

2016/2017 Academic Senate

MINUTES
April 10, 2017

I. The meeting was called to order at 2:05 p.m. and roll call was taken by the Senate Administrator. Forty-five Senators were present.

Ex Officio:

Present: Kimbarow, Van Selst, Lee,
Sabalius, Perea

CASA Representatives:

Present: Schultz-Krohn, Shifflett, Grosvenor, Sen, Lee
Absent: None

Administrative Representatives:

Present: Faas, Papazian
Absent: Blaylock, Feinstein,
Wong(Lau)

COB Representatives:

Present: Reade, Rodan
Absent: Campsey

Deans:

Present: Stacks, Jacobs, Green,
Schutten

EDUC Representatives:

Present: Mathur, Laker

Students:

Present: Spica, Tran, Torres-Mendoza
Absent: Balal, Caesar

ENGR Representatives:

Present: Chung, Hamedi-Hagh

Alumni Representative:

Present: Walters
Absent: None

H&A Representatives:

Present: Frazier, Grindstaff, Ormsbee
Miller, Khan, Riley

Emeritus Representative:

Present: Buzanski
Absent: None

SCI Representatives:

Present: White, Cargill, Boekema
Absent: Kaufman

Honorary Representative:

Absent: Lessow-Hurley

SOS Representatives:

Present: Peter, Wilson, Trulio, Hart

General Unit Representatives:

Present: Matoush, Higgins, Trousdale,
Kauppila

II. Approval of Academic Senate Minutes—

The minutes of March 13, 2017 were approved as written (45-0-0).

III. Communications and Questions –

A. From the Chair of the Senate—

Chair Kimbarow announced that the Board of Academic Freedom and Professional Responsibility (BAFPR) is holding a Freedom Forum on April 12, 2017 in MLK 225 from noon to 1:30 p.m. Senators were encouraged to attend.

The President's Inauguration Ceremony occurs on May 4, 2017 at 9:30 a.m. on Tower Lawn. Regalia for faculty is being paid for by the university.

Chair Kimbarow reminded Senators that the new Senate takes over on May 15, 2017 and he urged Senators to consider running for one of the Senate Officer positions. The election for these seats will be on May 15, 2017 from 4 p.m. to 5 p.m. during the first meeting of the 2017-2018 Academic Senate.

B. From the President—

President Papazian spent last week with our Alumni Team in New York and Washington D.C. These were some pretty extraordinary alums. It was great to see that kind of Spartan pride clear across the country.

President Papazian is aware that some people are still concerned about safety issues. The President made a pledge in the fall that she would share incidents with the campus and has kept that pledge. The campus has issued more alerts, and VP Faas continues to work on implementing the safety plan. However, we need to be aware of our surroundings and we all need to work together.

The President encouraged Senators to attend the Inauguration and to participate in the events that lead up to it. It is a great celebration that represents the values we all share.

The President urged Senators to wear their regalia at commencement. Commencement is really about the students. The students care about the faculty that impacted their lives and want to see them at the ceremony. The President asked why Commencement is on Memorial Day weekend and no one knew why. The President asked if anyone wanted it on Memorial Day weekend and no one wanted it on that weekend. The President said she would be looking into changing the date of the event. The President will also be looking into condensing the activities surrounding Commencement. Right now it takes a month to six weeks and that is really drawn out. The President will look about how we can do it in a way to honor the university, but also allow students to walk across the stage and be recognized.

President Papazian will be leaving a little early today in order to meet with the Mayor. They will be go over some things such as the Farmer's Program and how San José State could be involved in that in terms of providing pipelines for San José students. They will also be talking about the library and some of the ways the library could be reorganized to have space for the public and students.

IV. State of the University Announcements. Questions. In rotation.

A. Vice President of Finance and Administration – No report.

Questions:

Q: There are labels on all the furniture in the hallways in Clark Hall again for removal. I thought that had been resolved.

A: The Fire Marshal has inspected and for safety reasons we cannot have benches in the hallways. We are looking for ways to address the needs of faculty that have students wait a while to see them. On the fourth floor there are some areas where

seating is possible and FD&O is working on that.

B. Vice President for Student Affairs – Not present.

C. Associated Students President –

On March 1, 2017 students had a walkout to protest the tuition increase. On March 21, 2017 a smaller group of students again had a walkout to protest the tuition increase, and then went to Long Beach, CA to the Board of Trustees meeting. Students are really looking for a sustainable model for free public education similar to what is being done in New York. It is not that students want to decrease the quality of education. Students just want to work for free public education. Sometimes there are some misunderstandings between students and faculty about these issues, but the biggest push is to get free public education for all.

From 5 p.m. to 7 p.m. today (April 10, 2017) AS is having debates for the incoming student government. Right after that voting will commence and close on April 13, 2017 at 8 a.m. The new board will be announced at noon on April 13, 2017.

The Spartan Showcase will be held on April 19, 2017 in the Student Union. This event will showcase all the work done by student organizations that receive funding through student fees.

AS has \$82,000 in scholarships to award and applications will close on May 1, 2017.

AS will be hosting a "Diversity Day" on April 27, 2017 from noon to 3 p.m. in the 7th Street Plaza.

On May 2, 2017, AS will send a few students to Sacramento to lobby against student tuition increases and also lobby for increased funding.

Other than these things, the AS Board is focusing on transitioning in the new Board of Directors.

Questions:

A member requested that Chair Kimbarow forward Senators the information on the AS Scholarships when he sends the recap of events from this Senate meeting out to all faculty. That way faculty can share with their students.

D. Chief Diversity Officer (CDO) – No report.

E. CSU Statewide Senators –

The Academic Senate California State University (ASCSU) met on March 16-17, 2017. Several resolutions were passed including a request that we stop using

equivalencies for Intermediate Algebra, support for the \$48 fix reclaiming California's Master Plan for Higher Education, support for graduate education in the CSU, and support for CSU Deferred Action for Childhood Arrivals (DACA) students. The ASCSU also adopted positions on numerous legislative actions. The ASCSU also passed a resolution opposing President Trump's Executive Orders on travel.

The final thing discussed was the Chancellor's Office policy on Intellectual Property. There was a lot of consternation and concern from the faculty on the ASCSU. The ASCSU and campuses were given a 60-day deadline for responses to the proposed policy. The ASCSU was able to get a two-week extension to that so responses are due in 74 days. According to the Chancellor's Office, Intellectual Property is something that is subject to bargaining only and faculty should not have input into it unless they are sitting at the bargaining table. The ASCSU doesn't quite feel that way about it. Senator Lee highly recommends that all Senators read the proposed Intellectual Property policy.

F. Provost – No report.

V. Executive Committee Report –

A. Executive Committee Minutes –

EC Minutes of March 6, 2017 –

EC Minutes of March 20, 2017 –

Senator Van Selst commented that the minutes were a little sparse. Chair Kimbarow said he would look into it. [Senator Van Selst mistook the agenda for the minutes.]

Senator Buzanski expressed concern about the second paragraph from the end of page 1 on the March 20, 2017 minutes. There is a statement that says, "This is where a new VP of Research and Innovation position could be very helpful in moving along these type of issues." In the last 20 years, the number of top level administrators has increased phenomenally while at the same time the ratio of faculty to FTEF has declined. In other words, fewer faculty are teaching more students than ever before. There are many good arguments on behalf of why we have administrators, but the question is whether some monetary savings might be accomplished by having lower level MPPs handle some of these things. President Papazian responded that we have struggled to maintain the numbers of faculty we need to have. It isn't a matter of one or the other, faculty or administrators. The President is 100% committed to increasing the faculty. However, we need to be thoughtful and strategic and really look at whether a position is really needed. Perhaps if we were in a different location this position wouldn't be needed, but we are in Silicon Valley and surrounded by global business and industry and world class research is going on. If we decide to go in this direction it will be because there is a strategic benefit for that particular position.

Senator Rodan asked if it would be possible to have consultation with faculty before

these positions are created instead of afterward? President Papazian responded that consultation had already begun with faculty on the Executive Committee. However, positions are a management decision to achieve certain ends and there has to be accountability etc. When it is a position that has tremendous synergy with faculty it is only wise to get faculty input. The President is having these conversations and will continue to have them with the Executive Committee and faculty, but ultimately she must make the decision on how to structure the university to achieve our goals. President Papazian commented that SJSU is quite lean when it comes to the numbers of MPPs as compared to other institutions, but we are a campus of 35,000 students and the second largest research enterprise in the CSU so we must make sure that is supported, because there are implications if you don't treat that right in terms of federal law and expectations. Senator Peter suggested that what might be helpful is to see the statistics comparing our MPPs to our faculty numbers.

B. Consent Calendar –

There was no dissent to the consent calendar of March 13, 2017.

C. Executive Committee Action Items: None

VI. New Business – None

VII. Unfinished Business: None

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

A. Curriculum and Research Committee (C&R) –

Senator Mathur presented *AS 1651, Policy Recommendation, Research, Scholarship, and Creative Activity (RSCA): Advisor-Student Relationship, Sponsored Projects, and proprietary RSCA and Issues of Confidentiality (First Reading)*.

In reviewing S94-8, which is our current 23-year-old policy on RSCA, we noted that many provisions of the policy are outdated. There are three main areas where the policy is outdated. First, the sources of funding that are delineated in S94-8 are no longer available, have been renamed, or have been allocated to different offices or funding streams. For example, assigned time is collectively bargained and offered through the Office of Faculty Affairs and really can't be modified through university policy. The second area where the policy is outdated is the regulations responsible for research that have changed. The third area changed is propriety research and this section needs to be expanded to include additional information and guidelines.

In revising the policy, the C&R Committee consulted with the Campus RSCA Advisory Committee, the Office of Research, the UCCD, the Deans and Associate Deans, the Office of the Provost, and University Counsel. C&R received a lot of feedback and all of it was considered.

Questions:

Q: On line 211, it specifies that the Principal Investigator will be responsible for ensuring all the university forms, and certifications are completed in a timely manner. Would the committee consider drawing out the requirement that the Principal Investigator have their IRB/Human Subjects certification current and say that explicitly?

A: You must have the certification before the study can be submitted right now, but the committee will consider being more specific.

Q: Since these students are in a subordinate position, how do they know what recourse they might have if there is an issue?

A: The university does have a standard process for students if they have grievances or issues by going through the Student Fairness Committee. When we onboard new faculty that could be an opportunity for faculty to provide students they will be working with this kind of direct information, and we could also encourage the Office of Research to do more outreach to these students to ensure they know what avenues are available to them.

Q: Our current policies restrict confidential research, and I don't see the same restrictions in this policy. The nondisclosure agreement (NDA) component describes what nondisclosure agreements are and when they are appropriate, but I'm not seeing when they aren't appropriate.

A: In developing this section, we closely consulted current university policy S69-12, which talks about classified research. Within that older policy, the distinction between classified and confidential is not clear. We wanted to maintain the prohibitions for classified research, but delineate it from confidential and proprietary research. The university itself does not have any prohibitions against confidential research other than as outlined in the current university policy. However, we do have some prohibitions regarding proprietary research which is where the NDAs come into play. We carefully consulted with university counsel and we wanted to be as open as possible about how NDAs could be used, but we weren't sure it would be valuable for faculty to say how they can't be used because those might change over time.

Q: Would the committee consider making the second paragraph under I.B. the first paragraph and turning the first paragraph into principles?

A: The committee will consider it.

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

Senator Miller presented *AS 1648, Policy Recommendation, Graduate Student Revalidation of Courses that Exceed the 7-year Limit (Final Reading)*.

Senator Frazier presented an amendment to strike, "It must not necessarily though require recollection of all of the material in the original class;". And to move, "; thus, administering an exam similar to the original final exam would not be warranted" to line 73 starting after "material." Senator Rodan presented an amendment to the Frazier Amendment to change, "; thus, administering an exam similar..." to read, "; thus, administering an exam not necessarily similar...". **The Senate voted and the Rodan**

Amendment to the Frazier Amendment passed (31-2-6). The Senate voted and the Frazier/Rodan Amendment passed (24-7-5). Senator Mathur presented an amendment to strike lines 62 and 63 which reads, "The exam must be a rigorous one, invariably requiring studying on the part of the student." The Senate voted and the Mathur Amendment failed (1-33-2). **Senator Van Selst presented an amendment that was friendly to the body to add "appropriately" before "rigorous" to the end of line 62.** Senator J. Lee presented an amendment to strike the word "seminar" in line 77. **The Senate voted and the Lee Amendment passed (24-8-5). The Senate voted and AS 1648 passed as amended (36-0-1).**

Senator Miller presented *AS 1649, Policy Recommendation, Registration Priority Policy (also Amendment A to University Policy S73-4) (First Reading)*.

This policy reconfiguration is largely a function of needing to address the new California promise. If you look on page 4 under rationale it gives details of Senate Bill 412, which defines the California Promise Program and legislates the requirement of priority registration for California Promise students. In terms of this policy, not much else has changed from the original policy, F14-1. There are a couple of other changes under section 2.0. Honors on acceptance and EOP students have been removed from the priority registration categories in section 2.0. There were so many students receiving honors on acceptance that it did not mean anything any longer. EOP students are registered during orientation now, so there is no need to give them priority registration.

Questions:

Q: What are coordinators and who are they?

A: Good question, the committee will define what this is.

Q: In section 3.4 it says the Student Success Committee will determine which category each applicant group qualifies for and shall notify the coordinator of the group on the granting, extending, or denying of priority registration. It seems that the policy lays this out so why do you need a group to explicitly do something that is laid out in policy?

A: The committee will consider this.

Q: Would the committee consider changing Frosh to Freshmen?

A: The committee will consider this.

Q: On line 68 could you clarify where the ROTC falls in priority registration, because they are not technically veterans?

A: The committee will clarify.

Senator Miller presented *AS 1650, Policy Recommendation, Codification and Revision of Undergraduate Student Honors (First Reading)*.

The first change in this policy has to do with when we are determining semester honors. The current process is somewhat elaborate. A student can earn honors if they receive it in two out of three semesters. This poses a few challenges. It is complicated for our administrative offices, but also the committee felt Freshmen that are doing well should be able to get honors and they cannot if they have to wait three semesters. The other

major change is that the committee has removed honors on entrance due to the number of students that were receiving it. Again, there was a feeling in the committee that honors should be based on how students are doing here and not how they were doing before they arrived here. Then there was the creation in 4.0 of a new category of honors, which is honors in a special course sequence. This is an opportunity for our students in an honors program to earn honors, and also for students that take a sequence of courses that might be across departments. Also, Summa Cum Laude has been changed to a 3.9 gpa or above. That brings our numbers more in line with other institutions.

Questions:

Q: I think the sequence is a much needed addition. On line 206 it states that the SCS honors status will be shown on the transcript with a notation explaining what the designation means, so has the committee confirmed that the Registrar can actually put that designation on the transcript, and where will it be located on the transcript?

A: The committee will consider this. The Registrar is on the committee, so we will ask her.

Q: Regarding the President's Scholar and Dean's Scholar has there been any analysis of how many more students will be earning the Dean's and President's Scholar designations? The second question is with regards to the changes to the latin honors, does the designation happen when the student graduates, or will it occur when they earn the designation?

A: We do think there will be some increase in the Dean's and President's Scholar designation. The committee felt this was offset by the need to recognize Freshmen that achieve honors. As to your second question, I don't know about the latin designation, but I will bring this back to the committee.

Q: With the removal of the honors at entrance, those students that were invited into the university honors program based on having honors at entrance won't have that designation any longer, so how will that work?

A: It would seem to me that the same process for identifying the honors at entrance students could be used to identify those students to be invited into our honors program.

Q: Could the special course sequences possibly be course sequences being developed in the general education area as well as outside general education?

A: The committee wanted to create the opportunity to be honored, but wanted to leave the course details to be worked out. We felt this was more the purview of the curriculum committee.

Q: There are a couple of issues that I am troubled by. Pertaining to line 63 it says a minimum of 12 semester units, so this excludes anyone that isn't taking a full load from any kind of honors. I'm not sure this is fair. Also, regarding line 68—report delayed, what if the report is delayed because the faculty member hasn't entered the grades on time and the student is penalized? I wanted to get a sense of how the Senate feels about this.

A: The report delayed is something the committee struggled with. There has to be a cutoff point to make that happen. We had important conversations regarding both issues, so it would be helpful if Senators send feedback to the committee.

C. Professional Standards Committee (PS) –

Senator Peter presented *AS 1530, Sense of the Senate Resolution, Requesting Changes in the System Wide Proposed Intellectual Property Policy (Final Reading)*.

Senator Peter presented an amendment that was friendly to the body to strike the word "a" before the word "one" on line 336. **The Senate voted and AS 1646 passed as amended (35-0-0).**

Senator Peter presented *AS 1647, Policy Recommendation, Rescinding and Replacing F97-7 on Privacy of Electronic Information (Final Reading)*.

Senator Torres-Mendoza presented an amendment that was friendly to the body to change the "e" in "Jose" to "é" in section 1.5, first line. **The Senate voted and AS 1647 was approved as amended (36-0-1).**

Senator Peter presented *AS 1646, Policy Recommendation, Selection and Review of Department Chairs (Final Reading)*.

Senator Peter made a motion to return the resolution to committee due to receiving 11 amendments from the deans this afternoon. **The Senate voted and the motion passed (35-0-1).**

D. Organization and Government Committee (O&G) –

Senator Shifflett presented *AS 1635, Policy Recommendation, Selection and Review of Administrators (Final Reading)*. Senator Frazier presented an amendment that was friendly to the body to add ", ideally a faculty member," after "committee chair" in lines 100, 171, and 224. Senator Shifflett presented an amendment that was friendly to the body to strike "goals and recommendations arising from prior performance reviews (when such has occurred)," in line 391; to strike "(a)" in line 400; to strike ", which can include performance goals set by the appropriate administrator and (b) appraisals of performance" after the words "appropriate information" on lines 400, 401, and 402. Senator Tran presented an amendment to strike, "This could include the appointment of up to two additional members while maintaining the requirement that a majority of members be faculty" on lines 162-164. The Senate voted and the Tran Amendment failed (2-32-2). **The Senate voted and AS 1635 passed as amended (31-3-3).**

E. University Library Board (ULB) – None.

IX. Special Committee Reports -- None.

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