

**2008/2009 Academic Senate**

**MINUTES  
September 22, 2008**

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

**Ex Officio:**

Present: Lessow-Hurley,  
Meldal, Van Selst, Whitmore,  
Cavu-Litman  
Absent: Sabalius

**Administrative Representatives:**

Present: Najjar, Phillips  
Absent: Sigler, Lee

**Deans:**

Present: Parrish, Merdinger, Stacks,  
Meyers

**Students:**

Present: Cerda, Hypes, Levy, Lichty,  
Linder, Palumbo

**Alumni Representative:**

Absent: No representative assigned  
yet.

**Emeritus Representative:**

Present: Buzanski

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

Present: Norton

**General Unit Representatives:**

Present: Sivertsen, Romo  
Absent: Fujimoto

**CASA Representatives:**

Present: Fee, Semerjian, Hendrick, Kao, Canham

**COB Representatives:**

Present: Roldan, Campsey

**ED Represent:**

Present: Maldonado-Colon, Rickford, Langdon

**ENG Representatives:**

Present: Backer, Du, Gleixner

**H&A Representatives:**

Present: Desalvo, Butler, Vanniarajan, Brown, Van Hooff  
Absent: Mok

**SCI Representatives:**

Present: McClory, Kaufman, Hilliard, McGee, d'Alarcao

**SOS Representatives:**

Present: Hebert, Von Till, Lee, Heiden

**II. Approval of Academic Senate Minutes –** The Senate voted and the minutes of May 12, 2008 (Last minutes of 2007-2008, and first minutes of 2008-2009) were approved as is with no Nays or Abstentions.

**III. Communications and Questions –**

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

Chair Meldal welcomed Senators back for Fall 2008, and informed everyone that tent cards with everyone's name and college on them were in the back for Senators to use during future Senate meetings. The AVC (Senator McClory) collected the cards at the end of the meeting

and will bring them to future Senate meetings.

Chair Meldal informed the Senate that Dr. Jay Pinson, former Dean of the College of Engineering, passed away over the weekend after a short bout with cancer. Dr. Pinson is remembered for many things, including having the Engineering Building built.

Chair Meldal welcomed our new Senators including: Senators Whitmore, Levy, Lichty, Linzey, Cerda, Palumbo, Hypes, Semerjian, d'Alarcao, and Heiden.

Chair Meldal introduced the new Student Assistant in the Senate Office, Ashlee Jemmott.

Chair Meldal thanked the President's Office for donating copies of this year's reading selection, "Water for Elephants," to all senators.

Chair Meldal reminded senators that the Senate Retreat is on October 17, 2008 in the University Room from 8:30 a.m. to 3:00 p.m. Senator Kaufman, the Vice Chair, announced that the theme of the retreat this year is retention and graduation. One goal of the retreat is to educate members of the senate about statistics on our campus. Senator Kaufman also expects to have a keynote speaker with expertise in this area. Chair Meldal announced that there would be a raffle for two IPODs, two movie tickets, and three gift baskets (one tea, one coffee, and one wine). You must be present to win.

Chair Meldal announced that the President's Holiday Reception for the Senate will be on Sunday, December 7, 2008, from 3 to 4:30 p.m. at the President's House. Official invitations will be mailed from the President's Office in the near future.

Chair Meldal informed the Senate that Senator Gwendolyn Mok played the first in a series of concerts for the Steinway Society of the Bay Area last week. This was an incredible concert. Senator Mok's next concert is on campus October 17<sup>th</sup> and 18<sup>th</sup>. Chair Meldal encouraged all Senators to attend.

Chair Meldal recognized Past Chair Lessow-Hurley for attending today's Senate meeting even though she had just had surgery last week.

#### **B. From the President of the University –**

The President made the following announcements.

President Whitmore announced that every day was a new learning experience for him, and today he is learning what Senate meetings are like. The President commented that the work of the Senate is critical for the university, and welcomed advice from Senators.

The President and his wife have received a warm welcome from the campus community, and they are looking forward to the Senate reception today.

The President announced that retention and graduation were at the top of his agenda and he was very happy the Senate chose that topic for the retreat this year.

The President informed the Senate that the campus is over-enrolled by about 3,000 students. A major part of our graduation and retention effort will include managing our numbers to get them down to where we need to be to provide the level of service our students need.

According to an Information Technology (IT) report based on a campus survey, 80% of faculty, staff, and students feel that we need to spend energy, time, and money improving the IT infrastructure on campus. As a result of this report, the President will be hiring a Chief Information Office (CIO).

Another major issue for the campus is sustainability. The President will be moving forward on this issue as the year progresses.

The President announced that fundraising has been quite successful over the past three years. A major campaign is being planned and will probably be announced next year.

Diversity was identified as one of the goals for this year. The President is working to ensure SJSU's faculty and staff reflect the diversity of our student body.

The President commented that we are about 18 months away from reaching the end of our 2010 Strategic Plan. We have a committee working on our Strategic Plan for 2015 right now.

The President encouraged Senators to read the "Water for Elephants" book.

### **Questions:**

Senator Palumbo from Associated Students asked why President Whitmore's wife Jennifer was going to be at today's meeting. The President commented that there was reception and the Senate had invited his wife Jennifer, but that she would not be attending future Senate meetings.

Senator Van Selst asked, "Given that we are nearly 3,000 students over-enrolled, are we the most over-enrolled campus?" President Whitmore said, "I don't know for sure. I would guess we are at the high end of that." Senator Phillips said, "Today is Census day for this campus, and the Chancellor's Office will be collecting data from all the campuses, so we should know before too much longer." President Whitmore said, "We will be happy to share that data with you when we get it."

## **IV. Executive Committee Report –**

### **A. Executive Committee Minutes –**

Minutes of July 14, 2008 – No questions.

Minutes of August 18, 2008 – No questions.

Minutes of August 25, 2008 – No questions.

**B. Consent Calendar** – Senator McClory announced that there was an addendum to the consent calendar that was just distributed to Senators. The Senate voted and the consent calendar was approved with the addendum, No Nays, and 1 Abstention.

AVC McClory announced that the Board of Academic Freedom and Professional Responsibility desperately needs members. The members of this committee must be tenured, full professors that are elected to a four-year term by their colleges. Senators were encouraged to try to recruit full professors, and to report the names to their Dean’s Office.

**C. Executive Committee Action Items:**

**Senate Management Resolution presented from the floor:**

Senator McClory presented a *Senate Management Resolution, Procedure for the SJSU Campus Selection of a Member for the Faculty Trustee Recommending Committee (Final Reading)*, from the floor on behalf of the Executive Committee.

CSU Statewide Senator/Past Chair Lessow-Hurley gave the following background information on this resolution. Senator Lessow-Hurley said, “There are 7 members of the [Faculty Trustee] Recommending Committee. Five of those members have been chosen by the CSU Statewide Senate in a democratic manner. The other two are chosen from campuses that are literally pulled out of a hat. We were chosen to be one of the two campuses selected in this random process. That is why we have such a short time line on this. It doesn’t come up that often, which is why we don’t have a process in place.” Senator Backer made a point of clarification and said, “There is an existing bylaw 14 that talks about “other” elections. In other elections there is a generic procedure. This is a resolution to make a special procedure for this particular election rather than falling under the existing bylaw 14.” Chair Meldal said, “The reason bylaw 14 was deemed inappropriate is that it has all members of the Senate voting, whereas this pertains to a recommending committee for the faculty trustee. Consequently, it was felt that only the faculty members of the Senate should be the voting body to identify the member. The key element of this management resolution is paragraph 3, which identifies who gets to vote.” Senator McClory said, “Let me give you a quick rundown on the timeline. We have to have our nominees names sent to the Chancellor’s Office on October 21, 2008, so we have to vote on this at the October 20, 2008 Senate meeting. We are asking those faculty members that would like to be considered to have their letter of intent to the Senate Office by October 3, 2008, so that we can screen them for eligibility, and post their statements to the web before the Senate meeting. The nominees will be invited to present a brief statement of interest at the October 20, 2008 Senate meeting, and then the Senate will vote and select a representative. **The Senate voted and the resolution passed with No Nays and 1 Abstention.**

V. **Unfinished Business - None**

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

**A. Professional Standards Committee (PS) –**

Senator Maldonado-Colon presented *AS 1397, Policy Recommendation, Sabbatical Policy (Final Reading)*. Senator Maldonado-Colon said, “AS 1397 was drafted in response to a

request from Provost Carmen Sigler to put together a consulting committee of faculty peers to assist her in the campus-wide review of sabbatical requests. This resolution is to insert language into the existing sabbatical policy, S96-7, to create this committee. The Provost wanted a committee of peers to consult, because we have had changes in the Collective Bargaining Agreement, Article 27, Section 27.5 to 27.8. In the past, sabbatical leaves were allocated to the colleges. Each college had a certain number of sabbaticals, and they would nominate faculty to the Provost. With the new Collective Bargaining Agreement, sabbaticals are allocated university-wide and not by college. The Provost wanted a consulting committee of peers to assist her in selecting faculty. What AS 1397 does is insert two paragraphs into the existing sabbatical policy, S96-7, that identifies who the people on the committee shall be.”

### **Questions:**

Senator Norton said, “The term of service says “may be 2 years.” Why does it say may be 2 years, instead of shall?” Senator Maldonado-Colon said, “We wanted to have some people on the committee that already knew the process, so that we could retain some people and not have everyone exit at the same time.” Senator Norton said, “It isn’t very clear what the actual term is.” Senator Maldonado-Colon said, “It is 2 years.”

Senator Lessow-Hurley said, “Could we have clarification as to whether the PS Committee can just propose this as a final reading without having a first reading?” Senator Norton said, “The initial decision to bring the resolution to the Senate as a first or second reading is made by the committee.” Senator Maldonado-Colon said, “The reason we brought it as a final reading is that we looked at the schedule of sabbaticals and when faculty are supposed to be notified.”

Senator Lessow-Hurley said, “This was put together at the request of the Provost, but the way I read it there is no mention of the Provost whatsoever. I’m not at all clear about how this will assist the Provost, as it speaks to making recommendations to the President.” Senator Maldonado-Colon said, “It is the Provost that makes the final recommendation to the President, and it was her request that we create the committee.” Senator Lessow-Hurley said, “Then the Provost should be a member of the committee.” Senator Maldonado-Colon said, “She will be.” Senator Lessow-Hurley said, “It doesn’t say that here.”

Senator Backer said, “By saying that the term may be up to two years, you will create a problem and we will probably end up having to fix that in the O&G Committee. Is there a reason why you didn’t consider staggering the terms?” Senator Maldonado-Colon said, “We were trying to follow the RTP Committee example.” Senator Backer said, “The RTP Committee members are appointed for two years now.”

Senator Hebert said, “From whom does the University Sabbatical Leaves Committee receive a recommendation?” Senator Maldonado-Colon said, “It is in Article 27 of the Collective Bargaining Agreement.” Senator Hebert said, “I do not have a copy with me at the moment.” Senator Maldonado-Colon said, “I have it, don’t worry. Article 27.5 says that, A Professional Leaves Committee composed of tenured faculty unit employees shall review

sabbatical applications. The Sabbatical Leaves Committee shall be elected by probationary and tenured faculty unit employees. A faculty unit employee applying for sabbatical leave shall now be selected from a recommendation as a result of such a review submitted to an appropriate administrator. The review shall consider questions, etc. Article 27.6 says that a copy of the application shall be sent to the faculty unit employee. The department shall provide a statement from the appropriate administrator regarding the possible effect on the curriculum and operation of the department. Article 27.7 says, prior to making a recommendation to the President regarding a sabbatical leave application, the appropriate administrator shall consider the recommendations pursuant to the two I have read before. Article 27.8 says, prior to making a determination about sabbatical leaves, the President shall consider the recommendations made. Basically, the college committee recommends to the President, but before the President comes the Provost.”

Senator Vanniarajan asked, “What is the policy on this? Are we going to go by campus enrollment, or college enrollment? Senator Maldonado-Colon said, “Let me explain something. Before 2007, our practice was that each college got a certain number of sabbaticals based on their enrollment. In 2007, the contract changed and sabbaticals have gone university-wide. Colleges can recommend, but the Provost would choose from the whole campus, not by colleges.” Senator Merdinger said, “Senator Maldonado-Colon is right. From 1991 to 2007, our campus was allocated 37 sabbaticals by the contract. In the new contract, the language changed and it relates to half-year sabbaticals, full-year sabbaticals at half pay, and one semester only sabbaticals at full pay. I think what the Provost is requesting from this body is to allow for another level committee that allows for a full university perspective. The number of sabbaticals is no longer fixed. I think that is the most important point to know. Sabbaticals are now prioritized by the full-year-long sabbatical. Those are awarded first, and then 12% of the eligible faculty. It’s actually about the number of eligible faculty. I think the Professional Standards Committee, in its wisdom, made the recommendation that instead of having college-wide elections, there would be one person that came from the college Sabbatical Leaves Committee elected to the university committee. This way each of the colleges, the Library, and the counselors, whenever they had someone being considered, would be able to make a final recommendation based not only on an university look but also from within each of the units being represented.”

Senator Van Selst said, “Given the importance of the sabbatical procedure, and now understanding there is a reason to have a university-level committee, would you support basically holding our nose and passing this particular iteration with the assumption that for the next meeting we would have a cleaned up version?” Senator Maldonado-Colon said, “Yes.”

### **Debate:**

Senator Lessow-Hurley presented an amendment to change the composition of the committee to consist of one member from each college and the Provost. And, following that to change it to read, “The University Leaves Committee will review recommendations at all prior levels and the Provost will make a recommendation to the President.” Senator Merdinger said, “The President has designated the Provost to make all final decisions

regarding sabbaticals. The committee doesn't need to include the Provost, they need to recommend to the Provost." Senator Lessow-Hurley withdrew her amendment.

Senator Norton presented a friendly amendment to change the last sentence of the resolution to read, "Committee members will serve for staggered two-year terms. Of the committee members first elected, the first three colleges in alphabetical order shall serve for terms of only one year."

**Senator Backer made a motion to make the resolution a first reading. The Senate voted and the motion was approved with No Nays and 1 Abstention.**

Senator Maldonado-Colon asked for a recap of what the Senate wants the PS Committee to do. Senator Lessow-Hurley asked for consultation with the Provost and to map the actual process. Senator Hebert asked for clarification as to where the Sabbatical Committee would be placed e.g. between the Dean and the President and to put that in writing. Senator Van Selst suggested consulting with the CFA. Senator Campsey asked that the committee consider ensuring that each college get a minimum number of sabbaticals.

**B. Curriculum and Research Committee (C&R) –**

Senator Von Till presented *AS 1398, Policy Recommendation, Amendment to S08-7, Policy for Protection of Human Research Subjects (Final Reading)*. Senator Backer presented a friendly amendment to change "Spring 2007" to "Spring 2008" in the first sentence of the first whereas clause. **The Senate voted and AS 1398 passed as amended with no Nays or Abstentions.**

**C. Organization and Government Committee (O&G) – None**

**D. Instruction and Student Affairs Committee (I&SA) – None**

**E. University Library Board (ULB) – None**

**VII. Special Committee Reports – None**

**VIII. New Business –**

**A. Reception to Welcome President and Mrs. Whitmore.**

The Senate adjourned from 2:30 to 3:00 p.m. to welcome President Whitmore and his wife Jennifer Whitmore

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

**A. Provost – Not Present.**

**B. Vice President for Administration and Finance – Not Present.**

**C. Vice President for Student Affairs –**

VP Phillips said, "I thought I would give a brief rundown on enrollment. Today is Census day for Fall 2008. Census day is the official counting of all of our students. That happens at midnight tonight. However, as of Saturday night midnight, we had a total of 32,774 students enrolled. Of those, 30,480 are California residents and almost 2,300 are non-residents. We are funded in the state funding formula on the

basis of FTES count, which takes half of the total enrollment for summer, fall, and spring. We are currently projecting to be over our resident FTES by about 2,600. That is about 11.6% over target. For Spring 2009, Undergraduate applications were closed August 31<sup>st</sup>. International graduate application closing for Spring 2009 is September 30, 2008, and domestic graduate applications close no later than November 1<sup>st</sup>. For Fall 2009, we are anticipating closing applications at the end of the priority application filing period, which is the two-month period starting October 1 and ending November 30. We anticipate closing at that point to try and control enrollment. Whether we do or not will depend on the number of applications received, projected yield, etc.

Over the summer we engaged a construction manager, the O'Connor Group for the Student Center Facilities Project. We also engaged a design architect for the Student Union addition and renovation that is Perkins and Wills. And, we engaged a design architect for the recreation center that is HOK. Work will be starting very soon on engaging a design architect for the Student Health Center. Those will be the three Student Center Facilities Project architectural firms.”

#### **Questions:**

Senator Buzanski asked, “Will the construction of the new facilities you are talking about make it impossible for the Emeritus Faculty Association to hold its annual holiday affair in the University Room?” VP Phillips said, “This December?” Senator Buzanski said, “Yes.” VP Phillips said, “Absolutely not. Construction is at least two-years away.”

Senator Langdon asked, “I was wondering if the closing date for Graduate students is the same?” VP Phillips said, “For Fall 2009?” Senator Langdon said, “Yes.” VP Phillips said, “No, it is not. It is not necessarily the same dates as Fall 2008, but those dates are worked out individually with the departments.”

Senator Van Selst said, “Given the CSU interest in internationalization and global studies, etc. as we move the international application deadline earlier, particularly the graduate student dates around, what percentage of graduate students do we have right now and how are they going to be impacted?” Senator Stacks said, “About 1/3 of the graduate students are international students.” Chair Meldal said, “The short answer is that the graduate Engineering programs would be severely curtailed and be very different in quality and composition to what they are today.”

Senator Von Till said, “In addition to the remodeling of the Student Union, etc. is there anything in the plans for the much longed for gathering place for faculty.” VP Phillips said, “Yes.”

Senator Heiden said, “I’m a little confused when you say we are over-enrolled by 2,600 students and you say one of the solutions is to establish cutoff dates for applications, why is that considered instead of increasing the qualifications for



student admissions?” VP Phillips said, “The university, as part of the CSU system, adheres to a few system-wide guidelines to determine admissibility to the university. The only way to add additional criteria to the selection process, and that applies only to students outside our service area, is to declare ourselves an impacted campus. That requires announcing one year in advance. The earliest we could become an impacted campus is Fall 2010 by announcing it Fall of 2009. We would then have to obtain the necessary documents to get approval of the Board of Trustees in order to enact it.” Senator Heiden said, “How do we end up over-enrolled?” VP Phillips said, “Let’s talk afterwards.”

**D. Associated Students President –**

AS President Cavu-Litman said, “As our first program pertaining to civic engagement, we are having an event tomorrow from noon to 1 p.m. at the 7<sup>th</sup> Street plaza called “Vote for our Future.” Secretary of State, Debra Bowen, will be on campus to help us encourage students to vote. The deadline for registering to vote is November 9, 2008.”

Senator Van Selst asked, “I know the CSU is looking for each campus to register 5% of the new student body. Do you know where we are with that?” AS President Cavu-Litman said, “Our goal is above 5%. We are hoping to register 1,857 voters, which is the year SJSU was established. We have registered about 200 voters so far, but our events will be all month long.” Senator McClory said, “Are you going to do anything on election day to try and get people out to vote?” AS President Cavu-Litman said, “We are hoping to have voter booths on campus.”

**E. Vice President for University Advancement –**

VP Najjar said, “I just handed out this brochure on homecoming. Homecoming week is October 4<sup>th</sup> through 12<sup>th</sup>. About thirty of our faculty members are doing sessions on Saturday, October 4<sup>th</sup> on a variety of topics. This year homecoming is a collaborative effort between the Alumni Association, Associated Students, and Student Involvement. There is also an event for Alumni faculty and staff.

Our distinguished alumni will also be doing a lecture series. We are trying to get our students engaged with our alumni.

Also, the Tower Award Dinner, which honors our distinguished alums, is October 23<sup>rd</sup>. Don Bealle is the recipient of the Tower Award this year.

In addition, we received a gift of a new state-of-the-art alumni database from one of our distinguished alums, Connie Lurie. We have over 300,000 records of our alums. It is probably one of the best alumni databases in the country.”

**F. Statewide Academic Senator(s) –**

Senator Van Selst said, “At the last CSU Statewide Senate plenary meeting, two resolutions were passed. One resolution was on budget priorities for the CSU. This was basically a request from the CSU Academic Senate to the Board of Trustees to

ask for full funding for the Compact for items both above and below the line. The second resolution was to look at the Lower Division Transfer Project (LDTP). The Community Colleges haven't been full partners in this. In particular, there are issues surrounding the Articulation Officers not passing along things to the discipline faculty. There was a request for our Senate Executive Committee to meet with the Community College Executive Committee to figure out a way forward. A deep concern is that if nothing effective does happen it is likely to lead to legislation which is really what we don't want to happen.

Two first reading items included support of the alliance for the CSU, and basically looking for continued advocacy functions for the CSU beyond the current budget. The Governor's budget took about \$200 million out of the CSU which relative to other government agencies left us in a great position, because everyone else got cut more.

The final item which was acted on at the Board of Trustees meeting involved a change in policy for educational program such that if a campus has an existing program and there is a new minor within that program, it no longer has to go through the full WASC program.”

**X. Adjournment** – The meeting adjourned at 4:20 p.m.