

2008/2009 Academic Senate

MINUTES  
October 20, 2008

**I. The meeting was called to order at 2:07 p.m. and attendance was taken. Forty Senators were present.**

**Ex Officio:**

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

**Administrative Representatives:**

Present: Najjar, Sigler, Lee  
Absent: Phillips

**Deans:**

Present: Parrish, Stacks, Meyers  
Absent: Merdinger

**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, Fujimoto

**CASA Representatives:**

Present: Fee  
Absent: Semerjian, Hendrick, Kao, Canham

**COB Representatives:**

Present: Roldan, Campsey

**ED Represent:**

Present: Maldonado-Colon, Rickford  
Absent: Langdon

**ENG Representatives:**

Present: Backer, Du, Gleixner

**H&A Representatives:**

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

**SCI Representatives:**

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

**SOS Representatives:**

Present: Von Till, Lee, Heiden  
Absent: Hebert

**II. Approval of Academic Senate Minutes – The Senate voted and the minutes of September 22, 2008, were approved as amended by Senator Buzanski to include the word “Faculty” after “Emeritus” on page 8, under Questions, line 2.**

**III. Communications and Questions –**

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

Chair Meldal presented a picture of the Past Chairs of the Academic Senate that attended the Breakfast Briefing to meet President Whitmore on October 1, 2008. A few of the Past Chairs were Senate Chairs as far back as the 1970's, and they traveled a great distance to attend the event and offer their perspective on the history and state of affairs at SJSU.

Chair Meldal announced that Hobert W. Burns, former professor, academic vice president, and acting president of SJSU had recently passed away. Professor Burns was hired in 1965 by President Clark and was acting president of SJSU from 1969 to 1970. He was a professor of philosophy, and his legacy includes the general education template that was used for the whole CSU system. A memorial service will be held in the MLK Library next Sunday at 2 p.m.

Chair Meldal announced that SJSU must get the paperwork for our Faculty Trustee nominees to the Chancellor's Office by December 15, 2008. The deadline for the nominee packets to be in the Senate Office will be early December, and materials will be posted on the Senate website under the forms section.

**B. From the President of the University** – None - President Whitmore is at the Chancellor's Office in Long Beach, CA.

**IV. Executive Committee Report –**

**A. Executive Committee Minutes –**

Minutes of September 22, 2008 – No questions.

Minutes of September 29, 2008 – Senator Buzanski asked that Senator Lee distribute the Budget Report Books in November so that they can be read before the December meeting in which the budget is discussed.

**B. Consent Calendar** – The consent calendar was approved as is with no nays, or abstentions.

**C. Executive Committee Action Items:** None

**V. Unfinished Business - None**

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

**A. University Library Board (ULB) –**

Senator Desalvo reported that the ULB is in the process of preparing documents for its first five-year review, and is awaiting the decision of the city council regarding the filtering measure.

**Questions:**

Senator Sivertsen asked, "If the city council decides to vote yes on the filtering issue, what exactly does that mean for us?" Senator Desalvo said, "We are not sure what will happen."

That is something we will have to follow-up on. We are pretty confident they will strike it down, and we believe that they have postponed the vote to try and get more support. It will get complicated if it is passed.” Senator Sivertsen said, “It was my understanding when the library agreement was made that nobody in the city would have any effect over the way things were ran for the university. When Don Kassing was here he said even if the city passed the resolution that it would not affect the campus because of the issue of freedom of academic expression, etc.” Senator Sigler responded, “The worst thing that could possibly happen is that we would have different guidelines for faculty, staff, and students than the general public would have. We hope that that will never happen, because part of the agreement we had with the city was that everybody would have access to everything. We are hoping the city council will not pass that measure. If that does happen, it will require significant discussions with the city due to the legal agreement we have.”

Senator Heiden asked what the issue was as she is a new Senator and is not fully aware. Senator Lessow-Hurley explained, “The city council of San Jose has proposed that we filter internet access in the library. It is quite complicated, because it is a joint library and there are academic freedom principles at issue, and many people in the community don’t want that filtering.” Chair Meldal asked that the ULB do a brief review of the issues at the next Senate meeting if the issue is not resolved by then.

#### **B. Professional Standards Committee (PS) –**

Senator Maldonado-Colon gave a brief report. The PS Committee is working with the Organization and Government Committee (O&G) on AS 1397 [the Sabbatical Policy]. The committees are reviewing the changes recommended during the last Senate meeting. The PS Committee has four referrals they are working on that are listed on the pending referral list on the table in the back of the room. These referrals will be coming to the Senate at future meetings.

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

Senator Von Till gave a brief report. The C&R Committee is working on crafting a policy for first-year experience. The C&R Committee also hopes to have a report from the Board of General Studies (BOGS) for the next Senate meeting.

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

Senator Backer presented *AS 1399, Senate Management Resolution, Changing the Membership of the Graduate Studies and Research Committee (Final Reading)*.

The purpose of this resolution is to add an ex officio seat for the Deputy Chief Operating Officer and Director of Sponsored Programs, SJSU Research Foundation (or designee) to the Graduate Studies Committee.

#### **Questions:**

Senator Van Selst asked, “Does this change the voting to non-voting balance of faculty to non-faculty on the committee, and if so in what way?” Senator Backer replied, “Well, it adds a non-faculty member to the committee.” Senator Van Selst replied, “What is the current membership?” Senator Stacks answered, “There are 7 college faculty

representatives, there is an ex officio library representative, an ex officio Associate Dean of Graduate Studies and Research as well as two student representatives.” Senator Backer said, “So, there would be 3 ex officio representatives.”

Senator Kaufman said, “Is there any history of members of auxiliaries being members of Senate committees?” Senator Backer responded that there were auxiliary members on various other committees.

**Debate:**

The Senate voted and **AS 1399 passed with no Nays and 1 Abstention.**

Senator Backer presented *AS 1401, Senate Management Resolution, Dissolution of the Extended Studies Committee (Final Reading)*. Senator Backer said, “The Extended Studies Committee sent its final report to the Academic Senate after its meeting in February saying it had no additional business, because these type of non-degree certificate programs were no longer being offered. If these types of non-degree certificates are offered again in the future, we would have to re-establish a similar committee.”

**Questions:**

Senator Stacks said, “Just a point of clarification, if a department chooses to create a certificate program does that mean that International and Extended Studies is no longer interested in sponsoring such a course of action?” Senator Backer said, “All certificate programs are supposed to be approved through the regular curricular process if they are offered with regular degree courses.” Senator Sigler clarified, “It is my understanding that these are certificate programs not based on our curriculum, e.g. a certificate in project management.”

Senator Van Selst presented a motion to strike the last two lines of the resolved clause. The motion failed for lack of a second.

**The Senate voted and AS 1401 passed with no Nays and 1 Abstention.**

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

Senator Sivertsen presented *AS 1400, Policy Recommendation, Repetition of Courses; Academic Renewal (First Reading)*.

Senator Van Selst asked, “Is it a “C” or a “C-” in the policy?” Senator Sivertsen said, “It says lower than a C.”

Senator Sivertsen said, “Grade forgiveness, which used to be referred to as academic renewal, is now limited to 16 units. We had originally looked at this as a committee and hoped to make it 18 units, but the Chancellor’s Office came in with the 16-unit rule, and we have no ability to change that. The Academic Renewal policy at the present time is 18 units

for Frosh, 9 units for transfers, and none for graduate students. The grade forgiveness for 16 units includes 9 units in lower division, and 7 units in upper division for all undergraduates. There is no comment about post-baccalaureate or graduate students.”

Senator Kaufman asked, “It says here that grade forgiveness will be automatically assigned when the student registers for a repeat class. Does that mean that the student’s GPA is wiped of the previous grade the minute they register, as opposed to when they get the new grade?” The chair recognized Associate Dean Stephen Branz. Associate Dean Branz stated, “This is really a question for the registrar, but my belief is that the grade stays on there until the new grade is recorded.” Senator Kaufman asked, “Suppose you are a lower division student and you have already done 6 units of academic renewal and you register to repeat 2 classes. Which class gets assigned automatically to academic renewal?” Associate Dean Branz said, “They are assigned in the sequence in which you register.”

Senator Sivertsen said, “This is a significant change to what happens to students right now, and I want to be sure students understand that. What happens right now is that if students wish to have academic renewal they have to request it. This automatically signs you up for academic renewal unless you opt out.”

Senator Van Selst said, “In 1.B.1. it says up to 9 units of lower division and up to 7 units of upper division. Is there a reason that limit is not up to 9 units of lower division, and up to 9 units of upper division, but no more than 16 units overall?” Associate Dean Branz said, “We are going to have a lot of difficulty implementing this and setting up counters that work automatically for units. When you start having variable counters in two different categories, I think it is going to become really problematic. However, I will ask whether this is possible.” Senator Van Selst said, “I don’t think we should harm curricular processes just because this is easier to do.”

Senator Sivertsen said, “In a nutshell what this says is that grade averaging will be limited to an additional 12 units after grade forgiveness. Course repeats are not going to be allowed after the limits have been reached.” Senator Van Selst asked, “Is coursework that is old enough that we no longer give credit for it excluded from the process? Is that a correct assumption?” Associate Dean Branz said, “The only place where courses expire is for graduate students after 7 years. Undergraduate courses do not expire.” Senator Van Selst asked, “How does that relate to the 10-year maximum on courses for your major?” Associate Dean Branz said, “That is a degree requirement, and not related to the individual courses.”

Senator Heiden asked, “I’m not sure I understand the 3<sup>rd</sup> column where it says that grade averaging is automatic to a maximum of 28 units. It seems like you’re saying that grade averaging is a maximum of 12 units. That’s not grade averaging, that is forgiveness.” Senator Sivertsen said, “If that is unclear then we will look at that one and make it clearer.”

Senator Sivertsen said, “The next line says that academic renewal will no longer be the word we call this. The changes include the name change and the creation of a review committee consistent with EO 1037. We are really just changing the name and not what academic

renewal is, except for the limitation on courses.”

Senator Sivertsen said, “EO 1037 is silent on the issue of registration priority. There is no advance registration for any course repeats other than for “W,” or repeatable for credit. There is no change from the current policy.”

Senator Van Selst asked, “Can a matriculated student use open university to repeat a course once they have exceeded the maximum number of repeatable units?” Associate Dean Branz responded, “On our campus, we do not allow enrollment in open university if you are a matriculated student, unless you are in a disqualified status. Right now it would not be possible unless we changed our current campus policy, but it is a mechanism that the CSU suggested would work.” Senator Van Selst asked, “Is it your intention to put that mechanism into this policy?” Senator Sivertsen said, “I think it should be put into this policy, or it will disappear and someone will say we can’t do it.” Associate Dean Branz said, “I would also add that any of these things are petitionable, so it could be done by petition as well. This is not going to affect a lot of students, maybe two to three students a year.”

Senator Kaufman asked, “Do we have any idea how many students currently take more than 28 units of repeated coursework?” Associate Dean Branz said, “It is not a lot. I have run into 1 so far.”

Senator Rickford asked, “What is the process involved in filing a petition, how long does it take to complete the process, and what is the usual outcome?” Associate Dean Branz said, “It depends on the type of petition and how good the extenuation is that goes into the personal statement. I try to turn them around in 1 to 2 weeks when they hit our office.”

## **VII. Special Committee Reports – None**

### **VIII. New Business –**

#### **A. Election of the SJSU Faculty Trustee Recommending Committee Member –**

Senator Van Selst was the only nominee. The Senate voted and Senator Van Selst was elected by acclamation by the faculty electorate of the Senate.

#### **B. Post Promotion Increase –**

Senator Sigler said, “As you know, during the last contract there was one item that was negotiated that was called Post Promotion Increases. However, the language as to how it was to be implemented was not part of the agreement. The CFA and CSU have been negotiating this and have reached an agreement on how this is to be done. We have received instructions, and part of the process involves the election of a campus-wide appeals committee.” Chair Meldal recognized the Assistant Associate Vice President (AAVP) for Faculty Affairs, Brad Davis. AAVP Davis commented, “Just a quick overview. Information is available on the Faculty Affairs website that answers all questions in this area and gives a complete overview of the guidelines. In a nutshell, it is expected that this process will be consistent with the elections for Retention-Tenure-Promotion (RTP) at the department and college levels. However, if anyone has any questions, I’d be happy to address them now.”

Chair Meldal said, "A summary of the process then is that faculty members are eligible in the full professor category that have exceeded the SSI steps. Half are eligible this year, and half are eligible next year. The faculty apply for the PPI, and a department committee composed of personnel that are not eligible for an increase that year reviews the applications and places them into one of three categories. The 3 categories include; meets expectations, does not meet expectations, and exceeds expectations. If they meet expectations they are recommended for a 2.5% PPI, and if they exceed expectations they are sent to the President's Office with a recommendation resulting in a salary increase ranging from 2.75% to 3.50%. The department committees' electorate is the same as for the RTP Committee, which includes tenured and probationary members. Full professors can be members of that committee. The Appeals Committee is elected university-wide and includes 5 faculty members. The electorate is the same. The Appeals Committee will deal with appeals regarding the department's determination as to which of the 3 categories an applicant was placed in and, in the case of exceeds expectations, appeals from faculty that are unhappy with the raise they get from the President's level."

Senator Lessow-Hurley said, "You said the department committee will be made up of people that are not eligible at this time and can be full professors. Is it that they can only be full professors so they will be chosen from those full professors eligible during the 2<sup>nd</sup> phase, or those full professors that haven't exceeded their SSI?" AAVP Davis said, "At the department level, they need to be tenured professors that serve on the committee. They can be associate or full professors as long as they have tenure. Regarding eligibility, the process is open this year to those that started employment with this campus prior to August 1, 1988. Next year the rest of the eligible faculty can apply." Senator Lessow-Hurley said, "I'm not clear, how is the Appeals Committee going to be elected?" Chair Meldal said, "The guidelines say following the Senate practice for university-wide elections." Senator Sigler said, "For those full professors that were hired before 1988 and are at the top of the scale, you will be receiving instructions. It is a simple application process. You must provide a short summary of your achievements in terms of your academic assignments, your service, and scholarships. Those materials will be reviewed by your department committees to determine whether you have met expectations. If you have not met expectations you will get \$0, but I doubt that will happen often. If you have met expectations, you will receive the 2.5%. If you have exceeded expectations then that is when it is up to the President as to how much you receive. The President has delegated that decision to me. The Appeals Committee will have a small amount of money, \$43,000. The Appeals Committee may allocate more resources to someone that appeals that has demonstrated that whatever amount their department committee or the President has decided is not appropriate. Altogether the funds total \$540,000 and this includes benefits and the \$43,000 reserved for the Appeals Committee."

Senator Sivertsen asked, "In the case of my office, Dr. Terri Thames has become the Director of Counseling Services and has been there for the better part of the year. She was in a category where she would have been eligible for this prior to that. Can she apply for it?" Senator Sigler said, "No. If she had continued to be a unit 3 employee then she could have. I am in the same situation, because I am an administrator now." Senator Sivertsen asked, "My second question is what if someone decides they don't have enough time to apply and they are eligible this year, can they delay applying for it until next year?" Senator Sigler said, "I would not recommend that, because we do not know what will happen." AAVP Davis said, "Someone that is eligible

this year can elect to defer until next year.” Senator Sigler said, “I still would not recommend that.” Senator Lee (James) asked, “How do you define top of the salary range? Is that anyone that has exceeded the top of the range?” Senator Sigler said, “You are at the top of the range, when you can no longer receive any increases because you have maxed your SSI counter.” Senator Lee (James) said, “So, if you have gone beyond the market rate you are not eligible?” Chair Meldal said, “If I may, there is a cutoff and a range of steps above that cutoff, and if you don’t get your regular salary step increases as part of the regular bargaining, then you are probably in this category. Your administrator in your department can probably tell you, because there is a salary step counter on your profile and if it has reached 0, I believe you are eligible.” Senator Sigler said, “We have received a list from the Chancellor’s Office of all the people that are eligible and Faculty Affairs is reviewing this list. They will be forwarding this information to the Dean’s Offices.”

Senator Rickford asked, “What is the standard increase following promotion to full professor?” Senator Sigler responded, “Normally, it is 7.5% with each promotion.”

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

### **A. Statewide Senators –**

Senator Van Selst said, “The Executive Committee of the CSU Statewide Senate has spent a lot of time discussing the impact of a budget callback for the CSU. In the latest discussion we were told there would be a minimum of 1% that will disappear out of the CSU budget. We are collecting stories for use in legislative lobbying to protect as much of the CSU budget as we can.

In terms of academically related things, I am on a statewide learning assessment taskforce. We are looking at developing a series of white papers, i.e. Faculty Development, Academic Technology, and other things related to the curricular aspects of academic excellence. Finally, this last weekend I was involved in the California Community College Course ID system, which is the California Community College replacement for CAN.”

Senator Lessow-Hurley said, “I would suggest that there is a CSU Academic Senate newsletter that is available online at the calstate.edu website. It is very informative. For example, the most recent issue had an overview of the current status of the education doctorate programs in the CSU. If you have a moment you might want to check out that website.”

### **B. Provost –**

Provost Sigler said, “The main item I wanted to talk with you about has already been discussed and that is PPI.

There are a couple of items I would like to bring to your attention. As you know, last year we appointed a campus-wide task force to look at advising. The taskforce is making significant progress. Probably the best accomplishment of the taskforce is that we have launched electronic advising. I really encourage you to look at it and take it for a test

drive. If you have comments or suggestions, I am sure the taskforce would welcome that. It is on the SJSU website at <http://www.sjsu.edu/advising/>. I think this will help us increase our retention and graduation rates. If we help students that have a lot of units graduate with good advising, we will decrease our over-enrollment problem and have smaller classes. I was also delighted the Senate Retreat focused on retention and graduation.

The other item I wanted to mention to you was that about a week ago, I had the wonderful opportunity to have lunch with about a dozen of our new tenure and tenure-track faculty. I was very impressed. You have done a wonderful job of recruiting. The future of the university is in good hands.”

### **C. Vice President for Administration and Finance –**

VP Lee (Rose) said, “Last year I gave a report on our emergency procedures, and I want to give you an update. We have put in play step 1, which is installing speakerphones in classrooms, and have run 2 tests on them. We are able to push out messages on these speakerphones.

Today, I want to talk about what I call step 2. Over the summer, we installed software that allows us to push out a text message, voice message, or email to whatever number you have designated. We started by signing up the faculty and staff. Now that the students are back, we have been advertising in the Spartan Daily, etc. to get students, faculty, and staff to sign up. What we have is probably the most popular software in the U.S. and it is called Connect-ED. I have to say that we spent money to purchase this, because we know how important it is to get out a message. We call this the personal notification system. It only works if you go and signup and put in either your cell phone number, your email address, or a land line. The only land line we don’t want to accept is your office phone, because if we pushed out that many calls it could bring down the telephone switch on campus. I urge all of you to go on My SJSU and signup. We have been tracking signups weekly and right now we have 43%. We really want 100% of faculty and staff. We would love to have 100% of students, but that is much more difficult to achieve. We are still going for it. I understand the national average is under 50%. That is not what we want, we want 100%. We want to let you know that we had to pay to the software company a full FTE. I have been working with the VPs and Division Heads to try and get people to signup.

Some additional steps we are taking include a public broadcast system. We are looking at all the options here. We are also evaluating the security of our exterior and interior doors and ways to secure them in an emergency. We do have emergency building coordinators and will be training them. We do not have enough police officers to go to each classroom. However, we are looking into using our blue light emergency phones across campus to broadcast messages, but it is very costly to replace the equipment in them to make this work.”

## **Questions:**

Senator Kaufman asked, “If I am in a classroom and do not allow my students to use their phones during class, am I putting myself in a liability situation if there is an emergency and I don’t allow the message to get through?” VP Lee said, “That is a good question. I don’t think so, but I will specifically ask that of our legal counsel.”

Senator Romo asked, “Have you considered using a siren?” VP Lee said, “The problem with a siren is that you do not know whether to go in or out of a building. We are hoping to go one step up and that is with an external broadcast system which could be as simple as speakers mounted on top of buildings. The third option is to modify the blue light phones to push out a message.”

VP Lee said, “Now on to the budget. Already the situation has changed. We are waiting to find out if we will get a mid-year reduction. I thought we were lucky that we did not get a reduction to begin with. I will let you know as soon as I get any news.”

**D. Vice President for Student Affairs – Not present.**

## **E. Associated Students (AS) President –**

AS President Cavu-Litman said, “I have just a few updates. We have been having voter registration rallies. AS found out during a recent survey that 81% of the campus is already registered to vote. AS will be getting voter registration booths for the student union.

Associated Students is hosting candidate forums for Bay Area district U.S. House of Representatives races, October 22, 2008, from 6:30 p.m. to 8:30 p.m. in the Business Building, Room 004.

The California State Student Association (CSSA), of which AS is a part, is having membership issues. In November, AS will be in the Chancellor’s Office discussing this issue. AS feels that Executive Order (EO) 1037 is unfriendly to students and will also be discussing this with the Chancellor in November.

Kipp Heartwood Academy, a middle school, came and attended one of the AS meetings to find out how Robert’s Rules and student government works. AS will continue working with the school in the future.

AS had its legacy week this past week. We had an event pertaining to the 40<sup>th</sup> Anniversary of the stance that Tommy Smith and John Carlos took at the 1968 Olympics in Mexico City.

Michael Reyes and Ann Grabowski were named the Homecoming King and Queen. They are both former Senators.

MySpace and Facebook are having a lunch meeting on November 13, 2008.

AS will be hosting an open house November 17 through the 21<sup>st</sup>. One day will be dedicated to faculty, November 20<sup>th</sup>. Invitations will be sent out soon.”

**Questions:**

Senator Sivertsen said, “I have real concerns that students do not understand that places like MySpace and Facebook are not confidential and more and more corporations are going back and checking out student’s MySpace and Facebook accounts before they hire them. I think AS could be very helpful in this area by running a campaign to educate students about this.” AS President Cavu-Litman said, “I know that the university has had a series of workshops on MySpace and Facebook and what corporations look at. It is a good idea for us to look into.”

Senator Mok said, “I would like to draw your attention to a place called engageher.org. We have been having a couple of screenings in the MLK library of a documentary aimed at getting minority women to vote. In the last election 70% of Asian women, and 42% of African-American women did not vote. I would encourage everyone to see it.”

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

VP Najjar reported, “This Thursday we will have our 38<sup>th</sup> Annual Tower Award. We are honoring Don Beall, who is a 1960 graduate of the College of Engineering. The first endowed deanship in the CSU is named in his honor. If you want to go, we may have some tickets from people that cancelled at the last minute. If you email me, I will try and get you a ticket. The event is being held in the Fairmont Hotel, this Thursday, October 23, 2008, from about 6 p.m. to 9 p.m.”

In the past, some of you have asked about our Donor Endowment Annual Report. That report will be coming out in about a month. Those of you that are contributors will receive a copy. However, I have to say that as you can imagine with the current state of the economy, and the effect it is having on our alumni, private giving is down.”

**The Vice President for Graduate Studies made the following announcement –**

VP Stacks said, “I apologize to the body, but I have an announcement that may be helpful for you to take back to your departments. We delayed the announcement of the CSU Research Funds this year, because we had not received a memo from the Chancellor’s Office letting us know if those funds would be available. We usually get that memo in September, but we just received it. The funds will be about the same as they were last year. Please encourage your colleagues to apply. The deadline at the university level is November 17, 2008. There will be a college deadline a little earlier than that.”

**X. Adjournment –** The meeting adjourned at 3:37 p.m.