

ATTENDANCE: Abarbanell, Abel Mills, Abman, Adams, Aguilar, Ahsan, Alkebulan, An, Anson, Asante, Atkins, Atterton, Attiq, Baek, Baljon, Bani Younes, Barbone, Bedau, Bernerth, Blomgren, Borgstrom, Brooks, Brown, Butler Byrd, Cappello, Carter-Curtis, Castro, Degeneffe, Delgado, Donyanavard, Dykstra-DeVette, Fuller, Gates, Gibbons, Greicar, Gubellini, Hentschel, Hernandez, Holvoet, Horton, Jancsics, Jeffery, Johnson, Kamper, Kelley, Kraemer, Lach, Lachance, Lange, Lauer, Lenoue, Liu, Love, Luo, MacKenzie, Madanat, Maloney, Marx, Mason, McDaniels-Davidson, Mekany, Miles, Mladenov, Montero-Adams, Moore, Nedjat-Haiem, O'Brien, O'Neill, O'Sullivan, Orona, Orisz, Ozturk, Ponce, Ponomarenki, Preminger, Purse, Quick, Rauh, Rehfuß, Rhodes, Richeson, Roberts, Sarkar, Sasidharan, Schellenberg, Schmitz Weiss, Scheurmann, Schulze, Sharma, Skupin, Smigel, Spidel, Stoskopf, Tang, Tucker, Urada, Vasquez, Walls, Weston, Wills, Wilson, Winter, Wong Nickerson, Wood, Xie.

GUESTS: Catano, Biggs, Foral, Harpole, Hüge, Jarman, McCall, Molina Rodriguez, Ulloa, Vargas.

1. CALL TO ORDER

1.1. Land Acknowledgement

We stand upon a land that carries the footsteps of millennia of Kumeyaay people. They are a people whose traditional lifeways intertwine with a worldview of earth and sky in a community of living beings. This land is part of a relationship that has nourished, healed, protected and embraced the Kumeyaay people to the present day. It is part of a world view founded in the harmony of the cycles of the sky and balance in the forces of life. For the Kumeyaay, red and black represent the balance of those forces that provide for harmony within our bodies as well as the world around us.

As students, faculty, staff and alumni of San Diego State University we acknowledge this legacy from the Kumeyaay. We promote this balance in life as we pursue our goals of knowledge and understanding. We find inspiration in the Kumeyaay spirit to open our minds and hearts. It is the legacy of the red and black. It is the land of the Kumeyaay.

Eyay e'Hunn My heart is good.

—*Michael Miskwish, Kumeyaay Nation*

Tribal Liaison Jacob Alvarado Waipuk read the Land Acknowledgement.

1.2. Principles of Shared Governance

Trust is recognized as a fundamental ingredient that is essential for effective shared governance. Without trust, the practices of partnership, inclusion, open communication, ownership, and accountability are likely to break down. SDSU community members have identified three key

principles for shared governance at SDSU that all rely on the fundamental ingredient of TRUST: Respect, Communication, Responsibility.

Chair Butler Byrd read the **Principles of Shared Government**.

1.3. Welcome (Butler-Byrd)

- 1.3.1. Senate Survey – Senate, SEC and Townhall Meeting Modalities.....Page 5
- 1.3.2. Senate Survey – Agenda Items for AY 2022-23.....Page 6

2. APPROVAL OF AGENDA (Fuller)

Secretary Fuller moved approval of today’s agenda. Approved without objection.

3. APPROVAL OF SEC MEETING MINUTES (Fuller)

- 3.1. SEC Meeting Minutes for [4/19/22](#) (last meeting of AY21-22)
- 3.2. SEC Emergency Meeting Minutes for [6/23/22](#)
- 3.3. SEC Emergency Meeting Minutes for [8/4/22](#)

Secretary Fuller moved approval of SEC Meeting Minutes. Approved without objection.

4. REPORTS

4.1. 2021-22 Senate Agenda Report (Weston)

Immediate Past Chair Weston reviewed the major points of the report, which has been made available online as part of the published meeting documents.

4.2. Senate Secretary’s Report (Fuller)

- 4.2.1. Revised AY22-23 Senate Calendar.....Page 11

- 4.2.2. Revised AY22-23 [Policy File](#), [Policy File Change Log](#) and [Senate](#) and [SEC](#) Agendas, Minutes and Action Memos are up-to-date

Secretary Fuller reviewed the updated Senate Calendar and submission dates.

4.3. Senate Vice Chair’s Report (Vasquez | Fuller)

- 4.3.1. New Web-based Management Process: Trello.....Page 12
- 4.3.2. Referral Chart.....Page 16

Secretary Fuller reviewed the Referral Management Guide – shared with the Senate the new process for managing referrals. **Vice Chair Vasquez** reviewed the new monthly report format.

4.4. Senate Treasurer’s Report (Sharma)

- 4.4.1. Senate Expenditures FormPage 17

Treasurer Sharma reviewed the new format for a monthly Senate budget report.

4.5. Report on Actions taken by SEC over the Summer (Butler-Byrd)

- 4.5.1. Graduate Writing Assessment Requirements (GWAR) proposal
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Chair Butler Byrd reviewed the reports and actions taken by the SEC in Emergency Meetings over the summer. Reports centered on the Sexual Assault off-campus in October 2021 and TA/GA GSHIP, workload and health benefits issues. The one action item, approved by unanimous consent on 6/23/22, was an adjustment to the policy regarding GWAR, which is summarized in the linked minutes from that meeting date.

4.6. President’s Report (de la Torre)

- 4.6.1. Criminal Sexual Assault Investigation & Title IX Report (Mendez, Rentto, Mays)
- 4.6.2. GA and TA Workloads and Benefits Report; GSHIP
- 4.6.3. Telework Policies (Rentto, Harpole)

4.6.4. Budget Projections

President de la Torre: This year Chancellor Koester and the government relations team started the budgetary planning process two full months earlier than normal. The planning process now begins in July and will go to the CSU Board of Trustees for approval in September. The goal is to provide a greater window for campuses and the legislative team to be more effective in explaining our budgetary priorities to elected officials before the January governor's budget plan is released. Second, it is clear across all sectors of the CSU that the issue of compensation is critical to the well-being of our faculty and staff; and that we need the state to work with us to fully fund compensation for staff and faculty of all campuses. Our University has been advocating in support of more equitable and more competitive pay across classifications. I look forward to this need being recognized and supported at the state level. It is important, in fact, critical, that this year we receive the additional funding for our faculty and staff—all the Presidents and the CO agree that there is no greater funding priority this year for the system than requesting the base increases necessary to support the needed compensation increases. Our faculty and staff both need and deserve this increased level of support.

Last year, we did receive an important five-year financial commitment from the governor. However, the governor's "compact" provides 229 million dollars, which, while it amounts to a 5% State general fund increase, is more accurately a 2.5% increase to our operating budget. It is appreciated and needed to be clear. However, at the same time, utilities, our risk pooling, insurance, and other fixed costs experienced by campuses have increased more than 20% at SDSU. Just like at many campuses, our net new dollars, as part of this "compact" will not even cover our fixed cost and negotiated salary cost increases. We'll be able to do a deeper dive into our efforts, and the budget implications for the campus, at our [Budget Town Hall](#) in October. I want to invite everybody here to attend this important town hall.

There is also an ongoing commitment to support increased enrollment growth and a commitment to [GI2025](#) goals. More important to SDSU, the Chancellor's Office is beginning to target these enrollment dollars to campuses that have the demand as opposed to equally distributing dollars across the system, even to those campuses who are severely under-enrolled. This hurts the ability of campuses like SDSU to meet our region's needs. So one of the things we're seeing across the system is a very unequal distribution of demand, and some campuses have a 90% acceptance rate because of that. So it is creating a lot of issues surrounding where we need to invest our dollars.

We will be doing everything we can to increase a one-time pool available to the system to advance our deferred maintenance projects. So that's a very important strategic goal of the system, and for us as well. But, I have to say it's very worrisome that so little progress has been made on the CSU capital projects and deferred maintenance list in recent years. And, so the system is going to change strategies, and has reframed the issue, so we're going to switch from talking about deferred maintenance, to now speaking about it in terms of an urgent safety investment. I think this will resonate more with our legislative leaders. This is something I'm going to closely be involved with. North Life Sciences is still the top priority for our campus. It is currently listed #13 on the CSU capital project list, and quite frankly, I'm not content to wait for this to be addressed through the normal process. I will be actively working with Dean Roberts to pursue other strategies.

We are fortunate that last year SDSU was able to benefit from specific set aside, supported by our delegation in the state's one-time budget allocation. This included 80 million dollars in targeted support for expanding the SDSU Imperial Valley, which serves the county with the highest unemployment rate in all of California. It also includes 6 million dollars in additional funding for our East Bay development in Mission Valley, as well as a safe and secure bike path between the Mesa and Mission Valley. Both of these projects align with our goals to enhance environmental sustainability.

Speaking of Mission Valley, we were recently able to cut the ribbon on the new multi-use stadium on time and on budget. We also held our first ever football game during Saturday's season opener. It was wonderful to see some of you there, and to also acknowledge our unsung heroes during the game. I do want to take a moment to speak to the importance of this milestone in our Mission Valley development. As you know, the site does not rely on state dollars or tuition/student fees. In our development of the shared vision, we were very intentional about the funding model for Mission Valley. That was our community promise: the revenue from events to be held at the Stadium complex (soccer games, concerts, symphonies and conferences) is in part what allowed us to take out the revenue bonds to advance Mission Valley. The stadium complex is totally self-supporting. It also logistically unlocks the rest of the site, which is what allows us to now construct the river park, which should be completed by the end of 2023, and the innovation district in partnership with our academic colleges. I'm happy to announce that we are at the process of our RFI queues, and with quite a bit of interest.

I also want to share that our new chancellor prioritized four committees which focus on sustainable financial models, enrollment management planning (AVP For Enrollment Management Stephen Hyman will be one of the representatives), Graduation Initiative 2025, and recruiting and retaining diverse human resources (I will serve on that committee). I ask anyone who would like to share ideas to please send them to me as we haven't had our first meeting yet, and would like to get a diverse sense of opinions as we begin.

I also want to acknowledge the major strides our university has made towards reducing equity gaps between students of color and their peers. As part of Gi 2025, our University has been intensively engaged in efforts to reduce gaps between underrepresented minorities and their peers. Recently [Cal Matters](#) completed an [analysis of the complete CSU system](#), and found that SDSU was the only university in the system to effectively close the graduation rate gap between underrepresented and non underrepresented freshman students, as well as between black students and non underrepresented freshman students. This news is a testament to years of hard work from our student services professionals, faculty members, and leadership.

I also want to thank the faculty and staff for supporting the legislative process this past year to implement the doctorate program in public health. As demand for quality of public health programs expand, [Senate Bill 684](#) will allow the CSU to prepare diverse health professionals with the skills they need to effectively serve the public. This bill passed out of the Legislature last week, and is now with the governor for a signature. He has until 9/30/22 to sign it. We expect this to be signed, and to submit our academic program to the Chancellor's office immediately this fall. I've also submitted to the Chancellor's

office a formal legislative proposal to pursue a pilot program in the State of California to allow, selected CSU campuses, including SDSU, the ability to offer independent doctoral degrees as well as to offer JDB degrees, with other CSUs, and with regionally accredited non-California partners. This proposal was submitted with about five other presidents of our system.

Now I will now take a moment to address the [ongoing sexual assault investigation](#). The San Diego Police Department (SDPD) last month announced that it had completed its criminal investigation, and the case is now in the hands of the district attorney. I know that it has been frustrating to many that it has been so many months, and we still do not have confirmed suspects or any charges. This process is lengthy, and will take even more time. This lengthy timeline is to be expected, especially when there are so many unknowns and allegations of multiple subjects. I understand the frustration, and as we wait to know the DA's decision, we cannot, nor would we want to rush this process. This impacts the lives of several young people and our entire community. It's been painful for so many others who have experienced violence.

Immediately after receiving consent from the lead investigating agency, San Diego Police Department, our university opened its own conduct investigation. While the consequences of a student conduct investigation pale in comparison to those that can be brought against someone through the criminal justice process, it is still critical. I can make no statements about the timeline expectations [of the SDSU process] at this stage as it is entirely dependent on the investigatory process and what facts can be identified. When there is an update that is shareable with our campus community, we will, of course, do so.

I also want to address a topic of our continued efforts to support our graduate students. I am absolutely committed to maintaining insurance access for our graduate students. Frankly, I firmly believe all graduate students at all CSUs should have affordable access to insurance, not just at SDSU. I'm currently advancing this topic at the level of the CSU presidents. At the last leadership meeting, I asked them to put this on the agenda. If we can expand the availability pool across the system, this will increase affordability for our students. It is also no secret that, as the university has stood up its new division of graduate affairs in the last two years there have been some growing pains. The communication breakdowns are unacceptable and cannot happen going forward. Collaboration is and will continue to be absolutely necessary. Graduate student health insurance is a key example. I have asked graduate affairs, and student health services, to engage with each college, with students, and with faculty to recommend a path to further improve support, communication and care for our graduate students this fall. Beyond this, I am charging a presidential task force made up primarily of doctoral and graduate students, and faculty, to ensure information about our graduate student insurance program is communicated on time and appropriately to each and every constituent on our campus. Program directors, JDP directors, college and departments, Associated Students, our incoming and continuing students will all be included.

I have arranged for a presentation regarding our telework program, as there have been questions about implementation. I have asked Tom Harpole and Jessica Rentto to speak about the current status of the University's telework policy.

Harpole: I think the great place to start when we're talking about the SDSU telecommuting program is to talk about the policy framework, and it's important to note that we're working under a CSU system-wide policy. Campuses had the ability to opt-in to the policy, and our campus leadership made the decision to do so. This policy was implemented through collective bargaining with APC and CSUEU, and following agreements with those bargaining units, the Chancellor's office applied the policy to unrepresented management personnel plan employees and confidential employees. There are many employee groups that this particular policy does not apply to, and this is due to a variety of reasons. It does not apply to CFA. It does not apply to the State University Police Association teamsters, the State Employees Trade Council, UAW, academic student employees, and the Union of American Physicians and Dentists. It does not apply to student employees.

The policy is a multi-page document, but I've tried to kind of boil it down to important points from the policy itself:

- Telecommuting must: be functionally feasible, be in the best interest of university operations, result in sustained or improved organizational performance.
- Telecommuting decisions are position-based.
- Telecommuting is not feasible for all positions, and it can only be approved when the job duties can be performed outside of a traditional office setting face-to-face interaction and support of students, faculty staff and others, is minimal, or may be scheduled.
- Telecommuting can only be approved if there is no adverse impact to the University's operation and mission.
- A formal telecommuting agreement, which includes work and task planning, performance expectations and performance monitoring plan, is required and is subject to modification where the university deems it necessary.
- Telecommuters must always adhere to our IT security policies and our information security policies and practices.
- Telecommuting is not compatible with dependent care or childcare.

In looking at this policy and implementing it within our context, it's important to recognize where we are, and certainly the campus has gone through a lot of changes. The operational context of much of the COVID emergency no longer exists, and SDSU's operations have largely normalized. This is evidenced by the fact that 86% of instructional activity is occurring on-site, in person, and we have over eight thousand students living in residence. There is a significant need to ensure that on-site services are maintained to support on-site students and faculty and staff. Consistent with university business hours generally all university offices must be staffed, open and accessible Monday through Friday from 8:00AM to 4:30PM, and as operational and service needs dictate.

We've established some particular policies/procedures at SDSU to implement this policy, and I think that we actually have a very thorough and thoughtful way of assessing telecommuting at SDSU. Our program is managed by the Center for Human Resources, Labor and Employee Relations. Any employee or manager may initiate a telecommuting requests, and all requests will result in an individualized assessment of position, duties, and job context to determine the appropriateness, telecommuting. That evaluation will involve the immediate manager, the college and divisional designee, and the HR

Telecommuting Coordinator. If approved, a telecommuting agreement, approved telecommunications schedule, job performance expectations, etc. will be issued. If denied, a formal communication will be issued to the employee articulating the position-specific basis for the denial.

Where we currently stand, as of September 2, 2022: we have received 557 telecommuting requests. 223 of those are still in process, and that is because it is an involved, collaborative and thorough review process. I'm pleased to report that 312 requests have been approved. In considering the specific status of approved requests: 208 are still pending the agreement, the work schedule and work expectations, which need to be solidified by the employing unit, 104 have actually reached the step of finalization, and thus far, 22 requests have been denied.

We have a roadmap for future activity related to telecommuting, because there is a significant institutional commitment to ensuring the success of this program, and ensuring that we can realize the benefits where appropriate. A couple of those items on the roadmap include exploring telecommuting options and other flexibility during intercession periods because the work dynamics change a lot during intercession periods. I want to caution that we can't make any sort of generalizations. We're still going to need to go through an individualized assessment. We're committed to engaging in ongoing training and support of both our telework telecommuters and our telecommuting managers to ensure their success in the program. And we'll be engaging in monitoring telecommuting effectiveness and impacts to ensure that the program continues to serve the needs of the institution. Part and parcel with that monitoring, we're committed to engaging in reporting. [We do have a website that has all of the information related to the telecommuting program.](#) Should you need any additional support, you can feel free to reach out to myself or Jessica Rentto.

Kamper: Can you elaborate on this immediate manager? For example, I'm a department chair, and my coordinator applied for this. Would that mean I would be included in this process, or is it only the Dean's office above me?

Harpole: The way the policy is written it's a managerial decision. While department chairs play a very important role in the structure of management within the colleges, our assessment is that it's inappropriate for us to delegate that responsibility to a represented department chair. What we've done to address that is we've made sure that when requests come in, chairs are carbon copied, so they always have awareness of the requests that are being made, and then, when we get to the point of implementing telecommuting agreements, chairs are involved in helping to establish the schedules and the work expectations under those agreements. Since the negotiated agreements with CSUEU and APC make reference to management, we feel that it's appropriate for management to lead these decisions.

Kamper: Does that mean that chairs get notified as well if it's denied?

Harpole: They should. One thing that I will say is that we have two different types of requests. We have employee-initiated requests and management-initiated requests. Management initiated requests that don't have the support of higher level management will be canceled without further assessment. Employee-initiated requests will always move all the way through the assessment process, and will

always result in a written determination.

Barbone: You talked about how decisions will be based as operational and service needs dictate. We know that SDSU makes its decisions based on data. What data is used to make these types of decisions? The data that I get from just being on the ground indicates that operational and service needs can be met very easily with some telecommuting options.

Harpole: We're primarily relying on the position description as evidence of a job's duties and responsibilities. We're also factoring in the employees' justification or the manager's justification for the request. There's interaction with those individuals to ensure that we've got a good perspective, and then again, we review each request evaluated through a couple of different frames. We have the immediate manager for the individual and the MPP Manager. We have either a college or divisional designee, and there's a couple of different workflows, because not all divisions are structured the same in terms of their management structure. Finally, we have a telework coordinator who's a human resources professional. Primarily what they are doing is looking at the position description, the perspective of the employee and the perspective of the manager.

Barbone: I'm not sure that it really jibes with what many of our coordinators are doing.

Harpole: As HR professionals, we do recognize that the position descriptions can be imperfect. One of the points of our assessment is to actually inquire as to whether or not the PD is an accurate reflection of a job.

Aguiar: Part of the agreement defines how telecommunication work will be evaluated and monitored. Will that monitoring happen via regular meetings between employee and supervisor, or via monitoring of computer work activity?

Harpole: The monitoring is something that needs to be memorialized in the agreement, something that the employee and the supervisor agree to, and certainly we wouldn't support any monitoring that would compromise anyone's privacy interests. It's dynamic and it's established between the supervisor and the employee with review and support by HR.

Aguiar: What is dynamic?

Harpole: There is not a one-size-fits-all formula. It's an individualized expectation and evaluation regime that's established. It's communicated in writing as part of the agreement.

Kamper: For the chairs and coordinators in my college that I've talked to, we did not get cc'd on this. We aren't getting the documentation about decisions. Perhaps these decisions aren't done yet, but a lot of coordinators in my college are led to believe they've been denied and can't telework. I'm really concerned about that communication problem both with chairs and with coordinators. There have been people that have already left the university in the last couple of weeks because they felt their request to telework had been denied. I would encourage you to do some better communication with both chairs

and coordinators.

Harpole: I do want to point out that we do have 223 requests in process. Some of the business units have sent communications to help establish expectations around what management within those units or divisions will be comfortable supporting for management initiative requests. That doesn't preclude individual employees from going the employee initiative request route. So those are two factors that could be perhaps creating some static or misunderstanding.

Quick: I'm just wondering if the telework policies that have been developed considered input from campus committees that think about sustainability and the energy it takes for us to travel to campus and how that might come into play in thinking about our sustainability goals as a campus?

Harpole: Earlier on, there was a tiger team that was formed that was led by Jerry Sheen. We took a broad view of some of the telecommuting interests of SDSU. Ultimately, we ended up adopting the policy that the Chancellor's office negotiated. We recognize there are many interests that can inform our practice here, and we're at the very beginning of implementation. I have every expectation that there will be some evolution to that implementation with time, and I think our goal is to make sure that we are being transparent and open about what we're doing, and collaborating with individuals who are interested.

Lach: My question is a little bit broader than this specific presentation. We're hearing, at least anecdotally, that there's a principle that anyone in a public-facing role would be denied telework because of university operations. I'm also hearing that other CSUs are implementing this policy in more flexible ways, and I'm concerned about staff retention. I'm hearing that people are leaving for better paying jobs that offer more flexibility. I myself just lost someone to that and I'm wondering what tweaks could be made to the telework policy to be seen as a retention possibility for our fantastic staff, who we cannot operate this university without.

Harpole: Centrally we haven't seen any significant change in our retention. Numbers within our industry are really good for retention. It's still one of my concerns as an HR Director and I think what we're planning to do is make sure that we're regularly monitoring turnover. We're also going to be tracking all of these decisions in Peoplesoft, both approval and denial, so that we can monitor the impacts of this program as a part of our ongoing deployment. This is a very dynamic issue. The dynamics in the labor market are also very volatile and subject to change. Certainly, recruitment and retention are significant concerns, and there are going to be issues that we're looking at.

Rentto: We recognize that within a 23 campus system different campuses are going to implement this in different ways. Part of the reason that we see different ways of implementation is because all the campuses are very different. For instance, we have a high number of residential students at SDSU. We are different from other campuses in many ways. I think we all recognize the opportunities that we discovered through the COVID pandemic. With respect to telework, however, we want to make sure we do it right, and for a residential campus that is historically brick and mortar, we don't want to shift a pendulum too quickly to a predominantly remote work environment. Because again, we want to do it

right. We want to make sure our students are receiving the support that they need. We want to make sure that we are taking into consideration all of our faculty and staff needs while developing a telework program that's sustainable, and that will be something that will work for our campus. So, as Thom has said, this program is going to evolve. We're in the very early stages of this, and focused on: Where do we have a high level of certainty that telework will be successful? Let's start there before we start experimenting with other positions that are student-facing, that are public facing, because those are the positions where there's a higher chance of failure, and if we fail in one area it can have impacts and implications for the entire telework program.

Carter-Curtis: How long does this decision-making process take?

Harpole: There are a number of people involved, so it depends on how responsive folks are to the process. We are still dealing with the high volume of requests that came in at the time the program opened. We have one dedicated Telecommunicating Coordinator and her review is necessary for any of these arrangements, so it is taking a long time to go through the initial requests. Once we're through those, which is a top priority for us, we think that the process will work a lot faster, but there are multiple dynamics involved. How long does it take for an appropriate administrator to provide perspective and input to the request? How long does it take for our college or divisional designee to provide that higher level college or divisional perspective? Then there is the review of the file and the documents. I think normally that should be something we could tie up within six weeks, but because of the high volume of requests that we received when the program first opened, we're still in a backlog.

Kelley: I was truly flabbergasted at the response of the coach and the athletic director in particular, in their response to the allegations, and their decision to not answer any questions. I'm really concerned about how long it took for these questions to be answered.

This is a really difficult subject. I have in my life known a number of women who've been raped, some on the campus I went to, as in my alma mater. The first article we ever reviewed in my Women's Studies class turned out to be an article about a woman who was raped in a dorm room while she was drunk, and it went on to blame her for that. This happened 31 years ago. I also had a friend at that time who was going through a fugue state because of the damage done to her before she came to the school when she was raped by her boyfriend. These types of allegations are really serious. 31 years and we've had Take Back the Night, the #metoo movement, and all sorts of other initiatives. But it turns out that you still can't get anyone to do anything about rape.

In regards to the SDPD, I had a student here at this campus who was not raped on campus, but it did happen in San Diego. It was very ruinous to her life. She went to SDPD and they mocked her. They did not take her seriously. She was really upset by this, and she knew this person was going to do it more. So she tracked the person down, and she told SDPD where this person worked. She contacted other women who had also been raped by the same man, and she was told by SDPD that they couldn't do anything because of jurisdiction issues. SDPD, in 2016, was shamed because they had a 2400 backlog of rape kits that they had not gone through. Guess what? They went through it, and they found a bunch of suspects, though the trail had gone cold. This kind of behavior of not taking rape seriously, not taking this sexual

assault seriously, not putting out statements by the coach, the athletic director and the president of the University, in this case early on, is really sending a message to women on this campus that they are not valued, and that it is more important to protect the football team and these rich players. When there's an incident on this campus of graffiti, when somebody is caught smoking pot—the university comes down on them like them on a ton of bricks. A few years ago, the university and the president issued this blanket statement (before anybody had been charged) about how people who were caught in a sting operation for pot smoking were the horror of horrors on this campus. The NFL will kick you out for smoking a little bit of weed, but they won't do anything for sexual harrassment. This is the situation we continue to be in on our campus, and I would really like to see us be leaders in the campus, come out in front and say: *We are taking this seriously. We're going to investigate to the max. We're not going to let our women be assaulted. We are going to take their word for it.*

How is it dragging on this long with such weak statements about he said, she said? This is violence. In our society, we're more likely to kill somebody who's poor for passing a fake bill than we are to take rape seriously on this campus. Watching those interviews, watching the coach and athletic director, who must be paid over 2 million a year, dismiss it, to not even answer questions, instead of taking her seriously. It was personally very upsetting to me. I hope that we can move forward in this because these issues are not taken seriously. People are not brought to justice, and it is a real violent crime that ruins people's lives like almost nothing else. I'm sorry for taking up the time, but I just could not believe the response.

President de la Torre: I honor the feelings that Senator Kelly is expressing. Having experienced sexual assault early in my life, it is something that every woman, at least in my generation, has known from either a family member, or has experienced it through friends in college. So it's not something that's a hypothetical for me. It's a very real experience. It's something I emotionally connect to.

I am very concerned that as we move forward with this discussion, we need to recognize the processes and policies in which we investigate these horrific assaults. Indeed, the victim herself went through the SDPD. I think it's important for individuals to know that when we were able to begin the investigation, we did so. We have answered many questions posed by many folks throughout the U.S. about the processes. We have a dedicated [Title IX area on our website](#), but more importantly moving forward, and I think this is something that we need to fully understand. Gender-based violence is not tolerated on our campus.

We have a legacy of women who have been committed in this area. Since I've arrived, we have increased our resources focusing on Title IX. We have a dedicated Title IX Coordinator who is committed to these types of investigation, who has been part of this process from day one, and in particular with this particular sexual assault. I want people to understand that I understand the frustration, the anger, and the hurt. I can also understand that how we go through this process may be confusing, but we have to do so in a way where we can balance the victim's right for justice within the context of the appropriate policies and practices that we must follow, based on law. This is where we are moving forward.

Rentto: I appreciate Senator Kelly's comments. I understand and I feel the same way. I do feel that these things are not taken seriously enough by our society. That being said, at SDSU we take a

survivor-centered approach, and in that survivor-centered approach, we work to respect the victim's preferences in determining how to proceed. This case is difficult because the young woman is not a university student. We did not have the young woman's name. We reached out to her through SDPD. We have university processes that were potentially in play, but until recently, until she filed her civil lawsuit, we did not actually have specific allegations as to what had occurred, and we did not have the names of specific suspects. Our policy contemplates due process. We had some rumors that had a variety of different information, different names, and there was not complete consistency. Based on our policy, and how it works with due process, in order to do a meaningful investigation, we would need to have started calling in individuals and start from ground zero. That is exactly what SDPD did not want us to do.

I share the frustration with how long it took SDPD to complete their process. Our process takes a long time too. It is not unusual for our process to take months. We made sure, through SDPD, that the individual had information about our process in case she wanted to use it. At that time, she did not. So we did defer to SDPD. We deferred to our assumption that her wish was to allow the criminal process to move forward with priority.

As part of our general Title IX policies and processes, we increased education. We recognize that these types of allegations are horrific. We want to address these issues. We want to create an environment where all of our community, including our students, faculty and staff, who identify as women, feel safe. It's a complicated issue. But as soon as we got the go ahead, as soon as we got more information, we have began our process, and we're looking at it through the lens of our campus policies relating to sexual violence. Our policies do require due process, so it will take quite some bit of time, but we are committed to ensuring that we do it right, because at the end of the day, if we don't do it right, we can't hold people accountable, and that would be worse for everyone in our community.

Holvoet: It's a complex process, and I think a lot of people don't know a lot about it, and so I don't know if we can improve general communication on how this process works? Do we have any sort of continuous process, improvement model, where, when there is an incident, particularly a high-profile incident, is there any sort of after action where we look at policies and say, this could be better we could do this differently? Can we improve this for any future to ensure more trust that we are taking this seriously, and we are trying to improve this?

President de la Torre: There is no question that our team, including Jessica overseeing the police and our Title IX Coordinator, but also [the whole CSU system, is going through a review process of Title IX](#). Cozen O'Connor has started with Fresno, Sonoma and San Jose State. They're reviewing those campuses, and we will have the review of our timeline and processes in November. There'll also be an opportunity for faculty and staff to comment during that review as well. So, there is going to be a system-wide review of every single campus in relation to Title IX.

Rentto: I was just talking earlier today with our Title IX Coordinator Gail Mendez, and we were asking: What can we do differently? What can we/might we change? What do we think we did correctly? Hindsight is 20/20. Oftentimes, as we go through an issue like this, it provides an opportunity to improve our process. Our policy itself is a system-wide policy, so we can't change that policy, and a lot of it is

informed by case law, and federal and State laws, but we are constantly thinking about process improvement.

Kamper: You mentioned that you didn't know the victim's name, and talked about protecting her anonymity, yet VP Mays also has come and told us that the victim's dad spoke to him or to someone in the office three days after the incident. Does this mean that the father didn't want to tell you the victim's name, only that something happened? I think a lot of folks have wondered about this.

Rentto: That's a great question, and I think it's one that causes a lot of confusion. When victims of sexual violence report a crime to law enforcement, they have the ability to ask to be what's called a "confidential victim." This individual requested to be a "confidential victim." What that means is that outside of law enforcement there are very few individuals who law enforcement can share the name with; namely, they can share the name with the district attorney's office and prosecutors. They can't share it with college administrators. Because our university police are sworn law enforcement officers (they are not campus security or elite security) with arrest privileges throughout the State of California, they have to abide by that law.

4.7. Provost's Report (Ochoa)

4.7.1. WASC Taskforce (McCall)

4.7.2. Ombudsperson for Faculty/Staff (Chizhik)

[ASCSU AS-3536-22/FA \(Rev\) ESTABLISHMENT OF OMBUDSPERSON POSITIONS AT EVERY CSU CAMPUS](#)

Provost Ochoa: For the sake of time, we're going to talk about the Ombuds program at the next meeting. I'd like to say a few things, and then Madhavi McCall will give an update on WASC accreditation.

We have two new deans that started this semester. I want to welcome Dean Dan Moshavi from the College of Business, and also the Dean of Imperial Valley, Guillermina Gina Nunez Mchiri. This past year, we had 76 successful searches, and so I'd like to welcome those individuals. We have a few that will be starting the spring, but 73 have already started. We are undertaking 57 searches this fall from faculty lines, and so I wanted to report that as well.

This past year, I reviewed 109 faculty members for third-year review, promotion to associate and promotion to full. 38 faculty were promoted to associate or the advanced library position, and 31 faculty were promoted to full professor. The Deans did inform me that everybody who serves on the University Tenure Committee to review RTP files will get a course release, and so we will have consistency with that across colleges.

In terms of our summer enrollment, which is very important for a budget. We came in at 101% of our

target, which was very good. We're still waiting to finalize fall enrollment, but it's looking good. We will have to run census, and I'll be reporting the exact numbers soon. I will report more on retention rates at our next meeting, but right now it looks like we will be within a percentage point of our target, which is very good. In addition, last year, each college worked on a plan to address equity gaps. We're very serious about our GI 2025 efforts, and I want to give a shout out to Joanna Brooks and her team. Each college has developed a college-specific plan that looks at the particular demographics for their colleges and majors to reduce our equity gaps and improve our graduation rates. I think we're the only CSU that's working at that level. So if anybody has questions, I'm sure Joanna can talk a little more about that.

And last, but not least, we are getting ready to start and preparing for our WASC 10-year re-accreditation review, and Madhavi is going to give you a brief update of where we're at with that.

McCall: As you may or may not know, San Diego State University is accredited to the by the Western Association of Schools and Colleges Senior College and University Commission (WASC). We were accredited last in 2015. Our self-study is due in fall of 2025, and our site visit is in the spring of 2026, so that is three years away. Nevertheless, there are some deadlines that are coming up. The most important one is coming up in November, when we have to determine what kind of review we would like to ask WASC to conduct. As a result of the upcoming deadlines, the Provost has started putting together a WASC Steering Committee. I imagine that the steering committee will get larger as we get closer to the re-accreditation and the self-study. For now, the steering committee will include members of SLOPAC (faculty-led), as well as chairs and directors from across campus and from various divisions, including Student Affairs and Campus Diversity. I believe Senator Byrd is also on the committee as well.

4.8. Associated Students President’s Report (Moore).....Page 21

President Moore: I have a brief report for you today, mostly surrounding the A.S. vision for AY22-23. We are focusing on a “future forward,” which is our theme. Coming back from COVID, many students are coming to the campus regularly for the first time. Clearly this is a pivotal year to shape the culture we want, and for our student body and our students to shape how they want the campus experience to look like. We understand that we need to have a passion to lead and the courage to care, especially in this social climate, with so many things going on. It takes passion to want to step into a leadership role and advocate, and lead on behalf of students. This year is: *Future Forward! Passion to Lead, Courage to Care!*

In addition to the theme, we have three main pillars of the A.S. internal culture. We want to make sure that students are getting out as much as they are putting in. We want to create a sense of community and belonging, as well as mentorship within the organization. Not just mentorship from between experienced student leaders to newer student leaders, but between our alumni and Associated Students as well. To connect our students with our alumni is going to be huge for us. Another one of our pillars is shared governance. It's so important and crucial to know what shared governments means, and stay aware of how we enact that throughout the year. This is pivotal because one of our main objectives of being the student government is being the official voice of students, an honor vested to us by the CSU. We take that very seriously and will continue to amplify the student voice campus-wide in decision

making.

And lastly, with the student experience, we really want to focus on how we can get student engagement up across all of our RSOs. There was a lot of pre-pandemic spirit, and even if we understand it's going to be different post-COVID, we want student engagement to be high. We have the opening of the Snapdragon Stadium, with students going to the games, and we want to redefine what it's like to have fun and have a culture. So we want to foster a vibrant student experience and to promote social outlets.

5. ACTION ITEMS: UNFINISHED BUSINESS

5.1. Constitution & ByLaws (Baljon)

5.1.1. Posting Senate Agendas and Materials Bylaw - First ReadingPage 22

Chair Baljon presented the proposed policy revisions for initial commentary.

Skupin asks if the policy document defines confidential items? He thinks the statement as written implies that if any confidential item is part of the materials, the materials need not be shared. Baljon says that they plan to reword the statement so it is more clear since that is not the intent prior to the second reading.

5.1.2. CBL Membership Charter Update - First Reading.....Page 24

Chair Baljon presented the proposed policy revisions for initial commentary. There were no comments.

5.2. Faculty Affairs (Abel-Mills)

5.2.1. Including Diversity Content in RTP Policy.....Page 25

Chair Abel-Mills provides an explanation of the policy revisions for approval. She notes that the revised language does not add new actions or processes, rather it rather clarifies how candidates will meet the requirements already established.

Chair Lach notes that responsiveness to diversity is already required by policy and these new updates align with the instructions provided for reviewers and candidates.

Motion (**Abel-Mills/Fuller**) to update the policy file as presented.

Chair Baljon speaks against the proposal and remarks that the message around the Diversity Plans is controlling and is viewed by many as a way to control faculty. Adding this now into the part of the RTP process - in her sense - it indicates that the university is moving closer to a corporate model, which she finds concerning. Chair Abel-Mills adds that the RTP file does not dictate or force action, rather provide the “how” to include this as part of the required Diversity Plan at the college level.

Bernerth speaks in opposition to the proposal. Objects to the wording of “shall” which is an imperative to faculty. He feels like the opposite of inclusion to ask faculty to write statements addressing diversity. He also has an issue with the university goals around diversity – and states that there are many goals aside from the strategic goal around diversity – it seems wrong to focus on one of these priorities and not any of the others. Finally, he adds that from a research perspective, some of our colleagues do amazing work not focused on diversity, so they will be excluded, but their research is no less important. He feels that there is an implication that research addressing diversity will be more valuable than other types of research – it is a threat to research autonomy.

Hentschel speaks against the motion. As presented, he has very little to disagree with – however, he makes a motion (**Hentschel/Bernerth**) to amend the “shall” statements in the policy to “may.”

Debate on the motion to amend the proposed policy occurs. **Chair Butler Byrd** clarifies that the motion to amend applies only to section 7.0.

Speakers for the amendment: Skupin, An.

Speakers against the amendment: Hernandez, Abel-Mills, Shuermann, Vasquez.

The motion to amend fails: (41 no | 26 yes | 7 abstentions).

Kamper speaks for the motion. Notes that from his perspective it seems like his colleagues opposing the policy updates seem to take issue with the idea that diversity is important within the university context, or that those who refuse to engage in diversity initiatives should somehow be included in the definition as a member of a diverse group, but these notions are outdated and disappointing. He affirms that the work of diversity, equity and inclusion is meant to rectify the historical silencing of different types of knowledge, and he therefore encourages us to support the motion.

Bernerth reiterates his opposition to the motion.

Ponomarenko supports the motion and requires candidates to discuss how they support diversity in support of their plans. He makes a motion to amend (**Ponomarenko/Barbone**) the

language in 7.0 to strike “each narrative” since this may be unrealistic for all candidates, and replace it with “the narratives,” which allows flexibility for candidates in how they incorporate the discussion of diversity.

Debate on the motion to amend the proposed policy occurs. **Abel-Mills** clarifies that previously there has been a single statement, and now there are three statements, which is why narratives are plural.

Speakers for the amendment: Hentschel.

Speakers against the amendment: none.

The motion to amend is accepted without objection.

Skupin speaks against the motion based on the fact that this would elevate the diversity plan to the level of policy. He is concerned the administration will use the passage of this policy to force a specific agenda on faculty.

Abel-Mills reiterates that this does not change the requirement for candidates to address diversity in their review, it only provides the “how to” in order to comply. The wording is “responsiveness to diversity” – there is no expectation that all faculty begin doing research in diversity or serve on a diversity committee, etc.

The motion passes: (56 yes | 9 no | 12 abstentions).

6. ACTION ITEMS: NEW BUSINESS

Motion (**Skupin/Fuller**) to extend the meeting by 30 minutes **fails (34 yes | 31 no)**.

Motion (**Abel-Mills/Skupin**) to extend the meeting by 15 minutes **passes without objection**.

6.1. Committee on Committees and Elections (CCE) (Marx)

6.1.1. Senate Election: Search Committee: Global Campus Dean Search (Marx)

.....Page 29

Chair Marx provided instructions to the Senate to elect members to the search committee for the Dean of Global Campus and asked for additional nominees from the floor. **Kamper** nominated **Hisham Hoad** (CAL, Economics) who accepted the nomination. **Abel-Mills** nominated **Ignatius Nip** (HHS, Speech, Language, Hearing Sciences) who accepted the nomination.

An online ballot was sent to eligible Senators, and all results were independently verified by **Cathie Atkins**. The following search committee members were elected to serve on the Search Committee:

- Hisham Foad (CAL)
- Stephen Schellenberg (SCI)
- Ignatius Nip (HHS)
- Mahasweta Sarkar (ENG)
- Roddrick Colvin (PSFA)

6.1.2. Committee Appointments & Vacancies.....Page 32

Chair Marx presented the list of CCE submitted appointments to Senate and Senate-appointed committees, as well as submitting the Senate and Senate-appointed committee chairs for AY22-23. Motion (**Marx**) to approve these appointments passes without objection.

6.2. Graduate Council (Love-Geffen)

6.2.1. Degree Time Limitation Policy.....Page 40

Chair Love-Geffen yields her time to College of Graduate Studies Associate Dean **Andrew Bohanak** to present the proposed policy.

Pomonarenko suggests removing the phrase “as printed in the Catalog” as the Catalog is no longer printed. Suggestion accepted. Additionally, the revision holds the student to the catalog in place, and not to the intermediate Catalog. Dean Bohanak reminds us that policy already states that the current readmission Catalog is used. That being said, they routinely accept coursework substitutions to help the student move forward.

The motion to accept this new policy file language with edits as noted is accepted unanimously.

7. INFORMATION ITEMS

Motion (**Butler Byrd / Fuller**) for the Senate to accept all reports in agenda item 7, information items. Motion passes by unanimous consent.

7.1. Constitution & ByLaws (Baljon)	
7.1.1. CBL Annual Report for AY 21-22.....	Page 42
7.2. Academic Policies & Planning (Lach)	
7.2.1. AP&P 2021-2022 Annual Report.....	Page 45
7.3. Undergraduate Council (Brooks)	
7.3.1. Student Grievance Policy (REV) to Student Grievance Comm.....	Page 50
7.3.2. Undergraduate Curriculum Process Feedback for UCC.....	Page 57
7.3.3. Charters for Committees related to “Writing” Feedback.....	Page 70
7.4. University Research Council (Madanat)	
7.4.1. URC 2021-2022 Annual Report.....	Page 77
7.5. Academic Senate of the California State University (ASCSU) (Ornatowski)	
7.5.1. Report from the May 19-20, 2022 plenary meeting of the Academic Senate.....	Page 78
7.6. University Relations and Development (URAD) (Vargas)	
7.6.1. URAD 2021-22 Annual Report.....	Page 85

8. ADJOURN

Motion to adjourn (**Fuller/Adams**) at 4:30pm. Motion accepted without objection.