

**California State University Dominguez Hills  
Academic Senate Resolution**

**Reaffirming Commitment to CSU Graduation Requirement (American Institutions) and Urging  
the Board of Trustees to Defer Consideration of Waivers to the Existing Title 5 Requirement**

**Action Item**

**Sense of the Senate**

**Faculty Resolution 11-07**

**M/S/P 5/4/11**

- Resolved, The Academic Senate of California State University Dominguez Hills reaffirm its commitment to the principle that all graduates of the California State University possess “knowledge and skills that will enable them to comprehend the workings of American democracy and of the society in which they live to enable them to contribute to that society as responsible and constructive citizens;” and be it further
- Resolved, The Academic Senate of California State University Dominguez Hills reaffirm its commitment to an equal and uniform educational experience for both transfer and native students who meet the graduation requirement through coursework or through comprehensive examination as established by Title 5, Section 40404; and be it further
- Resolved, That the CSUDH Academic Senate urge the Board of Trustees to defer any consideration of Title 5 changes to the “American Institutions” graduation requirement until alternative possibilities, such as using the existing Comprehensive Exam option to bring the CSU into compliance with SB 1440, are fully explored with the assistance of the system’s Political Science and History faculty; and be it further
- Resolved, That the CSU request that the Legislature consider an amendment to “The Student Transfer Achievement Reform Act” (SB 1440) to clarify that the American Institutions requirements should be fully maintained during the implementation of the law; and be it further
- Resolved, That copies of this resolution be distributed to the Chancellor, to the Board of Trustees, to the ASCSU, to all campus senates, and to the Chairs of all CSU History and Political Science Departments, the Assembly Committee on Higher Education, and the Academic Senate of the California Community Colleges.

## Rationale for Resolution:

The Chancellor's Office has proposed that the Board change Title 5, Section 40404 to enable (but not necessarily require) the Chancellor, Presidents and "appropriate campus authorities" to waive the American Institutions requirement for certain TMC majors and groups (Attachments A and B). With minimal faculty consultation, the Chancellor's Office will present its proposal to the CSU Board of Trustees as an *information* item at the Board's May 9-10, 2011 plenum and pursue it as an *action* item at the July 12, 2011 plenum.

On April 13, 2011, staff at the Chancellor's Office presented the proposal, justification, and timeline above to the CSU Presidents. Bypassing standard procedures for consultation, the result is insufficient consultation to date with History and Political Science faculty and almost no time—in the last month of classes—for local Academic Senates and their curriculum committees to respond.

For decades the California State University has maintained a requirement (in Title 5 administrative law) for all CSU graduates to "acquire knowledge and skills that will help them to comprehend the workings of American democracy and of the society in which they live, to enable them to contribute to that society as responsible and constructive citizens" (Title 5 40404) (Attachment C).

In 2010, the approval of the Student Transfer Achievement Reform (SB 1440) as a measure designed to streamline transfers from the California Community Colleges to the CSU, enabled the creation of "Transfer Model Degrees" (TMC) from the CCC system. The TMC model is comprised of 60 units including CSU General Education Breadth requirements and at least 18 units that meet disciplinary and/or major-specific requirements (Attachment D). As "American Institutions" is a CSU and UC graduation requirement and not a General Education Breadth or IGETC requirement, the CCC faculty see no reason to embed the "American Institutions" graduation requirement within the newly created transfer degrees models.

The proposal of the Chancellor's Office omits any pedagogical rationale and instead the waiver is pursued as a matter of expediency. Therefore we join our colleagues across the California State system who call for widespread and systematic consultation over what is fundamentally a curricular issue. (Attachment E) We believe that any "model," "degree," or accrediting body that does not require US history or American government (state and local) at any level is sub-standard and incompatible with the mission of the CSU "to provide opportunities for individuals to develop intellectually, personally, and professionally" and "to prepare significant

numbers of educated, responsible people to contribute to California's schools, economy, culture, and future.”

The reason that knowledge of US history and American Government and Constitution was originally designated as graduation requirement is that it embodies and reflects the fundamental "values" graduates of the CSU should possess. We feel that this is no less true today as it was when American Institutions was created as a graduation requirement. Our students – both native and transfer - must be prepared to contribute to our contemporary society's ongoing debates and struggles in a responsible manner. We believe such civic knowledge is indispensable to a college education and that the proposal of the Chancellor's Office is fundamentally incompatible with not just the letter but also the spirit of Title 5 and the mission of the California State University.

**Attachment A: Recommended Changes**

**4/15/11**

**Title 5, California Code of Regulations  
Division 5 -- Board of Trustees of the California State Universities  
Chapter 1 -- California State University  
Subchapter – 2 Educational Program  
Article 5 -- General Requirements for Graduation**

**§ 40404. Requirements in United States History, Constitution and American Ideals.**

(a) The purpose of the following requirements is to ensure that students acquire knowledge and skills that will help them to comprehend the workings of American democracy and of the society in which they live to enable them to contribute to that society as responsible and constructive citizens. To this end each campus shall provide for comprehensive study of American history and American government including the historical development of American institutions and ideals, the Constitution of the United States and the operation of representative democratic government under that Constitution, and the processes of state and local government. To qualify for graduation each student shall demonstrate competence by completing courses in the foregoing fields or by passing comprehensive examinations in those fields. Students transferring from other accredited institutions of collegiate grade, who have been certified by such institutions as meeting these requirements, shall not be required to take further courses or examinations therein. The Chancellor may institute such guidelines as may be appropriate for the administration of this section.

(b) The chancellor may grant exceptions to these requirements for major degree programs that are mandated by legislation to articulate with community college associate degree programs or that are limited by legislation to 120 total units.

(c) The president may grant exceptions to these requirements for high-unit professional degree major programs on a program-by-program basis.

(d) The appropriate campus authority may grant exceptions to these requirements in individual cases of demonstrable hardship.

Attachment B: Justification

4/15/11

**US HISTORY, CONSTITUTION, AND AMERICAN IDEALS**  
(“American Institutions” Requirement)

**40404**

**Statement of Reasons for Amendment of  
Title 5, California Code of Regulations, Section 40404.  
American Institutions Requirement**

This section requires campuses to provide instruction in United States history (including California history and local government), the Constitution, and American Ideals (“American Institutions”); and it requires students to demonstrate competence in these areas through successful completion of courses or by passing a comprehensive examination in these fields.

Provisions for exceptions to the Title 5 section on American Institutions are necessary so that the CSU policy and Title 5 regulations may conform to the requirements specified in state law (Education Code 66055.8 *Registered Nursing Program; Required Coursework* and Education Code 66746 the *Student Transfer Achievement Reform Act*—which we refer to as “SB 1440”). Exceptions are proposed also for high-unit professional degree programs and in cases of individual hardship, as these exceptions are allowed in Title 5 for CSU GE-Breadth requirements.

The proposed amendment would allow exceptions to Title 5 section 40404 for:

- (a) major degree programs that are mandated by legislation to articulate with community college associate degree programs in order to facilitate efficient transfer, or that are limited by legislation to 120 total units;
- (b) high-unit professional degree major programs, on a program-by-program, as in section 40405.4, which (a) allows for general education requirements; and
- (c) individual cases of demonstrable hardship, as section 40405.4 (a) allows for general education requirements.

These exceptions allow the CSU to retain its American Institutions requirement for bachelor’s degrees while still conforming to state laws established in 2008 and 2010. Similar Title 5 changes are not necessary for the California Community College associate degree requirements, as the community college system does not require instruction or demonstrated competency in American Institutions. Neither does the University of California system, as the content is required in California’s secondary public schools.

Attachment C: American Institutions Requirement, Title 5, Section 40404

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS  
TITLE 5. EDUCATION  
DIVISION 5. BOARD OF TRUSTEES OF THE CALIFORNIA STATE  
UNIVERSITIES  
CHAPTER 1. CALIFORNIA STATE UNIVERSITY  
SUBCHAPTER 2. EDUCATIONAL PROGRAM  
ARTICLE 5. GENERAL REQUIREMENTS FOR GRADUATION  
This database is current through 02/24/2006, Register 2006, No. 8.

**40404. Requirements in United States History, Constitution and American Ideals.**

The purpose of the following requirements is to ensure that students acquire knowledge and skills that will help them to comprehend the workings of American democracy and of the society in which they live to enable them to contribute to that society as responsible and constructive citizens. To this end each campus shall provide for comprehensive study of American history and American government including the historical development of American institutions and ideals, the Constitution of the United States and the operation of representative democratic government under that Constitution, and the processes of state and local government. To qualify for graduation each student shall demonstrate competence by completing courses in the foregoing fields or by passing comprehensive examinations in those fields. Students transferring from other accredited institutions of collegiate grade, who have been certified by such institutions as meeting these requirements, shall not be required to take further courses or examinations therein. The Chancellor may institute such guidelines as may be appropriate for the administration of this section.

Note: Authority cited: Sections 66600, 89030 and 89035, Education Code. Reference: Sections 66600 and 89030, Education Code.

HISTORY

1. Amendment filed 8-22-72; effective thirtieth day thereafter (Register 72, No. 35).
2. Amendment of NOTE filed 3-19-82; effective thirtieth day thereafter (Register 82, No. 12).
3. Amendment filed 8-6-82; effective thirtieth day thereafter (Register 82, No. 32).

Attachment D: SB 1440 Student Transfer Achievement Reform Act

**CALIFORNIA CODES**  
**EDUCATION CODE**  
**SECTION 66745-66749**

**66745. This article shall be known, and may be cited as the Student Transfer Achievement Reform Act.**

66746. (a) Commencing with the fall term of the 2011-12 academic year, a student who earns an associate degree for transfer granted pursuant to subdivision (b) shall be deemed eligible for transfer into a California State University baccalaureate program when the student meets both of the following requirements:

(1) Completion of 60 semester units or 90 quarter units that are eligible for transfer to the California State University, including both of the following:  
(A) The Intersegmental General **Education** Transfer Curriculum (IGETC) or the California State University General **Education**-Breadth Requirements.  
(B) A minimum of 18 semester units or 27 quarter units in a major or area of emphasis, as determined by the community college district.

(2) Obtainment of a minimum grade point average of 2.0.

(b) (1) As a condition of receipt of state apportionment funds, a community college district shall develop and grant associate degrees for transfer that meet the requirements of subdivision (a). A community college district shall not impose any requirements in addition to the requirements of this section, including any local college or district requirements, for a student to be eligible for the associate degree for transfer and subsequent admission to the California State University pursuant to Section 66747.

(2) The condition of receipt of state apportionment funding contained in paragraph (1) shall become inoperative if, by December 31, 2010, each of the state's 72 community college districts has submitted to the Chancellor of the California Community Colleges, for transmission to the Director of Finance, signed certification waiving, as a local agency request within the meaning of paragraph

(1) of subdivision (a) of Section 6 of Article XIII B of the California Constitution, any claim of reimbursement related to the implementation of this article.

(c) A community college district is encouraged to consider the local articulation agreements and other work between the respective faculties from the affected community college and California State University campuses in implementing the requirements of this section.

(d) Community colleges are encouraged to facilitate the acceptance of credits earned at other community colleges toward the associate degree for transfer pursuant to this section.

(e) This section shall not preclude students who are assessed below collegiate level from acquiring remedial noncollegiate level coursework in preparation for obtaining the associate degree. Remedial noncollegiate level coursework shall not be counted as part of the transferable units required pursuant to paragraph (1) of subdivision (a)

66747. Notwithstanding Chapter 4 (commencing with Section 66201), the California State University shall guarantee admission with junior status to any community college student who meets all of the requirements of Section 66746. Admission to the California State University, as provided under this article, does not guarantee admission for specific majors or campuses.

Notwithstanding Chapter 4

(commencing with Section 66201), the California State University shall grant a student priority admission to his or her local California State University campus and to a program or major that is similar to his or her community college major or area of emphasis, as determined by the California State University campus to which the student is admitted. A student admitted under this article shall receive priority over all other community college transfer students, excluding community college students who have entered into a transfer agreement between a community college and the California State University prior to the fall term of the 2012-13 academic year.

66748. (a) **The California State University may require a student transferring pursuant to this article to take additional courses at the California State University so long as the student is not required to take any more than 60 additional semester units or 90 quarter units at the California State University for majors requiring 120 semester units or 180 quarter units. Specified high unit majors shall be exempt from this subdivision upon agreement by the Chancellors of the California State University and the California Community Colleges and their respective academic senates.**

(b) **Community college transfer units shall not be applicable to upper division requirements at the California State University, unless agreed upon by the local Academic Senates of the California State University and the California Community Colleges and the transferred units do not exceed the required 60 semester units or 90 quarter units required pursuant to paragraph (1) of subdivision (a) of Section 66746.**

(c) **The California State University shall not require students transferring pursuant to this article to repeat courses that are similar to those taken at the community college that counted toward the associate degree for transfer granted pursuant to Section 66746.**

66749. (a) The Legislative Analyst's Office shall review and report to the Assembly Committee on Higher **Education**, the Senate Committee on **Education**, and the respective **education** finance budget subcommittees of the Assembly and the Senate in the spring of 2012, an update on the implementation of this article.

(b) The Legislative Analyst's Office shall also review and report to the Assembly Committee on Higher **Education**, the Senate Committee on **Education**, and the respective **education** finance budget subcommittees of the Assembly and the Senate, within four years of implementation of this article, on both of the following:

(1) The outcomes of implementation of this article, including, but not limited to, all of the following:

(A) The number and percentage of community college students who transferred to the California State University and earned an associate degree for transfer pursuant to this article.

(B) The average amount of time and units it takes a community college student earning an associate degree for transfer pursuant to this article to transfer to and graduate from the California State University, as compared to the



average amount of time and units it took community college transfer students prior to enactment of this article, and compared to students using other transfer processes available.

(C) Student progression and completion rates.

(D) Other relevant indicators of student success.

(E) The degree to which the requirements for an associate degree for transfer take into account existing articulation agreements and the degree to which community colleges facilitate the acceptance of credits between community college districts, as outlined in subdivisions (c) and (d) of Section 66746.

(F) It is the intent of the Legislature that student outcome data provided under this subdivision include the degree to which the California State University was able to accommodate students admitted under this article to a campus of their choice and a major that is similar to their community college major.

(2) Recommendations for statutory changes necessary to facilitate the goal of a clear and transparent transfer process, including whether this article should be made applicable to students transferring from community colleges to the University of California.

Retrieved from

<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=32913815003+0+0+0&WAIAction=retrieve>

3/28/11

Attachment E: Forwarded on behalf of the San Jose State University Academic Senate.

**SAN JOSE STATE UNIVERSITY**

**ONE WASHINGTON SQUARE**

**SAN JOSE, CA 95192**

**SS-S11-5, Sense of the Senate Resolution, “Resolution to Urge the Board of Trustees to Delay Consideration of Waivers to the Existing Title 5 ‘American Institutions’ Requirement”**

**Legislative History: At its meeting of April 18, 2011, the Academic Senate approved the following Sense of the Senate Resolution presented by Senator Peter.**

**SENSE OF THE SENATE RESOLUTION**

**“RESOLUTION TO URGE THE BOARD OF TRUSTEE TO DELAY CONSIDERATION OF WAIVERS TO THE EXISTING TITLE 5 ‘AMERICAN INSTITUTIONS’ REQUIREMENT”**

- Whereas, For decades the California State University has maintained a requirement (in Title 5 administrative law) for all CSU graduates to “acquire knowledge and skills that will help them to comprehend the workings of American democracy and of the society in which they live, to enable them to contribute to that society as responsible and constructive citizens” (Title 5 40404); and
- Whereas, An informed citizenry is necessary in American democracy, but mounting evidence shows that “most individual voters are abysmally ignorant of even very basic political information”<sup>111</sup>; and
- Whereas, The passing last Autumn of SB 1440—a measure designed to streamline transfers from the California Community Colleges to the CSU, has enabled the creation of “Transfer AA” degrees from the CCC system; the CCC system, however, refuses to include the Title 5 American Institutions requirements as a part of these newly created transfer degrees; and
- Whereas, The CSU Board of Trustees is considering changes in the Title 5 “American Institutions” requirement that will enable (but not necessarily require) the Chancellor, Presidents and “appropriate campus authorities” to waive the American Institutions requirement for certain majors and groups (called “the proposal” in this document); and

- Whereas, After a few weeks of informal conversations, the proposal was first publicly broached at an April 13 meeting with the CSU Presidents; this unfortunate time line has resulted in insufficient consultation to date with History and Political Science faculty and almost no time—in the last month of classes—for local Academic Senates and their curriculum committees to respond; and
- Whereas, The possibility of using the existing option of comprehensive exams in American Institutions to bring the CSU fully into compliance with SB1440 has not been fully explored now, therefore, be it
- Resolved, That the Board of Trustees should delay any consideration of Title 5 changes to the “American Institutions” requirement until the possibility of using the existing Comprehensive Exam option to bring the CSU into compliance with SB 1440 is fully explored with the help of the system’s Political Science and History faculty; we acknowledge that there may need to be procedural and/or policy changes in the administration of these exams but believe that the option could be of great promise in complying with SB 1440 without the need for a Title 5 change; be it further
- Resolved, The Academic Senate of San Jose State University reaffirms its commitment to the principle that all graduates of our institution should demonstrate an understanding of “American democracy and of the society in which they live” so that they may “contribute to that society as responsible and constructive citizens”; be it further
- Resolved, That the CSU should strongly consider the option of not recognizing transfer AA degrees that fail to allow the American Institutions requirement within the constraints of SB1440 degrees--as being too dissimilar to our own degrees; be it further
- Resolved, That the CSU should request that the Legislature amend “The Student Transfer Achievement Reform Act” (SB 1440) to clarify that American Institutions requirements should be fully maintained during the implementation of the law; be it further
- Resolved, That copies of this resolution be distributed to the Chancellor, to the Board, to the ASCSU, to all campus senates, and to the Chairs of all CSU History and Political Science Departments, the Assembly Committee on Higher Education, and the Academic Senate of the California Community Colleges.

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<sup>[1]</sup>See for example Ilya Somin, “When Ignorance Isn’t Bliss: How Political Ignorance Threatens Democracy” (Policy Analysis No. 525, September 22, 2004.) “In this paper I review the overwhelming evidence that the American electorate fails to meet even minimal criteria for adequate voter knowledge” (p. 2.) See also Andrew Romano, “How

Dumb Are We? Newsweek gave 1,000 Americans the U.S. Citizenship Test—38% failed. The country's future is imperiled by our ignorance," *Newsweek* March 28 and April 4, 2011.