

2015/2016 Academic Senate

MINUTES
November 30, 2015

I. The meeting was called to order at 2:00 p.m. and roll call was taken by the Senate Administrator. Forty-Seven Senators were present.

Ex Officio:

Present: Kimbarow, Sabalius, Amante,
Van Selst, Lee
Absent: Heiden

CASA Representatives:

Present: Schultz-Krohn, Lee, Shifflett, Sen
Absent: Grosvenor

Administrative Representatives:

Present: Martin, Blaylock, Feinstein,
Larochele, Lanning

COB Representatives:

Present: Virick, Campsey
Absent: Sibley

Deans:

Present: Green, Hsu, Jacobs, Stacks

EDUC Representatives:

Present: Mathur, Laker

Students:

Present: El-Miaari, Abukhdeir,
Romero, Medrano, Cuellar,
Gay

ENGR Representatives:

Present: Backer, Sullivan-Green

Alumni Representative:

Present: Walters

H&A Representatives:

Present: Frazier, Bacich, Grindstaff, Khan, Riley

Emeritus Representative:

Present: Buzanski

SCI Representatives:

Present: Kaufman, Clements, White, Beyersdorf

General Unit Representatives:

Present: Matoush, Medina, Kauppila

SOS Representatives:

Present: Peter, Curry, Wilson
Absent: Coopman

II. Approval of Academic Senate Minutes–

The minutes of November 2, 2015 were approved as written (45-0-2).

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Kimbarow welcomed Senators and announced that the Senate had acquired enough clickers to attempt to use them for test voting today. The Senate discussed the pros and cons of using the clickers and decided to vote with the clickers and by hand.

B. From the President of the University –

Interim President Martin announced there was a lively CSU Board meeting with hundreds of people that came to protest a variety of issues. The Presidential Compensation Resolution was a lively debate as well. Essentially, a resolution was enacted that limits any presidential salary increase to 10% above the current incumbent's salary. There are five presidential searches underway in the CSU at this time. Our search ends in January

2016 and several others end in March 2016.

Questions:

Q: Please try and ensure while you are here that we make room for debate for faculty, staff, and students so all are allowed to share what they need to share and voice their concerns.

A: The President will do her best and is open to suggestions.

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

A. Vice President for University Advancement –

Vice President Lanning has been working with a number of community groups, student groups, and the Tower Board on the divestment resolution. The Tower Board Executive Committee will consider it on Thursday of this week. The full Tower Board will then review it during its meeting on December 15, 2015.

Question:

Q: The donor report sent to various donors encourages them to donate to Athletics and says nothing about Academics. Why is this?

A: VP Lanning said he had not seen these reports and will check into this and report back to the Senate.

B. CSU Statewide Senators –

Senator Lee reported on the five resolutions passed by the CSU Statewide Senate at the last meeting. The first resolution was AS 3223 to suspend the background check policy and to study the effects of this policy. The second resolution was AS 3228 which asks to add a retired faculty member to the Board of Trustees. This is separate from the earlier request to add another faculty member to the Board of Trustees. Another resolution, AS 3229, was a resolution to support the Trustee's Budget Request from the state legislature. This resolution also asks that some of the additional revenue go to compensation for faculty at a rate higher than the current 2%. The fourth resolution was AS 3234. This resolution was support for transparent presidential searches that include campus visits for finalists. Twenty-two campuses now have resolutions that support this concept. The final resolution was AS 3235, this resolution expressed concern about the overall tone and phrasing of the Chancellor's response to AS 3230 that established the taskforce on requirements for General Education, Mathematics and Quantitative Reasoning credit. The Chancellor's response indicated that the CSU faculty voice was one among many. The resolution asks for a rephrase stating that the CSU Faculty voice should be the most important voice on matters of curriculum in the CSU.

There was activity on other matters coming in the future. One of the issues is support for the primacy of faculty on each campus in making articulation decisions and course transfer decisions. Another resolution will call for a taskforce to plan

for more robust tenure and tenure-track hiring. Although the current pace is stronger, it is not strong enough to grow the faculty in the CSU.

Senator Sabalius reported that the Chancellor made it very clear that the Board of Trustees will stick to the way the Presidential searches are conducted right now. Senator Van Selst clarified the Chancellor said if all of the presidential candidates agree to the campus visits then we can have it, but if one of the candidates does not agree then there will be no visits.

C. Provost –

Provost Feinstein announced that he did not have any updates today.

D. Vice President for Administration and Finance (VPAF) –

Interim Vice President Josee Larochelle announced that the Board of Trustees approved the 2016-2017 support budget on November 17, 2015. The support budget requests new state revenue totaling over \$240 million and expects new tuition money of nearly \$56 million for total new funding for the CSU of \$297.6 million. This exceeds the Governor's original funding plan for the CSU by almost \$140 million. Some of the highlights from the expenditure plan include 3% enrollment growth or \$110 million, \$50 million for student success initiatives, \$70 million for a 2% compensation pool, \$25 million for facilities and infrastructure needs, and another \$43 million for mandatory costs such as health benefits and pension requirements.

This year the state legislator approved the entire CSU support budget as submitted which was \$120 million over the Governor's budget. The revenues for the state are \$11 billion greater than anticipated for this year. It is likely there will be some cash to fully fund the CSU next year.

There will be a Governor's January budget, then the May revise, and finally a new budget approved by the legislature in advance of the June 30, 2016 deadline.

The 2016-2017 five-year Capital Plan was approved and includes the new Science replacement building. The project is currently in the planning stage, but is expected to receive CSU funding for preliminary planning starting 2016-2017, and construction funds in 2017-2018.

The state no longer funds capital infrastructure and buildings for the CSU. The CSU is responsible for maintaining and building new buildings. The Board of Trustees keep looking for more funding from the state and the \$25 million the CSU is getting is for infrastructure support.

E. Vice President for Student Affairs (VPSA) –

Vice President Blaylock announced that finals week resources for students flyer will be posted across campus. There is also a contest for students to submit pictures of themselves studying. There are also some study tips on the back of the

flyer. The flyer gives the location of resources for students during this stressful time such as Counseling Services. The Wellness Center will give massages for students as well. This will occur December 10-16, 2015.

There is a workshop this Friday called *Strategies for Addressing and Avoiding Classroom Behavior Management Issues*. It is primarily for new faculty, but is available for all faculty on how to address classroom behavior issues.

F. Associated Students President (AS):

AS President Amante announced that AS sent a letter of support to the student government association at the University of Missouri in light of their campus climate issues.

The CSSA had a meeting in Long Beach and discussed the proposed student tuition increases.

The Board of Trustees will be looking for a new student trustee this year. Last year SJSU had the most applicants of any CSU Campus for the student trustee seat. AS is hoping for the same response this year and maybe one of our students will be selected.

CSSA passed a resolution on open course evaluations. This resolution calls for transparency in course evaluations and would allow course evaluations to be open to students.

AS is also preparing their legislative agenda to push for full funding for the CSU.

AS recently passed a resolution on divestment from three American companies benefiting from the occupation in Palestine.

AS awarded \$83,000 in scholarships to students last Thursday. Two scholarships were awarded to Salzburg recipients.

V. Executive Committee Report –

A. Executive Committee Minutes –

Executive Committee Minutes of October 26, 2015 –

Questions:

Q: Regarding Item #5, when it talks about camera surveillance on campus it says there is a gap in surveillance. Does this mean the goal is to have camera surveillance all over campus? Is this on the outside or inside of the buildings? Finally, it says there is not centralized place for these cameras on campus why not?

A: They aren't really surveillance cameras. They are cameras that are stored for investigative purposes and there are a number of them on campus. Some are currently managed by departments and a preponderance are in housing areas. They meet all of UPD's needs. The long term vision is that they could be used during the time a crime is being reported. However, a mass notification system is

the priority right now.

Q: The ULB had a discussion about cameras in the MLK library. The lower level has been identified as a place where it is not safe and people tend not to use it. When we have asked about safety, we've been told that there are a number of cameras, but this isn't true. There is one camera trained on the door. It has not worked for quite awhile. Perhaps that issue could be resolved soon.

Executive Committee Minutes of November 9, 2015 –

Chair Kimbarow explained to the Senate that a Senate Management resolution was discussed in item #3 that dissolved the Heritage, Preservation, and Public History Committee. This Senate Management Resolution should have been a policy recommendation. The Heritage, Preservation, and Public History Committee was created by a University policy and should be disbanded by a policy. The Executive Committee voted to convert it to a policy on the Senate's behalf, since the Senate was not in session.

B. Consent Calendar –

A motion was made and seconded to approve the consent calendar. **The Senate voted and the consent calendar of November 2, 2015 was approved (47-0-0).**

C. Executive Committee Action Items: None

VI. Unfinished Business - None

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

A. University Library Board (ULB) – No Report.

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

Senator Mathur presented *AS 1595, Policy Recommendation, Amending F15-5 (Final Reading)*.

Senator Shifflett presented an amendment that was friendly to change the title to read, "Amend Credit by Exam Policy (F15-5)." Senator Mathur presented an amendment to the Shifflett Amendment to change the title to read, "Amend Credit by Exam for Challenge Examinations (F15-5) University Policy." The Senate voted and the Mathur amendment passed (43-2-2). **The Senate voted and AS 1595 was approved as amended (35-2-10).**

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

Senator Kaufman presented *AS 1589, Policy Recommendation, Attendance and Participation (Final Reading)*.

Senator Van Selst presented an amendment to move line 25 (Resolved clause) to a Whereas clause. The amendment was seconded. The Senate voted and the Van Selst amendment failed.

Senator Peter presented an amendment to strike the second Resolved clause. The amendment was seconded. Senator Backer called the question on the Peter Amendment.

The Senate voted and the Backer motion passed (42-4-1). The Senate voted and the Peter amendment failed (14-20-13). Senator Abukhdeir called the question on AS 1589. The Abukhdeir motion was seconded. The Senate voted and the Abukhdeir motion passed (27-9-0). **The Senate voted and AS 1589 was approved as written (32-5-1).**

D. Professional Standards Committee (PS) –

Senator Peter reported that the PS Committee has been working on getting materials ready for implementing the Retention-Tenure-Promotion (RTP) Policies. Faculty Affairs has a link on their website for RTP Transitions. There are documents under this link that Faculty Affairs and the PS Committee have prepared to assist faculty, including quick facts and questions and answers about Department RTP Guidelines. The PS Committee will be working on Dossier Preparation Guidelines and an Implementation Guide in Spring 2016.

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

Senator Shifflett presented *AS 1585, Policy Recommendation, Updating the Board of General Studies Membership, Charge, and Responsibilities (Final Reading)*.

Senator Peter presented several amendments that were friendly to change line 203 that reads, "... a GEAP will be..." to read, "a GEAP may be..." and to add a period instead of a comma on line 219 after "History departments."

Senator Sabalius presented an amendment that was friendly to close the open parenthesis on line 26.

Senator Walters presented an amendment that was friendly to change line 103 to read, "1 faculty Humanities & the Arts.

Senator Shifflett presented an amendment that was friendly to strike section 1.3.7. and renumber 1.3.8 to 1.3.7.

The Senate voted and AS 1585 was approved as amended (47-0-0).

Senator Shifflett presented *AS 1588, Policy Recommendation, Revision: Faculty Athletics Representative Policy (FAR) (First Reading)*.

Questions:

Q: Why is there a long list of duties for the FAR? Why is the Executive Committee involved in the reappointment process for the FAR?

A: These are the responsibilities of the FAR. If you look at the job description, they are included in the duties. The O&G Committee took those components along with the information in documents relating to the FAR from the NCAA and built out the responsibilities. As for the reappointment and involvement of the Executive Committee in the review, this draws in the input of the full Senate as well as the Executive Committee.

Q: I believe there is an unintended consequence of this policy to usurp Presidential authority. The FAR asked to come to the O&G Committee and give expert testimony, why didn't the committee take advantage of this offer?

A: The O&G Committee invited written input and this draft policy is the result of that input. This is a first reading and anyone can send their input to Senator Shifflett.

Q: I'm surprised by this policy. The FAR is the Senate's connection with data and a good academic environment for our students. When I read the policy I wondered about the emphasis in terms of the FAR's connection with students and academics and whether or not that is sufficiently emphasized. The other aspect that I wondered about is it appears there are some issues that talk about having opportunities available for faculty to become a FAR. I can understand that is something that might be very valued. However, given the complexity of the NCAA rules, do we actually need more continuity with respect to the FAR, and do term limits serve us well? Lastly, if we did want to have some mechanism for faculty to become more involved in this process might that particular need be better served by the Athletics Board? I'm concerned that the expertise and the learning curve needed might not serve us well.

A: With respect to emphasizing the language more, O&G will definitely take a look at this. There was no interest or motivation to scale that back by the O&G Committee. With respect to continuity, in the event there is a need for continuity there is a clause for the President to continue the appointment for continuity. The O&G Committee settled on what they thought would be an appropriate term and that was three years. Also included is the option for the president to extend that for a maximum of 2 years when deemed necessary. While many of the FARs are serving without term limits there is also a call for greater diversity in the FARs. One way to achieve this is by having term limits.

Q: The role of the FAR is to report to the President and keep the President informed through the eyes of a faculty member looking out for students in Athletics and making sure they are students first and athletes second and to balance that. In the NCAA rule book, operating principle 1.1 says the Chancellor or President must have clear and direct oversight over the Athletics program. While I understand the need for continuity, there is a benefit to having a new appointee with a fresh set of eyes on behalf of the President and the Faculty. I see benefit in turnover of this position. There are also several references to the Chief of Staff in the policy and this is the President's responsibility and it should say so. Would the committee please consider changing this?

A: O&G will consider this.

Q: How does this draft policy recommendation differ from the one you originally drafted in October?

A: I don't have the match-up to speak to exact changes, but there are some changes that reference the President instead of the Chief of Staff. There was a change that pulls out the language regarding continuity with respect to national service. There is a change that drops the term to three years with the possibility of an extension of up to two years.

Q: A list of duties does not belong in a policy. The list of duties should be in a letter of appointment. Would the committee consider removing this and putting in a letter of

appointment?

A: Either these are the responsibilities of the FAR or they are not. When we craft a policy about a committee, we list the responsibilities. These are the responsibilities of the FAR. Speaking for the committee, the list is there as a result of discussion about the responsibilities of the FAR just as the committee discussed the responsibilities of BOGS.

Q: Did the committee consider appointing two FARs and they could have staggered terms? This worked well at a previous institution I worked for.

A: No, Thank you for the information.

Q: The idea about having your criteria for review on line 218 of AS 1594 would be a compromise to the list of duties in this policy. Would the committee consider having that as a model for this policy?

A: The committee will discuss this.

Q: Is it the purview of SJSU in concert with the NCAA, or the NCAA to determine the responsibilities of the FAR?

A: It is delegated to the institution.

Q: Is this typically done through a policy and not a letter of appointment?

A: That I don't know. Many sources spoke to the need for policy around the FAR.

Q: On the issue of term limits, 88% of the FARs do not have term limits and 6.9 years is the average length of service for FARs, so what is the benefit to SJSU of limiting the term of the FAR?

A: There is a clear indication from many sources that there is a need for greater diversity in the FARs. If you have unlimited terms you are decreasing the opportunity for changing the diversity of the FARs.

Q: Is it possible to list the general policy expectations and then attach guidelines?

A: Thank you for the suggestion.

Q: Here is another concern in terms of diversity, there will be a new FAR in 31 days. The concern I have is that there is a lot of rule and compliance training and a great deal of trust building between the FAR, Athletics, the NCAA, etc. There is also a competency based on experience that needs to be spoken to. There is a learning curve necessary for the FAR. Also, if you want a FAR that can bring national recognition to SJSU for their national service, then you need someone that does not have term limits. I would suggest instead of term limits let the FAR serve at the pleasure of the President?

A: The committee will discuss this.

Q: First and foremost I think the FAR focus should be looking at our Athletics program from the perspective of a faculty member and looking at students first as students and then as athletes. If the incumbent also does things outside the university for NCAA that is nice, but primacy has to be with what is happening with athletics on our campus.

VIII. Special Committee Reports –

IX. New Business – None

X. Adjournment – The meeting adjourned at 4:54 p.m.