

AGENDA

COMMITTEE ON EDUCATIONAL POLICY

Meeting: 10:45 a.m., Tuesday, July 21, 2020
Virtually via Teleconference

Wenda Fong, Chair
Romey Sabalius, Vice Chair
Silas H. Abrego
Larry L. Adamson
Jane W. Carney
Rebecca D. Eisen
Douglas Faigin
Debra S. Farar
Maryana Khames
Christopher Steinhauser

- Consent**
- Discussion**
1. Approval of Minutes of the Meeting of May 12, 2020, *Action*
 2. Recommended Amendment to Title 5 Regarding Residency Reclassification – Financial Independence, *Action*
 3. Recommended Amendments to Title 5 Regarding Ethnic Studies and Social Justice, *Action*

**MINUTES OF MEETING OF
COMMITTEE ON EDUCATIONAL POLICY**

**Trustees of The California State University
Office of the Chancellor
Glenn S. Dumke Auditorium*
401 Golden Shore
Long Beach, California**

May 12, 2020

Members Present

Peter J. Taylor, Chair
Jane W. Carney, Vice Chair
Silas H. Abrego
Rebecca D. Eisen
Douglas Faigin
Debra S. Farar
Wenda Fong
Juan F. Garcia
Maryana Khames
Lillian Kimbell
Romey Sabalius
Christopher Steinhauser
Adam Day, Chair of the Board
Timothy P. White, Chancellor

Trustee Taylor called the meeting to order.

Approval of Minutes

The minutes from March 24, 2020 were approved as submitted.

***PLEASE NOTE: Due to the Governor's proclamation of a State of Emergency resulting from the threat of COVID-19, and pursuant to the Governor's Executive Orders N-25-20 and N-29-20 issued on March 12, 2020 and March 17, 2020, respectively, all members of the Board of Trustees may participate in meetings remotely, either by telephonic or video conference means. Out of consideration for the health, safety and well-being of the members of the public and the Chancellor's Office staff, the May 12, 2020 meeting of the CSU Board of Trustees was conducted entirely virtually via Zoom teleconference.**

Amendments to Title 5 Regarding Residency Reclassification – Financial Independence

A summary of the pertinent sections of Title 5 regarding determination of California residency was provided by Loren J. Blanchard, executive vice chancellor, and Ray Murillo, director of Student Programs. Mr. Murillo continued by presenting background on the residency reclassification process. The presentation highlighted new criteria in which failure to demonstrate financial independence will not be an automatic denial of an application, meeting the needs of students with unique situations. Such a change will create alignment with existing Financial Aid definitions.

Two amendments, including criteria for student populations for whom financial independence shall not be considered in a reclassification, were proposed to the committee as an information item and will be presented at the July 2020 Board of Trustees meeting for board action to adopt the proposed amendments.

Trustees had questions regarding the number of students that could be reclassified as residents using the amended criteria and what the fiscal impact would be as a result of increased reclassifications. Mr. Murillo shared residency reclassification application and appeal data regarding the limited instances in which these criteria might be satisfied.

Amendments to Title 5 Regarding Ethnic Studies and Social Justice – GE Breadth

A summary was provided of the history, evolution and impact of ethnic studies at the CSU by Loren J. Blanchard, executive vice chancellor, and Alison Wrynn, associate vice chancellor, Academic Programs, Innovation and Faculty Development, regarding the proposed amendment to Title 5. Adoption of the proposed amendment would result in requiring all CSU undergraduate students to complete one 3-unit lower-division course in Ethnic Studies and Social Justice as part of CSU General Education Breadth. The presentation highlighted how an ethnic studies and social justice requirement prepares students to live and work in a multi-cultural society, aligns with academic work occurring in California Community Colleges and how the requirement will be accommodated within the CSU General Education Breadth.

A number of trustees expressed support for the proposed requirement, provided comments regarding the nomenclature of the requirement's title and posed questions regarding the campus process for determining courses which would satisfy the requirement. In addition, a request for a substantive presentation before the amendment is voted on during the July Board of Trustees meeting was expressed.

Trustee Taylor adjourned the Committee on Educational Policy.

COMMITTEE ON EDUCATIONAL POLICY

Recommended Amendment to Title 5 Regarding Residency Reclassification – Financial Independence

Presentation By

Loren J. Blanchard
Executive Vice Chancellor
Academic and Student Affairs

Ray Murillo
Director, Student Programs
Student Affairs and Enrollment Management

Summary

In accordance with Education Code Section 68040, a California State University campus determines each student's California residency status for tuition purposes at the time of admission. A student is designated either a resident or nonresident for tuition purposes.

A student who is deemed a nonresident for tuition purposes may request a reclassification to residency for a subsequent term. In addition to demonstrating physical presence and intent to remain in California at that time, a student must also satisfy financial independence requirements.

Currently, a lack of financial independence is an automatic disqualifier for a nonresident student seeking reclassification. As a result, reclassification requests must be denied even in a few circumstances where compelling arguments exist to support reclassification for the student. The proposed amendment delineates the circumstances where financial independence shall not be considered in a reclassification analysis.

The Board discussed this matter as an information item in May 2020.

Proposed Revision

The following resolution is proposed to modify Title 5 by amending section 41905.5 – Residence Reclassification – Financial Independence Requirement:

RESOLVED by the Board of Trustees of the California State University that Title 5, California Code of Regulations section 41905.5 be amended as follows:

Title 5. Education
Division 5. Board of Trustees of the California State Universities
Chapter 1. California State University
Subchapter 5. Administration
Article 4. Nonresident Tuition

§ 41905.5. Residence Reclassification - Financial Independence Requirement.

~~Any~~A nonresident student requesting reclassification to resident for tuition purposes must demonstrate financial independence. A student shall be considered financially independent if ~~s/he~~ the student has not and will not be claimed as an exemption for state and federal tax purposes by ~~his/her~~ a parent or legal guardian in the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification application; has not and will not receive more than seven hundred fifty dollars (\$750) per year in financial assistance from ~~his/her~~ a parent or legal guardian in the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification application, and; has not lived and will not live for more than six weeks in the home of ~~his/her~~ a parent or legal guardian during the calendar year the reclassification application is made and in any of the three calendar years prior to the reclassification application. ~~A nonresident student who has been appointed to serve as a graduate student teaching assistant, graduate student research assistant, or graduate student teaching associate on any California State University campus and employed on a 0.49 or more time basis is exempt from this requirement.~~

Financial independence shall not be considered in a reclassification analysis if the student meets at least one of the following criteria:

- A. Dependent on a parent who has California residence (pursuant to Cal.Educ. §68060 through §68062) for more than one year immediately preceding the residence determination date for the academic term for which reclassification is requested
- B. Enrolled in a graduate or post-baccalaureate program, regardless of age
- C. At least 24 years of age by the residence determination date for the academic term for which reclassification is requested
- D. Married or in registered domestic partnership as of the residence determination date, regardless of age
- E. All active duty (including National Guard members and reservists) members serving in the U.S. Armed Forces
- F. Veteran of the U.S. Armed Forces
- G. Has a legal dependent other than a spouse or registered domestic partner
- H. Status as a ward of the court or foster youth at any time since turning the age of 13, or both parents are deceased
- I. Declared by a court to be an emancipated minor
- J. Status as an unaccompanied youth who is homeless or at risk of becoming homeless pursuant to federal financial aid rules

Note: Authority cited: Sections 68044 and 89030, Education Code. Reference: Section 68044, Education Code.

COMMITTEE ON EDUCATIONAL POLICY

Recommended Amendments to Title 5 Regarding Ethnic Studies and Social Justice

Presentation By

Loren J. Blanchard
Executive Vice Chancellor
Academic and Student Affairs

Alison M. Wrynn
Associate Vice Chancellor
Academic Programs, Innovations, and Faculty Development

Summary

Title 5 amendments introduced at the May 12, 2020 Board of Trustees (BOT) meeting are now presented for board action. This action item will amend Title 5 § 40405.1, California State University General Education - Breadth Requirements. The proposed amendment specifies that California State University (CSU) undergraduate students will be required to complete one lower-division course in Ethnic Studies and Social Justice as part of CSU General Education (GE) Breadth. The proposal honors the historic role of the CSU in the origins of ethnic studies disciplines and creates opportunities for students to learn about the application of learning through social justice.

A Solution by the CSU, for the CSU

The goal of the proposed Ethnic Studies and Social Justice requirement is to prepare CSU students to live, work and lead in a multicultural society. While anchored in the four historic ethnic studies disciplines – studies of cultures, lived conditions, and histories of Native Americans, African Americans, Asian Americans, Latina/o Americans – the proposed requirement also incorporates response through social justice. This amendment enhances students' learning experience by providing both the knowledge, history and culture and actionable tools to recognize, question and dismantle racial and social injustice. It is through this more inclusive lens that we will equip our graduates — the future leaders of California — to advance true systemic change.

Background

As the first proposed change to CSU General Education (GE) in 40 years, this amendment addresses a significant inflection point in our society by providing a foundation for students to be leaders of effective social change within their communities. A range of critical constituencies have been involved in developing a new GE requirement for the CSU. This item further details how the

collaborative process resulted in the proposed amendment. Specifically, this written item will provide a brief overview on GE Breadth and the role of campuses in determining GE programs, a summary of faculty consultation in developing the current amendment and key distinctions between the CSU proposal and AB 1460 — including impact on student choice and implementation costs.

CSU GE Breadth Overview

General education is one of the key parts of undergraduate learning that allows graduates to stay intellectually nimble in an ever-changing world.

-Dawn Michele Whitehead, Editor, *Peer Review* (2019)
Association of American Colleges and Universities

CSU GE Breadth requirements were first introduced in May 1961, requiring a minimum of 45 semester units. In reflecting the founding of the then-California State College system, the trustees noted that general education should “assure the development of a broad and sound foundation of liberal education.” Nearly 20 years later, trustees expanded CSU GE requirements to 48 units (including nine units in upper-division courses) and established five broadly defined areas (A-E) that remain unchanged today. Over the subsequent three decades, CSU campuses adopted campus-based requirements in addition to the systemwide GE program, leading to campus-based GE program unit requirements beyond 48 on many campuses. This movement above 48 units was curtailed with the issuance of Executive Order 1100-Revised in 2017 which provided greater clarity on the need to limit CSU GE Breadth to no more than the 48 required units to create equity among the 23 campuses as well as between transfer and first-time freshmen students.

General education is a program for all students, regardless of major or disciplines of interest. It is the foundation of a CSU degree. Today, campuses establish learning outcomes for GE Areas A-E and the decision about which courses meet those learning outcomes rests with campus faculty. EO 1100-Revised, delineates that: “Campus faculty have primary responsibility for developing and revising the institution's particular GE program. Within the CSU GE distribution framework, each CSU campus is to exercise creativity in identifying courses, disciplines, and learning outcomes.” Through each campus’ faculty senate and curricular committees, campus GE programs are developed and courses identified within the CSU GE Breadth framework. General education is a program for all students, regardless of major. Thus, the development of learning outcomes and courses to be included within a campus-based GE program is the right and responsibility of faculty from across the campus.

Collaborating with Faculty

The CSU’s practice of shared governance was carefully and thoughtfully followed throughout the development of this recommended amendment to Title 5. The process, though time intensive, elicited collaboration, consideration and compromise among broad representative groups in crafting the final proposal. As outlined in the Consultation Timeline below (Table 1), over the past

six years the CSU Office of the Chancellor (CSUCO) received input from the CSU Ethnic Studies Task Force as well as from faculty, staff and students across the 23 campuses.

In addition, the CSUCO consulted extensively with the Academic Senate of the California State University (ASCSU) as the recognized faculty body for consultation on curriculum. California's Higher Education Employee-Employer Relations Act (HEERA) Section 3561 b states that while faculty are represented by the California Faculty Association for collective bargaining,

"The Legislature recognizes that joint decision-making and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of such institutions, and declares that it is the purpose of this act to both preserve and encourage that process. Nothing contained in this chapter shall be construed to restrict, limit or prohibit the full exercise of the functions of the faculty in any shared governance mechanisms or practices including the Academic Senate of the University of California and the divisions thereof, the Academic Senates of the California State University, and other faculty councils, with respect to policies on academic and professional matters affecting the California State University, the University of California, or Hastings College of Law. The principle of peer review of appointment, promotion, and retention, and tenure for academic employees shall be preserved."

The ASCSU reaffirmed its role as the appropriate body to consult with faculty disciplinary groups, such as the Ethnic Studies Council, more recently in resolution [AS-3421-20](#). It should be noted that faculty consultation would continue far beyond the adoption of this amendment to Title 5. The next required step would be the revision of the executive order on CSU GE Breadth. This revision would begin in the fall semester and include consultation with the ASCSU (including input to the ASCSU from any faculty disciplinary groups), the Chancellor's General Education Advisory Committee (GEAC) as well as the 23 CSU campuses. The timeline we have recommended, which would have this requirement in place beginning with the 2023-24 catalog year, will allow for substantive and thoughtful consultation both at the system level and the campus level, where curricular changes will be made.

Table 1: Timeline on Ethnic Studies and Related Consultation

Date	Activity
January 2014	Chancellor White establishes the Ethnic Studies Task Force (ESTF) to be chaired by CSU Bakersfield President Horace Mitchell.
January 23-24, 2014	ASCSU resolution AS-3164-14 commending Chancellor White on the establishment of the ESTF—endorses the efforts of the newly formed ESTF. Encourages campuses to review their Ethnic Studies programs.
January 31, 2014	First of 23 meetings of the ESTF over two years
January 2016	ESTF releases their report and recommendations
July 13, 2016	Chancellor’s letter to the campuses acknowledging receipt of the ESTF report. The Chancellor states that recommendations made regarding curriculum and faculty appointments are to be left to the individual campuses. He calls for campus presidents to report to him on progress made on recommendations in the report.
December 1, 2017	Chancellor White submits an update to the campuses detailing activities the campuses have accomplished on the recommendations in the ESTF.
January 25-26, 2018	ASCSU resolution AS-3318-18 opposes AB 2408 (Weber) that would require a 3-unit course in Ethnic Studies for graduation from the CSU. This bill did not move forward at the request of the author.
May 10-11, 2018	ASCSU resolution AS-3331-18 affirms the support for the work accomplished by the ESTF.
March 14-15, 2019	ASCSU resolution AS-3365-19 states the opposition of the ASCSU to AB 1460 (Weber).
May 16-17, 2019	ASCSU resolution AS-3380-19 affirms commitment to Ethnic Studies curricula in the CSU but opposes legislative intrusion into the curriculum.
September 2019	The ASCSU discuss an Ethnic Studies requirement in September 2019. Two members of the CSU Ethnic Studies Council, Professor Maulana Karenga and Professor Craig Stone (both of CSULB), are invited by the ASCSU to its September meeting, where they engage in discussion for several hours and provide input to the ASCSU’s Academic Affairs committee.
	ASCSU resolution AS-3397-19 asks the campuses to submit replies to a survey on implementation of an Ethnic Studies system requirement.
November 2019	The ASCSU receives 16 responses to their survey from campus senates. Seven campuses did not want a standalone Ethnic Studies requirement and four campuses were in favor of a requirement. Seven campuses did not reply to the survey and five campuses favored keeping their current campus-based diversity requirements.
November 2019	CSUCO updates the 2017 list of activities the campuses have accomplished on the recommendations in the ESTF.
January 2020	The ASCSU passes a resolution (AS-3403-19/AA) supporting a 3-unit requirement for an Ethnic Studies course that was very similar to the requirement outlined in the recently proposed AB 1460. This resolution was submitted to the CSUCO as a recommendation.
February 2020	A survey seeking feedback on the resolution (AS-3403-19/AA) is sent by the CSUCO to campus presidents, campus academic senates and campus student

	associations. The CSUCO receives responses from all 23 campuses, as well as 42 responses from individual faculty and students and eight responses from small groups (separate from their campus submission). Responses were mixed, but most favored a requirement that is broader than the Ethnic Studies requirement suggested by the ASCSU and contained in AB 1460. Additionally, most respondents were in favor of campus autonomy to establish learning outcomes and implementation procedures for any such requirement.
March 19-20, 2020	ASCSU resolution AS-3419-20 states continued ASCSU opposition to AB 1460 (Weber).
March 2020	Based on campus feedback, Executive Vice Chancellor Dr. Loren Blanchard sends a memo to the ASCSU outlining a proposal for a 3-unit Ethnic Studies, Diversity and Social Justice requirement within CSU GE Breadth. The ASCSU discusses this proposal and, after additional discussion among a smaller group of ASCSU members, agrees to compromises with the CSUCO proposal.
	In March 2020, the ASCSU passes a second resolution (AS-3420-20/AA) advancing these compromises and incorporating some of the changes recommended by Dr. Blanchard. See the center column in Table 2 below.
April 2020	On April 22 and April 29, the CSUCO meets with the Executive Committee of the ASCSU and explains the main outlines of a potential proposal to be presented to the CSU BOT. The Executive Committee contends that they did not speak for the ASCSU and would not have a comment on the proposal.
May 2020	On May 1, 2020, the Ethnic Studies and Social Justice proposal is posted as part of the BOT agenda for May 12, 2020. At the May 2020 ASCSU Plenary of May 7-8, the ASCSU chose not to take a position on the proposed Title 5 change.

Assembly Bill 1460: A Comparison

The May 12, 2020 board meeting generated many questions regarding AB 1460, authored by Assemblywoman Dr. Shirley Weber, that proposes a new Ethnic Studies graduation requirement for all CSU undergraduate students. The bill is sponsored by the California Faculty Association (CFA) and would require a 3-unit course in Ethnic Studies. The ASCSU, as the recognized faculty body for consultation on curriculum for the CSU, has passed two resolutions opposing AB 1460. In 2018, the ASCSU also opposed a similarly proposed curricular requirement in AB 2408, that was later withdrawn by the bill's author. Of greatest concern is the dangerous precedent AB 1460 would set in allowing legislators and the faculty bargaining unit to determine CSU curricula, circumventing the established process of determining curricula by campus faculty to best address their community needs. The development of degree program requirements and academic courses is the longstanding purview of duly-elected faculty via campus-based senates and the ASCSU, not the faculty bargaining unit. Legislative interference as exemplified by AB 1460 compromises the autonomy of the Board of Trustees as well as the ability of CSU campuses to determine how academic and curricular requirements to enhance student learning can best be met at individual campuses. It erodes CSU's academic freedom.

Student Choice

In addition to undermining the CSU's strong tradition of shared governance, the legislative proposal also limits students' choice through a restricted definition in its Ethnic Studies requirement. In its introduction, AB 1460 recognizes the importance of social justice to CSU students: "It is the intent of the Legislature that students of the California State University acquire the knowledge and skills that will help them comprehend the diversity and social justice history of the United States and of the society in which they live to enable them to contribute to that society as responsible and constructive citizens."

Yet the proposed legislative mandate can only be satisfied through courses offered in the disciplines of Native American Studies, African American Studies, Asian American Studies and Latina and Latino American Studies. This perspective excludes courses focused on other ethnic groups, such as Jewish or Middle Eastern Studies, and excludes courses focused on other historically oppressed groups such as Gender and Women's Studies, as well as Sexuality Studies, Disability Studies and Aging Studies. Additionally, courses that address current and emerging social justice issues, including race and criminal justice, disparities in public health and educational equity, would also fail to meet the requirement as proposed by AB 1460, resulting in a significant missed opportunity for students to apply their knowledge as tangible action.

Implementation Costs

The CSUCO has estimated that AB 1460 would cost **approximately \$16 million to implement**. In its analysis of the bill, the California Department of Finance has concurred with this estimate. In contrast, the CSU-developed Title 5 amendment would cost a quarter of that sum to implement, estimated at **no more than \$3-\$4 million**.

Additional estimated AB 1460 costs include:

- **Instructional: \$13 Million**
Based on data provided by the CSUCO Institutional Research department, the cost to CSU to provide an Ethnic Studies course to all undergraduate students is \$13 million in ongoing annual costs systemwide if the limited definition within AB1460 is followed. This projection was developed by determining the number of students who would need to take a course and the number of faculty needed to teach the courses (each with an average of 30 students) beyond current enrollments.
- **Administrative: \$3.5 Million**
An additional \$3.5 million would be need in ongoing annual costs systemwide to hire faculty and department support staff to handle the administrative functions of developing or expanding Ethnic Studies offerings at the campus level.

- Associate Degree for Transfer (ADT) Review Costs: \$1.5 Million
Under SB 1440 of 2010, the CSU and California community colleges (CCCs) were required to streamline transfer pathways for students to improve transfer rates and graduation rates. There are currently more than 112,000 ADT pathways approved and in place by CSU and CCC faculty. All existing pathways would require review by faculty again, generating approximately \$1.5 million in one-time labor costs. There would be additional workload costs to make program changes at the campus level.

By comparison, the CSU-proposed Title 5 requirement costs are:

- Instructional Costs: \$2-3 Million
Since a system requirement would include a range of courses from existing disciplines and greater flexibility for campuses to implement, this cost would decrease significantly compared to AB 1460. We estimate slightly less than a quarter the number of faculty hires would be required compared to those required by AB 1460, for an estimated cost of \$2-3 million.
- Administrative Costs: \$1 Million
As campuses would include a range of existing courses through their normal curricular processes, we anticipate modest workload costs to integrate courses into GE requirements as well as possible hiring of a modest number of faculty and staff. We estimate this cost to be \$1 million.
- ADT review Costs: \$75,000-\$100,000
The CSU would incur a one-time cost of about \$75,000-\$100,000 to hire temporary support (likely through faculty buy-out) to review and approve a temporary increase of CCC courses for this new GE category.

In addition to the financial burden placed on the CSU, AB 1460 poses consequences to our campuses and community college partners. Although AB 1460 states that the number of units to graduate shall not be increased, an inflexible course requirement would result in many degree programs being restructured, particularly those in high-unit STEM and business majors. Prescribing a strictly defined course requirement would undo years of collaborative work completed by the university, individual campuses and community college partners to design transfer pathways, and it would undermine recent efforts to streamline general education requirements. The new requirement would also create course availability bottlenecks, and new courses would need to be created on many campuses to meet increased demand.

Table 2 provides a summary of the three proposals shared at the May 2020 board meeting. As the chart demonstrates, there is a great deal of congruity between what is recommended by the ASCSU and the CSUCO. In those areas where there is less overlap, the CSUCO has deferred to the 23 CSU campuses in granting greater campus autonomy.

Table 2: Summary Chart of the Proposed Ethnic Studies Requirements

	AB 1460	ASCSU AS-3420-20/AA	CSUCO Proposal
Title	Ethnic Studies	Ethnic Studies	Ethnic Studies & Social Justice
Lower division requirement	3 units	3 units, lower-division	3 units, lower-division
Upper division requirement	Not specified	A “reflective element” at the upper-division	Campus decision
Where would this requirement be placed?	In CSU GE as recommended by the Ethnic Studies Task Force	In CSU GE Breadth	In CSU GE Breadth
Learning outcomes created centrally?	Yes. Created by CSU Ethnic Studies Council and ASCSU	Yes. Created as part of the ASCSU resolution.	No. Created at the campus level consistent with all areas of CSU GE Breadth.
Who decides which courses meet the requirement?	Ethnic Studies faculty would have final approval over courses that met this requirement.	Existing campus curriculum or general education committees in a manner appropriate to its campus culture and context.	Existing campus curriculum or general education committees in a manner appropriate to its campus culture and context.
Departments that could offer these courses	African American Studies; Asian American Studies; Latino/a Studies; Native American Studies (All CSU campuses would have to offer courses from these departments.)	A broader range of departments than AB 1460, including the experiences of additional historically oppressed groups (e.g., Jewish, Muslim, LGBTQ, women, etc.) but should otherwise retain the core definition of ethnic studies.	Any academic departments that can meet the course learning outcomes as defined by campus.
Potential cost to enact	\$16.5 million for CSU and additional, unknown costs for the CCC	Unknown, but not substantial	\$3-4 million
Year the requirement would begin	2021-22	2023-24	2023-24

Galvanized by the Ethnic Studies Task Force, informed and expanded by the ASCSU in consultation with the Ethnic Studies Council and broadened with feedback from our 23 campuses, this CSU-designed proposal represents the antithesis of the legislative interference our university has adamantly resisted and that CSU cannot support. While upholding the CSU's long-held value of ethnic studies, respecting the four historic disciplines defined by AB 1460, and encompassing other historically oppressed groups, this proposal offers latitude for implementation through continued shared governance at the campus level.

The following resolution is proposed for adoption:

RESOLVED, by the Board of Trustees of the California State University, acting under the authority prescribed herein and pursuant to Section 66055.8 and 89030 of the Education Code, that section 40405.1 of Title 5 of the California Code of Regulations is amended as follows:

§ 40405.1. California State University General Education - Breadth Requirements.

(a) Each recipient of the bachelor's degree completing the California State University General Education-Breadth Requirements pursuant to this subdivision (a) shall have completed a program which includes a minimum of 48 semester units or 72 quarter units of which 9 semester units or 12 quarter units shall be upper division level and shall be taken no sooner than the term in which the candidate achieves upper division status. At least 9 of the 48 semester units or 12 of the 72 quarter units shall be earned at the campus granting the degree. The 48 semester units or 72 quarter units shall be distributed as follows:

(1) A minimum of 9 semester units or 12 quarter units in communication in the English language, to include both oral communication and written communication, and in critical thinking, to include consideration of common fallacies in reasoning.

(2) A minimum of 12 semester units or 18 quarter units to include inquiry into the physical universe and its life forms, with some immediate participation in laboratory activity, and into mathematical concepts and quantitative reasoning and their applications.

(3) A minimum of 12 semester units or 18 quarter units among the arts, literature, philosophy and foreign languages.

(4) A minimum of ~~12~~ 9 semester units or ~~18~~ 12 quarter units dealing with human social, political, and economic institutions and behavior and their historical background.

(5) A minimum of 3 semester units or 4 quarter units in study designed to equip human beings for lifelong understanding and development of themselves as integrated physiological, social, and psychological entities.

(6) A minimum of 3 semester units or 4 quarter units at the lower-division in study designed to understand ethnic studies and social justice.

The specification of numbers of units implies the right of discretion on each campus to adjust reasonably the proportions among the categories in order that the conjunction of campus courses, credit unit configurations and these requirements will not unduly exceed any of the prescribed semester or quarter unit minima. However, the total number of units in General Education-Breadth accepted for the bachelor's degree under the provisions of this subdivision (a) shall not be less than 48 semester units or 72 quarter units unless the Chancellor grants an exception.

(b) The president or an officially authorized representative of a college which is accredited in a manner stated in Section 40601 (d) (1) may certify the extent to which the requirements of subdivision (a) of this section have been met up to a maximum of 39 semester units (or 58 quarter units). Such certification shall be in terms of explicit objectives and procedures issued by the Chancellor.

(c) In the case of a baccalaureate degree being pursued by a post-baccalaureate student, the requirements of this section shall be satisfied if:

(1) The student has previously earned a baccalaureate or higher degree from an institution accredited by a regional accrediting association; or

(2) The student has completed equivalent academic preparation, as determined by the appropriate campus authority.

Note: Authority cited: Section 89030, Education Code. Reference: Sections 66055.8 and 89030, Education Code.