

2002/2003 Academic Senate

**MINUTES
February 17, 2003**

I. The meeting was called to order at 2:10 p.m. and attendance was taken. Thirty-nine Senators were present.

Ex Officio:

Present: Caret, Brent, Peter, Van Selst
Shifflett, Nellen
Absent: Martinez

Administrative Representatives:

Present: Kassing, Rascoe,
Lee, Goodman,

Deans:

Present: Breivik, Gorney-Moreno
Absent: Andrew, Meyers

Students:

Present: Tsai
Absent: Martinez, Greathouse, Lee,
Ortiz, Trujillo, Yuan

Alumni Representative:

Absent: Guerra

Emeritus Representative:

Present: Buzanski

Honorary Senators (Non-Voting):

Present: Norton

General Unit Representatives:

Present: Main, Liu

CASA Representatives:

Present: Gonzales, Yen, David
Absent: Palakurthi

COB Representatives:

Present: Donoho

ED Represent:

Present: Lessow-Hurley, Katz, Rickford

ENG Representatives:

Present: Hambaba, Pour, Singh

H&A Representatives:

Present: Williams, Sabalius, Desalvo,
Vanniarajan, Van Hooff

SCI Representatives:

Present: Boothby, Stacks, Matthes, Veregge

SOS Representatives:

Present: Ray, Ogaz

SW Representative:

Present: Hines

**II. Approval of Academic Senate Minutes –
Minutes of December 9, 2002 approved as is.**

III. Communications

A. From the Chair of the Senate –

Chair Brent welcomed all Senators back for the Spring 2003 semester. Chair Brent then welcomed our new Senators: Senator Boothby, Senator Ogaz, and Senator Tran. Chair Brent announced that the second of the two budget forums would be held Wednesday, February 19, 2003, from noon to 1:30 p.m., in Engineering 189. Chair Brent said he was pleased to announce that the Academic Senate now has a faculty listserv. He has already sent out two emails to faculty using the listserv this week. Chair Brent said he believes this will help us in staffing our committees by being able to get the word out to all faculty. Chair Brent announced that the Senate elections are coming up, and that nominating petitions are due in the Senate office on Wednesday, February 19, 2003. Chair Brent said that the Committee on Committees had gotten the latest FTEF data available, and there have been some changes in

apportionment between the colleges. The College of Applied Sciences and the Arts, the College of Education, and the College of Social Science each lost a seat. The College of Business and the General Unit each gained a seat. Chair Brent said that in May 2003, we will have elections for next year's Senate leadership. The four policy committee chair positions, the Secretary of the Senate/Chair of the Committee on Committees, and the Vice Chair positions will be available. Chair Brent explained that the Vice Chair will become the Chair of the Senate, so the election for Vice Chair is essentially an election for the future Chair of the Academic Senate. Chair Brent will be approaching members of the Senate to ask them to run for these positions. Chair Brent gave an update on the Smoking Policy. A survey was sent out to faculty, staff, and administrators asking for their perspective on this issue. On Wednesday, the Associated Board of Directors approved putting a measure on the ballot next month to get an advisory vote from students on these issues. After reviewing all the input, the Executive Committee will meet to determine where to go from there. Senators will probably see a resolution on smoking come before them in April 2003.

B. From the President of the University –

President Caret said he wanted to mention the unfortunate and devastating incident we had with our two fraternities. We are currently in the middle of a police investigation of the criminal activity related to this incident. President Caret said that we cannot begin any internal investigation into the incident until the police investigation is completed. However, once the police investigation is complete, we will go through our own judicial review process and levy sanctions on those students involved. Once that process is complete, we will be putting together a task force of both on-campus and off-campus individuals to look at Greek life in general. President Caret said he felt this was a severe enough issue that we should not assume any of the assumptions that we had in the past are correct. We need to look at what we are doing right, and what we are doing wrong. President Caret said we are working very closely with the UPD and with the San Jose City Police, and we have taken steps to handle what we can internally. However, until the police investigation is over, there really isn't much we can do without interfering with their investigation.

President Caret announced that the NCAA 5-year site review team for certification of our athletic program is on campus. They arrived last night and will be with us through Wednesday morning. They are interviewing various people on campus, from our senior administrators to student athletes. They have our self-study that Gerry Selter was the primary author of, and we expect no surprises. President Caret said he believes the program will be re-certified.

President Caret said regarding enrollment, we have been growing at a remarkable rate. We have grown from 20,600 students in FY 01, to what will be 23,000 plus students in FY 04. That is a fairly significant rate of growth. In good circumstances this rate of growth would be difficult to handle well, but it is especially difficult with our current budget situation. In addition, President Caret said, these are the targeted growth numbers; we've actually grown by 600, 800, 1,000, and probably 500 plus students next year above those targets. We have actually added as many as 5,000 students over that period of time, and only been funded at about half that level. We are beginning to see the campus get into a situation where students can't get the classes that they need, and the average unit load that students are taking is

dropping. This is going to be a problem, President Caret said. The Governor wants us to take the students, because they've given us a lot of money. This is understandable, however, they haven't given us enough money to accommodate all of them. We are having a hard time handling the increase in students. President Caret stated that achieving the balance of when to begin to shut down the doors on the campuses, versus keeping them open and not being able to offer the classes, is always a difficult challenge in a public system. However, President Caret said, if the budget continues to decline into the future, we are going to have to look at some different ways of handling enrollment than we have in the past.

In terms of the budget, in January we received a cut of about \$2.3 million or roughly 1% of our general fund budget. In addition, we are scheduled to give back an additional 1% or about \$2.4 million more. This means the overall budget cut to this campus has been about \$5 million this year, President Caret stated. That is a fairly significant cut, but lower than we had expected. The projected cut for next year (2003/2004) is \$20 million. We are hoping to mitigate that through new enrollment growth money. However, there is no guarantee that this money will be there. We are also expecting to have an additional 25% fee increase above the 10% increase we had this year. If this fee increase is approved by our board, and supported by the legislature and the Governor, and if we get the new enrollment money, then the \$20 million cut will decrease. However, President Caret said, if we do not get the additional money, our cut will be \$20 million. We are planning both for a worst-case scenario, and a likely scenario. We are not planning on a best-case scenario, because we have never been able to achieve a best-case scenario, President Caret stated. We have a number of challenges as it relates to the budget. You can't make \$5 million, or \$20 million in budget cuts happen invisibly. President Caret said that he is hoping to do as little harm to the campus as possible, and to keep options open for the students as much as possible. But, when you start cutting millions of dollars from the campus budget, it begins to really take its toll on the campus. It is even more difficult in a budget that is roughly 70% salary and benefits, and only 30% operating costs. President Caret said, we have our work cut out for us. Over the next couple of months, we will be having a series of dialogues at both the CSU and SJSU level that will be open to faculty, staff, and students on issues related to the budget. The CSU Budget Advisory Committee (BAC) and the Board of Trustees Finance Committee will both be meeting this month. These meetings will be open to the public, and all the unions will be invited to speak. There is also a budget summit on March 14th that will involve the campus Presidents, Academic Senate Chairs, Associated Students Presidents, the Executive Committee of the Statewide Senate, the Executive Committee of CSSA as well as key members of the Chancellor's staff. About 100 people will be attending this summit in Long Beach to discuss the various budget options being considered. On our campus, we will be having a Budget Forum on Wednesday that Chair Brent has already announced. In addition, the BAC meets regularly during the semester, and President Caret's staff meets regularly with the BAC to discuss budget issues. President Caret will have a meeting with the Academic Senate to explain the entire budget, and what he thinks will happen over the next 6-18 months, in the near future. President Caret will also hold a meeting with all the campus managers. President Caret stated that he meets once a semester with all the MPPs. The meeting this semester will be dedicated to the budget and what we are going to do about it. President Caret will hold a special meeting of the Council of Deans and the Council of Chairs to discuss the budget, and also have a meeting with the Associated

Students Board of Directors. The President suggested that each of the Vice Presidents have a town meeting to discuss the budget within their divisions with their employees. President Caret said the keystone decision will be if the 25% fee increase is not approved. This increase would mean about an additional \$142 million for the CSU system. This increase would provide a significant percent of money to mitigate the cuts the state has put on us. Without this money, President Caret stated, we will be in a very, very difficult situation. We are planning as if that money will be there, however, there are a lot of political hurdles out there. The California Faculty Association (CFA) has come out vehemently against a fee increase, and this is one of the hurdles. President Caret said whenever you've been through this kind of budget you just pray that you never do again. However, we will survive this. The university has been here for 147 years and it will continue to grow.

Questions:

Senator Peter asked if the \$20 million budget cut is based on the Governor's proposed budget? President Caret said yes. Senator Peter asked about faculty searches at SJSU. President Caret said several of the large campuses are considering canceling a lot of their searches. SJSU had over 100 searches last year, and hired a significant amount of faculty from those searches. Some of the other campuses may not have held as many searches last year. President Caret said we do plan on doing these searches, but we don't want to have faculty come out for an interview and then have to cancel the search due to the budget. Provost Goodman said that we anticipated the budget cuts this year, and that is why we conducted so many searches last year. We had 103 searches and hired 71 people. President Caret said that the California Faculty Association wants the searches done, and they want the pay increases negotiated through the memo of understanding, regardless of whether we get the \$20 million in budget cuts. President Caret said we don't want to be in a situation where we are hiring new people while laying off current faculty members. Provost Goodman said that we want to try and protect our part-time faculty. Some CSU campuses don't have many part-time faculty, so they don't have the same fear of trying to protect long-term part-timers. Our part-timers are as critical to some of our departments as full-time faculty members. We don't want to get into a situation where we are hiring a lot of full-time faculty, but jeopardizing a lot of our part-time faculty to do so. President Caret said, some campuses have experienced tremendous enrollment growth, and they may be getting a lot more enrollment growth money than we are and can be more flexible. Provost Goodman said a considerable amount of enrollment growth money was taken off the top by the Chancellor's office, and targeted for the Los Angeles campuses due to their tremendous growth.

Senator Tran asked if the proposed additional 25% fee increase would be based on the fees before, or after this year's 10% increase. President Caret said after the 10% increase.

Senator Katz asked about the status of our effort to remain in Division 1A. President Caret said that we are working aggressively to ensure that this occurs. VP Kassing is looking into facilities and what we need to do there. Chuck Bell and his team are looking at what kind of scheduling changes they need to make. President Caret said that we are working with a number of volunteers who are helping with both corporate and individual ticket sales. We are working with other volunteers on the donation of tickets to youth groups, and getting

youth groups on campus. There is a whole series of events like this going on, and you'll see much more of this throughout the year, President Caret stated.

Senator Singh asked whether we have specific rules and guidelines that the fraternities have to operate by. President Caret said yes, we do. Every fraternity and sorority has to live by a set of rules in order to be sanctioned by the university. We are looking at these guidelines and rules to see if we can do anything better. A new task force will also be evaluating these. President Caret said that there was a lot of press in the San Jose Mercury News about the bad blood between these two fraternities, and that this had been going on for years. However, according to UPD police reports, and our Greek life office, there had never been a fight between these two fraternities before. There is no way we could have predicted that this would happen, nor that the fraternities would call in non-fraternity people to be there, President Caret said. The one arrest warrant that has been put out is for an individual that is not a San Jose State University student; he is a DeAnza Community College student. It does not appear that the other four students that were injured were San Jose State University students either.

Senator Shifflett asked President Caret if he could elaborate on the fact that these two fraternities did not have a national affiliation that they operated under. President Caret said these two fraternities were what we call "emerging fraternities." These two fraternities had a particular focus on ethnic awareness, and in particular Asian Americans. They have a national structure but it is not the same as the traditional Interfraternity Council or Panhellenic structure. They are in a loose sense chartered nationally, but it's not the same kind of charter you can revoke. They could be discontinued, but the structure is not there to look at them in a more formal way. President Caret said that the university was in the process of creating a council to give emerging fraternities and sororities more structure, before all this happened. The university will continue to work on creating a council.

Senator Ogaz asked why the UPD didn't have jurisdiction over the investigation since it involved SJSU students. President Caret said that we have jurisdiction over any organization on or off campus that is affiliated with SJSU. The type and location of the crime determines which agency will take the lead, the San Jose Police Department or UPD. Because this incident occurred off campus at Flickinger Park, and involved a homicide, the San Jose Police Department has the lead.

Senator Lessow-Hurley asked if there was a way we could work with the press to ensure the accuracy of the information they are reporting. President Caret said that Public Affairs has worked hard with the press. However, President Caret said that he calls the General Manager, the Executive Editor, and the General Manager regularly to report errors.

IV. Executive Committee Report –

A. Executive Committee Minutes – December 9, 2002 –

Senator Shifflett asked about item 5. Is this a formal change so that every year the previous year's nominees will be included? Chair Brent said that the committees haven't

decided this is a permanent change. The previous year's nominees were included with this year's nominees, because the pool was so small.

January 27, 2003 –

Number 9 has already been changed, Chair Brent stated.

Senator Stacks said as a point of clarification on item number 12, are we talking about student fee increases. Chair Brent said yes. President Caret said "state university fee increase" would be the appropriate language.

February 10, 2003

Chair Brent said item 9 has been changed. Senator Peter asked that the word "re-establishment" be changed to "re-convene" in item 8. Chair Brent said we would make the change.

Budget Advisory Committee Minutes –

February 3, 2003 – No Questions

B. Consent Calendar – None

C. Executive Committee Action Items:

In Executive Session, the Academic Senate discussed whether to support a proposal renaming a building on campus. The Academic Senate voted and the resolution passed unanimously.

V. Unfinished Business - None

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

A. Organization and Government Committee –

Senator Stacks presented *AS 1194 – Policy Recommendation: By-Law 5 Amendment (First Reading)*. Senator Stacks said that she would be asking that this proposal be changed to a final reading. Senator Stacks said that there currently is no way of dealing with a committee member that repeatedly does not perform assigned committee duties, and that this is a real hardship for certain committees. This is the reason for this proposal.

Questions:

Senator Buzanski asked why there was a need for a new paragraph. Why not just insert "or repeatedly does not perform assigned duties" in paragraph "c" after "is absent from three regularly scheduled meetings of this committee". Senator Stacks said the committee felt that "c" is more of a bookkeeping proposition. It is clear to every member of the committee if a person is absent from the meetings. With the proposed addition, it will be a subjective call as to whether the individual is or isn't performing

their assigned duties. This is why the committee felt it would be best to have a separate paragraph.

Senator Shifflett suggested that paragraph "d", second line, be changed to read, "the committee chair may ask, through the Senate chair, that the Committee on Committees name a replacement." Senator Shifflett said she felt it was the committee chair's responsibility to request the replacement. Senator Stacks said that the reason for the committee vote was to ensure that a committee member wouldn't be replaced based on only one person's opinion of their performance.

Senator Ogaz asked whether this change was to remove a person from the committee, or to reassign their duties. Senator Stacks said this was to remove a committee member.

Senator Donoho said that the committee needed to remove the second "member" in the first sentence. Senator Stacks said it was a typographical error and would be corrected.

Senator Sabalius asked if the committee had considered distributing the power from the committee chair to the entire committee, and was this the intention of the proposal. Senator Stacks said that this is what the committee intended to ensure the removal wasn't based on a personality difference.

Senator Peter said that according to Robert's the removal of a committee member requires a 2/3rds vote. Senator Peter suggested the committee consider adding this language.

Senator Norton said that the committee needed to add "(or Executive Committee)" after "Committee on Committees" for policy committee appointments.

Senator Stacks made a motion to move the proposal to a final reading. The motion was seconded. The Academic Senate then voted on the motion. The motion did not get the required 2/3rds vote and failed.

Senator Stacks presented *AS 1195, Senate Management Resolution: Revise Standing Rule 7 to include the Budget Advisory Committee (BAC) on the Senate Agenda (Final Reading)*. **The Senate voted and AS 1195 passed unanimously.**

Senator Stacks presented *AS 1197, Policy Recommendation: Writing Requirements Committee Composition (First Reading)*. Senator Stacks said the purpose of this resolution is to increase the representation to include a member from each college and the University Library Board. In addition, the need for the VP of Student Affairs to be on this committee has been withdrawn. The resolution also invites all of the community colleges to participate instead of just two.

Questions:

Senator Shifflett asked if the committee had considered the last sentence in item "g"

carefully. Senator Shifflett said she believes it is hard enough to get students to participate on committees without specifying that "the student shall be a student for whom English is not the first language learned." Senator Stacks said that the committee felt this was important, because so many SJSU students don't have English as a first language.

B. Instruction and Student Affairs Committee – None

C. University Library Board –

Chair Branz gave a brief update on their fundraising activities. They just received \$2 million from the Koret Foundation. In addition, the San Jose City Staff and Librarians as well as the SJSU faculty, staff and Librarians have raised \$100,000. In total they have raised \$8 million, or about 50% of what they need. Chair Branz said he will have a budget report for the next Academic Senate meeting. Chair Branz stated that he officially supports AS 1196. Chair Branz announced that tours of the new Library will start in April 2003. The City of San Jose and SJSU librarians have prepared a joint "Fast Facts" sheet about the new library.

D. Professional Standards Committee –

Chair Katz said that the Academic Senate will be receiving a cost analysis on implementing the SOTE procedures policy that the Senate passed. That policy will be coming back to the Academic Senate with the cost analysis next month for reconsideration. Chair Katz said they did investigate the legality of requiring that SOTEs be done for all classes. President Caret checked with the Chancellor's office and was advised that it is legal to require SOTEs for every class. However, the Academic Senate must consider whether it is wise to require this based on the cost analysis. Chair Katz said that the main issue the Professional Standards Committee will be looking at this semester is revising the RTP standards.

E. Curriculum and Research Committee –

Senator Donoho presented *AS 1196, Policy Recommendation: Library Resources for new Academic Programs (Final Reading)*. Senator Breivik presented an amendment to remove "and permanent courses". The Senate voted and the amendment failed. Senator Breivik then presented a friendly amendment to add the word "faculty" after "requesting department" in the last resolved clause. **The Senate then voted on AS 1196 and it passed with one abstention.**

VII. Special Committee Reports - None

VIII. New Business –

Report from the CSU Academic Senate: Roles, Responsibilities, Resources & Rewards for Department Chairs

Senator Veregge presented this report. The report was based on a survey of all department chairs in the CSU. The full report is about 40 pages long. Senator Veregge went over

some key points from the report. The survey was sent to 850 department chairs. The task force received responses from about 50% of these chairs. SJSU had a 50% response rate from department chairs also. Senator Veregge said that there are both full-time department chairs, and those that work 9-10 months out of the year. The 9-10 month department chairs that responded to the survey reported working an average of 46 or more unpaid days a year. At SJSU, 96% of our department chairs are full-time. The task force is recommending that the CSU find a way to compensate chairs for extra days worked or make all department chairs full-time appointments. When asked how much time they spent on administrative duties, the department chairs reported an average of 61-80%. At SJSU, department chairs reported spending 81-100% of their time on administrative duties. The task force found that chairs with similar FTEF had different appointment times. The task force is recommending that campuses take a look at the formula used. When asked whether their workload had increased or decreased while department chair, 78% of SJSU department chairs said their workload had increased. When asked what surprises they had encountered, department chairs said they were surprised at the amount of paperwork, the amount of time the job took, and the number of meetings they had to attend. At SJSU, 93% of department chairs felt that being chair hurt their scholarly activity. The task force is recommending that department chairs be evaluated based on the job description. At SJSU, 22% of department chairs weren't certain who determined the percentage of their appointment or the length of the appointment. In addition, 82% of SJSU department chairs said they had 0 hours of orientation prior to their appointment. The task force is recommending that chairs be told how they will be evaluated, how the percentage of appointment is determined, and given a job description. Many campuses don't have job descriptions for department chairs, SJSU does. When asked how often they were evaluated, 67% of SJSU department chairs said every four years. It is policy at SJSU to evaluate department chairs every four years. Department chairs reported spending most of their time reading and responding to memos from other departments. At SJSU, the second most time-consuming responsibility reported by department chairs was managing staff. Department chairs said they don't have time for public relations, fund-raising, or grant writing. The task force is recommending that campuses look at ways to reduce paperwork, or to get more clerical assistance for department chairs. The number one reason that faculty became department chairs was that they wanted to help lead the department. The number one reason that they didn't want to continue to be chair was too heavy of a workload, and the second reason was that they missed teaching.

Senator Shifflett presented *AS 1198, Sense of the Senate Resolution--Endorsing the CSU Academic Senate Resolution on Student-Faculty Ratio (SFR) (Final Reading)*. Senator Shifflett said there were several changes that needed to be made to the copy of AS 1198 that Senators have before them. First in the upper left hand corner, change the committee from "Executive Committee" to "Budget Advisory Committee." Another change in the first whereas clause is to insert the word "budgeted" before "SFR". In addition, in the last resolved clause replace the word "change" with "increase". And, change AS 1198 from a "First Reading" to a "Final Reading". **The Senate voted and AS 1198 passed unanimously.**

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

A. Vice President for Administration –

VP Kassing made several announcements. First, the library construction is on time and on budget. VP Kassing said he has had several tours through the building, and it is amazing. VP Kassing also said that the housing village site has been cleared and is being prepared for construction. You may notice piles of rubble at South Campus. This is because they have been moved to make a parking lot for the construction workers. VP Kassing said that the campus details of the Governor's budget will be provided to the Budget Advisory Committee (BAC) at their next meeting, and will also be provided to interested individuals at the next Budget Forum on Wednesday. Senator Singh asked how much of the 10% CSU fee increase will we get. VP Kassing said about \$4 million. In addition, if the CSU gets the additional 25% CSU fee increase, SJSU should get somewhere in the neighborhood of \$13-16 million.

B. Vice President for Student Affairs –

VP Rascoe said that the CSU will be holding a conference on student affairs. They will be considering ways to get Greek organizations to adopt shared principles.

C. Associated Students President – None

D. Statewide Academic Senate –

Senator Shifflett said a special session of the CSU Statewide Academic Senate was called last Thursday. The main topic was enrollment strategies. Senator Shifflett suggested we hold an Enrollment Management Strategies Forum on campus. Senator Shifflett said that her perception is that we are going to have a budget battle that will involve cuts to our budget that are not being considered as cuts to our budget. Senator Singh suggested that faculty should contact their assemblymen about the Student-Faculty Ratio increase. Senator Shifflett cautioned against this, and said that we needed to have a coordinated effort.

E. Provost –

Provost Goodman said that there were two statewide reports issues: one on workload, and one on time-to-degree. The workload report cites our task force and our Senate's report as the model for other campuses to follow. In addition, one of the recommendations in the Time-to-Degree Report was that all campuses adopt a freshman seminar program. The MUSE program on our campus was cited as the example to follow. Provost Goodman congratulated the Senate and task force members. Provost Goodman said that it shows we have taken a leadership position. Provost Goodman said that the Provost's office strongly supports the University Scholar Series, and urged more faculty members to attend.

X. Adjournment – The meeting adjourned at 5:00 p.m.