

2020-2021 Academic Senate Minutes
February 8, 2021

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

Ex Officio: Present: Van Selst, Curry, Rodan, Mathur, Delgadillo Absent: None	CHHS Representatives: Present: Grosvenor, Sen, Smith, Schultz-Krohn Absent: None
Administrative Representatives: Present: Day, Faas, Del Casino, Wong(Lau), Papazian Absent: None	COB Representatives: Present: Rao, Khavul Absent: None
Deans / AVPs: Present: Lattimer, Ehrman, d'Alarcao, Shillington Absent: None	COED Representatives: Present: Marachi Absent: None
Students: Present: Kaur, Quock, Walker, Chuang, Gomez, Birrer Absent: None	ENGR Representatives: Present: Sullivan-Green, Saldamli, Okamoto Absent: None
Alumni Representative: Absent: Walters	H&A Representatives: Present: Kitajima, McKee, Khan, Frazier, Taylor, Thompson, Riley Absent: None
Emeritus Representative: Present: McClory	COS Representatives: Present: Cargill, French, White, Maciejewski Absent: None
Honorary Representative: Present: Lessow-Hurley, Buzanski	COSS Representatives: Present: Peter, Hart, Sasikumar, Wilson, Raman Absent: None
General Unit Representatives: Present: Masegian, Monday, Lee, Yang, Higgins Absent: None	

II. Land Acknowledgement: The land acknowledgement is a formal statement that recognizes the history and legacy of colonialism that has impacted our Indigenous peoples, their traditional territories, and their practices. It is a simple and powerful way of showing respect and a step towards correcting the stories and practices that have erased our Indigenous people's history and culture and it is a step towards inviting and honoring the truth. Senator Kitajima read the Land Acknowledgement.

III. Approval of Academic Senate Minutes–
 The minutes of December 7, 2020 were approved (44-0-2).

IV. Communications and Questions –

A. From the Chair of the Senate:

Chair Mathur announced that nominating petitions and seat information for our Senate Elections have been sent to faculty. The deadline to submit a nominating petition is February 19, 2021. If your seat term is up and you are not interested in running for another term, please let the Senate Administrator or Senate Chair know. Please also encourage your colleagues to run for the Senate.

The faculty award committees have been doing their work diligently. They will be submitting their nominations to President Papazian by this coming Wednesday, if they have not already done so.

Vice Provost Anagnos has sent out a message to request campus feedback on the Draft GE Guidelines, please review and provide any comments. C&R will review these feedback and utilize it to update the guidelines.

Chair Mathur reminded the Senate that the Senate Retreat (SJSU and the Post Pandemic University) is this coming Friday, February 12, 2021 from 9 a.m. to noon. Please plan on attending and RSVP to the calendar invite.

B. From the President:

President Papazian announced that she has been involved in budget advocacy meetings in Sacramento. Our students have also been involved in an active way. The governor came out with a budget that recognized the importance of the CSU and provided some funding for us to address some critical needs and mandatory costs. In addition, it includes some one-time funds for professional development and deferred maintenance. The CSU and Board of Trustees (BOT) have asked for an increase of not only the \$144.5 million in recurring funding the governor proposed, but an additional \$365,299,000 to make-up for what was cut in last year's budget, and another \$65.5 million to address graduation initiatives. Also, it includes a much more robust request in one-time dollars for deferred maintenance. We are also asking for some emergency short-time grants for our undocumented students because of the critical need there as well. The president cannot say where this will land, but the legislature is certainly very supportive. It really depends on what the money coming in looks like and what some of the needs are in terms of health and safety as well as the infrastructure around the economic downturn and COVID-19. Nevertheless, this is a much better place to start than last year.

When the first wave of CARES dollars came through about \$14 million went out in direct aid to students. The second round of funding, which has a total nationally of \$23 billion, passed congress at the beginning of this year and has the requirement to disburse to students the equivalent amount that we disbursed the last time as well as an additional \$30 million to us to address

COVID-related challenges at SJSU. We are waiting for some guidance from the federal government regarding funding for undocumented students as well as international students. These students were not eligible in the last go around. It is not clear that that was the only way to read the statute. We are hoping we will be able to extend some of those dollars to these populations.

Robust negotiations continue in congress right now on a third CARES package. This would be part of President Biden's \$1.9 trillion relief/rescue package. This is looking to be just under \$40 billion nationally which is significantly more than we have seen before. What we are hearing is that we would be expected to receive about 50% of those dollars. What that amount is we don't know yet. These funds would be a direct pass through to our students to provide emergency financial support for them. We have good systems in place and we were able to distribute those funds the first time pretty quickly. We are hoping and pushing hard for our undocumented and international student populations. As we learn more we will get the word out. This would really help us. We were able to use CARES dollars to invest in the faculty workshops over the summer and we are looking at ways to continue to do that to provide support for students. We are also looking at things like our advising structure and how we can augment that with additional coaches and support in both academic and non-academic areas. In addition, we want to be able to provide both faculty and staff with the tools they need to do the really hard work.

We are very much aware and are tracking issues around enrollment and retention and those kinds of challenges. There are some critical courses that need to be taught in person, and with the lifting of the stay at home order, we fully anticipate we will be able to move to the schedule as it was originally set starting February 15, 2021. The Provost will be sending a notice soon. We are planning for fall and the Provost will answer those questions. The guidance we got from the Chancellor's Office is that we should try and plan as much in person as we can. We are trying to anticipate what fall will look like. It all depends on the vaccine rollout, whether the one-dose vaccine from Johnson and Johnson gets rolled out in time, whether it is made available, and whether our population takes it. There are a lot of unknowns there. The very large courses where we might have trouble spreading out may be more online whereas the smaller courses may be more in person. We will let you know as we know more. We appreciate everyone's flexibility.

We (President Papazian and the CDO) have reviewed the nominees for the Committee on Diversity, Equity and Inclusion (CDEI) and made selections. We were very encouraged by the number of nominations. Those invitation letters will be going out this week. There is a lot of work to do. I (President Papazian) will be asking the committee to be tough minded and very engaged in the findings. To strongly engage with the feedback from the surveys and that were done and the fora, both in the positives, but more importantly in the

challenges/concerns for us in order to improve the climate for everyone on campus. This committee is a very large and diverse group, especially excited about the number of students on the committee, seven students. I (President Papazian) appreciate the CDO's leadership in this group. Many thanks to all nominees for their interest. We still keep the list to utilize as individuals rotate off this committee.

The insurrection on the capitol on December 6, 2020 brought challenges to our democracy. This feeds into our work on systemic racism and bias on campus. We will continue to work on this going forward. The committee on Community Safety and Policing is writing its report right now and preparing to submit their recommendations. Once that is done we will review and begin a process of implementing change.

Questions:

Q: Recently there was a newspaper article about how the Athletics Director is under investigation due to complaints from employees about working conditions. Can you share any information about this with us?

A: Sure, we haven't received any notice of an investigation. It's a newspaper article. There is a process in place that we are working through as we begin to open up the campus. There will be many questions around repopulation and what that looks like. This is something we are working through with University Personnel, FD&O, etc. to ensure we have a consistent and equitable approach. That process is underway. We read that, but we haven't actually heard that or gotten any notice from the county. That is where that stands right now. We are in active and deep conversations with the county right now about the vaccine. The county is very interested in using our site as a vaccination site. They like our spaces. We would like to be able to make this service available. It would be a public site for the downtown community. It is a way for us to give back. There are no other vaccination sites downtown. We are just in deep conversations right now, but are optimistic this might happen.

V. Executive Committee Report:

A. Minutes of the Executive Committee:

EC Minutes of November 30, 2020 – No questions

EC Minutes of January 11, 2021 – No questions

EC Minutes of January 25, 2021 – No questions

B. Consent Calendar:

Consent Calendar of February 8, 2021—AVC Marachi amended the consent calendar to add a member to the Campus Planning Board (Junelyn Peoples). There was no dissent to the consent calendar as presented and amended by AVC Marachi.

C. Executive Committee Action Items:

Chair Mathur presented University Policy, S21-1, Time-Limited Amendment of Research Oversight. With the retirement of AVP Stacks in December 2020, it was noted that there were three policies that named the AVP Research as the designated institutional officer for research oversight or as the institutional officer for research misconduct. The Senate Office received a referral to update the three policies from the Vice President of Research and Innovation (VPRI), Mohammad Abousalem, in the last week before the winter break due to AVP Stacks retirement. The Organization and Government Committee Chair, Karthika Sasikumar, worked closely with the VPRI to develop a temporary measure to put into place to ensure continuity in research oversight. The Executive Committee acting on behalf of the Senate was asked to provide coverage temporarily until permanent amendments could be brought to the full Senate by O&G. Those three amendments will be heard later today. It is very rare for the Executive Committee to take this action on behalf of the Senate. This was a time-sensitive issue. On January 11, 2021, the Executive Committee approved this policy amendment in accordance with bylaw 4.2.1. The President signed and approved the policy amendment on January 12, 2021. What we are asking for you to do today is take a look at the policy and then for the full Senate to endorse it and the action of the Executive Committee.

Questions:

Q: Are there any qualifications required for this individual, or certifications?

A: I believe that training and certification is required by the federal government to be the institutional officer for research. However, the person we are designating as backup is the VPRI.

Q: So, is the expectation that as part of that role that person will have that training and certifications ahead of time so they can step into that role when needed?

A: Right.

The Senate voted on endorsing University Policy S21-1 and it passed (47-0-2).

VI. Unfinished Business:

A. Professional Standards Committee (PS):

Senator Peter presented ***AS 1797, Amendment D to University Policy S15-6, Appointment of Regular Faculty Employees, Defining Joint Appointments in Appointment Letters (Final Reading)***. On our campus, there is a long history of controversies of whether joint appointments are a wise or an unwise idea. In 2015, we were told that there was no need to provide for the possibility of joint appointments in the RTP policies as the university was phasing them out. For one reason or another, we now have some joint appointments and so the Director of Faculty Affairs James Lee asked my committee to take a look at providing for joint committees for joint appointments. The collective bargaining agreement requires that joint

appointments be evaluated in both departments separately in unless there is a campus policy, which provides for a joint committee. And, rather than making our dozen or so joint appointments jumped from two different hoops the idea was to create a single committee so they would be treated more or less like everyone else, a committee that would be composed of numbers from both of their departments. In order to do that we needed define what a joint appointment was, and then we secondly needed to set up a simple procedure for creating these joint committees. So, these two policy recommendations have to come separately, one has an amendment to the appointments policy which you're looking at right now and which is simple paragraphs asking to note that it is a joint appointment within the appointment letter. The other is an amendment to the procedures policy which simply describes how do you set up one of these committees to avoid the need to send this evaluation is to separate department committees.

Q: I'm just curious what's the definition of an equivalent unit, so it would be in more than one department or equivalent unit is that are there, joint appointments between departments, for example in programs or departments and some other unit.

A: That's the standard phrase that is in all of our policies to take in schools, so we talk about chairs and directors, departments and schools, the school is the equivalent unit of a department. Under our policy and so that's what we use that now, if you are in two separate programs, but the programs are in the same department, then this would not pertain it wouldn't apply and it wouldn't be needed, since departments have their own committees.

Q: Would account for a department and a program?

A: If the program is within the department, then it's within a department that would not be a joint appointment, what counts is if it's across two departments and that's basically what the collective bargaining agreement talks about when it requires that each department conduct a separate review. That's the only basis for a joint review that we have and is what the collective bargaining agreement gives us, and that would be shared between two different departments.

Q: So my question is when is this triggered. We have a department, that is, we have affiliated faculty with the human factors masters programs. So, now that they're hired by psychology and the word joint certainly doesn't appear, but it "may" participate in. And so, basically, the question would be for not necessarily the appointment letter, so does the word joint have to appear, but for the next policy as well, what is this triggered and does the Faculty Member have a choice of doing this or not.

A: It is not a choice, it is triggered if, and only if, the appointment letter specifies, as it says in 5.6. That a faculty member will have duties in more than one department or unit and the letter has to indicate what the home department is.

A motion was made to approve AS 1797. The motion was seconded. **The Senate voted and AS 1797 passed as written (47-0-0).**

Senator Peter presented ***AS 1795, Amendment J to University Policy S15-7, Retention, Tenure and Promotion for Regular Faculty Employees: Procedures, RTP Procedures for Joint Appointments (Final Reading).***

Under Section 3 of the procedures policy, which talks about how we set up committees, we've added a new section 3.7 entitled modified procedures for joint appointments. Four sections, the first section simply says the candidates who hold these joint appointments, as indicated in their appointment letters, shall be evaluated at the department level by committee with representation from each relevant department and this representation shall be roughly proportional to the assignment of the candidate so it depends on how the parameters get set up within the appointment letter. We also specify that the committee should be chaired by a committee member from the home department as identified in the appointment letter. You can see why we insisted that the appointment letter identify the home department, so now we have somebody who's responsible for sharing this committee and helping to organize it. In the remaining sections we try to clarify certain other issues and 3.7.2, we indicate that Members on joint committee shall be elected as they are for all other RTP committee save only that a current department committee may simply designate some of its already elected members for simultaneous service on the joint committee. Each of those two department committees could just pick two members to send to a joint committee for the purposes of evaluating this joint appointment, no new elections would be needed, no additional organization would be needed, we wanted to make this as simple as possible. We also clarify the Chair of the home department shall hold the normal functions of chair for the evaluation of the joint appointment, so there isn't conflict between the chair's role and the two separate departments. Finally, and this is somewhat important, we indicate that candidates who hold joint appointments across more than one college, shall be evaluated by the College Committee and the College Dean, corresponding to their home department, there will not be joint committees at the College level.

Q: Clearly the department and guidelines from the home department would apply what is the fate of the departmental guidelines from the joint department.

A: That would have to be discussed in the appointment letter, that is the kind of parameter would need to be specified there.

Q: I was wondering whether the process of designation from the individual department committees is subject to the same provisions for seniority that would normally apply (e.g., for promotion no junior faculty should serve).

A: The same qualifications of seniority would have to apply.

Senator Van Selst presented an amendment that was friendly to the body to change "are eligible" in line 69 to "may be eligible." Senator Rodan presented

an amendment that was friendly to the body to change “procedures” in line 63 to “provisions.” **The Senate voted and AS 1795 passed as amended (44-0-3).**

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

Senator Sasikumar presented ***AS 1790, Amendment to Standing Rule 7a, Inclusion of Land Acknowledgement in Academic Senate Agenda (First Reading)***.

Q: I had a question about whether we need to include anything regarding the provenance of such a land acknowledgement, whether we should be working with members of the local tribal leadership that sort of thing so.

A: We did actually discuss that in the committee at some length and, as you know, there is a number of land acknowledgments that are currently being used, even at San José State. We did discuss this with the Council of the Muwekma Ohlone. We’re merely including the fact that there will be a land acknowledgement in the agenda and my understanding is that the senate chair in consultation with the person who is reading the acknowledgement will select an appropriate one each time.

Senator Schultz-Krohn made a motion to suspend the rules and make AS 1790 a final reading. The motion was seconded. The Senate voted and the motion passed (41-3-3). **The Senate voted and AS 1790 passed as written (46-0-1).** Senator Sasikumar acknowledged O&G member Soma de Bourbon for her work on the Land Acknowledgement and for educating the members of O&G on the issues that are involved with Land Acknowledgement. O&G is working on a Sense of the Senate Resolution that we hope to bring to the Senate soon that will address the issue of Land Acknowledgement and that sometimes that they are viewed as merely symbolic.

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

Senator White presented ***AS 1791, Policy Recommendation, Accessibility in Curricular Materials (First Reading)***.

Questions:

Q: My question concerns the 2nd and 3rd Resolved Clauses and the tone of them. Has the committee discussed the tone of these and by that I mean the second Resolved Clause says, “The faculty shall select or create accessible versions of all curricular materials.” This puts the responsibility completely on the faculty as opposed to indicating it is the university’s responsibility and faculty by themselves might not be able to do it without a lot of help from the university. Then in the 3rd Resolved Clause it says, “If materials cannot be made accessible due to technological limitations then an equally effective alternative must be created or provided.” Now that Resolved Clause does not say by the faculty, it is a more neutral statement. It could be the university that provides it on behalf of the faculty or not. Why put the onus completely on the

faculty for solving the problem in the second Resolved Clause and not something more like the tone of the 3rd Resolved Clause?

A: I don't think we actually talked about the tone of these clauses when we were putting them together. We can definitely take that under advisement. So you are looking for something more like the 4th Resolved Clause so that the task is not completely on faculty. Ultimately the faculty are developing the pedagogy and materials for the class so they should always check to make sure those materials are accessible. We are not saying they would have to go about doing this alone. We did talk to the Center for Faculty Development, etc. I will take this back to the committee to look at the tone of the first three Resolved Clauses for sure.

Q: It should be everyone's responsibility at the university and not just the faculty.

A: We do talk about that in the Resolved Clauses.

Q: My question has to do with line 46, where it talks about all faculty and staff having to go through accessibility training. Does this mean it would be mandatory? If so, when would faculty undergo this training? Would it be the first semester of teaching? Would it be on an ongoing basis?

A: We did not really discuss when faculty would undergo the training. I can take that back to the committee and we can put in some details on something like this. We will also speak to the Center for Faculty Development about to get more information.

Q: In your 3rd Whereas you say the Executive Order requires all campuses to create and implement plans and also provide funding, resources and training. Do we have any information on that within our budget and how much the campus is able and willing to provide funding for this type of work?

A: You mean do we as a campus have a budget line? I would probably defer to our VP for Administration and Finance for that. I don't recall seeing that in the budget presentation, but we can ask that question.

Q: That's what I'm asking, did you ask that question?

A: No we did not.

Q: This is going to take a lot of time to get all our class materials accessible. Is there a time frame for this?

A: If you go back and look at the policy we already have, we have already passed the time when we were supposed to have all our classes accessible. We intentionally did not put a timeline in this policy because of various things we discussed in committee. We would envision that as this goes through program planning they will look at which classes are accessible and which need tweaking. We did not put a timeline in here, because everything should be accessible at this point.

Q: Would the committee consider separating out a separate Resolved Clause to the Learning Management System, because we know there are issues

there and other policies where you must have a minimum presence on campus, etc. Another Resolved Clause would be around testing, proctoring, software, etc? These are two heavily loaded areas that might benefit from separate Resolves Clauses.

A: Sure, I will definitely take that back to the committee.

C: I'm totally in support of this Executive Order. I'm not sure I'm asking the committee to do anything, because I don't think anything can be done. I want to point out that in teaching classes, like Contemporary World Arts, we are automatically excluding a lot of work like "Women of Color," and a number of other films that we can't get captioned. We are silencing large groups of people. You can't show things hot off the press at least in the arts, more grassroots stuff. I had a student who was hard of hearing and they watched the film anyway and then read additional material about it, because there is no supplement. The idea that there is a replacement isn't always the case. There may be a need for massive funding.

A: We did talk about this in C&R. We did talk to the e-Campus group about captioning and providing transcripts. We can definitely work on this language a little more, but I would encourage you to reach out to e-campus for transcript alternatives.

C: I did, but they can't do it with material that is copyrighted. They just said flat out that they can't do it and I had to contact the filmmaker. I did and they wrote back and they can't do it with stuff that is copyrighted. Just to let you know, there are limits to what they can do as well.

A: Thank you.

Q: I face a very similar problem. I teach about contemporary issues. There was a documentary about COVID in China that does not have captions and cannot be captioned legally by our team here at SJSU. I could not use the film for this reason. This is shaping our instruction. I agree with my colleague that there is no solution to this problem. It is important to get it on the record that it does affect different disciplines and different educational experiences as well. I wanted to ask a question about a needs assessment. In the current situation, where we are completely online, I have found myself trying to transform some of my print materials into accessible materials. I was able to do it, but only because I do own a scanner and have the software to do it. I doubt that all faculty have access to the resources to do this. The needs assessment has to be constantly changing with new technology and new circumstances of instruction come into play.

A: So, are you asking us to look at the Resolved about the needs assessment and maybe consider looking at technology changes? I'm not sure what the definition of needs assessment is, but maybe you could share that with the group. However, I think the term ongoing is important because it signals this is an evolving and changing set of needs.

Q: On line 37, where it says simultaneous, the unintended consequence of this seems to me that we would have to delay textbook adoption or anything else until it is available in all modalities. I don't think that is what is intended, but I wonder how you take the legal standard?

A: Definitely, we can talk about that, but that is the legal standard. The federal law says it must be simultaneously.

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

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

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

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

Senator Sullivan-Green presented ***AS 1802, Policy Recommendation, Amendment A to F20-2, Grading Changes to Support Maximum Flexibility for SJSU Students During the Prolonged COVID-19 Pandemic (Final Reading)***.

The chancellor's office reviewed the work that we did in December and raised concern that we were automatically changing a WU grade to a W grade; they noted that this is not permissible. There were also issue regarding failing grades as related to Academic Integrity concerns. Students have been notified, that if they did receive a failing grade due to an academic integrity violation that the failing grade does still stand and that this policy and F20-2 do not affect those grades.

Q: I had a question regarding changing it to no credit. Will there be a petition process to change the no credit to a W or would that student then be stuck with the no credit for a class?

A: This amendment does not affect the student's ability to request a withdrawal from a class or the Semester, this is just changing the automatic process, but the student still absolutely has the right to petition to take any grades and turn them to an actual withdraw or a W.

Senator Sullivan-Green presented an amendment that was friendly to the body to add another Resolved Clause before the existing Resolved Clause to read, "*Resolved: That F20-2 be amended to remove the language as shown: That SJSU should, so far as is legally possible, convert all WU grades in Fall 2020 to W grades.*" Senator Masegian presented an amendment that was friendly to the body to change the last Resolved Clause to read, "*Resolved: That SJSU should consider, so far as legally possible, converting all grades of Unauthorized Withdrawal (WU) to No Credit (NC) for Spring 2021.*" Senator Van Selst presented an amendment to change line 31 of the last Resolved Clause to add, "*...for Winter and Spring 2021.*" Senator Riley presented an amendment to the Van Selst Amendment to change it to read, "*...for Winter, Spring, and Summer 2021.*" The Senate voted on the Riley Amendment to the Van Selst Amendment and it passed (34-13-1). The Senate voted on the Van

Selst/Riley Amendment and it passed (37-9-0). **The Senate voted and AS 1802 passed as amended (45-1-1).**

D. Professional Standards Committee (PS):

Senator Peter presented ***AS 1804, Policy Recommendation, Amendment E to University Policy S15-8, Retention, Tenure and Promotion for Regular Faculty Employees: Criteria and Standards to Enhance Service to Students (First Reading).***

In 2015, we separated “Service” into its own category for RTP evaluation. It used to be combined with another category and then specified four different descriptions of service. Somewhere we dropped all of the old language about educational equity activities from the previous policy. This will restore educational equity in service to students (both definition and descriptors).

Questions:

Q: When we do a change to the RTP policy, what happens to people currently in the pipeline? Is this a policy that then takes effect for Fall 2021 documents/dossiers? On the implementation side, what does that look like?

A: Under the terms of the CBA you cannot change the criteria and standards while the process is going on. Anything that we might adopt during this year would not be implemented until the beginning of the next RTP cycle.

However, you are correct. Unless we were to adopt some phased in implementation these changes would apply beginning in the fall. Phasing in these changes was appropriate when we had a wholesale revision in 2015. This is relatively limited and opens up options rather than imposing requirements other than that one sentence in baseline. I think it would be pretty hard to argue that faculty documenting they had some service to students would be over the top.

Q: I don't think this policy pushes us far enough, particularly in the way it is framed. I'm concerned it doesn't show up at the highest level. We have a massive educational equity gap on the campus. I appreciate the context of the cultural taxation, but it is more than just accounting for that. It is suggesting that for being a part of our community, educational equity and service to students is essential to the work. As I read this I felt that this language doesn't do that. It doesn't push us as a campus to say that educational equity and service to our students is an essential criteria that needs baseline good and exceptional particular ways. We almost make this like an option in the language we have now.

A: In the baseline, we call out educational equity where it wasn't before. We indicate that there must be some documented service to students that we didn't have before. The issue at the highest level of excellence is that we don't really call out any of the other forms of service at that level. What I'm reading from you is that you'd like to have something more specific at the highest level of excellence as well and then I'm not sure what language you'd suggest at the baseline level. The PS Committee would certainly be willing to

look at something you drafted and consider it in committee.

Q: I think it is a larger issue. I think we need to have conversations with our colleagues beyond the Senate. It almost rests at the question of the social justice mission of the institution. If that is a core value of the institution then I don't know why we would say "some" or "may" in a policy that elevates the question. I think there is an opportunity to have a larger campus conversation about this very question and how it aligns with our overall strategic plan and our ethics for how we want the campus to run. I appreciate the effort and the work.

A: We would appreciate suggestions, which is why this is a first reading and why we asked the administration to chime in. Please send us your ideas.

C: I totally agree with the points just brought up regarding the language and the strength and centrality of closing equity gaps in service. However, there is another important issue for me. There is an implied algorithm about what constitutes the difference between baseline good and excellent. I want to challenge you to think about when we say that if you get appointed to a committee for example, candidates of color or other marginalized candidates have very little control over who appoints them in some ways. I have an assumption that people are working in systemically inequitable situations. I think it is possible for someone to do excellent service within their own department or program that may not stretch to the rest of the university. The standards that differentiate between baseline good and excellent have to have within them some value laden understandings about privilege that go unrecognized. I wouldn't want someone to be punished because they were not appointed to committees because the pipeline is not directly known. Then sometimes we have the opposite problem of the cultural tax. This is the problem of gatekeeping so that we don't have people ending up in positions that they are the most qualified to be in on campus simply because they are over-serviced. The rubric is then that it is not going to be regarded as excellent, because I'm only working with undocumented students in my major for example. This is even though we know that these populations take a good amount of time and there is little research and literature on how to do it. People may be doing highly effective and innovative work that goes unrecognized. That is my concern, the distinction and the hidden algorithm of privilege and power within baseline to good to excellent. This is particularly problematic for highly tokenized communities, Native Americans for example.

A: Thank you and again, this committee would appreciate some sample language from you. If you could look through the categories and make some suggestions the committee will take them up.

Q: In line 76, it talks about student organizations beyond the home department. I'd like to suggest that beyond the home department shouldn't be attached to student organizations. If beyond the home department were moved somewhere else in that sentence it might work.

A: The committee will consider this. Basically, when the policy was written, it

was thought that it should parallel the scholarship that is the impact or scope of the service so the baseline was generally considered apart from the department and considered to be the most basic level. The service activities out to the college, or the community, or your professional organizations were considered a higher level of achievement. What I'm hearing is that basic rubric for service is itself problematic.

C: I would like to remind the committee that there is a wealth of activity happening at the university on the staff side trying to address some of the educational equity issues, and it would be nice if that was also listed as a possible way faculty could satisfy their service requirement by working with campus partners on the staff side to try and address these issues.

Q: Thank you for all the comments, and especially the last comment. That is a wonderful idea. Also I'd like to thank the PS Committee for continuously working to move the needle towards a more equitable RTP process. One real quick question, was the intention behind adding specific language around educational equity to deal with cultural taxation for faculty of color? Is there something we can do about implementation issues (a consistent problem)? I continue to hear about this all the time.

A: I don't think the PS Committee believes that a policy could end something as endemic as the cultural tax, but at least we could make sure that faculty get full credit. They are not getting full credit for the work they are doing for educational equity. I think our aim was a little more limited than that. To end the cultural tax would require changing the composition of the faculty which we are working on, and changing the society which we are working on too. I wish PS could do that, but this is what we can do. We can come and ask you and the Senate and other groups how to go about shifting our policies. We are a policy committee. With regard to implementation issues, we hear you. If you look at the report that PS issued about a year ago, "*Thirteen ways to improve RTP implementation.*" We hear you. I'm happy to say that the administration has been helping us with a number of these issues. The training is getting better and more extensive and will continue to do so as we move forward. It isn't enough yet, but it is a start. Up until a few years ago, there was no start. The needle is moving, but how quickly we can move that needle is yet to be seen.

Q: On line 69 it says that service to students will be required. My question is how will that be defined? For example, say someone is an assessment coordinator for their department, that can provide a lot of benefits for the students but they are more indirect. I can see potentially a lot of questions in the RTP Committee about how that would be defined.

A: Very good question. We do give a definition in 2.4.2.1., but maybe it isn't good enough. It says, "Advising, mentoring, and participating in activities to enhance learning and success that go beyond the curriculum. Of particular importance are activities that achieve educational equity...". If that language

is not inclusive enough or is lacking in some way, please send us language to consider.

Q: At the last Faculty Diversity Committee meeting, we had a discussion about the RTP training and the composition of the committee, one item that I found interesting and maybe it could be included in a future policy, was a request by faculty to have an advocate or ally on the committee while they are going through this process. Will the committee consider this?

A: That is an interesting suggestion and Magdalena Barrera has brought it to the PS Committee and I've also heard it from a meeting Walt Jacobs hosted for our Black Assistant Professors on campus. This is a suggestion the PS Committee is now considering.

C: On the educational equity activities, I think that having it clearer that this is both student impact but that could be via faculty training would be helpful. I would hope that the various centers would reach out to whoever their college level RTP chair was for the RTP review. I think they would be best able to catch whatever is missing while this policy is being opened.

A: I agree. I'd love to get that feedback, but we don't want the perfect to be the enemy of the good. We want to get something approved in time for the next cycle. All of this feedback needs to get to us promptly or we will have to wait another year.

Q: Can the PS Committee call in some units supporting this such as the Center for Faculty Development, the CDO Office, or Faculty Affairs to see how we could assist? I think we have this assumption that this will benefit automatically all marginalized faculty who are underrepresented. I'm imagining for example, a faculty member who is underrepresented in the sciences that may do very good work with BIPOC students in their labs, but maybe they haven't documented it well or thought about how they do this great onboarding in their labs. They may not know the standards and maybe how unique it is for their discipline. I would imagine coaches could work with these individuals. I believe the details of rolling it out and providing adequate support will be critical for success.

A: Agreed.

Senator Peter presented, ***AS 1803, Policy Recommendation, Appointment, Evaluation and Range Elevation for Lecturer Faculty (First Reading)***.

Questions:

Q: We are currently renegotiating a CBA that might be in place as soon as Fall 2021, is it worth it to bring our policy in line with a CBA that might be out of date soon?

A: We have deliberately tried in this policy to remove as many direct quotes from the CBA as possible. There are some places you can't do it, but we tried

to make our reference to general sections that tend not to have changed over the years. One of the problems with the 2010 policy is that it was filled with quotations from the CBA two or three agreements ago. We have tried to craft a policy that will stand the test of time a little better than that. However, all of these policies are in constant need of revision as the CBA changes. We may have to amend this again. As I said before, let's not let perfect be the enemy of the good. Let's fix as many problems as we can now.

Q: This very clearly pertains to appointment, evaluation and promotion so I assume that recruitment and that sort of stuff is not included in this policy. Is that correct?

A: Yes, this is not called promotion it is called range elevation and lecturer faculty would want us to be very careful with that language. As they go up in range that is not a promotion. This is not the equivalent of RTP and they think it would be very destructive to make that kind of parallel given that they do not acquire the privileges acquired by probationary faculty like tenure for example. In regard to appointment, this is not about the procedure for doing so. I think the policy most equivalent would be the procedures policy for RTP which also does not get at the recruitment side of appointing tenure/tenure track faculty.

Q: The Academic Senate CSU (ASCSU) Faculty Affairs Committee had a very interesting discussion with visiting lecturers who came to tell us a lot of the issues they have encountered. We intend on having an ASCSU meeting of lecturers to bring more of that experience and issues that need to be addressed. One of the areas that has been worked on since before I was an ASCSU Senator was to have lecturer representation on the ASCSU. This past meeting, we failed to pass a resolution that would have made it mandatory to have lecturer representation on the ASCSU by one vote. We are hopeful but we recognize the great deal of problems that arise when equity is addressed among peers. I would very much like to continue this conversation about how addressing all faculty is the best thing to do. If we can improve things for those that experience the worst conditions, it will improve conditions for everyone.

A: You did remind me there was one element of the policy I should call people's attention to including the administration. The old policy gave a very long list of titles that this university uses for lecturer faculty. We put it all into an appendix. The policy gives procedures for changing those titles, mainly through the Provost in consultation with the PS Committee. These titles have built up over the years, are rarely used, and are poorly defined. One new title we are suggesting in that list is Senior Lecturer. This is to be given to lecturers with multi-year contracts and six years of seniority in hopes that this will establish them with their tenure/tenure track faculty as anything but temporary, but long-term and as committed to the university. This will give them standing in addressing other members of the faculty. We put that in the index as one title we think is really called for.

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

Senator Sasikumar presented ***AS 1800, Policy Recommendation, Amendment A to University Policy S14-6, Policy and Assurance for Humane Care and Use of Animals (Final Reading).***

As you heard from Chair Mathur at the start of this session, these are the three policy recommendations that are amending three specific policies that are on the books already. These policies name the AVP of the Office of Research as the person who is responsible for oversight or research (designations determined/derived from federal regulations). We received a referral from VP Abousalem asking us to designate his role as the backup for the AVP of Office of Research.

Q: Can you offer a blanket explanation for the 2 abstentions listed?

A: The reasons for those absentions is that we are unable to find a legal document that draws a straight line from federal law to creation of these policies which have been on the books for many years. But this does allow the senate to create such policies and designations.

Q: Is there a reason for the multiple whereas statements vs. rationale?

A: No specific reason.

C: These three policies are subject to a high-level of federal regulations. Approve O&G jumping on top of this and bringing this in line.

The Senate voted and AS 1800 passed as written (44-1-0).

Senator Sasikumar presented ***AS 1801, Policy Recommendation, Amendment C to University Policy F17-1, Protection of Human Research Subjects (Final Reading).*** **The Senate voted and AS 1801 passed as written (44-1-0).**

Q: Did the group consider at some point that we might want three different people to hold these different roles and that by writing exact titles, in that we limit our ability, administratively to make decisions in the space?

A: We did consider something similar to that and we considered the possibility of allowing for the VPRI to designate another official, but my understanding from speaking with him was that that would not be appropriate, with these policies, that it is actually preferable to have a specific position be designated.

Senator Sasikumar presented ***AS 1799, Policy Recommendation, Amendment A to University Policy F12-5, Responding to Allegations of Research Misconduct (Final Reading).*** **The Senate voted and AS 1799 passed as written (45-1-0).**

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

VIII. State of the University Announcements:

A. Statewide Academic Senators:

At our last ASCSU meeting we had some interesting discussions around equity. We also welcomed Chancellor Castro and bid farewell to Executive Vice Chancellor Blanchard who is leaving to become the President of the University of Houston downtown campus. There was a report from former chair Nelson who is chairing the BOT Faculty Trustee Recommendations Committee. I'm pleased to report that there are seven candidates including our own Romey Sabalius. With respect to resolutions, we had eight resolutions that were approved. Among those were resolutions protecting fair workload for faculty, two resolutions regarding technology (one regarding disparate impact of technology on underserved students and one regarding internet bandwidth expansion for students, faculty, and everybody else), a resolution regarding the condemnation of the events of January 6, 2021, and another resolution that asked for the compassionate treatment of CSU employees during COVID-19. In addition to that, we had one returned resolution that had to do with Emeritus Faculty status revocation and appeal. We contributed to this resolution by providing our own campus resolution and we will be bringing that back again. We had two first readings. One had to do with a moratorium on campus facial recognition software in the CSU. The second was an endorsement and adoption of general education B4/Mathematics and Quantitative Reasoning course guidelines and principles. As usual even on zoom, we try very hard listening to reports from our colleagues such as Senator Van Selst and Senator Rodan who are heavily engaged in work around community college transfer work surrounding AB 1460 for Senator Van Selst and for Senator Rodan who is involved in questions around technology.

B. Provost:

Announcement out shortly, next week is February 15, 2021, we talked about face-to-face classes that were already in the schedule. We are going to let those resume as planned. With dropping COVID rates and the procedures we've implemented, we feel pretty safe. Obviously there are a lot of things going on in planning Fall 2021 with a lot of unknowns. We've created a planning document that has been distributed to leadership and those that make schedules. This gives them guidelines and guideposts for how to build a schedule of classes for the Fall right now. We have to maintain a variety of classes for both our students and our colleagues with maintaining flexibility while meeting density requirements. Other things going on relate to it becoming a high season in the Provost Office for reading files, making decisions, and moving things forward to the President. We are working on those things as well. We have a couple of searches going forward. We have a search for the Vice Provost of Faculty Success as well as a relaunching of the search for the Dean of the Library, because we were not able to land a Dean in the last cycle.

Q: We are in the process of fall planning right now and people are asking about modalities, so up to what point can a modality be changed if we need to?

A: They can be changed all the way up to the first day of classes, and they can be changed as we did in Spring of 2020 in the middle of the semester if need be. We are planning based on what we know today. Things could change in 2 months, 4 months, 6 months. There is absolutely the potential that things will change. We might have to have more online classes, or less online classes. We might have different configurations for using classrooms. This will obviously be driven by health and safety questions. Great question.

C. Associated Students President:

AS President Delgado reported that AS is still waiting for the university to approve their AS Board approved budget for 2021-2022. At the end of Fall 2020, the Cesar Chavez Community Action Center was approved by the AS Board of Directors for a universal design renovation at the campus community garden. We will be the first CSU to implement a universal design project on our campus and our community garden. The hope for the universal design concept is to allow the garden to be accessed, understood, and used to the greatest extent possible by all people regardless of their age, size, ability, or disability and more importantly to bring light to the intersectionality of ableism and environmental justice. The universal design project is moving fast with their anticipated completion date by the end of February or early March. The universal design renovation will include an ADA accessible entrance and an open air welcome space, an ADA Ramp, an ADA porta potty, the front half of the garden will be paved for universal design accessibility, there are raised beds, an ADA compliant sink and kitchen, and so much more. AS is very excited about this project. AS election applications are underway and they are due February 26, 2021. If any of you know any student that would be a great fit, please encourage them to apply.

D. Vice President for Administration and Finance (VPAF): No report.

E. Vice President of Student Affairs (VPSA): No report.

F. Chief Diversity Officer:

We had two Campus Climate Survey Forums for our students, two for our staff, and two for our faculty. I will just give you some highlights. Not only were some of the findings from the survey reinforced by those that attended the forums, but we had a chance to break out into groups and really highlight more in depth some of the findings from the survey. I'd just like to encourage this group to go to the slidedeck online. Some of the highlights from the student forums included recognition from graduate students about how important it was for them to see the results of the Campus Climate Survey from the graduate students. This made them feel seen. They have reported

feeling as if they are an afterthought in just about every department or place they encounter on campus. They feel invisible and that they are not supported at all. This is not through purposeful exclusion, but really through neglect. The other finding that was said in both sessions is the surprise that students have similar patterns of care that they need to provide for either children, elders, or other people in the family. One in five of our undergraduate students have responsibility for the care of children under the age of 10 as well as elders and other people. Some have their own children, but for others it is the primary care of siblings. For graduate students the numbers are slightly higher. We need to recognize that for many of these students they are first generation and these are responsibilities that they have. Lecturer faculty had strong support for the Campus Climate Survey feeling that again their issues were being seen and heard. Lastly, staff are very concerned about high turnover, no clear career progression pathways, redistribution of work when there is turnover of staff that is not recognized and they are doing a lot more work. Most of our staff have been working nonstop since March. They didn't get summer off or vacations and they continue to work long hours, and alternate hours, to support our faculty and students. These are just some highlights from our fora, I think are important for this group to hear.

G. CSU Faculty Trustee:

Two weeks ago, the Board of Trustees met and it was Chancellor Castro's first meeting. He started out very positively. He announced there will be no tuition increases for the next academic year. He announced he will not support any furloughs. He also announced if state and federal budget outlooks remain the same, we will do our best not to have any additional layoffs of permanent CSU faculty. The budget so far is good. This upcoming year will also be okay. We haven't felt the pain yet. This is because of federal stimulus funds we received last year and that we are receiving this year. However, the following two years will probably be difficult. I apologize that I will not be able to attend the next SJSU Senate meeting on March 1, 2021. I sent out my report via the Senate listserv last week, so that is my report. If you have any questions let me know.

IX. Special Committee Reports:

X. New Business: None

XI. Adjournment: The meeting adjourned at 5:05 pm.