1. CALL TO ORDER

2. ANNOUNCEMENTS AND INFORMATION
   - Senate Calendars (handouts)
     - Executive Committee
     - Senate
     - Standing Committee
   - President Zelezny – Report to Senate August 27 between 10:00 – 10:30
   - Budget Forum - October 21, SU MPR 11:00 - Noon

3. APPROVAL OF MINUTES
   August 5, 2020 Minutes

4. APPROVAL OF AGENDA

5. CONTINUED ITEMS
   a. AS Log (handout)
      i. AAC (R. Gearhart)
         Referral 16 Program Review Process Improvement
         Referral 18 Interdisciplinary BS Degree in Public Health Proposal
      ii. AS&SS (C. Lam)
      iii. Referral 12 Graduate Student Grievance – Reporting Chain
      iv. FAC (M. Rees)
         Referral 8 Honorary Doctorate – Handbook change
      v. BPC (B. Street)
   b. Provost Update
   c. Searches
      i. AVP Academic Programs
      ii. Dean of Academic Programs
   d. Financial and strategic planning transparency and faculty participation
   e. Academic Testing
6. **NEW DISCUSSION ITEMS**
   a. MS Computer Science Proposal – reference minutes March 30, 2020
   b. FHAC Nomination feedback from Senate – reference March 5, 2020
   c. MS Accounting – reference April 7, 2020
   d. Office Hours Policy – reference April 21, June 2, and August 5
   e. IRPA Issues – reference April 28
   f. Summer Senate Decisions to Senate – reference April 28, 2020
   g. Notification to Chairs of Assigned Time – reference April 30, 2020
   h. New Call for Assigned Time (4 WTUs 2021)
   i. CFA President ex-officio on FAC – reference May 12, 2020
   j. Search Committee Call Dean AV, AVP Academic Programs
   k. Workload – Community Service – reference May 7, 2020
   l. CSUB Patent Policy Draft (handout)
   m. Elections and Appointments (handout)
   n. Recommendation for reappointment of HSIRB Alternate I. Sumaya (handout)
   o. UPRC Recommendations (handout: Annual Report)
   p. Faculty Rep on Alumni Board
   q. Fall Classroom Observations
   r. FYS Instructors – Review
   s. SAT elimination – reference August 5 minutes
   t. Sustainable Financial Task Force - reference August 5 minutes
   u. Digital divide - reference August 5 minutes
   v. Post-Tenure Review Requirements

7. **AGENDA ITEMS FOR SENATE MEETING  AUGUST 27, 2019** (Time Certain 11:00 a.m.)
   **Announcements**
   - President Zelezny (Time Certain)
   - Orientation
   **Consent Agenda**
   - Standing Committee membership approval
   **New Business**
   - [RES 202101 Extension of Temporary Exemption of the Online/Hybrid Certification Requirement](#)
   - RES 202102 Academic Standing Spring 2020
   - [RES 202103 Submission of Electronic RTP for AY 2020-2021](#)
   - [RES 202104 GWAR Testing – AY 2020-2021](#)
   **Old Business**
8. COMMENTS FROM THE FLOOR

* Changes to the University Handbook
# 2020-2021 Meeting Schedule *

## Academic Senate

### Fall 2020
- August 27
- September 3, 17
- October 1, 15, 29
- November 12
- December 3

(Thanksgiving Break 11/26/20 – 11/27/20; Fall Semester Break 12/22/20 – 1/20/21)

### Spring 2021
- February 4, 18
- March 4, 18
- April 15, 29

**May 13 (last 2020-2021 meeting and 2021-2022 organizational meeting)**

(Spring Break 3/29/21 – 4/4/21)

All meetings are scheduled from 10:00 - 11:30 a.m. via Zoom video conference until further notice.

## Academic Senate Executive Committee

### Fall 2020

<table>
<thead>
<tr>
<th>Date</th>
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<tr>
<td>August 25</td>
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<td>September 8, 22</td>
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(Thanksgiving Break 11/26/20– 11/27/20; Fall Semester Break 12/22/20 – 1/20/21)

### Spring 2021

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<td>May 4, 18</td>
<td><strong>Summer Senate; outgoing and incoming Executive Committee</strong></td>
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(Spring Break 3/29/21 – 4/4/21)

All meetings are scheduled from 10:00 - 11:30 a.m.

Location: Zoom video conference until further notice

*Summer Senate Extra meetings: May 19, 27, June 2, 10, 24, July 8, 22, and August 5
This message is on behalf of Aaron Hegde, Academic Senate Chair:

The Academic Senate Executive Committee has made recommendations for appointments to the Standing Committees for 2020-2021. The recommendation will go before the full Senate August 27, 2020 for their approval.

You have been recommended for the Academic Affairs Committee to represent A&H. Please save these dates and time to actively participate. Your time and perspective are valuable toward achieving shared governance.

**Fall 2020**
September 10, 24
October 8, 22
November 5, 19
December 10

**Spring 2021**
January 28
February 11, 25
March 11, 25
April 8, 22
May 6

**Time: 10:00 – 11:30 a.m.**

**Location: Zoom videoconference**

All dates are on Thursday.

Thank you!
SUMMER SENATE
Minutes
Wednesday, August 5, 2020
10:00 a.m. – 11:45 a.m.
Video Conference

Absent: J. Millar
Visitor: A. Gebauer

1. CALL TO ORDER
   The meeting was called to order by A. Hegde.

2. ANNOUNCEMENTS AND INFORMATION
   - Ethnic Studies- A. Gebauer attended the meeting to address Ethnic Studies (ES) Implementation. See CONTINUED ITEMS 5. i.
   - The Board of Trustees passed Resolution Recommended Amendment to Title 5 Regarding Ethnic Studies and Social Justice (REP 07-20-05). It’s on the Governor’s desk. It is different than the Weber AB 1460 before the CA Legislature. ASCSU Chair R. Collins expressed concern on behalf of the CSU. If the Governor signs Weber AB 1460, then the legislature would be imposing itself on the curriculum. J. Tarjan said that the State Constitution forbids the legislature from regulating University of California instruction. A. Hegde said that the ASCSU Chair will meet with the Vice-Chancellor on what the campuses should do. It will be up to the individual campuses to follow the directives. CSUB will have to wait for the CO’s directive. He added that ES is under the Senate’s purview. He asked the Summer Senators to consider a standing committee to focus exclusively on ES. The discussion would continue in the Fall. The ruling is effective 2022-2023 academic year. M. Danforth stressed that the Senate handles all curriculum issues for approval. Not GECCo. J. Tarjan recommended a Task Force. It’s a Title V change. It will depend on whether ES is a stand-alone requirement. It is part of General Education. The Task Force would gather input from faculty, address faculty training, learning outcomes, and then make recommendations of how to incorporate ES into current programs and degree requirements. M. Danforth said if people are going to be inventive, like CSUB did with Area E, it has to go through the Senate. M. Martinez addressed the two proposals. The ASCSU Resolution states that the Academic Senate is where curriculum is approved. The
ASCSU ES resolution is a way of crowding out American History and American Government. This is not the way we want to go. The BOT presented a watered-down version to the Governor. It is more specific on implementation. V. Harper supports the creation of an ES Implementation Task Force.

- The CSU is considering not requiring the SAT. CSU Long Beach has already done away with it. In its place, they've created an eligibility index which seems to be working. The campus can expect the topic to come to the Senate for consideration.

- International Experience for Students – The ASCSU produced a resolution. The Chair of Council of AS Chairs encourages each campus to approve, or not approve it. Then, each campus to have its own resolution.

- Web camera and privacy – a memo forthcoming from the CO

- Fresno and Sonoma have already laid off 47 staff and 12 MPPs. They are in a different environment than we are. V. Harper said he would update faculty at the General Faculty meeting.

- Some campus are concerned about academic freedom. The San Diego State University President’s office is considering revoking emeritus status to an individual because of something that was said years ago. Each campus has an Academic Freedom statement. CSUB has one, dated 2016. There will be an academic freedom statement coming from the CO. J. Tarjan suggested that the first committee to consider revocation be the Committee on Professional Responsibility.

- Diversification on the Senate is something the Council of AS Chairs is looking at. Consider diversity when nominating people to the Senate.

- Sustainable Finance Task Force – The CSU-level committee is looking at different ways of allocating money. For example, spending per student. More information coming in the Fall.

- Electronic RTP – A. Hedge worked with Interim AVP Faculty Affairs B. Hartsell on a draft notification. The message will come from B. Hartsell. For those who need to convert physical files to electronic, they can drop off folder(s) to the Campus Reprographics. The print shop can scan and then send the electronic files to faculty. Remember to get approval from one’s chair or Dean before coming to campus. V. Harper said the RTP is mission critical to the university. The Provost’s Office will pay for Reprographics expenses associated with RTP file submission. He is working with B. Hartsell on a revised timeline schedule that will be posted on the RTP webpage.

3. **APPROVAL OF MINUTES**
The July 22, 2020 Minutes were approved electronically, by the majority.

4. **APPROVAL OF AGENDA**
   R. Gearhart moved to approve the agenda. C. Lam seconded. Approved.

5. **CONTINUED ITEMS**
   a. **Provost Update** – V. Harper referred to the message he sent yesterday. He reiterated that the last eight months been a difficult time for higher education. It’s been much less difficult at CSUB due to the collegiality and collaboration here. He thanked the Summer Senate (SS) for being particularly effective. The SS has created a tremendous amount of continuity to harness, going into the Fall. [RES 202103 Electronic RTP](#) gives faculty an awareness prior to full Senate approval. Thanks to A. Hegde, B. Hartsell and F. Gorham for their expertise.
   University Week – Aug 18, DCLC meeting, B. Hartsell 8:30-10:00. August 19, Faculty Development – Virtual Environments, R. Weller. The University Day guest speaker, Shawn Harper, will speak about Social Justice and Diversity.
   b. Searches Update – nothing new to report.
   c. **Financial and strategic planning transparency and faculty participation** – A. Hegde said that some CSUs have committees to address layoffs where CFA and contract issues are discussed. There is an order of layoffs. V. Harper proposed a committee for the Senate to consider. He presented a draft of his presentation to the General Faculty. Nationally, there is a wave of contraction in higher education. It’s going to be a difficult period. His belief, supported by data, is that budget contraction will be a multi-year event. Year one, CSUB will be able to get through it. Year two is expected to be far more difficult. Year three, we may see an easing up. The CSU requested $650 million increase for fiscal 2019-2020. The state returned with a $400 million decrease, resulting to almost a billion dollar swing. [HEALS Act](#) is being negotiated. It includes a couple things helpful to the CSU. Currently, there is money for colleges and universities. Because of CSUB’s high PELL eligibility and diverse status, we expect to see funding. There may be resources being negotiated from the state. The resources would be one-time. The budget to the CSU has been permanently reduced by $399 million. We will have to grapple with the constraints. CSUB had an $84 million allocation from the State. Our total budget is $140 million, including State University grants, etc. The cut made to the CSUs varies. CSUB took a 4% cut on $84 million ~ $5.5 million cut. The President and Cabinet discussed the issuing of the cuts including cuts to the Office of the President. Academic Affairs (AA) got the lowest % cut. He appreciates that the President sees AA as a mission critical enterprise. AA is 55% of the budget. In terms of dollars, AA pays more. AA
will see a $2.5 million cut when it’s pushed out. Because of vacant positions, the campus has been able to capture nearly $2 million savings over the past six months. The Provost Office has approximately $400 thousand to contribute to the cut to AA. His General Faculty address will cover captured positions that will not be fulfilled; they include replacements and expansion positions. We want to do the best for job preservation, at this time. Year one, AA has contributed $2 million to the $2.5 million cut. V. Harper is working with T. Davis to achieve the remaining $400 thousand. This year, he is confident that there will be no impact on CSUB’s educational mission. There will be no impact on faculty, year one. There may be other impacts in AA. M. Rees has two searches approved to take place this fall 2020 to come on campus in 2021. V. Harper responded that those replacements for cycle fall 2020 will not enter search in 2021. AA is using those vacancies to prevent additional retrenchment. J. Tarjan said there are many tenure-track faculty concerned about layoffs and they need to be reassured. V. Harper will have slides on current AA budget and detail on what positions are frozen. He thanked A. Hegde and B. Street for informing the presentation. We want to work collaboratively and collectively on fiscal year two, 2021-2022. He would like to form an advisory group to provide ideas to him on short-term (24 months) maneuvers in the hopes of reverting back to pre-pandemic. He wants faculty’s recommendation on operating areas; how we can adjust to another cut in year two, and a smaller cut in year three. V. Harper will not be on the committee. It will be co-chaired by an Administrator appointed by the Provost. It would include TT faculty member, members of the Senate, department chairs from each of the schools, two school deans, CFA President, AA Budget Analyst, and a staff member appointed by the Provost. He asked for the SS recommendation on the composition. The governance (decision-making structure) of the committee hasn’t been finalized. A. Hegde suggested to have the BPC and the FAC Chairs in the advisory group. He suggests equitable distribution of chairs. D. Boschini recommended that the Senate Chair sit on the committee because it’s important to have faculty leadership involved in the conversations and where decisions are being made. M. Martinez asked about UA funds and endowments and if V. Harper is involved in how the endowments are allocated. V. Harper responded that he is not. There will be people who want to make recommendations on Athletics, or Advancement, and Student Affairs. His advisory group is only for AA areas. M. Martinez suggested that a faculty member be on the other advisory committee that includes T. Davis and V. Martin. V. Harper said that year one is expected to be $2.5 million reduction. Year two is expected to be another $1 million reduction. It depends on a lot of factors. If the lockdown that created the $54 billion state budget deficit doesn’t happen again, we may end up in a better
situation with the savings. V. Harper took SS’s recommendation: A&H (1) department chair, BPA (1) chair, NSME (2) chairs, and SS&E (2) chairs. He will include the AS Chair, and he is still thinking about the FAC and AAC members. R. Gearhart said considering budget years two and three, Kern County lags in economic impact. We may not see a reduction in students until year two. A. Hegde said that when the committee if formed, it makes sense that it would report back to the AS or at least to the BPC before final recommendations are made to the Provost. He thanked V. Harper for responding so quickly to the SS recommendations. It shows his support in shared governance. J. Tarjan reinforced that the campus’ first instinct is to be inclusive. He is very proud of our campus. V. Harper will present this information and more topics at the General Faculty Meeting. He is going to table the committee looking at AA structure transformation until the Spring. He wants the focus to be on the new AA Pandemic Budget Advisory Task Force. M. Danforth suggested adding a representative from ASI. V. Harper is considering B. Hartsell as co-chair. He has a lot of trust and confidence in him. A. Hegde spoke on behalf of the SS, supporting the choice of B. Hartsell.

d. COVID-19 related issues
i. Cameras in Class – See ANNOUNCEMENTS
ii. Technology requirements – M. Danforth concerned about the students’ requirements for bandwidth. They’re unrealistic for Bakersfield proper and especially rural areas. M. Danforth met with CIO, F. Gorham. The language has been changed from required to recommended. He will add a paragraph to the computer and internet requirements: If they don’t have it, talk with IT. There is no set bandwidth requirement for the students to receive financial aid. IT will be conducting a survey of students to learn specifically what their technology resources are to identify the gap in resources. There will be a revised message going out. J. Tarjan asked whether the students are required to put their video on during instruction. V. Harper responded that as long as it’s stated on the syllabus on the first day of class, the students are required to open their webcam during instruction. The lawyers looked at it. M. Martinez asked M. Danforth whether there are enough hot-spots and do they have the bandwidth. M. Danforth said the area needs a wiring upgrade. She pays for a 4/20 plan to get 1/10 upload speed. She has many examples of where poor infrastructure restricts access and speed. Be aware how bad the infrastructure is in Bakersfield. F. Gorham did receive funding for 100 more hot spots for 10,000 students. Obviously, those have to be deployed very judiciously. M. Martinez had a conversation with the Chief Administrative Officer of Kern County about a partnership using libraries and other county buildings as hot spots. He suggested
that students could help to run that function and that experience would help them later get jobs. A. Hegde said that even though laptops will be available to students there is still the digital divide and accessibility to the internet. We can take it up in the Fall.

iii. Face mask procedure - A. Hegde said the Campus Preparedness Council is waiting for information from the Governor’s Office and the Director of Public Health. They talked about possible 1) temperature check stations 2) an app for everyone to take their own temperature upon entering campus. 17 buildings will have students. Faculty will not be responsible for taking temps. Masks are required. Policy and guidance on enforcement still needed. R. Gearhart said that Kern County is having problems with people lying about their symptoms. A self-reporting app is problematic. Students could take the temp of another and report it as theirs. D. Wilson said that the Nursing department is using only two rooms. The people there and those going to Nursing clinical agencies take a Qualtrics survey for symptoms. They just scan the little QR code and they automatically do the survey. Nursing is taking temperatures. The record in Qualtrics keeps track of who they have been exposed to that have fevers, etc. There is a university reporting process that students need to be aware of. A. Hegde is interested in sharing the Nursing Department’s Qualtrics survey and their process at the next Campus Preparedness Council meeting

e. Updates on University Week/ Faculty Day August 21 Planning -

i. General Faculty Survey will include a Likert scale on some issues which have been brought to the SS and moved to next year.

ii. A. Hegde will have an opening welcome at 08:00. The first session, 08:00 – 09:30 will be the President’s presentation and Q&A, and then Provost presentation and Q&A. The second session will be faculty-only from 10:00 – 11:30. F. Gorham will help with the operation. Send ideas to A. Hedge.

f. Fall Office Hours (deferred)

g. Academic Testing – The CO may be sending a memo on proctoring. The topic will be on hold until then.

h. Space Management Committee Update (deferred)

i. Ethnic Studies Implementation – A. Gebauer joined the meeting. He aims to have the process as transparent as possible. GECCo is charged with the GE program and if they take a lead role in Ethnic Studies (ES) implementation, they would have public hearings open to all stakeholders to discuss approaches and develop a solution that can be brought to the Academic Senate (AS) to send to committees to develop a resolution(s). Or GECCo could develop the resolution(s). That’s something to decide whether to start with the Academic Affairs committee, EC, or GECCo. All faculty
members have a voice. A. Gebauer said that GECCo will have an Open Forum. It will be a compromise no matter how it is handled. A. Hegde asked for the SS preference. M. Martinez acknowledged that GECCo has to have a hand in it. The Senate has to have a hand in it. We probably want the AS to have a direct role in contributing and managing what happens with ES. The AS supersedes GECCo. B. Street added that it’s important to have the AS involved because of the implications of the new ES units affecting different departments and different degrees and programs at different levels across the schools. It should be an assimilation of GECCo and the AS. The AS has walked through program/degree development and has the background. J. Tarjan said that if the BOT’s Title V language stands, then we need to decide what are the course requirements and learning outcomes. Three units of Area D have been eliminated and replaced with three unit of Social Justice and ES. If Weber AB 1460 passes, it requires more discussion because of the 3 unit minimum in ES. AB 1460 is silent on where its carved out from. The number of units needed to graduate will not change. The BOT may specify where the 3 units come from. If they don’t, consider a General Faculty Forum and assign representatives from each school. D. Boschini said we still don’t know how to respond to the BOT Title V situation. Get the AS involved from the beginning. GECCo’s charge is to focus on GE; it’s part of the work but not all the work. The AS would get closer to including whole campus input and buy-in. It has students, staff, and administrators. It’s important that faculty represent their point of view on how ES affects their majors and degree programs. A Faculty Forum is a good idea regardless of how the vote turns out. Broad consultation is needed. It will be contentious. Implementation will bring many opinions and having broad input is critical to moving forward. V. Harper buttressed what Boschini said. A Faculty Forum is needed regardless of outcome on AB 1460 or what the BOT does. A. Hegde recognized the SS’s agreement that a combination of faculty members, AAC, and GECCo and the Senate’s involvement is needed because ES affects curricula across schools. He thanked A. Gebauer for attending the meeting and appreciates his work on GECCo.

j. CSUB Campus Police Advisory Council – A. Hegde will take the SS’s suggestions from last meeting to M. Williamson when he meets with him tomorrow. T. Davis wants to change a few things. A. Hegde will provide an update.

R. Gearhart moved to extend the meeting to 11:45. M. Rees seconded.

6. NEW DISCUSSION ITEMS
   a. UPRC Annual Report (deferred)
   b. American Institutions – Government (deferred)
   c. Educator Prep Programs (deferred)
d. GI designated courses (deferred)

e. Winter Session Extension (deferred)

f. Basic Needs Syllabus Statement — The Services for Students with Disabilities (SSD) statement is required to be include in the syllabus. J. Watkins sent the language. Basically, if students are experiencing challenges related to basic needs, such as food and housing security, there are resources available. Students’ overall well-being is one of the goals in the campus’ Strategic Plan. J. Tarjan suggested a boiler plate statement on where to find the food pantry, etc. with links. Put it on the LMS sign-in page. R. Gearhart would rather see the statement posted on csub.edu and an acknowledgement required before a student can access certain information. A. Hegde said that faculty can share on Canvas or some other places beyond the syllabus. M. Danforth said in terms of basic needs, in addition to a portal for students, have a flyer, message board or a version of Red Folder for faculty which tells them who to contact if a student has a problem. A. Hegde will give J. Watson the SS’ feedback.

7. **AGENDA ITEMS FOR SENATE MEETING AUGUST 27, 2020** (Time Certain 11:00 a.m.)

   - Announcements
   - Consent Agenda
   - Standing Committee 2020-2021
   - New Business
     - RES 202101 Extension of Temporary Suspension of the Online/Hybrid Instructor Certification Requirement
     - RES 202102 Academic Standing Spring 2020
     - RES 202103 Electronic RTP – AY 2020-2021
     - RES 202104 GWAR Testing – AY 2020-2021
   - Old Business
   - Open Forum Items

8. **COMMENTS FROM THE FLOOR**

   A. Hegde thanked D. Boschini, J. Tarjan and D. Wilson’s involvement on the SS. He encouraged the outgoing members to submit ideas. He thanked V. Harper for funding the SS.

   The Executive Committee resumes its normal meeting schedule, August 25, 2020. He thanked all the members of the Summer Senate for their time and contributions.

9. **ADJOURNMENT**

   A. Hegde adjourned the meeting at 11:45.
## Academic Affairs Committee: Richard Gearhart/Chair, meets 10:00am via Zoom

### Dates:
Sept 10, Sept 24, Oct 8, Oct 22, Nov 5, Nov 19, Dec 10, Jan 28, Feb 11, Feb 25, Mar 11, Mar 25, Apr 8, Apr 22, May 6

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<td>10/1/19</td>
<td>2019-2020 Referral 16 Program Review Process Improvement</td>
<td>2020-2021</td>
<td>AAC Streamline the process upon looking at minimum federal requirements and the current Academic Program Review template.</td>
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<td>10/15/19</td>
<td>2019-2020 Referral 18 Interdisciplinary BS Degree in Public Health Proposal</td>
<td>2020-2021</td>
<td>AAC The demand, structure, and resources required to deliver effectively and efficiently. Returned to proposers with comments on what needs to be improved. Do the courses have a home and would the Curriculum Committees approve before it comes back to AAC.</td>
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### Academic Support and Student Services: Charles Lam /Chair, meets 10:00 via Zoom video conference

**Dates:** Sept 10, Sept 24, Oct 8, Oct 22, Nov 5, Nov 19, Dec 10, Jan 28, Feb 11, Feb 25, Mar 11, Mar 25, Apr 8, Apr 22, May 6

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<td>2019-2020 Referral 08 Honorary Doctorate-Handbook Change</td>
<td>2020-2021</td>
<td>FAC Refer to RES 121329 Procedures for Honorary Doctorate Nominations and Selection REVISED</td>
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# ACADEMIC SENATE LOG – AUGUST 25, 2020

**Budget and Planning Committee: Brian Street/Chair, meets 10:00am via Zoom video conference**

**Dates:** Sept 10, Sept 24, Oct 8, Oct 22, Nov 5, Nov 19, Dec 10, Jan 28, Feb 11, Feb 25, Mar 11, Mar 25, Apr 8, Apr 22, May 6

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1. **Policy Objective**
The California State University, Bakersfield (CSUB), fosters innovation and encourages faculty, staff and students to translate results from their research, scholarly and creative activities for public benefit. In addition to the public benefit, these activities directly support the CSUB’s mission to educate students. Participation in research projects, scholarly work and creative activities has been proven to contribute to student academic and career success and increased graduation rates.

2. **Policy Statement**
Patents provide a means to encourage the development and utilization of inventions. In administering rights to inventions and patents for the public benefit where the CSUB or Auxiliary for Sponsored Programs Administration (SPA) retains an interest in an invention, CSUB and SPA aim to encourage and assist members of the faculty, students and staff in the use of the patent system. CSUB and SPA determine ownership of patentable inventions in a manner that is equitable to all parties involved. The aim of promoting the progress of research by using the benefits of the patent system is consistent with the purposes for which it was established by Article I, Section 8, of the Constitution of the United States.

This policy is guided by Federal law and ethics, which require the disclosure of inventions achieved with federal grants. For instance, the Bayh-Dole Act requires universities to report inventions resulting from federally funded projects (see Regulations for complete list). The law also mandates that institutions have procedures for commercialization of disclosed inventions since economic development is a public good. This policy also applicable to inventions made with non-federal funding.
3. Policy Requirements

a. Campus Intellectual Property Officer
The CSUB President will designate a Campus Intellectual Property Officer (CIPO) as the authorized campus representative who is responsible for the management of inventions and patents, including, but not limited to, assignment and licensing as decided or recommended by the Campus IP Committee. It is the responsibility of the designated CIPO, under direction of the President, to establish and maintain procedures that achieve the following objectives:

• Provide appropriate encouragement and education to create a culture for research, creativity, innovation and entrepreneurship by faculty, staff, students and others associated with the CSUB;
• Establish and maintain a Campus IP Committee, as needed, to advise on matters related to inventions and patents;
• Establish guidelines, processes and practices for determining the interests of CSUB, SPA, Inventors and Sponsors regarding inventions;
• Develop processes to determine and pursue the best use of the invention for the public good and/or to support the mission of the University; and
• Safeguard the interests of the CSUB, SPA, Inventor and Sponsor.

b. Invention Disclosure
CSUB and SPA will maintain a process for management and review of invention disclosures and make recommendations regarding the best use of disclosed inventions. Inventors will promptly and fully disclose to the Office of Grants, Research, and Sponsored Programs (GRaSP) all inventions conceived of, improved upon or reduced to practice while employed by CSUB. Inventors will execute such declarations, assignments or other documents as may be necessary to assure that title to certain inventions is being held by CSUB, SPA, or other designated parties in compliance with this policy. If the research/invention is supported by federal funds, GRaSP will disclose the invention to the federal agency supporting the applicable research program within two months after the Inventor discloses the invention in writing to GRaSP.

c. Multiple Inventors
Invention disclosures will list all Inventors – faculty, students and others. GRaSP will establish a process for determining each inventor’s contribution to the invention and for ensuring equitable royalty sharing among the inventors prior to filing a patent application, consistent with the parameters for royalty sharing set forth within this policy.
d. Rights to Inventions and Patents
An agreement to assign inventions and patents to CSUB or SPA, except those resulting from permissible consulting activities without the use of CSUB Resources, is mandatory for all employees, for persons not employed by the CSUB but who use CSUB Resources and for those who receive grant or contract funds through the CSUB. Such an agreement may be in the form of an acknowledgment of obligation to assign. Inventors will assign invention and/or patent rights to CSUB or SPA for inventions first conceived or reduced to practice under any of the following circumstances:

- within their Scope of Employment;
- with the use of CSUB Resources;
- under an externally funded agreement awarded to the CSUB or SPA; or
- under an appropriately authorized 3rd party agreement (for non-funded agreements).

CSUB or SPA may return rights to the Inventor when the best interests and mission of the CSUB are better served by such action, as long as there is no further use of CSUB Resources and no overriding obligations to third parties, including outside sponsors of research.

There is no joint ownership between CSUB and SPA and the Inventor. Rights to inventions or patents resulting from collaborative research of multiple Inventors from different entities are addressed among the parties in a separate written agreement.

Assignment does not apply to any invention that qualifies fully under the provisions of the California Labor Code Section 2870, which states, “(a) Any provision in an employment agreement which provides that an employee shall assign, or offer to assign, any of his or her rights in an invention to his or her employer shall not apply to an invention that the employee developed entirely on his or her own time without using the employer’s equipment, supplies, facilities, or trade secret information except for those inventions that either: (1) Relate at the time of conception or reduction to practice of the invention to the employer’s business, or actual or demonstrably anticipated research or development of the employer; or (2) Result from any work performed by the employee for the employer. (b) To the extent a provision in an employment agreement purports to require an employee to assign an invention otherwise excluded from being required to be assigned under subdivision (a), the provision is against the public policy of this state and is unenforceable.”

e. Patent Protection & Trade Secrets
Patent Protection: GRaSP is responsible for receiving and managing invention disclosures. GRaSP will establish and maintain a process for determining within 90 days of invention disclosure: (1) whether disclosed inventions are rightfully owned by the CSUB or SPA; (2) whether the CSUB or SPA will release or retain rights in disclosed inventions; and (3) when/whether the CSUB or SPA will seek patent protection.
Trade Secrets: Certain inventions or technologies may be licensable to industry as trade secrets. When kept secret, a trade secret gives its owner a competitive advantage over those who do not have access to the secret. In order to protect a trade secret, it is necessary for those having access to the trade secret to be bound by a contractual agreement preventing them from disclosing it. Use of trade secret protection should be approved by CSUB but should be used sparingly and cautiously. However, if public disclosure will inhibit a company’s willingness to invest the necessary funds for product development and commercialization, CSUB or SPA, in consultation with the disclosing employee, may license the subject invention as a trade secret. Inventions falling within this category are subject to the Royalties section of this policy.

f. Royalties
CSUB and SPA will determine equitable distribution of income/royalties resulting from inventions within the parameters set forth in this policy. Subject to restrictions arising from overriding obligations of CSUB or SPA pursuant to gifts, grants, contracts or other agreements with outside organizations, CSUB and/or SPA, depending on which entity owns the intellectual property rights, will pay annually to the named Inventor(s), or the Inventor(s) heirs, successors or assigns net royalties from the patented invention, as follows:

1. 50% of net royalties, up to the first $100,000
2. 35% of net royalties, between the first $100,000, and the first $1M
3. 25% of net royalties greater than $1M

Distribution takes into consideration the proportion of the Inventor’s contribution, CSUB or SPA costs, any provisions imposed by sponsors or other funding sources and any other applicable agreements concerning the invention. CSUB or SPA costs may include campus, auxiliary or Chancellor’s Office expenditures (direct or indirect) related to patent management from invention disclosure through licensing, including patent prosecution, maintenance and tech transfer administration, among others. When appropriate, income distribution must be in compliance with the Bayh-Dole Act. In the event that the share of net licensing income (generated by intellectual property covered by this Patent Policy) received by CSUB or SPA providing tech transfer services exceeds the operating costs of such services in any fiscal year, CSUB or SPA will pay to the CSU for that fiscal year 5% of the net licensing revenues and income received in excess of the operating costs of its tech transfer services. All licensing income paid to the CSU is used in CSU’s systemwide efforts to support research and innovative endeavors resulting in intellectual property, including without limitation providing assistance with tech transfer and licensing efforts, protection and enforcement of intellectual
property rights, and providing support and training to CSU faculty, staff and students on intellectual property issues.

**g. Student Inventions**

Students will assign invention and/or patent rights to CSUB or SPA for inventions first conceived or reduced to practice under any of the following circumstances:

- collaborating on research projects with CSUB faculty members (including faculty-supervised graduate thesis or dissertation work);
- as a student or research assistant employed by or commissioned by the CSUB or SPA; or
- under an externally funded agreement awarded to the CSUB or SPA.

Except for those situations identified above, any invention conceived or first reduced to practice by a student at CSUB during the normal course of their education (including homework assignments, laboratory experiments, and special and independent study projects) is owned by the student. The University does not claim ownership of such inventions.

Situations may occur where students are presented with the opportunity to participate in projects or activities in which the ownership of any resulting inventions must be assigned either to CSUB or SPA, or to a sponsoring entity (such as a company), as a condition of the student’s participation. Students are never required to participate in projects or activities that relinquish the student’s rights to the invention to CSUB, SPA, or another entity. In situations where participation is required for course completion but the student is not prepared to waive her or his rights, the CSUB must provide an alternative that allows the student to retain rights to their inventions.

**h. Reporting**

GRaSP will report the following information to the Chancellor’s Office annually (by September 30th of each fiscal year):

- number of Invention Disclosures received;
- new patent applications filed;
- new licenses and options executed;
- gross license income received;
- licenses/options yielding income;
- legal fees expended;
- legal fees reimbursed;
• U.S. patents issued;
• total cost of tech transfer services provided by CSUB and SPA; and
• net license income supporting CSUB and SPA provided tech transfer services.

Information reported will be used to inform the Chancellor and Board of Trustees and assist the Chancellor’s Office in identifying resources necessary to support CSU innovation.

4. Definitions

Assign/Assignment: Transfer of patent ownership rights from one person/entity (the “assignor”) to another (the "assignee").

CSU: The Trustees of the California State University or California State University System, which includes all 23 individual campuses within the California State University System. For purposes of this Policy, the term CSU also includes associated CSU campus auxiliary organizations where the auxiliary organization is the entity responsible for management of intellectual property, compliance with the Bayh-Dole Act or is assigned the rights to the invention for the benefit of the CSU.

CSUB Resources: Any combination of the following constitute support in the form of resources by CSUB:

• CSUB, SPA, or campus funds, regardless of source, which are administered under the control, responsibility or authority of the CSUB or SPA;
• CSUB staff, including student assistants, support staff, administrative support, etc.; or
• use of facilities, including buildings, equipment and any other facility or asset under the control of the CSUB or SPA.

Inventor: CSUB faculty, staff or students who contribute intellectually to the conception of a claimed invention.

Permissible Consulting Activities: Professional or scholarly services provided by CSUB employees for outside compensation, which do not interfere with assigned CSUB duties, do not utilize CSUB Resources, and are not prohibited by terms of the CSUB employment contract or other applicable CSUB agreements or policies.

Scope of Employment: Any work the employee is expected to perform as part of the employee’s assigned duties, including work that contributes to the employee’s tenure,
promotion or professional development and/or work performed with the use of CSUB Resources or under an externally sponsored agreement. Excludes work performed outside of the employee’s CSUB appointment and not performed with the use of CSUB Resources (see Permissible Consulting Activities).

Trade Secrets: Information that qualifies under the Uniform Trade Secrets Act, Cal. Civil Code § 3426 et seq., including a formula, pattern, compilation, program, device, method, technique or process, that derives independent economic value from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. Cal. Civil Code § 3426.1(d).

5. Acknowledgement and Reference Note

This document replicates, with minor revisions, the proposed Patent Policy section of the Intellectual Property Policy Committee Report and Recommendations submitted by the Intellectual Property Committee to the California State University (CSU) Office of the Chancellor in December 2016. Significant portions of this document are lifted directly from that report.
Calls for Nominations - Fall 2020 8/25/2020

❖ Search Committee AVP AA and Dean of Academic Programs
   A&H, BPA, NSME, SS&E, At-Large

❖ Academic Administrator Review GRaSP A&H, BPA

❖ Academic Administrator Review EEGO A&H, SSE

❖ GECCo A&H, NSME, SSE

Calls for Interest - Fall 2020

❖ University Council (2) At-Large – AV preferred for (1)

❖ Foundation Board appointed by the Executive Committee (EC)

❖ Librarian – Academic Support & Student Services (AS&SS) appointed by the EC

❖ SPA appointed by the President

❖ IRA appointed by the Provost

❖ TEAC (2) NSME

❖ University Strategic Planning & Budget Advisory Committee (1) Alternate

❖ AA Pandemic Budget Advisory Task Force

   (1) Chair each A&H, BPA, NSME, SS&E, (1) AAC member, (1) FAC member

❖ Campus Policy Advisory Committee TBD
DATE: 15 July 2020

TO: Aaron Hegde, Chair, Academic Senate

cc: Isabel Sumaya, University Research Ethics Review Coordinator
    Vernon Harper, Provost & Vice-President, Academic Affairs
    Beth Bywaters, Academic Senate, Administrative Support Coordinator
    Leslie Williams, Secretary to the Provost
    Imeh Ebong, Associate Vice President, Grants, Research & Sponsored Programs
    Gwen Parnell, Research Compliance Analyst, IRB Logistical Support

FROM: Chandra Commuri, Chair, Human Subjects Institutional Review Board (HSIRB)

SUBJECT: Recommendation for Reappointment of Alternate HSIRB Member

This memo is to recommend the reappointment of Dr. Isabel Sumaya, Research Ethics Review Coordinator (RERC), as an alternate member of the CSUB Institutional Review Board (HSIRB).

We are so pleased Dr. Sumaya has agreed to continue to serve as an alternate member. Dr. Sumaya will serve as an alternate for “scientific concerns”. Following IRB policy for appointment of members, as Chair, I request that she be reappointed to the IRB as alternate member for another three-year term. Dr. Sumaya’s three-year term of service should commence on the date that the Senate approves the appointment and concluding three years thereafter.

If the Academic Senate is in agreement with this appointment, please forward this nomination to the Academic Provost with an expression of your support. I would appreciate it if you could let me know when the Academic Senate has advised the Vice-President’s Office.

Thank you.
MEMORANDUM

DATE: May 22, 2020

TO: Dr. Aaron Hegde / Chair, Academic Senate

FROM: The University Program Review Committee
Dr. Jacquelyn Ann K. Kegley (Chair); Dr. Danielle Solano; Dr. Dan Zhou; Dr. Doreen Anderson-Facile; Dr. Karlo Lopez; Dr. Angel Vazquez-Ramos; Dr. Hager El Hadidi; Dr. Debra Jackson (ex-officio)

CC: Dr. Vernon Harper / Provost & Vice President for Academic Affairs

SUBJECT: Annual Report of the University Program Review Committee, AY 2019-2020

This memorandum summarizes the activities of the University Program Review Committee for the academic year 2019-2020. In addition to the activities listed below, the UPRC assisted significantly with the WSCUC accreditation visit by preparing a poster and meeting with the WSCUC evaluation team.

Program Reviews Completed

- B.S. in Computer Science – completed 09/10/2019
- B.A. in Psychology & M.S. in Counseling Psychology – completed 04/07/2020
- B.S. in Economics – completed 04/27/2020
- B.A. in Music – completed 05/19/2020

Program Reviews That Could Not Be Completed – Moved Forward to 2020-2021

- B.S. and M.S. in Biology – This self-study was submitted on 02/05/2020 and the external review, which was originally scheduled for 05/08/2020 was postponed due to COVID-19.
- B.A. Human Biological Sciences – This self-study was submitted on 02/05/2020 and the external review, which was originally scheduled for 05/08/2020 was postponed due to COVID-19.
- M.S. in Health Care Administration (HCA) – This self-study was due on 09/15/2018. An extension to 11/08/2019 was approved.
• B.A. and M.A. in Spanish – This self-study was due on 09/15/2018, with an extension to 01/15/2020. Personnel matters have prevented the self-study from being completed.
• B.S. in Environmental Resource Management – This self-study was due on 09/15/2019. An extension to 02/15/2020 was approved.
• B.A. in Communications – This self-study was originally due in 2015 and has received numerous extensions with the latest due date of 03/15/2020.
• B.S. in Mathematics – This self-study was due on 09/15/2019, with an extension to 03/02/2020.
• B.S. in Physics – This self-study was due on 09/15/2018. The program received an extension to 03/02/2020.
• B.A. in Political Science – This self-study was due on 09/15/2018. An extension to 10/01/2020 was approved.
• B.A. and M.A. in Anthropology – This self-study was originally due on 09/15/2018. An extension to 09/15/2020 was approved.
• B.A. in Religious Studies – This self-study was due on 09/15/2019. An extension to 09/15/2020 was approved.

Program Reviews Scheduled for AY 2020-2021
• B.A. in Liberal Studies – Program notified on 09/03/2019; progress report received 01/31/2020.
• B.S. in Chemistry – Program notified on 09/03/2019; progress report received 02/04/2020.
• B.S. in Biochemistry – Program notified on 09/03/2019; progress report received 02/04/2020.
• B.A. in Sociology – Program notified on 09/03/2019; progress report received 02/13/2020.
• General Education – Program notified on 09/03/2019; progress report received 03/02/2020.

Mid-Cycle Reports Scheduled for 2019-20
• Honors Program – Report received 03/16/2020.
• B.A. in Criminal Justice – Report due on 10/15/2019 (not received).
• B.A. and M.A. in English – Report due on 03/01/2020 (not received).

Workshop
• The UPRC held a program review workshop on October 25, 2019. Members of the UPRC presented on sections of the Program Review Template.
• In addition to UPRC members, representatives from the School of Arts and Humanities, the School of Business and Public Administration, Sociology, Mathematics, Chemistry & Biochemistry, and Liberal Studies were present.
• An online evaluation of the workshop was distributed to participants. Responses indicate that that participants found the workshop useful.

MOUAPs Completed
• Kinesiology – signed on 12/16/2019
**Issues of Concern**

- The UPRC continues to stress the importance of completing MOUAPs in a timely fashion. Only one MOUAP was completed in the Academic Year 2019-20.
- The Program Review Template and MOUAP Template need to be reviewed by the Academic Senate and reaffirmed if appropriate.
- As noted by the WSCUC visiting team, the failure of programs to complete their self-studies in a timely fashion needs to be addressed by the Academic Senate and the Administration. This needs to be a high priority in order to fulfill the expectations of our accrediting body, not to mention our responsibility to our stakeholders.
- Student learning outcomes assessment is a crucial component of a program Self-Study. The UPRC recommends that assessment workshops and trainings be regularly offered to faculty, and that assessment coordinators provide extra support to those programs scheduled for review.

Jacquelyn Ann K. Kegley  
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“Freedom has always been an expensive thing.”- Martin Luther King