

SAN JOSE STATE UNIVERSITY

Engineering Auditorium (rm189)

**Academic Senate
October 5, 1998, 2:00 p.m.**

MINUTES

I. Meeting was called to order at 2:10 and roll call was taken. All were present except Bain, Barba, Burak, Doordan, Gonzales, McNeil, Payne, Rascoe, Schmidt, G. Singh, Vanniarajan, and Veregge.

II. The minutes of September 14, 1998 were approved with corrections.

III. Communications and Questions

A. From the Chair of the Senate

The Chair made several announcements.

The Senate Special Committee on the Joint Library Project is co-sponsoring with Associated Students **Open Hearings on the Joint Library Project** to be held Wednesday, October 28, 1998 from 1 p.m. to 4 p.m. in the Student Union Ballroom. The committee will direct questions to a panel of experts and then questions will be opened to the university community. All students, faculty, and staff are encouraged to attend.

The Senate Half-day Retreat is November 16, 1998 from 11:30 -4:30 at the Phyllis Forward Simpkins International House on Eleventh Street. The focus of the Retreat is the Proposed Joint Library Project. Please mark your calendars and RSVP. Senator Gorney-Moreno is in charge for the organization of this retreat.

Loretta Mae, AOA for the Academic Senate Office, has resigned.

Lydia Rose, the temporary AOA, is willing to accept the permanent AOA position for the Academic Senate.

It is very difficult to hear everyone. It would be helpful to use the floating microphones so that all members of the senate may hear.

There were no questions for the chair.

Information Item was offered: Jonathan Roth was given the floor to Announce a Rally against the Proposed Joint Library Project sponsored by Save Our University Library (SOUL) in front of the Amphitheatre on October 14 from noon to 1 p.m.

B. From the President of the University

President Caret: On to the way to Executive Committee a couple of hours ago, a faculty member accosted me and asked me when I was going to be getting rid of the water in the walkway 2.58 Tm(7e>ywas94 .

Questions to the President:

Huebner: With respect to the renovating of the offices. Does this also affect those who don't have faculty offices and who are currently housed in classrooms with temporary dividers between them? And a related issue, I'm in the college of Humanities and the Arts and I recall several years ago that our college was asked to examine numerous plans or building schematics for the Humanities Building and then nothing seemed to happen with that. I was wondering if the resources for the library are drawing away from that and when we are going to be looking at things like adequate classroom space.

The President informed the senate that he had put together a committee to look at space management and ways the campus will grow in the next 10-20 years. We have a long-term plan that will be distributed when we come to a consensus on a draft of what the campus might look like. The day-to-day space issues can only be solved by changing views of space ownership and reallocation of underused university space to departments experiencing space crunches.

On the question of project priorities, the president explained to the senate that campuses compete for funds at the CSU level. Each campus is allowed one project per year for consideration. Twenty-three campuses put in twenty-three projects. Approximately 3 to 4 are funded at construction level. Any project on that list increases in priority if 50-70% of the funding is already raised. To keep one of our projects on the list to be funded is a constant challenge. If we could leverage other projects on that list, we would.

Senator Desautel asked about the off-site relocation and parking issues regarding the proposed joint library project. The president assured him that the forums will have people available who have answers to those questions.

Senator Roth asked a question about the alternatives to a joint library project with the possibilities of voters supporting and committing to educational improvement efforts and the notion of funding for an annex to Clark Library. The president explained that even with voter support and commitment to educational improvements through bonds, SJSU is still competing with other CSU campuses and a state-of-the-art facility like the proposed Joint Library is unlikely to get priority over other campuses when we have a library that could be described as sufficient. An annex to the existing library would not solve any problems, but would just delay the issue.

Senator Young said from his years of experience with past presidents, that President Caret was doing a good job.

Senator Young also wanted to make the president aware that the automated doors for disabled students many times are not activated early in the morning. The president was very concerned to hear this and asked VP Kassing to look into this problem. He also announced that there were detailed plans for physical accessibility and use and as well as programic accessibility, but they are still going through case by case. As budget money becomes available, we are putting more money into this area.

IV. Executive Committee Report

A. Minutes of Executive Committee: No questions on the minutes.

B. Consent Calendar

Three additions appointments were added by Senator Shifflett; Jan Johnston on SERB seat E; Juana Acrivos on SERB seat B, and Cynthia Llanes on Student Fairness Committee on the ex officio

Administration seat. There were no objections to those appointments.

C. Executive Committee Action Items: No action items to announce.

V. Unfinished Business: None

VI Policy Committee Action Items. In rotation.

A. Committee on Committees/Election Committee -- No report.

B. Professional Standards Committee -- No Report

C. Curriculum and Research Committee -- Pat Hamill standing in for Ann Doordan.

A.S. 1041 - Intellectual/Creative Properties -- Final Reading

Senator Hamill reminded the senate that this proposal was presented to the senate and then was taken back to the committee for some minor changes that were made. This policy was first presented by Serena Stanford.

Dr. Ibrahim, Acting AVP for Graduate Studies and Research, pointed out that the main changes were made on the phrase "a reasonable amount of time" to make it more standardized.

Debate on AS 1041: Senator Peter spoke in favor of AS 1041 describing how it simplified our policies and responded to the new issues that have come about from new teaching techniques and materials and was pleased that protections were in place in this proposal. Of particular mention was the base minimum for faculty at 50 percent of royalties.

Senator Novak also spoke in favor of AS 1041. Unless we had something in place, you would be dealing with things on a one-on-one basis, and this proposal seems to be the best way to handle issues on a university-wide agreement. This proposal would solve problems before they arise.

Senator Mesher was concerned with ownership issues since the 50% issue could potentially be a problem when selling the rights. Dr. Ibrahim underscored the point that this policy was a way to institute a way to deal with disputes. Senator Mesher pointed out that when someone has a majority of the rights, issues could be handled, but if the copyright was split 50/50 that problems could arise and probably should be given consideration. Dr. Ibrahim had no objection to a clarification there.

As a point of information, Senator Stacks asked if the minimum was 51 percent if that would

A.S. 1036 - Selection and Review of Administrators -- Final Reading

Senator Brent gave the history of this referral. Organization and Government Committee was asked to review the existing policies on the review of administrators and was asked to consolidate the four existing university policies and one presidential directive into a single policy and advise on improvements and or revisions. This is the third time this policy has been before the senate. During the second reading it was referred back to committee.

The committee sent out a survey to 76 faculty/staff administrators and individuals that have served on various review committees during the previous four years. Out of 76 a response rate of 53% was achieved. Through the survey, the committee found that there was not a whole lot of unhappiness with the existing policies. Criticisms tended to be idiosyncratic rather than systematic. Based on the findings of the survey, the O&G committee proceeded in two stages. First, they examined the language and adopted language that was similar to all three policies. Where the policies differed, they made choices. One early decision was to make procedures uniform from office to office. As a result the language was kept general except with the decanal search and review committees.

Senator Brent's presentation of the policy focused on "how the new policy differs from the existing policy" and "how the policy differs from when it was first presented to the senate." Senator Brent prepared and distributed a chart that compared the various policies. Membership on review committees is almost identical so no chart was presented on that variable. The new policy is more flexible in terms of membership. Decanal searches are included in this policy and are handled at the college level. Senator Brent's p2o6.0.

reasons therefore." There were no objections

The second friendly amendment is to add under I.3. Composition of Search Committee. The words "area of management responsibility" line four after the phrase "with respect to lower as well as upper faculty ranks." So that now reads after "Faculty, students, and administrators shall all be represented." "Consideration should be given to breadth of representation, with respect to lower as well as upper faculty ranks, area of management responsibility, and with respect to gender and ethnicity."

Senator Canziani inquired about the meaning of the change. Senator Brent responded that this meant that for each search, people who are in that area ought to be represented. There were no objections to the friendly amendment.

Senator Canziani asked where the job descriptions get constructed before the search begins. Senator Brent referred to the President. President Caret described the construction of current job descriptions as going through a process where each position has its own path. Usually a reviewing the current job descriptions occurs, what is going on in and around the system, and around the country is noted, and the committee takes that information, and a draft of the description is reviewed.

Senator Gorney-Moreno asked that with the change of the friendly in section I.3. under "Consideration" the inclusion of area of management responsibility, librarians would then be able to serve on these committees?

Senator Brent informed Senator Gorney-Moreno that even without that change they would be eligible to serve on those committees. Now the policy reads that consideration should be given specifically that they should serve on these committees. The committee would just assume that that would happen anyway.

Debate.

Senator Mullen offered an amendment (in writing) to add as the last paragraph under item I.3 to read "The search committee for a Library Director shall be composed of seven members: three tenured library faculty who are not department heads elected by and from the library faculty (but not more than one from any department); one Department head elected by and from the Library faculty; one library staff member elected by and from the library support staff; one tenured faculty member from the teaching faculty designated by the Provost; and one student, selected by the Provost from a list of five nominees submitted by the library faculty and library staff. And to also change sections I.4 by deleting "For all positions except decanal search committees" and replace it with "For all administrative positions, except college deans and the library director." (It was seconded.)

Senator Mullen explained that this change was necessary to guarantee that the library staff would be represented on the 20962621 and review committees just as teaching faculty are for college deans. The library is considered a professional unit of th

support of the senate on this amendment.

Senator Brent spoke against the Mullen amendment. In terms of procedure, a similar proposal to this amendment has already been voted down more than once by va

might be more reasonable, more similar to the status quo.

Senator Canziani followed up on what Senator Peter said. She did not support the quantitative aspect of the amendment, but did support the qualitative content of the amendment. Canziani was concerned that we have an inability to include staff in our policies and highly applauds the idea that faculty, staff and students shall all be represented.

Senator Hegstrom proposed an amendment to the Mullen amendment by striking the phrases "but not more than one from any department" and "one Department Head elected by and from the library faculty."

Questions:

Senator Canziani asked how this amendment affects the insertion of staff into all the AP positions as well, and was informed that it could be done through a separate amendment.

Senator Roth asked a question to clarify that the composition as still consisting of a majority of librarians.

Debate:

Senator Mullen offered a friendly amendment to the Mullen amendment of the Hegstrom amendment. "Three tenured faculty ~~who are not department heads.~~" It was accepted.

Senator Mullen supports the Hegstrom amendment to the Mullen amendment.

Senator Roth urged the senate to vote no on the amendment and rapidly vote no on both amendments. He focused on the nature of the library particularly if the Joint Library is built because we might be dealing with city librarians. He critiqued the notion of the library as an "outside" entity relative to the faculty. Respects the professional skills of the librarians, but the faculty and students should maintain control of the library. Move the question.

Senator Norton proclaimed a Point of Order -- speech was made before the motion.

Senator Roth withdrew his motion.

Senator Mullen commented on the change of the overall document and asked that the amendment not be confused with issues related to the Joint Library project. This is a procedure that will be in place for quite a few years to come.

Senator Hegstrom did not share with Senator Roth that the idea that a negative vote on this would send a message regarding the Joint library project and suggested that Senator Roth's comments had no connection to the amendment to the Mullen amendment. He urged the members of the senate just to address the question whether the change in language would make it a better amendment. Rather than trying to kill my amendment to the amendment on whatever your opinion is on the joint library. Senator Hegstrom stated that he respects Senator Roth's position on the library but wanted to separate that issue from the policy at hand.

Senator Stork called the question. It was seconded. Per voice vote, it was decided to close debate on the amendment to the amendment. A hand vote was necessary; the Hegstrom amendment to the

Mullen Amendment was defeated (18 to 16 and 1 abstention).

Senator Buzanski moved to close debate on the Mullen amendment. It was seconded. Per voice vote, debate was closed. A hand vote was necessary; the amendment was defeated (22 to 10 with 2 abstention).

Senator Canziani proposed an amendment related to the inclusion of staff. Section I. 3, second line, change to "Faculty, students, administrators, and staff shall all be represented." (It was seconded). Her argument was centered on the notion of staff as part of the internal community as opposed to the external community such as alumni and community representatives.

Questions:

Senator Mesher asked how does that affect the amendment?

Senator Buzanski asked if the first sentence was sufficient since it include staff but without the amendment.

Senator Canziani felt that it was not inclusive enough.

Senator Brent offered a friendly to edit the policy with the amendment to take out a section that would include staff. It was considered unfriendly and Senator Brent declined to offer it as an amendment. Senator Young asked Senator Brent why that last section was included in the first place. Senator Brent stated that the committee saw no reason why staff could not be included if it was appropriate for the search/review process. The question was called (through a voice vote). A hand vote was necessary and the Canziani amendment was defeated 18-7 with 5 abstentions.

Debate on the proposal AS 1036 now continued:

Senator Cook offered an amendment to include a majority of students for search committees regarding the AVP of Student Affairs. (It was seconded.) According to Senator Cook, the AVP of Student Affairs handles all the areas that deal with student affairs of the university. It is appropriate to have students constitute a majority on the search committee so that the students from different areas could bring in their expertise on the needs of their area.

Questions.

Senator Nellen asked if there was already a process in place

the Cook amendment and others like it counteract the goal of having one policy for the search and review process. Debate was closed. A voice vote was taken and the Cook amendment was defeated with 4 abstentions.

Arlene Okerlund
Lee Dorosz
AVP Morgan-Foster
Carol Wilson
Karen Yoshihara
Rita Karlsten
Lois Lund
Roulette Smith
Gloria Collins ia Collins
