

2009/2010 Academic Senate

**MINUTES
February 8, 2010**

I. The meeting was called to order at 2:06 p.m. and roll call was taken by the Senate Administrator. Forty-eight Senators were present.

Ex Officio:

Present: Kaufman, Lessow-Hurley,
Baker, Van Selst, Meldal,
Whitmore, Sabalius

CASA Representatives:

Present: Kao, Schultz-Krohn, Fee
Absent: Hendrick, Correia

Administrative Representatives:

Present: Selter, Lee, Najjar, Phillips

COB Representatives:

Present: Campsey, Roldan, Jiang

Deans:

Present: Parrish, Merdinger, Bullock,
Stacks

EDUC Representatives:

Present: Smith, Kimbarow

Students:

Present: Levy, Armendariz, Pulu
Gonzales, Orr, Starks

ENGR Representatives:

Present: Gleixner, Backer
Absent: Du

Alumni Representative:

Present: Walters

H&A Representatives:

Present: Desalvo, Brown, Brada-Williams, Fleck,
Van Hooff
Absent: Butler

Emeritus Representative:

Present: Buzanski

SCI Representatives:

Present: d'Alarcao, Hamill, Silber, McGee
Absent: McClory

Honorary Senators (Non-Voting):

Present: Norton

SOS Representatives:

Present: Ng, Heiden, Von Till
Absent: Lee

General Unit Representatives:

Present: Lin, Fujimoto
Absent: Sivertsen

II. Approval of Academic Senate Minutes–

The Senate minutes of December 7, 2009, were approved with one correction. Senator Brada-Williams pointed out that her last name was missing the “s” in “Williams” in the first line of Section II of the minutes. The Senate Administrator will make the correction.

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Kaufman welcomed senators back from the winter break.

Chair Kaufman announced that during the break the governor released his 2010-2011 California state budget. That budget included \$300 million of base funding returned to the

CSU System. However, there is a long way to go in that budget process, and it is yet to be seen

Questions:

Senator Baker asked if the president was certain of the date for the trip to Sacramento, because Associated Students is planning a trip on March 22, 2010. The president responded that there could be more than one trip planned, but he will double-check the date.

Senator Van Hooff asked if we were still going to limit enrollment to students in Santa Clara County, or are we going to open the enrollment up a bit. The president responded that we will be taking everyone that applied and was qualified from Santa Clara County, but the number accepted from other counties will be limited.

Senator Van Selst asked if there was a possibility of a restricted opening of enrollment for spring. President Whitmore and VP Phillips responded that this may not have been decided for spring of next year yet. In general though, they are not planning on doing that. There are three groups that are highest priority for spring 2011, assuming we can offer admissions. The three groups are transfer, credential, and graduate students. The number that can be admitted is not clear yet. There may also be a CSU system-wide decision about admissions for spring 2011.

IV. Executive Committee Report –

A. Executive Committee Minutes –

Minutes of January 25, 2010 – no questions.

B. Consent Calendar –

Vice Chair Von Till announced that there were several additions to the consent calendar. Patrick Hamill will be taking Mara Williams Senate seat for the college of science for spring 2010. Mara recently resigned. In addition, Kevin Starks is replacing Rob Montross as a student senator. Also, Mai Nguyen and Ted Griffith were added as students on the Student Fairness Committee. A motion was made to approve the consent calendar. The motion was seconded. The Senate voted and the consent calendar was approved as amended. Vice Chair Von Till noted that the Committee Preference Form is loaded on the Senate website under the “Forms” tab, and will go out to the campus in hard copy no later than March 22, 2010. In addition, spring Senate elections will soon be underway. The memo with vacant seats and the nominating petitions will be posted on the Senate website (under the Forms tab) as well as sent out to the campus in hard copy at the beginning of next week. Nominating petitions are due back in the Senate Office no later than Monday, March 1, 2010.

C. Executive Committee Action Items –

Senator Lessow-Hurley presented *AS 1432, Sense of the Senate Resolution, In Support of the Appointment of an California State University Academic Senate (ASCSU) Nominee as CSU Faculty Trustee (Final Reading)*. Senator Meldal presented a friendly amendment to change the last line of the 2nd Resolved clause to read, “trustee for the term that was to have begun July 1, 2009; and be it further.” Senator Kimbarow presented an amendment to change the word “urge” to “demand” in the first line of the 2nd Resolved clause. The Senate voted and the Kimbarow amendment failed. Senator Van Selst made a friendly amendment to change the 7th

line of the 4th paragraph of the Rationale to read, “dispute). Consequently, the faculty role in the governance of the CSU system has.” **The Senate voted and AS 1432 passed as amended with 1 Abstention.**

V. Unfinished Business - None

VI. Policy Committee and University Library Board Action Items. In rotation.

A. Professional Standards Committee (PS) –

Senator Backer presented *AS 1430, Policy Recommendation, Merger of Affirmative Action and Faculty Diversity Commi*

was correct that the nominees had to go through two elections now. Senator Backer responded that the dean runs the election and collects the faculty vote. The votes are separated into two categories, tenured faculty and lecturers. This is how the votes are submitted. The PS Committee did not change this procedure from the existing policy. The only change that the PS Committee made to this section of the policy is in the nominees. The committee felt that due to the number of things a chair is required to do that must be done by a tenured faculty member, the chair should be a full or associate tenured professor. Senator Sabalius then asked if the 2nd paragraph in Section IV could be the 1st paragraph, because he had totally misread the sequence in these two paragraphs to mean there were two elections. Senator Backer said, "I appreciate your comments. This is very helpful." Senator Sabalius then asked who would serve in departments that had no tenured full or associate professors. Senator Backer responded that the chair would be solicited from another department, or the department would have to do a search.

Senator Van Selst wanted to know the difference between an interim and acting chair. Senator Selter responded that interim is used for a position where there is no incumbent. Acting is used when there is an incumbent but they are gone, such as on sabbatical, etc. Senator Backer will ask the committee to consider defining interim and acting in the policy.

Senator Meldal commented that in the existing policy, elections and reviews of department chairs are run by the faculty. In the proposed policy, the deans have been injected into the procedure. Senator Backer responded that the PS Committee had followed guidelines provided by the Provost's Office on how the procedure should work. Senator Meldal commented that this did not explain why the process had been changed and these duties had been taken away from the faculty and given to the deans. Senator Backer responded that the committee discussed how elections were conducted in each department, and the procedures varied widely. The committee felt it was best to establish a policy with one procedure.

Senator Jiang commented that the reason for not having a lecturer or non-tenured faculty member as department chair was not only because he/she had to participate in the RTP process, but also to protect them during their own RTP process.

Senator Selter pointed out that the last paragraph of Section III calls for responses from the chair to be forwarded to the provost, but the 3rd paragraph in Section IV states that the vote tallies shall be communicated to the president by the college dean. This is inconsistent. Senator Backer thanked the provost for pointing this out and said the committee would review and correct these policy sections.

Senator Sabalius commented that the provost and president had their titles capitalized, but the deans, chairs, and faculty did not. Senator Backer said she would make a note of it.

Senator Kao asked why assistant professors were not included with full and associate professors. Senator Backer responded that this was to protect them from possible repercussions arising from participation in the RTP process when they go through the RTP process for themselves. Assistant professors still have two review levels to go through.

Senator Gleixner wanted to know if a chair technically reported to the dean or the provost.

Senator Backer responded that the chair reports to the dean.

Chair Kaufman wanted to know if he was correct that only full-tenured professors serve on the RTP Committee for someone going for full professor. Senator Backer responded that this was correct. Chair Kaufman then inquired about what would happen if the chair of the department was a tenured associate professor and was supposed to review someone going for full professor. Senator Backer responded that he/she would still do the chair's analysis, but would not serve on the RTP Committee.

Senator d'Alarcao commented that at two other universities he has worked at, the president appointed the department chairs. The faculty made recommendations to the president. These recommendations were made by private letter. It was mandatory that the faculty write the letters describing their opinion of departmental leadership, and indicating who they thought the next chair should be. Senator d'Alarcao's observation of the department chair selection process at SJSU has been that they are harmful to the collegiality of the departments. Senator d'Alarcao asked if the committee had considered changing the entire process to eliminate department elections altogether. Senator Backer responded that they had not considered it.

Senator Gleixner suggested that the committee consider having the dean appoint the chair, since the chair reports to the dean. Senator Backer commented that our current policy is that the president appoints, but the authority is delegated to the provost.

B. Curriculum and Research Committee (C&R) - No report.

C. Organization and Government Committee (O&G): No report.

D. Instruction and Student Affairs Committee (I&SA) –

Senator Gleixner presented *AS 1433, Policy Recommendation, Campus Sexual Assault Policy (First Reading)*. Senator Gleixner pointed out that SJSU has no existing Sexual Assault Policy, and that this is the driving force behind this policy resolution. The text of the policy doesn't establish any new procedures. The policy reinforces the Chancellor's Executive Order and existing state and federal law that we are already adhere to on campus.

Questions:

Senator Lessow-Hurley asked if the committee would consider changing, "Resolved that" to read, "Resolved that the following policy be adopted:".

Senator Heiden commented that she was unsure how the university could be, "committed to supporting a healthy sexual and social climate," and asked if the committee would consider rewording the whereas clause. Senator Gleixner responded that she would bring it back to the

Senator Stacks inquired if the committee had considered that sexual assault is not about the lack of a healthy sexual behavior, but another type of behavior. Senator Stacks suggested that

Senator Sabalius asked whether the committee would consider splitting the first whereas clause into two whereas clauses, given the comments from Senators Van Hooff and Orr. There would be one whereas clause that addresses assault, and another that addresses healthy sexual behavior.

Senator Desalvo asked the committee to consider making this two separate policies. One policy would address only sexual assault and other violent behavior, and the other policy would address a healthy sexual environment.

psychological. Another category that CAIT has seen is disruptive behavior. It's not threatening behavior, but behavior that disrupts the classroom.

The outcome of many of the cases has been a referral to Debra Griffith, Director of the Student Conduct and Ethical Development Office. Director Griffith has a number of options, e.g. probation, mandated counseling, or sanctions. VP Veril Phillips can also authorize a temporary

Senator Parrish asked how to tell the difference between someone that is just odd, and someone that will go off. Director Thames commented that you can't prevent all incidents, but if you can surface some of the issues and get help where you can, you can prevent some of the incidents from happening. AVP Jaehne commented that Director Thames went to CAIT training and learned that SJSU is really well prepared in terms of organization, reporting mechanisms, and

AS is currently soliciting nominations for the AS 55 Awards. Nominations are due in the AS Office by this Friday.

AS has a number of events planned for students this spring including the Battle of the Bands, Snow Day, and the Trash and Fashion Show that coordinates with Earth Day.

C. Vice President for University Advancement –

VP Najjar made the following announcements:

VP Najjar has been elected Chair of the VP for Student Affairs Search Committee. The committee will be holding their first meeting on Wednesday, February 10, 2010. A website will be created to keep faculty posted.

Dr. Gwendolyn Mok conducted a concert for Haiti relief yesterday. The concert was very well received.

VP Najjar welcomed Senator Sheryl Walters. Senator Walters is an alumni of SJSU, and her connection with SJSU goes back 35 years. Senator Walters' husband was the chair of the Music Department for many years.

The president's op ed piece was a major success. It had a very strong impact and the president will continue to do other op ed pieces.

VP Najjar will be making a presentation on the capital campaign at the April Senate meeting, if time permits.

D. CSU Statewide Senators –

Senator Van Selst made the following announcements:

A resolution was passed by the ASCSU asking the Board of Trustees to pursue adoption of a 2nd Faculty Trustee to ensure we will always have someone in line to be Faculty Trustee to ensure the current situation doesn't happen again.

Another resolution was presented in support of reinstating Research Scholarship and Creative Activities Awards. The thought was that this is such a small amount of money in terms of the overall budget that it made sense to support it.

Another issue before the CSU Statewide Senate involves revisiting campus-based program suspension and elimination policies. This does not appear to be a problem at SJSU, but on many campuses program suspension has become a major issue.

Funding shortfalls and the impact on transfer students was another topic of discussion. Again, this does not appear to be a problem at SJSU, but is at other campuses. The issue here is that where we have fully qualified and eligible students that could start right now they cannot apply until October, and they cannot come in for another year and a half.

This huge lag is going to delay a lot of people's education. The ASCSU is looking at what can be done in terms of enrollment management.

The Ph.D. in Physical Therapy plan has been put on the back burner for now, and enrollment management was an issue for a number of resolutions.

There are a number of campuses where a lecturer that was elected to the CSU Statewide Senate lost out on their eligibility, because their CSU Statewide Senate release time did not count towards their eligibility for future courses. This is an internal issue that the ASCSU is looking at.

There was a huge uproar over training the presidents were given on how to bypass opposition. This training appeared in a presentation by consultants hired by the Chancellor's office to help with improvements in graduation rates. The ASCSU was not thrilled with the examples used in that presentation.

Beall's Assembly Bill 440, as written, eliminates the ability for a real transfer degree. What the ASCSU would like to see happen, is for the community colleges to be given authority to say here is a 60-unit program with general education in it, and present it as a transfer degree. That way every unit counts towards the baccalaureate education. The issue here is that a few years ago the Academic Senate for the community colleges discovered these degrees, and now there are requirements that any associate's degree have 18 units of related studies, and no program has 18 units of lower division as part of the major. There is tension here because we don't want to tell the community colleges they have to offer this, but we want those community colleges where it does exist to continue to be able to offer the degree. Beall's current community college transfer student bill prohibits those transfer degrees that facilitate bachelor's degree completion.

The ASCSU had a taskforce that looked at the Collegiate Learning Assessment (CLA) tool and said that of the three alternatives the commitment to the voluntary system of accountability has given the Senate, the CLA is okay. However, they want to do it every three years, but the Chancellor has mandated that every campus will do it every year. Also, there is still no control over who gets selected to take the CLA, and what the rewards are.

E. Provost –

The Provost welcomed senators back and invited them to two upcoming events this month. First, on Tuesday, February 23, 2010, Nobel Laureate Joseph Stiglitz will be giving a presentation in Morris Daily Auditorium at 5 p.m. The second event is the University Scholars Series. The first scholar talk will be on Wednesday, February 24, 2010, at noon, in the MLK Library, 4th floor. Dr. Elizabeth Weiss of the Anthropology Department will be presenting.

Provost Selter gave a brief update on the mandate from the Chancellor's Office to improve graduation and retention rates. SJSU had to submit a draft plan for increasing graduation and retention rates by December 25, 2009. SJSU is tasked with increasing

graduation rates by 9 percentage points. Our current six-year graduation rate is about 42%. Our goal is to increase graduation rates for underrepresented minorities by 12% and 8.6% overall. The Provost put together a team to work on the plan, and the draft was submitted to the Chancellor's Office on December 18, 2009. Monthly reports to the Chancellor's Office are required by both the Provost and the President. We are focusing on improvement of advisement, especially for the lower division. The draft was returned to us in January, and we were told to add a narrative and to resubmit it by February 26, 2010. The entire plan will be put on a website on this campus where faculty, staff, and students can provide feedback.

F. Vice President for Administration and Finance – No report.

X. Adjournment – The meeting adjourned at 4:35 p.m.