

**2005/2006 Academic Senate**

**MINUTES  
November 21, 2005**

**I. The meeting was called to order at 2:00 p.m. and attendance was taken. Forty-eight Senators were present.**

**Ex Officio:**

Present: Veregge, Nellen, Van Selst,  
Sabalius, Gutierrez, McNeil  
Absent: Kassing

**Administrative Representatives:**

Present: Phillips, Sigler, Ashton  
Absent: Lee

**Deans:**

Present: Hegstrom, Stacks, Merdinger,  
Wei

**Students:**

Present: Fithian, Glover, Le, Balderas,  
Bridgeman  
Absent: Estrada

**Alumni Representative:**

Present: Thompson

**Emeritus Representative:**

Present: Buzanski

**Honorary Senators (Non-Voting):**

Present: Norton

**General Unit Representatives:**

Present: Griffith, Moriarty, Thames

**CASA Representatives:**

Present: Fee, Perry, Butler  
Absent: David

**COB Representatives:**

Present: Campsey, Osland  
Absent: El-Shaieb

**ED Represent:**

Present: Maldonado-Colon, Parsons, Lessow-Hurley

**ENG Representatives:**

Present: Singh, Meldal, Gao

**H&A Representatives:**

Present: Van Hooff, Fleck, Desalvo, Leddy, Hilliard  
Absent: Belet

**SCI Representatives:**

Present: McClory, Kaufman, Messina, Kellum, Bros

**SOS Representatives:**

Present: Von Till, Peter, Hebert

**SW Representative:**

Absent: Wilson

**II. Approval of Academic Senate Minutes –**  
Minutes of October 24, 2005, were approved as is.

**III. Communications and Questions –**

**A. From the Chair of the Senate:**

Chair Veregge said, "We have a very full agenda today, so I'm going to keep my remarks very brief. I'd like to thank everyone that came to the Senate retreat, especially the student panel members, and Vice Chair Lessow-Hurley, Past Chair Nellen, Senator Thames, Senator McClory, Emily Wughalter, and Thalia Anagnos. President Kassing is unavailable today so we will move on to the Executive Committee Minutes."

**Questions:**

Past Chair Nellen asked if it would be possible to have another panel discussion on the Solomon Amendment before the end of the year. Chair Veregge said we might be able to do something in the amphitheater again if the panel members were available.

**B. From the President of the University – Not Present.**

**IV. Executive Committee Report –**

**A. Executive Committee Minutes –**

**October 24, 2005 –** No questions

**November 7, 2005 --** No questions

Senator Buzanski asked whether item #4 was an action item to be brought before the Senate today. Chair Veregge said it was.

**B. Consent Calendar –** Approved as is.

**C. Executive Committee Action Items:**

Chair Veregge said the Executive Committee was recommending Past Chair Annette Nellen for a faculty-at-large seat on the Athletics Board. Chair Veregge made a motion to approve Past Chair Nellen for the seat. The motion was seconded. The Senate voted and Past Chair Nellen was approved unanimously.

**V. Unfinished Business - None**

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

**A. Curriculum and Research Committee –** No report.

**B. Instruction and Student Affairs Committee –**

Senator Thames presented *AS 1308, Policy Recommendation, Final Examination, Evaluation, or Culminating Activity Policy (First Reading)*. Senator Thames said the university does not actually have a policy on record regarding final examinations. Senator Norton commented that the policy originated in the 1960's before formal written policies were required. Senator Thames said the committee did not want to tell the Deans how to go about making exceptions. However, the committee did want to require that every class have a culminating activity to be defined by the instructor. A culminating activity could be a number of different things like turning in a final paper and having a discussion about it. The culminating activity or final examination will be required during the final examination scheduled time period in the schedule of classes.

**Questions:**

Senator Peter said, "Does this mean that Appendix A will no longer appear, and that we won't be required to keep final exams for a year?" Senator Thames said, "Actually, the committee didn't discuss that. I'll take that back to the committee to review."

Senator Singh asked, "What did you mean by "schedule," is this to be determined by the

instructor?" Senator Thames said, "No, we were referring to the final examination schedule published in the schedule of classes."

Senator Norton said, "I'm puzzled. Is everything that is now in Appendix A up to the discretion of somebody, or is some of Appendix A still in force?" Senator Thames said, "That is a good question. The committee will have to review this."

Senator Sabalius said, "My question concerns Appendix A, point 5, has the committee considered that this would be a fairly severe intervention to the faculty's authority on how to grade a student? And, my second question is related to number 6 in Appendix A. Has the committee considered that it could also read "that the instructor has the authority to exclude from the final examination any student who because of insufficient amount of work completed might not have to take the final? In my classes, the final is only 20% of the grade. Are you requiring the faculty to give the student an "F," or an incomplete, if they don't take the final examination when it may only be 20% of the grade?" Senator Thames said, "As I said earlier, the committee didn't look at Appendix A, and I can see we need to go back and review what we want to keep, etc."

Senator Thames said, "I would like to know if there are any other questions about the requirement that there be a culminating activity. When we brought this before the Senate last spring, we received a lot of flak for suggesting that we have a culminating activity."

Senator Sabalius said, "I don't think it is a good idea, because I find this very restrictive."

Senator Bros said, "Do you have any idea how this will impact graduate classes as compared to undergraduate classes?" Senator Thames said, "Good question. I don't think we looked at that. That might be an area where exceptions are appropriate."

Senator Peter said, "It seems that the essential purpose for this policy is to ensure that when classes do have culminating activities, they are not all held during the last day of class thus overwhelming students. This policy forces us to spread these out during a final examination period. It seems to me that the phraseology you might want to look at is, *"For courses for which culminating activities will take place, those activities will happen during the final examination period."* To insist that every class have a culminating activity may be an undue infringement on academic freedom."

Senator Lessow-Hurley said, "I wonder, have you considered the possibility that the actual purpose of this policy is to either clarify, or in fact obviate, an existing policy which in fact was never a policy in the first place. This is a little archaic. It seems to me that what we are trying to do is clean a nonexistent policy off the books." Senator Thames said, "We discussed this in the committee. We felt strongly that under academic freedom and professional responsibility there are some issues to be looked at, and we decided we wanted to come forward with a policy and take a strong stand."

Senator Lessow-Hurley said, "Has there been a noticeable problem that has to be solved?" Senator Thames said, "I think the chairs would say yes. I took this out to the chairs and

only had three comments come back all in favor of this policy. The chairs hear the complaints from students about being overloaded in the last week of class."

Senator Thames presented *AS 1309, Policy Recommendation, Grade Distribution Reports (First Reading)*. Senator Thames said, "The reason this became an issue is that the Grade Distribution Reports disappeared when peoplesoft was implemented. Initially we didn't have the capacity to generate these reports. AVP Bob Cooper worked with the Registrar's office to get peoplesoft setup to run the Grade Distribution Reports. We can now generate these reports in four different formats. The issues we were asked to deal with in this policy included determining whether departments should post the Grade Distribution Reports, and if they posted them whether they should put faculty names on them. Interestingly, several chairs didn't even know these reports existed. The policy we are proposing is that the Registrar will make these reports available after each semester, and they will be disseminated to individual faculty members by the chairs and directors. It will be at the discretion of each department or school as to whether they will be posted for students to inspect."

#### **Questions:**

Senator Buzanski asked, "If the department decides to withhold the professor's name, there would be no problem with a department offering a large number of sections. But, if there were only one section of a class, withholding the name wouldn't do much good. How would you resolve this conflict?" Senator Thames said, "This is partly why we decided to leave it up to the departments to decide whether or not to put it out with faculty names."

Senator Nellen asked, "In the last sentence of the proposed policy, what does it mean *"left to the discretion of each department or school?"*" Senator Thames said, "It is unclear whether that means it would be up to the chair, or the department as a voting body. The committee didn't talk about that. We thought it would be up to the department to decide their own process."

Senator Maldonado-Colon said, "I'm still unclear what the purpose of this policy is." Senator Thames said, "One of the purposes is for individual faculty members to do some self-correction. They can see how their grades compare with the department and college. It is also interesting information for colleges and students."

Senator Nellen said, "Shouldn't this information be made available to the Provost?" Senator Thames said, "Did we leave the Provost out? AVP Cooper has setup a password so that only the people that should see it do see it, and I'm sure the Provost has access."

Senator Buzanski said, "The original policy came about as a direct result of student activism on campus. The students wanted to know, so the Senate passed a policy."

Senator Van Selst said, "In reading the policy for the first time, I had no idea what a Grade Distribution Report was (whether it was at the department level, college level, course level, etc.). I wonder if it would be appropriate for this policy to indicate what level of reporting is to be done?" Senator Thames said, "There are four versions of the Grade Distribution

Report. The first is by course by faculty. The second is by faculty by course. The third is a course summary by department/college. And, the last is by section." Senator Van Selst said, "So which of those is this referring to?" Senator Thames said, "That's the reason AVP Cooper has setup the password system, so that only the Grade Distribution Report that applies can be viewed." Senator Van Selst said, "I don't see anywhere in here where a Grade Distribution Report is defined."

Senator Sabalius said, "Are we aware of the discrepancy between having grade confidentiality for our students, but not for our professors? I wonder, if we are going to post the Grade Distribution Report shouldn't we also publish the SOTES?" Senator Thames said, "The students on our committee asked that very question."

Senator Meldal said, "I believe it would be good to make it very precise as to who gets to decide. We can't just leave that up to the departments without any procedure. Also, there could be a confidentiality issue where there is only one student in a class." Senator Thames said, "In a web search I found a couple of universities that don't include classes of less than 5 students in the grade summary."

Senator Norton said, "Generally, when we say something will be decided by the department, we mean by departmental vote."

Senator Thames presented *AS 1312, Sense of the Senate Resolution, SJSU Shared Values for 2006-2007 (Final Reading)*. Senator Thames said, "Before we begin there are a couple of changes to the version you have. First, in the first whereas clause it says that SS-S05-7 is attached. It isn't attached, and there is also a typographical error in the "Approved" sentence at the bottom of the page. The word "*Acadmic Senate*" should read, "*Academic Senate*." Also, in the last resolved clause the words "*and be it further*" should be removed." Senator Nellen made a friendly amendment to remove "*The attached document*" from the first whereas clause. Senator Bridgeman made a friendly amendment to remove "*and therefore be it*" from the fourth whereas clause. Senator Nellen made a friendly amendment to change the first resolved clause to read, "*Resolved: That for the academic year 2006-2007, the university value theme be "Diversity" [We value and respect diversity, inclusion, civility and individual uniqueness and recognize the strength these factors bring to our community and learning environment. All of our interactions should reflect trust, caring and mutual respect.] and be it further.*" Senator Bridgeman presented an amendment to the Nellen amendment to add "and cultural pluralism" after "Diversity." The senate voted and the Bridgeman amendment failed. Senator Van Selst made a friendly amendment to the Nellen amendment to make it a new whereas clause to read, "*Whereas: SS-S05-7 describes the diversity value as we value and respect diversity, inclusion, civility and individual uniqueness and recognize the strength these factors bring to our community and learning environment. All of our interaction should reflect trust, caring and mutual respect; and.*" Senator Stacks made a friendly amendment to add a new last whereas clause to read, "*Whereas: Simply having demographic or statistical diversity is meaningless without the acknowledgement and encouragement of our diversity; therefore be it.*" **The Senate voted and AS 1311 passed as amended.**

### **C. University Library Board – Not Present**

### **D. Organization and Government Committee -**

Senator Parsons presented *AS 1311, Senate Management Resolution, Adding Members to the Institutional Review Board (Final Reading)*. Senator Nellen presented a friendly amendment to change "Applied Arts and Sciences" to read "Applied Sciences and Arts."  
**The Senate voted and AS 1311 was approved as amended.**

### **E. Professional Standards Committee -**

Senator Bros presented *AS 1310, Policy Recommendation, Appointment, Retention, Tenure and Promotion Criteria, Standards and Procedures for Probationary and Tenured Faculty Employees (First Reading)*. Senator Bros said, "The four major changes include: requiring a Professional Development Plan (PDP) (will not be included in the dossier); requiring that there be guidelines for professional achievement; changing the responsibilities of the university and college RTP committees; and finally, changing the timing of performance reviews from 2, 4, and 6 years to 3 and 6 years."

### **Questions:**

Senator Sabalius asked, "College RTP Committees are already some of the busiest committees that I can tell and this policy increases their workload. I compliment you on suggesting that the committee members be given .20 assigned time, but what if the Senate passes the policy and the President approves the policy but not the release time?" Senator Bros said, "That is a very good question. One of the things we talked about doing in this situation was to reduce the college committee's responsibility to reviewing PDPs of faculty who have not yet achieved tenure. That would cut out a lot of work, because it would reduce the number of dossiers they reviewed also. At least some of this work will now be occurring in the Spring instead of the Fall, which should also reduce some of the workload."

Senator Lessow-Hurley said, "What I hope you will consider is making the policy provisional contingent upon support of faculty assigned time, and then bringing it into the strategic planning process to ensure that there is funding." Senator Bros said, "That is an excellent point. We would rather see the college RTP committee responsibilities reduced in the policy rather than see them go unfunded."

Senator Nellen said, "Would the committee consider revising the resolved clause to clarify that this is the first set of changes? We may know this is the first set of changes, but the rest of the campus doesn't." Senator Bros said, "That is an excellent idea."

Senator Peter said, "I'd like to commend you on continuing to making changes to the policy. Also, I'm looking forward to having a side-by-side version up on the website to compare the changes." Senator Bros said, "Hopefully, that will be up tomorrow morning." Senator Peter said, "In 4.3.2, it says that Department Chairs, Department RTP Committees, College RTP Committees, and Deans shall evaluate the progress of the faculty member. I'd like to see a reference to 8.2.4 if possible. In 8.2.4 we say that the chair shall write a separate recommendation unless he/she has served as a duly elected member of the department RTP Committee, I'd like everyone to know that the chair won't necessarily be writing a separate

opinion as this seems to suggest." Senator Bros said, "We can put a reference in there."

Senator Wei said, "What is the role that college RTP committees will play?" Senator Bros said, "What we'd like the college RTP committees to do is to review the PDP and determine the feasibility and appropriateness of the candidate's plan." Senator Wei said, "What if the committee has a different opinion than the college Dean, who will prevail?" Senator Bros said, "There is no prevailing, this is just advice. If there are differences in the advice from the Dean, department RTP committee, and college RTP committee, then this is an appropriate time for that to come out and get those issues resolved." Senator Wei said, "Who will review these efforts to be sure a consistent message is being given to the candidate." Senator Bros said, "Ultimately, I believe that would be the dean's responsibility."

Senator Stacks asked what would happen if funding became unavailable for approved courses on the PDP. This would put the college dean in an awkward position. Senator Bros said, "This is why we have required that the PDP not be included in the dossier for these reasons. This information is just to be used for advice, not for RTP."

Senator Peter said, "Has the CFA faculty rights group been consulted on the plan and have they indicated that they think the divisions work fine from the potential for grievances?" Senator Bros said, "I have attended CFA meetings to bring up these points, and I've spoken to one of the representatives (Gorman), and CFA is in favor of what we are trying to do."

Senator Van Hooff said, "It seems to me that it would be better to have the dean and the department chair meet with the candidate together to discuss the PDP. You don't want to have a situation where the dean and department chair disagree confusing the candidate." Senator Bros said, "Are you suggesting that instead of getting separate evaluations from each group, there be one combined evaluation?" Senator Van Hooff said, "No, there could be separate evaluations from each group, but if there is a different message coming from the department chair and dean, they need to talk together and come to an agreement before talking to the candidate." Senator Bros said, "I think that is a great idea."

Senator Meldal said, "I worry about the PDP and the potentially conflicting messages the candidate can get from the various bodies reviewing them. I think it would be valuable for the candidate to have those reviews available in the dossier, because they would highlight the difficulties the candidate has been working under." Senator Bros said, "We feel that it is critical that the only thing the candidate is actually evaluated on is their accomplishments. One way we can ensure that the advice for the PDP is still there and the candidate is getting the right message, is to split those two activities (the informative review and the actual performance review) and then they can function in the way they are supposed to."

Senator Parsons said, "Under the current system a candidate is reviewed at 2, 4, and 6 years. In the 4th year, if there are problems, the candidate gets a full 5th year review. I'm worried about a candidate that might need that kind of mentoring. What will happen to them in the new system with reviews only at the 3rd and 6th years?" Senator Bros said, "Thank you for that question. This policy allows for any reviewing body to request a review in the next

year. This means that if an individual has problems, reviews can be requested in the 2nd, 4th, and 5th years. Hopefully, this will allow the candidate the opportunity to make the necessary changes."

Senator Lessow-Hurley said, "I see the rationale for the review in the 3rd and 6th years. However, I can't imagine knowing what I'm going to be doing years down the line. I would argue that while the rationale for the PDP is a good one, the way it is structured needs to be thought out a little better. Maybe it would be helpful to have a flow chart of all these processes. And, what if someone gets to the end of the process and isn't promoted, and the situation goes to grievance. Won't that candidate bring up the PDP and everything along the way? I think we are leaving ourselves open for trouble." Senator Bros said, "I heard several issues in what you said. First, you said the level of detail in the PDP should be reduced. That should be fine. I'll bring that back to the committee, but I don't think that will be a problem. As for your question about the advice in the PDP, if someone decides to bring a grievance, I'm sure they will include the PDP advice in it. Our point is that the times that this might occur should be greatly reduced by having the process there in the first place."

Senator Peter said, "Since 1998, departments have had the option of having guidelines. Many departments adopted them, and others declined to do so. What is the rationale for requiring guidelines after a department has debated whether it is good to do so and decided no?" Senator Bros said, "One of the most difficult things for a RTP Committee member to do is evaluate someone's scholarly, artistic, or professional achievement in light of others. Usually the teaching is not an issue. The primary issue has been scholarly, artistic, or professional achievement. By providing these guidelines, particularly the information on what data are needed to evaluate it, we are providing a great service to the reviewing bodies."

Senator McNeil said, "Under 4.4.3.6, the original evaluation (and I'm assuming that refers to the original PDP) gets included with subsequent year's annual summaries. This sounds like it is leaking into the dossier." Senator Bros said, "It is available for review, but the document itself is kept out of the dossier."

Senator Wei asked about allowing the application for funding or the process of funding to be included in the type of achievement." Senator Bros said, "I'd like to point out how that could be handled. If you look at the sample guideline, if the person puts in a proposal but the funding isn't available, the reviewing committee would know that. You could also have comments from reviews of a rejected proposal as part of the criteria for evaluation."

Senator Leddy said, "My colleagues and I come from very different disciplines, this might make it very difficult to make sense out of the requirement to make recommendations to the candidate on how they could achieve certain goals on the PDP." Senator Bros said, "The idea is that the candidate receives feedback on their goals early so that any issues can be resolved before the actual review process takes place."

Senator Peter said, "In all the committees I've served on, one is supposed to judge a candidate based on the criteria, not in comparison with other candidates." Senator Bros said, "Would it be appropriate then to strike "and equity with respect to other faculty" from those

kinds of statements?" Senator Peter said, "The other half of my comment concerns the word appropriate. We are asking reviewing bodies to make judgments as to whether an achievement is or isn't appropriate. They should be judging whether an achievement does or doesn't meet the criteria."

Senator Nellen said, "I wonder if some of this could be clarified by improving upon 4.4. It seems that the PDP is for more than what is listed here."

Senator Maldonado-Colon said, "How is the committee going to determine equity between my research and someone else's?" Senator Bros said, "Would you be in favor of removing the language that refers to equity?" Senator Maldonado-Colon said, "Yes."

Senator Messina said, "I think that we currently try to compare apples and oranges-- sometimes successfully. My question is if 90% of faculty get tenure and 10% don't, what percent of that 10% file grievances?" Senator Bros said, "I think I would have to refer that to Senator Merdinger." Senator Merdinger said, "I can't really answer that because there are different ways in which grievances occur, and I don't have that information with me."

Senator Thames asked, "Is the PDP in use in other places?" Senator Bros said, "Yes, it is. Fullerton currently uses it, and they have found it to be very useful for the faculty."

Senator Hilliard asked, "Who is in charge of resolving grievances, and is there a timeline for resolving them?" Senator Bros said, "I would have to refer that to Senator Merdinger." Senator Merdinger said, "The timeline is 21 days."

Senator Nellen asked, "Will this be coming for a second reading in two weeks." Senator Bros said, "No, we wanted to get some feedback before we finalize the policy."

Senator Campsey asked, "You said that the PDP wouldn't be used against someone and that it is a planning document. However, the response of the dean or chair to the PDP is not public. What evidence is there that a decision was made prior to the person doing something as opposed to afterward?" Senator Bros said, "The evaluation must be based on actual accomplishments. Neither the PDP, nor the comments, go forward into the dossier."

**VII. Special Committee Reports – None**

**VIII. New Business – None**

**IX. State of the University Announcements. Questions. In rotation.**

**A. CSU Statewide Senator(s) -**

Senator Van Selst said, "At the most recent statewide Senate meeting, there were a variety of resolutions. The first resolution involved double majors. Right now you are only allowed to have one degree listed on your diploma. What a lot of colleges are doing is graduating a student in May with one degree, and then later with the second degree. This is a resolution that proposes allowing both degrees on one diploma."

Another area of discussion was continued support for joint doctorates. Some of the joint CSU/UC doctoral programs are working well, others not so well. There is continued support for those doing well. Also, there is some pressure statewide for campuses to move their academic calendars.

There was a suggestion for each of the campuses to review their proposed independent doctoral programs to ensure that our curricula process is actually setup in a manner that can handle them. This may involve an initial external review. The request from the statewide Senate is that campuses review their degree proposals and make sure they are appropriate for a doctoral level program.

There is also a resolution on hiring a CSU Chief Academic Officer. This position has been vacant for a while. This resolution calls for the Chancellor to move expeditiously to hire someone.

There were two final resolutions. The first has to do with the early assessment project where people go into the high schools and allow the students in grades 10 and 11 to find out if they are on track to do college level work. If not, we are telling them they need to get remedial help now before they enter college. This has been a very successful program.

Finally, there is a resolution in support of California Science and Mathematics teachers. The idea is that CSU Faculty are going out to the high schools and telling the Science and Mathematics teachers what kind of skills are needed at the college level. This resolution requests additional support for that program."

Senator McNeil said, "The EDD program is moving very fast, and we will be providing some guidelines and parameters soon. They haven't announced who will be in the first group to offer the EDD in 2007 yet.

The 22 points is, of course, ongoing. We will be providing some advice about the visitation teams. They will be coming on campus to find out how we are responding to these recommendations.

The Chancellor recently invited us all to his house, and he talked to me about the Carlos-Smith monument. He was just thrilled about it."

Senator Van Selst said, "There are a total of three Trustees coming to visit the campus over the next couple of weeks. What we talked about in the statewide Senate was giving them your personal story of exactly what happens in your classes. That kind of communication is very effective.

There is a statewide taskforce looking at the statewide general education assessment package. The campuses are being asked to respond to this in a very abbreviated kind of way.

The course descriptors for the largest majors in the lower division transfer process are now being defined and described. Those are due by December 5, 2005. To the extent possible, I would highly recommend that departments make sure that goes to their full curriculum committee. For the smaller majors, I anticipate the course descriptors being due in the Spring."

**B. Provost - No Report.**

**C. VP for Administration and Finance - No Report.**

**D. VP for Student Affairs - No Report.**

**E. Associated Students President - No Report.**

**Questions for AS President:**

Senator Stacks said, "I believe the students were going to lobby about the increase in fees, did they?" Senator Balderas said, "Yes, we had about 200 students attended. However, they still voted to increase our fees and at the same time, give themselves a pay raise. We will be lobbying our legislators. The next step is getting our students out there to vote. This is the one power we don't utilize as good as we should."

Senator Bridgeman said, "We are pushing for the reinstatement of the printed version of the schedule of classes. We have received complaints about not having a printed schedule of classes from every student we have talked to about it. President Kassing wants me to meet with the Provost and VP Lee to discuss this." Senator Nellen said, "I wonder if it would help your cause if the administrators had to actually go through the process themselves. I was putting together a project for one of my students and it was incredibly hard to find the general education information, and it wasn't actually very helpful information when you found it."

**X. Adjournment** – The meeting adjourned at 4:53 p.m.