

SAN JOSÉ STATE UNIVERSITY ACADEMIC SENATE

2022/2023

Agenda

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

In Person

ENG 285/287

- I. **Call to Order and Roll Call:**
- II. **Land Acknowledgement:**
- III. **Approval of Minutes:**
Senate Minutes of December 5, 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 November 14, 2022*
 - B. Consent Calendar –
Consent Calendar of February 6, 2022
 - C. Executive Committee Action Items –
- VI. **Unfinished Business:**
 - A. Organization and Government Committee (O&G):
AS 1832, Senate Management Resolution, Update to the Standing Rules of the Academic Senate (Final Reading)
 - B. Instruction and Student Affairs Committee (I&SA):
AS 1841, Policy Recommendation, Amendment A to University Policy S22-2, Student Excused Absences (Final Reading)
 - C. Professional Standards Committee (PS):
AS 1840, Amendment A to University Policy F17-3, Selection and Review of Department Chairs and Directors (Final Reading)

AS 1842, Sense of the Senate Resolution, In Opposition to the Exclusion of Faculty Early Retirement Program Faculty From Pandemic Compensation (Final Reading)

- VII. Policy Committee and University Library Board Action Items (In rotation):**
- VIII. Special Committee Reports:**
- IX. New Business:**
- X. State of the University Announcements:**
 - A. SJSU Faculty Trustee (by standing invitation)
 - B. Statewide Academic Senators
 - C. Provost
 - D. Associated Students President
 - E. Vice President for Administration and Finance
 - F. Vice President for Student Affairs
 - G. Chief Diversity Officer
- XI. Adjournment**

**2022-2023 Academic Senate Minutes
December 5, 2022**

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

Ex Officio: Present: Van Selst, Curry, Rodan, Chuang, McKee Absent: None	CHHS Representatives: Present: Sen, Smith, Chang, Baur Absent: None
Administrative Representatives: Present: Perez, Faas, Day, Del Casino Absent: Wong(Lau)	COB Representatives: Present: Tian Absent: Chen
Deans / AVPs: Present: Ehrman, Meth, d’Alarcao, Kaufman Absent: None	COED Representatives: Present: Mathur, Muñoz-Muñoz Absent: None
Students: Present: Saif, Treseler, Rapanot, Herrlin, Sheta Absent: Chadwick	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, Shaffer Absent: Muller
Honorary Representatives: Present: Peter, Lessow-Hurley Absent: Buzanski	COSS Representatives: Present: Sasikumar, Haverfield, Pinnell, Raman, Gomez, Hart Absent: None
General Unit Representatives: Present: Monday, Higgins, Masegian, Flandez, Lee Absent: None	

II. Land Acknowledgement: Interim President Perez presented the Land Acknowledgement.

III. Approval of Academic Senate Minutes–

The Senate Minutes of November 7, 2022 were approved as amended (36-0-1).

IV. Communications and Questions –

A. From the Chair of the Senate:

Chair McKee thanked Interim President Perez for his leadership over the past year.

Chair McKee announced Senator Sabalius’ nomination for Faculty Trustee from SJSU. Last month I sent out a call for nominations for faculty trustee and

only Dr. Sabalius submitted a nomination. According to Senate and CSU policies, I'm reporting this to the Senate as required. Two weeks are required after this notification during which time additional nominations can be submitted before we must report to the CSU on or before January 9, 2023.

We have an open policy committee chair seat for the Curriculum and Research Committee for Spring 2023. Thank you, Senator Haverfield, for serving as chair for Fall 2022. Chair McKee sent out that notification for statements of interest on November 29, 2022. Please submit your statement of interest to Chair McKee or Senate Administrator Joice.

Chair McKee announced that we will return to in-person monthly Senate monthly meetings for Spring 2023.

Questions:

Q: Given what will be presented today on modality, would you reconsider having in-person meetings for Spring 2023 if the Senate passes the resolution?

A: [Chair McKee] The decision to go to in-person meetings was made in consultation with many parties throughout Fall 2022. There are too many back-end issues not visible to Senators regarding scheduling and other issues to implement hybrid Senate meetings in Spring 2023.

Q: Given that for the past two years we have had virtual meetings and there is no other requirement to make changes, why are we defaulting to in-person meetings? I know people are conflicted about hybrid meetings, but we have demonstrated we can do virtual meetings. I'm wondering if you can make public the back-end issues and then people can make up their minds and vote accordingly?

A: Originally, the standing rule requirement for in-person Senate meetings was suspended in March 2020 due to COVID. The world has changed since then. There are just too many issues for Spring 2023.

Q: In the event that AS 1832 passes, my understanding is the decision on modality would no longer be up to the chair but would be up to the body. Is this a correct interpretation?

A: Correct.

Q: Then isn't it premature to make a definitive determination about modality until after the resolution has been voted on?

A: This is a legitimate question. What I think people totally don't understand is the back-end process that is invisible, thanks in part to the Senate Administrator, and to any Senate Chair holding the office. It is the logistics involved in making those things happen. Again, the modality on the approved calendar for this academic year was Zoom *until further notice*. That is what I'm sticking with. I totally understand your question, however.

Q: Why is this being done in the middle of the academic year? We have said we can't impose changes in modality on students mid-year, but now it is being imposed on Senators. What if a Senator somewhere has taken on an assignment and can't make it to the in-person meeting? I do not understand why we can't complete this academic year online as we have been this past semester. What do people do now that cannot attend the in-person Senate meetings?

A: Again, this is a totally legitimate question. The Senate already has provisions in place for people that may need to miss a full Senate meeting. I think we have gotten used to the emergency suspension of the standing rule that requires in-person Senate meetings. It is the normal practice of the Senate to meet in person. This could change today. What we are requesting is that during these five meetings in Spring 2023, Senators make accommodations to attend the meetings. However, I live several hours away from campus so I understand

C: This should be considered when AS 1832 comes up for debate and not during questions for the chair.

C: I'd like to encourage Senators to save these conversations for debate on the resolution, so that we can move on to other items on the agenda.

C: I just wanted to say that many of us, including myself, have not experienced an in-person Senate meeting. I think it would be useful to experience that before we make up our minds in the event the resolution passes and we are then required to vote on modality.

A: I appreciate that. If we could move forward please. I appreciate your responses.

B. From the President:

[Interim President Perez] Thank you Chair McKee. I'm looking forward to the debate later in this meeting on modality. First let me say thank you for your kind words and those I received in the chat. It has been my honor and privilege to work here over the past year. It is a tremendous university made up of great students, faculty, and staff that are people that care a lot. It is no wonder we are able to do great things here.

I want to wish everyone Happy Holidays! We are rolling through them. We are close to the end of the semester. I think tomorrow is the last day of instruction. Commencement is coming up and we will have 4,500 students graduating. If Fall Commencement is anything like Spring was, we are going to have great fun. It is really a special time.

Also I just wanted to address again that we have released our response to the Title IX investigation allegations from 2009 and 2010. You have the report I have. We sent it out the day we got it. It shows we failed in a few ways. We

know those failures have had lasting harm on individuals and for that we are very, very sorry as a university. We appreciate people's courage in bringing those allegations forward. It takes a lot of courage and bravery, but from it we learn. We've learned how to get better. We've been working for years on building a Title IX Office and a campus where individuals that experience harassment, retaliation, sexual abuse, etc. can feel comfortable reporting to and feel like they are being heard. We are well on our way to doing this. I want to thank Peter Lim and all those that have been involved in our improvements over the last several years. I think we are building a system that very well could be the model for the CSU. We've made great strides and I'm proud of where we are right now.

Questions:

Q: I too would like to add my voice thanking you for your service. I was glad to see the report you shared with the campus last week. I have two questions about the report. First, I went from the link to the summary of the larger report. Will we see the full report at some time? The second question is in regard to conclusions on the first page of the report. Two of the conclusions begin with "SJSU failed" and I am very curious to know who at SJSU failed, because I was employed at SJSU during this time. When I read the report, there was only one individual named and he is deceased. There are two units mentioned by name, but they have many individuals in them. My question is have the individuals that failed been identified? Are they still employed by SJSU? Have their cases been handled? Most importantly, what steps have been put in place to ensure this doesn't happen again?

A: [Interim President Perez] This is the only report that I have, we weren't given another one. That is why we felt it was important to share it right away in the name of transparency. I will say that some of your questions are leaning towards personnel actions and I cannot discuss that. We have done a number of things to prevent this from happening again, not the least of which is restructuring the Title IX Office. We have been hiring staff members for that office. We still aren't up to the six staff members we hope to have, but we are working on it. We are facing the same staffing shortages they are seeing across the state and country. We've redone our intake process in the Title IX Office to try to make sure that investigators show a level of care for those coming in after trauma. We are a university and if someone brings something to us we are going to investigate it.

Q: [Senator Sen] I want to read something so I don't misrepresent it. This is an email the student's Sexual Assault Group brought to me to share with you. It was in response to an email that went out from your office. Some of the concerns were also brought up by Senator Sasikumar. "The actions we have taken because of this matter will better strengthen our practices and protocols for the entire Spartan community. We continue to be committed to fostering equity for students in an environment conducive to furthering their academic growth and development. The student leadership team is dedicated to

ensuring that our campus is welcoming, inclusive, and safe now and in the future. It is our opinion that now is the time to push for further action.” The group also says that they have been attempting to meet with the president and the Title IX Office for over a month now and despite previously working very closely with us, they have canceled the meetings we’ve had scheduled. They also advocated for not having the Title IX Office where other administrators are on the 5th floor of Clark Hall. They do not feel it is a safe place for students. They have not seen any improvement or efforts since the Department of Justice (DOJ) visit. They have not seen the release of the campus-wide survey that was to be sent by the Title IX Office, and finally they say the responsible staff are still holding positions in our community. These are some pretty strong words. I’m not sure if you can respond to any of this?
A: [Interim President Perez] Those students have reached out to me and we have reached back out to them and tried to set up meetings on any number of occasions. I’m more than willing to meet whenever it is possible. I don’t know that they are referring to a meeting with me that was canceled. I don’t think so, but if it was it would have been due to an emergency. I’ve been trying to work with those students and I’m happy to do so because it is important to be responsive when students are reaching out and saying they aren’t feeling safe. I would encourage them to send their questions and concerns directly to me. I’d be happy to meet with them as I have done all year.

Q: Thank you, but what about the other issues they have brought up like moving Title IX to Clark Hall and the survey? I understand you can’t speak on personnel issues.

A: [Interim President Perez] I don’t know about the survey. You’d have to ask Director Lim. This is also the first I’ve heard that people don’t think Clark Hall is a good location.

C: OK. I’ll take that back to them.

Q: Thank you for your leadership as we navigated these difficult waters. I also wanted to say I appreciated the fact that you did send out a message to the campus. Although there will always be criticisms about the nature or the length of the communication, I appreciate that there is communication and I hope that SJSU will continue that legacy of communicating openly with the campus. In your email to the campus when I clicked on the link it didn’t really take me to the actions. It took me to some resources and information on how you report. I think it might behoove you to work with the Title IX Office to create a link where you can go to see a list of what actions have been taken. I do want to also emphasize that people have for years been concerned about the proximity of the Title IX Office to the President’s Office. Even tenured faculty were concerned even though they are somewhat protected. They are nervous and reluctant to report incidents, even when encouraged by the Senate Chair, because they are worried that information will get back to the President’s Office. The proximity of the Title IX Office to the President’s Office is critical. I know there was a reorganization and the Title IX Office was

moved into Institutional Affairs and those actions occurred, but there has actually been very little messaging to the campus as a whole. The Senate gets reports from the Title IX Office, but the rest of the campus doesn't. I think people really want to know the answers to questions like what kind of training is being done for staff, etc., so we can tell the parents of the students that they are safe. I know you are probably writing a transition memo and that may be something you want to add to that memo.

A: [Interim President Perez] Thank you. I appreciate that. It is helpful.

Q: With the Title IX outcome does SJSU run the risk of facing repercussions from the NCAA or other Athletic Organizations?

A: [Interim President Perez] Athletically speaking, we are a part of the Mountain West Conference and we participate as part of the NCAA. What happened in the past was terrible, but these findings don't impact our ability to compete within the rules and regulations of those two bodies to my knowledge.

Q: As you write the letter to the incoming president, I think you have been exemplary in terms of involvement with the Senate. I would encourage you to share your experiences with shared governance with the incoming president.

A: Thank you very much.

Q: Thank you for your engagement, not only with the Senate, but also with students. I would just like to encourage you to talk to the incoming president know about transparency, especially with students and processes like Title IX. These are really important to students. Let us continue with shared governance with students as well.

A: Let me just say that it has been a pleasure not only to work with the Senate, but also with the Associated Students President and Board of Directors. They are really engaged and hard workers.

C: Chair McKee expressed how grateful she was to Interim President and Senator Perez.

V. Executive Committee Report:

A. Minutes of the Executive Committee:

Executive Committee Minutes of October 31, 2022

Questions:

Q: It was noted in the minutes that International students are sometimes prevented from joining committees. Can that be explained more to the Senate? This is new news to me.

A: [AS President Chuang] A situation occurred where a student applied for a Senate committee and was appointed but was told by their department chair that there were policies restricting him/her from serving on a Senate committee. I just want to thank the AVC for her work on collaboration in

clearing up some misunderstanding about department policies as well as really clearing up these issues with International students. I had a conversation with the International House and spoke with them about what it means to be an engaged Spartan on our campus. International students already face barriers to being a student on this campus. It is important for us as a Senate to support them. When there is miscommunication here, the first impact is on the student.

Q: Just to be clear, there is no University policy prohibiting International students from serving on a committee. Correct?

A: [AS President Chuang] Yes.

A: [Chair McKee] Senator Chuang has been doing a very good job researching the policies. She and I are in contact about this, and a shout-out to AVC Kataoka.

B. Consent Calendar:

AVC Katoaka presented the Consent Calendar of December 5, 2022. There was no dissent to the consent calendar. Chair McKee acknowledged and thanked Senator Raman for her hard work beating the bushes to get members for the Board of Academic Freedom and Professional Responsibility (BAFPR).

Questions:

Q: I'm on the Committee on Committees (CC) and as I was reading the Executive Committee minutes there was a statement that it is difficult to fill these seats, so I'm wondering why there are so many limitations as to who can join the Senate? Who should I talk to about this since I am new, or should it just be discussed in the CC?

A: Chair McKee responded that the Senate is considering all of its membership and requirements, particularly for the BAFPR. Yes, some of these things are very restrictive.

A: AVC Kataoka responded that regarding the International students, we have clarified that there is no university policy restricting International students. As far as the requirements of the committee regarding membership, I think it is best if we discuss this in CC.

C. Executive Committee Action Items: None

VI. New Business:

Senator Frazier presented a motion to suspend the standing rules to allow "New Business" to be moved up to the next item in the agenda. The motion was seconded by Senator Mathur. The Senate voted and the Frazier motion passed (44-0-0).

Election of the Chair of C&R for Spring 2023:

There was only one candidate for Chair of C&R for Spring 2023, Senator Hiu-Yung Wong. Chair McKee called for nominations from the floor. There were no

nominations from the floor. Senator Hiu-Yung Wong presented his statement of interest. The Senate voted and Senator Hiu-Yung Wong was elected Chair of the C&R Committee for Spring 2023 (41-0-3).

VII. Unfinished Business: None

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

A. Professional Standards Committee (PS):

Senator French presented ***AS 1839, Amendment D to University Policy F12-6, Evaluation in Effectiveness in Teaching for all Faculty (Final Reading)***. **The Senate voted and AS 1839 passed as written (41-0-3).**

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

Senator Haverfield presented ***AS 1836, Amendment A to University Policy S16-17, Academic Certificate Programs: Review and Approval Process (Final Reading)***. Senator Mathur presented an amendment that was friendly to the body to add “letter” before “graded” on lines 111 and 146. **The Senate voted and AS 1836 passed as amended (42-0-2).**

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

Senator Hart presented ***AS 1832, Senate Management Resolution, Update to the Standing Rules of the Academic Senate (Final Reading)***.

Questions:

Q: I'd like to know if you and the O&G Committee consulted with the Senate Administrator and others that work behind the scenes on the feasibility of these meetings and what was the outcome?

A: Yes, O&G invited the Senate Administrator, the Senate Chair, Senate Vice Chair, and the AVC to come to a meeting and answer questions from O&G. In a subsequent O&G meeting O&G analyzed that data using a qualitative approach and thought best how to integrate that feedback into the Senate Management Resolution (SM) and how to address it in the remarks I made today. We feel we can still run a hybrid meeting just using Engr. 285/287. The key thing this resolution does is give our Senators a voice.

Q: I am wearing two hats today. As incoming Senate Chair, I do have a question regarding feasibility. While Senator Hart has presented some evidence about the feasibility of the meetings, I believe there is still a difference of opinion about the feasibility, some of which was expressed on the Senate listserv before this meeting. I believe the only way to determine the feasibility is by actually having a hybrid meeting. My question is since we do not know at this time whether SJSU has the ability to offer a space large enough and equipped for a hybrid meeting, and I will

advocate for the Senate to be provided such a room, nevertheless, as the first Senate Chair that will confront this issue, I would not want to be in violation of the bylaws. Let me present a scenario: if the Senators in May vote on a modality and then in September I am not able to offer that modality, that places me in a position of potentially violating the bylaws. I'm asking for advice from the body as to how do I act in that situation? I do have an amendment when we get to debate. Would the committee be open to my proposing an amendment that might be a potential solution to this dilemma?

A: That is one of strengths of ranked choice voting. If the first option does not succeed then go to the 2nd option and then the 3rd. I think that the body could expect every effort would be made to honor the vote. However, if for a legitimate reason that vote couldn't be honored, then that would be acceptable.

Q: My question has to do with the workload impact that has been spoken about back and forth on the listserv and how this would be addressed. Is it not possible for other positions within the Senate to support a hybrid modality? I don't think we are saying the existing positions should have to work triply as hard. As someone who has hosted hybrid events that is just not feasible. However, I think there is a way to address the workload issue through other means that we have.

A: I agree with you. I think we already have precedent for sharing workload in committee meetings. As you know, I am chair of O&G, but other committee members do the minutes. On I&SA, as I understand is a very large committee, those members divide up that work in an even more robust way. I think the question you pose about dividing the workload in meetings is something we already do and I think that we need to continue if we had hybrid meetings. It would be unreasonable to expect one, two, or even three people to run a hybrid meeting. We would need to develop a process.

Q: If this fails, who decides modality in future meetings?

A: If this fails, we stick with the standing rules as written which say Senate and Executive Committee meetings will be in person. For policy committee meetings, the standing rules say that there may be exceptions. It places the responsibility for the arranging the exception on the person requesting the exception.

Q: I have two questions for you. The first is when were we told we can't use the Student Union? I know that non-student organizations have used the Student Union for hybrid meetings. The second question is will this measure change the situation if, heaven forbid, we have another viral emergency and need to go online and take emergency measures?

A: To answer the first questions, the Senate was never told we could not use the Student Union. We were reminded in the Executive Committee

that the Student Union is first and foremost for students and student-run activity. We were told the Student Union is not there for the Senate to use routinely for hybrid meetings. It is to be used primarily for the students. As far as preventing us from going completely online if another viral situation occurs, this resolution does not prevent us from doing so. In the event of another viral wave there are other precedents that would take priority such as if we were told to shelter-in-place again. We would defer always to the higher authorities.

Q: Thank you and O&G for your work. I have two questions. You said the Senate Administrator and others that work behind the scenes gave you feedback. Would it be possible for us to hear that feedback and how it was incorporated into the resolution? My second question is that I believe students and staff are required to attend in person in general, so if that is the case then faculty would have a choice of attending in person, but they would not. Has the committee considered this?

A: When O&G was visited by the Senate Chair, Vice Chair, AVC, and Senate Administrator some of the key concerns are as follows. First, locating a room for the meeting if the voting on modality takes place in May. That is late in the game for booking a room. There is no guarantee we can book an adequate room that late for fall. Another issue was the budget. The Senate has a very limited budget and it would be inadequate to purchase any special equipment, and/or to hire additional support personnel. It was after that visit that O&G collected the data included with the resolution on small hybrid meetings on pages 5-15. We can run a hybrid meeting in Engr. 285/287. The key thing this does for all Senators is give all Senators a choice and voice.

Q: I want to emphasize one thing quickly. I do have a question for you. With regard to the finances involved, in your meetings with people that control the purse strings, what solid financial and personnel commitments were you able to secure in terms of equipment and personnel for hybrid meetings that would ensure high quality hybrid meetings possibly in perpetuity?

A: [Chair Hart] No financial and personnel commitments have come to me in the Executive Committee to date. However, our Interim President, President Perez has been vocally very supportive, but the general strategy I've heard unofficially and officially in leadership has been if we give you all this technology both in terms of technology and funding, maybe you will use it and maybe you won't, so rather than our doing this, demonstrate to us that you need this, show us you are going to use it, and make a case for it. If you do this, then we will be willing to support you. I think it is a question of us making a decision and communicating that to our leadership with justification. If we vote on this and it passes to go to hybrid meetings, I personally feel confident that it will be supported. Then again, in all fairness, no one has put that in writing and agreed to the

support. I do think we need to take that approach rather than wait until the funding is given.

C: Thank you. I did mean to ask one additional question. I believe the Student Union costs money to rent. Is that not correct?

A: That is correct.

Q: Do you know when and why the current standing rules were written, and if so why they tried to force people to participate in person?

A: Thank you for this question. I'll have to defer to our more senior Senators to tell us how why the Senate Standing rules were written that way. I can only speculate that this was simply our way of doing things, or our tradition prior to the pandemic. Do other Senators have more historic knowledge of the origins?

A: Senator Peter said he would address this during debate.

Q: Thank you for this resolution and the rigorous debate that I have not seen since before the pandemic. My question has to do with the questions I asked about the first reading in October 2022. Part of this was answered in terms of what you learned from the Senate Administrator, Senate Chair, Vice Chair, and AVC. Can you clarify how what you learned from the conversation with the Senate Administrator, Senate Chair, Vice Chair, and AVC were incorporated into this final reading resolution beyond noting that there may be an impact on the workload? You pointed out the necessity for shared collaboration and decision making and now you have the opportunity to do so.

A: Part of the concern was the vote and the late booking of rooms. There is really no guarantee that we can book an adequate room for Senate meetings or other meetings. Another question was in regard to the budget. The Senate budget is \$24,000 and this is including a student salary and catering for meetings. The feedback was that this would not cover buying new technology, which would not allow us to buy equipment to run the meetings in hybrid format and allow for hiring additional support personnel. It was after this visit that O&G collected the data on small hybrid meetings that is included in this SM Resolution. What we learned is that a hybrid meeting can be run even if we can't afford to buy cameras or book a sufficient room in the Student Union or elsewhere. We can still run a hybrid meeting given only a portion of Senators show up in person. These were very valid concerns from the Senate Administrator. [Note from the Senate Administrator: Typically, there are 60 to 70 people in a Senate meeting. None of the rooms on the lists attached to the resolution can accommodate this number of Senators and visitors that is available for the Senate's use on a routine basis except Engr. 285/287, and as noted in the listserv discussion those that have had hybrid meetings have commented on the difficulty running them for large crowds.]

Q: I wonder if the committee would consider leaving the modality up to the policy committees for their meetings, but maintaining the current

modality for the Senate and Executive Committee meetings? Is this something O&G would consider?

A: O&G would prefer that you consider the resolution as it is written.

Q: Thank you for your presentation and at one point you describe everyone coming to the podium to speak and it all being recorded and everything is wonderful. I don't know I might be the last AVC that did that job for in-person Senate meetings. Have you considered that the AVC is the person that shares all the documents on the screen and makes all the amendments while the meeting is going on? Can you address how that laptop is also simultaneously on the podium for everyone's use?

A: Yes, the short answer is they are not the same laptop. The laptop I addressed in my remarks was the laptop reserved for speakers. As you all know from Zoom meetings, you can't have a bunch of microphones turned on. We would have only one laptop turned on. The AVC would have to be on another laptop as well as the Vice Chair and the Senate Administrator. Everyone would have to be on mute except for the laptop at the podium used by the Senate Chair and all speakers.

C: Thank you for clarifying that for me.

Q: [Senator Sullivan-Green from College of Engineering] Senator Hart, have you consulted with Dean Sheryl Ehrman from Engineering about the capabilities of Engr 285/287? I know that you indicated that Engr. 285/287 has been used for hybrid meetings, but if you talk to the people that have used that room for hybrid meetings, you will find there are some challenges with using it, so even if the equipment is there it might not function the way that we optimistically hope it will.

A: We have not consulted with the leadership in the College of Engineering, but I did have the opportunity to speak at length and discuss this the Center for Faculty Development (CFD) and Dr. Deanna Fassett who has experience running small hybrid meetings in Engr 285/287. Dr. Fassett did mention that the projector at one time just stopped working. Ironically, it was the fact that they were connected via Zoom that allowed their hybrid meeting to continue, because the presenter and all the people in the room on Zoom were able to continue the meeting and see the presentation. I absolutely acknowledge that maybe there are issues with technology in this room. However, the experience with CFD goes to show that even despite that with just WIFI and laptops, you can still run a good hybrid meeting.

C: I highly encourage you to consult with the people that use those rooms constantly.

C: [Chair McKee] We have been in question mode for quite some time and it is now 4:50 pm. and we need to move forward. Therefore, we are going to move into debate.

Debate:

Senator Rodan presented a motion to table this resolution until our next meeting in February 2023. There is a lot of debate to cover and I don't think we can do it justice in the 10 minutes we have left.

Senator Peter commented that the motion should be to postpone to a time certain.

Senator Rodan amended his motion to postpone to a time certain of the first Spring 2023 Senate meeting. Chair McKee asked Senator Peter to explain why it should not be "tabled." Senator Peter explained that when you table a motion, it stays tabled until you vote on the resolution. When you postpone it to a time certain you then guarantee that it will be considered at that specific time.

Chair McKee commented that a motion for postponing is a way of not killing the motion but continuing on with it. Senator Rodan commented that he did want to postpone the resolution until the first Spring meeting in February 2023. Senator Peter explained that it would come back as "Unfinished Business" and would precede any other Senate business. Senator Sasikumar asked if the list of speakers for debate should be carried forward to the Spring 2023 meeting, or should a new list be started at that meeting. Senator Peter commented that there was no rule on this but suggested that it seemed appropriate to continue with the current list. Senator Hart asked a question from the chat as to whether if we postpone to the Spring 2023, how do we proceed at that meeting. Chair McKee said we would be in person in Spring 2023 and it would come as "Unfinished Business." Senator Curry asked if this would mean that the modality for Spring 2023 of returning to in-person meetings would hold even if the resolution were approved at the February 2023 Senate meeting until Fall 2023? Chair McKee said yes, Spring 2023 would be in person. Chair McKee commented that she travels 1 ½ hours to campus and that she is prepared to do this for the five meetings in Spring and whenever needed. Senator Mathur called the question on debate. Chair McKee asked for unanimous consent to call the question. There was no dissent. The question was called. **The Senate voted on the Rodan motion and the motion to postpone until the first Spring 2023 meeting in February 2023 passed (41-2-1).**

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

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

IX. New Business: None

X. State of the University Announcements:

- A. Statewide Academic Senators:** No report.
 - B. Provost:** No report.
 - C. Associated Students President (AS):** No report.
 - D. Vice President of Administration and Finance (VPAF):** No report.
 - E. Vice President of Student Affairs (VPSA):** No report.
 - F. Chief Diversity Officer:** No report.
 - G. CSU Faculty Trustee:** No report.
- XI. Adjournment:** The meeting adjourned at 5:01 p.m.

Executive Committee Minutes
November 14, 2022
Noon - 1:30 p.m. via Zoom

Present: Alison McKee (Chair), Priya Raman, Karthika Sasikumar, Reiko Kataoka, Laura Sullivan-Green, Steve Perez, Marie Haverfield, Julia Curry, Nina Chuang, Patrick Day, Rachael French, Tabitha Hart, Kathy Wong(Lau)

Absent: Vincent Del Casino, Charlie Faas

Recorder: Eva Joice, Senate Administrator

1. The committee approved the consent agenda (Executive Committee Agenda of November 14, 2022, Consent Calendar of November 14, 2022, Executive Committee Minutes of October 3, 2022 (12-0-0).
2. Update from the Chair:
Chair McKee thanked the president for hosting the Senate at his home for the holiday party.
3. Update from the Interim President:
The president recently attended the American Association of State Colleges and Universities Conference (AASCU). They were very interested in the Ahlquist Building and it was a great kickoff meeting. [There were no questions for the president.]
4. Board of Academic Freedom and Professional Responsibility (BAFPR):
It looks like we have at least three confirmed professors to be added to the BAFPR which gives them quorum and they can proceed with business
5. Consideration of Special Committees:
The Senate Office has received two referrals: one referral from the staff council to add staff to the Senate and one from Senator Mathur on Senate expansion in general asking for a special committee to be established to research both referrals in addition to the Organization and Government (O&G) Committee. Discussion of the formation of special committees ensued.
6. Senate Modality:
The Organization and Government Committee (O&G) is bringing a resolution on Senate Modality to the December 5, 2022 Senate meeting for a final reading. Instead of the current modality being predetermined for each of the four types of meetings (e.g. Senate, Executive Committee, Policy Committees), the modality would be voted on and determined by the committee members.

Q: What type of support could the Senate expect from the President's Office if the Senate voted for the resolution? For instance, could we expect any financial support for equipment, or a room equipped for hybrid meetings with tech support? Could we use rooms in the Student Union without being charged for them?

A: [Interim President Perez] We would need to see exactly what the Senate would be asking for and would need to see the costs associated with this.

Q: Does O&G have a list of what would be needed to make the hybrid option work?

A: No, but we have recommendations.

C: The Academic Senate CSU (ASCSU) has had in-person and online meetings. Policy committees have met online. If O&G is trying to present a way to address the future before an emergency occurs such as COVID-19, then it is very important to get the budget, extra personnel, and space all established first. We don't want to be in another emergency transfer situation as with COVID.

C: [VP Day] We need to make sure that the passage of this resolution doesn't depend on taking over rooms in the Student Union. The Student Union rooms are primarily for student use.

C: There would be a significant impact on the Senate Office that has one staff member. The resolution would have to contain language that the university would provide a room and tech support as well as additional personnel if needed for the meetings.

Q: If passed, would this resolution go into effect in Fall 2023?

A: Yes.

C: [Interim President Perez] We can't write a blank check. We would need to know exactly what would be needed. The Senate cannot book Student Union rooms for the whole semester.

7. Policy Committee Updates:

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

AS 1834 and AS 1835 will be coming to the Senate meeting on December 5, 2022 for final readings. I&SA received a referral, ISA-F21-1, on calculating GPAs. I&SA is also working on a referral to look at the student absence language in S12-7 regarding the consent for recording.

b. Professional Standards Committee (PS):

PS received feedback on AS 1839 and AS 1840 and will be discussing it. PS has also received an informal referral from Bethany Shifflett (Emeritus Faculty) regarding FERP faculty and pandemic compensation. PS also has a referral regarding the Board of Academic Freedom and Professional Responsibility (BAFPR), and is also working on a referral regarding the Retention-Tenure-Promotion (RTP) guidelines.

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

In addition to the resolution on Senate Modality, O&G is working on a referral to update the Faculty Athletic Representative (FAR) policy. A Sense of the Senate Resolution passed by the Senate in Fall 2020 condemns anti-black racism. O&G is looking at this along with the referral on expansion of the Senate to ensure that diversity and equity are taken into account. O&G is also considering a steering committee to organize a Senate Speakers Committee.

- d. Curriculum and Research Committee (C&R):
C&R will be discussing feedback on University policy F19-3 about eliminating the WST. This may not be ready for the December 2022 Senate meeting. Regarding university policy S16-17, Academic Certificate Program, there are two curricular items to review today. Lastly, C&R will review a BA proposal in Information Science related to SAVi.

8. University Updates:

- a. Vice President for Student Affairs (VPSA):
We are in the finalist stages of hiring an AVP of Enrollment Services and a Native Indigenous Program Director.

We are seeing big declines in our junior and senior classes.

We are doing some restructuring of Orientation over the summer.

We are receiving funds from Graduation Initiative 2025, from Foster Care, from Basic Needs, from SB 24 regarding abortion and AB 367 regarding menstruation. There is lots of energy around these programs. We will talk about these more at another time. Bonnie Sugiyama and Traci Ferdolage are working on AB 367. SB 24 will be implemented in January led by the Executive Director of the Student Wellness Center.

We are saddened by the murders of 7 students: 4 from the University of Virginia and 3 from the University of Idaho.

Questions:

C: [Interim President Perez] I personally have friends at the University of Idaho and this is devastating.

Q: Any updates on the firearms policy from last spring? It was sent to the Chief of UPD for review.

A: [VP Day] This is a question for VP Faas, but I'll follow-up and have him bring an update.

Q: Many students and colleagues have increased mental health issues around Thanksgiving. Will the university be sending any messages to students about services during the break? For some students, not having classes next week and the holidays make it more difficult.

A: I'm not sure we have a planned message but will be happy to send something out.

C: Thank you for agreeing to send a message to students.

C: The Guardian Scholars have programming over the long weekends for those with no family.

A: First, we don't close the residences. Also, the leader of the Guardian Scholars is really exceptional. We have friends from Foster Care that work together to help us plan where to use the funds we are getting.

Q: There are any Iranian students that are done with their studies and have to face returning home with no VISA. It is of great concern.

A: We will take a look at this for this group of students.

b. Chief Diversity Officer (CDO):

The Office of Diversity, Equity, and Inclusion (ODEI) InterGroup Dialogue (IGD) Facilitator Institute is about half way through training most faculty and staff. The CCDEI is working on tool kits with key performance indicators. The CDO is serving on the WASC Review Committee and they are working on the Campus Climate Survey. There have been many issues. There was a bicyclist battered and one of the attackers used racial language. We reached out to the Director of the Black Faculty and Staff Association and to the victim confidentially. We have provided as much support as possible. We have organized support groups. If anyone receives information about these incidents, reach out and we will let you know the processes.

c. CSU Statewide Senator:

The Board of Trustees will be meeting today and tomorrow.

The response to AB 928 is on the web.

Dominguez Hills will send out a notice on women's leadership opportunities.

9. The meeting adjourned at 1:35 p.m.

The minutes were edited by Chair McKee on January 25, 2023.

The minutes were approved by the Executive Committee on January 30, 2023.

SJSU 2022-2023	ACADEMIC SENATE								
2-6 2023	CONSENT CALENDAR								

2022-2023	SENATE SEATS								
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ADD TO VACANT SEATS									
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COMMITTEE TYPE	COMMITTEE NAME	SEAT	SEAT TITLE	NAME	ZIP	PHONE	TERM ENDS	CONSENT CALENDAR	FACULTY AT-LARGE
POLICY	Professional Standards	D	Education --> FAL	Sarika Pruthi	6540	0164	2023	1/30	FAL
OPERATING	Institutional Review Board	G	Engineering --> FAL	Julian Vogel	0065	45542	2025 --> 2023	1/30	FAL
OTHER	Transit/Traffic & Parking	H	Faculty	Fangjun Xiao	0066	43473	9/30/2024	1/30	
OTHER	University Library Board	L	Science --> FAL	Elizabeth Mullen	0070	47883	2025 --> 2023	2/6	FAL

REMOVE FROM SEATS									
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COMMITTEE TYPE	COMMITTEE NAME	SEAT	SEAT TITLE	NAME	ZIP	PHONE	TERM ENDS	CONSENT CAL	FACULTY AT-LARGE
POLICY	Organization & Government	B	Business	Yao Tian	0066	43482	2023	1/30	
OPERATING	Program Planning	2	Student-Undergraduate Student	Shreya Shah	0128	46242	2023	2/6	

SENATE MANAGEMENT RESOLUTION

Update to the Standing Rules of the Academic Senate

Rationale

In Spring 2020 the Academic Senate temporarily suspended Item 17 section g of the Standing Rules due to the global COVID-19 pandemic. This part of the Standing Rules predetermines modality for all Senate meetings; mandates in-person meetings; prohibits remote meetings for any full Senate or Executive Committee meetings; and limits remote meeting attendance of policy committees and all other Senate committees to only “rare” circumstances, while simultaneously placing the burden of any accommodation on the individual requesting it.

As they are currently written, the Senate’s Standing Rules provide little flexibility on the modality of its meetings. Further, by withholding any decision-making about meeting modality from the Senators who actually participate in them, the Standing Rules run counter to shared governance, where decision-making ought to be collaborative, consultative, and distributed¹.

Meeting modality impacts access and participation in complex ways, and each type will necessarily pose affordances as well as constraints. Rather than predetermining the modality of all its meetings into the indefinite future, the Senate would benefit from a more flexible, adaptable, and inclusive approach, one which gives Senators a voice and vote in deciding what meeting modality will best serve them in the unique circumstances of their times.

Now, as we enter more fully into post-pandemic operations, we have an opportune moment to adapt the Senate’s approach to meeting modality in a way that will better empower its current and future members. In this spirit, we therefore recommend that Item 17 Section g of the Standing Rules be updated and that the updates contained herein be adopted once passed by the Senate.

¹ See [SS-S15-6](#), a sense of the Senate resolution titled “Endorsing the Statement on Shared Governance at San José State University.”

Senate Management Resolution

Recommended Updates to Senate Standing Rules

Item 17 **Committee** Meetings and Minutes, Section g **Remote** Attendance

1) **Full Academic Senate:**

The modality of the full Academic Senate meetings (i.e., meetings convening the entire membership of the Academic Senate) shall be decided by the Senate's current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted sometime shortly after the first meeting of the new Academic Senate year in May, using an electronic survey instrument. The outcome of members' votes shall be determined as per the guidelines for ranked choice vote tabulation².

Additionally, the Senate should enable all interested members of the SJSU community to follow the proceedings of full Academic Senate meetings in real time. This access can be provided through a sufficient number of physical seats in the meeting room and also by telephone or internet enabled audio or video conferencing or other technological means, with the understanding that observer attendance may require pre-registration and/or some other form of RSVP.

2) **Executive Committee of the Senate:**

The modality of the Executive Committee of the Senate shall be decided by that committee's current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted using an electronic survey instrument sometime after the first meeting of the new Academic Senate year in May, and shall be timed to adequately capture the votes of the new cohort. The outcome of cohort members' votes shall be determined as per the guidelines for ranked choice vote tabulation.

² See the RCV Tabulator provided by the Ranked Choice Voting Resource Center at <https://www.rcvresources.org/rctab>

3) **Senate Policy Committees:**

The modality of each Senate Policy Committee shall be decided by each committee's current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted using an electronic survey instrument sometime after the first meeting of the new Academic Senate year in May, and shall be timed to adequately capture the votes of the new cohort. The outcome of cohort members' votes shall be determined as per the guidelines for ranked choice vote tabulation.

4) **Other Senate Committees:**

The modality of other Senate Committees shall be decided by each committee's current members through ranked choice voting on these three modalities: in person; online; and hybrid, defined here as a simultaneous combination of modalities, whereby some members attend in person while some members attend synchronously online. The ranked choice vote shall be conducted using an electronic survey instrument sometime after the first meeting of the new Academic Senate year in May, and shall be timed to adequately capture the votes of the new cohort. The outcome of cohort members' votes shall be determined as per the guidelines for ranked choice vote tabulation.

Approved: November 28, 2022

Vote: 10-0-0

Present: Andreopoulos, Baur, Han, Hart, Herrlin, Higgins, Jochim, Muñoz-Muñoz, Tan, Tian

Absent: Lee

Financial impact:

Regardless of modality, the Senate will continue to require equipment (laptops, projectors, displays, microphones, cameras, etc.), and technologies (reliable Internet access; software/platforms for synchronous document creation, such as Google Docs; software/platforms for presentations, such as Google Slides or PowerPoint) to successfully run its meetings.

Ideally, the University will also invest in a hybrid meeting space for full Senate meetings. As the campus considers the new Campus Master Plan, it should consider the technological needs to support hybrid modalities for instruction and meetings.

Workload impact:

Regardless of modality, the work of organizing, running, and actively participating in Senate meetings is considerable. For all of this important work, the Senate as a whole as well as individual Senators have always needed and will continue to need ongoing training, resources, and support to run their meetings.

If this SMR is adopted, there may be an impact on the workload of running Senate meetings. As experienced during the pandemic, when SJSU's Academic Senate switched to online-only meetings via Zoom, transitional periods can increase workload as members familiarize themselves with and develop their competencies in new processes, tools, and protocols. This happens to some extent regardless of meeting modality, as members take on different roles and responsibilities in the Senate, and it also happens when newer and/or additional tools or technologies are introduced and integrated into meetings.

Depending on the size and complexity of the meeting, we anticipate that the Senate will benefit from having multiple people involved in running its meetings, especially when it comes to scheduling; tracking attendance; facilitating discussion, debate, and deliberation; managing the speaker's list; voting; troubleshooting; and note-taking. While this is the case regardless of modality, it is especially true when it comes to transitioning from one modality to another, and to meetings into which newer and/or additional tools or technologies are introduced and integrated.

Technological resources (e.g., voting software, attendance, transcription of recordings) should also be considered as a means of alleviating workload impact on Senate personnel.

In short, while the labor required to successfully run the Senate's meetings may ebb and flow depending on members' experiences, circumstances, and conditions, it will never be eliminated.

Finally, the electronic survey instrument will need to be developed and updated as appropriate. It will need to be run once per academic year; the resulting ranked choice votes will need to be tabulated.

Examples of successful hybrid meetings at SJSU

Summary (in table format)

Unit	Locations	Meeting activities	Attendance	Equipment	Support	Rationale
Center for Faculty Development (CFD) & eCampus	IRC 202, Student Union, WSQ 205, BBC 32, ENG 285/287, SSC 500, MLK 225 (YUH 124)	Presentations; small & large group discussions; Q&A; cloud document creation; reflection activities	30-65 in the room 20-30 via Zoom	laptops, OWL, microphones, connectors, wifi, cloud-based slides and docs (Google Drive), smart phones, earbuds or headsets	multiple members run the meetings, with additional support by tech teams depending on the room	<p>Inclusivity for faculty who are 100% remote and for faculty (such as lecturers) who have heavy teaching loads and less flexibility with time.</p> <p>Increase opportunities for professional development.</p> <p>Support faculty who are doing caregiving (e.g., elder or childcare).</p> <p>Facilitate recording and transcription of events, captioning and accessibility</p> <p>Can be an effective modality for some learners' needs, speaker's strengths, planned activities, and contextual factors.</p>
Institutional Research and Strategic Analytics	Provost's Conference Room (Clark Hall 412)	Presentations; discussion; Q&A; deliberation; decision making; document drafting; voting	10 to 40 in the room 5 to 30 via Zoom	laptop, projector, 1 pull-down screen, OWL camera	one trained staff person	<p>Facilitates access for those who are off campus.</p> <p>Accommodate people who want to meet in person and those can only join via Zoom.</p> <p>Increase attendance for meetings that traditionally have fewer participants.</p>

Unit	Locations	Meeting activities	Attendance	Equipment	Support	Rationale
						Considering varying teaching and on/off campus schedules, a hybrid modality creates more equitable opportunities for participation and ensures all voices can be heard.
COMM Dept	MLK 225	Presentations, speeches, sharing of still images and recorded music	17 in the room 17 on Zoom	laptop, projector, 1 pull-down screen, podium, microphone	Two student assistants assigned by library; two departmental members facilitating in the room, plus one facilitating on Zoom	Accommodate participants who, given ongoing pandemic concerns, would be reluctant or unable to attend in person.
COMM Graduate Committee	HGH, Marie Carr conference room	Presentations; discussion; Q&A; deliberation; decision making; document drafting; voting	up to 10 in the room no limit via Zoom	laptops, wifi	none	Everyone is already familiar with Zoom. Accessible Enables visibility without having to use additional equipment Provides captions regardless of who is speaking (in-person vs. online).
Student Union AV & Event Services Department	Student Union	presentations Q&A, discussion	50-100 in the room 5-20 via Zoom	OWL or Logitech conference camera with mic; laptop; Google Drive; switcher; projector with speakers; adaptors; cables	Audio, lighting, & video techs; camera & zoom tech, setup and tear down crew.	It allows those who are still hesitant in being around a lot of people the option to attend events at the comfort of their devices. It gives attendees who are not comfortable with being back in-person yet an opportunity to still be part of the event.

Examples of successful hybrid meetings at SJSU (full answers)

Center for Faculty Development and eCampus

Submitted by

Dr. Deanna Fassett, Assistant Vice Provost for Faculty Development

Location

Various. IRC 202 is not yet fully renovated, and can only accommodate approximately 36 in the room.

For larger meetings such as Jump Start Common Convenings, we've tried a number of spaces on campus, including Student Union, WSQ 205, BBC 32, ENG 285/287, SSC 500, and MLK 225.

Facilitated by

MLK is the best at co-synchronous meetings that we've found. Their IT support sets up two cameras (one aimed at the speaker and the other aimed at the audience) and answers questions about the in-room features. For a meeting like that, I facilitate the interaction in the room, and it's wise to have someone keeping an eye on the Zoom.

BBC 32 is similarly "turnkey."

ENG 285/287 has had a lot of tech issues, including most recently a faulty projection system. I'm not sure where they are on resolving those issues. When things are working there, they work well enough.

For rooms like ENG 285/287, SSC 500, and the Student Union, we bring our homegrown remote kit, which includes a laptop, OWL camera, slide advancer, microphone, and collection of various connectors. Two staff members arrive in advance of the meeting--one typically handles catering and room arrangement and the other sets up the OWL, tests the tech, opens the Zoom and projects the slides.

For meetings where I have guest speakers, I'm the one keeping an eye on the Zoom. When I'm the presenter, I ask someone to keep an eye on the Zoom (this could be any number of people--e.g., faculty member who assumes responsibility, another colleague who has an interest in the Jump Start topic of the day, a staff member, or a student who has very clear instructions.)

Type of communication in the meetings

Presentations by speakers both in person and via zoom; small and large group discussions; Q&A; cloud document creation/annotation (e.g., Jamboard, Docs, Slides, Poll Everywhere), individual reflection activities.

Attendance

This varies depending on Jump Start vs, say, LEAD (chairs & directors), but it's usually about half in the room and half in the Zoom.

For our most recent Jump Start convening, we were about 30 in the room and 20 in Zoom.

For the hybrid course prep marathon we ran in WSQ 205 in August, we had 65 or so in the room and another 15-30 in the Zoom. That room is tiered, which is kind of tough for small group conversations, but for a lecture-style seating arrangement, it's set up well and includes a broad array of "turnkey" hyflex features, including lecture capture and additional monitors.

Duration

Varies. Fall Jump Start convenings are 75 minutes; LEAD meetings are 2 hours; the course prep marathon runs from 9 am to 2 pm.

Equipment/technology

I've alluded to some of this above, but we try really hard to get rooms that are already pretty shiny (MLK 225, WSQ 205, BBC 32).

When we can't get those rooms, then we use an OWL camera to supplement the presenter's laptop.

Rather than worrying about connectivity issues, we log in to Zoom and Google slides or Powerpoint ahead of the meeting on a CFD laptop (similar to how COMM used to support hyflex faculty meetings). Participants/Presenters in Zoom are able to share slides that way, and we can hear them via the room's speaker system (or, in a pinch, the OWL, but that's only if things have gone sideways).

Presenters in the room use the CFD presenter laptop, and we also supplement with a microphone for better audio quality. Participants in the room may also choose to log in via Zoom, which is what we did when the projector died in ENG 285/287 a few weeks back. This allowed the "roomies" to see the slides we were sharing in Zoom.

A good camera pointed at the speaker (e.g., similar in quality to what's on an iPad Pro), a microphone and a laptop are essential.

Someone needs to be able to pass through the SSO for wifi, cloud docs/slides, and Zoom access.

A camera pointed at the audience is nice.

I'm less and less impressed with the OWL for large convenings, and I'm instead more interested in two cameras aimed appropriately.

If you're changing rooms a lot as we've done, it's wise to have a slide advancer and a pile of connectors (e.g., USB-C, HDMI).

If someone felt stressed out about looking at all the Zoom boxes (chat, video, participants, whatever), they make nice, lightweight portable monitors that sit next to or attach to your laptop. I haven't needed them, but we do have one in CFD just in case.

I also make sure to carry my phone and a set of noise canceling earphones in case I need to interact directly with Zoomies. The Apple air pods (I don't have the pro--I think they're 2nd gen) do a great job of noise canceling. I'm able to talk with Zoomies in a room full of people working in groups and they can hear me pretty well.

Tech support

We needed more in the beginning while we were figuring out how the different rooms worked and how it looked for roomies and Zoomies. If we're in MLK or BBC, we love the help we've received there.

Generally our analyst arrives early and works with that person to set everything up, and then I join closer to the meeting start time.

A lot of things are easier if you assemble a kit and use a checklist (e.g., turn on live transcription, check to make sure we're recording, check to make sure everyone's on mute, check audio quality with the Zoomies who arrive early).

Rationale

We have faculty colleagues who are 100% remote, and I don't want to exclude them from professional development opportunities. That's why you still see a lot of CFD + eCampus events in Zoom or on demand. When we do host synchronous online meetings, we're careful to make them low-stakes and very interactive. A few other reasons:

- (1) I want to make it easy for lecturer faculty to join our offerings, and they're spread thin enough as it is. This is a small thing I can do to make sure they're not excluded from opportunities for professional development.
- (2) I don't want people to feel as though they have to choose between taking care of themselves and others (e.g., staying home when they're sick, being able to engage in elder or child care) and learning more about how to do their work well, in ways that support them.
- (3) It facilitates recording and transcription of events, and, as AI captioning improves, I expect accessibility will be easier to manage in the Zoom than in the room.

And (4) personally I think it's important to choose the most effective modality depending on the learners' needs, the speaker's strengths, the planned activities, and a host of contextual factors. I didn't start out with online and hybrid modes as a strength, but I

understand that these can be a lifeline for adult learners, and I have worked carefully to increase my confidence and competence in using them.

Academic Innovation & Institutional Effectiveness

Submitted by

Sarah Schraeder, Research Associate/Program Coordinator

Note that Sarah facilitates all Program Planning Committee meetings (a committee of 20 members), External Review Exit meetings, and Action Plan meetings as hybrid meetings in the following way.

Additionally, Sarah and her team facilitated all forums for the Accreditation Review Team visit in April 2022 in hybrid modality with the assistance of the IMS team.

Location

Provost's Conference Room ([Clark Hall 412](#)) (note that the meeting registration form has a question about needing the OWL)

Facilitated by

1 person who facilitates the Zoom interactions, and 1 person who facilitates the in-room interactions.

Type of communication in the meetings

Presentations by speakers, both in person and via zoom; discussion; Q&A; deliberation; decision-making; document drafting; and voting

Attendance

from 10 to 40 in the room; from 5 to 30 via Zoom

Duration

from 45 to 1.5 hours

Equipment/technology

Each Zoom participant joins on their own device.

In the room there is a projector and 1 pull-down screen and a laptop which is connected to the projector.

The Zoom attendees' images are projected on the screen, and when they speak their voices are projected into the room via the [OWL intelligent 360° camera, mic, and speaker](#).

Speakers in the room can sit at their seats, and can be seen and heard by the Zoom participants via the in-room laptop's built-in camera.

Tech support

One trained staff person

Rationale

Facilitates access for those interested in joining meetings even though they are off campus.

It's a great way to accommodate those who are really interested in meeting in person as well as those who are only able to join via Zoom. We've found this expands attendance for meetings we'd traditionally see far fewer participants join.

Considering the varying faculty teaching and on/off campus schedules offering a hybrid modality creates more equitable opportunities for participation and allows us to ensure all voices can be heard.

Department of Communication Studies

Submitted by

Dr. Andrew Wood, COMM Department Chair
Nikki Mirza, COMM Department Administrative Analyst

Location

MLK 225

Facilitated by

Three departmental members, one of whom joined via Zoom and facilitated all Zoom interactions, and two of whom joined in person and facilitated the in-room interactions.

Type of communication in the meeting

Presentations, speeches, and testimonials, both planned and spontaneous; sharing of still images and recorded music.

Attendance

17 in the room; 17 on Zoom

Duration

about one hour

Equipment/technology

Each Zoom participant joined on their own device. In the room there was a projector and pull-down screen, a podium with a microphone, and a laptop which was connected to the projector. The Zoom attendees' images were projected on the screen, and when they spoke their voices were projected into the room via the projector's speaker system. Speakers in the room came to the podium to speak, and could be seen and heard by the Zoom participants via the in-room laptop's built in camera.

Tech support

The library assigned two Student Assistants to help with tech support

Rationale

We organized this memorial service as a hybrid event to accommodate participants who, given ongoing pandemic concerns, would otherwise be reluctant or unable to attend in person.

Department of Communication Studies Graduate Committee

Submitted by

Dr. Marie Haverfield, COMM Graduate Committee Chair

Location

HGH conference room, the Marie Carr Room

Facilitated by

1 person, committee chair who facilitates both the Zoom interactions, and the in-room interactions.

Type of communication in the meetings

Presentations by speakers, both in person and via zoom; discussions; Q&A; deliberations; policy drafting; voting.

Attendance

No more than 10 in the room, and no limit via Zoom

Duration

I would not necessarily put a range here. I think the duration would be consistent with any other meeting type.

Equipment/technology

Each Zoom participant joins on their own device. In the room each participant has a laptop in front of them, with the Zoom meeting open; their cameras are switched on, but only the meeting host (committee chair) has their microphone switched on (other in-room participants are on mute). The Zoom attendees have their cameras on and their mics muted except when they are speaking; and when they are speaking their voices are projected into the room via the chair's laptop.

If the meeting is held in a larger room, in-person participants may need to coordinate muting or move towards the unmuted computer in order for the Zoom participants to hear clearly.

Tech support

None.

Rationale

Everyone is already familiar with Zoom, accessible, enables visibility without having to use additional equipment, and provides captions regardless of who is speaking (in-person vs. online).

Student Union AV & Event Services Department

Submitted by

Erick J. Campos, AV Production Manager Student Union, Inc.
Donna L. Teutimez, Event Services Manager, Student Union, Inc.
Khristine Lugo, Event Planner, Division of University Advancement

Location

Student Union

Facilitated by

Usually around 2 -3 (1 usually a technician, the others are the event host) individuals facilitating zoom, and around 2- 4 facilitating in-room.

Type of communication in the meetings

1. usually a guest speaker in-person with attendees present in-room with others via zoom submitting Q&A through the chat or unmuting during discussion.
2. In-person discussion with guest speakers joining in via zoom.

Attendance

In person attendance 50 - 100, via zoom 5 - 20

Duration

From 1hr - 4hrs

Equipment/technology

Depending on the venue and the need determines the equipment. A small meeting room can use an OWL or Logitech conference cam with a conference mic easily.

When trying to build a virtual production with slides and logos a switcher is required with Projector, microphones and adaptors needed.

Ballroom setups will need a higher end camera to catch the distance and would require more labor to setup, operate, and cables to run.

With resources being low, having multiple venues at once needing equipment prevents consistent results.

Tech support

Ballroom setups: Would need audio tech, a lighting tech, a video tech running the switcher, a camera operator, and a zoom tech/runner. Usually will need a setup crew to prep and a tear down crew to reset the room.

Meeting Room size: a set up tech and camera tech. Depending on how much is needed. Usually can have a technician come by and check periodically if using an OWL or Logitech conference cam/mic

Rationale

Hybrid events: it allows those who are still hesitant in being around a lot of people (due to covid) the option to attend events at the comfort of their devices.

It gives attendees who are not comfortable with being back in-person yet an opportunity to still be part of the event

8
9 **POLICY RECOMMENDATION**
10 **Amendment A to University Policy S22-2**
11 **Student Excused Absences**

12 **Whereas:** The word "accommodation" is a legal term associated with making a
13 program accessible to a person with a disability; and

14
15 **Whereas:** Every effort should be made to utilize language that preserves the
16 meaning of a legally protected accommodation; therefore, be it,
17

18 **Resolved:** That S22-2 be edited as shown below.
19

20 **Approved:** November 28, 2022

21 **Vote:** 11-0-0

22 **Present:** Melinda Jackson (non-voting), Varun Jaiswal, Sharmin
23 Khan, Amy Leisenring (non-voting), Kelly Masegian,
24 Ravisha Mathur, Sabrina Pinnell, Eric Rollerson, Soma
25 Sen, Rushabh Sheta, Laura Sullivan-Green, Dominic
26 Treseler

27 **Absent:** Michael Chadwick, Caroline Chen, Nina Chuang, Henderson
28 Hill, Maria Martinez, Gilles Muler, Gregory Wolcott

29 **Financial impact:** None expected.

30 **Workload impact:** No anticipated change in workload from the current policy.

31

Student Excused Absences Policy

32 Students may have valid reasons to miss one or more classes, whether anticipated or
33 unforeseen. Students are responsible for informing their instructor in writing about such
34 absences as soon as possible. Absences may be considered “excused” and may require
35 accommodation modification or flexibility for course requirements.

36 1. Student responsibilities

37 If a student is aware of a future absence ahead of time, the student shall notify the
38 instructor in writing within the first two weeks of classes or as soon as the student learns
39 of the need for an absence. If the student must be absent for an unforeseen reason, they
40 shall inform the instructor as soon as circumstances permit.

41 Absences can happen for any number of reasons. The following list provides examples,
42 but there are many other possibilities not captured among these.

- 43 ○ ROTC or other military duties
- 44 ○ Jury duty
- 45 ○ Death of a family member or friend
- 46 ○ Illness or injury, including physical and mental health-related issues
- 47 ○ University-sanctioned SJSU Athletics competitions
- 48 ○ University-sanctioned leadership conferences
- 49 ○ Academic or research conferences
- 50 ○ Adding a class late (though still during the add period)
- 51 ○ Duties related to elected or appointed Associated Students representatives
- 52 ○ Mandatory work-related activity or travel that temporarily impacts a student’s
53 ability to participate in their academics
- 54 ○ Caregiving duties for family members, including parents, spouses or domestic
55 partners, a minor child, an adult child, a child of a domestic partner, grandparent,
56 grandchild, or sibling¹
- 57 ○ Personal instability in a student’s life that temporarily affects their ability to attend
58 class²
- 59 ○ Religious holidays (see University Policy [S14-7](#))
- 60 ○ Unanticipated emergencies or instabilities

61 2. Faculty responsibilities

62 Faculty shall treat personal matters of “reasons for absence” with the utmost sensitivity.
63 Students may have reasons included in the list above, or they may have others; they
64 also may be reluctant to mention specifics, and faculty should be understanding when
65 that is the case. Faculty should request documentation only in rare cases. (Faculty
66 members may only require students to provide verification for repeated or successive

¹ Family often extends beyond those defined herein. Faculty should be considerate of those family members that may not be clearly defined here, but have a familial relationship with the student.

² Personal instability may include housing instability, food insecurity, or other financial crises.

67 absences, or absences on the days of tests, presentations, and other graded activities.)
68 Faculty shall reasonably accommodate absences to the extent possible.

69 Excused absences normally should not exceed two cumulative weeks of class time. The
70 faculty member should make arrangements with the student to address missed learning
71 opportunities, which could include submitting work late, completing different but
72 comparable assignments, or waiving an assignment.

73 3. Possible considerations following extended absences

74 The following are situations when an excused absence could become an incomplete or a
75 course withdrawal. Students should consult with their instructor and advisor to determine
76 the most suitable course of action.

- 77 ○ If the absence exceeds two consecutive weeks of class time.
- 78 ○ If the student returns to the class and attempts in good faith to complete the
- 79 missing work but is overwhelmed and cannot finish.

7
8 **Policy Recommendation**
9 **Amendment A to University Policy F17-3**
10 **Selection and Review of Department Chairs and Directors**

11 Legislative History: This proposal would amend the policy on the selection and review of
12 Department Chairs and Directors
13

14 Rationale: University Policy F17-3 specifies that department chairs should ideally be
15 Professors, and that exceptions should only be made in “rare instances and
16 for compelling reasons.” As the normal Department Chair nomination
17 process requires an election by the faculty of the department, and election by
18 one’s peers is a “compelling reason” to appoint a Department Chair.
19 However, the appointment of interim chairs outside of the normal nomination
20 process is a less transparent process, despite a requirement for consultation
21 with department faculty. Transparency could be improved by requiring the
22 methods and results of consultation to be reported to the department faculty.
23 In addition, a normal nomination election should happen as soon as feasible
24 after the appointment of an interim chair, and while F17-3 is not silent on the
25 maximum appointment duration for an interim chair, the language could be
26 strengthened.
27

28
29 Resolved That sections 2 and 9 of F17-3 (Selection and Review of Department Chairs
30 and Directors) be modified as provided in this recommendation.
31

32
33 Approved: 11/21/22
34 Vote: 7-0-0
35 Present: French, Gómez, Kazemifar, Monday, Rapanot, Smith, Wang
36 Absent: Barrera
37

38 Financial Impact: None

39 Workload Impact: Some additional work on the part of College Deans to report the results
40 of department consultation
41

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47

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

48 **F17-3, University Policy, Selection and Review of Department**
49 **Chairs and Directors**

50 **Legislative History:**

51 On December 11, 2017, the Academic Senate approved the following policy
52 recommendation presented by Senator Peter for the Professional Standards Committee.
53 This replacement of S14-8 incorporates the voting procedures for nominating Department
54 Chairs and Directors that were formerly only available in a separate policy. The need to
55 consult two separate policies each time a department nominates a Chair has led to
56 confusion and procedural errors in the past. In addition, the policy has been reformatted for
57 easier use and numerous corrections and clarifications have been incorporated at the
58 suggestion of the University Council of Chairs and Directors and the Deans. Among those
59 changes is a reordering of the policy to align chronologically with the stages of a Chair's
60 nomination, election, evaluation, and possible removal.

61 **Rescinds: S14-8**

**Approved and signed by Mary A. Papazian
President, San José State University on
December 20, 2017.**

65

66 **UNIVERSITY POLICY**
67 **Selection and Review of Department Chairs and Directors**

68 Resolved: That S14-8 be rescinded and replaced with the following policy, effective
69 immediately for all new nominations and reviews.

70 *Rationale: This revision began with a referral from Organization and Government*
71 *regarding the consolidation of voting procedures for Chairs that became necessary as the*
72 *Department Voting Rights policy was revised. Next, a version was vetted before UCCD*
73 *last year which actively participated in crafting some of the changes. We additionally*
74 *received two rounds of suggestions and amendments from the Deans—most of which*
75 *were accepted and incorporated. This revision appeared for a first reading on March 13,*

76 2017 and for a final reading on April 10, 2017, but was pulled from the April 10 meeting to
77 allow time for additional consultation with the Provost. The Provost appeared before
78 Professional Standards on September 25 and relayed two concerns. The committee has
79 responded to both concerns and it is our understanding that the policy language is now
80 considered acceptable.

81 Following questions that occurred on the Senate floor at a final reading on November 20,
82 the policy was postponed to allow for revisions that would clarify voting procedures for the
83 various categories of faculty. This version incorporates the “friendly” amendments that
84 arose from the floor on November 20 and adds provision 3.8 to clarify how different
85 categories of faculty vote. Much of this language is imported directly from the Voting Rights
86 Policy, but there is greater clarity for defining the voting procedures for joint appointments
87 and for FERP and PRTB faculty (Articles 29 and 30 of the CSU/CFA Agreement.)

88 *Approved: November 6, 2017*

89 *Vote: 10-0-0*

90 *Present: Chin, He, Marachi, Hamedi-Hagh, Kauppila, McKee, White, Peter, Donahue,*
91 *Kimbarow*

92 *Absent: none*

93 *Reapproved with amendments shown: December 6, 2017*

94 *Vote: 9-0-0 email vote*

95 *Present: Chin, He, Marachi, Hamedi-Hagh, Kauppila, McKee, White, Peter, Kimbarow*

96 *Absent: Donahue*

97
98 *Financial Impact: No direct impacts. It is possible that this policy, by clarifying process,*
99 *could result in some savings.*

100 *Workload Impact: No direct impacts, although the clarification of methods for selection and*
101 *review of department chairs could potentially prevent some time consuming failures of*
102 *process.*

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POLICY RECOMMENDATION

Selection and Review of Department Chairs and Directors

1. INTRODUCTION

1.1. Preamble

Department Chairs are the leaders of communities of faculty as well as the most important stewards of the mission of the University at the local level. Their effectiveness depends upon the continual support of the faculty they represent. The selection of a Department Chair is therefore the most important collective decision of department faculty. This policy is designed to assure that Chairs are chosen and reviewed in a manner that assures their continual legitimacy and effectiveness as they carry out the numerous functions assigned to them by university policies and the Collective Bargaining Agreement.

1.2. Definitions

1.2.1. Throughout this policy, the term “Chair” refers both to Chairs of Departments and Directors of Schools, while the term “Department” refers both to Departments and to Schools.

1.2.2. Departments elect a “nominee” to be department Chair; the President appoints a nominee to become Chair. Hence department elections are a nomination process with the outcome of choosing a “Chair nominee” and are called “nomination elections.”

1.2.3. The terms “Professor” and “Associate Professor” are also understood to include the equivalent titles in faculty disciplines that use alternative names, such as librarians and counselors.

1.2.4. This policy uses the generic term “chair” to refer collectively to all categories of chairs regardless of the manner of nomination and appointment. When there is a need for greater differentiation, the policy will refer to “acting chair” and “interim chair” as defined later in the policy, and “regularly appointed chair” to refer to a chair who has been nominated by the department and appointed by the President for the standard four-year term.

2. QUALIFICATIONS

2.1. Chairs should preferably be Professors but may be Associates Professors, if nominated by the department faculty. Chairs ~~and~~ should have earned rank and tenure prior to the time when the appointment to Chair would become effective. ~~Exceptions should only be made in rare instances and for compelling reasons.~~

140 2.2. Acting or Interim Chairs: When an Acting Chair is appointed through the regular
141 department nomination process (see section 3 below), section 2.1 applies. Acting or
142 Interim Chairs appointed outside of the regular department nomination process (see
143 section 9 below) should be Professors, but may be Associate Professors if there are
144 no willing Professors available to serve. Exceptions should only be made for
145 compelling reasons as determined by consultation with the department.

146 3. DEPARTMENT NOMINATING PROCESS

147 Every four years, the department faculty shall identify a nominee for Department Chair
148 by secret ballot vote following these procedures. These are also the procedures for
149 departments to recommend candidates for role as acting Chair (in section 10 below.)

150 3.1. Deans and departments should communicate about transitions as early as
151 possible to allow for a collegial and orderly process. The Chair's job description—
152 which should include the fraction of assigned time to be provided to the Chair--
153 should be developed by the Dean in consultation with the Department.

154 3.2. College Election Committee. The College will create a College Election
155 Committee that will consist of three individuals: 1) The Dean or the Dean's
156 designee, 2) a member of the College RTP committee (chosen by the committee
157 from a department other than the one holding the nomination election), and 3) one
158 tenured faculty member from the department (chosen by the department tenured
159 and tenure track faculty from among those department faculty who are not
160 candidates.)

161 3.3. Responsibilities of the College Election Committee. The College Election
162 Committee shall see that the department is informed of the requirements of this
163 policy, shall (with the help of Faculty Affairs) interpret and explain the policy to the
164 department when questions arise, shall count and certify the votes, and shall see
165 that the results are delivered to the President and to the Department in the
166 appropriate formats.

167 3.4. Charging the Department. The Dean (or, at the Dean's option, the College
168 Election Committee) should attend a Department meeting at the beginning of the
169 nomination process to provide this policy and the Chair's job description and
170 fraction of assigned time, and to explain the process for nominating a Chair. If
171 following the charge, the Department proceeds immediately to a department
172 meeting as per the section below, then all persons who are not members of the
173 Department should depart before deliberations begin, unless specifically invited to
174 remain by the majority vote of the faculty present.

175 3.5. Department meeting. A meeting shall be held to begin the election of a
176 nominee to serve as Department Chair. The department may determine the nature
177 and medium of the meeting according to its own preferences, but the meeting must

178 be open to all faculty in the department and publicized a minimum of one week in
179 advance.

180 3.6. Decision on external search. The department may decide at this stage, through
181 normal voting procedures, to seek permission to search for an external chair (as per
182 section 4.1 below) instead of proceeding immediately with a normal nominating
183 election. Should permission be denied the department should proceed with the
184 normal process to nominate a department Chair.

185 3.7. Faculty may suggest names to appear on the ballot for the nominating election.
186 Nominated persons shall accept or decline nomination. Candidates will be given the
187 opportunity to make statements and take questions from department faculty.

188 3.8. Voting for Chair Nominees.

189 3.8.1. Tenured and tenure track faculty members have a full vote in the
190 department to which they are permanently assigned but no vote in a
191 department to which they are temporarily assigned. Tenured and tenure track
192 faculty holding joint appointments shall vote only in the department which
193 holds the majority of their permanent assignment or— if equal—in the
194 department that is responsible for their tenure. Tenured and tenure track
195 faculty members on an approved leave retain voting rights.

196 3.8.2. Faculty participating in the Faculty Early Retirement Program (FERP)¹
197 or the Pre-Retirement Reduction in Time Base Program (PRTB)² shall have a
198 proportional vote equal to their annualized time base (i.e, 1/2, 1/4) regardless
199 of their academic assignment in a given semester, through the last semester
200 of their teaching appointment.

201 3.8.3. Lecturers have departmental voting rights in proportion to their
202 assignment in a department. Proportional voting rights of lecturers may
203 fluctuate with fall and spring appointments. Lecturers on an approved partial
204 leave retain the proportional voting rights of their teaching assignment. Those
205 on full leave relinquish their voting rights.

206 3.8.4. Faculty suspended under article 17 (Temporary Suspension) of the
207 CBA retain their voting rights.

208 3.8.5. Voting rights of any faculty member are suspended for any semester
209 in which the individual holds a full-time administrative (i.e. MPP) or other full-
210 time non-faculty position in the university. Faculty on re-assigned time
211 engaged in administrative duties remain Unit 3 faculty and retain their voting
212 rights.

213 _____

214 ¹ See CFA/CSU Agreement Article 29. FERP employees are limited by contract to 50% of
215 their previous time base.

216 ² See CFA/CSU Agreement Article 30. PRTB employees are reduced by contract to 2/3,
217 1/2, or 1/3 of their previous time base.

218

219 3.8.6. Visiting Professors or Interim or Acting Chairs from outside the
220 department may not vote in a Chair nomination election.

221 3.8.7. Qualified faculty on approved leaves should be provided a means to
222 vote in a chair nomination election. However, no faculty member may grant
223 their vote by “proxy” to another individual.

224 3.9. The nominating election. Faculty may then vote by secret ballot on all
225 candidates proposed and willing to serve. Balloting must be available for 5 working
226 days and provide the opportunity to abstain.

227 3.9.1. If there is just one candidate, balloting must still occur, with a choice
228 provided to “recommend” or “do not recommend” the candidate.

229 3.9.2. If there are two or more candidates, balloting will provide a choice
230 between the candidates and a choice “do not recommend any candidate.”

231 3.9.3. If an election with three or more candidates fails to produce a majority
232 for any candidate, there shall be a second round of balloting between those
233 two candidates who received the most votes in the first round.

234 3.10. Counting the votes. The college election committee will meet to count votes.
235 The candidates will be notified of the time and place of the count at least one day in
236 advance, and each may send one observer (other than themselves). The committee
237 is responsible for an accurate count and review of ballots. The committee will
238 assure that balloting was secret, that votes are entered in the correct category, and
239 that proper proportions are applied. The results shall be certified (signed) by the
240 election committee.

241 3.11. Forwarding the results of the nominating election. Only the name of a
242 candidate who receives a majority of votes cast by the tenured and probationary
243 faculty shall be recommended to the President via the College Dean as the
244 nominee of the department.³ The names of candidates who were not recommended
245 by the department, together with all vote totals, shall also be forwarded to the
246 President to provide context for the recommendation. This shall include a statement
247 of the vote of all faculty, broken down into two categories – vote by tenured/tenure
248 track faculty and by lecturers -- including the actual number of votes cast in each
249 category.

250

251 ³ See CFA/CSU Agreement 20.30.

252

253 3.12. Distributing the results. The department voting results shall also be distributed
254 to the faculty from the relevant department. If the final vote total in either category of
255 votes (tenured and probationary, lecturers) contains a fraction, it shall be rounded to
256 help preserve anonymity.

257 3.13. Second round nomination elections. If a department is unable to nominate a
258 Chair by a majority vote of the probationary and tenured faculty, it may continue to
259 try to obtain a nominee by repeating the process if they are willing and the Dean
260 determines that there is sufficient time. Otherwise the situation will be resolved via
261 section 6 “Failure to Obtain...”

262 4. EXTERNAL SEARCHES

263 4.1. Request for an external search. An external search is a search in which
264 candidates from outside San José State University are invited to apply to be hired
265 as a tenured faculty member and as department Chair. Department faculty may
266 request an external search for department chair. A department request for an
267 external search should take the form of a majority vote of the department (following
268 normal procedures for department voting rights). Such requests are not
269 automatically granted.

270 4.2. Procedures for an external search. Successful completion of an external
271 search for a department Chair requires coordination of two separate tasks: the
272 appointment of a new faculty member in accordance with the appointment policy
273 and the recommendation to the President of a Chair nominee in accordance with
274 this policy. To expedite the successful conclusion of such a search, departments
275 may combine some procedures that are common to both processes as outlined
276 below. Departments should determine which of these three alternatives they will use
277 by majority vote (following the normal procedures for department voting rights), and
278 they must do so prior to the start of a search. Whichever method the department
279 adopts, the recruitment committee must conform to the normal requirements of the
280 appointments policy.

281 4.2.1. Departments may designate all tenured and tenure track faculty as a
282 recruitment committee “of the whole” so that the appointment
283 recommendation and the nomination recommendation are coterminous.
284 When this method is chosen, the committee of the whole must provide
285 lecturers with the opportunity to provide confidential feedback on the search
286 prior to final recommendations. A department may only use this method
287 when there are more tenured faculty than probationary faculty. If it chooses

288 this method, the normal prohibition of faculty serving on a personnel
289 committee evaluating faculty of higher rank is suspended.

290 4.2.2. Departments may use separate processes for the appointment and for
291 the nomination functions associated with an external search for a department
292 Chair. Using this method, a smaller recruitment committee makes a
293 recommendation under the normal appointment policy. Then the department
294 as a whole votes to endorse or not to endorse the recommendation of the
295 recruitment committee. For each candidate, the department's endorsement
296 must specify whether or not that candidate is acceptable as a Chair. If more
297 than one candidate is acceptable, the department must rank them in order of
298 preference. The department's endorsement serves to nominate a candidate
299 to be Chair, but should be accompanied by the recruitment committee's
300 report to justify the appointment. In the event of conflict between the
301 recommendations of the recruitment committee and the department, the
302 department makes the final recommendation as to who to nominate as its
303 Chair, but may only nominate from among those candidates deemed to be
304 acceptable finalists by the recruitment committee. When this method is
305 chosen by a department, time must be budgeted to allow these procedures
306 to take place at the conclusion of the search.

307 4.2.3. Departments may choose to delegate their prerogative to nominate a
308 Chair exclusively to their recruitment committee.

309 4.3. In conformity with the Appointments policy, an external nominee for Chair shall
310 be reviewed and must receive a favorable recommendation for tenure from the
311 appropriate personnel committee of the department before the appointment can be
312 completed.

313 5. APPOINTMENT

- 314 1. 5.1. The President appoints and removes the Department Chair in
315 consultation with the Provost, College Dean, and department faculty. The
316 term of the appointment is normally four years.
- 317 2. 5.2. When a department follows the procedures of this policy to successfully
318 elect a Chair Nominee, the President shall -- except in rare instances and for
319 compelling reasons—appoint that individual to serve as Department Chair.
- 320 3. 5.3. Technical details concerning the appointment of a Chair (appointment
321 letters, salary adjustments, etc.) will be coordinated by the Office of the
322 Provost.

323 6. FAILURE TO OBTAIN CHAIR NOMINEES AS DESCRIBED IN SECTIONS 3 324 (Nominations), 8 (Reappointment), and 10 (Acting)

325 Departments may be unable to successfully conclude a normal nomination for
326 Department Chair. This could be the case in a department with no senior leadership

327 qualified to be Chair, or no willing candidates. If a department fails to reach
328 consensus (majority vote of the tenured and probationary faculty) following a normal
329 nomination process (Section 3), the Dean shall consult with the faculty at a
330 department meeting to determine the best course of action. This could be either the
331 nomination of an interim or acting Chair, initiation of an external search, extension
332 of a prior interim appointment, or nomination of a non-departmental interim Chair--
333 as per the relevant sections of this policy.

334 6.1. External Search. An external search may be requested as per section 4
335 of the policy, although such requests are not automatically granted.

336 6.2. Extended interim Chairs. If there has been a failure to reach consensus,
337 and an interim Chair is serving and was not a candidate for Chair, the interim
338 Chair may be extended by six months to allow time for more permanent
339 solutions. Normally, a department should not have to operate under interim
340 leadership for more than one year.

341 6.3. Non departmental interim Chairs. In extreme cases, and only when all of
342 the aforementioned measures fail, the President may appoint a SJSU faculty
343 member from outside the department to serve as interim Chair, after
344 consultation with the College Dean and department faculty. External
345 departmental interim Chairs are subject to all the normal limits provided in
346 section 9. Consultation with the department faculty is normally done by the
347 Provost and Dean soliciting advice at a department meeting.

348 6.4. Extended interim Chairs. The extension of an interim appointment
349 beyond one year should be avoided if possible. If this occurs the
350 Organization and Government Committee of the Academic Senate shall
351 inquire into the reasons for the situation.

352 7. REVIEW OF DEPARTMENT CHAIRS

353 7.1. Timing of Normal Review: The Dean shall initiate the formal review of each
354 Department Chair during the fourth year of an incumbent's term, unless the
355 incumbent states that he/she will not be a candidate to continue as Chair beyond
356 the fourth year.

357 7.2. Early Review: Department faculty may initiate a formal review of the
358 Department Chair by submitting a petition to the Dean, provided that at least one
359 academic year has passed since the Chair's appointment or previous review. The
360 petition shall state simply that "The undersigned faculty call for a prompt review of
361 our Department Chair." If the petition is signed by department faculty totaling more
362 than 50% of the department electorate, the College Dean will initiate a formal review
363 of the Department Chair. The petition should preferably be delivered early enough
364 to permit the review to be completed before the end of the current semester, but an
365 early review should always be completed within 40 duty days from receipt of the

366 petition. To determine if the petition exceeds the 50% threshold, the signatures of
367 both tenure/tenure track faculty and lecturers will be counted, with the signatures of
368 lecturers weighted according to the proportion of their appointment. The Dean will
369 announce the number of signatures and whether the petition exceeds the threshold,
370 but will keep the petition itself and the signed names confidential from the
371 incumbent chair.

372 7.3. Appointment and Composition of Review Committee: At the beginning of the
373 fourth year of the Department Chair's term, under the direction of the College Dean,
374 the tenured and tenure-track department faculty shall elect from its ranks a peer
375 review committee to evaluate the Department Chair's performance⁴. The review
376 committee, in consultation with the College Dean, will determine the procedures and
377 scope of the review.

378 7.4. Criteria for Review: The review committee, in consultation with the College
379 Dean, shall specify the criteria for evaluating the incumbent's job performance. The
380 principal criteria shall be derived from the job description that was provided to the
381 Chair at the time of appointment. The incumbent shall be asked to examine the
382 criteria developed and to make such comments or suggestions as may seem
383 advisable.

384 7.5. Procedures for Review: The review committee, in consultation with the College
385 Dean, shall develop procedures for conducting the review. The procedures shall be
386 designed to secure appropriate information and appraisals of performance from as
387 many persons as may be feasible who are knowledgeable of the incumbent's
388 performance. If he/she so desires, the incumbent shall be given an opportunity to
389 provide the review committee with a self-evaluation based upon the criteria
390 developed by the committee. The opinions and judgments received by review
391 committees, the deliberations and reports of such committees, and any
392 accompanying materials, shall be confidential.

393 7.6. Report of the Review Committee: At the conclusion of its evaluative activities,
394 the review committee shall prepare a written report embodying findings and
395 conclusions. The report of the review committee shall include a statement of
396 strengths found and improvements desired in the incumbent's performance with
397 respect to the evaluative criteria. All raw data collected for review shall accompany,
398 but not be part of, the review committee's summary narrative. Before forwarding the
399 final report to the College Dean, the review committee shall:

400 7.6.1. Provide a draft copy of the narrative portion of the report to the
401 incumbent;

402 7.6.2. Provide the incumbent with an opportunity to meet with the review
403 committee in order to discuss the report;

404 _____

405 ⁴ See CFA/CSU Agreement Article 15

406

407 7.6.3. Provide the incumbent with the opportunity to submit to the committee
408 a written statement which shall become part of the report to the College
409 Dean.

410 The review committee shall forward its final report to the College Dean. The
411 College Dean will discuss the findings with the Department Chair and will
412 report in general to the department faculty. On completion, the final report
413 from the review committee, additional evaluation by the College Dean, and
414 any response from the Department Chair will be forwarded to the Provost.

415 7.7. Confidentiality. The review committee, college dean, and officers of the
416 University shall hold in confidence data received by the review committee, its report,
417 and accompanying materials.

418 8. REAPPOINTMENT OF A DEPARTMENT CHAIR

419 In order to serve one or more subsequent terms, the Department Chair must
420 proceed through the review process and regular nominating process.

421 9. SELECTION OF AN INTERIM CHAIR

422 An interim appointment occurs when a Department Chair's position has or will be
423 vacated and there is insufficient time or it is otherwise impractical to complete the
424 regular nomination process explained in Section I (Nominations). The interim Chair
425 serves only as long as required to complete the appointment of a regularly
426 appointed chair, **normally by the end of the next full semester.**

427 9.1. Appointment procedure. The President may make interim appointments after
428 consultation with the College Dean and department faculty, normally by soliciting
429 advice from as many faculty as possible at a department meeting called for this
430 purpose. **The College Dean shall report to the department the methods and results
431 of consultation at the time of the appointment of an interim chair.**

432 9.2. Interim Chair requirements. Interim appointments should normally be a
433 member of the department in which they will serve ~~and they should be tenured~~
434 ~~faculty members~~ (see section 6 for exceptions.)

435 9.3. Transition to a regularly appointed Chair. While overseeing all the complex
436 tasks of the department, the interim Chair's ultimate responsibility is to prepare the
437 department for an orderly transition to a regularly appointed Chair. The interim Chair
438 should serve until a regularly appointed Chair takes office, normally before the
439 beginning of the next academic year when taking office in the summer or Fall, or by

440 the beginning of the following Spring semester when taking office in the Spring. If
441 the department cannot transition to a regularly appointed Chair within one year, the
442 situation should be resolved under section 6 (Failure to Obtain) of this policy.

443 9.4. Technical details concerning the appointment of an interim Chair (appointment
444 letter, salary adjustments, etc.) will be coordinated by the Office of the Provost.

445 10. SELECTION OF AN ACTING CHAIR

446 An acting appointment occurs when a Department Chair is on a temporary absence
447 (illness, vacation, or leave) but is expected to return within a year. If the absence is
448 less than one month, the Dean, in consultation (if possible) with the continuing Chair
449 may determine that there is no need for an acting Chair. Otherwise, an acting Chair
450 is appointed and serves only until the regularly appointed Chair returns.

451 10.1. Planned need for acting Chair. When the short-term absence of a Chair can
452 be anticipated, the Department should nominate an Acting Chair using the
453 procedures outlined in section 3 (normal nomination.)

454 10.2. Sudden need for acting Chair. When there is insufficient time or it is otherwise
455 impractical to complete the regular nomination process explained in section 3, an
456 Acting Chair should be designated using the procedures outlined in section 9
457 (interim.)

458 10.3. Limit on length of service. An Acting Chair should not serve more than one
459 full academic year, and possibly the summer before or after the academic year. A
460 Chair who is absent for more than one year should be replaced.

461 10.4. Technical details concerning the appointment of an acting Chair (appointment
462 letter, salary adjustments, etc.) will be coordinated by the Office of the Provost.

463 11. REMOVAL OF DEPARTMENT CHAIR

464 In rare circumstances it may become necessary to remove a Department Chair prior to the
465 expiration of the four-year term. There are two possible situations in which a Chair may be
466 removed.

467 11.1. Administrative removal. The administrative removal of a Chair previously
468 recommended by the faculty of a department is a very serious matter, and should
469 only be undertaken for compelling reasons. A Chair will be given an opportunity to
470 meet with the Provost and Dean to defend their record prior to removal. Following
471 removal, the President or Provost should meet with the Dean and the faculty
472 assembled in a department meeting to announce the action and solicit advice on
473 the transition. Replacement of the Chair should be initiated according to the
474 procedures in sections 3 or 9 of this policy.

475 Faculty initiated removal. Faculty may not initiate the removal of their Chair unless a formal
476 review has been completed within the previous six months. (They may initiate such a
477 review as per 7.2 of this policy.) Following the conclusion of any faculty-initiated early
478 review, the department will vote to determine if their Chair should be recalled. A recall vote
479 will follow the same procedures as a vote to recommend a Chair nominee as described in
480 section 3 of this policy, save only that it requires a vote of 2/3 of the tenure/tenure track
481 faculty to forward a recommendation to the President that the Chair be removed, with the
482 votes of lecturers also reported as per the above procedures. If removed, replacement of
483 the Chair should be initiated according to the procedures in sections 3 or 9 of this policy.

484

1 **San Jose State University**
2 **Academic Senate**
3 **Professional Standards Committee**
4 **February 6, 2023**
5 **Final Reading**
6

AS 1842

7 **Sense of the Senate Resolution**

8 **In Opposition to the Exclusion of Faculty Early Retirement**
9 **Program Faculty From Pandemic Compensation**

10 **Whereas:** The Chancellor’s Office of the California State University (“CSU”), in conjunction with
11 the California Faculty Association, negotiated, and their constituents ratified, a new Collective
12 Bargain Agreement (“CBA”) on March 22, 2022, which in part provides for faculty of the CSU to
13 receive additional pay for having to spend time, transforming face-to-face classes into online
14 courses during the 2020 pandemic period, and

15 **Whereas:** the CBA specifically calls out in section 31.7 that faculty shall receive a one-time
16 \$3500 payment per fulltime faculty, and a proportionate share of that amount pro rata for part
17 time faculty, based on the hours worked during the period in question, and

18 **Whereas:** Faculty Early Retirement Program (FERP) faculty, per the CBA, were to be included
19 in such payment, subject to CalPERS approval, which subsequently has ruled such payment is
20 not allowed, based on a prohibition of “extra pay for extra work”, FERP faculty being constrained
21 per CalPERS law to 960 hours per year, and

22 **Whereas:** FERP faculty worked just as hard to convert their classes to online instruction as did
23 any other faculty, and

24 **Whereas:** both the Academic Senate of the California State University (“ASCSU”) and the
25 California State University Emeritus and Retired Faculty and Staff Association (“CSU-ERFSA”)
26 have issued resolutions supporting this FERP payment under the CBA; therefore be it

27 **Resolved:** That the Academic Senate of San José State University (SJSU) strongly supports
28 the sentiments expressed in the resolution of CSU-ERFSA; be it further

29 **Resolved:** That the Academic Senate of San José State University (SJSU) urges both the CSU
30 Chancellor and the President of CFA to direct their relevant professional staff and legal counsel
31 to work collaboratively to address CalPERS’ interpretation of regulations that negate the clear
32 language and intent of the CBA to compensate FERP and other RA faculty; be it further

33 **Resolved:** That copies of this resolution shall be distributed widely to students, faculty, and staff
34 members of the SJSU community, to the Academic Senate of the CSU, to the CSU Chancellor,
35 Executive Vice Chancellor for Academic Affairs, President of CFA, Faculty Trustee of the Board
36 of Trustees, the CalPERS Board of Administration, the CalPERS Chief Executive Officer, and
37 the CalPERS Deputy Executive Officer, Customer Services & Support.
38

39
40 **Approved:** November 21, 2022
41

42 **Vote:** 7-0-0

43

44 **Present:** French, Gómez, Kazemifar, Monday, Rapanot, Smith, Wang

45

46 **Absent:** Barrera

47

48 **Financial Impact:** None foreseen

49

50 **Workload Impact:** None foreseen