

2010/2011 Academic Senate

MINUTES
October 11, 2010

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: Kaufman, Lessow-Hurley,
Kolodziejak, Sabalius,
Van Selst
Absent: Kassing

CASA Representatives:

Present: Fee, Schultz-Krohn, Correia,
Absent: Kao, Gonzales

Administrative Representatives:

Present: Laker, Najjar, Lee, Selter

COB Representatives:

Present: Nellen, Jiang
Absent: Campsey

Deans:

Present: Merdinger, Chin, Parrish,
Stacks

EDUC Representatives:

Present: Kimbarow, Smith

Students:

Present: Peddada, Salazar, Solorzano,
Beilke
Absent: Starks, Armendariz

ENGR Representatives:

Present: Gleixner, Backer, Du

H&A Representatives:

Present: Van Hooff, Desalvo, Frazier, Brown, Miller
Absent: Mok

Alumni Representative:

Present: Walters

SCI Representatives:

Present: Silber, d'Alarcao, McGee, McClory

Emeritus Representative:

Present: Buzanski

SOS Representatives:

Present: Von Till, Heiden, Ng, Peter, Lee

Honorary Senators (Non-Voting):

Absent: Norton

General Unit Representatives:

Present: Kauppila, Lin
Absent: Peck

II. Approval of Academic Senate Minutes–

The Senate voted and the minutes of September 20, 2010 were approved (45-0-4) with the following corrections:

Senators Correia and James Lee were incorrectly marked as absent at the last meeting, and the minutes will be corrected.

Senator Mok requested that her remarks on page 7 be changed to read:

"Senator Mok commented that Dean Toepfer had come to a faculty meeting with the School of Music and Dance (SMD) to explore with them his plan to merge the SMD with the Radio, Television, Video, and Film Department (RTVF). Faculty members expressed their concern at

this meeting and went separately to meet with the dean. Some faculty suggested that Dean Toepfer instead merge the SMD with Theatre, and that he move RTVF over to the media division. Over the summer while the faculty were gone, it was decided that Animation and Illustration would be included in the "trial merger" with SMD and RTVF, without input from the faculty, and that they should put on a major production, The Music Man, in their spare time to show a good faith effort."

Senator Walters asked that page 14, the last sentence, be corrected to read, "We also have one of the largest scholarship programs."

Senator Peter asked that Senator Heiden's comments in the 4th paragraph on page 8 be expanded to include the recital of a sentence from the policy as follows after the last line. "After the hearing, the Organization and Government Committee shall make a written report to the Provost recommending approval (with or without modification) or disapproval."

Senator Frazier asked that his comments on the last line of the 1st paragraph on page 8 be changed to read, "However, Dean Toepfer appeared at a LLD department meeting this spring and told them that they would be merged, and the impression left was that they had very little choice in the matter."

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Kaufman announced that President Kassing's birthday was last Friday, and that 2 cards were being passed around for Senators to sign.

Chair Kaufman joked that President Kassing's birthday present was the passing of the budget. The budget this year is fairly favorable to education. The CSU system had a \$560 million cut to its base budget between the years 2008-2010. The CSU system received back about \$365 million this year. About \$305 million was originally intended to be returned to our base budget as an ongoing budget allocation. In the end, we received \$199 million to our base budget, \$106 million in federal stimulus money, and about \$61 to \$62 million in enrollment growth money.

Chair Kaufman commented that, "As soon as that budget was passed, rumors began circulating that we were going to be asked to take more students." The Provost will have more information on this in his comments.

Chair Kaufman mentioned that at the last Senate meeting there had been significant discussions about the freshman housing requirement, and mergers in the College of Humanities and the Arts. These discussions have continued in Executive Committee meetings and elsewhere. Senators will have the opportunity to ask the Provost and VP for Student Affairs for more details on these matters later in the meeting.

B. From the President of the University – No comments. The President was not in

attendance at this meeting.

IV. Executive Committee Report –

A. Executive Committee Minutes –

September 27, 2010 –

Senator Sabalius asked if this would be a good time to elaborate on items 5 and 6 in the minutes referring to the mandatory housing requirement for freshmen, and the appeals process for mergers. Chair Kaufman asked the Provost and VP of Student Affairs if they would like to respond to questions now, or later in their remarks. Provost Selter and VP of Student Affairs Laker agreed to answer questions now.

VP Laker commented that he took the concerns that arose during the discussions seriously. The two main areas of concern seem to be "with the process that led to the decision and the merits or not of having such a policy."

VP Laker discussed these problems with the VP for Enrollment Services, Colleen Brown. VP Brown has charged financial aid with ensuring that a review is done of all students that indicate a financial hardship on their financial aid forms to make every effort to fill that gap with grant funds rather than the need for a loan. VP Laker will be in a better position to see how successful this has been after he sees the data from the fall semester.

VP Laker clarified that there are three financial aid budgets that students might fall under. The first is the at home budget that assumes the student is living at home and it is the lowest. Then there are on campus and off campus budgets. The students that live in campus housing would have a higher budget than those living at home. Many of the students that live in housing already receive this type of funding.

VP Laker commented that approximately 1,000 of the 3,000 admitted freshmen for 2010 attended high schools beyond the 30 mile radius, and 772 of the 1,000 live in on campus housing.

VP Laker stated that if a student did not have access to financial aid, and did not wish to live on campus, then that would be a compelling financial hardship argument and the appeals committee would be reviewing these.

VP Laker said that he had located a memo dated April 5, 2010, that was sent to the President's Advisory Council on Enrollment, the Senate Executive Committee, the AS Board of Directors, the Tower Foundation Board, and the Superintendent of Schools in Santa Clara County that discussed the admissions plans for Academic year 2011-2012. Item number three stated that all new students, whose prior school was more than 30 miles from the SJSU campus (high school for first time freshmen, and most recent college for transfer applicants), would be required to live on campus as a condition of admission. VP Laker commented that we have "a lot of work to do in the area of our engagement on

campus. There are many assets in terms of the diversity of the SJSU community, and the kinds of resources available in terms of knowledge, experience, and the types of classes offered." This is why VP Laker was startled to see that we only have a 41% retention rate. VP Laker believes "it is not so much a matter of missing assets as it is one of how we are organizing them. The way that we are organizing ourselves is not getting the outcomes we need." VP Laker believes more engagement will lead to better outcomes.

Questions:

Senator Buzanski asked if VP Laker could assure the Senate that any student ineligible for financial aid, and ineligible for scholarships, would be exempted from the requirement to live in housing. VP Laker responded that he was "not prepared to give a yes to that today."

Senator Buzanski asked VP Laker if he had any idea what percentage of SJSU students have jobs requiring a minimum of 20 hours a week. Senator Buzanski was told that a significant percent of the student body works 40 hours a week. Senator Buzanski commented that, "This explains why our students do not get their degrees in four years." VP Laker responded that the purpose of the appeals committee is to allow every student the opportunity to present their particular situation. VP Laker further commented that, "It is terrible what is happening nowadays that our students have to work so hard, but we also have to do everything we can to help them through. If this policy ultimately helps us to do that then great, and if it doesn't then we should dump it. That will be subject to assessment and evaluation, and should be a living conversation in this body."

Senator Gleixner asked if financial hardship could be added to the list of exemptions, because she felt that some students would be turned off from even applying without it. VP Laker commented, "It is a good point. I just need to make sure that is reflected in the minutes and I'll see to it that that is articulated and that there is some description of what that means."

Senator Sabalius commented that when students get financial aid they are getting a loan, and that by saying that "they can just get financial aid," we are forgetting that they are assuming greater debt. Senator Sabalius suggested that a better way to get more students into student housing is to reduce the cost of housing so there is more demand and it is more competitive with local housing.

Senator Sabalius further commented that one of the major reasons for this requirement is to allow housing to meet their debt obligation, and "this is not such a laudable thing to push this onto the shoulders of the students."

Associated Students recently sent Senator Sabalius a copy of a resolution they passed speaking very strongly against the new housing mandate for two reasons. First, it is a question of access, and secondly it will "disallow SJSU students to self determination." Senator Sabalius stated that he would like for that resolution to be added to the minutes, and he asked AS President Kolodziejak to forward it to the Senate Secretary [correction - should state forward to the Senate Administrator, Eva Joice].

Senator Lessow-Hurley asked if it was "legal to exempt people based on marital status under the Civil Rights Act in the state of California." VP Laker responded that he had heard that question before, but he was not a lawyer. Senator Lessow-Hurley suggested that VP Laker might want to investigate that. VP Laker responded that he would.

Senator Lee inquired if there was an exemption for people based on religion. VP Laker commented that whatever reason a student brings forward would be weighed by the appeals committee.

Senator Peter thanked VP Laker for coming and speaking to the Senate about the issue. Senator Peter then asked if VP Laker, "Would be willing to work with the Senate in crafting a university policy which regulates university housing in this regard, and which creates as a university policy a committee which will grant exceptions, which will create as university policy a membership to that committee, and as a university policy a list of exceptions, as opposed to all those points being implemented through an administrative decision without direct consultation from the Academic Senate."

Senator Peter further commented that we could do nothing about this year, but "the normal way the administration engages in a living conversation with the Senate is through the crafting of an university policy." Senator Peter asked if this would be acceptable to VP Laker. VP Laker commented that he appreciated the compliment, and that he did believe in openness and transparency, "but as to the question of jurisdiction and the like of the newcomer, it is both not my call to speak so particularly to what you are proposing, nor in my position would it be my call, so I would say that you've asked an important question and I want to acknowledge it, and I want to recognize that the question is of jurisdiction, and who has final say and who doesn't. These are contentious issues sometimes on campus. I will do my best to go as long as I can without terribly angering everybody."

Senator Peter then suggested that "until such time as this becomes a university policy, or a Presidential Directive, this is not university policy and that it should be referred to as an administrative rule promulgated by the administration." VP Laker responded that that was "fair enough."

Senator Beilke commented that he was against this administrative rule, but at a previous college he attended they had a similar policy. However, all it took for him not to have to live in housing there was a "parental excuse." All his parents had to do was sign off on a form saying he lived at home. Senator Beilke asked if the administration would be opposed to an exemption like that. VP Laker responded that that was not currently an exemption.

Senator Nellen commented that we should be "careful about everything that is at stake here. This isn't just a financial issue. Having students live on campus is also an educational issue." Senator Nellen also suggested that maybe we are "missing the bigger picture, which is how we deal with these types of financial issues."

Senator Van Selst commented that there was also discussion at the meeting about

advertising the process so that students know there is an appeals process, and there was further discussion about who would be involved in the appeals process.

Chair Kaufman asked Provost Selter to comment on the discussion surrounding the proposed reorganization within the College of Humanities and the Arts that was discussed at the Executive Committee meeting of September 27, 2010.

Provost Selter assured Senators that his office was committed to "allowing the proposed changes to unfold in accordance with university policy, S06-7."

Provost Selter commented, "My general perception of the document [S06-7] that I helped craft, is that it addresses department mergers, department splits, department eliminations, and partial transfers to other departments in a one or two-dimensional fashion, which is fine, because that was all we were thinking about at the time we debated and put together this document. But, in looking at what appears to be happening in the College of Humanities and the Arts, clearly the moves that are being proposed there are three-dimensional, or beyond. There is not one department or school in that college that is not being discussed by the dean in terms of some type of transformation. Nothing is being discussed in terms of elimination.

What happened was that in the summer there was a change in leadership in the School of Art and Design which prompted the dean to have to take certain actions to keep that area in the college running. That seems to have snowballed into a lot of lateral moves in different areas in the college, so Art and Design; Radio, Television, and Film; and Music and Dance all are involved in some moves in terms of splitting and reincorporation and the like. I know there is discussion about English and LLD and World Languages as potential [areas] where changes could take place. I know there are other discussions, and these discussions live largely in the dean's imagination I'm sure. Discussions about, at one time, moving Art and Design into Humanities, and a couple of units back with Philosophy.

Where I'm going to in this is that there is a lot of potential to make some very interesting changes in the College of Humanities and the Arts, and as I look at that, without giving excuses for whether or not we are following the policy, it seems to me if you read the policy it is more than a simple matter to have someone come up with the idea that Art History, for example, should move to Humanities and then the faculty respectively sits down and takes a vote and decides whether that is going to happen or not.

To put that in context with when I was Dean in the College of Science, we split the Department of Mathematics and Computer Science into two departments. It took about a year for the faculty to agree that they wanted to do this, and then it took another year to actually implement it. So, it was never a matter of whether or not we sat down and took a formal vote, although I have to admit that S06-7 wasn't in place at the time that this action was taken, but I think that it is realistic to think that there should be opportunity for the faculties involved in these respective schools and departments to debate seriously the pros and cons and the structural reorganizations—within the context of the structural

reorganizations—in terms of what opportunities are going to be there for them for professional development, for enhanced curriculum development, and so forth.

I think that it would be fair to allow the dean, in cooperation with all the units in the college, to work this out over a period of time with the ultimate action being that either there is no agreement amongst the faculty—amongst any of the given units that they want to make a change—or that if there is, and Karl [Dean Toepfer] is wanting to go in this direction, that an MOU be worked out between the units involved, articulated carefully, agreed upon, and then a formal vote taken within those units to ratify that that's what they want to do. I think that is a way that we could proceed that would allow some reasonable time to be put in, and some careful consideration to be put into the moves and mergers and splits and all that is being taken under consideration.

Now, not to let go of this entirely, I know that the dean is willing to go before Organization and Government [the Organization and Government Committee (O&G)] and have a discussion with that committee before the fact, in terms of what proposals he is interested in putting on the table for faculty to consider, and if O&G wants to accept that and offer an invitation to him, I know that he would be very happy to do it. So that being said, I would entertain questions."

Questions:

Senator Sabalius thanked the Provost for the clarification, and said that he thought it was very important to hear that the dean was willing to give an appropriate amount of time for thought, discussion, and development. Senator Sabalius noted that the Executive Committee minutes reflected, and what brought about the discussion at the last Senate meeting, "that many things had been done in a haphazard way during the summer with a lack of consultation and in defiance with university policy." Senator Sabalius also commented that, "if the Provost had gotten the impression that the faculty are against these changes in general, then that is not quite right. Faculty have many reservations, but there are also many faculty members in Humanities and the Arts that are interested in working with the dean and the administration to come up with academically sound innovations. As long as the process proceeds."

However, Senator Sabalius noted that there was a sentence in the Executive Committee minutes that stated that the Provost would work with the dean very closely to ensure that university policy is followed and while that is great, the minutes go on to say that the Provost reminded the Executive Committee that the Dean and Provost "must do what is in the best interests of the university." Senator Sabalius said that this sounded almost like a threat.

Provost Selter responded that he was not sure the word "defy" described what the dean had to do this summer. Provost Selter further commented that he did not remember saying the word "must," but he may have done that. The Provost noted, "The intent of that comment was that ultimately we all need to do what is in the best interests of the university."

Senator Buzanski commented that at the last Senate meeting, that the Provost missed, Senator Parrish offered an explanation that made sense. Senator Parrish noted "that we are under tremendous pressure to effect savings, and that with some kinds of reorganization there might be savings." Senator Buzanski said that the Provost never said anything about that at all, and Senator Buzanski wanted to know "what the real reason behind this is. None of the other deans have even attempted to introduce similar types of reorganization."

Provost Selter responded that there is probably no better college than the college of Humanities and the Arts in which this type of change should be explored. According to Provost Selter, "The structure of the departments in the other colleges is working relatively well." Provost Selter further explained that he has not looked at what the dean wants to do in the college of Humanities and the Arts as a "money saver." In fact, the Provost believes this will probably cost more money. Provost Selter commented, "There are no appreciable savings."

Provost Selter explained, "Our main emphasis right now within Academic Affairs, and I think the President embraces this though I can't talk for him, our number one initiative is student success. In my mind student success, in order to be a viable endeavor of this university, has to be coupled with programmatic quality and this in turn speaks to faculty development. When I talked to Karl [Dean Toepfer] about the actions he was offering for consideration in Humanities and the Arts, I think that, in my estimation, the vast majority of what he wants to do speaks toward ultimately faculty involvement in student success, and the part that doesn't, speaks to operational efficiency but not efficiency in terms of saving money. Not that I'm opposed to saving money, but that is not our first and foremost thought here."

Senator Peter thanked Provost Selter for his openness and commitment to the procedures in the university policy. Senator Peter stated, "While this process is continuing, it is very important that the faculty who could be involved have the perception that the mergers are an open question, and that their input over the course of the year, or however long it is going to be, be genuinely considered by the dean, yourself, and the President. Any action that takes place over that course of time that would create the appearance that the decision has already been made, even if they aren't intended that create that appearance, might tend to demoralize and discourage the faculty. So, there are a couple of things that can happen that perhaps were unintentional that I think may have contributed to some misperceptions. One of which is the appointment of a single chair to chair two separate departments that are in discussion about a possible merger. The second item that happened is the creation of promotional literature which doesn't advertise any department, but which puts a whole variety of programs together and associates them for the purposes of promotion through post cards, and posters, and on a website that was recently removed. Could you, as Provost, do what you can to see that these kinds of things that are happening that would tend to make faculty believe that decisions have already been made, be stopped until such time as the process can continue to its fruition?"

Provost Selter responded, "Certainly, I'll keep an eye out and do what I can. The item that

you mentioned about the chair serving in two departments may not have been articulated in the best manner, but nevertheless was done because there was an emergency and there needed to be somebody in charge of Radio, Television, and Film. Someone had to do that and it turned out that, in my estimation and largely in the dean's estimation, the Director of Music and Dance was a person who could take that under his wing. I saw the promotional materials that you are referring to. They could have gone through an explanation of which units were say firm, and which ones were under discussion. I think that would have defeated the purpose of the materials that were put out there, but your point is very well taken and my understanding is that Music and Dance was trying to do a good turn for the other program. It wasn't meant that way, but I think if perhaps I were in the faculty position now, I would be suspicious, and so we will try to minimize that.

There have been some things that were done that, frankly, shouldn't have been. In particular, I think that Art History was told that they had been reassigned to Humanities, and that certainly was premature, regrettably. When the department did vote that they did not want to do that, the assigning was overturned. We will keep up with it. I will work with the dean to try to keep as much of the unfolding of these possible units as public as possible." Senator Peter responded, "Thank you."

Senator Parrish clarified Senator Buzanski's summary of his comments from the last Senate meeting. Senator Parrish said, "I really didn't make an economic argument in the sense that it would save any department or any college money to do this, I simply said that if we continue down the path of diminishing the size of our faculty, it will get to the point where some departments will be so small that they are not really operable, and that you don't have sufficient committee members and sufficient people willing to be chair, and so on. So, that was the sense in which I think we need to look at this issue. If this is a trend that will continue, we are going to get to a point where it won't be practical to have all the departments that we have."

Senator Smith commented that all of the speakers had made a point about process. According to Senator Smith, "The people who the decisions directly affect are not involved in the decisions, and so it is a systemic issue. The big issue is a systemic issue of communication, how decisions are made, and who is involved in those decisions. Even when there is an emergency, procedures should be set in place so that people directly affected are involved. The process either raises anxiety, or minimizes anxiety. Both processes [housing and mergers] raised anxiety, because there is a lack of a system in place for people to be involved."

Senator Smith commented that he felt all Senators were "kind of saying the same thing," but he wasn't sure it was getting to the systems level. Senator Smith also noted that these "were not isolated incidents, and that this was a bigger issue. It is a procedural issue."

Senator van Hooff commented that in January she had spoken with the Provost and that he had given her the impression that nothing was going to change with her department, and that she felt that these issues [proposed splits and mergers] have come up rather quickly. Senator van Hooff also felt there was "no real communication between the different

departments that are supposed to merge with one another. We've had no discussions whatsoever."

Senator van Hooff expressed concern that, "The departments in the College of Humanities and the Arts have not explored the possibility of creating something on their own that might be better for them. Faculty feel as if they are being told what to do without being given the opportunity to come up with solutions on their own."

Senator van Hooff also expressed concern that if her smaller "department is merged into a large unit they will lose some of their identification, and the faculty in the department have no idea what the plans are for them at the moment nor have they been given any data to backup the claims that these mergers would be better for them." Senator van Hooff supports the idea of slowing down the process.

Provost Selter responded, "I actually have no knowledge of how rapidly this is unfolding. There is no timeline on it." Provost Selter also commented, "By the way, this is a disclaimer on my part I suppose, personally I am not behind all of these potential changes. It is coming from within the college, not outside the college. These are ideas that are being floated, possibly they could have been presented in a more effective way. I'm not sure, but I'll guarantee that without due process following S06-7, the departments will not be merged."

B. Consent Calendar –

Senator McClory announced that there had been some additions to the consent calendar. There are now members for the Board of General Studies from the Colleges of Humanities and the Arts and Applied Sciences and the Arts—Associate Professors Andrew Fleck and Matt Masucci. **The Senate voted and the consent calendar was unanimously approved.**

C. Executive Committee Action Items: None

V. Unfinished Business - None

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

A. Professional Standards Committee (PS) -

Senator Ng presented *AS 1442, Policy Recommendation, The Selection and Review of Department Chairs (First Reading)*. Senator Ng noted that the major change between this version of the policy and the one Senators saw last spring was the addition of a nomination committee that would be comprised of members of the college RTP committee. One of the concerns in the spring was where the election would be held, and this was one of the suggestions.

Questions:

Senator Sabalius asked if the committee would consider making VI a little clearer. Senator Sabalius suggested that the clause might be strengthened by saying, "In order to serve one or more subsequent terms the department chair must proceed through the review process and regular nominating and election processes." Senator Sabalius further suggested that there should be clearer language in IV.3. If a department wants to hire a chair, then the nominating and election process would not take place.

Senator Sabalius asked if the committee had considered whether or not to require the department chair to be a tenured faculty member. Senator Ng responded that the committee had discussed this at length and committee members were satisfied with this version of the policy.

Senator Silber commented that he believed the issue in the spring was that the policy restricted the department chair to only full tenured professors, and the Senate had disagreed with this.

Senator Gleixner commented that section V.1 was a little vague and asked what was meant by "nominations require a department vote." Senator Gleixner also commented that section III.3 says that, "in consultation with the college dean, the tenured and tenure-track department faculty shall specify the criteria for evaluating the incumbent's job performance." Senator Gleixner asked why this wasn't based on a previously written job description that the chair was already given before they got their review.

Senator Ng responded that the committee had "an extensive discussion on what the criteria should be to evaluate a chair's job performance, but we could not come up with a definitive response because most chairs receive an appointment letter that doesn't specify what the job description is." However, Senator Ng will take that back and "have the committee review it a little more carefully to see how they might get the job description into the chair's appointment letter, so the chair will know what he/she will be evaluated against."

Senator Ng further commented that the first sentence in Section V.1 where it says, "interim or acting Department Chair nominations require department vote," was a "restatement that emphasizes the fact that selection of the chair should require a department vote, however, there are circumstances in which interim and acting chairs might need to be appointed quickly and that should be in consultation with the department faculty."

Senator Peter asked in section V if the committee could "clarify the relationship between points 1 and 2, namely in section V.1 it says, *normally interim or acting Department Chairs nominations require department vote*, but in section V.2 it says, *the President or Provost may make interim appointments after consultation with the College Dean and department faculty*." Senator Peter explained that he was unclear as to when the department vote was required, and when an appointment could be made without a department vote.

Senator Peter also commented that in the current policy interim appointments are for 6 months or less, but under section V.2 of the proposed policy it appears to say that interim appointments are for one year. Senator Peter inquired if a decision had been made to extend the length of the interim appointments.

Senator Ng responded that there was not a decision to extend interim appointments to one year. This was a mistake that the committee missed, and the committee will address this.

Senator Lessow-Hurley asked why this policy was coming back to the Senate as a first reading instead of a final reading. Senator Ng responded that it was withdrawn in the Spring.

Senator James Lee asked if Senator Ng could explain the rationale for having the RTP committee count the votes. Senator Lee commented that this might prolong the process. Senator Ng responded that, "The committee was looking for a place where the ballots could be counted, somewhat like an election committee only this is for nominations, that was impartial to the current chair or anyone that was running for chair, so the committee settled on having an outside group serve as the counting committee for the nominations, and by using the RTP committee they had a body that was already elected."

Senator Nellen asked if the committee considered having "electronic balloting to make this less labor intensive." Several members of the PS committee commented that this had not been discussed. Senator Jiang responded that they had done this in his department, however, "the rate of participation was very low, less than 1%."

Senator Van Selst asked the committee, "to consider using the dean and one chair from one department in the college to count the votes, or some other committee, because having the RTP Committee count the nominations seems like a misuse of the college RTP Committee. Senator Ng responded that she would take that back to the committee. Senator Backer responded, that "there was a strong feeling last year that faculty should be counting these ballots so that's why, and realize this is only 3 members of the college RTP Committee, and they don't elect chairs that often. The college RTP Committee may never count the ballots."

Senator Kimbarow asked if "the intent of that part of the policy recommendation about the RTP Committee counting the votes was to avoid the look of partiality," and Senator Ng responded that that was correct.

B. Curriculum and Research Committee (C&R) - No Report.

C. Organization and Government Committee (O&G) - No Report.

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

Senator Gleixner presented *AS 1441, Policy Recommendation, The Use and Abuse of Alcohol and Other Drugs (Final Reading)*.

Senator James Lee asked what data the statement that "alcohol abuse is a growing problem" was based on. Senator Laker responded that the data was consistent and you can go to the Higher Education Center for Alcohol and other Drugs funded by the Department of Education, and the Robert Wood Johnson Foundation for further information. Both of these agencies are widely respected. Senator Laker further commented that he was not aware of the local data. Senator Fee noted that she was on several committees that the University Police Department

(UPD) had recently given presentations to, and UPD definitely feels that alcohol abuse on campus is a growing concern. Senator Laker also noted that while reviewing the conduct data for the last few years, he saw an increase in the number of cases involving alcohol abuse.

Debate:

Senator Sabalius presented an amendment to add a new first whereas clause to read, "Whereas: Society entrusts people of student age to drive a car, to own a credit card, to accumulate student loan debt, and to serve in the military, and thereby considers them citizens who are able to carry immense responsibility; and." The amendment was seconded.

Senator Gleixner explained that there are many students that are old enough to do a number of the things in the Sabalius amendment however, they are not of legal drinking age. Senator Gleixner noted that this amendment would require the committee to rewrite portions of the policy recommendation.

Senator Laker said that he had forwarded the current version of this policy recommendation to the departments under him that deal with alcohol and drug use for review, and all of them were very comfortable with the policy recommendation as it is written. Senator Gleixner further clarified that the I&SA Committee had widespread input from UPD, Student Affairs, the Alumni Association, Athletics, Student Conduct, etc.

Senator Sabalius withdrew his amendment.

The Senate voted and AS 1441 was approved (45-2-0).

Senator Gleixner presented *AS 1443, Policy Recommendation, Applying to Declare, Change, or Add a Major or a Minor (First Reading)*.

Questions:

Senator Brown asked if section 3.0 meant that transfer students coming from a community college with 60 units had to declare a major right away. Senator Gleixner responded that most of what is in this policy recommendation is already in effect on campus under a Presidential Directive. One of the changes in the Presidential Directive is that students coming from a community college must declare a major upon admission to SJSU. They may get admitted undeclared, because they did not get into their first choice for a major.

Senator Schultz-Krohn asked if a transfer student coming in with 60 units that was admitted to an impacted major and therefore undeclared, could then accumulate another 30 units under section 3.0, before they would be in line to get into that major. Senator Gleixner responded that students are not required to take 30 units. They are required to take whatever the prerequisite courses are. Senator Schultz-Krohn clarified that she was asking if transfer students admitted with 60 units had to declare a major prior to accumulating another 30 units in impacted majors.

Senator Gleixner said this was correct. Senator Schultz-Krohn suggested that this might not be enough time to get into an impacted major. Senator Gleixner responded that this was why departments were being told to explain to students that they may not get into impacted majors. However, Senator Schultz-Krohn commented that we had admitted these students for that particular major.

Senator Gleixner responded, "I think this whole policy kind of leaves a sour taste in peoples' mouths. This is not what anyone wants to be doing. It's not what faculty certainly want to be doing, or advisers, or administrators. One of the points raised in our committee meetings that I think was a really good point, but worth considering, is that some committee members were saying, "*We don't like this policy, why do we even need to do it if it is covered in a Presidential Directive?*," and my response to that is that shared governance works because we do things that are good and we like them, and we debate things that are bad and we dislike them. I think that we need a change of major policy. I believe it strongly, because we need to try and accommodate as many students as we can, and be fair to the students that aren't here on campus and want to come to campus. And, that basically means helping the students who are here on campus find a major in a timely manner that they want to take and that they will be successful in, but it may not be their first choice for any major and that is just the reality of it. If we believe in shared governance, we have to tackle these difficult issues and not leave them to the President."

Senator Kimbarow asked what was the purpose in section 4.1 of having the students meet with people that are not related to the department. Senator Gleixner responded that the I&SA Committee had spent a lot of time discussing this. The first sentence of section 4.1 that states, "students must consult with the department chair or major advisor in the intended major," is a forced consultation. Students are required to go and get a signature on their change of major form. Senator Gleixner clarified that the other consultations were left in the policy for two reasons. The first reason being that the I&SA Committee felt that this made the policy more student-friendly by reminding students of their options, and the second reason is that it "reminds administrators and other people on campus how important the role of advising is." Senator Kimbarow suggested that this might be made clearer by separating that out instead of lumping them all together under section 4.1.

Senator Kimbarow noted that section 4.3 was a little confusing to him. If a student is turned down for a major two times, the student then has to go to an advisor in the intended major to apply a third time. This might suggest to the student that if they get approval from the advisor the third time, that they will be accepted into the major. Senator Kimbarow suggested that I&SA Committee make the meaning of 4.3 clearer by using language that states even if the advisor approves allowing the student to apply a third time, that is no guarantee the student will get into the major.

Senator Peter said, "Senator Gleixner I need your help in understanding sections IV.4 and IV.5, and my question concerns the way in which these sections might impact majors that are not impacted, that have plenty of space in them. Is it the case that under the rules in IV.4 and IV.5 somebody wanting to change their major and go major in a program with plenty of space will now face additional requirements to be able to do that?"

Senator Gleixner responded, "Okay, just to clarify one thing in your statement, all majors on campus right now are impacted. So, impacted and plenty of space have two different meanings now on our campus. There are some majors that don't have prerequisites to apply." Senator Peter said, "I guess what I mean is in a number of departments, such as my own, we've decided to set as the criteria for our impactation, the minimum criteria and welcome all students. In fact, wouldn't it be in the interest of the university to encourage students to change their major to a major that has plenty of space in it."

Senator Gleixner responded, "I'm not sure how this stops you from doing that. Which part of it do you feel stops you from doing that?" Senator Peter said, "My concern is that I don't know if the students now who have 90 units and want to change their major need to jump through these particular hoops. Is this a new requirement in that area?" Senator Gleixner responded, "Yes, but these high unit students are a whole different issue in the sense that now they are looking at the allocation of university resources, and so someone that is taking 90 units towards a 133 unit degree and wants to switch and start back at possibly square zero—they want to start from scratch in a different major—then that means that they are taking two-thirds of a degree away from another student."

Senator Peter asked, "Why does it mean that if the other major they are starting in has plenty of space?" Senator Gleixner responded, "Because we paid for two-thirds of their degree." Senator Peter said, "That is a different question whether they are taking a slot away from someone else. They are not taking any spots away, are they?" Senator Gleixner responded, "Yes, we are allocated resources based on the number of students on campus regardless of what major they are in. We've used state resources for two-thirds of a degree and do we want to just cross that off and throw it away, and there are reasons why we might, and there are ways you can get a change of major after you have completed 90 units or even 154 units. It is looked at more closely, because the state has paid for two-thirds of that degree already."

Senator Backer commented that since we are all now impacted, she had a problem with section 3.0, because students will come in undeclared and then have to pick a major, and what then happens if they can't get into any major. Senator Backer also explained that she did not think that 60 was the correct number of units, since her undergraduate students come in with 70 units. Senator Gleixner responded that at 30 units, students start having an advising hold put on them. Senator Backer responded that that does not get them accepted into a major. Senator Gleixner responded that it did not, but the goal of that is to give them advising. Senator Gleixner further commented, "I guess I would counter that question with, what is the other option? I'm happy to hear other options."

Senator Backer commented that in section 4.4, the current version of the form states that students only have to have the form reviewed when they get to 120 units or more, not 90 units. Senator Backer explained that she had to download the form this morning, so she had it on her desk. Senator Backer inquired as to why this policy recommendation reduced the units to 90 instead of 120 units. Senator Gleixner responded that she would have to check back with the Presidential Directive. The revised Presidential Directive was posted earlier this year, and I&SA started with that document. Senator Gleixner did not think that this policy

recommendation had anything different from the Presidential Directive. However, Senator Gleixner commented that the Senate did not have to do what was in the Presidential Directive, they could do what the Senate thinks is right. Senator Gleixner further noted that all of the units were chosen kind of "arbitrarily." However, Senator Gleixner did like the 70 units because it is less arbitrary, and stated that she agreed with that.

Senator Silber asked if he was correct in assuming that the reason we were trying to make it so difficult for a student with over 120 or 150 units to change majors is because they are keeping another student out of SJSU who cannot get in because that student is taking a space. Senator Gleixner responded that that was correct.

Senator Sabalius commented that he understood the logic between the impacted and non-impacted majors, and the funding principle but asked if "the committee would consider very, very strongly loosening the restriction on obtaining or changing a second major, where students would not start from scratch. Where they, for instance, need to do a little bit more to graduate with a more qualifying degree for un-impacted majors." Senator Gleixner responded, "Okay, thanks."

Senator Peter asked, "Senator Gleixner would the committee consider in 4.4 making an exception to the additional requirements for students that are converting a minor to a major in the same field, e.g. I advise many students who minor in political science and will have more than 90 units having completed all the general education and the minor for political science, and then decide on the basis of their experience in the minor, that they would like to major in the field and could do so—finish the major in 30 units—and the total of the major is 42 units. It seems that we don't want to discourage those students that it would not take them many more units to finish the major, but under the phraseology in 4.4, they've got to jump through some extra hoops that might be discouraging." Senator Gleixner responded, "So, if I'm understanding you correctly, you're saying they could change the major, or add a double major, clarify." Senator Peter said, "No, change their major with no additional cost in time, because at 90 units they haven't wasted a single one of their units." Senator Gleixner responded, "Okay, so those would get signed off on as the policy is written, but you're saying the fact that they have to get a signature is a hurdle." Senator Peter commented, "Yeah, I don't see the reason to change the way we are doing things if they aren't going to consume any more resources from the university." Senator Gleixner said, "So, a clause about not changing. If you don't add units, then you don't need an Associate Dean's signature." Senator Peter noted, "They can complete their major in 120 units, even when they are changing their major, having completed 90 units."

E. University Library Board (ULB) – None

VII. Special Committee Reports –

Chair Kaufman introduced Professor David Mesher, our Academic Council on International Programs (ACIP) Representative. Professor Mesher explained that there are two ACIP plenary meetings, one in the fall and one in the spring, and that he would come back to the Senate and give a report after those meetings.

Professor Mesher announced the Wang Family stipend for faculty for short-term research or study in China and Taiwan. This stipend has been given out for eight years now, and San José State University has never won the award. San Francisco State University has won most of them, and Professor Mesher believes it is time we got our share. The award is for short-term research either in China or Taiwan, and the deadline for applications is December 1, 2010. Professor Mesher announced that Senators could go to the CSU website for more information under International Programs.

Professor Mesher announced that Resident Directorships for International Programs have the same deadline of December 1, 2010. Resident Directorships are available in France, Spain, Italy, China, and Japan. Professor Mesher said, "Facility in the language is required, but possibly not native-equivalent." The Resident Director serves for one year. There is a Resident Director Handbook in pdf form and Professor Mesher can send it to Senators that are interested. Contact Professor Mesher for the application forms, etc.

Professor Mesher announced that even with the economic downturn, there has continued to be strong demand for the international programs. For the first two years of the economic downturn, the American dollar actually did better than the Euro, and some of the budget cuts last year were covered for international programs by the favorable exchange rate. Professor Mesher does not believe that will occur this year. However, many of the programs are exchanges where we take a certain number of their students, and they take a certain number of ours, so the exchange rate doesn't matter as much.

Professor Mesher commented that there is a problem with international students coming to SJSU that involves impacted classes for exchange students that come for only a semester or a year. Many of these exchange students arrive just before classes begin, and have no chance to preregister. They then can't get into classes, because the classes are all full. Professor Mesher would like the Instruction and Student Affairs Committee (I&SA) to consider giving international students in their first semester at SJSU, the same status as graduating seniors. Professor Mesher commented that he knew it sounded like we were giving exchange students preference over our students, but asked Senators to remember that our students are now at their university.

Professor Mesher announced that, "For the past 10 years it has been the Chancellor's policy that no international programs can take place in a country that has a state department travel warning on it. This year that was waived for programs in Mexico." Professor Mesher anticipates that this may become an issue at the CSU level, because "for 10 years no international programs were allowed in Israel, and the reason given was always that we don't have programs where there is a state department travel warning, and yet when another country gets a warning they don't change the policy but instead grant a waiver."

Questions:

Senator Sabalius informed the Senate that Professor Mesher had succeeded him as the ACIP Representative. Senator Sabalius explained the time commitment that the ACIP Representative has. The ACIP Representative must attend one meeting in the fall at Long Beach, and another at one of the CSU campuses in the Spring. In addition, the ACIP Representative must serve on one

of the committees and these committees meet several times during the year, where they either interview faculty for the Resident Directorships, or they go through thousands of student applications to determine which students we send abroad. In addition to this, on this campus you are automatically a member of the International Programs Board, and you help out with interviewing students that go abroad. Senator Sabalius further commented, "I mention all this right now, first of all because we owe him a great deal of gratitude for his great service not only to other faculty members but mostly to our students. Secondly, when I left the position, in order not to seem self-serving, I lobbied very, very hard with the Academic Senate to provide release time for the service and amount of time Professors put in when they are the ACIP. I must say that it wasn't fruitful. There were all these financial concerns. When we look for a successor for Professor Mesher, we will have a hard time finding anybody that will want to commit that much time without reassigned time. Please, whether O&G or our Senate leadership, do consider awarding assigned time to this very, very important function."

Senator Kimbarow asked how many exchange students Professor Mesher was talking about that are not able to get into classes each semester, and whether the program was confined to SJSU, or was a CSU systemwide issue. Professor Mesher responded that he believed it was a CSU systemwide problem, and that at SJSU we are probably talking about a few hundred students total.

Senator van Hooff jokingly suggested that any faculty member that was interested in becoming a Resident Director, and needed to sharpen his/her language skills, should come to the Foreign Languages Department and they would be happy to work out a deal.

Chair Kaufman announced that he had posted information about the Wang Award and the Resident Directorships on the Senate blog. He encouraged Senators to take a look at it.

VIII. New Business –

A. Election of two faculty members to the Advisory Committee to the Board of Trustees for the Selection of the President.

The nominees from the Colleges of Applied Sciences and the Arts—Mark Correia, Education—Elba Maldonado-Colon, Engineering—Pat Backer, Humanities and the Arts—Jennifer Rycenga, and Social Sciences—Lynda Heiden presented their qualification/interest statements to the Senate.

The faculty members of the Senate voted by secret ballot and Professor Jennifer Rycenga from the College of Humanities and the Arts, and Associate Professor Lynda Heiden from the College of Social Sciences were elected, by majority vote, to the Advisory Committee to the Board of Trustees for the Selection of the President.

B. Election of a faculty member to the Faculty Trustee Nominating Committee.

Senators Van Selst and Gleixner presented their statements of interest/qualification to the Senate. The Senate discussed the voting procedures and whether the full Senate or only the faculty members of the Senate should vote. Senator Peter made a motion to have the Senate adopt a rule

that only the faculty vote for faculty representatives. The motion was seconded. The Senate voted and the Peter motion was approved.

The faculty of the Senate voted and Senator Gleixner was elected, by majority vote, as San José State University's faculty representative to the Faculty Trustee Nominating Committee.

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

A. Vice President for University Advancement – No report.

B. CSU Statewide Senators –

Senator Lessow-Hurley explained that there is some concern on the Faculty Affairs Committee around speech in the workplace by government employees, and said Senators could read the AAUP report online. Senator Lessow-Hurley would like to refer that to the Board of Academic Freedom and Professional Responsibility, and commented that "several of us have tried quite hard to get that committee to step up to the full charge it has which is to educate the community on academic freedom issues, and this is increasingly pressing." Senator Ng responded that she is the Chair of the Board of Academic Freedom and Professional Responsibility this year, and they are trying to organize a freedom forum in the spring. Senator Lessow-Hurley noted that she was very glad to hear it.

C. Provost –

Provost Selter invited Senators to the Scholars Series presentation on Wednesday in MLK 255/257 at noon. The speaker is Scott Myers-Lipton from the Sociology Department and the topic is, "Rebuild America--Solve the Economic Crisis through Civic Works."

Provost Selter announced that SJSU is going through its NCAA reaccreditation this year. This is Cycle Three. Provost Selter is chair of the Steering Committee and there are three subcommittees. The focus is on the operation of our programs in Athletics with an emphasis on student welfare. We are not judged on whether our teams win or lose. We are judged on how we treat student athletes; how we handle the rules of governance and compliance; the Academic Integrity of our programs, and so on. The Provost announced the three subcommittee chairs and they are Natalie King, who is chairing the Governance and Commitment to Rules Committee; Richard Francisco, who is chairing the Academic Integrity subcommittee; and Maria De Guevara, who is chairing the Gender Equity and Student Athlete Well Being subcommittee. The Provost explained that the NCAA and the university want widespread campus-wide knowledge and participation as this self study unfolds.

The Provost explained that the timeline starts with the formation of the committees. Next, the committees will do a self study of our athletic programs. The self study will be finalized at the end of April 2011. Then there will be a site visit by an external review committee about a year from now. The university wants "widespread campus involvement with the ability to comment on aspects of the self evaluation." The university would like campus employees to be "informed of what is happening, and to be able to share that information."

Chair Kaufman has invited the subcommittee chairs to the November Senate meeting to give a brief presentation on what they are working on. The Provost is working on getting a website up where draft documents can be reviewed. Senators will be told how to access the website, and where to submit comments. The Provost noted that comments will be very welcomed.

Provost Selter will give an overview of the changes within the Academic Affairs Division at the November Senate meeting.

D. Vice President for Administration and Finance – No report.

E. Vice President for Student Affairs – No report.

F. Associated Students President –

AS President Kolodziejak thanked Senator Sabalius for his comments regarding the AS Resolution against the student housing administrative rule.

X. Adjournment – The meeting adjourned at 4:59 p.m.