

Humboldt State University
University Senate Meeting Minutes
18/19:4 10/16/2018

Tuesday, October 16, 2018, 3:02pm, Goodwin Forum (NHE 102)

Chair Stephanie Burkhalter called the meeting to order at 3:02pm on Tuesday, October 16, 2018 Goodwin Forum, Nelson Hall East, Room 102; a quorum was present

Members Present

Alderson, Burkhalter, Creadon, Dawes, Dunk, Karadjova, Keever, Kerhoulas, Le, Maguire, K. Malloy, McConnell, Mola, Moyer, Pachmayer, Parker, Rizzardi, Rossbacher, Sandoval, Thobaben, Virnoche, Woglor, Wrenn, Zerbe

Members Absent

Bacio, Brumfield, Byrd, Enyedi, N. Malloy, Johnson

Guests

Dale Oliver, Joshua Meisel, Christine Mata, Rock Braithwaite, Holly Martel, Peggy Metzger, Kim Comet, Clint Rebik

Announcement of Proxies

Le for Bacio, Mola for Byrd, Braithwaite for Enyedi, K. Malloy for N. Malloy, Christine Mata for Brumfield

Approval of and Adoption of Agenda

M/S (Dunk/Virnoche) to approve the agenda

Motion carried unanimously

Approval of Minutes from the October 2, 2018 Meeting

M/S (Dunk/Karadjova) to approve the Minutes of October 2, 2018

Motion carried unanimously

Reports, Announcements, and Communications of the Chair

- Written report attached

In addition to her written report, Chair Burkhalter initiated a discussion about the Presidential search process by soliciting questions from the Senate.

The discussion is summarized below:

- Senator Mola asked if the Senate wants to rewrite a resolution regarding the openness of the Presidential search. He elaborated that, while the campus has representation on the Advisory Committee to the Trustees Committee for the Search for the President (ACTCSP), the campus at large is not aware of who the candidates are, and the ACTCSP is not the actual hiring authority, and is merely advisory in nature. Senator Mola shared

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that usually CSUs draft a Sense of the Senate Resolution asking for transparency from the Chancellor's Office, and the Chancellor's Office doesn't comply.

- Senator Zerbe spoke in favor of creating such a Resolution, and stated his belief that making such a statement as a campus is worthwhile, even though it won't make any difference.
- Senator Creadon spoke in favor of creating the Resolution, and shared her thoughts that there'd be some political clout in it, especially if the chosen Presidential candidate turns out less than satisfactory, it'd be worth it to be able to pull out this resolution.
- Chair Burkhalter clarified the Chancellor was very ready for these critiques during his visit to campus (on Tuesday, October 9), and that he said if campuses want high caliber candidates, the search has to be confidential. She noted she wouldn't speak to the truth of that statement.
- Senator Mola noted it was slightly reassuring that the Chancellor stated if the ACTCSP identified a candidate they knew wouldn't be good, then the Board of Trustees wouldn't appoint that candidate.
- Senator Wrenn pointed out the American Association of University Professors published "Statement on Presidential Searches" from November 3, 2015, which attested there is no evidence for what the Chancellor's Office says about a lack of confidentiality hindering high caliber professionals from applying. [*This document is attached.*]
- Senator Maguire shared her memory of the Chancellor stating that everyone has an equal vote on each committee, but is confused by that statement, since it seems a given that the ACTCSP is subordinate to the Board of Trustees hiring committee
- Chair Burkhalter reported that the President's Assistant, Kay Libolt, and the AVP for Marketing and Communications, Frank Whitlatch, will be the contact people for the search, but that she can contact CSU Chief of Staff, Lars Walton, and ask for clarification.

M/S (Zerbe/Mola) to direct SenEx to develop a Sense of the Senate that expresses our concerns about the closed process, and that SenEx uses Resolution 06-13/14-EX as a template.

Discussion ensued and is summarized below:

- Senator Dunk spoke in favor of the motion, and shared his concern that the confidentiality surrounding the Presidential candidates is different than processes for candidates to other MPP and Vice President positions.
- Senator Thobaben reported the Statewide Emeritus and Retired Faculty Association also expressed concern and were shocked that the Presidential candidate finalists do not come to campus. There was also concern that the President would be loyal to the Trustees instead of the campus community.
- Senator McConnell asked whether it would be appropriate to add a compromise clause in the Resolution stating that the campus community gets to see the three finalists' goals and credentials, but maybe keep their names confidential.
- Chair Burkhalter assented that such a clause could be discussed at SenEx if the motion passes

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Senate vote to direct SenEx to craft a Sense of the Senate Resolution regarding the Senate's concerns about the closed process inherent in the Board of Trustees Policy on Selection of the President **passed without dissent**.

Ayes: Alderson, Bacio, Brumfield, Creadon, Dunk, Gough, Karadjova, Keever, Kerhoulas, Le, Maguire, N. Malloy, K. Malloy, McConnell, Mola, Moyer, Pachmayer, Rizzardi, Thobaben, Virnoche, Woglom, Wrenn, Zerbe

Nays: none

Abstentions: Dawes, Enyedi

Discussion continued:

- Senator Moyer suggested including more faculty in the committee
- Senator McConnell suggested including more students in the committee
- Chair Burkhalter clarified the Sense of the Senate just voted upon is meant to provide feedback to the Chancellor's Office about the process, but it could also be about the composition of the committee. An alternative would be to create two different resolutions, one about the confidentiality and the other about the committee composition.

M/S (McConnell/Le) to direct SenEx to create another Resolution to include more faculty and students on the Advisory Committee to the Trustees Committee for the Selection of the President, with a focus on the committee's composition.

M/S (Zerbe/Mola) supplementary motion: that the Senate postpone consideration of Senator McConnell's motion until the Senate begins considering item 11.

Senator Zerbe clarified if the Senate wants to advocate for additional membership, it makes sense to discuss that in context of how the committee membership is selected. Senator Zerbe cautioned that committee composition proposals will push past what the Chancellor is willing to tolerate.

Senate vote to postpone Senator McConnell's motion **passed without dissent**.

Ayes: Alderson, Bacio, Brumfield, Creadon, Dawes, Dunk, Enyedi, Gough, Karadjova, Keever, Kerhoulas, Le, Maguire, N. Malloy, K. Malloy, McConnell, Mola, Moyer, Thobaben, Virnoche, Woglom, Wrenn, Zerbe

Nays: none

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Abstentions: Woglorum

Vote not recorded: Pachmayer, Rizzardi

Reports of Standing Committees, Statewide Senators, and Ex-officio Members

Academic Policies:

- Written report attached

Faculty Affairs:

- Written report attached

Administrative Affairs:

- Written report attached

Statewide Senate (ASCSU):

- Written report attached

Office of Equity, Diversity, and Inclusion:

- Written report attached

Provost's Office:

- Written report attached

President's Office:

- Written report attached

Consent Calendar from the Integrated Curriculum Committee

It was noted there were no items on the Consent Calendar from the Integrated Curriculum Committee

General Consent Calendar

The attached Controlled Substances and Alcohol Policy for Drivers of Commercial Vehicles was **approved without dissent**

TIME CERTAIN 3:15-3:30 PM – Open Forum for the Campus Community

It was noted that no one signed up to speak at the Open Forum for the Campus Community

Resolution on Voting Membership of the University Senate (04-18/19-CBC – October 16, 2018) First Reading

M/S (Le/Karadjova) to move the Resolution

Motion carried unanimously

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Senator Le provided background on the creation of the Resolution, stating the original intent was to give the CFA President voting rights, in response to giving voting rights to the Executive Director of the Office of Diversity Equity, and Inclusion (which is an Administrator position). Currently, the only two non-voting members of the Senate other than the President, are the CFA and Labor Council representatives; this Resolution simply adds two members, and doesn't change the voting composition of the Senate. If the Senate votes to add another student, that would be adding another senator.

Senator Mola stated the committees have more power for change, and that he does not support adding another student to the Senate, but does support voting rights for the CFA and Labor Council representatives.

Senator Le passed out Voting Percentage chart (attached) which detailed the electorate percentage changes. Senator Le also voiced concern with the weird situation surrounding the immediate past chair of the Senate as a voting member for one of a new Chair's 3-year term.

Senator Alderson shared her assumption that the past chair is meant to be a knowledge base and not a voting position, and noted also that more often than not, there has not been a sitting, voting, past chair on the Senate.

Senator Mola pointed out that regardless, that's one less important faculty voice on the Senate that's absent more often than not.

Senator Sandoval shared that while more student representation would be nice, she'd recommend removing the clause adding an additional student Senator and stipulating that each Senator be from one of the three colleges.

The Resolution will return for a Second Reading

TIME CERTAIN 4:00 PM – Resolution on Early Grade Release to Students Who Have Completed Their Course Evaluations (03-18/19-FAC – October 16, 2018) First Reading
M/S (Mola/Virnoche) to move the Resolution

Motion carried unanimously

Senator Mola gave background on the electronic student evaluations, noting in summary that since moving to electronic evaluations, the response rate has dropped to 50% and that there is a student evaluations report 5 years past due, which he will present to Senate next meeting. This Resolution is one small step to try and boost response rates, which was developed using a model from San Francisco State and San Diego State. The Resolution would establish a grades release date, which is a few days later than grades are released now, and would allow students to get grades early if they fill out course evaluations (which would mean they get them the same time as now). This is a small thing for students with potentially a large impact on faculty.

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Discussion ensued and is summarized below:

- Senator McConnell asked how the anonymity of student evaluations would be affected.
 - Senator Mola ceded the floor to guest Clint Rebik (Registrar) who clarified his office wouldn't see responses, only if they filled out the evaluation.
- Senator Gough shared concern about whether it would be clear to students that their grades are not dependent on favorable evaluations.
- Senator Wrenn asked how this grade deadline would appear on campus calendars and be communicated to students.
 - Registrar Rebik clarified the date would be included in calendar of activities and deadlines
- Senator K. Malloy spoke in adamant opposition to this Resolution, stating his unequivocal aversion to anything that punishes people for not doing something they're not required to do.
- Senator Woglom shared that there is something to be said for evaluations serving as something to create and develop pedagogy and courses, and to help create a good community of learning.

The Resolution will return for a Second Reading

Discussion Item: Election Process for Faculty Members to serve on the Advisory Committee to the Trustees Committee for the Selection of the President (ACTCSP)

Chair Burkhalter introduced the attached document, detailing two different timelines for appointing Faculty representatives to the ACTCSP.

M/S (Zerbe/Virnoche) to waive the agenda and introduce an updated version of Resolution 06-13/14-EX as the new one, with dates changed to reflect the present Presidential search.

Senator Zerbe discussed his motion further, stating that philosophical debates notwithstanding, his understanding is that if the Senate doesn't make a decision today to write this Resolution, then we are forced into Option A.

Chair Burkhalter clarified the Chancellor's Office (CO) has agreed to wait if the Senate decides to pass a resolution, and she is asking today for feedback and discussion for SenEx to use in writing such a Resolution, or for Senate's authorization to go ahead with the default election option. The Senate Chair is automatically on the ACTCSP, so last time a Presidential search was undertaken, Senate decided that because Chair at the time was from the College of Arts, Humanities, and Social Sciences (CAHSS), then the two faculty representative seats would be designated to a representative from the College of Professional Studies (CPS) and the College of Natural Resources and Sciences (CNRS). This necessitates the exclusion of some Unit 3 faculty members (Counselors, Coaches, and Librarians) will not have the opportunity to run as a candidate.

Senator Zerbe: pointed out his other concern with timeline outlined, that the Senate is acting

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on behalf of the General Faculty on the process of selection, so the Presidential approval is not necessary.

Senator Mola spoke in favor of Senator Zerbe's motion, and stated the needs of each college are different and that having reps from each college on the committee is important since participation on the ACTCSP is the best way to represent the three primary colleges in the university.

For clarity, the motion was restated:

M/S (Zerbe/Virnoche) to direct SenEx to take Resolution 06-13/14-EX, update the dates and numbers, but otherwise pass the same Resolution stipulating nomination constraints for faculty representatives to the ACTCSP.

Chair Burkhalter asked for any objections to bringing this forward as a fully articulated Resolution on Oct 30th, as it would be appropriate to have the resolution written before voting on it.

Senator Karadjova pointed out the Senate is discussing limiting representation at the same time as talking about increased representation. She asked if it would be an option to make a case for library, coaches, within the Resolution.

Senator Zerbe shared his concern that waiting to vote on the Resolution at all would push us past the timeline, and shared his opinion that this is a pipe dream. He stated the CO won't acquiesce to this though he thinks the Senate needs to pass the Resolution about an open and transparent process, but none of that in reality is going to happen. If the Senate delays the process by which the General Faculty approves the faculty to the one committee that does have seats for HSU General Faculty, Senate is merely delaying the process. Senator Zerbe concluded, stating "I'm all for resolutions that demand better representation and more seats and an open process; I'm also pragmatically recognizing the Chancellor's Office will not approve it for us."

Chair Burkhalter recognized Parliamentarian Jeff Abell and ceded the floor to him.

Parliamentarian Abell pointed out that the Resolution is not on the agenda as an item to be voted on today, so a vote cannot occur.

Senator Zerbe asked Abell if the Senate can add an action item by 2/3 majority vote. Abell clarified the question is about notification; if every single Faculty Senator is in attendance, then an item can be added if it is a unanimous decision on the part of Faculty Senators.

Senator Virnoche stated that she has already shared information about this discussion item with faculty in CAHSS, but if it moves from a Discussion Item to an Action Item, there might be folks that are upset.

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Senator Dunk shared his preference that the faculty representative seats be open to all faculty if a rewrite of Resolution 06-13/14-EX is the route Senate chooses

M/S (Zerbe/Maguire) to withdraw the previous motion, as there is not unanimous consent

Motion carried unanimously

Chair Burkhalter restated Senate's instruction for clarity—that the Senate expects SenEx to rewrite Resolution 06-13/14-EX for review at the next senate meeting. She stated the Senate supports restricting the two seats to CPS and CNRS, and the question now is whether or not to restrict the seats further, so that only tenured faculty can self-nominate.

Senator Moyer noted the thinking behind only letting tenure line faculty serve may have come about from consideration of their greater experience than lecturers. She suggested if Senate opens the seats up to lecturers there should be qualification about a certain amount of governance experience

Senator Virnoche suggested limiting lecturer nominations to those with 3-year contracts. She also noted the agenda for the next Senate meeting should include a note that although the Resolution will be coming for a First Reading, Senate anticipates waiving the second reading.

Chair Burkhalter read each clause of Resolution 06-13/14-EX aloud and received verbal feedback as follows:

- Parliamentarian Abell advised the second clause doesn't need to be included; there's no need to state that the Senate wants the General Faculty to do what they're already empowered to do.
- Senator Zerbe clarified the second clause was included in order to specify the electorate is the entire General Faculty, including the Librarians, Counselors, and Coaches
- Senator Virnoche shared she's already received questions about who would vote for whom, so the second clause should be included.
- Parliamentarian Abell opined that it's bad to include the second clause, because the Senate doesn't have the power to say who votes, since the electorate is already given that authority in the General Faculty Constitution.
- Chair Burkhalter stated the Resolution will clarify that all General Faculty members can participate in the election as voters, if not candidates for the seats.
- Senator Moyer wondered if it'd be wise to include the caveat that candidates should include some statement about a certain amount of university faculty governance experience.
- Chair Burkhalter replied that the call for nominations will include a prompt to provide a candidate statement which could include a request to specify their university governance experience. She noted that a commitment to the timeline will be in the instructions on the call for nominations.

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- Senator K. Malloy spoke in opposition to the conversation about limiting unit 3 faculty members' opportunity for representation on the ACTCSP by creating an arbitrary litmus test that has no basis in a person's ability to do anything, where if someone has experience in governance then that person is somehow better. He concluded, stating if the Senate cannot hold an election in a way that includes the same opportunities for every General Faculty member, then the Senate should continue this line of bizarre conversation.
- Senator Gough suggested the call for nominations includes the duties and preferred qualifications for service on the ACTCSP.

M/S (Le/K. Malloy) motion to adjourn

Meeting adjourned at 5:02pm

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Senate Chair's Report
Senate Meeting, October 16, 2018

On Tuesday, October 9, I received a letter from Chancellor White providing the description of and timeline for the presidential search process. Chancellor White and Executive Vice President Blanchard made a quick visit to campus and participated in the first hour of the Senate Executive Committee meeting during which they explained the presidential search process and took questions about it. Chancellor White requested that the faculty hold an election to choose two HSU faculty members to serve on the presidential search Campus Advisory Committee with the results of the election forwarded to him by November 30, 2018. A condition of serving on the Committee is that the faculty member must commit to participation in the open forum and search committee meetings as outlined in the search schedule. Chancellor White assured the SenEx committee that the process is collaborative in the sense that the Trustee Search Committee considers the views of the Campus Advisory Committee, and that he would not recommend a candidate who does not have the requisite skills and qualities to succeed in the job. Since the search is confidential, the candidates will not make official visits to the campus before the finalist is appointed.

Inside Higher Ed on October 5, 2018, featured an article about the murder of David Josiah Lawson and the subsequent university response (see this link). One concern expressed in the article was a perceived lack of organized response by faculty to the murder and issues of safety of students of color in the community.

On Thursday, October 4, at the request of Interim VP of Faculty Affairs, Laura Hahn, I met with her and Tawny Fleming, Director of Contracts, Procurement, and Accounts Payable, regarding the implementation of the Concur travel program. Concur is an electronic travel and expense management tool that is currently being used on a few CSU campuses. Several Department Chairs and Senator Zerbe have expressed concerns about the potentially harmful impacts on faculty of using a Concur-based travel process on faculty. As a result of our conversation, Director Fleming clarified the following:

The Concur program should make travel authorization and travel expense claims easier to file and track than in the current process. The decision to transition to Concur occurred after Director Fleming presented it as an option to VP Joyce Lopes. Cabinet approved adoption of the program while Lopes was still VP, and her successor, Doug Dawes, supported transitioning to the program, as he had used it successfully at his prior campus, CSU Stanislaus. Before beginning the Concur configuration, Director Fleming met with over 50 people across campus to understand their needs for travel. This included the president's office, student clubs, academic departments, facilities, athletics, etc. She is in the process of a "soft roll out" of Concur for travel and expense claims within the administrative affairs division. During this time, potential issues with use of the program will be identified and rectified as much as possible.

After the soft-roll out, Concur will begin to be applied campus-wide for staff and faculty using state-side (HMCMP) funding for travel. Faculty are not required to use Concur to book their travel arrangements, but Concur pricing reflects state-negotiated rates on flights, hotels, and rental cars, so booking through Concur might be cheaper than trying to book travel components using other sites (with the caveat that while booking in Concur the traveler uncheck a box that restricts choices to only those that are fully refundable). As they do now, faculty will be able to research and choose the cheapest, most convenient option for them. Once faculty set up their profile in Concur, their mileage plans and hotel points systems will be applied when they book through Concur. There is a Concur app for real-time upload of receipts,

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which is done by using a smartphone camera. If the traveler does not have a smartphone, she or he can keep the paper receipts and once they return, scan them and upload them as one single or as multiple .pdf files. Receipts are required for any expense \$75 and above. A travel credit card is associated with Concur, but faculty can choose whether or not to use it. The benefit of using it is that travel costs are not personally incurred if they fall within the limit set on the card. The card limit will be set by the subunit (e.g., college) that is the source of the travel authorization. Faculty were under the impression that all their travel expenses must be booked on the Concur card and that if they exceeded the limit on the card, they would need to pay back the university by writing a check at the Cashier's office. This is partially true. For example, if the travel award was \$1,000 and the traveler charged \$1,200 on the Concur card, she would need to pay back \$200 from her own funds within 60 days to reconcile the account. However, because faculty may use their own credit cards instead of, or as a supplement to, the Concur card, how much they will need to pay back at the Cashier's office will vary based on their own choices. There will be an option within the program to account for personal travel that occurs before or after a professional trip so that the charges remain separate. There will also be a way to subtract the cost of alcohol from a submitted receipt.

Director Fleming is in touch with administrators at campuses that already use Concur for support as issues arise. The program at HSU is currently not configured to take group/student/guest/athletic travel or for travel that splits funding between business units (for example, state side mixed with trust money). Split funding within state-side funding units should not be an issue and will be automatically routed to the appropriate approvers.

At Senate's request, Director Fleming is willing to provide a report to the Senate on the Concur program and roll-out.

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University Senate Written Reports, October 16, 2018

Standing Committees, Statewide Senators and Ex-officio Members

Academic Policies Committee:

Submitted by Kerri Malloy, APC Chair

APC meets at 2:00 PM in BSS 508 on the following dates: 8/29; 9/12; 9/29; 10/10; 10/24; 11/7; 12/4

Committee Membership:

Michael Goodman, Kayla Begay, Ramesh Adhikari, Heather Madar, Michael Le, Rock Braithwaite, Cheryl Johnson, Clint Rebik, Kerri Malloy

August 29

- Review and discussion of policies that will be worked during the semester
 - Classroom Disruptive Behavior Policy
 - Advising Policy
- Committee has forwarded the Academic Honesty and Integrity Policy to the University Senate.

September 12

- Update on the Academic Honesty and Integrity Policy prior to the second reading before the University Senate
- Started review of the draft Advising Policy.
 - APC will work those portions the policy that do not address workload. Those areas have been referred to the Faculty Affairs Committee.
 - Discussion on HSU Catalog language regarding advising and its connection to the draft policy.
 - Review and discussion on advising goals to ensure that they are assessable.
 - Discussion on academic probation advising and notification of students and advisors.
 - Committee will continue work via a shared document.

September 26

- Continued work on the Advising Policy with a timeline to present to SenEx by the end of October.
- Revised advising outcomes in the draft policy provided to the Committee.
 - Students with the assistance of their adviser will develop an educational plan based on a major program, considering the students' abilities, interests, goals, and values.
 - Students will be supported students in achieving their academic, professional, and post-baccalaureate goals using academic, extracurricular and relevant personal information.
 - Students will be able independently navigate campus and local resources.

- Revised Academic Integrity and Honesty Policy will be forwarded to SenEx for its next meeting.

October 10

- Continued work on the draft advising policy.
 - Discussion on how relationships between students and faculty advisers develop.
 - Assignment of advisers to incoming freshmen and transfer students.
 - Responsibilities of advisers and students in the advising process.
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Constitution and Bylaws Committee:

Submitted by Mike Le, CBC Chair

Roll Call (*Quorum Met: 6/6*)

- Michael Le, Staff Senator, Chair (2018-2019)
- Jeff Abel, Parliamentarian, Faculty (2018-2020)
- Joice Chang, Faculty (2018-2020)
- Leena Dallasheh, Faculty (2017-2019)
- Joseph McDonald, Student (2018-2019)
- Mary Watson, Non-MPP Staff (2018-2020)

Vote(s)

1. Resolution on Voting Membership of the University Senate #04-18/19-CBC
 - a. Add voting rights to Delegate, HSU Chapter, California Faculty Association
 - i. Passed 6/0/0
 - b. Add voting rights to Delegate, HSU Labor Council
 - i. Passed 6/0/0
 - c. Add a 4th student as a voting member to Senate
 - i. Passed 6/0/0
 - d. Name Change to Vice President for Student Affairs
 - i. Passed 6/0/0

New Items

1. None

Old Items

1. Provost Voting Rights
 - a. Discussion took place in SenEx regarding the Provost voting rights. SenEx determined that the Senate will send all future policies to the President. Since the passing of the Policy on Policies, Procedures, and Guidelines, this should have been how Senate operated. The President may then sign the policy and charge the Provost with enacting it. The Provost may exercise all senate membership rights by voicing an opinion and casting a vote.

Faculty Affairs Committee:

Submitted by Monty Mola, FAC Chair

Attendees: Renee Bird, Julia Gomez, Laura Hahn, Abeer Hasan, Cheryl Johnson, Monty Mola, Kirby Moss, Marissa O'Neill, Mark Wilson and George Wrenn

I. Current Work

- a. Resolution on Early Grade Release
 - i. 1st reading today.

II. Voting Rights

- a. CBC Resolution, 1st reading today.

III. Advising Policy

- a. No update.

IV. Appendix J

- a. FAC has identified sections of Appendix J where language on equity and inclusion can be incorporated. Draft modifications are under development.

V. Course Evaluation by Students Response Rates

- a. FAC is working on a report looking at CEBs response rates since HSU switched from paper to electronic evaluations. We expect to report this to the full Senate at the next meeting. Punchline: Paper Response Rate ~ 70%; most recent electronic response rate ~ 50%.

Future Work

- 1. Appendix J: Early Tenure, Faculty Workload (Collateral Duties), Clean up**
 - 2. Faculty workload survey**
 - 3. Create policy to support international faculty in obtaining permanent resident status.**
 - 4. Explore policy on lecturer voting rights within academic departments.**
-

University Policies Committee:

UPC Attendees: Jennifer Maguire, Troy Lescher, John Meyer, Douglas Dawes, Robert Keever, Michelle Anderson, Joy Finney Guests: Dave Nakamura, Ruth Sturtevant, Kim Comet

DOT Policy has been forwarded by the Senate Executive Committee to the 10-16-18 University Senate general consent calendar.

Policy website: Kay Libolt and Mary Watson will be invited to the next UPC meeting to give an update on the Policy website. The last status update was that some policies were being sent back to stakeholders for updating and revision. John Meyer remarked on the time consuming formatting required on policies within the Drupal software. Michelle Anderson will contact Matt Hodgson, Web Manager, to communicate the cumbersome policy formatting issue and to see if it would be possible to link to a pdf that is ATI compliant.

UC Chargeback System: Ruth Sturtevant reported that there are between 7 to 10 events (student groups or Departments that don't charge admission) that are scheduled to take place on the weekends during the Fall semester. On average, each weekend event costs \$190. What is the impact on students? UC encourages students to move their events to weekdays. UPC members requested to see comparative data, year over year, before fees were charged and after. Academic Affairs pays the UC approximately \$15,000 per year for the classroom use of the Kate Buchanan Room. The UC Budget has been impacted by lower enrollments = less student fees and an increase in minimum wage. Student fees that fund the UC have not increased since 1987. The cost allocation is a small portion of the UC Budget shortfall. Baseline services are provided for no charge during the weekdays. Weekend events help build community and aid retention. Ruth Sturtevant will bring comparative data to the UPC meeting on Thursday, October 25.

Administrative Affairs:

Submitted by Doug Dawes, Vice President for Administrative Affairs

Human Resources

- Three candidates have been selected for campus visits. They will occur over the next several weeks, announcements will be made through the portal.
- Facilities
- As of Monday 10/8/18, the contractor has started mobilization, and will be erecting the construction fence-line starting on Monday 10/15/18. FM has notified campus of this change via the HSU portal, through emails, and by posting signage on Sequoia Mall throughout this week. The contractors' schedule is due on Monday 10/15/18, and will give a good indication of when the demolition work can be expected to start.

Procurement

- Administrative Affairs is in the beginning stages of using Concur with a select number of travelers. Once we have confirmation that credit card transactions are feeding into the Concur expense reports and PeopleSoft correctly, we will open it up to more users. Assuming we don't run into any show stoppers, we anticipate starting to work with other departments by December.

Accounting & Business Services

- As a result of the recent CSU Cashiering Audit, the HSU Cashiering procedures will be updated and controls in place for various departments accepting cash and cash equivalents.
- Completed a State Cal Grant Audit with NO findings. This is a confirmation of how well and closely the Financial Aid and Student Financial Services offices work together.

- All of the 4 Auxiliaries 2017-18 Audits are completed without any findings and have been delivered to the Chancellor's Office.

Bookstore

- The HSU Bookstore has launched Follett Discover to enhance our course materials adoption system. This system will better serve the campus with an interactive ordering system that can be accessed through Canvas. It also provide storage of past materials orders, and enable the campus to better communicate course materials requirements to our students. Contact the HSU Bookstore for more information.

Risk Management

- We conducted water testing over the summer. We recently released the results to campus. We had two drinking fountains test over the action level. They were removed from service. Both areas have fountains nearby that tested under the action level. The two drinking fountains fixtures will be removed. Tests were conducted strategically, focusing first on the faucets and fixtures often used by children, who are vulnerable to lead exposure. Buildings were then chosen by their original construction date and one building per decade was selected. We will be conducting tests in on-campus housing during holiday breaks or this summer.
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Academic Senate CSU (ASCSU):

Submitted by Mary Ann Creadon and Noah Zerbe, ASCSU Representatives

The attached draft Executive Orders provided in the written reports were presented to the Academic Affairs Committee. We have been asked to provide feedback by November 1. You can send your feedback to Mary Ann Creadon.

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR



BAKERSFIELD

CHANNEL ISLANDS

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CHICO

DOMINGUEZ HILLS

EAST BAY

FRESNO

FULLERTON

HUMBOLDT

LONG BEACH

LOS ANGELES

MARITIME ACADEMY

MONTEREY BAY

NORTHRIDGE

POMONA

SACRAMENTO

SAN BERNARDINO

SAN DIEGO

SAN FRANCISCO

SAN JOSÉ

SAN LUIS OBISPO

SAN MARCOS

SONOMA

STANISLAUS

MEMORANDUM

TO: CSU Presidents

FROM: Timothy P. White Chancellor

SUBJECT: International Agreements — Executive Order 1080

Attached is a copy of Executive Order 1080 relating to international programs and activities.

In accordance with policy of the California State University, the campus president has the responsibility for implementing executive orders where applicable and for maintaining the campus repository and index for all executive orders.

If you have questions regarding this executive order, please call Academic and Student Affairs at (562) 951-4790.

TPWE&BR/gsb

Attachment

c: Executive Staff, Office of the Chancellor

THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
401 Golden Shore
Long Beach, California 90802-4210
(562) 951-4790

Executive Order: 1080

Effective Date: December 6, 2012 ?, 2018

Supersedes: Executive Order 1080 December 6, 2012 ~~No Prior Executive Order~~

Title: International Agreements

This executive order is issued pursuant to the Board of Trustee Standing Orders, Section II (a) and (c). The California State University recognizes the education-related benefits of international activity and the integral role it plays in the mission of the institution, as well as the importance of minimizing risk, both to participants and the university.

I. Purpose

This executive order establishes minimum requirements for campuses entering into agreements as a part of their international activity in state and self-support endeavors. Agreements related to travel arrangements only are not included. International activities should be connected to the university mission, and managed overseen centrally on the campus.

II. Delegation of Authority

The president of each campus is delegated the responsibility for the development, implementation, and oversight of all international activity. All international agreements must be signed by the campus president and this authority may not be delegated further.

III. Definition of International Agreements Covered

For the purpose of this executive order, an international agreement involves any agreement between the campus, including campus auxiliaries, with a partner, where CSU makes a commitment of resources to engage in activities with international students, universities or other persons or entities doing business outside of the United States. They include: degree programs offered abroad; articulation agreements; agreements with agents or partnerships to recruit international students; student, staff and faculty exchange; field trips sponsored by the campus; research; and study abroad. They do not include agreements that are solely expressions of shared values that do not commit financial or other campus resources.

IV. . International Agreement Requirements

International activities are under the direction and control of the campus. The staff who are academically and financially responsible for implementing a program are accountable to the campus president for the programs.

- A. All proposed agreements should go through a formal and documented campus review process including:
 - 1. Ensuring that appropriate resources are available for the proposed activity.
 - 2. Evaluation of the risks of the proposed activity, and the agreement and balancing the benefits of the proposed activity against the risks.
 - 3. Review of applicable host country legal requirements for the proposed activity.
 - 4. Coordination with the systemwide Office of Risk Management to ensure that appropriate insurance has been procured for the activities involved.
- B. All agreements must have a sunset clause with a duration of no more than five years before review and renewal. All agreements should also have provision for modification or early termination.
- C. Where proposed international agreements will involve substantial CSU resources and/or present significant risk, campuses are encouraged to consult with relevant staff at the Office of the Chancellor during development, and in advance of seeking final approval of the proposed agreement under section D below.
 - 1. Academic and Student Affairs shall be consulted on such matters as relevant systemwide policies, accreditation, degree programs proposed to be offered abroad, overall fit with the CSU mission, and appropriate commitment of CSU resources.
 - 2. Office of General Counsel shall be consulted on whether foreign counsel is required, what law will govern the arrangement, choice of forum for legal disputes, indemnification, export controls, use of the CSU name and other intellectual property issues.
- D. All international agreements must be reviewed and approved by the Office of the Chancellor before they are signed by the campus president. Even where the campus has already consulted with relevant Chancellor's Office staff in the development of the agreement, final drafts of all proposed international agreements must be submitted to Academic and Student Affairs and the Office of General Counsel for Chancellor's Office approval. In evaluating institutional risk, consideration will be given to the location of the international activity, previous CSU

Executive Order 1080

experience with the proposed partner, the length of the term of the CSU commitment, and any other factors that would mitigate concerns and risk.

V. Agreement Retention and Reporting

Campuses shall maintain all international agreements (state, self-support) in one central campus location under the direction of a single point of contact. Campuses shall retain all agreements for no less than four years after the date of their expiration/termination.

All agreements will be submitted through the online review system. This system will provide an inventory of all campus agreements including the ~~Campuses shall provide an inventory of all operative international agreements to the Office of the Chancellor, Office of International Programs annually by June 30. Such inventory shall include~~ the effective and expiration dates of each agreement.

Dated: December 6, 2012 X, 2018

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR



BAKERSFIELD

CHANNEL ISLANDS

Xxxx X, 201[87](#)

CHICO

DOMINGUEZ HILLS

EAST BAY

FRESNO

FULLERTON

HUMBOLDT

LONG BEACH

LOS ANGELES

MARITIME ACADEMY

MONTEREY BAY

NORTHRIDGE

POMONA

SACRAMENTO

SAN BERNARDINO

SAN DIEGO

SAN FRANCISCO

SAN JOSÉ

SAN LUIS OBISPO

SAN MARCOS

SONOMA

STANISLAUS

MEMORANDUM

TO: CSU Presidents

FROM: Timothy P. White Chancellor

SUBJECT: Study Abroad and Exchange Programs — Executive Order 1081

Attached is a copy of Executive Order 1081 relating to international study abroad and exchange programs.

In accordance with policy of the California State University, the campus president has the responsibility for implementing executive orders where applicable and for maintaining the campus repository and index for all executive orders.

If you have questions regarding this executive order, please call Academic Affairs at (562) 951-4790.

[TPWCBR/gsb](#)

Attachment

c: Executive Staff, Office of the Chancellor

**THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
401 Golden Shore
Long Beach, California 90802-4210
(562) 951-4790**

Executive Order: 1081

Effective Date: December 6, 2012

Supersedes: Executive Orders 605, 744, 745, 998 and 1022 Title: Study Abroad and Exchange Programs

This executive order is issued pursuant to Sections 89705 (b), 89706, and 89707 of the Education Code; Sections 40100, 40102, 41800.1, and 41912 of Title 5, California Code of Regulations and pursuant to the Board of Trustees Standing Orders, Section II (a) and (c). The California State University recognizes the education-related benefits of international study abroad and exchange programs, and the integral role they play in the mission of the institution, as well as the importance of minimizing risk, both to participants and the university.

I. Purpose

This executive order establishes requirements for campuses to establish carry out programs abroad, including field trips, research visits, non-credit university activities abroad and student travel, study abroad and/or exchange programs as a part of their international activity in state and self-support endeavors. -International activities should be connected to the university mission, and this connection should be understood and coordinated among all of the university's stakeholders. International activities shall be overseen centrally on the campus to ensure that: (i) there is a clear benefit to the CSU; (ii) they are a part of the university's overall mission to educate the citizens of California; and (iii) all study abroad/exchange programs are being implemented and monitored consistently.

II. Delegation of Authority

The president of each campus is delegated the responsibility for the development, implementation, and oversight of international programs in accordance with existing CSU policy. All international agreements must be signed by the campus president in accordance with the following provisions. This authority may not be delegated.

III. International Student Exchanges (Education Code §89705 (b))

-Campus presidents may initiate agreements with foreign institutions of higher education, governmental agencies, or nonprofit corporations or associations in order to enhance the education of CSU students and to enhance international goodwill and understanding through Executive Order 1081

the exchange of students. Campuses may also participate in student exchange agreements entered into by a United States government agency or nonprofit organization with a similar

Executive Order 1080

agency, corporation, or organization. All such agreements must go through the Chancellor's Office review and approval process set forth in Executive Order 1080 (International Agreements).

A. Campus presidents or their designees may waive nonresident tuition fees for foreign students attending a campus of the CSU under such an agreement if the following conditions are met:

1. The foreign institution, agency, corporation, or organization is domiciled in and organized under laws of a foreign country.
2. Any student receiving a waiver of tuition under such an agreement is a citizen and resident of a foreign country and not a citizen of the United States.
3. The agreement provides that comparable expenses are paid or waived by the foreign entity entering into the agreement. Comparable expenses may be provided in the form of matching tuition waivers at a foreign educational institution, provision of services, or a combination thereof. Campus policy should define equivalence between varying term or session lengths and the period of time in which balance will be achieved. Comparable expenses must be student instruction related and may not include faculty or staff visits or accommodation or meals for university employees.
4. The exchanges must balance over a documented period of time not longer than the term of the agreement. Campuses must maintain documentation on the balance of incoming and outgoing students participating in the exchange.

B. Acceptable methods of paying fees other than nonresident tuition include the following:

1. The foreign student pays the CSU campus, and the CSU student pays like fees on the foreign campus.
2. The CSU student pays fees at the home campus, and the foreign student pays like fees at the foreign campus.
3. Fees are paid from a non-state source.

C. As a condition of issuing to the incoming exchange student the documents necessary for the student to obtain a visa (J-1), campuses shall obtain from all applicants their agreement to obtain and maintain insurance coverage for health, medical evacuation, and repatriation during their period of enrollment in the CSU. Campuses shall inform all applicants that adequate coverage will be required as a condition of registration and continued enrollment, and shall, at their option, require or "strongly encourage" that any accompanying dependents procure health insurance that is comparable to what is required for students. Campuses shall furnish applicants information on where acceptable insurance may be obtained. Campuses shall ensure compliance with this requirement at the time of registration by requiring certificates of insurance or other evidence of coverage.

IV. Study Abroad Programs

Executive Order 1080

Study abroad is any CSU credit bearing campus program which is in whole or part conducted outside the United States, is not a degree program and is normally one year or less in duration. Study abroad programs are primarily intended for matriculated CSU students. The following policies and procedures apply to the development, administration, and conduct of all campus based study abroad programs:

- A. Study abroad programs shall undergo a standard on-campus development process which incorporates all appropriate administrative and academic reviews as defined by the sponsoring CSU campus curricular process.
- B. Study abroad programs shall present a coherent, thematic course of study which is congruent to or adjunct with the campus curriculum and which relates to the overseas site.
- C. Campus presidents, or their designees, shall incorporate plans for the review, evaluation, and improvement of the study abroad program as a regular feature and condition of its operation.
- D. Campus based study abroad programs may not duplicate the offerings of the CSU Office of International Programs.
- E. Study abroad programs shall be conducted consistent with the provisions of other related executive orders (such as those on air travel, risk management, special sessions).
- F. All CSU study abroad programs (including when CSU students participate in an exchange or in a third party program) must consider the health, safety and security of students, staff, and faculty as a central feature of planning and operation and must:
 1. Not operate in countries where there is a U.S. State Department "Travel [Advisory Warning](#)" [above level two](#), unless an exception is granted by the [campus president or the chancellor](#).
 2. Provide a training session for staff or faculty who will lead programs abroad. This training should include emergency response training, communication from abroad, student conduct code, alcohol and drug policy, and disciplinary procedures in addition to other country or program specific information.
 3. Provide prospective students with information about the program, including location, duration, academic program, and total cost.
 4. Include a pre-departure orientation about the destination including health, safety, security, specific legal exposure or political restrictions related to their status in the country, CSU or campus policies and procedures for study abroad, and financial information.
 5. Require students to carry medical insurance including medical evacuation and repatriation coverage that will be valid in the host country(ies).
 6. Advise appropriate host country authorities of the program where appropriate or required, including locations, duration, and academic program.
- G. Documentation:

1. All students are required to sign the CSU liability release and the campus must maintain signed copies on file.
2. Campuses must maintain basic student information for participants including name, contact information, program, emergency contact information, insurance information, date of birth, student ID number and major.

V. Study Abroad Through Non-CSU Program Providers

-Presidents may enter into agreements with study abroad program providers including entities not affiliated with the California State University. A program provider is an organization that sponsors instructional programs abroad that are open to students from colleges and universities.

Federal financial aid regulations require that campuses make financial aid available to otherwise eligible students who participate in study abroad programs when the program is approved for academic credit. There must also be a written agreement with the foreign school, or with another U.S. school that contracts with the foreign school, or an agreement with the study abroad organization (program provider) in place of the agreement between the home school and the foreign school. These agreements must go through the Chancellor's Office review and approval process set forth in Executive Order 1080 (International Agreements).

A. Each CSU campus must have a written process for approving study abroad program providers and for deciding whether to enter into an agreement with a program provider. In approving program providers, and before entering into an agreement, the campus shall consider:

1. The academic and curricular offerings of the program.
2. The student services available through the program provider.
3. The health, safety, and security preparedness undertaken by the program provider.
4. The cost to the student.

B. In the course of cooperating with a program provider, neither a CSU campus nor any employee or agent of a CSU campus shall accept payments or benefits in exchange for being an approved program or recommending the program to students. This includes, but is not limited to the following:

1. Payment of conference or training registration fees, transportation, or lodging costs for an employee of the campus.
2. Fees for advertisements in official publications of the campus or international office that are designed to explain the students' program options.
3. Payment of site visit costs in conjunction with program familiarization or program oversight responsibilities.

Executive Order 1080

4. Payments per number of students recruited.

This executive order may be augmented by guidelines consistent with its provisions by the executive vice chancellor and chief academic officer or designee.

Dated: December 6, 2012X, 2018

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR



BAKERSFIELD

CHANNEL ISLANDS

Xxxx X, 20178

CHICO

DOMINGUEZ HILLS

MEMORANDUM

EAST BAY

TO: CSU Presidents

FRESNO

FROM: Timothy P. White Chancellor

FULLERTON

SUBJECT: International Students — Executive Order 1082

HUMBOLDT

LONG BEACH

Attached is a copy of Executive Order 1082 relating to international students.

LOS ANGELES

In accordance with policy of the California State University, the campus president has the responsibility for implementing executive orders where applicable and for maintaining the campus repository and index for all executive orders.

MONTEREY BAY

If you have questions regarding this executive order, please call Academic Affairs at (562) 951-4790.

NORTHRIDGE

TPW~~CBR~~/gsb

POMONA

Attachment

SACRAMENTO

c: Executive Staff, Office of the Chancellor

SAN BERNARDINO

SAN DIEGO

SAN FRANCISCO

SAN JOSÉ

SAN LUIS OBISPO

SAN MARCOS

SONOMA

STANISLAUS

THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
401 Golden Shore
Long Beach, California 90802-4210
(562) 951-4790

Executive Order: 1082 ([revised](#))

Effective Date: December 6, 2012

Supersedes: Executive Orders 605, 622 and 975

Title: International Students

This executive order is issued pursuant to Sections 89705 (b), 89706, and 89707 of the Education Code; Sections 40100, 40102, 41800.1, and 41912 of Title 5, California Code of Regulations and pursuant to the Board of Trustees Standing Orders, Section II (a) and (c). The California State University recognizes the education-related benefits of bringing a variety of global perspectives to the classroom and campus. The presence of international students on our campuses plays an integral role in the institution's mission.

I. Purpose

This executive order establishes requirements for campuses enrolling nonresident international students (outside of those who come on an exchange program covered by Executive Order 1081) as a part of their international activities. The enrollment of international students should be connected to the university mission, and this connection shall be understood and coordinated among all of the university's stakeholders. International activities shall be managed centrally on the campus to ensure: (i) each activity's clear benefit to the CSU; and (ii) that the campuses' aggregate international activities are a part of the university's overall mission to educate the citizens of California.

II. Delegation of Authority

The president of each campus is delegated the responsibility for the development, implementation, and oversight of all international activity. All international agreements must be signed by the campus president and this authority may not be delegated further.

International Students

- A. The recruitment of international students shall be a part of a broader internationalization strategy that benefits all CSU students, the campus, and the individual student.
- B. Campuses must confirm visa authority for the students in accordance with U.S. law.
- C. Campuses must be prepared to provide the necessary full-time course of study in accordance with U.S. visa regulations.

Executive Order

- D. Campuses must provide appropriate advising, support, and monitoring to students studying at CSU that is reasonably tailored to the needs of international students.
- E. As a condition of issuing the documents necessary for a visa, campuses shall obtain from all applicants their agreement to obtain and maintain insurance coverage for health, medical evacuation, and repatriation during their period of enrollment in the California State University. Campuses shall inform all applicants that adequate coverage will be required as a condition of registration and continued enrollment, and shall, at their option, require or “strongly encourage” that any accompanying dependents procure health insurance that is comparable to what is required for students. Campuses shall furnish applicants information on where acceptable insurance may be obtained. Campuses shall ensure compliance with this requirement at the time of registration by requiring certificates of insurance or other evidence of coverage.
- F. As required by sections 40752.1, 40802.1, and 41040 of Title 5 of the California Code of Regulations, applicants for admission who have not attended at least three years at an education institution at the secondary level or beyond where English is the principal language of instruction must provide evidence of English competency. Most frequently, such students document competence in the English language via results of the Test of English as a Foreign Language (TOEFL) or by other competency examinations or assessments approved by the CSU campus. Campuses may establish higher minimum scores.

The TOEFL exam is available in two scoring formats. Provided below are the CSU minimum scores for each TOEFL total score format:

Paper Internet (iBT) Undergraduate 500 61 Graduate 550 80

IV. International Student Recruitment

CSU campuses recruiting international students shall establish processes for the recruitment and enrollment of international students on the campus.

- A. International student recruitment should be a part of, and not detract from, the education of California students.
- B. The CSU campus shall maintain the authority to review applications for admission and make all admissions decisions. The CSU campus may not delegate that authority to other organizations or individuals.
- C. CSU campus processes must include the evaluation of credentials from other countries. Campuses may use outside experts to conduct this evaluation, but they must maintain official copies of these records.
- D. CSU campuses shall investigate potential recruiters/agents carefully to ensure the use of only suitable candidates. This includes but is not limited to evidence that:
1. The ownership and governance of the recruiter/agent organization is clear and transparent,

Executive Order

| it is effectively managed, and it is transparent about its operation.

2. The recruiter/agent has a strong working knowledge of U.S. higher education in general and the CSU campus in particular.

3. The recruiter/agent has a practice of honestly representing itself and its college and university clients.

4. Financial arrangements are clear to both sides and both sides keep accurate records.

E. Agreements with recruiters/agents must go through the Chancellor's Office review and approval process set forth in Executive Order 1080 (International Agreements) before they are signed by the president.

V. Fee Waivers for International Students not Participating in Exchanges (Education Code sections 89706 and 89707)

A. Campus presidents or their designees may waive nonresident tuition fees for individual students who are attending a campus of the CSU and who display exceptional scholastic ability, and prior scholastic achievement, and financial need if any of the following sets of requirements is met:

| 1. The student is a citizen and resident of a foreign country and is enrolled as an undergraduate student in a course of study of no fewer than ten semester or quarter units.

| 2. The student is a citizen and resident of a foreign country and is enrolled as a graduate student in a course of study of no fewer than ten semester or quarter units.

| 3. The student is a citizen and resident of a foreign country, is enrolled as a graduate student and is employed by a campus less than full time but at least twenty hours per week in a course of study of no less than ten units per term (semester or quarter).

B. A waiver granted pursuant to this section may encompass all or part of the nonresident tuition fees.

C. The number of waivers authorized by this executive order for undergraduate students at a campus of the CSU pursuant to section V.A.1 above shall not exceed 7.5% of the undergraduate students at the campus who are citizens and residents of foreign countries.

D. The number of waivers authorized by this executive order for graduate students at a campus of the CSU pursuant to sections V.A.2 and V.A.3 above shall not exceed 25% of the graduate students at the campus who are not residents of California, including students who are citizens and residents of a foreign country.

| This executive order may be augmented by guidelines consistent with its provisions by the executive vice chancellor of academic and student affairs~~and chief academic officer~~ or designee.

Executive Order

Dated: X, 2018

Office of Equity, Diversity, and Inclusion:

Submitted by Cheryl Johnson, Director, Office of Diversity, Equity, and Inclusion

The first convening of the DEIC will be held on October 22, 2018, from 10 AM - 12 PM. There will be 3 subcommittees charged with three areas of systems change, equity, and inclusion. One committee will be charged with addressing what it means to be a university-wide HSI. The second committee will address culturally relevant pedagogy, and third will examine faculty & staff professional development, as well as advancing diverse faculty and staff in the hiring process.

Provost's Office:

Submitted by Alex Enyedi, Provost and Vice President for Academic Affairs

1. Academic Technology Advisory Committee (ATAC) Formation

Information Technology Services (ITS) and the Center for Teaching and Learning (CTL) have formed the Academic Technology Advisory Committee (ATAC) to help guide academically focused technology decisions at HSU. The formation of the ATAC was discussed by Senate during AY 2017-2018. The committee will primarily make procedural and technology recommendations for academically related technologies and facilitate communication across the campus. Topics considered may include physical learning environments (labs, classrooms, etc.), online learning environments, new and emerging technologies, and student-owned technology (among other things).

The committee will be holding its inaugural meeting this semester.

ATAC membership roster is:

- Amber Gaffney, Psychology
- Amy Rock, Geography
- Emily Cobb, Art
- Jim Graham, Environmental Science & Management
- Libbi Miller, Education
- Sherrene Bogle, Computer Science
- Tim Miller, Library
- Vicky Sama, Journalism & Mass Communication
- Student Representation (TBD), Associated Students
- Edy Reynoso, Office of Diversity, Equity and Inclusion

- Dan Gutstein, Student Access Services
- Enoch Hale, Center for Teaching & Learning
- Cade Webb, Information Technology Services
- David Marshall, Information Technology Services
- Bethany Rizzardi, Information Technology Services

2. Improved Campus Information Security & Multi-Factor Authentication

In response to a recent CO audit finding, and in support of improved security of campus information/data, HSU will launch multi-factor authentication. Multi-factor authentication is frequently used by financial institutions and online services/vendors and should feel familiar to you. Utilization of multi-factor authentication will be required for all HSU employees with access to Level 1 data (our most sensitive) and optional for all other employees. More information concerning the implementation will be forthcoming from ITS (including a portal announcement).

3. Student Success Alliance (SSA) Working Group

In response to Senate inquiries concerning the Student Success Alliance (SSA) working group and its role to provide guidance regarding Graduation Initiative (GI) 2025 activities, the following information concerning SSA has been prepared and is available on the GI2025 website at the following link:

<http://grad2025.humboldt.edu/content/student-success-alliance>

A list of expenditures recommended by the SSA and implemented to date (Fall 2018) can be found at the following link:

<http://grad2025.humboldt.edu/content/gi-2025-expenditures>

Introduction

The student success alliance (SSA) is a working group charged with providing guidance, expertise, and recommendations regarding Graduation Initiative (GI) 2025 activities. The SSA also provides recommendations regarding the distribution of GI2025 funding that align with campus priorities and Chancellor's Office (CO) guidelines on the appropriate/mandates use of GI2025 funds. Those recommendations are then finalized by the Office of the Provost and, in line with campus budgetary practices, reviewed by University Resources and Planning Committee (URPC) and Campus leadership. In addition, SSA recommends plans (e.g. Strategic Enrollment Management plan) and processes (e.g. funding requests) that will allow HSU to achieve retention, graduation, and equity/opportunity gap goals.

The SSA's composition (rotating 2-year membership) is designed to provide different perspectives regarding GI 2025 initiatives and includes:

- Provost (co-chair)
- Senate Chair (co-chair)
- Vice Provost
- Academic Dean
- Faculty - CPS
- Faculty - CAHSS
- Faculty - CNRS
- Associated Students President
- Vice President of Student Affairs
- Executive Director of ODEI
- AVP Marketing
- AVP Enrollment Management

These SSA members are supported by:

- AVP Office of Institutional Effectiveness (OIE)
- Director University Budget Office (UBO)
- Change Management Coordinator
- Academic Resources Budget Analyst

Other subject matter experts are consulted as appropriate.

Genesis and Formation of the SSA

Inspired by the Reimaging First Year (RFY) student success committee formed during the 2015-2016 Academic Year, the SSA was first proposed as part of the April 2017 GI2025 report to the Chancellor's Office and was conceived as a response to the needs expressed at HSU (and system-wide), for increased oversight and steering to guide GI2025 efforts. The formation of the group was driven by the desire to have cross-campus representation and expertise and was informed by examining how other CSU campuses had formulated their GI2025 groups.

The first meeting of this group occurred in Fall 2017. The goal of bringing this group together was to provide structure and transparency to the implementation and evaluation of GI2025 efforts as well as to provide support for campus leadership in making decisions regarding the appropriate use of funding identified for use with GI2025 initiatives when available.

Strategic Enrollment Management Plan and SSA

Starting in Fall 2017, HSU embarked on creating a new Strategic Enrollment Management (SEM) plan focused on increasing the recruitment and retention of HSU students. Two councils completed the initial drafting of the plan: the retention and recruitment councils. These cross-campus groups built upon the past work of the RFY group as well as the environmental scan provided by the office of institutional effectiveness (OIE) as well as other sources, to create a 5-year SEM plan focused on increasing retention and recruitment across all student groups. Given the close tie between retention and fulfilling the goals of GI2025, the SSA was utilized in Fall 2017 through Spring 2018 as the steering committee for the final formation of the SEM plan. The SEM plan now serves as the roadmap for guiding retention and recruitment effort at HSU.

SSA and GI2025 Funding

At the formation of the SSA group, funding for GI2025 was somewhat limited and additional recurring funding was not anticipated. As such, discussions and efforts focused primarily on SEM plan formation through Spring 2018. In late July 2018, funding was approved for GI2025 efforts by the CA legislature (SB 840) and the Governor. By Fall 2018, funds had been allocated to the 23 campuses for use on specific areas/efforts to support GI2025 goals (for example, 33% funding was earmarked to support tenure track hiring). The funding provided to HSU in AY 2018-2019 came with a specific requirement regarding evidence of efficacy (through assessment) and reporting on usage.

In addition, six defined categories were identified where, along with faculty hiring, GI2025 funding in AY 2018-2019 could ONLY be utilized:

- **Academic Preparation:** all students are afforded the opportunity and support needed to complete 30 college-level semester units (or 45 quarter units) before beginning their second academic year.
- **Enrollment Management:** ensure students are able to enroll in the courses they need when they need them
- **Student Engagement and Well-Being:** address the well-being of all students while fostering a strong sense of belongingness on campus
- **Financial Support:** financial needs do not impede student success and progress toward degree attainment
- **Data-Driven Decision Making:** use of evidence and data to identify and advance the most successful academic support programs
- **Academic Barriers:** identify and remove unnecessary administrative barriers that slow progress toward degree attainment

Approximately thirty-three percent (33%) of the recurring GI2025 funding received in AY 2018-2019 was required to be allocated toward tenure-track faculty hiring. The SSA, at the start of Fall 2018 semester, recommended additional funding (~\$375,000) for faculty hires to bring the total percent spent for AY 2018-2019 on faculty hiring to 48% of the AY 2018-2019 funding allocated. A total of \$2,700,000 has been allocated for faculty hiring during AY 2017-2018 and AY 2018-2019. Expressed differently, 60% of the entire recurring GI2025 funds have been allocated to tenure-track hiring.

The remaining recurring GI2025 funds are currently under consideration by SSA. The SSA provides recommendations, based on their roles and expertise regarding the distribution of GI2025 funding across the six categories listed above along with faculty hiring. These recommendations are considered by the Provost who will create the final recommended distribution of funds. This funding matrix will then be reviewed by URPC in line with University-wide budgeting best practices. In this way, the SSA acts like a divisional unit by putting together a recommended budget for review by URPC and, ultimately, campus leadership. **For AY 2018-19, the Chancellor's office has mandated that all 23 campuses report by November 15, 2018 on how they plan to allocate the funding provided (no extensions).** This has added a level of urgency to the formation and review process for this year's funding model requiring an acceleration of the review and distribution process.

During AY 2018-19, the SSA will develop a principled and transparent mechanism to consider future GI2025 campus needs that fall into the six categories involving a wider group of stakeholders.

President's Office:

Submitted by Lisa Rossbacher, President, Humboldt State University

Thanks to all of you who rearranged your schedules this past week to meet with CSU Chancellor White and Executive Vice Chancellor for Academic and Student Affairs Blanchard. They were aware of the disruptions that their requested meetings caused in schedules, and they both commented on how much they learned during their visit.

I will not be able to attend this week's Senate meeting because of a series of California State University meetings that will be held on the campuses of San Diego State University and Cal State San Marcos. These meetings have been scheduled back-to-back to make the most efficient use of time, but, including travel, they will extend over the entire week.

These events include a retreat by the CSU Board of Trustees (to which campus presidents have been invited), the Chancellor's Senior Leadership Council (which includes presidents and vice chancellors), the two-day Graduation Initiative 2025 Symposium (which will include recognition of Dr. Jennifer Maguire's

Faculty Innovation and Leadership Award), and the American Council on Education's Women's Leadership Forum at San Marcos.

HSU will be well represented at the Graduation Initiative 2025 Symposium, and we will have an opportunity to share our success in achieving the highest-ever four-year graduation rate on our campus of 22%. As most of you know, this exceeds the target we established in our strategic plan for 2020 of 20%. Thank you all for the good work you are doing to support and improve student success at HSU.



HUMBOLDT STATE UNIVERSITY

Controlled Substances and Alcohol Policy for Drivers of Commercial Vehicles [Policy Number]

Risk Management & Safety Services

Applies to: Employees who drive commercial motor vehicles subject to 49 CFR Part 382. Employees assigned to positions requiring either a Commercial Drivers License or an Endorsement to a Class C license.

Supersedes: Alcohol and Drug Testing Administrative Procedures (12/11/06)

Purpose of the Policy 49 CFR Part 382 of the Federal Motor Carrier Safety Regulations (FMCSA). This policy was procured from Compliance Associates Inc. and has been vetted by the California Highway Patrol.

Table of Contents: see attached

Definitions: see attached

Policy Details: The policy is attached and is copyrighted.

Expiration Date: None

History (required)

Each organization that has commercial drivers per 49 CFR Part 382 is required to have an employee substance abuse testing program that is overseen by a designated employee representative (DER). Previously this was housed in Human Resources (HR). Per HR's request, it was moved to Risk Management & Safety Services (RM&SS). RM&SS determined that the administrative procedures was not compliant with the 49 CFR Part 382 requirements. The policy purchased from Compliance Associates meets the current requirements. It effectively communicates all required information to the employees and the procedures described in the policy meet the legal requirements.

Issued: MM/DD/YYYY

Revised: MM/DD/YYYY

Edited: MM/DD/YYYY

Reviewed: MM/DD/YYYY

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Controlled Substances and Alcohol Policy

POLICY STATEMENT

Revised January 1, 2018

Humboldt State University is committed to providing a safe, drug-free workplace. An employee substance abuse testing program mandated for all interstate and intrastate employers regulated by [§49 CFR Part 382](#) to help prevent accidents and injuries resulting from the misuse of alcohol or the abuse of controlled substances by drivers of commercial motor vehicles. In addition, all intrastate employers are subject to [49 CFR Part 382](#) as adopted by the [State of California under vehicle code section 34520](#) to help prevent accidents and injuries resulting from the misuse of alcohol or the abuse of controlled substances by drivers of commercial motor vehicles.

An employer who *employs* only himself/herself as a driver shall implement a random alcohol and controlled substances testing program of two or more covered employees in the random testing selection pool.

Humboldt State University has initiated a program with Compliance Associates, Inc., a California Corporation acting as a Consortium/Third Party Administrator to assist **Humboldt State University** in complying with federal controlled substance and alcohol testing regulations for “safety sensitive function” positions as prescribed in [§49 CFR Part 382](#) of the Federal Motor Carrier Safety Regulations (FMCSA). *The employer retains ultimate responsibility for compliance with this program.*

Humboldt State University recognizes each employee’s value and contribution to the services **Humboldt State University** provides to their customers, therefore, this Policy is a “non-zero tolerance” policy. This Controlled substance and Alcohol Testing Policy is intended to comply with Federal Motor Carrier Safety Administration (FMCSA) regulations. This policy version supersedes all previous published versions.

EFFECTIVE DATE

This policy is effective January 1, 2018.

WHO WILL BE TESTED AND WHEN [§49 CFR 382, 383](#)

This policy concerns the activities of transportation employers, “safety sensitive function” positions, also referred to herein as “**employee**,” as prescribed by the Federal Motor Carrier



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Safety Administration under [§49 CFR Part 382.107](#). This includes self-employed individuals also referred to as employee's, contractors and volunteers as covered by the U.S. Department of Transportation agency regulations.

Safety sensitive function is defined in [§49 CFR 382.107](#), as all time from the time an individual who is required to hold a commercial motor vehicle driver's license for their job begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.

Employers/employees are operators of commercial motor vehicles or combination of vehicles requiring a commercial driver's license as prescribed by [§49 CFR Part 383](#).

Employers/employee's may be tested for drugs or alcohol whenever they are **on duty**. For the purposes of this Policy, "on duty" is defined as any time on the job, since employers/employees are expected to be ready to perform safety-sensitive driving functions on short notice. Conversely, time spent in association with controlled substance testing specimen collection and/or alcohol testing is considered "on-duty" time. Safety-sensitive functions shall include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. All time inspecting equipment as required by [§49 CFR Part 392.7](#) and [§49 CFR Part 392.8](#) of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth, (a berth conforming to the requirements of [§49 CFR Part 393.76](#);
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

TYPE OF CONTROLLED SUBSTANCE AND ALCOHOL TESTING REQUIRED

The following are occasions for controlled substance and/or alcohol testing under this Policy.

Pre-employment testing §49 CFR Part 382.301

Pre-employment controlled substance testing is required for all employee's subject to safety sensitive function positions. No employee who the employer intends to hire or use, shall perform safety-sensitive functions unless the employee has received a controlled substances test result from the MRO indicating a verified negative test result.

Controlled substance test results, which are verified positive for unauthorized controlled substances, will medically disqualify the applicant for any safety sensitive position until the employee has come into compliance with their Substance Abuse Professional (SAP) requirements. All medically disqualified donors will be put into the federally mandated Controlled Substances and Alcohol Clearinghouse [§49 CFR Part §382.701](#) where their information will remain for a period of five years unless cancelled or revoked under [§49 CFR Part 382.713](#).

Random Testing §49 CFR Part 382.305

Definition of Random Test: A random test is a test that is unannounced, and where every participant in the random selection "pool" has an equal chance of being selected for testing each time a selection occurs. Random testing is considered an effective deterrent to substance abuse. Employees subject to safety sensitive function positions are required to be randomly tested under DOT regulations.

Method of Random Selection: Current testing percentage requirements are maintained and adjusted annually as applicable by federal regulation in the Compliance Associates, Inc. consortium.

Procedure for Notification and Specimen Collection: The Program Coordinator of Compliance Associates, Inc. will notify the Designated Employer Representative (DER) which employee(s) came up in the random draw and must report for testing. The Designated Employer Representative (DER) will notify the employee(s) of their report time to the designated clinic.

Each employee selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made. Each employee selected for unannounced testing shall be tested during the selection period. Humboldt State University's DER shall ensure that the dates for administering random tests conducted are spread reasonably throughout the quarter in which they are drawn.

An employee shall only be tested for alcohol while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Reasonable Suspicion Testing §49 CFR Part 382.307

Humboldt State University's representative that has been trained in reasonable suspicion recognition has reason to believe that a safety sensitive employee may be impaired, intoxicated or under the influence of a controlled substance and/or alcohol. If **Humboldt State University's** representative determines that reasonable suspicion exists to require the employee to undergo controlled substances and/or alcohol testing it must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the safety sensitive employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.

An employee may be directed by **Humboldt State University** to only undergo reasonable suspicion testing for alcohol while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor, the **Humboldt State University** DER, or a company official who is trained in accordance with §382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the employee.

A written record shall be made of the observations leading to an alcohol or controlled substances reasonable suspicion test and signed by the supervisor, the **Humboldt State University** DER or company official who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

Post-accident Testing §49 CFR Part 382.303

Under this policy, any employee subject to a safety sensitive function position who is involved in a “reportable accident” will be required as soon as practicable following an occurrence involving a commercial motor vehicle, to provide a urine specimen for the purpose of controlled substance screening and/or submit themselves to a Breath Alcohol Technician for an alcohol test.

A reportable accident under Federal Motor Carrier Safety Administration regulations is defined as an accident in which an employee was operating a commercial motor vehicle and in which:

TABLE FOR §382.303(A) AND (B)

Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
---------------------------	-----------------------------------	------------------------------------

i. Human fatality	YES NO	YES YES
ii. Bodily injury with immediate medical treatment away from the scene	YES NO	YES NO
iii. Disabling damage to any motor vehicle requiring tow away	YES NO	YES NO

- Controlled substance tested as soon as possible, but in no case later than 32 hours after the accident.
- Tested for alcohol as soon as possible, but in no case later than 8 hours after the accident.

An agent and/or employee who is seriously injured and cannot provide a specimen for testing may be requested to authorize the release of relevant hospital records and/or other documentation that would indicate whether there were any controlled substances in his/her system at the time of the accident.

Use following an accident [§382.209](#)

No employee required to take a post-accident alcohol test under [§382.303](#) shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

NON-REGULATED CONTROLLED SUBSTANCE AND ALCOHOL TESTING [§40.13](#)

1. DOT tests must be ***completely separate*** from non-DOT tests in all respects.
2. DOT tests must take priority and must be conducted and completed before a non-DOT test is begun. Do not perform any tests on DOT urine or breath specimens other than those specifically authorized by [§40.13](#).
3. DOT urine specimen may not be tested for additional drugs, and a laboratory is prohibited from making a DOT urine specimen available for a DNA test or other types of specimen identity testing.
4. The single exception to this section is when a DOT controlled substance test collection is conducted as part of a physical examination required by DOT agency regulations. It is permissible to conduct required medical tests related to this physical examination (e.g., for glucose) on any urine remaining in the collection container after the controlled substance test urine specimens have been sealed into the specimen bottles.

5. No one is permitted to change or disregard the results of DOT tests based on the results of non-DOT tests. For example, as an employer you must not disregard a verified positive DOT controlled substance test result because the employee presents a negative test result from a blood or urine specimen collected by the employee's physician or a DNA test result purporting to question the identity of the DOT specimen.

EDUCATION AND TRAINING

As required by [§49 CFR Part 382.601\(a\)\(b\)\(11\)\(d\)](#), information is provided with this policy regarding the effects of alcohol and controlled substances use on an individual's health, work, and personal life along with signs and symptoms of an alcohol or controlled substances problem.

At the time of hire, employees subject to safety sensitive function positions will receive a copy of the Controlled substance and Alcohol Testing Policy. Employees will be informed of their responsibilities with respect to compliance with the federal controlled substance and alcohol testing regulations. Employees will be required to sign the policy Certificate of Receipt form acknowledging receipt and understanding of this information.

CONTROLLED SUBSTANCES USE and TESTING [§49 CFR Part 382.213 & 382.215](#)

This policy specifically prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace, as described in the Drug-Free Workplace Act of 1988. It also prohibits employees from reporting for duty or being on duty with evidence of alcohol, controlled substances, or illegally obtained prescription medications, in their systems. Violation of these prohibitions will lead to administrative action, up to and including possibility of termination of employment. Violations will be remitted to the federally mandated Controlled Substances and Alcohol Clearinghouse [§49 CFR Part §382.701](#) where their information will remain for a period of five years unless cancelled or revoked under [§49 CFR Part 382.713](#).

No employee shall report for duty, remain on duty, or perform a safety-sensitive function, if the employee tests positive for controlled substances. No employer having actual knowledge that an employee has tested positive for controlled substances shall permit the employee to perform or continue to perform safety-sensitive functions.

No employee shall report for duty or remain on duty requiring the performance of a safety-sensitive function when the employee uses any controlled substance. Except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in [§49 CFR Part 382.107](#), who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a commercial motor vehicle.

No employer having actual knowledge that an employee has used a controlled substance shall permit the employee to perform or continue to perform a safety-sensitive

function. Employee's must remain readily available for testing.

ALCOHOL USE and TESTING §49 CFR Part 382.201, 382.205, 382.207 & 382.209

No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater or having a confirmed test of .04 or greater. No employer having actual knowledge that an employee has an alcohol concentration of 0.02 or greater shall permit the employee to perform or continue to perform safety-sensitive functions.

No employee shall use alcohol while performing safety-sensitive functions. No employer having actual knowledge that an employee is using alcohol while performing safety-sensitive functions shall permit the employee to perform or continue to perform safety-sensitive functions.

No employee shall perform safety-sensitive functions within four hours after using alcohol. No employer having actual knowledge that an employee has used alcohol within four hours shall permit an employee to perform or continue to perform safety-sensitive functions.

No employee required to take a post-accident alcohol test under §49 CFR Part 382.303 shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

REFUSAL TO SUBMIT TO A REQUIRED CONTROLLED SUBSTANCES TEST or ALCOHOL §49 CFR Parts 382.211, 40.191 & 40.261

No safety sensitive employee shall refuse to submit to a required controlled substances or alcohol test. No employer shall permit a safety sensitive employee who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

An employee has refused to take a controlled substance test if:

1. Fail to appear for any test (**except a pre-employment test**) within a reasonable time, as determined by **Humboldt State University**, after being directed to do so by **Humboldt State University** This includes the failure of an employee to appear for a test when called by a consortium and/or third-party administrator (C/TPA).
2. Fail to remain at the testing site until the testing process is complete; an employee who leaves the testing site prior to the testing process commencing for a pre-employment test is not deemed to have refused to test;
3. In the case of a directly observed or monitored collection in a controlled substance test, fail to permit the observation or monitoring of your provision of a specimen;
4. Fail to provide a sufficient amount of urine when directed, and it has been determined through a required medical evaluation, that there was no adequate medical explanation for the failure;

5. Fail or decline to take a second test that **Humboldt State University** or the collector has directed you to take;
6. Fail to undergo a medical examination or evaluation, as directed by the medical review officer as part of the verification process, or as directed by **Humboldt State University**' designated employer representative. In the case of a pre-employment controlled substance test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment; or
7. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).

An employee has refused to take an alcohol test if:

- 1) Fail to appear for any test within a reasonable time, as determined by **Humboldt State University**, after being directed to do so by **Humboldt State University**. This includes the failure of an employee to appear for a test when called by a consortium and/or third-party administrator(C/TPA);
- 2) Fail to remain at the testing site until the testing process is complete;
- 3) Fail to provide an adequate amount of breath for any alcohol test;
- 4) Fail to provide a sufficient breath specimen, and a physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- 5) Fail to undergo a medical examination or evaluation, as directed by **Humboldt State University** as part of the insufficient breath procedures outlined at [§49 CFR Part 40.265\(c\)](#);
- 6) Fail to sign the certification at Step 2 of the alcohol testing form; or
- 7) Fail to cooperate with any part of the testing process.

Employee admission of controlled substances and use alcohol [§382.121](#)

Employees who admit to alcohol misuse or controlled substances use are not subject to the referral, evaluation and treatment requirements of this part and [part 40](#) of this title, provided that:

- The admission is in accordance with a written employer-established voluntary self-identification program or policy that meets the requirements of paragraph two of this section;
- The safety sensitive employee does not self-identify in order to avoid testing under the requirements of this part;
- The employee makes the admission of alcohol misuse or controlled substances use prior to performing a safety sensitive function (i.e., prior to reporting for duty); and



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- The employee does not perform a safety sensitive function until the employer is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.

A qualified voluntary self-identification program or policy must contain the following elements:

- It must prohibit the employer from taking adverse action against an employee making a voluntary admission of alcohol misuse or controlled substances use within the parameters of the program or policy;
- It must allow the employee sufficient opportunity to seek evaluation, education or treatment to establish control over the employee's-controlled substance or alcohol problem;
- It must permit the employee to return to safety sensitive duties only upon successful completion of an educational or treatment program, as determined by a controlled substance and alcohol abuse evaluation expert, i.e., employee assistance professional, substance abuse professional, or qualified controlled substance and alcohol counselor;
- It must ensure that:
 - (a) Prior to the employee participating in a safety sensitive function, the employee shall undergo a return to duty test with a result indicating an alcohol concentration of less than 0.02; and/or
 - (b) Prior to the employee participating in a safety sensitive function, the employee shall undergo a return to duty controlled substance test with a verified negative test result for controlled substances use.

FAILURE TO COOPERATE §49 CFR Part 382.211

Any employer/employee who refuses to take a controlled substance or alcohol test to comply with Federal Motor Carrier Safety Administration (FMCSA) [§49 CFR Part 382](#) will be immediately removed from duty performing a safety sensitive function as required by these federal regulations and reported to the federally mandated Controlled Substances and Alcohol Clearinghouse [§49 CFR Part §382.701](#) where their information will remain for a period of five years unless cancelled or revoked under [§49 CFR Part 382.713](#). A refusal under [§49 CFR Part 382](#) is considered to have the same ramifications as a positive test result.

CONTROLLED SUBSTANCE and ALCOHOL CLEARINGHOUSE §382.701 *(Effective January 1, 2020)*

Pre-employment query required: Employers must not employ an employee subject to controlled substances and alcohol testing to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the employee has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or

higher; has refused to submit to a test in violation of §382.211; or that an employer has reported actual knowledge, as defined at §382.107, that the employee used alcohol on duty in violation of §382.205, used alcohol before duty in violation of §382.207, used alcohol following an accident in violation of §382.209, or used a controlled substance, in violation of §382.213. **Humboldt State University** must conduct a full query which releases information contained in the Clearinghouse to **Humboldt State University** and requires that the individual employee give specific consent.

Annual query required: **Humboldt State University** must conduct a query of the Clearinghouse at least once per year for information for all employee's subject to controlled substance and alcohol testing to determine whether information exists in the Clearinghouse about those employees.

- In lieu of a full query, **Humboldt State University** may obtain the individual employee's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell **Humboldt State University** whether there is information about the individual employee in the Clearinghouse but will not release that information to **Humboldt State University**. The individual employee may give consent to conduct limited queries that is effective for more than one year.
- If the limited query shows that information exists in the Clearinghouse about the individual employee, **Humboldt State University** must conduct a full query within 24 hours of conducting the limited query. If **Humboldt State University** fails to conduct a full query within 24 hours, **Humboldt State University** must not allow the employee to continue to perform any safety-sensitive function until **Humboldt State University** conducts the full query and the results confirm that the employee's Clearinghouse record contains no prohibitions.

No employer may allow an employee to perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the employee has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of §382.211; or that an employer has reported actual knowledge, as defined at §382.107, that the employee used alcohol on duty in violation of §382.205, used alcohol before duty in violation of §382.207, used alcohol following an accident in violation of §382.209, or used a controlled substance in violation of §382.213, except where a query of the Clearinghouse demonstrates:

- (1) That the employee has successfully completed the SAP evaluation, referral, and education/treatment process; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.
- (2) That, if the employee has not completed all follow-up tests as prescribed by the SAP in accordance with §40.307 of this title and specified in the SAP report required by §40.311 of this title, the employee has completed the SAP evaluation, referral, and education/treatment

process and achieves a negative return-to-duty test result, and Humboldt State University assumes the responsibility for managing the follow-up testing process associated with the testing violation.

Recordkeeping required: Humboldt State University must retain for 3 years a record of each query and all information received in response to each query made. As of January 6, 2023, an employer who maintains a valid registration fulfills this requirement.

Safety sensitive employee consent to permit access to information in the Clearinghouse §382.703

Humboldt State University may not query the Clearinghouse to determine whether a record exists for any employee without first obtaining that employee's written or electronic consent. The employer conducting the search must retain the consent for 3 years from the date of the last query.

Before Humboldt State University may access information contained in the employee's Clearinghouse record, the employee must submit electronic consent through the Clearinghouse granting Humboldt State University access to the following specific records:

- (1) A verified positive, adulterated, or substituted controlled substances test result;
- (2) An alcohol confirmation test with a concentration of 0.04 or higher;
- (3) A refusal to submit to a test in violation of §382.211;
- (4) An employer's report of actual knowledge, as defined at §382.107, of:
 - (i) On duty alcohol use pursuant to §382.205;
 - (ii) Pre-duty alcohol use pursuant to §382.207;
 - (iii) Alcohol use following an accident pursuant to §382.209; and
 - (iv) Controlled substance use pursuant to §382.213;
- (5) A SAP report of the successful completion of the return-to-duty process;
- (6) A negative return-to-duty test; and
- (7) An employer's report of completion of follow-up testing.

Humboldt State University may not permit an employee to perform a safety-sensitive function if the employee refuses to grant the required consent.

An employee granting consent must provide consent electronically to the Agency through the Clearinghouse prior to release of information to an employer in accordance with §382.701(a)(2) or (b)(3).

An employee granting consent grants consent for the Agency to release information to an employer in accordance with §382.701(c).

Reporting to the Clearinghouse §382.705

MROs. Within 2 business days of making a determination or verification, MROs must report the following information about an employee to the Clearinghouse:

- Verified positive, adulterated, or substituted controlled substances test results;
- Refusal-to-test determination by the MRO in accordance with §49 CFR 40.191(a)(5), (7), and (11), (b), and (d)(2).

MROs must provide the following information for each controlled substance test result:

- Reason for the test;
- Federal Controlled Substance Testing Custody and Control Form, Specimen ID number;
- Driver's name, date of birth, and CDL number and State of issuance;
- Employer's name, address, and USDOT number, if applicable;
- Date of the test;
- Date of the verified result; and
- Test result. The test result must be one of the following:
 - Positive (including the controlled substance(s) identified)
 - Refusal to test: Adulterated;
 - Refusal to test: Substituted; or
 - Refusal to provide a sufficient specimen after the MRO determinations, in accordance with §40.193 of this title, that the employee does not have a medical condition that has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of urine. A refusal would also include a refusal to undergo a medical examination or evaluation to substantiate a qualifying medical condition.

Employer: Humboldt State University must report the following information about an employee to the Clearinghouse by the close of the third business day following the date on which they obtained that information:

- (i) An alcohol confirmation test result with an alcohol concentration of 0.04 or greater;
- (ii) A negative return-to-duty test result;

- (iii) A refusal to take an alcohol test pursuant to §49 CFR 40.261;
- (iv) A refusal to test determination made in accordance with §49 CFR 40.191(a)(1) through (4), (a)(6), (a)(8) through (11), or (d)(1), but in the case of a refusal to test under (a)(11), the employer may report only those admissions made to the specimen collector; and
- (v) A report that the driver has successfully completed all follow-up tests as prescribed in the SAP report in accordance with §40.307, §40.309, and §40.311 of this title.
- (2) The information required to be reported under paragraph (b)(1) of this section must include, as applicable:
- (i) Reason for the test;
 - (ii) Driver's name, date of birth, and CDL number and State of issuance;
 - (iii) Employer name, address, and USDOT number;
 - (iv) Date of the test;
 - (v) Date the result was reported; and
 - (vi) Test result. The test result must be one of the following:
 - (A) Negative (only required for return-to-duty tests administered in accordance with §382.309);
 - (B) Positive; or
 - (C) Refusal to take a test.

For each report of a violation of §49 CFR 40.261(a)(1) or §40.191(a)(1), **Humboldt State University** must report the following information:

Documentation, including, but not limited to, electronic mail or other contemporaneous record

- Time and date the employee was notified to appear at a testing site; and the time, date and testing site location at which the employee was directed to appear, or an affidavit providing evidence of such notification;
- Indication the date the employee was terminated or resigned (if applicable);
- Showing that the CTPA reporting the violation was designated as a service agent for an employer who employs himself/herself as an employee
- When the reported refusal occurred (if applicable); and
- Documentation, including a certificate of service or other evidence, showing that the employer provided the employee with all documentation.

Humboldt State University must report the following violations by the close of the third business day following the date on which **Humboldt State University** obtains actual knowledge, as defined at [§382.107](#), of:

- (i) On-duty alcohol use pursuant to [§382.205](#);
- (ii) Pre-duty alcohol use pursuant to [§382.207](#);
- (iii) Alcohol use following an accident pursuant to [§382.209](#); and
- (iv) Controlled substance use pursuant to [§382.213](#).

For each violation, the employer must report the following information:

- (i) Driver's name, date of birth, CDL number and State of issuance;
- (ii) Employer name, address, and USDOT number, if applicable;
- (iii) Date the employer obtained actual knowledge of the violation;
- (iv) Witnesses to the violation, if any, including contact information;
- (v) Description of the violation;
- (vi) Evidence supporting each fact alleged in the description of the violation required under paragraph (b)(4) of this section, which may include, but is not limited to, affidavits, photographs, video or audio recordings, employee statements (other than admissions pursuant to [§382.121](#)), correspondence, or other documentation; and
- (vii) A certificate of service or other evidence showing that the employer provided the employee with all required information.

An employer who employs himself/herself as a driver must designate a C/TPA to comply with the employer requirements related to his or her own alcohol and controlled substances use.

Consortiums/Third Party Administrators: An employer may designate a C/TPA to perform the employer requirements, regardless of whether it uses a C/TPA to perform its requirements, ***the employer retains ultimate responsibility for compliance with this section.***

Reporting truthfully and accurately: Every person or entity with access must report truthfully and accurately to the Clearinghouse it is expressly prohibited from knowingly reporting information that is false or inaccurate.

REPORTING ENTITIES AND CIRCUMSTANCES

Reporting entity	When information will be reported to clearinghouse
Prospective/Current Employer of CDL Driver	<ul style="list-style-type: none"> —An alcohol confirmation test with a concentration of 0.04 or higher. —Refusal to test (alcohol) as specified in §49 CFR 40.261.
	<ul style="list-style-type: none"> —Refusal to test (drug) not requiring a determination by the MRO as specified in §49 CFR 40.191.
	<ul style="list-style-type: none"> —Actual knowledge, as defined in §49 CFR 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
	<ul style="list-style-type: none"> —Negative return-to-duty test results (controlled substance and alcohol testing, as applicable)
	<ul style="list-style-type: none"> —Completion of follow-up testing.
Service Agent acting on behalf of Current Employer of CDL Driver	<ul style="list-style-type: none"> —An alcohol confirmation test with a concentration of 0.04 or higher. —Refusal to test (alcohol) as specified in §49 CFR 40.261.
	<ul style="list-style-type: none"> —Refusal to test (drug) not requiring a determination by the MRO as specified in §49 CFR 40.191.
	<ul style="list-style-type: none"> —Actual knowledge, as defined in §49 CFR 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
	<ul style="list-style-type: none"> —Negative return-to-duty test results (controlled substance and alcohol testing, as applicable)
	<ul style="list-style-type: none"> —Completion of follow-up testing.
MRO	<ul style="list-style-type: none"> —Verified positive, adulterated, or substituted controlled substance test result.
	<ul style="list-style-type: none"> —Refusal to test (drug) requiring a determination by the MRO as specified in §49 CFR 40.191.
SAP	<ul style="list-style-type: none"> —Identification of driver and date the initial assessment was initiated.
	<ul style="list-style-type: none"> —Successful completion of treatment and/or education and the determination of eligibility for return-to-duty testing.

Notice to drivers of entry, revision, removal or release of information [§382.707](#)

FMCSA must notify an employee of the following:

- When information concerning that employee has been added to, revised, or removed from the Clearinghouse.
- When information concerning that employee has been released from the Clearinghouse to an employer and specify the reason for the release.



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Drivers' access to information in the Clearinghouse §382.709

A driver may review information in the Clearinghouse about himself or herself, except as otherwise restricted by law or regulation. An employee must register with the Clearinghouse.

Clearinghouse registration §382.711

Clearinghouse registration is required. Each employer, service agent, C/TPA, MRO and SAP must register with the Clearinghouse before accessing or reporting information in the Clearinghouse. **Humboldt State University** must verify the names of the person(s) authorized under this section annually. **Humboldt State University** must update any changes to this information within 10 days.

Duration, cancellation, and revocation of access §382.713

Term. Clearinghouse registration is valid for 5 years, unless cancelled or revoked.

Cancellation. FMCSA will cancel Clearinghouse registrations for anyone who has not queried or reported to the Clearinghouse for 2 years.

Revocation. FMCSA has the right to revoke the Clearinghouse registration of anyone who fails to comply with any of the prescribed rights and restrictions on access to the Clearinghouse, including but not limited to, submission of inaccurate or false information and misuse or misappropriation of access rights or protected information from the Clearinghouse and failure to maintain the requisite qualifications, certifications and/or training requirements as set forth in §49 CFR Part 40.

Authorization to enter information into the Clearinghouse §382.715

C/TPAs. No C/TPA or other service agent may enter information into the Clearinghouse on **Humboldt State University** behalf unless **Humboldt State University** designates the C/TPA or other service agent.

SAPs. A driver must designate a SAP before that SAP can enter any information about the driver's return-to-duty process into the Clearinghouse.

Procedures for correcting information in the database §382.717

Petitions limited to inaccurately reported information. Petitioners may challenge only the accuracy of information reporting, not the accuracy of test results or refusals.

Petition. Any employee or authorized representative of the employee may submit a petition to the FMCSA contesting the accuracy of information in the Clearinghouse.

Submission of petition: The petitioner may submit his/her petition electronically through the Clearinghouse or in writing to: Federal Motor Carrier Safety Administration, Office of Enforcement and Compliance.

Notice of decision: Within 45 days of receiving a complete petition, FMCSA will inform the employee in writing of its decision to remove, retain, or correct the information in the database and provide the basis for the decision.

Subsequent notification to employers: When information is corrected or, FMCSA will notify any employer that accessed the incorrect information that a correction or removal was made.

Availability and removal of information §382.719

Once all of the conditions are met relating to the violation of a particular employees controlled substance or alcohol violation the information will no longer be available.

Unauthorized access or use prohibited §382.723

No person or entity may share, distribute, publish, or otherwise release any information in the Clearinghouse except as specifically authorized by law. No person may report inaccurate or misleading information to the Clearinghouse.

An employer's use of information received from the Clearinghouse is limited to determining whether a prohibition applies to an employee performing a safety-sensitive function with respect to a commercial motor vehicle.

No employer may divulge or permit any other person or entity to divulge any information from the Clearinghouse to any person or entity not directly involved in determining whether a prohibition applies to an employee performing a safety-sensitive function with respect to a commercial motor vehicle.

DISCIPLINARY ACTION AND PROCEDURES §49 CFR 382.111

Humboldt State University has the right and obligation to determine levels of discipline for their employees under this Policy.

The following are the disciplinary actions and procedures that **Humboldt State University** has adopted as their company policy:

An otherwise qualified applicant for a safety sensitive employee position whose controlled substance test results are negative will be considered qualified for the position offered.

Applicants with verified positive controlled substance test results will be considered medically unqualified and ineligible for the position.



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An employee determined to have evidence of alcohol in his/her system of 0.01 but below 0.04g will be subject to prompt disciplinary action:

1. When an initial screening test for drugs is positive, a second, confirmatory test will automatically be performed. Confirmed positive controlled substance tests will be reported by the testing laboratory to the Medical Review Officer (MRO) for verification and contact with the donor.
2. If the donor is unable to provide a sufficient reason for the positive screening the MRO will "confirm" and report the test results out as positive, first to the donor then secondarily to **Humboldt State University's** designated employer representative.

Employees who have had a verified positive controlled substance test or a confirmed alcohol result of 0.04g or above will be immediately removed from their safety sensitive function position and referred to a Substance Abuse Professional for evaluation.

When an initial screening test for drugs is positive, a second, confirmatory test will automatically be performed. Confirmed positive controlled substance tests will be reported by the testing laboratory to the Medical Review Officer (MRO) for verification and contact with the donor. If the donor is unable to provide a sufficient reason for the positive screening the MRO will "confirm" and report the test results out as positive, first to the donor then secondarily to **Humboldt State University** Designated Employer Representative (DER).

RECORDKEEPING PROCEDURES §49 CFR Part 382.401

Compliance Associates, Inc. will maintain controlled substance and alcohol testing records, which will include but not be limited to employer chain of custody forms, controlled substance and/or alcohol test results, semi-annual reports and annual reports in a secure filing system. Copies will be made available to Humboldt State University and/or regulatory agencies within 48 hours of request for all consortium participants.

A driver is entitled, upon written request, to obtain copies of any records concerning his/her use of alcohol or controlled substances. Requests for such information shall be directed to the Humboldt State University.

Information regarding an individual's controlled substance test results or rehabilitation may be released only upon written consent of the individual, except:

Such information must be released to the Secretary of Transportation, DOT, State or Federal agency, or any State or local officials with regulatory authority over the employer or any of its drivers.

Such information may be disclosed in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employer and arising from an alcohol test and/or verified positive controlled substance test or from your employer determination that the driver engaged in conduct prohibited by FMCSA regulations.

When requested by the National Transportation Safety Board as part of an accident investigation, Compliance Associates, Inc. will disclose information regarding post-accident alcohol and/or controlled substance testing.

The employer shall release information regarding an employee's records to a subsequent employer only upon receipt of a written request specifically authorizing release of the records to an identified person.

Reporting of results in a management information system §382.403

An employer shall prepare and maintain a summary of the results of its alcohol and controlled substances testing programs performed during the previous calendar year, when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its employees.

RECORD RETENTION

Compliance Associates, Inc. along with **Humboldt State University** will maintain the following schedule of recordkeeping:

Negative and canceled controlled substance test records; records of alcohol test results less than 0.02.	1 year
Records related to the alcohol and controlled substances collection process.	2 years
Records related to the education and training of BAT's, STT's, and supervisors.	Indefinitely
Records related to the education and training of employers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions.	Indefinitely/ 2 years
Records of verified positive controlled substance test results; alcohol test results of 0.02 or greater; refusals to be tested for drugs and/or alcohol; SAP evaluations and referrals.	5 years
Records related to the administration of the alcohol and controlled substances testing program.	5 years
Documentation of EBT calibration.	5 years
Calendar year record of total number of employee's tested and the results of tests.	5 years
Clearinghouse record	5 years

GLOSSARY OF TERMS

§49 CFR Part 40.3

ACTUAL KNOWLEDGE: Actual knowledge by **Humboldt State University** that a safety sensitive employee has used alcohol or controlled substances based on the **Humboldt State University's** direct observation of the employee, information provided by the safety sensitive employee previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use.

ADULTERATED SPECIMEN: A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

ALCOHOL SCREENING TEST: Analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

ALCOHOL CONCENTRATION (AC): The concentration of alcohol in a person's blood or breath. When expressed as a percentage it means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

BAT: Breath Alcohol Technician: A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

CANCELED TEST: A controlled substance or alcohol test that has a problem identified that cannot be or has not been corrected, or which under [Part 40](#) is required to be canceled. A canceled test is neither a positive nor a negative test.

CHAIN of CUSTODY: The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Controlled Substance Testing Custody and Control Form (CCF) as approved by the Office of Management and Budget

COMMERCIAL DRIVER'S LICENSE (CDL): A license issued by a State or other jurisdiction, in accordance with the standards contained in [49 CFR Part 383](#), to an individual which authorizes the individual to operate a class of a commercial motor vehicle.

COMMERCIAL DRIVER'S LICENSE CONTROLLED SUBSTANCE and ALCOHOL CLEARINGHOUSE: ([Clearinghouse](#)) means the FMCSA database that requires employers and service agents to report information to and to query regarding safety sensitive employees who are subject to the DOT controlled substance and alcohol testing regulations.



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COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM (CDLIS): The CDLIS established by FMCSA pursuant to section 12007 of the Commercial Motor Vehicle Safety Act of 1986.

CONFIRMED CONTROLLED SUBSTANCE TEST: A confirmation test result received by an MRO from a laboratory. Controlled substances mean those substances identified in [§40.85](#).

CONSORTIUM/THIRD-PARTY ADMINISTRATOR (C/TPA): A service agent that provides or coordinates the provision of a variety of controlled substance and alcohol testing services to employers. C/TPA's typically perform administrative tasks concerning the operation of the employers' controlled substance and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT controlled substance and alcohol testing programs fit its members. C/TPA's are not "employers" for the purposes of [Part 40](#).

CONTROLLED SUBSTANCE: Has the meaning such term has under 21 U.S.C. 802(6) and includes all substances listed on schedules I through V of 21 CFR 1308, (§§1308.11 through 1308.15) as they may be amended by the United States Department of Justice.

CONFIRMATORY CONTROLLED SUBSTANCE TEST: Confirmatory controlled substance test. A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific controlled substance or controlled substance metabolite.

DESIGNATED EMPLOYER REPRESENTATIVE (DER): An employee authorized by **Humboldt State University** to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of [Part 40](#). Service agents cannot act as DERs.

DILUTE SPECIMEN: A specimen with creatinine and specific gravity values that are lower than expected for human urine.

EMPLOYER: Employer means a person or entity employing one or more employees (including an individual who is self-employed) that is subject to DOT agency regulations requiring compliance with overall implementation of DOT controlled substance and alcohol program requirements, including individuals employed by the entity who take personnel actions resulting from violations of any applicable DOT agency regulations. Service agents are not employers for the purposes of this part. For purposes of controlled substance testing under this part, the term employee has the same meaning as the term "donor" as found on CCF and related guidance materials produced by the Department of Health and Human Services.



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GVWR: Gross Vehicular Weight Rating: Size criterion for determining classification of a commercial motor vehicle under Federal regulations.

INITIAL CONTROLLED SUBSTANCE TEST: The first test used to differentiate a negative specimen from one that requires further testing for drugs or controlled substance metabolites.

LABORATORY: Any U.S. laboratory certified by Health and Human Services (HHS) under the National Laboratory Certification Program that meets the minimum standards of the HHS Mandatory Guidelines for Federal Workplace Controlled Substance Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by the Department of Transportation.

MOTOR VEHICLE: A vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power used on highways, except that such term does not include a vehicle, machine, tractor, trailer, semi-trailer operated exclusively on a rail.

MRO: Medical Review Officer: The MRO is a licensed physician who is a Doctor of Medicine or osteopathy with knowledge of controlled substance abuse disorders, symptoms, treatment, and toxicology. The MRO is responsible for receiving and reviewing laboratory results generated by an employer's controlled substance testing program and evaluating medical explanation for certain controlled substance test results.

ODAPC: Office of Controlled substance and Alcohol Policy and Compliance: The office in the Office of the Secretary, DOT, that is responsible for coordinating controlled substance and alcohol testing program matters within the Department and providing information concerning the implementation of this part.

ON DUTY: Any time a employer is considered to be performing a safety sensitive function during any period in which he/she is actually performing, ready to perform, or immediately available to perform any safety sensitive functions.

PRIMARY SPECIMEN: In controlled substance testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a controlled substance or controlled substance metabolite in his or her system; and for the purpose of validity testing.

RANDOM TESTING: Computerized random selection and testing for drugs and alcohol in which each person in the computer database has an equal chance of selection each time a selection occurs, in accordance with regulatory requirements.

REASONABLE SUSPICION: "*Reasonable suspicion*" means that an individual that has been trained in reasonable suspicion recognition has reason to believe that an employee may be impaired, intoxicated or under the influence of a controlled substance or alcohol.



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REFUSAL TO SUBMIT: No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substances test, or a follow-up alcohol or controlled substances test. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

SAFETY SENSITIVE FUNCTION: All time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.

SAMHSA: Substance Abuse and Mental Health Services Administration: A division of the U.S. Department of Health and Human Services (DHHS) which is responsible for certifying laboratories to perform medical federal workplace controlled substance testing.

SCHOOL BUS: A commercial vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier.

SERVICE AGENT: Any person or entity, other than an employee of the employer, who provides services to employers and/or employees in connection with DOT controlled substance and alcohol testing requirements. This includes, but is not limited to, collectors, BATs and STTs, laboratories, MROs, Substance Abuse Professionals, and C/TPAs.

SPLIT SPECIMEN COLLECTION: In controlled substance testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

SUBSTANCE ABUSE PROFESSIONAL: A person who evaluates employees who have violated a DOT controlled substance and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare.

SUBSTITUTED SPECIMEN: A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

TANK VEHICLE: Any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis.

QUALIFICATION TRAINING: The training required in order for a collector, BAT, MRO, SAP, or STT to be qualified to perform their functions in the DOT controlled substance and alcohol-testing program. Qualification training may be provided by any appropriate means (e.g., classroom instruction, Internet application, CD-ROM, video).



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Certificate of Receipt Controlled Substances and Alcohol Policy

Certificate/Policy Revised January 1, 2018

I certify that I have received, read and understand the Drug and Alcohol Testing Policy adopted by **Humboldt State University** with the effective revision date of January 1, 2018. I have also received, read and understand the information and training I have been given concerning the effects of substance abuse on my health, work and personal life.

Humboldt State University has initiated a program with Compliance Associates, Inc., a California Corporation acting as a Consortium/Third Party Administrator to assist **Humboldt State University** in complying with federal controlled substance and alcohol testing regulations for "safety sensitive function" positions as prescribed in [§49 CFR Part 382](#) of the Federal Motor Carrier Safety Regulations (FMCSA).

I understand that it is my responsibility to ask questions about anything I do not understand within this Policy. My questions should be directed **Humboldt State University's** Designated Employer Representative (DER).

I also certify that I have thoroughly read, understand and agree with the terms set forth in the Drug and Alcohol Testing Policy adopted by **Humboldt State University**.

Employee Name (print)

Employee CDL Number

Employee Signature

Date



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The Myth of the High-Functioning Addict

Research shows . . .

"Drug abuse and addiction can affect almost every system in your body. You probably know that drugs affect feelings and moods, judgment, decision making, learning, and memory. But they can also cause or worsen other health problems—cancer; heart disease; lung disease; liver function; mental disorders; and infectious diseases such as HIV/AIDS, hepatitis, and tuberculosis. Some of these effects occur when drugs are used at high doses or after prolonged use, and some may occur after just one use."

—Nora Volkow, M.D., Director of NIDA

Drug abuse and alcohol misuse affects a person's judgement, performance and safety levels. Whether you realize it or not, each coworker of a drug abuser must deal with the unreliability, errors and potentially unsafe workplace created by the addict.

Regardless of the extent, addiction is a problematic force in the lives of the addicted and their social networks. Some will excuse or minimize their own behavior or the behavior of others by stating that the problem is not that serious because they're still able to perform their daily duties, e.g., go to work.

Those who suffer from addiction are commonly stereotyped as people who have problems at home, generate low income, and who typically do nothing outside of drinking and using drugs. Typical "addicts" are often assumed to be angry and violent, or heavily drowsy and sedated at any given time. In reality, addiction affects each person differently — including those who are intelligent, physically active, and have successful careers.

Someone who is still performing at a sufficient level while addicted to one or more drugs is labeled a "*high-functioning addict*." High-functioning addicts are not a lost cause, as with anyone addicted to drugs and or alcohol, some understanding and knowledge, and the support of loved ones can identify the problem signs and intervene before a drug problem grows so powerful that it takes control of or ends the user's life.

I'm not a high functioning addict....I'm medicated and motivated!

With a high-functioning addict, you can toss aside the archetypal image of an "addict." You won't find these people pushing shopping carts up and down the sidewalks of your community. In fact, the addict will work overtime to keep up appearances and hold down their jobs.

The high-functioning addict can often display limited functional impairment. They will be able to perform well at work, home, and school with typical conflicts and financial challenges. The high-functioning addict may convince themselves or others that their substance use is not problematic. They may provide examples of others that use greater quantities or with higher frequencies than themselves to maintain their sober image.

The high functioning addict may be to work on time however secretly battling a demon silently and alone. Unfortunately, the “high-functioning” part comes at a great price and a considerable amount of danger. Because functioning addicts are so good at masking their struggles and covering their tracks, friends and loved ones often aren’t aware of a problem...*until it’s too late*.

Today's high-functioning addict can easily become tomorrow's nonfunctioning addict.

If high-functioning addicts truly exist, what separates them from the nonfunctioning addict? A relevant factor might be time. As addiction continues and progresses, the internal ability to function or the level of support from external sources will diminish. Many addicts will function relatively well for a time, but there is no indication someone can maintain a functional addiction indefinitely.

The factors that separate the functioning addict from the nonfunctioning addict include:

- Denial
- Family and/or social supports
- Employment
- Legal issues/illegal activity

Experts in the addiction recovery field are adamant that denial plays a significant part in why substance abuse continues to persist.

Denial is a powerful force in the life of a high-functioning addict. If someone is not willing or able to admit the power of addiction in their life, they may convince themselves that their problem is manageable.

They will look for justification to perpetuate their denial with statements like:

- I don't drink or use drugs every day.
- I only (smoke, snort, drink). I would never use needles.
- Nothing bad has ever happened from my use.
- I work hard, I play hard.

When addicts are in denial, they will be less interested in taking responsibility for their own actions, poor decisions, and unwanted feelings. Instead, they will blame others for the frustrations. These users may be able to convince their loved ones to deny or ignore the severity of the addiction as well.

Family and social supports can play another role in maintaining the addict's status as high-functioning through enabling. Enabling occurs when someone close to the addicted person such as a spouse or family member begins to take on responsibility for the addict. Enabling can be intentional or unintentional.

An enabler will:

- Absorb the consequences that the addict would experience.
- Make excuses and lie to cover up the addict's behavior.
- Accept blame for the addict's actions.
- Experience emotional distress and frustration as a result of taking too much responsibility for the addict's behavior.

It's important to understand that enablers can exist in the workplace as well as at home. Bosses or coworkers may inadvertently enable addicted employees by picking up their slack, extending deadlines, and giving multiple "second chances."

Having steady **employment** encourages a person to believe they are not really addicted. They may think, "If I was addicted, there's no way I could hold down a job, so I must be fine." In many cases, the functioning addict can identify the value of the job, which makes it one of the last areas to suffer.

Jobs help to maintain:

- Financial stability to support use.
- Structure and consistency in the day.
- A sense of identity removed from addiction.
- Separation from home to reduce suspicions of family and friends.

Addiction is highly associated with **illegal activity**. Some people, though, can use for extended periods without encountering any problems with the law. If someone has never been pulled over for driving under the influence, possession of drugs, or attempting to purchase a substance they may believe they have done nothing wrong. While it is possible to be a functioning addict, the fact of the matter is that addiction will take a toll in at least some areas. Meanwhile, these people may have been forging prescriptions, drunk driving, or using illegal substances without thinking it is a problem.

The high-functioning addict may believe that it is only illegal if you get caught. Eventually, as the addiction gets more and more problematic, priorities will rearrange, and the addiction will come into the forefront, knocking everything else into the background. While some addicts rapidly spiral out of control, experiencing dramatic turmoil and upheaval in their lives, high functioning addicts tend to keep their problems well-hidden, sometimes for years.

Unfortunately, while they are managing to “keep it together,” high functioning addicts are less likely to seek treatment for their addictions and related problems. Addiction doesn’t happen overnight, it can take up to several months or years of substance abuse for someone to get caught up in the cycle of addiction.

There are six main stages of addiction:

- Initial use.
- Experimentation.
- Regular use.
- Dependence.
- Addiction itself.
- Recovery.

After initial use, those who eventually go on to become high-functioning addicts begin experimenting with drugs in social settings and may start using drugs and alcohol regularly to help them wind down after having taxing, busy days.

These regular behaviors can often lead to tolerance and physical dependence. Tolerance is when the brain and body adapt to regular drug use requiring a person to use higher amounts of drugs and alcohol to achieve the same effects. Physical dependence is when a person requires a certain number of drugs and alcohol to avoid experiencing withdrawal symptoms.

Addiction occurs when people become physically and psychologically dependent on drugs and/or alcohol and require these substances to fulfill cravings and the euphoria they can no longer achieve on their own, naturally.

**WE DON'T CHOOSE TO BE ADDICTED; WHAT WE CHOOSE
IS TO DENY OUR PAIN**

AFFECTS OF SUBSTANCE ABUSE

Drug use can have a wide range of short- and long-term, direct and indirect effects. These effects often depend on the specific drug or drugs used, how they are taken, how much is taken, the person's health, and other factors.

Short-term effects can range from changes in appetite, wakefulness, heart rate, blood pressure, and/or mood to heart attack, stroke, psychosis, overdose, and even death. Longer-term effects can include heart or lung disease, cancer, mental illness, HIV/AIDS, hepatitis, and others. Long-term drug use can also lead to addiction.

Not everyone who uses drugs will become addicted, but for some, drug use can change how certain brain circuits work. These brain changes interfere with how people experience normal pleasures in life such as food and sex, their ability to control their stress level, their decision-making, their ability to learn and remember, etc. These changes make it much more difficult for someone to stop taking the drug even when it's having negative effects on their life and they want to quit.

Chronic use of some drugs can lead to both short- and long-term changes in the brain, which can lead to mental health issues including paranoia, depression, anxiety, aggression, hallucinations, and other problems.

Many people who are addicted to drugs are also diagnosed with other mental disorders and vice versa. Compared with the general population, people addicted to drugs are roughly twice as likely to suffer from mood and anxiety disorders, with the reverse also true.

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November 3, 2015

Statement on Presidential Searches

In recent months at a number of colleges and universities across the country controversy has emerged over decisions by governing boards to conduct searches for new presidents or chancellors in secret, abandoning the previously standard practice of inviting a select group of finalists to visit the campus and meet publicly with faculty and other members of the campus community. The rationale for such secrecy is that open meetings discourage applications from highly qualified candidates, although no evidence has ever been offered to suggest that this is in fact the case.

AAUP policy statements make clear that such decisions to forgo public campus visits and public forums by finalists violate longstanding principles of shared governance. Shared governance helps ensure that universities and colleges serve the public interest. Serving this interest is why we have public universities and colleges and why we grant special tax status to nonprofit private universities and colleges.

As the Academic Senate at Sonoma State University has declared, "Forgoing announcing finalists' names publicly and scheduling official campus visits for them would be behavior more characteristic of a private corporation than a public university. Doing so would also mean a less transparent search process and less confidence in the outcome on the part of the university community and public. . . . Such visits give the university and public insight into finalists' knowledge of the campus and their ability to unify and lead the students, faculty, staff and administration. They also give finalists insight into the university community they aspire to lead."

Although governing boards have the legal responsibility for selection of a president, the process of selection is fundamental in determining which candidate has the most appropriate academic leadership and administrative skills needed to lead the institution. The 1966 [Statement on Government of Colleges and Universities](#), formulated jointly by the AAUP, the American Council on Education, and the Association of Governing Boards of Universities and Colleges states:

Joint effort of a most critical kind must be taken when an institution chooses a new president. The selection of a chief administrative officer should follow upon a cooperative search by the governing board and the faculty, taking into consideration the opinions of others who are appropriately interested. The president should be equally qualified to serve both as the executive officer of the governing board and as the chief academic officer of the institution and the faculty. The president's dual role requires an ability to interpret to board and faculty the educational views and concepts of institutional government of the other. The president should have the confidence of the board and the faculty.

A 2013 report from the AAUP's Committee on College and University Governance entitled [Confidentiality and Faculty Representation in Academic Governance](#) declares:

Unless mandated to be open by state law, many such searches [for higher administrative officers] have an initial, confidential screening stage conducted by a search committee that includes faculty members. The next stage is normally one in which finalists are interviewed. At this point in the process, the names of finalists should be made public to the campus community so that the community at large, faculty committees, or at least selected faculty members have an opportunity to interview the finalists and forward their views to the search committee or to a consulting firm employed by the college or university.

The conclusion of the same document recommends:

Searches for presidents and other chief academic officers should have an open phase that allows individual faculty members as well as faculty bodies to review the credentials of finalists, ask questions, and share opinions before a final decision is made.

Finally, the AAUP website provides a [Presidential Search Committee Checklist](#) to guide institutions in the application of these policies. This emphasizes that

open visits are crucial in the success of the search process because they permit members of the campus community to participate in providing impressions, as well as to contribute to the candidate's understanding of the culture of the institution. In this final phase of the selection process, open visits present vitally important opportunities for both the campus community and the candidate to determine each other's suitability. This final step is extraordinarily useful to the search committee in making its final recommendation to the board.

The AAUP thus calls upon colleges and universities to resist calls for closed, secretive searches and reaffirm their commitment to transparency and active faculty engagement in the hiring of higher administrative officers. Faculty members should demand that their institutions observe established norms of shared governance by involving faculty representatives in all stages of the search process and by providing the entire faculty and other members of the campus community the opportunity to meet with search finalists in public on campus.

Rudy Fichtenbaum, AAUP President

Henry Reichman, Chair, Committee A on Academic Freedom and Tenure

Michael DeCesare, Chair, Committee on College and University Governance

		Current Configuration						Faculty, Staff, Student						Faculty, Staff						Actual			
Electorate		Past Chair			None			Past Chair			None			Past Chair			None						
		M	V	%	M	V	%	M	V	%	M	V	%	M	V	%	M	V	%				
Administration		5	4	13%	5	4	14%	5	4	12%	5	4	13%	5	4	13%	5	4	13%	5	4	14%	
	HSU President	1	0		1	0		1	0		1	0		1	0		1	0		1	0		
	Provost	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
	VP for Admin Affairs	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
	VP for Student Affairs	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
	Ex Dir ODEI	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
Faculty		21	20	67%	20	19	66%	21	21	64%	20	20	63%	21	21	66%	20	20	65%	20	19	68%	
	Tenure-line faculty	11	11		11	11		11	11		11	11		11	11		11	11		11	11		
	Lecturer faculty	3	3		3	3		3	3		3	3		3	3		3	3		3	3		
	ASCSU Reps	2	2		2	2		2	2		2	2		2	2		2	2		2	2		
	Outgoing Senate Chair	1	1		0	0		1	1		0	0		1	1		0	0		0	0		
	ICC Chair	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
	ERFA delegate	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
	General Faculty President	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
	CFA President	1	0		1	0		1	1		1	1		1	1		1	1		1	0		
Staff		4	3	10%	4	3	10%	4	4	12%	4	4	13%	4	4	13%	4	4	13%	4	3	11%	
	Staff Senators	3	3		3	3		3	3		3	3		3	3		3	3		3	3		
	Labor Council	1	0		1	0		1	1		1	1		1	1		1	1		1	0		
Student		3	3	10%	3	3	10%	4	4	12%	4	4	13%	3	3	9%	3	3	10%	2	2	7%	
	AS President	1	1		1	1		1	1		1	1		1	1		1	1		1	1		
	Student Senators	2	2		2	2		3	3		3	3		2	2		2	2		1	1		
	Total	33	30		32	29		34	33		33	32		33	32		32	31		31	28		
	Quorum	22			21			23			22			22			21			21			
	Absolute Majority		16			15			17			17			17			16			15		
	Two-thirds Majority		20			19			22			21			21			21			19		



Humboldt State University
Presidential Search
Schedule for 2019

Monday, February 4, 2019
10:30 a.m. – 3:30 p.m.

Organizational meeting

campus

Open Public Forum/Closed Meeting for Committee Members only

Friday, April 5, 2019
Time TBD
Closed Meeting for Committee Members only

Review and reduce résumés

campus

Please hold the following dates:

Thursday, May 9, 2019
Friday, May 10, 2019
7:00 a.m. – 5:00 p.m.

Interviews (all day)

SFO Airport

Closed Meeting for Committee Members only

Monday, May 20, 2019
Closed Meeting for Board of Trustees only

Trustee interviews

Long Beach



Board of Trustees Policy for the Selection of Presidents

Responsibility for Appointment of Presidents

The Board of Trustees of the California State University, in partnership with the Chancellor, is responsible for the recruitment, selection and appointment of CSU campus presidents. There is a deep commitment throughout the process to the principles of consultation with campus and community representatives and diversity. The ultimate decision and responsibility for the transition of executive leadership rests with the Board. The Chancellor designates staff to support the process.

The Trustees Committee for the Selection of the President

The Chair of the Board appoints a Trustees Committee for the Selection of the President (TCSP) for any campus with an impending vacancy. The TCSP is composed of the Chair of the Board, four Trustees, and the Chancellor. The Chair designates a Trustee as chair of the TCSP.

The TCSP determines the attributes desired for a successful candidate, approves the final campus and job descriptions, and any advertising copy, and reviews and interviews candidates. Although the TCSP is the ultimate body to make the final decisions, including the advancement of candidates to the full Board, the process is to be conducted in a manner that includes the campus representatives. The Chancellor may indicate his or her ranking of final candidates before the Board. The Board Chair and the Chancellor may use executive search firms to assist on specific tasks related to the selection process. The Chancellor is responsible for background and reference checks of the final candidates advanced to the Board.

The Advisory Committee to the Trustees Committee for the Selection of the President

The Chair of the Board also appoints an advisory group to the TCSP, known as the Advisory Committee to the Trustees Committee for the Selection of the President (ACTCSP). The ACTCSP is composed of the Chair of the Academic Senate on the campus, two faculty representatives selected by the campus faculty, one member of the campus support staff selected by the staff, one student selected by the duly constituted representatives of the campus student body, one member of the campus Advisory Board selected by that board, one alumnus/alumna of the campus selected by the campus Alumni Association, and one Vice President or academic Dean from the campus and the President of another CSU campus selected by the Chancellor. Each of the campus representatives shall be determined according to procedures established by the campus. If the campus has a standing policy on campus representation to the ACTCSP that does not call for open election by each constituency, that policy shall be reviewed at the start of a new presidential search, and ratified or amended. The Chair of the Board or the Chancellor may appoint up to two additional members from constituent groups to the ACTCSP to strengthen its capacity to cope with the complex requirements of a specific search, including diversity of the campus, the service area or the state.

The ACTCSP provides advice and consultation regarding the position and campus descriptions and any advertisement of the position. Members of the ACTCSP may also suggest potential candidates with the leadership qualities, administrative ability, academic qualities and other talents appropriate to the position. The ACTCSP reviews and comments on all candidate applications, participates in candidate interviews and the deliberations that lead to the selection of the final candidate(s). The consultative procedures are to be conducted in a manner designed to generate confidence in the selection process and garner local support for the eventual appointee.

Confidentiality and Professionalism

To ensure that the search process respects the professional needs of candidates and is conducted with integrity, strict confidentiality must be maintained by members of the TCSP and the ACTCSP, the Chancellor and staff. Only the Chair of the TCSP or the Chancellor will act as spokesperson for the committees during the presidential search process. After providing a notice of violation and an opportunity for a meeting, the Chair may dismiss a member of the TCSP or the ACTCSP if

confidentiality is determined by the Chair to have been violated, or if the behavior of a member is determined by the Chair to have been unethical, unprofessional, disruptive to the conduct of business, or if a member is determined by the Chair to have ignored or failed to follow these rules and procedures.

The Presidential Selection Process

The TCSP meets initially, together with the ACTCSP, to discuss the needs of the campus, and the desired attributes of the new President. The committees also receive information from the campus and the community on these subjects. After these initial sessions, advertising copy is developed, candidates are invited to submit applications, and a broad pool is developed. The Chancellor and the Chair of the TCSP confer and evaluate whether any additional internal CSU candidate(s) is/are a good fit for the position to be added to the pool and considered for the position. The TCSP and the ACTCSP then meet again, review all candidates and decide whether to interview internal candidates, internal and external candidates, or external candidates. After consultation with the TCSP and the ACTCSP, the Chancellor and the Chair of the TCSP determine whether to schedule campus visits, which are optional, or to schedule campus visits on a modified basis, depending on the circumstances of the search.

Deviations from These Procedures

The Board of Trustees will normally confine itself to the names presented by the TCSP. In rare instances and for compelling reasons, the Board reserves the right if, in its judgment, circumstances warrant to depart from the recommended candidate(s) or from the procedures outlined in this policy.

Adopted September 20-21, 2011

CSU Board of Trustees

Presidential Search Campus Advisory Committee Faculty Representative Election Process

The Chancellor's 10/5/18 Letter asks that Senate Chair Burkhalter "help facilitate an election within the faculty in conjunction with Provost Alexander Enyedi" and "inform him of the names and contact information of the two elected faculty members by Friday, November 30".

Note: These are estimated timelines for the election depending on which option the Senate prefers and assuming there will be two run-off elections. Fall break occurs Monday 11/19 through Friday 11/23

Option A: Simple General Faculty Election; All unit 3 employees eligible as candidates and as voters; elections occur until two candidates get majority support

Thursday, 10/17	Call for nominations goes out; potential candidates asked to provide a brief statement supporting their candidacy
Monday, 10/29	Nominations due by 5:00pm
Tuesday, 10/30	First round of ballots goes out by noon (needs five business days) due by noon Tuesday, 11/6
Wednesday, 11/7	First-run off ballot distributed by 5:00pm and due by noon Tuesday, 11/13
Wednesday, 11/14	Second run off ballot distributed by 5:00pm due by noon Monday 11/19 (first day of fall break)
Monday 11/19	Candidates notified
Monday, 11/26	Faculty representative names sent to Chancellor
	Possibility: A third run-off that puts us beyond the Chancellor's deadline of 11/30

Option B: Senate passes resolution designating one seat for CNRS and one seat for CPS; all unit 3 employees still eligible to vote

Tuesday, 10/23	Motion considered at SenEx; if approved, moves forward to 10/30 Senate
Tuesday, 10/30	Senate considers first reading of motion; if seeks to pass, waives 2 nd reading and approves, outcome sent to President. President asked for expedited response
Thursday, 11/1	President provides approval
Friday, 11/2	Call for nominations goes out; nominations restricted to faculty from CPS and CNRS; candidates asked to provide a brief statement supporting their candidacy
Tuesday, 11/13	Nominations due by 5:00pm
Wednesday, 11/14	First round of ballots goes out by noon (needs five business days) due by noon, Wednesday 11/28 (Fall Break is)
Wednesday, 11/28	First run-off ballot distributed by 5:00pm and due by noon Tuesday, 12/4
Wednesday, 12/5	Second run-off ballot distributed by noon due by noon Monday 12/10.
Monday, 12/10	Votes counted, candidates notified
Tuesday, 12/11	Faculty representative names sent to Chancellor
	Possibility: A third run-off that pushes outcome until Friday, 12/14

HUMBOLDT STATE UNIVERSITY
UNIVERSITY SENATE

**Resolution Regarding the Election of Faculty Representatives to
the 2013/2014 Advisory Committee to the Trustees Committee for the Selection of the President**

#06-13/14-EX – October 1, 2013

Resolved: That the University Senate of Humboldt State University (USHSU), acting in accordance with the California State University Board of Trustees' Policy for the Selection of Presidents, decides that the candidates for the position of faculty representative to the Advisory Committee to the Trustees Committee for the Selection of the President (ACTCSP) meet the following criteria:

1. Candidates shall be tenured and hold the rank of Associate Professor or Full Professor.
2. One candidate shall be selected from among the faculty of the College of Professional Studies (CPS) and one candidate shall be selected from among the faculty of the College of Natural Resources and Sciences (CNRS).

and be it further

Resolved: That the USHSU decides that the election of two faculty representatives be conducted according to the normal election procedures established under the Constitution of the General Faculty with an electorate comprised of all members of the General Faculty; and be it further

Resolved: That the criteria for the selection of the faculty representatives to the ACTCSP, laid out in this resolution, apply only to the present search.

Rationale: The California State University Board of Trustees' Policy for the Selection of Presidents requires the election by the faculty of two faculty representatives to the Advisory Committee to the Trustees Committee for the Selection of the President. The Chair of the University Senate is included as a member of the advisory committee and is a faculty member in the College of Arts, Humanities and Social Sciences. By selecting two additional faculty members from CPS and CNRS, we ensure equal representation of the three colleges in the advisory committee.

University Senate: Passed, 10/01/13 ; forwarded as an Emergency Item

No further action required.