

2001/2002 Academic Senate

MINUTES
March 18, 2002**I. The meeting was called to order at 2:25 p.m. (delayed due to lack of quorum) and attendance was noted. Twenty-six Senators were present.**

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| Ex Officio: Present: Brent, Peter, Shifflett Absent: Caret, McNeil | CASA Representatives: Present: Malloy Absent: Glogoski |
| Administrative Representatives: Absent: Kassing, Rascoe, Goodman, Dorosz | COB Representatives: Present: Donoho, Nellen |
| Deans: Present: Breivik Absent: Andrew, Sigler | ED Represent: Present: Rickford, Lessow-Hurley Absent: Katz |
| Students: Absent: Deveza, Anderson, Tsai | ENG Representatives: Present: Pour, Singh, Hambaba |
| Alumni Representative: Absent: Hollands | H&A Representatives: Present: Williams, Sabalius, Manning Absent: Van Hooff, Fink, Vanniarajan |
| Emeritus Representative: Present: Buzanski | SCI Representatives: Present: Hamill, Stacks, Garcia, Matthes, Veregge |
| Honorary Senators (Non-Voting): Present: Young Absent: Norton | SOS Representatives: Present: Nuger, Baba |
| General Unit Representatives: Present: Thames, Main | SW Representative: Absent: Hines |

II. Approval of Academic Senate Minutes
The minutes from February 25, 2002, were approved as corrected.**III. Communications****A. From the Chair of the Senate.**

Chair Brent reminded the Senate that President Caret and the Vice Presidents would not be at today's meeting because they are at the President's Annual Staff Retreat. Chair Brent further reminded the Senate that the first of two Forums that the Academic Senate is cosponsoring with the Provost's office, would be held on Thursday, March 21, 2002, from 10:00 a.m. to Noon in ENG 285/287. The Forum will be videotaped and it will also be simulcast live on the radio on KSJS/90.5. Chair Brent encouraged all Senators and their students to attend. Copies of the flyer announcing the forum were distributed to all Senators.

Chair Brent stated that elections were being held on all campuses for amendments to the CSU Academic Senate Constitution. Chair Brent said that there are two amendments to consider. The Executive Committee unanimously endorses the first amendment that calls for greater representation on the CSU Academic Senate. In December 2001, the SJSU Academic Senate unanimously endorsed a Sense of the Senate resolution (SS-F01-2) regarding this issue. The second amendment would add an emeritus faculty representative to the CSU Academic Senate. The Executive Committee has not taken a position on the second amendment. Chair Brent said that a large turnout in favor of the first amendment is vitally important as it is expected that faculty on smaller campuses will vote against this resolution. In order for the amendment to pass, it requires a majority vote by faculty from all campuses. We have just distributed extra ballots to all Senators. If you have not already done so, please complete the ballot and turn it in to your department. These ballots have been sent via intercampus mail to the Colleges for distribution. Senator Buzanski asked why the Executive Committee failed to take a stand on the second amendment. Chair Brent said this is because SJSU's delegation to the CSU Statewide Senate is divided in their support for this amendment. Senator Buzanski noted that the pro argument for the second amendment is quite lengthy; the con argument is one line. Senator Buzanski said that the second amendment would add one emeritus representative to the CSU Academic Senate, not one emeritus representative from each CSU campus. Chair Brent stated that the pro and con arguments can be found on the SJSU Academic Senate web site, and Senators can access them from the "What's New" page.

Chair Brent announced that the Library would be hosting a reception for Senators. Senator Breivik said the reception is to introduce an exciting new service that will be available by Fall 2002. The reception is also to thank Senators for their support. The reception will be held immediately following the next Senate meeting, and will be in the same room (ENG 285/287.)

Chair Brent announced that last Thursday, the Women's Fund of Silicon Valley honored fourteen local women as "Women of Achievement." Senator Veregge was one of those honored for her achievements in the field of Science and Technology. The Academic Senate honored Senator Veregge with a round of applause.

Chair Brent then proposed a change to the Academic Senate Calendar. There are only two additional Senate meetings before the end of the year. Chair Brent said that the Senate will be receiving several major policies for review before the end of the year, such as a Sense of the Senate Resolution regarding the Academic Calendar

under Year-Round Operations, a policy regarding MUSE, a policy from the University Information Technology Board, a policy from the AIM Taskforce, and a policy regarding the Board of General Studies as well as several smaller policies. Chair Brent said two meetings are not enough to review all these policies; therefore, he consulted with the Executive Committee and they recommended the following calendar changes. The Executive Committee recommends that the Senate move the April 29 Academic Senate meeting to April 22, 2002. A policy committee meeting would then be scheduled on April 29, 2002. On May 6, 2002, a new Senate meeting would be scheduled, and the policy committee meetings currently scheduled for that day would be cancelled. The final Senate meeting would be held on May 13, 2002, as currently scheduled. The Senate voted on the changes and approved them unanimously. Senator Shifflett suggested that the Executive Committee prioritize the policies before bringing them to the Senate. Senator Stacks asked if the Senate office would be scheduling rooms for the new policy committee meetings on April 29, 2002. Chair Brent said yes, the Senate office will find rooms. Senator Singh asked if the Senate office staff would be able to get the Senate packets to the Senators in time, considering the short time frame between these meetings. Chair Brent said Senators will at least get an agenda, and any other items can be posted on the web. Senator Breivik asked if the Library should host the reception for Senators after the April 22, 2002, Senate meeting. Chair Brent said yes if possible.

B. From the President of the University - None

IV.

Executive Committee Report

A. Minutes of Executive Committee

Executive Committee Minutes of February 25, 2002

Questions:

Senator Singh asked when the Senate could get a summary of the Provost's Initiatives. Chair Brent said he was not sure that we have approval to release that information yet. Chair Brent has encouraged the Provost to make a summary available.

Executive Committee Minutes of March 4, 2002 -- Chair Brent said that amended copies of the Executive Committee Minutes of March 4, 2002, had just been distributed to all Senators. The amended copy that was just distributed was further amended by the Executive Committee at today's meeting. Item number 9 was amended to indicate that the Executive Committee has voted to endorse the proposed constitutional revisions, and item number 6 was amended to make it clear that the Executive Committee has not already decided the topic for the Fall Retreat.

Questions:

Senator Shifflett asked Chair Brent to elaborate on the Hallmarks Taskforce. Chair Brent said there currently is not a Hallmarks Taskforce. The Provost has said that he envisions that SJSU have certain Hallmarks. A policy resolution that would have created a Hallmarks Taskforce was considered by the Executive Committee, but had not yet been put to a vote. Senator Singh asked what the "campus fees" discussed were. Chair Brent said that the referral regarding campus fees was for fees involving things that go into a computer lab such as ink, printer paper, etc. The question was to what extent departments could ask for money to subsidize a lab that may be only partially used by students actually enrolled in the course. Senator Sabalius asked for clarification of item 3, Foreign Languages and GE. Chair Brent said that the CSU Academic Affairs Committee had proposed a policy regarding Foreign Language GE Requirements. However, the policy proposal was withdrawn, and no referral will need to be made to the Curriculum and Research Committee. Senator Singh asked what had happened in item 8, with regard to waiting for FTEF data for the Academic Senate elections. Chair Brent said that we could not get accurate FTEF data from last semester; therefore, he asked the Executive Committee what we should do. The Executive Committee recommended using last year's FTEF data in order to proceed with this year's Senate elections. The Senate office then proceeded with the elections. Senator Malloy asked if the colleges should have received election materials by now. Chair Brent said only the College of Engineering and the General Unit have contested elections; however, all colleges should have received, and distributed, the CSU Academic Senate Constitution Amendment Election Ballots.

Budget Advisory Committee Minutes

Budget Advisory Committee Minutes of March 11, 2002 -

Questions:

Senator Stacks said that item number 4 should be amended to add, "a minimum" after "the Budget Advisory Committee decided that" in the third sentence. Senator Stacks also suggested that the fourth and fifth line of item number 4 be changed so that the sentence reads, "The Budget Advisory Committee discussed a subset of seventy-two submitted proposals and of these, six were determined to have too narrow a focus." Senator Stacks asked what the suggestion made by the Deans was in item number 2. Chair Brent said the concern was that there is language in our policy that says that after Budget Priorities Proposals have been prepared, the Chairs in individual colleges will get together and help prioritize those proposals from the individual college. A Dean was concerned that the policy doesn't say that the Deans shall meet with the Chairs to engage in that prioritization. The Dean was concerned that the Deans may have been intentionally left out of that process. Chair Brent said that was not the intent. The Budget Advisory

Committee felt that they had just passed that policy and did not want to revisit it again right at that moment, and since there will be few, if any, budget priorities proposals being submitted this year, there isn't a great urgency to revisit that policy right now given the current workload. The Budget Advisory Committee will consider making revisions next year. Senator Singh asked about faculty salary issues. Chair Brent said that is not an issue the Budget Advisory Committee is involved in. The Budget Advisory Committee does not give out advice regarding contract issues.

B. Consent Calendar

Chair Brent said that Barb Conry has agreed to serve for a three-year term on the Board of General Studies. However, Barb will be on sabbatical during the Fall 2002 semester. Chair Brent asked Steven Millner to serve an additional semester on the Board of General Studies to replace Barb during the semester she is on sabbatical. Steven Millner agreed to extend his term through Fall 2002. The consent calendar was approved.

C. Executive Committee Actions Items:

Senator Nellen presented *AS 1172-Sense of the Senate Resolution: Endorsing the Knight Commission Report and Calling for Other Actions Related to Athletics (Final Reading)*. Senator Nellen summarized the resolution. **Senator Shifflett presented a friendly amendment to remove the word "other" from the title and to insert the word "SJSU" before athletics.** Senator Nuger presented an amendment on behalf of Senator Young to insert the following to the third Resolved clause, after "the state of athletics at SJSU:"

This should include information, such as:

- (1) Number of people, and responsibilities, in each sport or unit;
- (2) Salaries (names not sought);
- (3) Sources of money for salaries;
- (4) Scholarships, by sport, sources;
- (5) Graduation rate, by sport;
- (6) How many academic tutors, advisers, sources of funding;
- (7) How many classes are missed by athletic participation; baseball has how many games;
 - conflict of games and classes;
- (8) Tutors on sports trips, if any;
- (9) Special adviser(s), with information about classes, professors, etc.
- (10) Physical injuries, from sports; cost of such injuries;
- (11) Number of hours athletes required to practice, daily, weekly, semester, etc.
 - a. OFF THE RECORD FREE question: Can students be required to study two hours
 - daily, similar to practice on athletic field?
- (12) Allocations of money and resources to each sports unit
- (13) How athletes are told that their first priority is to be a good student

The Senate voted: 11 were in favor, 10 were opposed, and there were 3 abstentions. **The Nuger/Young amendment passed.** Senator Malloy presented an amendment which was further amended by Senator Stacks to change the third Resolved clause to read "that the SJSU Academic Senate requests that within two months of receiving the final report of the NCAA Self Study President Caret issue a formal, written evaluation of the state of athletics at SJSU; be it further". **The Malloy amendment passed. The Senate voted and AS 1172 passed with one abstention and no dissent.**

V. Unfinished Business - None

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

A. Organization and Government Committee-

Senator Stacks presented *AS 1174, Senate Management Resolution: Amendment of Standing Rule 15 Sponsorship of Events (Final Reading)*. Senator Stacks summarized the resolution. Senator Peter made a motion to return the proposal to the Organization and Government Committee for clarification of "for profit." Senator Shifflett presented an amendment to the Peter amendment to have the Organization and Government Committee address the concerns raised by Senators regarding the issues of sponsorship and co- sponsorship and the concerns raised regarding the underlined material at the end of the Senate Management Resolution. The Senate voted and the Shifflett amendment to the Peter amendment failed. Senator Peter then withdrew his motion, and **Senator Stacks presented a friendly amendment to add back in the words "The event or activity must be non profit." to item 15b. The Senate then voted and passed AS 1174.**

B. Instruction and Student Affairs Committee -

Senator Nuger presented *AS 1173, Policy Resolution: Revisions to Plagiarism Policy (First Reading)*. Senator Nuger said that currently the university has a contract to use "turnitin.com" to see if students have plagiarized their papers. This policy would establish a set of rules regarding issues such as establishing a site license with any detection service, and ensuring student privacy/anonymity of papers.

Questions:

Senator Nellen stated that students need to be informed about what happens to their paper and given an option not to have it sent in to turnitin.com. The student may not be aware

that their paper goes into a database that is used by turnitin.com.

Senator Buzanski stated that instructors should submit the papers anonymously without the student names. Senator Nuger said that turnitin.com removes the names of students from the papers.

Senator Hamill said that he is on the Instruction and Student Affairs Committee, but he abstained from voting on this policy because he is opposed to the whole idea of turnitin.com. He doesn't like the idea of student work being mechanically processed by any agency.

Senator Martinez read a letter from Senator Tsai who could not attend this Senate meeting. Senator Tsai stated that she is on the Instruction and Student Affairs Committee, and that she had also abstained from voting on this policy. Senator Tsai felt that students should have the intellectual property rights to their papers. She wanted to know what happens if turnitin.com is bought out by another company. Senator Tsai felt students should have the right to not have their papers turned in to turnitin.com. Senator Martinez asked if the committee had discussed whether the student would have the right to not have their paper turned in to turnitin.com. Senator Nuger said the student does not have the right to refuse to have their paper submitted.

Senator Malloy stated that the last whereas clause was untrue where it says that we "have no method of notifying". We do have a policy that addresses this. She suggested that the committee remove the last whereas clause. Senator Nuger will discuss this with the committee.

Senator Williams stated that she is on the Instruction and Student Affairs Committee and that turnitin.com is a service that the university has already paid money for. The Instruction and Student Affairs Committee wanted to try and protect the student's rights.

Senator Singh asked what was the detection methodology used by turnitin.com. Senator Singh said no service can be perfect, they could falsely accuse a student of plagiarism. Senator Nuger said that if the paper is a partial match, a paragraph-by-paragraph search will begin. A report will then be sent to us that compares the degree of similarity.

Senator Thames asked about the form of the third whereas clause, what are the formal and informal survey instruments. Senator Thames also asked whether the Instruction and Student Affairs Committee had discussed adding some language to the effect that the majority of SJSU students don't plagiarize. Senator Nuger said the committee could certainly discuss that.

Senator Nellen said the committee should get some clarification on intellectual property rights. Senator Nellen said she believes that if a professor submits a student's paper, it is a copyright issue.

Senator Donoho said she would also like some clarification of the third whereas clause and what the formal and informal survey instruments were. Senator Donoho asked if the Instruction and Student Affairs Committee had thought of some mechanism of notifying students before they enroll in a class, that the class requires submission of their papers to turnitin.com.

Senator Matthes asked if Senator Nuger could clarify the copyrights that are retained by the student when they turn in their paper. Senator Nuger said he could not. Senator Matthes said that he has used turnitin.com, and has had success with the service.

Senator Young asked how much the contract with turnitin.com cost the university. Senator Nuger said he did not know.

Senator Stacks said that it has been implied that students have the option of taking a different class if they are opposed to their papers being turned in to turnitin.com, but there are many situations where students don't have the option of taking a different class. Senator Nuger said he was aware of this.

C. University Library Board – None

D. Professional Standards Committee – None

E. Curriculum and Research Committee –

Senator Donoho presented *AS 1170, Policy Resolution: Policies and Procedures for Designating Service-Learning Courses (Final Reading)*. Senator Donoho presented friendly amendment to add the date of the vote to the end of the policy. Senator Williams presented a friendly amendment to add "per academic term" after "10 hours". The Senate then voted and passed AS 1170 unanimously.

VII. Special Committee Reports - None

VIII. The meeting was adjourned at 4:50 p.m. due to the lack of a quorum.