially around diversity, equity, and inclusion? Before a candidate can be invited to campus the search committee submits the name of the candidate to the dean and to my office for another discussion about how diverse the search has remained over time. Last year we had one search that had far greater diversity than what we would have expected based on nationwide data. To our surprise,

when it came down to the semi-finalists we found that all that diversity had disappeared. Really that is an opportunity to check in with the search committee on what rubrics were used and how the semi-finalists were selected. Is it possible to go back and do another review of the pool overall? Was there anyone on the cusp that didn't make it into the next round, but who could be worth including?1 A third element here is dealing with constant pushback that builds up in surprising ways. There is always a number of faculty that question the purpose and the value of the training. There is a feeling that there is nothing more to learn, but this is an ongoing journey for all of us. Those of us that are tasked with leading this are constantly reading new materials and searches for new best practices to make sure we are giving search committees all the best tools to do their jobs. Sometimes we get told, "You don't understand our discipline." Sometimes faculty use intellectual categories and will say, "Oh, well that candidate works on such and such so that isn't really the discipline we need." So even when we are telling them all the best practices, we still don't get the results that we want.

The next slide is an overview and breakdown by colleges of the searches that we've approved for 2023-2024 cycle. As you can see we've continued to manage areas that the deans identified a couple of years ago including data and analytics, ethnic studies, robotics, and human robotics, sustainable futures, etc. We are helping search committees identify searches that could be a really nice tie-in with the focus on LatinX, bilingual and multilingual research, addressing equity gaps within their fields, and the HSI Initiative. Sometimes we find that faculty feel if they focus on LatinX or bilingual experience, they will have less diversity in the pool and there is pushback. Highlighting our HSI status really draws a more diverse candidates across the board. That is what all the data shows us so we will be continuing in that regard.

The next slide shows you total faculty by headcount. As we saw last year, the breakdown by nationality of both lecturer faculty and T/TT faculty is closely aligned with the exception of slightly more Asian and slightly fewer LatinX in T/TT than in lecturers.

The next slide is by gender. Again there are slightly more women than men among the lecturers than the T/TT faculty.

The final slide we'd like to share with you is our tenure density from 2017 through the fall. Even though SJSU has led faculty hires across the CSU, our tenure density has gone down slightly. Part of this is the impact of the RSCA program. We also have a growing number of fellowship recipients. We've also been making a real effort to retain faculty through counteroffers.

Questions:
Q: What has been our recent attrition rate and retirement rate? Are the faculty we are hiring this year going to replace the faculty we are losing or not?

A: The faculty hiring this year is tied to the faculty that retired, weren't retained, etc.
Q: Do we have data on the faculty we actually hired versus the numbers that left?
A: [Provost] It was net positive, but this year it could be net neutral. It is between 45 and 50.

Q: What effort has been made to find out more about people that have left and also people that were offered a position and declined? My second question is that for the chair of a hiring committee it can be very frustrating waiting around for approval and now you're adding another review process. What efforts are being made to streamline that process?

A: There is very little wait time up front. However, when I have questions for the deans and chairs it depends on when I can get an appointment. As for your other question, it is something I'm interested in working on. There is a good opportunity for us there.

Q: Is it possible to get a breakdown of faculty across the board by ethnicity and gender and how long they are waiting to get tenure?
A: Yes, we can work on that.

Q: I would like to know what mechanisms have been put in place to ensure the search committees are diversified?
A: Maybe the faculty ranks are more diverse within the rank of Assistant Professors in particular, because often times for the searches it is post-tenure faculty that are more available to serve on them. However, it would be interesting to think about how we could take a look at that. The thing we've committed to really is requiring the training of all the members.

X. New Business: None

XI. State of the University Announcements:

A. Vice President for Administration and Finance (VPAF): No Report
B. Vice President of Student Affairs (VPSA): No Report
C. Chief Diversity Officer: No Report
D. CSU Faculty Trustee: No Report
E. Statewide Academic Senators: No Report
F. Provost: No Report
G. Associated Students President (AS): No Report

XII. Adjournment: The meeting adjourned at 4:00 p.m.

Senate Executive Committee Minutes

April 3, 2023

Noon - 1.30 PM via Zoom

Present: Patience Bryant, Nina Chuang, Julia Curry, Vincent Del Casino, Charlie Faas, Rachel French, Tabitha Hart, Reiko Kataoka, Alison McKee (Chair), Priya Raman, Karthika Sasikumar, Laura Sullivan-Green, President Cynthia Teniente-Matson, Hiu Yung Wong

Absent: Patrick Day

Recorder: Karthika Sasikumar, Vice Chair

1. Approval of the agenda
    a. Senator Hart asked for an addition to the agenda: an update on draft of SMR re: Senate expansion.
    b. No consent calendar was presented.
    c. The agenda was unanimously approved as amended.

2. President's Update
   President Teniente-Matson reported on the preliminary data shared by Mercer at the Board of Trustees meeting, regarding the salaries of the professoriate. The SJSU-relevant issue is the cost of living, which was shown to make a substantial difference in faculty members' satisfaction. It was an informational presentation only. The President made some informal comments regarding a geographic differential criterion for compensation for the upcoming bargaining agreement negotiations. She continues to reach out to elected officials, including Supervisor Susan Ellenberg who visited the campus last week. We are competing for funds at the county level.

   Regarding the shooting in Michigan and recent gun violence in Texas, given that we are on an open campus, she asked cabinet members to examine if we are prepared for an incident. We had an informal roundtable on an IT network attack. She also reported that she met with the Family Advisory Board, including the parents of current students, to discuss their experiences.

   In addition, she visited the Mexican Heritage Plaza and participated in activities to commemorate Cesar Chavez Day. She also attended the Chavez Family Gala, where four scholarships were presented, including one to a future SJSU student.

   The President reported that we are in preparation for our April 24 Campus Summit on post-pandemic Transformation 2030. She has met with the chairs of the Campus Committee on Diversity, Equity and Inclusion (CCDEI) and reviewed the framework they created, which has measurable outcomes. The CCDEI framework will be rolled out on April 24 and will be integrated into the values that will be proposed for the campus. There will be open conversations with the campus. Measurement is the hardest part. We will be ahead of the curve if we figure out how to do it effectively. Office hours will be scheduled in the fall. Forty people have applied to be on CCDEI in the next round.

   The search committee for the CDO and VP for University Advancement are moving forward.

The committee discussed how other state systems handle cost of living (COLA) divergences. Our bargaining system is unique because it makes it a zero-sum game. Many states do not take COLA into account, only merit, when determining salaries. The Provost added that we have FTES based budgeting model, while the UC system has different revenue streams and merit-based pay.

Questions and comments

Q: Is it possible to have the data presented by Mercer disaggregated by race and gender?

A: The President says that the disaggregated data is available and she would share it at a later date. The president indicated that someone had asked a question about disaggregated data at the Trustee's meeting. The consultants indicated they could disaggregate data. As a follow-up, I have asked this specific question to Leora.

3. Status of the Senate Expansion SMR

   At our last Senate Exec meeting we discussed a draft that seeks to set up a Special Committee regarding Senate Expansion. We need to work on the text of the SMR together.

   C: Discussion of timelines for existing SMRS regarding staff additions and formation of a special Committee

   C: We have not resolved which staff might be seated.

   A: The special committee would be set up to examine those very questions related to representation and expansion.

4. Discussion of the Search Committee for the VP of Undergraduate Education

5. Policy Committee Updates

   a. Organization and Government
      We will be considering a referral that we have received on IRB committee membership. We will follow up on the amendment on FAR term limits, as we received some feedback after the Senate meeting. The Presidential signature policy will be brought back as a final reading. We are still working on a draft recommendation on restructuring ISA.

      Questions and comments

      C: The President shared her thoughts on the sixty-day limit proposed in the Presidential signature policy. She said that the Senate Exec meetings should function as a space to discuss the questions that would need to be resolved for her signature. Given that, she does not anticipate the sixty-day limit being a problem. She reported that she had discussed the term length of the Faculty Athletics Representative with her peers and found that there was no consistency in term limits for that position, on different campuses.

   b. Curriculum and Research

We will review a proposal for an Advanced Institute on Ethical Technologies. We are also reviewing S93-14 on Curriculum Priorities. We are seeking stakeholders' inputs.

c. Instruction & Student Affairs
Based on new CA law, we will give priority registration to student parents. We will also modify the policy on calculating GPA and bring it as a first reading in the April meeting. There will be an increase in the workload for administrators to identify student parents.

d. Professional Standards
We will present a resolution regarding Emeritus Faculty, a Sense of the Senate, and a change to early tenure standards which should occasion some debate. There will be a resolution on the division of the Board of Academic Freedom and Professional Responsibility, into Academic Freedom (more educational) and Professional Responsibility (quasi-judicial). This committee is difficult to staff as we need full professors.

6. University Updates

a. AS President Nina Chuang
She greeted everyone for APIDA Heritage Month. A Sense of the Senate resolution will be introduced to condemn Japanese American deportations that took place at SJSU. She reported that she had participated in the convention of the California State Student Association (CSSA). The organization issued a statement on the Governor's Executive Order 1053 on student mental health, which is perceived as somewhat vague. She also took part in a Rotary Club event, with the President, for women's history month and spoke to international students about representation. She helped moderate a panel on women's history month featuring women staffers. There was a Board of Directors meeting of Associated Students where the representation of the South West Asian and North African (SWANA) community was discussed. She announced that AS Lobby Corps had invited Rep. Ro Khanna on April 24 for a Student Town Hall and Fireside Chat.

b. Interim Deputy Diversity Officer Patience Bryant
She explained that we recognize APIDA this month (rather than in May) because of the SJSU calendar for the academic year. CCDEI is reviewing nominations. We have openings for the Undergraduate Research Opportunity Program (UROP) for faculty and students, across all disciplines for underserved students, to be selected by Professor Andrew Carter.

c. Provost Del Casino
Reported that he was focused on leadership hiring. He announced that Ron Rogers was officially the Vice Provost on Academic Innovation and Institutional Effectiveness. He has made a referral to the Senate to include representatives for Academic Affairs, outside the Deans group, on the Senate.

Questions and comments

Q: Is there any tracking for outcomes that are mentioned in the WASC report?

A: We have data and now that Ron Rogers is in a permanent role he can help with accreditation.

7. The meeting adjourned at 1.35 pm.

The minutes were edited by Chair McKee on April 7, 2023.

The minutes were approved by the Executive Committee on April 24, 2023.

Executive Committee Minutes
April 10, 2023
Noon - 1:30 p.m. via Zoom

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

Absent: Patience Bryant

Recorder: Eva Joice, Senate Administrator

1. Consent Agenda:
   The committee approved consent agenda items (Consent Calendar of April 10, 2023) (13-0-0).

2. President's Update:
   The president continues her outreach with students. She has met recently with HonorsX and Native American students. She also continues to meet with the colleges and recently met with the Colleges of Business and Science.

   The Mission/Vision/Values draft has been sent to the Campus Committee on Diversity, Equity and Inclusion (CCDEI). The president has sent the framework back to CCDEI to address bullying issues. There are some vacancies the president is looking to fill on the CCDEI.

   The president recently was in Washington D.C. at the American Council on Education and will be returning this coming week as well.

   Questions:
   Q: Thank you for following up on the bullying issue. The Accreditation Review Committee and the CCDEI have similar roles. How do these two interact? One committee is the Senate's and the other one reports to the president.
   A: This is the president's 12th week at SJSU and she is still trying to understand how the committees are similar and different. The CCDEI needs to come up with values first then establish the framework. The president is working with the CCDEI and asked them to review the Campus Climate Survey. The Accreditation Committee's work is to collect input and report out on what is being done. The president has asked the CCDEI when we should do another Campus Climate Survey. The president is having conversations, but doesn't have all the answers yet. She will report back to the committee.
   C: I am on the Accreditation Committee and they are talking about which committees should be meeting with each other.

Q: The Curriculum and Research (C&R) Committee is working on a policy and needs to incorporate the framework. May we see the draft?
A: The goals are not in there yet, but I will have Lisa Millora send it to you.

3. The Executive Committee continued its discussion of and work on a draft Senate Management Resolution regarding the formation of a Special Committee to look into issues of Senate expansion. Issues under consideration included the size and membership of the Special Committee, and the need for transparent and effective communication as well as regular updates to campus communities.

   C: Chair McKee wants something to come to the Senate by the May 8th Senate meeting.

4. The Executive Committee discussed its meeting schedule for summer 2023. The committee will meet on an as-needed basis via Zoom.

5. University Updates:

   a. CSU Statewide Senators:
      This week there have been interim committee meetings at the Academic Senate CSU (ASCSU) via Zoom, but we will meet all day on Friday.

      There are 14 Baccalaureate degree proposals being reviewed from the community colleges and this is a big issue.

      The ASCSU circulated our FERP Compensation Resolution.

      Questions:
      Q: What is the definition of non-conflicting degrees? Is it the same language used to prohibit us from offering doctorates?
      A: There is no absolute definition. The community colleges must check with those campuses in their region, but this doesn't always happen. There is a similar issue with doctorates that goes back to the master plan. We've had two discussions about adding additional degrees.

      C: There is a proposal to allow doctorates at the CSU. The system is struggling due to impaction. If we can't compete on a name basis with the community colleges, we've already lost. The community colleges will find that baccalaureate degrees are expensive and will reach out to us to partner with them.
      C: Various campuses are very worried due to declining enrollment. We really do need to think about non-conflicting degrees and what it means.

   b. From the Vice President of Administration and Finance:
      The Senior AVP of Business Affairs is retiring this summer.

We continue to have emergency training meetings with the president and continue to work on how to respond to different emergencies on campus.

Questions and Comments:
C: There was another mass shooting this morning, and faculty and students are scared and don't know what to do.

C: Students coming to us out of high school have Active Shooter training in school. We need to talk to our faculty about this, and they need to be preparing themselves as well as their students.

C: One person suggested putting something in the syllabi.

C: I came in to teach an evening class and the lights were all off when I came in and the building was unlocked.
A: Will look into this. It is important to look at a person and make sure they belong. Also, make sure the door closes behind you.

Q: Are we going to keep buildings locked forever?
A: Yes, badges will be used. The only two buildings that are open are the Student Union and the MLK library. Incidents on campus have gone way down. Our campus is located downtown which is unusual.

c. From the VP of Student Affairs (VPSA):
On April 3, 2023, we hosted an Emerging Leaders' summit. We want to make this an annual event.

Last Wednesday, we hosted "Explore Careers" in the Rotunda. About 350 students came. It was a huge event.

Admitted Spartan Day is this Saturday and over 12,000 people registered for it.

Our current intent to enroll Frosh is up by 500. That is a very good thing.

Questions and Comments:
Q: When do students know about how much financial aid they will get, and does that affect their intent to enroll?
A: Part of the challenge depends on when you've applied. We have a next-steps process. What is important for the future is having scholarships for students that can be a difference-maker.

Q: What is the number of scholarships given annually?
A: The difference with financial aid could be private scholarships.

d. From the AS President:

The AS President participated in a Day of Remembrance and learned that Irene Miura had also been interned as well as Yosh Uchida.

Elections will be held this week. AS is having debates right now.

AS will be having a car event near the dining commons. VP Fass announced they are trying to put it on at the 7th Street Plaza. It is on April 27, 2023 from 10:30 a.m. to 2:30 p.m.

AS President Chuang will be graduating in May and hopes that administrators will continue to work with the local community centers as she has done.

e. From the Provost:
The provost said he would just take questions. There were no questions.

6. The meeting adjourned at 1:28 p.m.

The minutes were edited by Chair McKee on April 26, 2023.
The minutes were approved by the Executive Committee on May 1, 2023.

Executive Committee Minutes
April 24, 2023
Noon - 1:30 p.m. via Zoom

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

Absent: None

Recorder: Eva Joice, Senate Administrator

1. Consent Agenda:
   The committee approved consent agenda items (Consent Calendar of April 24, 2023, Executive Committee minutes of April 3, 2023 as amended) (10-0-0).

2. AVC Update:
   The Committee on Committees (CC) has come up with the initial list of appointments for the Senate on May 8, 2023. The bylaws state that the elected members of the Executive Committee will review the policy committee appointments and the Senate will approve the consent calendar. The AVC will distribute this for review to the elected members by email. The Executive Committee will appoint the members on the Athletics Board and the University Sustainability Board. The applicants' statements will be distributed to everyone. Requests for appointments by the Administration will also be sent out.

3. Updates from the Chair of the Executive Committee:
   May 1st is the last Executive Committee meeting of the Academic Year, and the last Senate meeting is on May 8th. That meeting will run from 2 p.m. to 4 p.m., and will be followed immediately by the first meeting of the 2023-2024 Senate from 4 p.m. to 5 p.m. during which time the Senate Officers will be elected. The call for nominations has been sent out to all Senators.

   Chair McKee attended the celebration for Kathy Blackmer-Reyes at the MLK Library on Saturday and it was very moving.

   The campus summit is today from 2 p.m. to 4 p.m.

4. From the President:
   The president was recently in Washington D.C. and has been appointed to the American Association of Schools, Colleges, and Universities (AASCU). They hosted an alumni event.

While in Washington D.C. the president joined in on the Budget Advisory Committee (BAC) meeting.

Today is the first day of Research Week.

The president will report back to Julia about bullying after the Campus Committee on Diversity, Equity, and Inclusion (CCDEI) meeting.

The president commented that she has two searches going on that she hoped would be done by the end of the year, but that considering everything that has to be done according to University Policy S16-8 on the search and review of administrators, it will not be done by this academic year's end. She will appoint an interim CDO and VP of Advancement. Lisa Millora, Chief of Staff, has been acting VP of Advancement and her temporary appointment is up in June. It is not fair to have anyone doing two jobs for more than that amount of time.

Questions and Comments:
Q: What is the process for an interim appointment?
A: The president has someone in mind and the appointment will likely not be beyond 6 months.

5. The committee discussed and approved two naming opportunities.

6. The committee discussed the Faculty Athletics Representative (FAR). There are two candidates. The president asked the committee members to provide feedback regarding the applicants' strengths and weaknesses based on their applications.

7. The committee continued its April 10 work on the discussion of a draft of a Senate Management Resolution establishing a Special Committee on Senate representation. Chair of the Organization and Government Committee (O&G), Tabitha Hart, asked what changes would be needed for the Senate Executive Committee to approve it. Issues discussed included (once again) committee size and membership and the possibility of subcommittees, among others.

   Chair McKee announced that the resolution required further work and was not ready for a vote. It will come back to the Executive Committee on May 1st for further consideration and a vote. The goal is to be able to bring it forward at the last full Senate meeting (May 8) for a first reading.

8. The meeting adjourned at 1:28 p.m.

The minutes were edited by Chair McKee on April 26, 2023.
The minutes were approved by the Executive Committee on May 1, 2023.

SAN JOSÉ STATE UNIVERSITY
Academic Senate **AS 1857**
Senate Executive Committee
May 8, 2023
First Reading

Senate Management Resolution Establishing a Special Committee on Senate Representation

Rationale

As laid out in its Constitution, the purpose of the Academic Senate of San José State University (SJSU) is to provide for effective participation and deliberation by the university's academic community in the formulation of governing policies.

The membership of the Senate, as described in Article II of the Constitution, comprises "representatives from the University administration, faculty, and students," as well as representatives from the Emeritus Faculty Association and the Alumni Association. Article II Section 3 further states that "faculty" are

> "all University staff holding the title of Professor, Associate Professor, Assistant Professor, Instructor or Lecturer, and holders of such other professional and administrative staff positions as may be declared by bylaw to be directly related to the instructional program of the University,"

Related to this, Section 1.2 of the Bylaws of SJSU's Academic Senate stipulates that those faculty who are eligible to serve as faculty representatives to the Senate are: all members of Bargaining Unit III who are not members of or included in one of the college representative units; and employees classified as Student Services Professional III or IV. Section 1.3 of the Bylaws further states that "the number of faculty senators must be twice the number of senators who are not faculty members."

In the last two and a half years, four separate referrals pertaining to representation have been submitted to SJSU's Academic Senate:

- 12/20/2020, Academic Senate Membership Expansion
- 8/27/2021, Staff Seats on Academic Senate
- 9/14/2022, Academic Senate Expansion- Request for Special Committee
- 1/11/2023, Remove inequitable language to allow broader staff representation on the Academic Senate

In particular, these referrals ask for greater inclusivity and representation on the Senate, with seats added for staff, including those from Academic and Student Affairs; students, particularly from graduate and credential programs; faculty; and for additional campus groups not currently represented, such as the Solidarity Network the University Council of Chairs and Directors (UCCD).

Due consideration of these referrals requires careful research and consultation, as well as a serious investment of personnel, time, and resources. During its annual retreat in Spring 2023, the 2022-2023 Senate body expressed preference for having a special committee do this work. Therefore, the Executive Committee of the Academic Senate recommends that the special committee described herein be constituted once this Senate Management Resolution is passed by the Senate.

Charge

The charge of this Special Committee on Senate Representation shall be to:

1. **review** the historical development of SJSU's Senate;
2. **research** models and implementations of shared governance and senates in higher education within the CSU system and beyond;
3. **investigate** the ways in which different campus constituencies are or are not currently represented on SJSU's Academic Senate, its committees, and subcommittees;
4. **consider** how, if at all, Senate representation might be changed and/or expanded in the interest of equitable, inclusive, and effective shared governance; and
5. widely and inclusively **collect** input from the SJSU community, including its faculty, students, staff, and administrators, for their sentiments, experiences, and feedback.

Based on its findings, the committee shall:

1. **prepare** a summative report of its findings;
2. based on the above, **develop** recommendations for the Senate; and
3. **present** its summative report and recommendations to the Senate for discussion.
4. *These recommendations may then be taken up by the Senate's committees or other persons as resolutions for deliberation and voting, following Senate protocols.*

Membership (20)

Except for the EXO and designated seats, the members of this special committee shall be nominated by the elected members of the Executive Committee, as per Section 4.7.8.1 of the Senate Bylaws.

Faculty (10)

Vice Chair of the Senate (EXO), who shall co-chair the committee

Associate Vice Chair of the Senate (EXO), who shall co-chair the committee
1 faculty, College of Business
1 faculty, College of Education
1 faculty, College of Engineering
1 member, General Unit[1]
1 faculty, College of Health and Human Sciences
1 faculty, College of Humanities & Arts
1 faculty, College of Science
1 faculty, College of Social Science

Administrators (4)
2 administrators from Academic Affairs, designated by the Provost
1 administrator from Student Affairs, designated by the VP of Student Affairs
1 administrator from the Office of Diversity, Equity, and Inclusion

Students (3)
Associated Students President (EXO) or designee
Associated Students Vice President (EXO) or designee
Associated Students Director of Internal Affairs (EXO) or designee

Staff (3)
3 staff members not represented by the GU

Timeline

This special committee is requested to make a report to the Senate in Fall 2023 and submit its recommendations to the Senate prior to the end of March 2024.

The special committee shall be dissolved upon completion of the tasks listed herein.

Approved: May 1, 2023

Vote: 6-5-1

Present: McKee (Chair), Bryant, Teniente-Matson (President), Wong, Sasikumar, Kataoka, Raman, Hart, French, Curry, Faas, Del Casino, Sullivan-Green, Chuang, Day

Absent: None

Financial impact:

[1] As per Section 1.1.1. Of the Bylaws, the General Unit includes Unit 3 faculty from the College of Professional and Global Education; librarians; counselors; Division of Intercollegiate Athletics coaches [not-MPP]); and Student Services Professional III or IV (e.g., staff advisors).

Workload impact:

San José State University
Academic Senate **AS 1852**
Curriculum and Research Committee
May 8, 2023
Final Reading

Policy Recommendation
Guidelines For Experimental Courses: 96/196/296/596, Also Amendment A to University Policy S67-2 Guidelines for Individual Studies (180) and Special Studies (196)

Whereas: Current experimental course policies were implemented more than five decades ago with outdated terminology; and

Whereas: It is more streamlined to combine the graduate-level experimental course policy (F67-11) with the undergraduate experimental course policy (F68-24) into one single policy; and

Whereas: Course number 196 is mentioned in two policies (S67-2 and F68-24) with duplication; and

Whereas: Course number 596 has been used for experimental courses in doctoral programs; be it therefore

Resolved: That F67-11 and F68-24 be rescinded, S67-2 be modified to eliminate all references to 196 courses, and the following become university policy.

Approved:	May 1, 2023
Vote:	11-0-0
Present:	Richard Mocarski, Thalia Anagnos, Marc d'Alarcao, Megan Chang, Collin Onita, Ellen Middaugh, Hiu Yung Wong, Vishnu Pendyala, Stefan Frazier, Scott Shaffer, Marie Haverfield
Absent:	Safiullah Saif
Workload Impact:	None

Financial Impact: None

UNIVERSITY POLICY
Guidelines For Experimental Courses: 96/196/296/596

1. Course numbers 96, 196, 296, and 596 are reserved for experimental courses. Departments that wish to experiment with new subject matter, to meet needs of the community, etc., will use these numbers.

2. An experimental course must go through the established curriculum review process before being included in the schedule of classes. Request for approval will include all pertinent data about the course – a description of the content (a syllabus), the number of units, the reason for offering it, etc. Subsequent approval for the same course must be secured through the curriculum review process.

3. An experimental course offered more than once must be evaluated during the second offering by the departmental curriculum committee for possible inclusion in the regular departmental curriculum, after which standard procedures for the approval of new courses is to be followed. An experimental course may be offered a maximum of three times.

4. Departments may not offer experimental courses that previously have been rejected in the curriculum approval process, or that cover subject matter which impinge on or duplicate the offerings of other departments.

The following shows the old policy for convenience. Major modifications are highlighted.

F67-11 GRADUATE EXPERIMENTAL COURSES; INDIVIDUAL STUDY (To be rescinded, Not used in the new policy)

Legislative History:

Document dated December 4, 1967.

At its meeting of November 13, 1967, the Academic Council adopted the following Policy Recommendation presented by the Honors Program Committee:

ACTION BY COLLEGE PRESIDENT:

"Approved." Signed: Robert D. Clark, December 8, 1967.

HONORS PROGRAM COMMITTEE REGARDING COURSE # 296 F 67-11

RESOLVED: That course #296 (comparable to #196 on the undergraduate level) be used for graduate courses that are experimental in nature or that are known as "special topics" courses that vary from semester to semester or professor to professor. That course #298 should continue to be used for individual study or research just as it is now.

F68-24 GUIDELINES FOR EXPERIMENTAL UNDERGRADUATE COURSES: 96/196 (To be rescinded)

Legislative History:

Document dated December 24, 1968.

At its meeting of December 16, 1968, the Academic Council approved the following proposed revisions for Experimental Undergraduate Courses, presented by Chairman Gustafson of the Curriculum and Instruction Committee.

ACTION BY COLLEGE PRESIDENT:

"Approved." Signed: Robert D. Clark, January 10, 1969.

GUIDELINES FOR 96/196: EXPERIMENTAL UNDERGRADUATE COURSES F 68-24

1. 96 and 196 are the numbers reserved for experimental courses. Departments which wish to experiment with new subject-matter, to meet demands voiced by the community, etc., will use these numbers.

2. Initial approval to offer a 96 or 196 course must be secured from the Academic Vice-President's office before it appears in the Schedule of Classes. Request for approval will include all pertinent data about the course--a description of the content (a "green sheet," if possible), the number of units, the reason for offering it, etc. Subsequent approval for the same course must be secured from the Undergraduate Studies Committee.

3. A 96 or 196 course may be offered for a maximum of three consecutive semesters. A course offered more than once must be evaluated during the second semester by the departmental curriculum committee for possible inclusion in the regular departmental curriculum, after which standard procedures for the approval of new courses is to be followed.

~~4. No department may ordinarily offer more than two courses under the 96 and 196 numbers in any one semester.~~

5. Departments may not offer under the 96 or 196 number courses which have been disapproved by College Curriculum Committees, nor subject-matter which impinges on or duplicates the offerings of other departments.

S67-2 GUIDELINES FOR INDIVIDUAL STUDIES (180) ~~AND SPECIAL STUDIES (196)~~

Legislative History:

Document dated March 20, 1967.

At its meeting of February 27, 1967, the Academic Council accepted the following guidelines as presented by the Curriculum and Instruction Committee

ACTION BY COLLEGE PRESIDENT:

"Approved." Signed: Robert D. Clark, March 22, 1967.

GUIDELINES FOR 180 (INDIVIDUAL STUDIES) ~~AND 196 (SPECIAL STUDIES)~~ S 67-2

Guidelines for 180: Individual Studies

Under the 180 number a single student pursues independent work under the supervision of a faculty member. No formal course may be offered under this number.

Credit for 180 will range from l to 4 units. Only 4 units total may be counted toward a student's graduation. Only under extraordinary circumstances will more than 4 units be counted, and this by petition.

180 should be restricted to students who either major or minor in the department or school in which it is taken. Under unusual circumstances, however, such as the necessity to complete a single unit of general education in order to graduate, general students may be accommodated.

It is a departmental responsibility to maintain an adequate record of individual study projects and credits.

~~Guidelines for 196: Special Studies -Title~~

~~196 is the number reserved for experimental courses. Departments which wish to experiment with new subject-matter, to meet demands voiced by the community, etc. will use this number.~~

~~Initial approval to offer a 196 course must be secured from the Academic Vice-President's office before it appears in the Schedule of Classes. Request for approval will include all pertinent data about the course--a description of the content (a "green sheet," if possible), the number of units, the reason for offering it, etc. Subsequent approval for same course must be secured from the College Curriculum Committee.~~

~~No department may ordinarily offer more than two courses under the 196 number in any one semester.~~

~~No student will be permitted to count more than two 196 courses towards his major.~~

~~Departments may not offer under the 196 number courses which have been disapproved by College Curriculum Committees, nor subject-matter which impinges on or duplicates the offerings of other departments.~~

SAN JOSÉ STATE UNIVERSITY
Academic Senate **AS 1855**
Organization and Government Committee
May 8, 2023
Final Reading

POLICY RECOMMENDATION
Amendment D to University Policy F17-1, Amendment A to F18-3 on Institutional Review Board (IRB)

RATIONALE

As per the Code of Federal Regulations (CFR) Title 45 Subtitle A Subchapter A Part 46 Subpart A § 46.107 on IRB Membership[1]:

> (a) Each IRB shall have at least five members, with varying backgrounds to promote complete and adequate review of research activities commonly conducted by the institution. The IRB shall be sufficiently qualified through the experience and expertise of its members (professional competence), and the diversity of its members, including race, gender, and cultural backgrounds and sensitivity to such issues as community attitudes, to promote respect for its advice and counsel in safeguarding the rights and welfare of human subjects. The IRB shall be able to ascertain the acceptability of proposed research in terms of institutional commitments (including policies and resources) and regulations, applicable law, and standards of professional conduct and practice. The IRB shall therefore include persons knowledgeable in these areas. If an IRB regularly reviews research that involves a category of subjects that is vulnerable to coercion or undue influence, such as children, prisoners, individuals with impaired decision-making capacity, or economically or educationally disadvantaged persons, consideration shall be given to the inclusion of one or more individuals who are knowledgeable about and experienced in working with these categories of subjects.
>
> (b) Each IRB shall include at least one member whose primary concerns are in scientific areas and at least one member whose primary concerns are in nonscientific areas.
>
> (c) Each IRB shall include at least *one member who is not otherwise affiliated with the institution* and who is not part of the immediate family of a person who is affiliated with the institution.

[1] https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-A/part-46/subpart-A/section-46.107

(d) No IRB may have a member participate in the IRB's initial or continuing review of any project in which the member has a conflicting interest, except to provide information requested by the IRB.

(e) An IRB may, in its discretion, invite individuals with competence in special areas to assist in the review of issues that require expertise beyond or in addition to that available on the IRB. These individuals may not vote with the IRB.

The main problem arising from SJSU's current IRB Board membership is that any research proposals submitted to the IRB which require a full board review have been delayed by an additional month because IRB protocols could not be approved in the absence of the Community-at-Large member, who must be present as per section (c) above.

On September 13, 2022, the Executive Committee of the Academic Senate passed a proposal to amend F18-3 temporarily. This amendment allows the IRB to have one alternate member appointed to serve on the IRB in the capacity of a Community-at-Large member in the absence of the primary Community-at-Large member. The alternate member may only vote when the primary Community-at-Large member is not present at the meeting, and the total number of Community-at-Large votes will only be one. The amendments proposed herein would make this change permanent, thereby enabling the IRB committee to more expeditiously approve IRB applications and make the approval process more efficient for faculty.

Two further improvements are offered in this recommendation. First, the seat for "Physician (Kinesiological Consultant) - as needed" has been removed. The reason for this is that the membership of the IRB already includes one physician or licensed healthcare professional as a voting member, making this additional seat redundant and unnecessarily raising the threshold for quorum.

Second, the "as needed" tag has been removed from the prisoner advocate slot, because no full member of the IRB should be participating on an "as needed" basis. If and when the IRB needs to bring in a consultant for occasional expertise on an as needed basis, they need not be included in the permanent membership of the board.

With this in mind, O&G therefore recommend that SJSU's IRB policies F18-3 and F17-1 be amended as described herein.

F18-3

Institutional Review Board - Human Subjects [reporting to CR]

Membership
IRB Coordinator [EXO]
1 Faculty, College of Business
2 Faculty, College of Education
1 Faculty, College of Engineering
1 Member, General Unit
2 Faculty, College of Health and Human Sciences
1 Faculty, College of Humanities & Arts
1 Faculty, College of Science
2 Faculty, College of Social Science
1 student
1 Community-at-large member who is not otherwise affiliated with SJSU
For this Community-at-large seat, the IRB may appoint one alternate community-at-large member who may serve in the absence of the primary Community-at-Large seat holder.
Physician or licensed health professional
~~Physician (Kinesiological Consultant) - as needed~~
Prisoner Advocate ~~- as needed~~

F17-1

4.2.3 Convened Committee / Full Review – If the research is not eligible for an exempt or expedited review because it involves more than minimal risk to subjects, the protocol must be reviewed by the convened IRB membership at the monthly meeting. Full review will take place with a quorum of the IRB, defined as a majority of the total membership, including at least one member whose primary concerns are in a nonscientific area. Regarding the Community-at-large seat, the alternate shall vote only in the absence of the primary Community-at-large member, keeping the total number of votes for that seat at one. Research protocols shall be distributed to the full membership at least one week in advance of the scheduled meeting. A protocol shall be approved if it receives the approval of a majority of those members present at the meeting. A primary reviewer is identified to present a specific protocol to other members in attendance. Following presentation and discussion, the committee will vote on a motion to either: 1) approve the protocol as it stands; 2) request revisions to the protocol to secure approval; 3) request that additional information be provided prior to further review by the convened committee; or 4) disapprove the protocol.

Approved: April 24, 2023
Vote: 5-0-1

Present: Andreopoulos, Hart, Higgins, Jochim, Muñoz-Muñoz, Nikalwala
Absent: Baur, Han, Lee, Tan

Financial impact:

Workload impact:

SAN JOSÉ STATE UNIVERSITY
Instruction and Student Affairs Committee AS 1853
May 8, 2023
Final Reading

POLICY RECOMMENDATION
Amendment E to S16-16, University Policy, Academic Notice, Administrative Academic Probation, and Disqualification

Legislative History:

Whereas, Use of the term “academic probation” has been identified as having negative connotations for students’ sense of belonging and confidence in their academic abilities; and

Whereas, Having language for undergraduate and graduate students within the same section creates confusion since criteria applying to each group can vary significantly; and

Whereas, Policy language regarding GPA calculations from courses taken in PBXT standing is inconsistent with current practice; and

Whereas, The timing for updating a student’s academic standing is impactful and should be structured so that students are given the maximum opportunity to return to good standing and have access to supportive services; therefore, be it

Resolved, That S16-16 be updated, as noted below, to use inclusive language that supports student success; and be it further

Resolved, that "administrative academic probation" should remain in the policy, as it reflects the need to make distinct its status from academic notice (formerly “academic probation”); and be it further

Resolved, That the policy separate language specific to undergraduate and graduate programs; and be it further

Resolved, That the timing and notification of a change in academic standing give students the best chance of success.

Approved: May 3, 2023
Vote: 13-0-0 (via email)
Present: Sullivan-Green (Chair), Chadwick, Chen, Chuang, Jackson, (non-voting), Leisenring (non-voting), Masegian, Mathur, Muller, Pinnell, Rollerson, Sen, Sheta, Treseler, Wolcott

Absent:	Jaiswal, Khan
Financial Impact:	None
Workload Impact:	Departments and campus offices will be required to update policies to be consistent with the policy changes. The Registrar's Office will need to make changes to PeopleSoft to comply with policy updates.

University Policy
Academic Notice, Administrative Academic Probation, and Disqualification

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I. Glossary of Terms

Academic Notice (formerly Academic Probation): academic standing category for students with a SJSU cumulative GPA below 2.0 (undergraduates) or 3.0 (graduate students)

Academic Disqualification: academic standing category for students on academic notice who have not met the criteria to remain on continued notice (term GPA of at least 2.0 for undergraduates, at least 3.0 for graduate students), or return to good academic standing (SJSU cumulative GPA of at least 2.0 for undergraduates, at least 3.0 for graduate students)

Academic Standing: status applied to student record based on GPA; categories include good standing, academic notice (formerly academic probation), continued notice (formerly continued probation), academic disqualification, administrative academic probation, and administrative academic disqualification

Administrative Academic Probation: students are placed in this category by appropriate campus authorities based on unsatisfactory academic progress toward their degree program or if there are noted behavioral or safety concerns

Administrative Academic Disqualification: students are subject to administrative academic disqualification if they fail to meet the criteria defined in their administrative academic probation notice, or in the case of serious concerns about the safety or well-being of the student or others in certain course contexts such as clinical, laboratory, or fieldwork courses (see policy for details)

ADRRC: Academic Disqualification and Reinstatement Review Committee, Academic Senate committee that serves as a review and appeals committee for various policies and student petitions

Continued Notice (formerly Continued Probation): academic standing category for students with a term GPA of at least 2.0 (undergraduates) or 3.0 (graduate students), but a SJSU cumulative GPA below that threshold

Former Student Returning (FSR): a student who attended SJSU as a matriculated student and is seeking to return following disqualification or a stop-out period

GPA (Grade Point Average): Various Grade Point Averages are utilized to evaluate a student's standing

All College GPA: the GPA for all courses taken at all higher education institutions attended

Major GPA: the GPA for all required courses in the major program; can include courses required in preparation for the major (as defined by the program, in the Academic Catalog)

Term GPA: the GPA earned in a specific academic term (e.g., fall semester, spring semester)

SJSU cumulative GPA: the GPA for all courses taken at SJSU

Open University: option for non-matriculated students to take SJSU courses, if seats are available; students who have been disqualified may take courses through Open University to improve their SJSU cumulative GPA

Post-Baccalaureate (PBXT): category of students who have earned a Bachelor's degree and are not currently matriculated in a graduate program

Readmission: the process by which students apply for admission to the university after being disqualified and reinstated. Special consideration is given to Former Students Returning (FSRs) through the FSR Petition for Readmission

Reinstatement: the process by which students may return to academic good standing, or academic notice, after being disqualified. Note that students must also be readmitted to the university to be eligible to continue as a matriculated student at SJSU

II. Undergraduate Students

Per Sections 41300 and 41300.1 Title 5 of the California Code of Regulations, undergraduate students studying for a baccalaureate degree are expected to maintain a grade point average (GPA) of 2.0 or better in their academic work at SJSU in order to be classified as being in good academic standing. In determining a student's eligibility to remain enrolled at SJSU, both quality of performance and progress toward the degree or other program objectives are weighed. Quality of performance is determined by the GPA in all letter-graded courses. Other factors, such as the total number of units taken, the number of courses repeated, or the GPA in the major may be considered in determining progress toward degree or other degree program objectives.

A. University Academic Notice and Continued Academic Notice

Undergraduate students will be placed on academic notice if at any time (following a Fall, Spring, or Summer term) their SJSU cumulative GPA falls below 2.0. The academic notice status is shown on the transcript.

Undergraduate students on academic notice will remain on continued academic notice when the following term GPA is 2.0 or better, while the SJSU cumulative GPA remains below 2.0. The continued academic notice status is shown on the transcript and is treated like academic notice in terms of academic standing.

First year students[1] who have not returned to good standing will remain on academic notice and are not subject to disqualification until they have attempted 30 units at SJSU or have completed three semesters, whichever comes first.

The Registrar's Office will notify students who are placed on academic notice when term grades are posted. The notification will include a referral of the students to their advisors for consultation. Undergraduate students on academic notice may have restrictions placed on their total unit load until they return to good standing.

Undergraduate students on academic notice or continued academic notice will have holds placed on their records and will not be allowed to participate in further registration activities until they have conferred with their academic advisor(s) to design a study plan to raise their SJSU cumulative GPA to at least 2.0 in the most expeditious manner. The registration hold will continue until the student returns to good standing.

Undergraduate students will remain on academic notice or continued academic notice until they return to good standing or are disqualified. They are removed from academic notice and returned to good standing when the SJSU cumulative GPA is at or above 2.0. Academic standing will be updated when a change affecting the SJSU Cumulative GPA is made to the academic record, such as the addition of new grades (following a Fall, Spring, or Summer term) or approval of a petition for a grade change or retroactive course drop or semester withdrawal.

Special Session programs, including SJSU Online, may have their own calendar/process for placing students on academic notice or continued

[1] First year students are defined as first-time students who have attempted up to 30 units at SJSU. Transfer students are not included in this category.

academic notice and disqualification. Programs should have their process approved by the ADRRC.

B. University Academic Disqualification

Undergraduate students on academic notice or continued academic notice will be academically disqualified when the term GPA for a Fall or Spring semester is below 2.0. The disqualified status is shown on the transcript. First year students will not be disqualified before they have attempted 30 units at SJSU or have completed three semesters, whichever comes first; instead, students will be placed on continued academic notice until 30 attempted units are reached.

C. Reinstatement following Academic Disqualification

Undergraduate students disqualified from the university can petition to be reinstated. Reinstatement is a process separate from readmission. Readmission requires reapplication to the university. Readmission is the process by which a student is returned to the university. Reinstatement is the process by which a student is returned to the original major or a different major. University Policy F12-7 provides a mechanism to give Former Students Returning (FSRs) priority for readmission as upper-division transfers. This is a separate petition process with its own deadlines distinct from those pertaining to university application deadlines and to reinstatement petition deadlines.

The reinstatement petition and FSR petition processes include department and college-level approvals. Reinstatement on academic notice requires, additionally, the signature of the Associate Dean of Undergraduate Education. For undergraduates, reinstatement into the university does not guarantee reinstatement into the previous major. Undergraduate students who do not obtain department or college-level approval for reinstatement into their previous majors may petition for reinstatement into new majors or into an undeclared status, if eligible. The ADRRC is charged with establishing and evaluating the guidelines for reinstatement.

There are four categories available for petitioning for reinstatement as an undergraduate student:

1. **Raising the SJSU Cumulative GPA to 2.0 or Better.** Generally, the SJSU cumulative GPA is raised through SJSU Open University coursework, although retroactive (after the last day of classes) actions

by students, such as completion of Incomplete ("I") grades or course drops, can also raise the SJSU cumulative GPA.

2. **Extenuating Circumstances**. Reinstatements in this category will be granted only for serious and compelling circumstances that were clearly beyond a student's control and are clearly documented in the petition. The criteria for approval under this category are similar to those required for a retroactive course drop or retroactive semester withdrawal. Sometimes the approval of such retroactive petitions will raise the SJSU cumulative GPA to 2.0 or better (good academic standing), thus shifting to a Category 1 approval.

3. **Special Consideration**. This category is reserved for students whose petitions cannot be accommodated within the other categories. Typically, such students have spent substantial time (five years or more) away from SJSU since their disqualification and can demonstrate that their life experiences have prepared them for a successful return to school. Generally, students must be eligible for readmission on academic notice prior to approval under this category. Multiple reinstatements under this category are rarely granted.

4. **Petitioned Grade Change**. This category is reserved for changes in grade approved under Section III (Grade Appeal) and Section IV (Change of Grade) of University Policy S09-7. If a timely grade change results in an increase in the term GPA or in the SJSU cumulative GPA to 2.0 or better, the student may qualify, not only for reinstatement under this category, but also for the rescinding of the academic standing of academic notice or disqualification (meaning that the academic standing is removed from the transcript). The rationale for the rescinding of academic standing is that the instructor and not the student made the error that led to an incorrect posting of academic standing. Generally, the grade change must be made by the Drop Deadline of the following Fall or Spring semester. Further extension of this deadline will be considered only when there is documentation of the student's attempt(s) to contact the instructor and/or the department chair, and the late submission of the change of grade form is clearly beyond the student's control, as described in University Policy S09-7.

Reinstatement of undergraduates following a second disqualification must generally be done under Category 1.

D. Administrative Academic Probation and Disqualification

Per Sections 41300.1 Title 5, “An undergraduate… student may also be placed on academic probation or may be disqualified by appropriate campus authorities for unsatisfactory scholastic progress regardless of cumulative grade point average or progress points. Such actions shall be limited to those arising from repeated withdrawal, failure to progress toward an educational objective and noncompliance with an academic requirement...” Further, a student may be placed on administrative academic probation if there are noted behavioral or safety concerns.

Limitations. As with academic notice and disqualification, administrative academic notice must precede administrative academic disqualification in all but the most exceptional circumstances (see below). In most cases, a direct reassignment from good standing in the major to disqualification from the major is prohibited. In other words, at least one semester of academic notice in the major is required prior to disqualification from the major. The underlying philosophical premise is that students should be placed on notice prior to disqualification.

Transcript Notation. Both administrative academic notice and administrative academic disqualification status will be shown on the transcript.

Academic Progress in the Major[2]. Most instances of administrative academic probation and disqualification result from academic notice and disqualification in the major.[3]

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[2] Definition of Major. For the purposes of this policy, “major” means a unique degree program. Specifically, each individual concentration is a degree program. For example, there is only one individual type of baccalaureate degree in the College of Business, the B.S., Business Administration. There are, however, multiple concentrations, many of which have different criteria related to probation and disqualification, change of major, and (re)admission to the major. Each of these concentrations is treated as its own major.

[3] Supporting Student Success. Although it may seem harsh to disqualify students from the majors of their choice, in many instances, students will be well served by such departmental policies. For example, there are many students who barely progress through their major degree programs, only to discover when they are high unit seniors that they are unable to complete key upper-division or capstone courses, or they have major GPAs well below 2.0 even though their SJSU cumulative GPAs are above 2.0. It is better for students to discover early in their degree work that either they need to demonstrate improvement in courses leading to the major or they should find another major more suited to their talents and interests. All policies developed to be consistent with this policy will still require advising and student support structures (tutoring, counseling, etc.) to function as intended. Academic notice and disqualification in the major, at its best, can provide a mechanism to compel struggling students to recognize areas for improvement, successfully negotiate hurdles, and get back on track. Alternatively, such policies can help students realize early in their academic careers that

Despite maintaining a SJSU cumulative GPA of 2.0 or better, an undergraduate student's academic performance in the major may fall below the minimum standards for that major. In these cases, while the student remains in overall good standing with the university, they are subject to administrative-academic notice in and disqualification from the major. Each college, school, department, and program (hereafter referred to as "program") may employ program-specific criteria for determining a policy of academic notice in, disqualification from, and reinstatement into the major. These criteria must be reviewed and approved by the ADRRC.

Program-Level Criteria. Undergraduate programs must ensure that program-level criteria and the consequences of being placed on Administrative Academic Probation and disqualification are clearly communicated to all students within the concerned majors. At a minimum, criteria in addition to or differing from university regulations must be posted on departmental and/or program websites and any other program documents, such as student handbooks.

E. Academic Notice in the Major and Disqualification from the Major.

1. Academic Notice in the Major

Undergraduate students may be placed on academic notice in the major when their major GPA falls below 2.0. The major GPA is generally defined by the section of the catalog labeled Requirements of the Major, but for the purposes of this policy major GPA may be specified to include courses in Preparation for the Major. SJSU and non-SJSU courses should be considered if applicable.

Departments and schools must notify students in writing of (new) academic notice in the major or disqualification from the major status no later than two weeks following the posting of university academic standing. They must also be provided with the conditions for release from administrative academic probation and the circumstances that would lead to administrative academic disqualification should the student not return to good standing. There should be a mechanism to permit return to good standing from academic notice. Undergraduate

they should be exploring other majors and possible careers prior to spending a great deal of time and money pursuing a major that is a poor fit. In summary, well-designed and well-implemented policies for academic notice and disqualification in the major will be beneficial as an early warning system for students and enhance retention and graduation efforts more generally.

students must be advised to meet with an advisor in the major to design a study plan to raise their major GPA to 2.0 in the next semester of enrollment.

2. Disqualification from the Major

If undergraduate students on academic notice in the major fail to achieve a minimum term GPA of 2.0 in the major during a subsequent Fall or Spring semester, they may be disqualified from the major. Departments and/or colleges must notify the Registrar's Office.

Students disqualified under this policy will be notified by the program that they are no longer eligible to continue in the major and that their major will be changed to undeclared unless another major for which they are qualified is selected. Notification will include a referral of the students to appropriate advisors for consultation.

3. Guidelines and Criteria for Programmatic Academic Notice and Disqualification

Maximum Course Grade or GPA Requirements. Programs may not require individual course grades to be higher than "C" for undergraduates. At the most, a department may require that each and every course required for the degree program be passed at this standard. The corollary is that the maximum GPA that can be required for any set of courses cannot be higher than 2.0 for undergraduates. Related to these general guidelines are the following stipulations:

a. Admission requirements and degree requirements are different. Admission to an impacted degree program may include supplemental criteria such as a GPA greater than the 2.0 threshold. However, once a student is admitted to a major, the degree requirements must be limited to "C or better" for undergraduates (Title 5).

b. Following a disqualification from the major, reinstatement to the major may include course grades or GPA requirements higher than the standard thresholds. In effect, students seeking such reinstatements are being admitted to the major again and may be held to higher standards than are required to complete a degree. This is especially appropriate for impacted majors

that already apply supplemental criteria for admission of new students to the major.

Restrictions on Course or Unit Load Per Semester. Programs may restrict a student to two attempts of any course offered by the program. The basic guideline is that the university rules for repeating courses should be followed unless the program chooses to be more lenient than the university. These parameters may be set as a minimum or maximum. For example, cohort programs may require that a minimum number of courses/units be taken each semester in order to best utilize resources or to ensure that the program is completed while student knowledge is still current. Alternatively, setting a maximum number of units may make sense for students on academic notice in the major. Special situations include the following:

a. Approved course drops or semester withdrawals (W grades) are considered to be without prejudice and should not be counted as an attempt at a course if the program restricts the number of attempts of a course (per University Policy S09-7).

b. If grade forgiveness is allowed (undergraduates only), then the repeat grade must be considered without prejudice (as implicit in University Policy F08-2).

c. If grade forgiveness is not possible when a course is attempted multiple times, the university will use grade averaging in computing the all applicable SJSU GPA (per University Policy F08-2). A program may also do this or may consider the final attempt at the course or the highest grade in the course for the purposes of the major GPA or to satisfy any requirements prior to completion of the major.

d. If the course in question is offered by another department, the program may choose to consider only the first two attempts in determining academic notice or disqualification status. Clearly, the major department cannot restrict the number of times a student enrolls in a course offered by another department, but it is permitted, for instance, to ignore the grade from a third attempt to pass a class with a C or better.

Exceptions. Exceptions to the rule that administrative academic

disqualification must be preceded by an academic notice period may be made in the following cases:

a. In clinical courses, laboratory courses, or other types of programmatic requirements, there may be such serious concerns about the safety or well-being of the student or other students, clients, patients, etc., that repetition of the course is not reasonable. For such courses or programmatic experiences, departments may establish “no repeat” policies, i.e., a course may not be repeated if not passed on the first attempt. The course catalog description, course syllabus, and programmatic information must all clearly provide this information. In clinical or lab settings in which safety or well-being are severely compromised, an instructor may disenroll a student from the course, which may lead to disqualification from the major. In general, the immediate move from good standing to disqualification (without a term of academic notice in between) should be associated with the inability to satisfy a specific course requirement on the first and only allowable attempt, not with a less specific programmatic requirement.

b. There may even be time limits or unit limits established to satisfy certain conditions, which, if not met, may lead to disqualification from the major degree program without an intervening term on academic notice. Cohort programs must provide in their policies a reasonable accommodation for students who must stop out for legitimate reasons.

Programs may consider university academic notice or disqualification as a factor in determining academic notice in or disqualification from the major.

4. Reinstatement to the Major

Programs employing a policy for disqualification from the major may have a procedure or set of conditions for reinstatement of those students into the major. Conditions for reinstatement should be clearly communicated to students at the time they are disqualified. If it is not possible to be reinstated after a programmatic disqualification, which is a programmatic option, then that too must be communicated. Conditions for reinstatement from administrative academic

disqualification, if it is to be allowed, should be stringent enough that students return to the major in good standing as opposed to being reinstated on academic notice.

A critical step in achieving reinstatement to the major following disqualification from the major is consultation by students with their advisors to design a study plan that addresses scholastic deficiencies and demonstrates that they are ready to resume rigorous academic work.

5. Petitions

In cases of error or extenuating circumstances, upon receiving notice of administrative academic notice or disqualification, students may petition to an appropriate faculty committee at the program level or to the department chair/school director to appeal such action. In the case of a negative decision in response to the petition, students may appeal to the ADRRC, the process for which is described in Section III below. After review of the petition, the ADRRC will make a recommendation to the Associate Dean of Undergraduate Education to confirm or rescind the action.

III. Graduate, Post-baccalaureate, and Credential Students

A. University Academic Notice and Continued Academic Notice

Graduate and post-baccalaureate teaching credential candidates will be placed on academic notice if at any time following a Fall, Spring, or Summer term their SJSU cumulative GPA falls below 3.0. The academic notice status is shown on the transcript.

Graduate students and credential candidates on academic notice will remain on continued academic notice when the following term GPA is 3.0 or better, while the SJSU cumulative GPA remains below 3.0. The continued academic notice status is shown on the transcript and is treated like academic notice in terms of academic standing.

Distinction between SJSU Cumulative GPA (as shown on the transcript) and Degree Program GPA (as shown on the candidacy form). All upper-division (100 level) and graduate-level (200 level) courses, including SJSU Open University courses taken while in a GRAD career, will be used in the calculation of SJSU cumulative GPA. Courses from other

institutions, courses taken via SJSU Open University in any career other than GRAD, such as PBXT, and courses from the SJSU undergraduate career will not be counted in the graduate SJSU cumulative GPA. In addition, the degree program GPA among all of the courses that appear on the candidacy form taken in a GRAD career (not including courses taken in SJSU Open University or in PBXT standing) must also be a minimum of 3.0 for degree conferral. SJSU courses taken at the lower-division level (numbered below 100) will be shown on the student transcript but cannot be used to satisfy graduate degree requirements and will not be included in the SJSU cumulative GPA and degree program GPA calculations.

The Registrar's Office will notify students who are placed on academic notice when term grades are posted. The students will also be advised of conditions required for return to good standing, the consequences of not maintaining a term GPA of 3.0, and the necessity of conferring with their graduate advisor.

Graduate and credential candidates will remain on academic notice or continued academic notice until they return to good standing or are disqualified. They are removed from academic notice and returned to good standing when the SJSU cumulative GPA is at or above a 3.0. Academic Standing will be updated when a change affecting the SJSU cumulative GPA is made to the academic record, such as the addition of new grades (following a Fall, Spring, or Summer term) or approval of a petition for a grade change or retroactive withdrawal.

Completion of all Degree or Credential Requirements While on Academic Notice. Enrollment in at least one letter-graded course is required of graduate students in each Fall and Spring term that they are on academic notice.

If a graduate student does not complete the graduate degree program with the minimum 3.0 GPA in the candidacy coursework, the student's program may terminate the candidacy or permit completing additional courses in an attempt to raise the degree program GPA in the program to the 3.0 threshold. When the student's program department recommends the latter, 30% of the total units in the major may be added to the candidacy form, but this total is for the entire duration of the graduate career. The additional courses can be ones already taken or courses to substitute for elective courses on the candidacy form. Note that the original grade, even with a substitution, cannot be eliminated but instead grade averaging is used in

GPA calculations. Any course with a grade less than a "B" may be repeated at the graduate level, but no more than 9 units in the graduate career, no matter the number of units required in the degree program, can be repeated per University Policy F08-2.

Failure to raise the degree program GPA and SJSU cumulative GPA to 3.0 after completing these additional courses(s) will result in a termination of the student's candidacy and an inability to earn the graduate degree.

Credential candidates who fail to achieve a 3.0 program GPA upon completion of the credential program will be precluded by the department from attempting additional coursework and therefore not be recommended for an award of a credential by the State of California.

B. University Academic Disqualification

Graduate students on academic notice or continued academic notice will be academically disqualified when the term GPA for a Fall or Spring term is below 3.0. The disqualified status is shown on the transcript.

C. Reinstatement following Academic Disqualification

Graduate students disqualified from the university for the first time can petition to be reinstated, unless otherwise disallowed by an accrediting body or other governing agency. Reinstatement is a process separate from readmission. Students must file an application for readmission to register for classes following reinstatement. Application for readmission can be done during the semester in which the program of study is underway or in which the reinstatement petition is being considered.

A graduate student may petition for reinstatement on the basis of any of the following five categories:

1. **Raising the SJSU Cumulative GPA to 3.0 or Better**. The SJSU cumulative GPA can be raised through SJSU Open University coursework as part of a Program of Study (see below), although retroactive (after the last day of classes) actions by students, such as completion of Incomplete ("I") grades or course drops, can also raise the SJSU cumulative GPA.

2. **Extenuating Circumstances**. Reinstatements in this category will be granted only for serious and compelling circumstances that were

clearly beyond a student's control and are clearly documented in the petition. The criteria for approval under this category are similar to those required for a retroactive (course) drop or retroactive (semester) withdrawal. Sometimes the approval of such retroactive petitions will raise the SJSU cumulative GPA to 3.0 or better (good academic standing), thus shifting to a Category 1 approval.

3. **Special Consideration**. This category is reserved for students whose petitions cannot be accommodated within the other categories. Such students will typically have spent substantial time (five years or more) away from SJSU since their disqualification and can demonstrate that their life experiences have prepared them for a successful return to school.

   Because this category of reinstatement exists to give students a fresh start on their degree pursuit, past grades that led to the previous disqualification should not hinder a student's progress through the newly begun degree program. Circumstances could exist in which the original scholastic performance was so poor that, even with excellent progress through the new degree program, the GPA could not be returned to a 3.0 level. This can be effected by means of a Disregard of All Previous Graduate Coursework for Reinstatement Petition. The corollary to this benefit is that none of the disregarded coursework may be used in the new degree program. By the same token, no other courses from any source may be transferred into the new degree program.

4. **Petitioned Grade Change**. This category is reserved for changes in grade approved under Section III (Grade Appeal) and Section IV (Change of Grade) of University Policy S09-7. If a timely grade change results in an increase in the term GPA or in the SJSU cumulative GPA to 3.0 or better, the student may qualify not only for reinstatement under this category, but also for the rescinding of the academic standing of academic notice or disqualification (meaning that the academic standing is removed from the transcript). The rationale for the rescinding of academic standing is that the instructor and not the student made the error that led to an incorrect posting of academic standing. Generally, grade change must be made by the Drop Deadline of the following Fall or Spring semester. Further extension of this deadline will be considered only when there is documentation of the student's attempt(s) to contact the instructor

and/or the department chair, and the late submission of the change of grade form is clearly beyond the student's control, as described in University Policy S09-7.

5. **Program of Study**. A graduate student must confer with their graduate advisor to develop a schedule of classes appropriate to the student's major. The courses must consist of a minimum of 6 units taken in a single term. They must be letter graded, upper division (100-level), and taken through SJSU Open University or SJSU's Extended Studies summer term. The 100-level courses may or may not be part of the graduation requirements for the student's degree program. The advisor may require more than 6 units of coursework but no more than 9 units. (International students must also work with an advisor from International Student and Scholar Services before their program of study is approved to ensure that their plan satisfies F-1 visa requirements.)

   Graduate (200-level) courses are not permitted in the program of study, and disqualified students cannot enroll in 200-level courses. *Courses taken prior to approval of the program of study via submission of the Graduate Petition for Reinstatement will not be accepted.* Also precluded from the program of study are courses taken at another university, 300-level, 400-level, or 500-level courses, and lower- division courses. If the student plans to pursue a different degree program upon readmission to the university, the program of study must be applicable to the new major, be developed in conjunction with the graduate program coordinator in the new major, and demonstrate the student's capacity to complete the new graduate degree requirements. If a course on an approved program of study becomes unavailable, another reinstatement petition must be submitted and approved immediately after enrollment in a substitute course. Once the program of study has been completed successfully with a minimum GPA of 3.3 ("B+") with no course grades lower than a "B," the student will be reinstated and, after reapplication to the university, readmitted to the university and the degree program. Should the student fail to achieve the minimum GPA of 3.3 in the program of study, additional programs of study are permissible with entirely new classes and consent of the graduate program coordinator of the major they intend to matriculate into.

   Reinstatement is not allowed after a second disqualification. Unless

extenuating circumstances can be cited that result in rescinding the second disqualification, a Graduate Petition for Reinstatement will not be accepted from students who have been disqualified more than once.

Graduate students reinstated following university disqualification normally return on academic notice. Subsequently, they must achieve a term GPA of 3.0 or better each fall, spring or summer term following readmission until their SJSU cumulative GPA is 3.0 or higher. Failure to attain a minimum term GPA of 3.0 will result in a second and final disqualification.

D. Administrative Academic Probation and Disqualification

Per Sections 41300.1 Title 5, "… [A] graduate student may also be placed on probation or may be disqualified by appropriate campus authorities for unsatisfactory scholastic progress regardless of cumulative grade point average or progress points. Such actions shall be limited to those arising from repeated withdrawal, failure to progress toward an educational objective and noncompliance with an academic requirement..."

Despite maintaining a SJSU cumulative GPA of 3.0 or better, a graduate student's academic performance in the major may fall below the minimum standards established in that major. In these cases, while students remain in overall good standing with the university, they are subject to academic probation in and disqualification from the graduate major. As with undergraduate programs, each college, school, department, and program (hereafter referred to as "program") may employ a policy of academic probation in, disqualification from, and reinstatement into the graduate major. The criteria must be reviewed and approved by the ADRRC.

As with academic notice and disqualification, administrative academic probation must precede administrative academic disqualification in all but the most exceptional circumstances (see below). In most cases, a direct reassignment from good standing to disqualification is prohibited. In other words, at least one semester of academic probation that is initiated by the department and approved by the College of Graduate Studies is required prior to disqualification from the university. The underlying philosophical premise is that students should be placed on notice prior to disqualification. For example, a substandard grade in one course could not result in disqualification; rather, the student would be put on administrative academic

probation and afforded the opportunity to repeat that class. Passage of the repeated course with the required grade would result in the return of the student to good standing. Programs can limit the number of semesters on academic probation in the student career to as few as one.

Program-Level Criteria. Graduate programs must ensure that program-level criteria and the consequences of being placed on Administrative Academic Probation and disqualification are clearly communicated to all students within the concerned degree programs. At a minimum, criteria in addition to or differing from university regulations must be posted on departmental and/or program websites and any other program documents, such as student handbooks.

Transcript Notation. Both administrative academic probation and administrative disqualification status will be noted on the transcript.

1. Administrative Academic Probation

Departments and schools must notify students in writing of (new) probation no later than two weeks following the posting of university academic standing. Students must also be provided with the conditions for release from administrative academic notice and the circumstances that would lead to administrative academic disqualification should academic notice not be cleared. There should be a mechanism to permit return to good standing from academic probation. Graduate students must be advised to meet with an advisor or program coordinator in their program to design a plan to return to good standing. When administrative-academic probation occurs, students will be notified of the reasons in writing by the program with copies delivered to the Associate Dean of Graduate Studies and the Registrar.

2. Administrative Academic Disqualification

When administrative academic disqualification occurs, students will be notified of the reasons in writing by the program with copies delivered to the Associate Dean of Graduate Studies and the Registrar.

3. Guidelines and Criteria for Administrative Academic Probation

and Disqualification at the Program Level[4]

Qualifying or Comprehensive Exams. Graduate programs in which qualifying or comprehensive exams must be passed, must have policies governing program-level exam procedures available to all students and must be posted on departmental and/or program websites and any other program documents, such as student handbooks. Important information such as the number of times an exam may be attempted or remedial work to be completed in response to failing an exam must be available.

Maximum Course Grade or GPA Requirements (Title V). Programs may not require individual course grades to be higher than "B" for graduate students. At the most, a department may require that each course required for the degree program be passed at this standard. The corollary is that the maximum GPA that can be required for any set of courses cannot be higher than 3.0 for graduate students.

Admission requirements and degree requirements are different. Admission to a graduate degree program may include supplemental criteria such as a GPA greater than the 3.0 threshold. However, once a student is admitted to a major, the degree requirements must be limited to "B or better" for graduate students.

Restrictions on Course or Unit Load Per Semester. Programs may restrict a student to two attempts of any course offered by the program. The university rules for repeating courses should be followed unless the program chooses to be more lenient than the university. Such criteria may be set as a minimum or maximum. For example, cohort programs may require that a minimum number of

[4] Examples. Among the standards that a program might make mandatory is the achievement of grades of "B" in every class or in particular classes with a stipulated number of repetitions permitted. Similarly, an acceptable standard would be to require a "CR" in field, student teaching, or internship courses with a stipulated number of "NC" grades allowed for repetition. In addition, graduate students are expected to make reasonable progress through their degree program. One cannot, for example, have been admitted to one program but take no courses in it while taking courses in a second program. Usually, graduate students must successfully form a master's or doctoral committee. While the program should make every attempt to aid a student in forming a committee, the inability to do so would be grounds for dismissal from the program.

Repeated failure to complete a project or thesis research proposal would constitute reasonable justification for disqualifying a student

courses/units be taken each semester in order to best utilize resources or to ensure that the program is completed in a timely manner. Alternatively, setting a maximum number of units may make sense for students on academic notice.

a. Approved course or semester withdrawals ("W" grades on the unofficial transcript) are considered to be without prejudice and should not be counted as an attempt at a course if the major program restricts the number of attempts for a course (per University Policy S09-7).

b. For graduate students, the university will use grade averaging in computing the SJSU cumulative GPA (per University Policy F08-2).

c. If the course in question is offered by another department, the program may consider only the first two attempts in determining academic notice or disqualification status. The program cannot restrict the number of times a student enrolls in a course offered by another department, but it is permitted to ignore the grade from a third attempt to pass a class with a "B or better."

Exceptions. Exceptions to the rule that administrative academic disqualification must be preceded by an academic notice period may be made in the following cases:

a. In clinical courses, laboratory courses, student teaching assignments, or other types of programmatic requirements, there may be such serious concerns about the safety or well-being of the student, other students, clients, patients, and so forth, that repetition of the courses is not reasonable. For such courses or programmatic experiences, departments may establish "no repeat" policies, i.e., a course may not be repeated if not passed on the first attempt. However, the "no repeat" option would not have to be in place to disqualify a student from a course. In clinical or lab settings in which safety or well-being are severely compromised, an instructor may disenroll a student from the course, which may lead to disqualification from the major. In general, the immediate move from good standing to disqualification (without a term of

academic notice in between) should be associated with the inability to satisfy a specific course requirement on the first and only allowable attempt, not with a less specific programmatic requirement. Unless clearly falling into the category described here, courses by which immediate disqualification can be imposed must be approved in advance by the ADRRC.

b. A program can disqualify a student without a probationary period for behavior that fails to comply with professional standards of conduct appropriate to the field of study. This conduct could occur in or out of class. It must be highly egregious for the disqualification action to be taken. Generally, a department will base its decision on a student's failure to comply with a written set of professional standards in the field of study. The disqualification is appealable through ADRRC.

c. Conditional acceptance to a program is, in effect, acceptance under academic notice. Typically, a specified set of courses or requirements must be passed prior to being classified in the program. There may be time limits or unit limits established to satisfy the conditions, which, if not met, may lead to disqualification without an intervening term on explicit academic notice. Cohort programs must provide in their policies a reasonable accommodation for students who must stop out for legitimate reasons.

d. Teaching credential students do not receive a degree from SJSU and are subject to the regulations of the state legislature and licensing agency. Credential courses that exceed the seven-year limit cannot be revalidated. As with graduate master's degree programs in the CSU, the SJSU cumulative GPA and degree program GPA on the candidacy form must be at 3.0 or above for completion. In the case of credentials, a recommendation from the university to the state credentialing agency would be withheld without the requisite GPA. Students who fail to achieve this level of scholastic success or who are deemed dispositionally unsuitable for a teaching career can be precluded by the program from repeating courses or taking other courses to raise the GPA and so are effectively permanently terminated from the university without the credential recommendation.

4. Reinstatement after Administrative Academic Disqualification

Without compelling reasons, administratively academically disqualified graduate students may not be reinstated to the major from which they were dismissed.

Should a graduate student wish to be considered for admission into a different program, they may apply for readmission to the university in the new program. Disqualified students may not take graduate-level courses through SJSU Open University or SJSU Extended Studies.

IV. Appeal of Administrative Academic Notice or Disqualification for Undergraduate and Graduate Students

Upon receiving notice of administrative academic notice or disqualification, students should first consult with their program coordinators and/or advisors, then, if necessary, file a written appeal first with a program-level faculty committee, then with the appropriate ADRRC appeals officer, the Associate Dean of Undergraduate Education or an Associate Dean in the College of Graduate Studies. In either case, the appeal should be based on (a) advising or administrative errors, (b) actions by the department or school that were contrary to university policy, or (c) extenuating circumstances.

A critical first step in the appeal process is consultation by a student with an advisor representing the major in which reinstatement is sought. A report of the consultation and the advisor's recommendation should be forwarded to the ADRRC.

In cases of extenuating circumstances, a student must present evidence of such circumstances beyond their control that disrupted previously satisfactory academic performance, and documentation that such conditions will no longer affect academic performance.

Establishing and evaluating the procedure for the appeal process is the charge of the ADRRC. The following operating rules have been put into effect for appeals of academic notice and disqualification, and administrative academic probation and disqualification.

A. **Student Appeal Filing.** Students must submit a written appeal to the appropriate appeals officer of the ADRRC, the Associate Dean of Undergraduate Education or of Graduate Studies, within one calendar month after the start of the succeeding Fall or Spring semester. The student name,

ID, contact information (email and phone), unofficial transcript, and a personal statement must be included.

B. **Validity of Appeal**. The appeals officer is afforded the authority to determine whether adequate grounds exist for a formal hearing. The appeals officer will conduct a review to determine whether the student has been treated according to the approved departmental/school policy (that is, whether policy has been faithfully executed by the department or school), whether the student was adequately and reasonably informed of the policy, whether an adequate and persuasive written record of actionable student conduct was constructed, and whether the student's conduct and/or course grade makes them subject to the consequences of the policy. If the case cannot be settled by consultation with department/school advisors or program coordinators and if the complaint is based on violation of an approved departmental policy that the ADRRC deems to be confusing, unclear, or unfair, then the ADRRC will form a subcommittee and schedule a hearing, normally within 45 working days of receiving the student appeal.

C. **Subcommittee Structure**. The subcommittee will be chaired by the Associate Dean of Undergraduate Education or Graduate Studies, based on the student career, and they will also be a voting member. The subcommittee will further consist of one college Associate Dean as a second voting member, chosen on a rotating basis. The Associate Dean of the college in which the student's program resides will also serve, but as a nonvoting member. The third voting member, again on a rotating basis, will be an ADRRC member who is not an Associate Dean.

D. **Hearing Rules**. Documentation can be submitted by either party but must be disclosed to the other party. Testifying individuals may include the student complainant, the department chair/school director or a designee, and other individuals requested by either party if deemed relevant by the subcommittee chair. Nontestifying individuals present for emotional support or legal representation may not speak unless directly addressed.

E. **Decisions**. Unless additional testimony or significant investigation is needed following an appeal hearing, the ADRRC subcommittee will notify the student of its decision in writing within 10 working days. Of the three voting members of the subcommittee, a majority is needed for a decision.

Students have the right to consult with the University Ombudsperson at any point during this process.

San Jose State University **AS 1849**
Academic Senate
Professional Standards Committee
May 8, 2023
Final Reading

Policy Recommendation
Declaring our Support for Academic Freedom and Establishing the Academic Freedom Committee

Resolved: That this policy be adopted effective immediately, with the Academic Freedom Committee to be established by the beginning of AY 2023-2024.

Resolved: That Section I of S99-8 shall be deleted (as it is incorporated here unchanged.) The title of S99-8 shall be changed from "Academic Freedom and Professional Responsibility" to "Professional Responsibility."

Resolved: Throughout S99-9 the name of the "Board of Academic Freedom and Professional Responsibility" shall be changed to the "Board of Professional Responsibility." Items 1, 2, and 3 of its charge (related to the education about Academic Freedom) will be deleted (as they are incorporated here.)

Rationale: Academic Freedom is at the heart of the success of the modern university, but in recent years faculty, students, and others have begun to lose touch with an understanding of this critical concept. The classic statements in defense of academic freedom were articulated at the start of the twentieth century by the American Association of University Professors (AAUP) in response to egregious acts in which faculty appointments, research programs, and curricular content were attacked or manipulated for political reasons. Faculty organized and fought hard to secure tenure and other protections, and by the 1950s they won a key court decision that eloquently summarized the need for academic freedom. "Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die."[1] [*Sweezy v. New Hampshire*, 34 U.S. 234, 250 (1957)]

Today, however, many faculty and others do not know much about the history of academic freedom, its legal status, or its ultimate purpose. When the term is used it is sometimes perceived incorrectly as an individual privilege rather than as a critically important tool for fulfilling the academy's scholarly and educational roles. Professional Standards believes it is the responsibility of each new generation of faculty to take on the challenge of renewing the community's understanding of academic freedom, and has crafted this policy recommendation to fulfill this task.

A generation ago, the Academic Senate combined the Academic Freedom Committee with a new board focused on professional ethics. The motivation was sound—to symbolize the deep interconnection of academic freedom to professional responsibility. We continue to agree with this principle, but experience has taught that the Board of Academic Freedom and Professional Responsibility (BAFPR) has not been a consistently effective committee. Its sweeping responsibilities, extended membership, and restricted qualifications have resulted

[1] ." [*Sweezy v. New Hampshire*, 34 U.S. 234, 250 (1957)]

in a committee that is difficult to fill and which is torn between its educational and its quasi-judicial functions. As a result, the BAFPR has been the subject of review and reform by Professional Standards for 4 years, with numerous starts and stops and no resolution to the problems. After extensive consultation, Professional Standards is determined to solve this problem, and this policy recommendation is the first of two important steps.

This policy recommendation removes the educational functions centered on Academic Freedom from BAFPR and gives them to a new Academic Freedom Committee (AFC.) The AFC will be much smaller than the Board and its qualifications for membership less restrictive. (BAFPR consists solely of full Professors elected from each College.) By creating a smaller committee with a sharper focus, Professional Standards hopes to create a vibrant, active committee of experts that can engage in the continual education of the university on academic freedom issues, and provide useful and timely information to faculty, students, and administration when issues related to academic freedom arise.

Other features of this reform are to pull the eloquent AAUP-derived statements on Academic Freedom and Tenure into this policy creating the Academic Freedom Committee, so that the AFC's charge will be connected to its structure. We have added a section on professional responsibility that underlines the interconnection between freedom and responsibility and links to the (retitled) Professional Responsibility policy.

The creation of the AFC will nevertheless leave another reform of the Board of Professional Responsibility to be taken up in a second stage. The most effective way to enforce our campus policy on professional responsibility, given the collective bargaining system and the growing importance of legal codes operating within the academy, has yet to be decided. The existing Board is advisory to Faculty Services and has had mixed success over the years with this function. Furthermore, the statement of professional responsibility is itself in need of revision after more than twenty years of legal developments. But Professional Standards would like to see an effective and functioning AFC in place while our work continues on the (now) separate professional responsibility policy.

Approved:	5/1/23
Vote:	10-0-0
Present:	Barrera, French, Gómez, Kazemifar, Maldonado, Monday, Pruthi, Riley, Smith, Wang
Absent:	None

Financial Impact: There could be some modest travel costs associated with sending members of the Academic Freedom committee to conferences.

Workload Impact: The creation of a new committee would represent more work, although necessary work. This is somewhat obviated by the work that could be saved if the committee's actions prevent misunderstandings or incidents arising from disputes over academic freedom.

1. Statement of Academic Freedom[2]

1.1. In General

1.1.1. The primary mandates of a university—the discovery and dissemination of knowledge and understanding, are absolutely dependent upon academic and intellectual freedom. Freedom in research is fundamental to the advancement of truth. Freedom in teaching is fundamental for the protection of the rights of the student in learning and of the faculty[3] in teaching.

1.1.2. Political attacks on academic freedom, including government attempts to exert control over curriculum, restrict the freedom to pursue all avenues of scholarly research, and censor the speech of faculty, have many historical precedents. Such attempts to control teaching and research destroy higher education.

1.1.3 San José State University has a responsibility to society to defend and to maintain these freedoms, and to ensure that those engaged in academic pursuits can effectively execute their responsibilities. SJSU faculty must remain free of the forces of special interests and political interference if they are to fulfill society's expectations and their educational responsibilities.

1.2. Academic Freedom as it Relates to Tenure

1.2.1. All members of the university community: students, staff, and all faculty employees, regardless of tenure status, shall have the protections of

[2]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.

[3] 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.

academic freedom. Tenure is one mechanism specifically created to protect academic freedom, and those faculty who hold the protection of tenure have an obligation to protect the academic freedom of all members of the university community.

1.2.2. Tenure constitutes ~~the~~ an important procedural safeguard of academic freedom and ~~individual~~ professional responsibility and, as such, is essential for the maintenance of intellectual liberty and high standards in education and in scholarship. It is ~~the~~ one means by which university faculty members are protected against personal malice or political coercion, and by which it is ensured that those who, following rigorous evaluation, secure continuing employment, can be dismissed only on professional grounds according to due process.

1.2.3. Historically, the indispensability of academic tenure to academic freedom in universities throughout the world has been proven by events in situations where tenure has not existed. We must not forget the lessons of the past but must work to ensure that SJSU continues to fulfill the educational needs of a free society.

1.3. Academic Freedom as it Relates to Professional Responsibility

1.3.1. According to the AAUP, Academic freedom "is a professional right extended to members of the profession and is subject to certain limitations. Academic freedom means that faculty are free to engage in the professionally competent forms of inquiry and teaching that are necessary for the purposes of the university. It does not mean that individual faculty members are free to teach or publish whatever they want without repercussions." AAUP makes clear that the academic freedom of an individual faculty member is subject to matters of professional responsibility, including those related to 1) the collective; 2) professional ethics; and 3) professional competence. AAUP says more about each category below:

"The collective: The faculty who are responsible for a particular course of study may share responsibility for determining courses to be offered or texts to be assigned to students. The shared academic freedom to make this decision trumps the freedom of an individual faculty member to assign a textbook that he or she alone prefers."

"Professional ethics: A faculty member must act ethically in their teaching and research; for example, by following regulations on human subject research.

"Professional competence: In order to produce and disseminate the highest quality of knowledge in a given field, academics are regulated by other academics who are in a position to judge the work of their peers. A faculty member is not entitled to teach something that their academic peers judge is invalid--for example, teaching that 2+2=5 would not be protected; neither would teaching intelligent design in an evolutionary biology class."[4]

Professional responsibility is thus the natural complement of the academic freedom essential to the university's mission. Through their responsible professional conduct, faculty members promote and protect academic freedom. Because faculty members belong to a profession with the rights of self-government, they also have the obligation to establish standards of professional conduct and procedures to enforce them. These standards are set in the SJSU Statement of Professional Responsibility.[5]

1.3.2. Academic freedom is a privilege granted to faculty in return for their obligation to serve the public good, which they do through the advancement of scholarship, the search for truth, and the higher education of our communities. We agree with the AAUP 1915 Declaration that "not only that the profession will earnestly guard those liberties without which it cannot rightly render its distinctive and indispensable service to society, but also that it will with equal earnestness seek to maintain such standards of professional character, and of scientific integrity and competency, as shall make it a fit instrument for that service."[6]

2. The Academic Freedom Committee is established as a Special Agency.

2.1. Charge of the Academic Freedom Committee (AFC):

2.1.1. AFC shall monitor the state of academic freedom both at San Jose State and in the broader academic environment. In addition, it shall safeguard and promote academic freedom at SJSU, and shall serve as an advisory body on issues arising from the application of academic freedom on our campus.

[4] https://www.aaup.org/programs/academic-freedom/faqs-academic-freedom

[5] S99-8 at the time of this policy recommendation

[6] American Association of University Professors, *1915 Declaration of Principles on Academic Freedom and Academic Tenure.*

2.1.2. AFC shall educate and advise on the meaning and scope of academic freedom and its application. To do so, AFC shall familiarize itself with policies, laws, court decisions, and current events concerning academic freedom. As part of this function it shall maintain contact (and membership if possible) with the American Association of University Professors (AAUP) and familiarize itself with relevant AAUP publications. Members of AFC should attend AAUP conferences on academic freedom when possible.

2.1.3. AFC shall work in concert with the Center for Faculty Development to educate and orient new faculty on academic freedom issues, by attending and presenting at events such as faculty orientations.

2.1.4. AFC shall educate all constituencies of the San Jose State Community on our own policies on academic freedom. It shall host at least one academic freedom forum each year, on a topic related to academic freedom and designed to stimulate interest in academic freedom.

3. Organization of the AFC

3.1. Membership

3.1.1. Three faculty members, two of whom must be (or have previously been) tenured, chosen university-wide for their expertise and/or interest in academic freedom issues. One of the three faculty may be from among our emeriti faculty. One of the three faculty may be a lecturer or a probationary faculty member. These faculty will serve 2 years terms and may be renewed twice (for a total of six years) before rotating off the committee for a minimum of one term.

3.1.2. One student.

3.1.3. One administrator.

3.2. Chair. Each year the AFC shall choose its own Chair from among the tenured (or previously tenured) faculty members of the committee.

3.3. Reporting.

3.3.1. If the AFC has suggestions for policy changes it shall report them to the Professional Standards Committee of the Academic Senate.

3.3.2. The Chair of the AFC shall be permitted to address the Professional Standards Committee and the Academic Senate to report on issues relating to academic freedom.

3.4. Selection

3.4.1. All candidates for membership shall submit statements discussing their expertise and/or interest in academic freedom issues, and (if faculty) a curriculum vitae.

3.4.2. Faculty candidates for membership shall be screened by the Executive Committee and approved by the Senate.

3.4.3. The Administrative representative shall be designated by the President after consultation with the Executive Committee.

3.4.4. The student representative shall be designated by Associated Students after consultation with the Executive Committee.

3.5. Meetings. The AFC should meet at least once every month during the academic year.

SAN JOSÉ STATE UNIVERSITY
Instruction and Student Affairs Committee AS 1854
May 8, 2023
Final Reading

POLICY RECOMMENDATION
AMENDMENT A TO F17-4, University Policy, Priority Registration

Legislative History:

Whereas, California Bill AB-2881 requires that campuses of the California State University system grant priority registration to student parents, and

Whereas, The previous policy lacked clarity on the criteria utilized to evaluate registered student organizations or other university-recognized sponsoring organizations who are requesting priority registration and require regular review, and

Whereas, Priority Registration is now managed by Undergraduate Education and the Registrar's Office; therefore, be it

Resolved: That F17-4 be amended to accommodate student parents within the priority registration structure; and be it further

Resolved: That the process by which registered student organizations or other university-recognized sponsoring organizations apply for and receive approval for priority registration be clarified as noted below.

Approved:	May 1, 2023
Vote:	11-0-0
Present:	Sullivan-Green (Chair), Chen, Chuang, Jackson (non-voting), Khan, Leisenring (non-voting), Masegian, Mathur, Pinnell, Rollerson, Sen, Treseler, Wolcott
Absent:	Chadwick, Jaiswal, Muller, Sheta
Financial Impact:	None
Workload Impact:	Offices within Student Affairs and Academic Affairs will be required to establish the parameters by which student parents are identified and to actively manage the list each term. Additionally, Undergraduate Education may have to adjust their process by which they review and approve registered student organizations or other university-recognized sponsoring organizations' requests for priority registration.

University Policy
Priority Registration

1.0 Scheduling of Registration Groups

Students shall be allowed to register in the following order:

- Group 1: Specific Priority Students (see 2.0 below)
- Group 2: Graduating seniors (Undergraduate- and graduate-level students who have a graduation application on file with an anticipated graduation date for the current or next term)
  - Group 2a: Graduating seniors in the California Promise program
  - Group 2b: Graduating seniors identified as student parents
  - Group 2c: Remaining graduating students
- Group 3: Graduate students
  - Group 3a: Graduate students identified as student parents
  - Group 3b: Remaining graduate students
- Group 4: Seniors
  - Group 4a: Seniors in the California Promise program
  - Group 4b: Seniors identified as student parents
  - Group 4c: Remaining seniors
- Group 5: Second baccalaureate students
- Group 6: Juniors
  - Group 6a: Juniors in the California Promise program
  - Group 6b: Juniors identified as student parents
  - Group 6c: Remaining juniors
- Group 7: Sophomores and continuing first-year
  - Group 7a: Sophomores and continuing first-year in the California Promise program
  - Group 7b: Sophomores and continuing first-year identified as student parents
  - Group 7c: Remaining sophomores and continuing first-year

Students in Groups 2-7 will register on the basis of rotating alphabetical cycles within each group.

Note: First year students' registration is based on orientation. Incoming transfer students have a registration date dependent on when they matriculate and/or attend orientation.

2.0 Categories of Group 1: Specific Priority Students

Students in Group 1 are those whose participation in an activity or their designation within a special group poses significant restriction on their ability to register for courses.

2.1 Category A includes:

Students who are required by external agencies such as the National Collegiate Athletic Association (NCAA), or by law, to receive priority.

- This category excludes students covered by the California Promise program or who are identified as student parents unless they fall under another group with required priority registration. Priority registration for students in the California Promise program or who are identified as student parents is addressed in the registration scheduling as outlined in Section 1.0.

Students whose contributions through university-sanctioned activities are recognized as being so extensive that their enrollment opportunities may be compromised due to schedules mandated by the sponsoring organization. These activities must meet the following criteria:

- The sponsoring organization is acknowledged as significantly promoting the mission of the University;
- The activity has a regularly scheduled class, event, or practice offered only at specific times that conflict with classes;
- Participation at every scheduled class, event, or practice is mandatory; Mandatory meetings must be set prior to the first day of the semester.

The sponsoring organization must initially apply for priority registration via Undergraduate Education. They must provide a justification for the request, an estimation of the number of students affected each semester, as well as a minimum GPA threshold and progress-to-degree criteria for students to qualify, and monitor students' progress each semester.

2.1.1 Groups in Category A do not require regular review due to the nature of the organization's mission and activities. A review may be requested if/when circumstances change. Organizations in this category that do not require regular review/renewal include:

- Accessible Education Center (AEC)
    - Note: Students served and note takers are included
- Student Fairness Committee
- NCAA Athletics

- Guardian Scholars
- Campus offices that utilize students in support of student success, such as peer mentors, orientation leaders, and student success leaders
- Reciprocal Exchange programs
- Veterans Resource Center (as per Cal. Educ. Code §66025.8)
- Academic Senate and Senate committees
- Any recognized student organization or other university-recognized sponsoring organization that has a contractual agreement with SJSU to provide a full course load.

2.2 Category B includes:

Students who participate in a recognized student organization or other university-recognized sponsoring organization whose participation requires students to attend scheduled activities, but the organization's inclusion in priority registration must be reviewed and approved per Section 3 below.

The organization's university-related activities must meet the following criteria:

- The activities require significant time contributions by the student.
- The activities are regularly scheduled classes, events, or practices offered only at specific times.
- Participation at each class, event, or practice is mandatory; Mandatory meetings must be set prior to the first day of the semester.

The sponsoring organization must apply/reapply per Section 3 below.

2.3 Category C includes:

Students enrolled in an integrated package of courses that meets all of the following criteria:

- Covers at least four areas of the General Education Program;
- Involves being part of a cohort group of students from multiple colleges; and
- Requires enrollment together in a specified course sequence occurring over multiple semesters.

Priority registration will be granted to students in this category beginning with the second semester of enrollment. If significant changes are made to

the package of courses, eligibility for priority registration should be reviewed.

3.0 Approval and Management of Priority Registration for Student Organizations

Undergraduate Education will review and approve applications from organizations or offices seeking priority registration for their students. Groups A and C do not need to reapply unless significant changes have been made to their mission or activities.

3.1 Organizations or offices covered in Categories A and C must initially apply for priority registration. Review of their status must only be done if significant changes have been made to:

- Their mission or activities provided in their justification has significantly changed
- The number of students receiving priority registration via the group has increased significantly
- The scheduled meetings have changed

3.2 Approval will typically be granted for five years. Undergraduate Education will be required to provide justification for denial or for approval of shorter terms.

3.3 Organizations or offices requesting priority registration must submit an application that includes the following:

- A summary of the organization/office and its mission
- A justification for priority registration, including an explanation of the schedule that impacts students' ability to register for courses
- An estimation of the number of students who will be impacted each semester
- Standards that students must meet in order to remain eligible for priority registration, including a minimum GPA and progress-to-degree criteria

3.4 Undergraduate Education and the Registrar's Office will maintain records of student organizations with priority registration, including:

- Contact information for the faculty/staff member(s) responsible for overseeing the organization's roster and student eligibility.
- Approved estimated number of students receiving priority registration for each group
- Historical data on the number of students who actually received priority registration through the organization each semester

3.5 All faculty/staff member(s) who apply for priority registration for students are responsible for:

- Maintaining an accurate roster of students eligible for priority registration.
- Providing names and SJSU ID numbers to the Registrar by the required deadline for granting priority registration.
- Reporting changes in the organization duties/mission that may affect eligibility for priority registration and/or the number of students eligible for priority registration through the organization to Undergraduate Education.
- Applying or reapplying for their priority registration no less than one semester prior to the desired start/expiration of the organization's priority registration.