

EXECUTIVE SUMMARY OF RESOLUTIONS
ACADEMIC SENATE CSU PLENARY – MARCH 3-4, 2016
(Extracted and edited from a report by Catherine Nelson, Sonoma State University
ASCSU Senator)

The Academic Senate CSU (ASCSU) met at the Chancellor's Office in Long Beach March 3-4, 2016 and approved the following resolutions. All can be accessed at the [ASCSU website](#).

Reaffirming the Principle of Shared Governance Within the California State University
AS-3236-15-FA/ (Rev) – Approved Unanimously

This resolution reaffirms the principle of shared governance in HEERA, and requests that the Chancellor articulate in the written response to this resolution how “shared leadership” – to which he frequently refers - conforms with or differs from HEERA and the “long accepted manner” of shared governance as defined by the AAUP Statement on Government of College and Universities. It also expresses concern that when campus faculty leaders have called upon the Chancellor to intervene when documented serious violations of shared governance on their campuses have occurred, the Chancellor's responses at times reference “shared leadership” yet fail to offer solutions that are responsive to the requests.

Support for Requiring a Fourth Year of Mathematics/Quantitative Reasoning for Admission to the California State University
AS-3244-16/APEP (Rev) - Approved

The CSU currently requires 3 years of high school math for admission to the CSU. This resolution is a call for the CSU to require a fourth year of mathematics/quantitative reasoning as part of the admissions requirements to the university. As conceptualized for the purposes of the admission requirement, mathematics is envisioned within a broad framework that could include classical mathematics, statistics, financial literacy and the like. The resolution also recommends that a mathematics/quantitative reasoning course be completed as part of the final year of high school. To determine whether mathematics was taken in the fourth year, the committee goes beyond classical mathematics and suggests the inclusion of more application-oriented courses and additional proficiency development courses. The fourth year course is intended to be a-g compliant, but is not envisioned as a fourth required area C course. A student may choose a fourth year course that does not uniquely add to a-g eligibility.

The resolution also recommends that the CSU investigate the impact these requirements may have on the success of all students, particularly those from historically underserved populations. In addition, the resolution recommends that the CSU continue to engage K-12 and intersegmental constituencies regarding the impact these requirements may have on K-12 resources, advising, and implementation, including professional development needs.

During discussion, the point was made that the resolution could increase the likelihood that a computer science course could count as a 4th year of mathematics course or as a mathematics course in the final year of high school.

Selection of Faculty to Serve on Campus Honorary Degree Committees

AS-3245-16/AA (Rev) – Approved Unanimously

At its November 2015 meeting, the CSU Board of Trustees approved an Honorary Degree Policy that, among other things, specifies the process for the selection of faculty representatives on campus honorary degree committees. This resolution asserts that faculty representatives serving on campus honorary degree committees should be selected by faculty. It also expresses concern that the Trustees' policy authorizing campus Presidents to select faculty in consultation with faculty, rather than authorizing faculty to select their own representatives, violates AS-3160-13/EX/FA (Rev) *Selection of Faculty Representatives in Shared Governance* and the American Association of University Professors (AAUP) Statement on Government of Colleges and Universities.

Preventing Workplace Bullying Within the CSU Community

AS-3246-16/EX (Rev) – Approved Unanimously

This resolution reaffirms the ASCSU's commitment to the "states of mind" that "differing perspectives be tolerated and respected" and that all members of the university community treat one another with respect and honesty (<https://www.calstate.edu/AcadSen/Records/Reports/SharedGovReport.pdf>). It commends the CSU Chancellor's Office and campuses that have addressed the intimidation, humiliation and isolation that workplace bullying creates. It urges campus Senates and administration to develop and implement strategies to redress, remedy and mediate workplace bullying and promote inclusive environments throughout the CSU.

2016 Legislative Advocacy Positions of the Academic Senate of the California State University

AS-3248-16/FGA – Approved

This resolution adopts the positions on bills currently under consideration in the California State Legislature as identified in the "Academic Senate of the California State University, Positions on Proposed Bills in the California State Legislature- 2016." The positions will guide ASCSU advocacy activities during the 2016 legislative calendar. If a change in a position is warranted, and the ASCSU can't be consulted, the ASCSU Executive Committee is empowered to act on behalf of the Senate.

Concerns About Administrative Communications Regarding Classroom Discussion of Possible Strike Action

AS-3249-16/AA/FA/EX – Approved Without Dissent

This resolution expresses consternation over recent communications from some CSU presidents and administrators forbidding faculty to discuss the potential strike action planned by the California Faculty Association in their classrooms. It also affirms that the determination of the relevance of particular material to a class is the decision of the faculty teaching that class in the context of accepted pedagogical and disciplinary standards. The resolution also urges campus Senates to communicate the content of this resolution to all faculty.

The full text of ASCSU resolutions is available at: <http://calstate.edu/AcadSen/Records/Resolutions/>

FIRST READING ITEMS

The following items were introduced at the March 3-4, 2016 plenary. They will be acted upon at the May 19-20, 2016 meeting. Please contact the committee chair (listed below) for more information.

Resolution Regarding the Evaluation of Online Teaching

AS-3250-16/FGA

This resolution recommends that campuses develop an aggregate database of specific kinds of demographic and non-demographic data (including hours worked, commute time, faculty rank and online format) about students and faculty involved in online courses for comparison with the general population of students, faculty and courses, and that the data be aggregated across campuses to provide data driven decisions regarding the efficacy and cost effectiveness of online teaching in the CSU. The resolution recommends that campuses use the data to establish student qualifications for taking fully online courses, and potential limits on the number of fully online courses a student may take. The resolution also recommends that campuses use the data to establish requirements for the training of faculty teaching fully online courses, guidelines for the assignment of faculty, by rank, who teach fully online courses, with reasonable limits on the use of non-tenured track faculty. The resolution also recommends that campuses use the data to establish protocols for offering face-to-face or hybrid equivalent classes for each fully online course offered, and limit the size of fully on-line courses to match the size of the corresponding face-to-face class.

In Support of Increased Funding For the Research, Scholarship and Creative Activities (RSCA) Program

AS-3251-16/FA

This resolution urges the Chancellor's Office to increase funding for the RSCA program to a level commensurate with the original intent of and assumptions behind the program, the amount of external funding faculty research brings to the CSU, and the fact that lecturers, as well as tenure-track faculty, are now eligible to receive RSCA funding.

Academic Senate of the CSU Calendar of 2016-17 Meetings

AS-3252-16/EX

This resolution is self-explanatory.

For comments or questions:

- EX – Contact ASCSU/Committee Chair Steven Filling (email: sfilling@mac.com).
- FA – Contact Committee Chair Manzar Foroohar (email: mforooha@calpoly.edu).
- AA – Contact Committee Chair Catherine Nelson (email: nelsonca@sonoma.edu).
- APEP – Contact Committee Chair Denise Fleming (email: denise.fleming@csueastbay.edu).
- FGA – Contact Committee Chair Thomas Krabacher(email: krabacherts@csus.edu).

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3236-15/FA (Rev)
November 5-6, 2015

**REAFFIRMING THE PRINCIPLE OF SHARED GOVERNANCE WITHIN THE
CALIFORNIA STATE UNIVERSITY**

RESOLVED: That the Academic Senate of the California State University (ASCSU) reaffirm the principle of shared governance legislated in the Higher Education Employer-Employee Relations Act (HEERA) 3561 (b) as follows: “The Legislature recognizes that joint decision making [sic] and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of these institutions....”; and be it further

RESOLVED: That the ASCSU request that the Chancellor clearly articulate, in the written response to this resolution, how the principle of “shared leadership” – to which he has often referred – either conforms with, or differs from, both the HEERA statute and the “long-accepted manner” of shared governance as defined in the American Association of University Professors’ (AAUP’s) “Statement on Government of Colleges and Universities”¹; and be it further

RESOLVED: That the ASCSU express ongoing concern that, when faculty leaders from CSU campuses have called upon the Chancellor to intervene when serious violations of shared governance on their respective campuses have been documented, the Chancellor’s responses at times reference “shared leadership” yet fail to offer solutions that are responsive to the requests; and be it further

RESOLVED: That the ASCSU distribute this resolution to the CSU Board of Trustees, CSU Chancellor, CSU campus Presidents, CSU campus Senate Chairs, CSU campus Senate Executive Committees, CSU Provosts/Vice Presidents of Academic Affairs, California Faculty Association (CFA), California State Student Association (CSSA), CSU Emeritus and Retired Faculty Association (CSU ERFA).

***RATIONALE:** During the tenure of the former Chancellor, the Academic Senate of the California State University (ASCSU) found that it was necessary to pass a number of resolutions decrying the erosion of shared governance within the system. The history of such resolutions, at least since 2000, has included the following:*

*AS-2489-00/FGA: Shared Governance in the CSU
(<http://www.calstate.edu/acadsen/records/resolutions/1999-2000/2489.shtml>);*

¹ <http://www.aaup.org/report/statement-government-colleges-and-universities>

AS-2599-03/FGA/FA: Shared Governance as a Criterion for Presidential Evaluation (<http://www.calstate.edu/acadsen/records/resolutions/2002-2003/2599.shtml>);

AS-2845-08/FA (Rev): Shared Governance, Academic Freedom and Principles Governing Systemwide Initiatives with Curricular Implications (<http://www.calstate.edu/acadsen/records/resolutions/2007-2008/2845.shtml>);

AS-2934-10/FA: Affirming Shared Governance Within the California State University: Adoption and Use of Deliverology as a Tool to Achieve Administrative Action (<http://www.calstate.edu/acadsen/records/resolutions/2009-2010/2934.shtml>);

AS-2960-10/FA: Objection to Unilateral Decision Making and the Pursuit of a “Culture of Compliance” in the CSU (<http://www.calstate.edu/acadsen/records/resolutions/2009-2010/2960.shtml>);

AS-3051-11/FA: Early Faculty Involvement in California State University Initiatives (<http://www.calstate.edu/acadsen/records/resolutions/2011-2012/3051.shtml>);

AS-3074-12/Shared Governance Committee (Rev); Procedures for CSU Administration and Board of Trustees Responses to Academic Senate CSU (ASCSU) Resolutions (<http://www.calstate.edu/acadsen/records/resolutions/2011-2012/3074.shtml>);

AS-3092-12/AA: Faculty Consultation on Baccalaureate Unit Limits (<http://www.calstate.edu/acadsen/records/resolutions/2012-2013/documents/3092.shtml>);

There was the expectation among faculty that, when Chancellor White assumed the position of Chancellor of the CSU at the beginning of 2013, he would reverse course, and thus, further resolutions protesting violations of shared governance would become unnecessary. Indeed, the hope had been that such resolutions could be relegated to the archives of past practice.

Sadly, this has not been the case. Like his predecessor in the office, the current Chancellor has demonstrated a distinctly different understanding of shared governance from that which has characterized the principles and practice of the ASCSU. Whether in disregarding nearly all of the faculty’s findings of duplication between CSU programs and those proposed in the pilot baccalaureate programs in the California Community College system last year without curricular justification; or in the administration’s recently enacting, without consultation with the ASCSU, a background check policy to which all new faculty are now subject, “shared leadership” in practice has left much to be desired as a reinterpretation of the principle of shared governance.

Additionally, responses from the Chancellor's Office to well-considered ASCSU resolutions have rarely matched those resolutions either in substance or in intent; actions requested through formal resolutions are often deferred or ignored. Rather than being engaged in genuine collaboration on matters of academic policy, faculty often find that they are the "last to know" and are placed in a mode of reaction rather than one of collaboration. This was the case recently when the ASCSU called for a joint effort in revising the policy on academic freedom (AS-3197-14/FA). Instead of first forming a joint task force as requested in the resolution and then collaboratively drafting a policy, the administration has delayed formation of a joint task force and circulated its own draft policy.

Finally, requests from campus faculty leaders for investigations by the Chancellor into the erosion of shared governance on individual campuses have been met, at times, with tepid responses.

In contrast to the universally accepted principle of shared governance, "shared leadership" itself is a concept not native to academe but rather to business settings wherein the lexicon and practice of "team-building" is more normative than is the practice of governance. In matters related to curriculum, in particular (though certainly not limited to curricular matters), there is growing evidence that the expertise of the faculty, and, in fact, faculty's responsibility to preserve quality, is being threatened not only from without (for example, through continual under-funding; performance-based metrics; initiatives lacking evidentiary justification) but also from within.

Approved Unanimously – March 3-4 2016

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3244-16/APEP (Rev)
January 21-22, 2016

**SUPPORT FOR REQUIRING A FOURTH YEAR OF MATHEMATICS/QUANTITATIVE
REASONING FOR ADMISSION TO THE CALIFORNIA STATE UNIVERSITY**

- RESOLVED: That the Academic Senate of the California State University (ASCSU) call for the CSU to require a fourth year of mathematics/quantitative reasoning as part of the high school experience of entering first-year students; and be it further
- RESOLVED: That the ASCSU further specify that a mathematics/quantitative reasoning course be completed as part of the final year of high school; and be it further
- RESOLVED: That the ASCSU recommend that the CSU investigate the impact these requirements may have on the success of all students, particularly those from historically underserved populations; and be it further
- RESOLVED: That the CSU continue to engage K-12 and intersegmental constituencies regarding the impact these requirements may have on K-12 resources, advising, and implementation, including professional development needs; and be it further
- RESOLVED: That the ASCSU distribute this resolution to the CSU Admissions Advisory Committee, CSU Board of Trustees, CSU campus Deans of Education, CSU campus Senate Chairs, CSU Math Council, CSU Provosts/Vice Presidents of Academic Affairs, Director of the California Academic Partnership Program (CAPP) Advisory Committee, California State Student Association (CSSA), Intersegmental Committee of Academic Senates (ICAS), University of California (UC) Board of Admissions and Relations with Schools (BOARS), California State Superintendent of Public Instruction, CSU Deans for colleges that include math (by request to Provosts).

***RATIONALE:** In an era where people are increasingly concerned with quantitative literacy, strong quantitative reasoning skills form a foundation for future success in college and careers. Success of incoming students is maximized when students have had continued exposure to mathematics/quantitative reasoning. Since it has been demonstrated that mathematics skills decline with lack of practice, it is important that students continue practicing and developing quantitative abilities throughout their academic careers.*

Note that this resolution does not call for a change to CSU entry-level competency requirements in mathematics.

CSU Mentor already recommends four years of mathematics (Algebra I, Geometry, Algebra II, or higher) but only requires three such years. Thus, many students may choose not to take mathematics in their final year of high school, and perhaps even in their final two years since Algebra I taken prior to high school counts toward this subject requirement. In 2014, two-thirds of US states

required a fourth year of mathematics for admission for their state university system (<http://ecs.force.com/mbdata/mbprofall?Rep=HS01>).

As conceptualized for the purposes of this admission requirement, we envision “mathematics” within a broad framework that could include classic mathematics (calculus, algebra, and geometry), statistics, financial literacy, etc. For the purpose of determining whether mathematics was taken in the fourth year, we go beyond the classic mathematics courses, and include other more application-oriented courses and additional proficiency development courses, potentially analogous to the Expository Reading and Writing Course (ERWC) for English. While this fourth-year course is intended to be a-g compliant, it is not envisioned as a fourth required area C course; due to course repetition or non-qualifying course content, a student may choose a fourth year course that does not uniquely add to a-g eligibility.

Approved March 3-4, 2016

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3245-16/AA (Rev)
January 21-22, 2016

**SELECTION OF FACULTY TO SERVE ON CAMPUS HONORARY
DEGREE COMMITTEES**

- RESOLVED: That the Academic Senate of the California State University (ASCSU) assert that faculty representatives serving on campus honorary degree selection committees be selected by faculty; and be it further
- RESOLVED: That the ASCSU express concern that the Trustees' policy authorizing Presidents to select faculty in consultation with faculty, rather than authorizing faculty to select their own representatives, conflicts with both AS-3160-13/EX/FA (Rev), *Selection of Faculty Representatives in Shared Governance* and the American Association of University Professors (AAUP) *Statement on Government of Colleges and Universities*; and be it further
- RESOLVED: That the ASCSU urge CSU campus Senate Executive Committees to examine their policies and procedures to ensure faculty have the appropriate voice in the selection of candidates for honorary degrees; and be it further
- RESOLVED: That the ASCSU distribute this resolution to CSU Board of Trustees, CSU Chancellor, CSU campus Presidents, CSU campus Senate Chairs and CSU Provosts/Vice Presidents of Academic Affairs.

RATIONALE: *The California State University (CSU) Board of Trustees established a policy for awarding honorary degrees in November of 2015 that calls for campus Presidents to establish an "honorary degree selection committee" including faculty.*

<http://www.calstate.edu/honorarydegrees/documents/HonDegreePolicy2015.pdf>

Section IV, D calls for the establishment of such committees by campus presidents in consultation with senate executive committees. This does not meet the standard of shared governance set by the American Association of University Professors (AAUP) Statement on Government of Colleges and Universities: "...Faculty representatives should be selected by the faculty according to procedures determined by the faculty." While consultation with faculty is preferred over no consultation with faculty, what consultation consists of can vary widely. The current policy does not ensure the standard stated by the AAUP statement will be met. If faculty members on a committee are to speak for the faculty, they should be selected by those they represent.

Furthermore, the Academic Senate recently passed a resolution on the selection of faculty for shared governance in 2014, AS-3160-13/EX/FA (Rev). This policy disregards the will of the faculty expressed in that resolution.

<http://www.calstate.edu/acadsen/records/resolutions/2013-2014/documents/3160.pdf>

Approved Unanimously – March 3-4, 2016

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3246-16/EX (Rev)
January 21-22, 2016

PREVENTING WORKPLACE BULLYING WITHIN THE CSU COMMUNITY

RESOLVED: That the Academic Senate of the California State University (ASCSU) reaffirm its commitment to the “states of mind” that “Differing perspectives must be tolerated and respected” and “All members of the university community must treat one another with respect and honesty.”¹; and be it further

RESOLVED: That the ASCSU commend the CSU Chancellor’s Office and campuses that have, through survey-based policy and/or practice, addressed the “intimidation, humiliation, and isolation”² that workplace bullying creates for faculty, staff, students, and administrators; and be it further

RESOLVED: That the ASCSU urge CSU campus senates and administration to develop and implement strategies to redress, remedy, and mediate workplace bullying and promote inclusive workplace environments throughout the CSU; and be it further

RESOLVED: That the ASCSU distribute this resolution to the following stakeholders: CSU Board of Trustees, CSU Chancellor, CSU campus Presidents, CSU campus Senate Chairs, CSU campus Athletic Directors, CSU campus Human Resources, CSU campus Title IX Officers, CSU Provosts/Vice Presidents of Academic Affairs, CSU Vice Presidents of Student Affairs, California Faculty Association (CFA), California State University Employees Union (CSUEU), Campus Public Safety Departments, CSU Human Resources, CSU Discrimination, Harassment, and Retaliation (DHR) Administrators, California State Student Association (CSSA) and CSU Emeritus and Retired Faculty Association (ERFA).

RATIONALE: *When the ASCSU created a position paper in 1985 on “Collegiality in the California State University System,” one of their goals was to illuminate the distinction between shared governance as a “process” and a “state of mind” characterized by honesty, respect, and trust. This resolution seeks to reaffirm the ASCSU’s commitment to honesty, respect and trust within the workplace. It also seeks to ensure that work place bullying, defined by American Association of University Professors (AAUP) spotlight author Clara Wajngurt, as actions intended “to threaten, to intimidate, to humiliate or isolate members of the working university environment”³ that impacts both reputation and job performance, is prevented within the California State University system. Further support for the relevance of this resolution can be seen in the rationale for the CSU Workplace Environment Survey and proactive campus-based policies and*

¹ <https://www.calstate.edu/AcadSen/Records/Reports/SharedGovReport.pdf> (see Introduction)

² <https://newworkplace.wordpress.com/2014/05/26/aaup-spotlights-bullying-in-academe>

³ <https://newworkplace.wordpress.com/2014/05/26/aaup-spotlights-bullying-in-academe>

practices that attempt to reduce barriers to inclusivity and cultivate best practices for addressing the dishonesty, disrespect and mistrust that arises from faculty, student, and staff experiences with antagonism, bigotry, false accusations of mistakes, humiliation, intimidation, and misplaced codes of civility that reduce campus morale and marginalize CSU community members (please see below for links to policies, best practices, and model programs). These proactive best practices have drawn upon the exemplary efforts and ideals of consultation, local expert partnerships, and raising of collective awareness that we, as the largest public university system in the United States, have cultivated overtime to promote the dignity of all.

References:

- <https://www.calstate.edu/AcadSen/Records/Reports/SharedGovReport.pdf>
- <https://newworkplace.wordpress.com/2014/05/26/aaup-spotlights-bullying-in-academe>
- <https://www.insidehighered.com/blogs/university-venus/bully>
- <http://www.aaup.org/article/prevention-bullying-campus#.Vr1sRPEz>

Campus & System Based Models:

- CSU Channel Islands - <http://www.csuci.edu/cme/cme-anti-bullying-summit.htm>
- Chico State - http://publiclawgroup.com/wp-content/uploads/2014/10/BP_CSU-Chico-Policy-on-Campus-Behavior-and-Violence-Prevention.pdf
- CSU East Bay - <https://www.csueastbay.edu/faculty/senate/committees/excom/13-14/13-14-docs/13-14-bec-9-amend-resolution-against-hate-crimes-sjsu.pdf>
- CSU Fullerton - <http://campusclimatesurvey.fullerton.edu/study-results>
- CSU Northridge - <http://www.csun.edu/social-behavioral-sciences/resources-academic-bullying>
- Sacramento State University - <http://www.csus.edu/hr/docs/professional/workplace%20bullying.pdf>
- San Francisco State - <http://senate.sfsu.edu/resolution/anti-bullying-resolution>
- San Jose State - <http://www.sjsu.edu/senate/docs/SS-F13-6.pdf>
- CSU Workplace Environment Survey - <https://www.surveymonkey.com/r/M7RL6YW>

Approved Unanimously – March 3-4, 2016

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3248-16/FGA
March 3-4, 2016

**2016 LEGISLATIVE ADVOCACY POSITIONS OF THE ACADEMIC SENATE OF THE
CALIFORNIA STATE UNIVERSITY**

RESOLVED: That the Academic Senate of the California State University (ASCSU) adopt the positions on bills currently under consideration in the California Legislature as identified in the document titled *Academic Senate of the California State University, Positions on Proposed Bills in the California State Legislature – 2016*; and be it further

RESOLVED: That these adopted positions guide ASCSU advocacy activities during the 2016 legislative calendar; and be it further

RESOLVED: That if a change in the ASCSU position on a bill is warranted and, due to time or other constraints, consultation with the Academic Senate is not possible, the ASCSU Executive Committee is empowered to act on behalf of the Senate, in accordance with resolution AS-3148-13/FGA (Rev) (<http://www.calstate.edu/AcadSen/Records/Resolutions/2013-2014/documents/3148.pdf>) and the ASCSU Bylaws, while exercising due diligence in keeping the Academic Senate CSU informed of such actions; and be it further

RESOLVED: That the ASCSU distribute this resolution and document to the CSU Board of Trustees, CSU Office of the Chancellor representatives, CSU Chancellor, CSU campus Presidents, CSU campus Senate Chairs, CSU Emeritus & Retired Faculty Association (CSU ERFA), California Faculty Association (CFA), Academic Senate for the California Community Colleges, Academic Senate of the University of California, and California State Student Association (CSSA).

***RATIONALE:** This resolution is part of the ASCSU Legislative advocacy strategy for 2016, based on the guidelines approved by the Senate in fall 2013. Its purpose is to assist the Academic Senate and its members to be effective and to respond quickly to proposed legislation during the key period of the legislative calendar (March-May). It is during this time that Legislative bills are heard in committee in their House of origin. Advocacy efforts to shape and influence bill development are likely to be most effective at this time.*

Under the California state legislative calendar, proposed legislation is not introduced until late February. In the past, it has been the practice of ASCSU to establish its position on legislation by means of resolutions addressing individual bills, which limits the number of bills to which the Academic Senate can respond meaningfully. Moreover, as a result of our practice of first and second readings, Senate legislative positions frequently were not finalized until the May plenary

under this approach. By that time, important discussion on the bills in the legislative committees has already occurred. This resolution establishes official ASCSU positions on a wide range of bills early in the legislative process in order to enable the Academic Senate to participate more effectively in bill development.

Approved – March 3-4, 2016

**Academic Senate of California State University
Positions on Proposed Bills in the California State Legislature – 2016
March, 2016**

Tier I: Priority

Senate Bills:

SB 15 (Block-D)

Postsecondary Education: Graduation Incentive Grant Program

This bill would increase the total number of Cal Grant A and B awards from 22,500 to 30,000 annually. In addition, it would increase maximum tuition award for Cal Grant students at private nonprofit postsecondary institutions to \$9,084 per annum. The bill would also, beginning with the 2015-16 academic year, establish a Competitive Grant Award to CSU students who demonstrate financial need and which would be allocated based on progress toward degree. This would be funded by redirecting money currently allocated for 2014's Middle-Class Scholarship act.

Rationale: There are concerns about the unintended consequences of bill. The legislation does not appear to tie academic performance to these supplemental awards and they may result in a student taking more units than he/she can perform well in so that he/she can get the award. There is also the question of what impact the increase in Cal Grant funding to students at private non-profit schools will have on the funds available to CSU students.

ASCSU Position: Watch

SB 1445 (Hertzberg-D)

Taxation

This bill calls on the State to begin taxing services from companies generating \$100,000 or more in sales per annum. The monies generated would be used to modify personal income taxes and support education, local government, low income families, and low wage small business employees. In terms of education, the bill would allocate an additional two billion dollars to the UC and CSU with these funds to be split evenly between the two systems

Rationale: Support in Concept for two reasons: First, it is not clear that the service taxes generated by the bill would be sufficient to achieve an additional billion dollars in funding for the CSU and, second, the decision to divide the funds evenly between the CSU and UC may not be the most appropriate, given the different missions (and size of student enrollments) between them. Nonetheless, the funds are urgently needed and the bill recognizes that we are in a service economy for which sales taxes should be collected.

ASCSU Position: Support in concept

SB 1450 (Glazer)

California Promise (4-year degree)

This bill would establish a program that authorizes a campus of the California State University and the California Community Colleges to enter into a pledge with a student who satisfies specified criteria to

support the student in obtaining an associate degree within 2 academic years, or a baccalaureate degree within 4 academic years, of freshman admission. The bill would prohibit system-wide tuition charged to a California State University student who participates in a California Promise program for an academic year from exceeding the amount of tuition charged to the student for the academic year of the student's freshman admission. Compare to AB 2786.

Rationale: The bill will likely be changed in committee and the Senate has a number of serious concerns including (1) it disadvantages those students whose socio-economic circumstances prevent them from taking a full course load each semester/quarter; (2) it locks students into a major early on & interferes with students' opportunity to explore different areas of study or change majors; (3) inability to raise tuition limits CSU ability to respond to changes in state General Fund support; and (4) evidence is unclear as to how many students this would benefit given the already existing pathways to priority enrollment and financial aid.

ASCSU Position: Oppose

Assembly Bills:

AB 1582 (Allen)

Conflict of Interest/Textbook Royalties

Bill would require employees of public post-secondary educational institutions to disclose any compensation received, including royalties, resulting from the adoption of required course materials for coursework or instruction. It is an extension of existing law, including the Political Reform Act of 1974: Conflict of Interest Codes. Note: The bill in its current form does not prohibit royalties, merely requires their disclosure as an extension of existing law. Compare to AB 2214.

Note: Despite "Watch" position, considerable reservations were expressed by ASCSU: (1) it is over-reach, intruding upon purview of the campus; (2) not clear how data would be used; (3) difficulties in complying (royalties usually not broken down by campus); (4) it seems driven by concern over rising textbook costs but bill won't affect this, since increases are at the retail level, not the result of royalties.

ASCSU Position: Watch

-- CSSA recommends support

AB 1837 (Low)

Creation of Office of Higher Education Performance and Accountability

This bill would express the intent of the Legislature to enact legislation to create the Office of Higher Education Performance and Accountability as the statewide postsecondary education coordination and planning entity.

ASCSU Position: Watch

1AB 1914 (Bonilla)

Public Postsecondary Education: Access Codes

This bill that requires that the trustees and the board of governors, and requests the regents, to adopt policies for their respective segments regarding when it is acceptable for a faculty member to require students to purchase an access code accompanying other course materials, as defined.

Rationale: Amendments are underway; wait until revised version is available.

ASCSU Position: Watch

- CSSA sponsored

AB 2163 (Low)

Appointment of Campus Presidents

Amends the Ed Code to require candidates for campus president positions to participate in at least one public forum on that campus after being formally and publicly designated by the trustees as a finalist for appointment as president of that campus.

Rationale: ASCSU support for the bill reflects the position adopted by the 22 CSU campus senates that have called for open presidential searches.

FGA Recommendation: Support

-- CFA sponsored

AB 2210 (Harper)

California State University: Student Success Fees

This bill would increase the affirmative vote required for the imposition of a student success fee from a majority to two-thirds of the student body voting on that proposed fee.

Rationale: Watch until it is determined whether CSSA will take a position on the bill. As of 3-8-16 they have not done so.

ASCSU Position: Watch

AB 2214 (Harper)

Postsecondary Education: Faculty Royalty Income Disclosure

This bill would add to the Donahoe Higher Education Act a provision that requires faculty members to annually disclose, on or before April 15, 2017, and on or before April 15 of each year thereafter, all of the income he or she received in the immediately preceding calendar year from a publisher, periodical, or provider of online content for royalties, advances, consulting services, or for any other purpose.

The bill would require that the information be available to the public on the Internet Web site of the institution at which the faculty members teach. The bill would authorize the trustees to require a faculty member who does not file the information required under this bill in a timely manner to pay an administrative fine of up to 25% of the unreported income or \$5,000, whichever is smaller, as specified. Compare to AB 1582.

Rationale: The scope of what the bill requires is extremely broad and the justification behind it is unclear, since it extends well beyond identifying potential conflicts of interest. With its requirement that such information be made publicly available on campus websites, it represents an unnecessary intrusion in the privacy of faculty and a potential inhibitor of academic freedom.

ASCSU Position: Oppose

AB 2419 (Jones)

The New University of California

This bill would establish The New University of California as a 4th segment of public postsecondary education in this state. The university would provide no instruction, but rather would issue credit and degrees to persons who pass its examinations. The bill would establish an 11-member Board of Trustees of The New University of California as the governing body of the university, and specify the membership and appointing authority for the board of trustees. The bill would provide for the appointment of a Chancellor of The New University of California as the chief executive officer of the university. Note: previous bills calling for the creation of similar institutions have been introduced in prior legislative sessions and have gone nowhere.

Rationale: Three principal objections: First, it would divert resources from the existing public higher education segments. Second, there are no provisions for quality control (assessing the integrity and quality of the degrees awarded). Third, it fails to recognize that there exist components of a university education that are not readily assessable by examination. The result, potentially would be the awarding of second-tier baccalaureate and associate degrees that will never serve students well.

ASCSU Position: Oppose

AB 2786 (Chávez)

Public Postsecondary Baccalaureate Education: 4-yr degree

This bill would require the Trustees of the California State University, and request the Regents of the University of California, to offer eligible students of their respective segments an agreement guaranteeing that a student who meets certain conditions may complete a baccalaureate degree within 4 academic years, with the exception of certain programs that may require up to 5 academic years to complete.

ASCSU Position: Watch

Tier II: Secondary Priority

Senate Bills:

SB 915 (Liu)

Teacher recruitment: California Center on Teaching Careers

This bill would establish the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession.

ASCSU Position: Watch

SB 933 (Allen)

Teachers: California Teacher Corps Act of 2016: teacher residency programs

This bill would establish the California Teacher Corps Act of 2016, under which the Superintendent of Public Instruction would make grants to applicant high-need local educational agencies and high-need consortium of local educational agencies, as defined, to assist these agencies in establishing and maintaining teacher residency programs.

ASCSU Position: Watch

SB 1123 (Leyva)

Pupil instruction: high school graduation requirements

This bill would extend existing diploma requirements for Grade 12 students, currently due to expire in 2017, for five years, until 2022.

ASCSU Position: Watch

SB 1412 (Block)

CSU Investments

Would allow Chief Financial Officers of individual CSU campuses to shift investments from federal or state credit unions and special projects funding (grants, research, operation funding, etc.): to include investing in mutual funds. Could have Fiscal implications. This bill would limit the total amount invested in these mutual funds and real estate investment trusts to specified amounts for each fiscal year, until, commencing with the 2019–20 fiscal year, up to 30% of that money could be invested in these asset categories. This is a reintroduction of AB 130 (Weber) from 2015, at which time it had support from both the Legislative Analyst /office, the Department of Finance, and the fiscal committees of both houses.

ASCSU Position: Watch

Assembly Bills:

AB 1594 (McCarty)

Non-Smoking/Non-Vaping Campuses

This bill would prohibit the smoking of a tobacco product or the use of an e-cigarette on a campus of the California State University or the California Community Colleges. The bill would authorize the governing bodies of the California State University and each community college district to set standards for the enforcement of that prohibition.

ASCSU Position: Watch

AB 1721 (Medina-D)

Student Financial Aid: Cal Grant Program

This bill would express the intent of the Legislature to renew California’s commitment to college affordability by increasing the aid available to needy students through expanding the Cal Grant Program. Under existing law, an award for access costs, as defined, under the Cal Grant B Entitlement Program is limited to no more than \$1,551. This bill would raise the amount of the maximum award for access costs under the Cal Grant B program to \$3,000.

This bill would also provide that an applicant for an award under the California Community College Transfer Entitlement Program may not be 31 years of age or older by December 31 of the award year, and is required to have attended a California community college no more than 3 academic years before the academic year for which the award will be used, among other requirements Under existing law, no more than a total of 25,750 Competitive Cal Grant A and B awards may be granted annually. This bill would raise that limit to 30,000 awards.

Rationale: The bill both increases the size of the Cal Grant B awards, and expands Cal Grant eligibility but raising the upper age limit for which a student may be eligible for such an award. The latter is likely to be of particular benefit to CSU students, many of whom are older and do not fit the traditional student model.

ASCSU Position: Support

AB-1756 (Bonilla)

Teacher credentialing: integrated programs of professional preparation

This bill would require intensive field experiences, as defined, to include student teaching.

ASCSU Position: Watch

AB 1778 (Quirk)

Sexual Assault Training

This bill would require those California postsecondary educational institutions, in order to receive state funds for student financial assistance, to conduct annual training of their respective employees, in addition to the training described above, on the employee's obligations in responding to and reporting incidents of sexual assault, domestic violence, dating violence, and stalking involving students.

Rationale: This bill requires training of higher education employees in, not only recognizing inappropriate and avoiding sexual behavior (currently mandated), but also in their responsibilities in responding to and reporting incidents of sexual violence on campus. Such training seems both logical and desirable given the CSU's efforts to reduce/eliminate of sexual violence on its campuses.

ASCSU Position: Support

AB 2019 (Santiago)

State employees: salary adjustments: State Bargaining Unit 3.

This bill would declare the policy of the state to provide for intermediate steps of salary adjustments, in an unspecified percentage, for members of the California Faculty Association within State Bargaining Unit 3 that would be based on cost-of-living adjustments tied to the California Consumer Price Index.

ASCSU Position: Watch

-- CFA sponsored

AB 2122 (McCarty)

California Classified School Employee Teacher Credentialing Program

This bill would those provide to establish the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools.

ASCSU Position: Watch

AB 2156 (Levine)

Regional Workforce Coordination

Requires the CSU to participate in regional conversations pursuant to the Federal Workforce Innovation and Opportunity Act and submit a report to the Legislature on or before January 1, 2018, on both of the following:

- (a) Efforts they have made to increase the number of degrees in order to meet regional labor demands.
- (b) Identify barriers to addressing regional workforce demands and the progress that is needed to overcome these barriers.

ASCSU Position: Watch

AB 2248 (Holden)

Teacher credentialing: out-of-state

This bill would require the state's teacher credentialing commission to issue these teaching credentials within 30 days of receiving all required documentation.

ASCSU Position: Watch

AB 2317 (Mullin)

California State University: Doctor of Audiology degrees.

This bill authorizes the California State University to award the Doctor of Audiology degree.

ASCSU Position: Watch

AB 2352 (Rodriguez)

Baccalaureate degree pilot program at Crafton Hills College

This bill would authorize the establishment of a 16th baccalaureate degree pilot program at Crafton Hills College if the college resolves any deficiencies identified by the Accrediting Commission for Community and Junior Colleges.

Rationale: This exceeds the limit on the number of baccalaureate degrees approved for the pilot program in SB 850.

ASCSU Position: Oppose

AB 2434 (Bonta)

Higher Education Policy: Improving Affordability, Accessibility, & Coordination

This bill would delete the provision of the Donohoe Higher Education Act that sets forth the mission of specified agencies charged with coordination, administration, or implementation of higher education policies and programs, and would express the intent of the Legislature to explore alternative ways to improve affordability, accessibility, coordination, and development of higher education policy that are consistent with the interest of the people and State of California. May be a spot bill.

ASCSU Position: Watch

AB 2706 (Wilk)

Teachers: credentialing

Bill makes non-substantial changes to provisions for teacher credentialing.

ASCSU Position: Watch

Tier III: Spot Bills (Placeholders)

Bills in this category currently lack significant content, but will likely be amended to address substantive topics at a later date. For this reason, they bear watching.

SB 1045 (McGuire) Early Start (But will be repurposed to address call for open meeting of CSU auxiliaries; it will be CSSA sponsored)

SB 1439 (Block) Postsecondary Education: Sexual Harassment Protection

AB 2137 (Santiago) Postsecondary Education: Student Transfer Process

AB 2132 (Baker) Postsecondary Education

AB 2157 (Baker) Postsecondary Education

AB 2386 (Garcia) Postsecondary Education

AB 2646 (Mayes) Postsecondary Education

AB 2681 (O'Donnell) Postsecondary Education

AB 2850 (O'Donnell) Postsecondary Education

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3249-16/AA/FA/EX
March 3-4, 2016

**CONCERNS ABOUT ADMINISTRATIVE COMMUNICATIONS REGARDING
CLASSROOM DISCUSSION OF POSSIBLE STRIKE ACTION**

- RESOLVED: That the Academic Senate of the California State University (ASCSU) express consternation over recent communications from some CSU presidents and administrators forbidding faculty to discuss the potential strike action planned by the California Faculty Association (CFA) in their classrooms; and be it further
- RESOLVED: That the ASCSU affirm that the determination of the relevance of material to a particular class is the decision of the faculty teaching that class in the context of accepted pedagogical and disciplinary standards; and be it further
- RESOLVED: That the ASCSU urge campus senates to communicate the content of this resolution to all faculty; and be it further
- RESOLVED: That the ASCSU distribute this resolution to the CSU Chancellor, CSU Board of Trustees, CSU campus Presidents, CSU campus Academic Senates, CSU Provosts/Vice Presidents of Academic Affairs, California Faculty Association (CFA), California State Student Association (CSSA), Campus Associated Students Incorporated Presidents, California State University Emeritus and Retired Faculty Association (CSU ERFA) and American Association of University Professors (AAUP).

***RATIONALE:** On February 6, 2016 the California Faculty Association (CFA) announced plans for a system-wide strike in April 2016 if a settlement is not reached in negotiations for a pay increase for the second year of the current three-year contract. Several CSU Presidents sent a letter to their campuses regarding the possible strike that included this sentence: “Classroom time cannot and should not be used by faculty to discuss issues related to the strike...” (see, for example, Attachment A, letter from CSU LA President William A. Covino) This language would seem to be consistent with the American Association of University Professors (AAUP) 1940 Statement on Academic Freedom which states that, “Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.” However, in 1970 the AAUP acknowledged that controversy is at the heart of free academic inquiry, and that its 1940 language was not meant to discourage what is controversial, but rather underscored the need for teachers to avoid persistently intruding material which has no relation to their subject. Indeed, in a later statement about controversy in the classroom, the AAUP stated that, “Controversy is often at the heart of instruction; good teaching is often served by referring to contemporary*

controversies even if only to stimulate student interest and debate.”
(<http://www.aaup.org/report/controversy-classroom>).

Strike Frequently Asked Questions (FAQ) provided by the CSU Chancellor’s Office begin to acknowledge this point. In the FAQs, the initial statement in presidents’ letters is amended to declare that,

In general, however, faculty members cannot and should not use classroom time to discuss other issues related to the strike, unless such a discussion is directly relevant to the content of the course. That will not be true in the vast majority of cases.”(<http://www.calstate.edu/hr/employee-relations/bargaining-updates/documents/2016/CFA-Strike-QandA.pdf>). It is not the place of campus Presidents or the Chancellor’s Office to decide what is relevant to the content of a course. That decision can only be made by the faculty teaching the class as would be consistent with pedagogical and disciplinary expectations.

Approved Without Dissent – March 3-4, 2016

**Text of Message from Cal State LA President Covino
Regarding Possible Strike**

From: Office of the President <OfficeofthePresident@calstatela.edu>

Date: Tuesday, February 23, 2016 at 11:52 AM

Subject: Message from President Covino

Dear Campus Community:

As you are no doubt aware, the CFA recently announced plans for a potential strike on all 23 CSU campuses April 13-15 and April 18-19, 2016. CSU representatives have not been able to reach a salary agreement with the CFA through the collective bargaining process. While we remain committed to the process and hopeful for its outcome, our campus leadership team and many others throughout the university have been planning for the possibility of a strike.

I want to assure you that if a strike occurs, our campus, and all of the CSU's campuses, will remain open. While some classes may be canceled, many classes will be held, because not all faculty will strike. Students are advised to check with their instructors about their individual class schedules and to attend classes that are not canceled. We anticipate that all campus operations and administrative services will be available and scheduled events will be held. The campus will remain open to students, staff and the public. Our university police and security will be serving the campus to ensure a safe environment for all, which is always one of our primary goals.

The strike should not interfere with students being able to complete their semester and quarter courses and graduate on time. Faculty who strike will generally arrange for assigned reading or other work if their classes are canceled.

If a strike does occur, it is important to note the following:

- No individual, including students, can be compelled to take either the CSU administration's position or the CFA's position.
- Classroom time cannot and should not be used by faculty to discuss issues related to the strike.
- Students cannot be compelled to walk out of class, walk picket lines, stay away from campus or support the strike as part of a class assignment or in exchange for a grade.
- Striking faculty may not block or otherwise obstruct student access to campus, campus services or the classroom.

Should a strike occur, media may be on campus and may ask people to comment. I encourage you to direct any media inquiries to our public affairs staff at (323) 343-3050, or paffairs@cslanet.calstatela.edu.

I again emphasize that **in the event of a strike, we plan to maintain full campus operations with minimal disruption to students, faculty, staff and guests.** We respect our faculty's rights and remain committed to the collective bargaining process. I encourage you to review the Q&A document at www.calstate.edu/hr/employee-relations/bargaining-updates/documents/2016/CFA-Strike-QandA.pdf for more information.

Going forward we will keep you apprised of any updates.

Sincerely,

William A. Covino
President