

AGENDA

COMMITTEE ON EDUCATIONAL POLICY

Meeting: 2:00 p.m., Tuesday, May 12, 2020
Virtually via Teleconference

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

- Consent** 1. Approval of Minutes of the Meeting of March 24, 2020, *Action*
- Discussion** 2. Recommended Amendment to Title 5 Regarding Residency Reclassification –
Financial Independence, *Information*
3. Recommended Amendment to Title 5 Regarding Ethnic Studies and Social Justice,
Information

**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**

March 24, 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
Adam Day, Chair of the Board
Timothy P. White, Chancellor

Trustee Taylor called the meeting to order.

Approval of Minutes

The minutes from January 29, 2020 were approved as submitted.

Amendments to Title 5 Regarding Occupational Therapy Doctorate Degree Programs

A summary was provided of the January board presentation by Loren J. Blanchard, executive vice chancellor, and Alison Wrynn, associate vice chancellor, Academic Programs, Innovation and Faculty Development, regarding Occupational Therapy Doctorate Degree Programs. The presentation highlighted how CSU occupational therapy programs meet a growing workforce need and proposed amendments that would bring Title 5 regulations into alignment with amended

***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 March 24, 2020 meeting of the CSU Board of Trustees was conducted entirely virtually via Zoom teleconference.**

Ed. Pol.
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California Education Code regarding CSU Occupational Therapy Doctorate Degree Programs. Four amendments, including listing degree requirements and identifying criteria for the admission of applicants, were proposed to the committee as an action item for board approval.

Trustee Taylor shared that during the 45-day period of this action item no written comments were received by the Chancellor's Office. The committee recommended approval of the proposed resolution. **(REP 03-20-03)**.

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. The initial classification of residency requires that a student meet the requirements of physical presence in California and an intent to remain in California. A student who fails to demonstrate physical presence and intent to remain is classified as a nonresident.

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. The financial independence requirements include not being claimed by a parent as a dependent exemption for state and federal tax purposes, not having received more than \$750 in financial assistance from a parent and not having lived with a parent for more than six weeks.

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.

At the July, 2020 meeting, an action item will be presented to the Board of Trustees for a vote to approve the proposed amendment to Title 5.

Proposed Revision

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 Amendment 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

The amendment to Title 5 introduced at this meeting and presented for board action at a future meeting of the Board of Trustees proposes to 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 goal of the proposed Ethnic Studies and Social Justice requirement is to better prepare students to live and work in a multicultural society through an academic experience that will develop their intercultural cognizance, sensitivity and commitment to social justice. Courses that meet this requirement shall either focus on the intersection of race and ethnicity and describe how resistance, social justice and liberation as experienced by communities of color are relevant to current issues (communal, national and international); or they shall focus on other factors in understanding hierarchy and oppression, such as class, gender, sexuality, religion, spirituality, national origin, immigration status, ability and/or age.

Background

Ethnic studies is the interdisciplinary and comparative study of race and ethnicity. The cultures, lived conditions, and histories of Native Americans, African Americans, Asian Americans, Latina/o Americans, and other racialized groups ground and center its scholarship, teaching and learning. Ethnic studies involves social engagement (service and struggle), social change and social justice—generating cooperative and collaborative initiatives between campus and community. The value of ethnic studies includes its role in giving voice to marginalized groups and producing systems of knowledge that equitably support a democratic and multicultural society. Further, the inclusion of social justice leads to the application of these concepts to multiple forms

of oppression and discrimination within institutional structures that are hierarchical. This context includes considerations of actions to identify, mitigate and eliminate these forces through the elevation of activism, free speech, leadership development, policy development and democratic processes.

The CSU is indeed a nationally recognized leader in the field of ethnic studies. San Francisco State University is regarded as the birthplace of the discipline in 1969. Today these courses exist across the curriculum and academic departments at the CSU.

In July 2016, the California State University Task Force on the Advancement of Ethnic Studies delivered a report to Chancellor Timothy P. White summarizing its key findings and recommendations regarding supporting a multicultural quality education. Chaired by then CSU Bakersfield President Horace Mitchell, the Task Force was comprised of a wide range of stakeholders across the system, including students, faculty members of the university system's Ethnic Studies Council and administrators. The final report and subsequent summaries of campus progress in adopting the report's recommendations are available at <https://www2.calstate.edu/impact-of-the-csu/diversity/advancement-of-ethnic-studies>.

Chancellor White shared the Task Force's report with the CSU community and directed each campus to review the findings and use the recommendations to strengthen the institution in the context of their mission, priorities and campus culture. During their annual summer conferences in 2017, each CSU president discussed with Chancellor White his/her campus' programmatic and staffing actions that were being undertaken in response to the Task Force's work.

The first recommendation of the 2016 report was to make ethnic studies a general education requirement throughout the CSU system. As was referenced in Chancellor White's letter accompanying the Task Force report, the recommendations were expected to inform – but not constrain – the regular planning process of each campus. While no systemwide change to general education was enacted at the time of the report's release, campus curricular actions captured in subsequent updates to the report reflect increased campus support and activities. Those actions included: ensuring ethnic studies courses are well represented in general education categories, incorporating themes and language from the Task Force report into campus-based general education policy and strengthening graduation requirements to include ethnic studies courses on a number of campuses.

These changes were the result of campus-based shared governance and decision making—not the imposition of a systemwide directive. And as result, key accomplishments across the system include a nearly 9% increase in enrollment in Ethnic Studies courses in the past two years and the hiring of 71 new tenure-track faculty in Ethnic Studies departments across the CSU in the past four years. In 2019, the CSU's second College of Ethnic Studies was established at California State University, Los Angeles. Yet despite campus efforts and actions to broaden the inclusion of ethnic

studies across the system as described above, Assemblywoman Dr. Shirley Weber authored Assembly Bill (AB) 1460 that would establish a new Ethnic Studies graduation requirement for all CSU undergraduate students. The bill would require a three-unit course requirement in ethnic studies offered through specific academic departments: Native American Studies; African American Studies; Asian American Studies; Latino/a Studies. The bill is sponsored by the California Faculty Association (CFA).

The Academic Senate CSU (ASCSU), the legally-recognized faculty body on matters of curriculum, along with the CSU Office of the Chancellor, oppose legislative intrusion into university curriculum, including AB 1460. In January 2020, the ASCSU passed a resolution ([AS-3403-19/AA](#)) requesting that Chancellor White consider a requirement in ethnic studies. The original resolution, which closely aligned with language in AB 1460, was distributed to CSU campuses for feedback by the Office of the Chancellor in February 2020. An analysis of the feedback received from all 23 campuses demonstrated support for a more broadly defined curricular requirement and greater campus autonomy than described in AB 1460 or in AS-3403-19/AA. Based on this feedback, the Office of the Chancellor suggested modifications to the original resolution that aligned with input received from campuses.

At its March 2020 plenary, the ASCSU issued a new resolution ([AS-3420-20/AA](#)) agreeing with a number of recommendations made by the Office of the Chancellor. Specifically, the ASCSU agreed that (1) the requirement should be broader than the four disciplines listed in AB 1460; and (2) campuses should operationalize the ethnic studies requirement and associated learning outcomes through normal curricular processes in a manner appropriate to its campus culture and context. Table 1 provides a summary of the three proposals—AB 1460, AS-3420-20/AA and the proposal from the Office of the Chancellor.

Table 1: Summary Chart of the Proposed Ethnic Studies Requirements

| | AB 1460 | ASCSU AS-3420-20/AA | CSU Proposal |
|--|---|--|---|
| Title | Ethnic Studies | Ethnic Studies | Ethnic Studies and 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 | Native American Studies; African American Studies; Asian American Studies; Latino/a 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 | Approximately \$16.5 million for CSU; additional unknown costs for the CCC | Approximately \$8 million | Approximately \$3 million to \$4 million |
| Year the requirement would begin | 2021-22 | 2023-24 | 2023-24 |

As the table illustrates, there is a great deal of congruity between what is recommended by the ASCSU and the Office of the Chancellor. In those areas where there is less overlap, the Office of the Chancellor has deferred to the 23 CSU campuses that called for greater campus autonomy on the establishment of learning outcomes for this requirement and determining the establishment of an additional upper-division reflective requirement.

However, the need for a systemwide framework is evident to address previous inconsistencies across campuses and to ensure students are not negatively impacted. For example, half of all CSU undergraduates arrive at the university as transfer students, predominantly from a California community college. The Office of the Chancellor seeks to ensure the transferability of such an ethnic studies requirement, particularly in light of the increased popularity of the Associate Degree for Transfer (ADT). Established by in 2010, the ADT is comprised of three components—39 units of General Education, 18 units of lower-division major preparation and three units of electives. Completion of the 60 units of an ADT guarantees transfer to the CSU and the requirement of only another designated 60 units to complete the baccalaureate degree. To continue to facilitate transfer via the ADT, the newly proposed Ethnic Studies and Social Justice requirement would need to be included within CSU GE Breadth.

Following the extensive input received from the ASCSU and the 23 campuses, the Office of the Chancellor recommends an amendment to Title 5 § 40405.1 adding a new three-unit lower-division requirement in Ethnic Studies and Social Justice to CSU GE Breadth. As a result of this addition, there will be six undefined lower division units in the Social Science section of CSU GE Breadth (Area D) to accommodate the new three-unit lower-division Ethnic Studies and Social Justice requirement. This will allow CSU GE Breadth to remain at 48 total semester units. Area D currently includes nine undefined lower-division units in social science while other general education subject areas (e.g., written communication, physical sciences, lifelong learning and self-development) only require three units. Courses satisfying the new Ethnic Studies and Social Justice requirement could be offered in ethnic studies, the arts, humanities, natural or social sciences or other disciplines. This will result in no impact to the 120-unit limit on BA and BS degrees or the ADT pathway.

Correspondingly, amendments to the following Title 5 section are recommended.

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

This amendment establishes a 3-unit lower division requirement in Ethnic Studies and Social Justice in CSU General Education Breadth requirements. In order to keep CSU GE Breadth requirements at 48 total semester units, three units are removed from section (a)(4).

5 CCR § 40405.1

§ 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.