

9/29/2020

## **Frequently Asked Questions (FAQs) on AB 1460 (Ethnic Studies) and Education Code 89032**

### **Meeting the Mandate of AB 1460**

#### **How are the Academic Senate of the California State University (ASCSU), campus-based senates, the CSU Ethnic Studies Council and the CSU Office of the Chancellor involved in the implementation process of AB 1460?**

The senates (system and campus) are the faculty bodies charged with curricular responsibilities.<sup>1</sup> Education Code 89032 (Section 2.c) requires that "The California State University shall collaborate with the California State University Council on Ethnic Studies and the Academic Senate of the California State University to develop core competencies to be achieved by students who complete an ethnic studies course pursuant to implementation of this section." During its September 17-18, 2020 plenary, the ASCSU approved AS-3438-20/AA: *Recommended Core Competencies for Ethnic Studies: Response to California Education Code 89032c*, a resolution recommending to the Chancellor's Office the acceptance of core competencies previously developed and approved by the Ethnic Studies Council.

The development of courses and decisions about their approval to meet this requirement will take place through campus curricular processes

#### **How has the CSU Ethnic Studies Council been involved in the implementation process of AB 1460?**

In fall 2019, the Ethnic Studies Council created an original draft of the ethnic studies core competencies. These were shared with the ASCSU, who circulated them to campus senates, then included them in resolution ([AS-3403-19/AA](#)) passed during its January 2020 plenary. The Ethnic Studies Council refined the original competencies contained in the ASCSU resolution and re-submitted them to the ASCSU during the September 2020 plenary of the ASCSU. The ASCSU hosted members of the Ethnic Studies Council Steering Committee at the September 16, 2020 meeting of the Academic Affairs Committee of the ASCSU to finalize the core competencies required by this section of Education Code.

As required by Education Code 89032 (Section 2.c) the CSUCO is working with the ASCSU and the Ethnic Studies Council. The ASCSU is the recognized faculty body responsible for consultation on curriculum.

---

<sup>1</sup>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."

9/29/2020

The ASCSU reaffirmed its role as the appropriate body to consult with faculty disciplinary groups, such as the Ethnic Studies Council, most recently in resolution [AS-3421-20](#).

### **Have the three bodies named in AB 1460 approved the “core competencies”?**

Yes, the approvals can be found at the following links:

- [Council on Ethnic Studies, September 15, 2020](#)
- [Academic Senate California State University, ASCSU 3438-20/AA, September 17-18, 2020](#)
- [CSU Office of the Chancellor September 19, 2020](#)

### **What is the timeline for implementation?**

The law requires each CSU campus to offer courses in ethnic studies by the fall of 2021. Additionally, it requires that students graduating in 2024-25 and beyond shall have met the ethnic studies requirement. In order to meet campus curricular deadlines for the fall 2021 semester, so that students who enter the CSU as first-time freshmen in the fall of 2021, and students intent on transferring to the CSU who begin at the California Community Colleges (CCC) in fall 2021 are able to meet this new requirement, the CSU must move forward with updating Title 5 and the Executive Order on CSU GE Breadth this fall to allow the CSU and CCC campuses the opportunity to do their curricular work in shared governance.

### **What about faculty control of the curriculum?**

Faculty remain in charge of defining and delivering the curriculum. The CSU has consistently maintained that 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 third-party entities or the state legislature.

The ASCSU and the Ethnic Studies Council, as described earlier, worked collaboratively to establish the core competencies for the ethnic studies requirement. As is called for in the law, once these competencies were approved by the Ethnic Studies Council, they were presented to the Academic Affairs Committee of the ASCSU. These competencies were included in a resolution that was approved by the ASCSU during their September 2020 plenary and then transmitted to the CSU Office of the Chancellor, which accepted these recommended core competencies. The next step in this shared governance process will be for faculty on each campus to revise their campus-based GE programs and approve courses to meet this new requirement based on the core competencies.

### **What are the core competencies for the ethnic studies requirement?**

The core competencies, developed and approved by the Ethnic Studies Council and approved by the ASCSU plenary on September 17, 2020, are listed below. They will be incorporated into the revised Executive Order on CSU GE Breadth, which will be available for campus review on or about October 1, 2020.

1. Analyze and articulate concepts of ethnic studies, including but not limited to race and ethnicity, racialization, equity, ethno-centrism, eurocentrism, white supremacy, self-determination, liberation, decolonization and anti-racism.
2. Apply theory to describe critical events in the histories, cultures and intellectual traditions, with special focus on the lived-experiences and social struggles of one or more of the following four

9/29/2020

historically defined racialized core groups: Native Americans, African Americans, Latina/o Americans and/or Asian Americans, and emphasizing agency and group-affirmation.

3. Critically discuss the intersection of race and ethnicity with other forms of difference affected by hierarchy and oppression, such as class, gender, sexuality, religion, spirituality, national origin, immigration status, ability and/or age.
4. Describe how struggle, resistance, social justice, solidarity and liberation as experienced by communities of color are relevant to current issues.
5. Demonstrate active engagement with anti-racist issues, practices and movements to build a diverse, just and equitable society beyond the classroom.

### **CSU General Education Breadth**

#### **Why is the new requirement in GE?**

The determination that this requirement would be housed in general education is based on several years of discussion. First, the CSU Ethnic Studies Task Force Report, issued in 2016, recommended an ethnic studies section in CSU GE. Second, in the “Findings and Declarations” section of AB 1460, the author calls out the recommendation of the CSU Ethnic Studies Task Force Report that ethnic studies be a CSU General Education requirement.

Finally, during her testimony before the California State Assembly Higher Education Committee on April 23, 2019, Assembly member Shirley Weber called for this requirement to be in General Education. On June 25, 2019, in her opening statement at a California State Senate Education Committee hearing, she once again referred to the CSU Ethnic Studies Task Force, stating: “In 2016, the number one recommendation of that task force was to make ethnic studies a general education requirement throughout the CSU system. AB 1460 codifies the number one recommendation of the CSU task force report.”

#### **Why is the new ES requirement being placed in lower division?**

The requirement must be in the lower-division to assure that all students have taken the course and that it does not alter existing ADT and major requirements. By law, the CSU may not increase the units required for graduation. This is particularly pertinent to Associate Degrees for Transfer (ADTs). The CSU cannot add anything to the lower-division 60 units of ADTs that the California Community Colleges offer, unless it is inserted into CSU GE Breadth.<sup>2</sup>

#### **Can the requirement be met with an upper-division course?**

Yes, in certain circumstances it may be met with an upper-division course, but, in order to comply with AB 1460, all campuses must provide lower-division course options in ethnic studies for students. Any campus may offer upper-division courses that meet any lower-division requirement. Campuses should be cautious to not set extra requirements for transfer students. This means that students should not be

---

<sup>2</sup> SEC. 2. Article 3 (commencing with Section 66745) of the Education Code, the Student Transfer Achievement Reform Act (SB 1440)

9/29/2020

required to meet a GE requirement twice. If a transfer or FTF student chooses to meet this requirement at the lower division, or does so as part of their ADT, they may not be required to do it again at the upper division.

**Why are new three units for the new ES requirement being removed from “Area D” Social Science?**

The CSU Bachelor of Arts or Bachelor of Science degree requires the completion of 120 units, of which General Education comprises 48 units (39 lower-division units and nine upper-division units). To avoid increasing the total number of units in degree programs, the new three-unit requirement must be reallocated from another area of General Education.

Social Science (“Area D”) had the largest number of units available compared to all other lower-division areas of CSU GE. Although Area C (Arts and Humanities) also has 9 lower-division units, they are split. Three units must be in Arts, three must be in Humanities and the final three units may be in either Arts or Humanities, based on the student’s selection. The addition of a new three-unit ethnic studies requirement will still leave “Area D” with six lower-division units. Additionally, three of the upper-division GE units remain in Social Science.

In July 2020, the CSU Board of Trustees removed three units from lower-division “Area D” and created a new lower-division “Area F;” this is where the ethnic studies requirement will be housed.

**Isn’t “Area D” already met by the two courses required for U.S. History and American Institutions? What will happen to departments that currently offer these courses in “Area D”?**

Including the U.S. History and American Institutions requirement in Area D is a campus-based decision. Executive Order 1061 does not require that the courses in United States History and American Institutions both be incorporated into CSU GE Breadth or only in “Area D.” On some CSU campuses United States History is in “Area C”.<sup>3</sup>

**Will double-counting be allowed? Could a course fulfill the new Ethnic Studies requirement and also complete the American history requirement as specified in EO 1061?**

Yes, a course could meet both the “Area F” ethnic studies requirement and the United States History requirement by fulfilling the learning outcomes for both. However, if United States History meets an “Area D” requirement, the student would need to choose the GE area for credit (either F or D). The requirement in American history would be complete no matter which GE area the student selects.

**Will courses with a focus outside of the United States count towards the “Area F” ethnic studies requirement?**

No, such courses are unlikely to meet the newly established core competencies. In the past, campuses have allowed courses about Asia, Central or South America or Africa to count as meeting their diversity requirement. For the new “Area F” ethnic studies requirement, only courses from the four core departments--that also meet ethnic studies learning outcomes--will meet the GE requirement.

**What is the difference between a graduation requirement and a CSU General Education Breadth requirement?**

---

<sup>3</sup> Title 5 § [40404](#), or [EO 1061](#) *Graduation Requirements in United States History, Constitution and American Ideals*

9/29/2020

Graduation requirements are a broader category than GE requirements. Graduation requirements include things such as the total number of units needed to complete the degree, the number of units required at the upper division, the completion of a specific set of courses for a major and the general education requirements.

Due to transfer requirements between the CCC and the CSU, there are some graduation requirements that are not required of all baccalaureate students at all campuses. For example, a graduation requirement outside of CSU GE Breadth would not be required as part of the Associate Degree for Transfer (ADT) and may not be required at another campus. The Title 5 requirement in U.S. History and American Institutions is not in Education Code, as this new Ethnic Studies requirement is, thus the level of flexibility for campuses to meet the requirements is different.

Additionally, including this requirement within GE sets it on the same level as other disciplinary requirements in CSU GE Breadth.

### **How will students who transfer from the California Community Colleges meet this new requirement?**

Beginning in fall 2021, students in the CCC will have courses available on their respective campus that meet CSU GE Area F. This will be possible due to the long-standing process by which we approve CCC courses for the various CSU GE categories (and also the US History and American Institutions courses).

Courses for this new Area F will become a part of this process. Courses will need to meet the same standards that CSU courses do to be approved for Area F.

### **Ethnic Studies**

#### **Is it true that courses included in the newly establish “Area F” of the GE curriculum must be offered by departments in ethnic studies?**

In general, yes, any courses in “Area F” will need to have an ethnic studies prefix (which usually means it is offered by an ethnic studies department), unless it is an approved, cross-listed course (see the next question for additional details). For example, a course offered by a Native American Studies department or program, that met the core competencies, would count as fulfilling this requirement. However, a course on indigenous people that a sociology department offered would not meet the requirement, unless it was an approved, cross-listed course (see the next question).

In the CSU Ethnic Studies Task Force Report, as well as in the Findings and Declarations section of AB 1460 and within the newly created core competencies, ethnic studies is defined as “...the interdisciplinary and comparative study of race and ethnicity with special focus on four historically defined racialized core groups: Native Americans, African Americans, Asian Americans, and Latina/o Americans.” Courses that meet this requirement will need to meet the core competencies developed by the ASCSU and the Ethnic Studies Council. These competencies (outcomes) will appear in the revised executive order. These statewide core competencies will serve as guideposts for the campuses, which use them to tailor their specific SLOs to best serve their specific campus needs.

#### **Is cross listing of courses with non-ethnic studies departments allowed?**

9/29/2020

Yes. If a course is approved via traditional curricular processes for cross-listing (meaning both departments agree to this cross-listing) and the course meets the core competencies and is approved by the campus GE committee for Area F, then the course meets the requirements.

For example, if a course on the “History of African Americans in the United States” is cross-listed between the African American Studies Department and the History Department, and is approved for Area F, a student would receive credit for meeting Area F no matter which section of the course they took.

**Is it true that courses that meet the Area F Ethnic Studies General Education requirement can only be approved by ethnic studies faculty?**

No, general education is under the purview of all faculty on campus via the shared governance process.

The new Area F of CSU GE Breadth in Ethnic Studies is not a disciplinary requirement; it is a General Education (GE) requirement. No one category in GE is the domain of a single academic discipline (e.g., biology faculty do not solely determine courses for the “Area B2” in CSU GE). Although courses for this GE requirement will likely come from a limited number of departments, and will have structured learning outcomes systemwide (core competencies), the GE program is shaped at the campus level by faculty across disciplines in order to ensure the richest and most broad scholarly foundation for all students. This is accepted practice, not only in the CSU, but nationwide, and it has proven successful in encouraging students to explore new disciplines.

Please note, however, that CSU policy does not constrain campuses from including additional faculty in the GE or curriculum approval process.

### **General Questions**

#### **Who can teach these courses?**

The law is silent on personnel issues. Departments will utilize existing practices to identify and appoint faculty qualified to teach courses based on qualifications determined by the appropriate college and department. Campuses should consult their AVP for Faculty Affairs on this issue.