

SAN JOSE STATE UNIVERSITY

Engineering 285-287

**Academic Senate
November 30, 1998, 2:00 p.m.**

MINUTES

- I. The meeting was called to order at 2:06 p.m. All were present except Barba, Brent, Burak, Canziani, Constantin, Doordan, Edgar, Green, Katz, Novak, Van Hooff, and Wall
- II. The minutes of November 2, 1998 were approved with corrections.
- III. **Communications and Questions**

A. From the Chair of the Senate

The Chair reminded senators that comments, complaints, etc., should be directed to the Academic Senate Office and not to individuals who hand deliver mail. She described the time constraints involved in constructing senate agenda packets and assured senators that every effort is being made to provide materials as soon as possible for senators to review prior to senate meetings.

A sub-committee of the Executive Committee is currently developing a draft of the response to Academic Vice Chancellor David Spence on the Cornerstones Implementation Plan. Presentation to the senate is scheduled for December 7th, however, because of the time factor, it may not be included in the packet, but every effort is being made to make it available prior to the meeting.

The Curriculum and Research Committee is currently compiling feedback and producing a campus report on globalization -- also scheduled to be presented on December 7th.

The Chair concluded her statement with several comments on the importance of collaboration in getting so many projects completed in such a short amount of time.

B. From the President of the University

President Caret brought to the attention of senators, the gift of \$1 million by Stanley Wang, CSU Trustee, to the CSU system. This donation was made to recognize and reward outstanding faculty and administrators. The money will not go to an endowment, rather the Stanley Wang Recognition Award will grant each year, for 10 years, four faculty and one administrator \$20,000. President Caret has been asked to nominate four faculty and one administrator by January 20th. The Executive Committee discussed this award. Guidelines on selecting nominees will be developed.

While at a conference in San Francisco, President Caret received a draft of a project Chancellor Reed is currently working on entitled "Facing Change: Building a Faculty of the Future." This document will be formally presented. For now, President Caret stated he would make a draft of that project available to the senate office for those senators who are interested. According to President Caret, it is an interesting document.

IV. Executive Committee Report

A. Minutes of Executive Committee

The minutes of Executive Committee were presented to the senate. Senator Norton suggested modifying the wording of the description of the working committee to the sub committee of the

Executive Committee on the Cornerstones Implementation plan.

B. Executive Committee Action Items

AS 1052 Sense of the Senate Resolution on the Collective Bargaining Impasse

Senator Nellen presented AS 1052 for the Executive Committee informing the senate that twenty of the CSU campuses have passed similar resolutions. She briefly highlighted several points that were unique in this resolution as compared to the other campus resolutions. Of particular interest, Senator Nellen focused on the cost of living issue and presented the senate with a comparison cost of living expenses based on housing costs for LA, Sacramento, and San Francisco with the San Jose area having the highest cost of living.

The Executive Committee offered three friendly amendments, the first asked to change the date to November 30, 1998. The second friendly amendment was to combine the first resolve into the second resolve and reword the second resolve to include both CSU and CFA. The third friendly amendment offered was to change "close" to "resolve" in the fifth resolve clause for accuracy.

Senator Meshner suggested three friendly amendments. The first was to substitute "address the salary gap" with "close the salary gap." The second amendment was to reword number 2 in the second resolve clause to read "provide an SSI for all eligible faculty at 2.4%." The third amendment was to change "also consider" to "consider also."

A vote was taken and the resolution passed unanimously.

V. Unfinished Business

A.S. 1050 Class Scheduling (ISA)

Senator Veregge began the presentation of AS 1050 by giving a brief history and the extensive work of two committees (Improvement of Instruction, and Instruction and Student Affairs) with regard to class scheduling. According to Senator Veregge, the new policy would allow for MWF classes without mandating it. From the committees' extensive research, including a survey of students and faculty, a significant number of students and faculty preferred two-day a week classes over three. Some pedagogical evidence exists that suggests that students learn more on the two-day schedule over the three-day schedule. In comparing current policy and proposed scheduling policy, Senator Veregge showed how more equivalent classroom use could result with the new scheduling policy. Another benefit of the new policy would be the bonus of scheduling three-hour classes on Fridays. Senator Veregge described the Phase I and Phase II portions of scheduling. If the new policy went into effect, the policy would apply to both phases: Phase I would only apply to the college and Phase II would be for those outside of the college.

Senators Norton, Hamill, Buzanski, Young, Hegstrom, Gorney-Moreno, Sree Harsha, Meshner, McNeil, and Nuger asked questions. Senator Veregge and members of the committee addressed each of their concerns.

At 3:00 p.m. Chair Stacks informed the senate of the time certain for AS 1053. Senator Stork asked to waive the rules and give ISA an additional half-hour to finish questions, debate and vote on AS 1050. Her reasoning centered on the fact that this proposal has been held back a number of times and she believed that an additional half-hour would suffice to bring this proposal to vote. A voice vote was taken -- the outcome was not apparent. A count was then taken, and the motion to waive the rules and grant ISA additional time to complete presentation of AS 1050 was approved (17 to 10).

No other questions were presented so AS 1050 was moved to debate. Senator Peter stated that the years of research the two committees have put into this proposal was extensive and believed that this policy should be tried. Senator McNeil offered a friendly amendment to the first sentence in the second paragraph of number two to read "If a department chooses to offer three-unit classes on a MW-TR schedule ~~it~~ its college must offer at least one three-unit Friday class for every 10 three-unit classes offered on MW-TR." Senator Cook echoed Senator Peter's comments and added that this policy would be a benefit to students and faculty. Senator Hamill, concerned with going to a four day work week, offered a friendly amendment to drop the second whereas clause because he did not believe there was sufficient evidence to support the notion that the two day a week classes was pedagogically more sound than three. Senator Pearce regarded it as unfriendly and the motion was withdrawn. Senator Young exclaimed his support of the policy. Senator Stork stated that she was aware of the concerns of going to a four days a week schedule, but believed that allowing the option of offering three hour classes on Fridays, especially for graduate students who do not prefer night classes were advantageous in that it provided more flexibility. Senator Roth echoed Hamill's concern and stated he remembered going to classes on Saturday. Senator Roth believed that this type of scheduling could alleviate parking problems. Debate was closed and a voice vote was taken. The proposal passed unanimously.

VIII. Special Committee Reports (Time Certain 3 p.m. moved to 3:30 p.m.)

A.S. 1053 Library Policy (Senate Special Committee on the Joint Library Project)

The chair informed the senate that according to Standing Rule 9B, "Any person may address the Senate on a particular agenda item by invitation of the Executive Committee or by permission of the Chair prior to the call to order." She introduced three guest speakers, Professors Bruce Reynolds, James Walsh, and John Engell.

Professor Bruce Reynolds opposed the proposed Joint Library between SJSU and the City of San Jose. He presented to the senate a listing of the faculty and staff signers of the following petition, broken down by College, Department, and rank. He also presented to the Chair a list of 290 faculty and 160 staff signatures on petitions that stated:

Save Our University Library: We urge the Academic Senate to vote NO on the Joint Library Proposal.

This fall the University's Academic Senate will vote on a project which, if implemented, would dramatically impact the lives of every San Jose State University student, staff and faculty member. The Academic Senate established guidelines for the joint library (SS-S8-1, AS 1048) (sic) but these have been virtually ignored and the principles designed to protect the Library have not been considered. Students, faculty and staff have raised many questions on the possible dangers to SJSU's academic environment. These include competition for library materials with potential 800,000 new patrons, including local high school and college students, and increased noise, vandalism and security problems. These possibilities have not been adequately addressed in a headlong dash by the San Jose Redevelopment Agency to push the project through. The project, as presently planned, represents a virtual take over of our library by the city. The risks far outweigh any possible benefit to the University. The present project gives the city virtually everything and retains little for the University. In addition, less expensive and more effective alternatives to the joint library project have not been discussed at all.

President Caret has publicly agreed to abide by the decision of the Academic Senate on this project will proceed (sic). We, the undersigned faculty and staff, urge the Academic Senate to vote NO on the joint library project.

He then presented to the Chair a list of 3165 student signatures on petitions that stated:

We, the undersigned students of San Jose State University oppose the construction and merger of the San Jose State University Library with the San Jose Public Main Library for the following reasons:

1. The SJSU Library collection has been accumulated with state funds and student fees for the specific purpose of supporting the academic mission of the university, not for the free use of the general public.
2. A merger would force SJSU students to compete with the general public for access to the materials and the library staff assistance needed in completion of assignments and research projects.
3. The increased traffic in a merged library would lead to more books being lost, stolen, damaged or improperly shelved.
4. The increased operating hours and greater number of people on campus would pose risks to the personal safety of students, especially women.

Professor Walsh supported the proposed joint library and presented his current research findings on the history of San Jose State from 1964 to the present. He presented to the senate several findings:

- The best buildings and best facilities have required non-State funding.
- The physical planning processes and accompanying bureaucracies (campus - system - state) do not allow new San Jose State buildings to materialize without substantial-to-full non-State funding.
- New State-funded buildings have ranged in quality from grossly inadequate to adequate. Their number has been few, and their construction infrequent.
- Buildings with non-State support have been the exact reverse.

Professor Walsh also asked the senate to reconsider its relationship with the community. From his historical study of the campus, he stated that the SJSU has not done much in the past to foster good community relations. His letter written to the Executive Committee, outlining his findings was circulated to the senate.

Professor Engell urged the senate not to pass the joint library resolution. He circulated his statement to the senators in which he addressed four topics to make his argument. He believed that the library is a curricular matter, that the negotiation process between the university and the city was flawed, that departments, faculty, and students would suffer from such an arrangement,

and faculty and institutional collegiality would suffer.

Senator Peter, as representative for the Senate Special Committee on the Joint Library Project, presented AS 1053 to the senate. He gave a brief history of the project. He explained that the complexity and detail of the proposed policy was essential for a project with unknowns, in order to reduce the risk to all parties concerned, and to make the joint library project workable. Senator Peter explained that the policy was limited to the scope of the academic role the senate plays in policy recommendation. He urged senators to email or bring in suggestions to the senate office for consideration during this process of developing a policy recommendation. Senator Peter then went through AS 1053 (Revised 11/30/98), section by section, and gave the history and rationale for inclusions and strikeouts from the original draft proposed. From discussions and feedback from librarians, senators, and members of the Executive Committee, it was believed that Section 2.6 and 2.7 would likely go as a referral to Organization and Government Committee.

Senator Peter stated that developing a library policy with specified procedures now would reduce the number of problems that might arise later. During the five years it would take to construct the new building, it would give the University the opportunity to track collection usage. The collection should be subjected to an audit prior the moving of the collection into the new facility as a tool to better judge security issues and current losses in our collection. Senators need to be sure that we have a policy in place that supports the academic mission.

The floor was then open for questions. Senator Mullen referred the senate to a handout in their packet from a number of librarians with their concerns on AS 1053. Their concerns included the short timeline for librarian response to the proposed policy, governance issues, possible technical difficulties in the implementation of the policy, the legality of certain sections of the policy. She then presented the senate with a three-page handout of questions. She reminded the committee that the policy should have a cover sheet with names of participants, the recorded vote, and the estimated financial impact of the proposal. A series of questions focused on why Organization and Government were excluded from the review of the Library Committee.

Senator Peter explained that the Chair of Organization and Government had been informed about the policy and that those sections of the draft policy could be referred to them with the charge to deal with increasing the number of library faculty on the committee. The suggestion to make the Library Committee a special agency would allow it to bypass Curriculum and Research Committee (which normally has Library Committee members present their proposed policies to the senate since all policy on the library has arisen from the Library committee, not C&R).

Senator Mullen, referring to the newly constituted Library committee, asked for the rationale in assigning a 14-member committee to manage the Academic Library. Senator Peter replied that the committee was not meant to "manage" the library but rather to serve to "advise" the University Library Director. The first draft has been modified (see Section 2.7) to reflect this emphasis. The recommendation of the size of the Library committee was to have it be as low as possible, identify appointed students by title (with the intent to improve student participation), and that the selection of teaching faculty members could be modeled on the BOGS (Board of General Studies) organization. (Applicants willing to serve on BOGS are reviewed by the Executive Committee, recommended to the senate and approval by the senate.) It was pointed out that if the proposed Library Committee decisions were found to be faulty, the University Library Director or Provost could reject their advice and that a revision clause could be introduced in Section 9. Senator Mullen took issue with whether the Senate Special Committee on the Joint Library has deviated "from the Senate's original objective." It was the committee's

opinion that the committee has not deviated from the original charge of the Senate and she was referred to the two previous resolutions on the matter. Senator Peter stated that the Operating Agreement also includes a guarantee that University Library policy can be crafted. It was the committee's recommendation that the policy recommendations be in place (via AS 1053 in its final form) prior to the acceptance of the joint library project by the Senate. The policy was meant to be implemented immediately (but not every clause) in order to set in motion clauses in section 9 which set time lines (transition dates) for various processes to take place. Senator Mullen asked if it would be useful to include an "escape clause" if the University and City terminate talks? The response was that certain sections in AS 1053 would then cease to function. Lastly, Senator Mullen wondered about whether the proposed policy actually was a policy on the "management" of the library. It was pointed out that the Library Committee and the Senate are advisory only -- not management -- and that that advice would relate solely to the academic mission of the Library. She asked for a reevaluation of Section 2.1.1 with the documents in the AS handbook appendix and whether it should be rewritten.

Senator Young congratulated the President and the Mayor. Referring to the insinuation that librarians may be in a better position to develop library policy, Senator Young asked about the professional experience librarians have in developing policy. Senator Peter suggested that it was the Academic Senate that was vested with the authority to develop policy "recommendations".

Senator Mesher asked if section 3.1.5 (which states that when there is an urgent need, a member of the Library staff will ask the individual who has the material if they were willing to return it immediately) was in direct contradiction to 4.2.2 (which describes a recall period for materials needed by other users).

Senator Peter did not see those sections as contradictory and proceeded to describe the two different procedures used by the university and the city libraries for the different users. The university library uses a recall system. Any student or faculty may recall checked out materials however, the city library uses a waiting list system. Senator Mesher also pointed out that periodicals currently circulated to faculty for three days (not 1 day). He stated that if the senate adopts a gradual phase-in, it would be indirect conflict with the Operating Agreement

Senator Mesher then asked if we restricted access of the university collection from the users of the city library initially and then gradually opened our collection (to what could potentially be all members of the county), would we be in violation of the MOU. Senator Peter referred the question to the Lawyer, Adam Elsesser. Mr. Elsesser stated that after nine months of negotiations if the collection were not initially open to city library patrons, the city would most likely not continue the negotiations.

Senator Roth asked follow-up questions to Senator Mesher's questions and asked if the committee was going to make it clear that SJSU does not have the option of restricting access initially to the users of the city library.

Senator Bain described some core issues of concern from the beginning of negotiations. The city's interest is having access to the collection while SJSU's interest is in protecting the academic mission of the library. She went on to describe the mechanisms that are being proposed to protect SJSU's interests and the steps that are being developed to restrict access if needed. She asked if we were to limit circulation initially, how do we gradually phase-in, and how is a circulation problem identified?

The issues the team of negotiators is currently grappling with are ways to identify problems and gradually phase in restricted circulation. One strategy is extending borrowing privileges for faculty and staff.

X. Adjournment

The meeting was adjourned at five o'clock.

No Consent Calendar Presented

Send comments or questions regarding this Senate Web site to

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