

2004/2005 Academic Senate

**MINUTES
May 9, 2005**

I. The meeting was called to order at 2:05 p.m. and attendance was taken. Forty-Two Senators were present.

Ex Officio:

Present: Nellen, Van Selst, Sabalius
Absent: McNeil, Kassing, Greathouse

CASA Representatives:

Present: David, Fee, Gonzalez, Hooper

Administrative Representatives:

Present: Sigler, Ashton, Phillips, Lee

COB Representatives:

Present: Donoho, Campsey, El-Shaieb

Deans:

Present: Breivik, Stacks, Wei, Meyers

ED Represent:

Present: Parsons, Maldonado-Colon, Lessow-Hurley

Students:

Present: Kelly, Lam
Absent: Stillman, Gadamsetty,
Bjerkek, Nguyen

ENG Representatives:

Present: Pour, Singh
Absent: Choo

Alumni Representative:

Present: Thompson

H&A Representatives:

Present: Heisch, Desalvo, Van Hooff, Hilliard
Absent: Williams, Vanniarjian

Emeritus Representative:

Present: Buzanski

SCI Representatives:

Present: Veregge, McClory, Kellum, Scharberg, Bros

Honorary Senators (Non-Voting):

Present: Norton

SOS Representatives:

Present: Hebert, Von Till
Absent: Propas

General Unit Representatives:

Present: Thames, Liu

SW Representative:

Present: Wilson

II. Approval of Academic Senate Minutes –

April 25, 2005 – Approved as is.

April 29, 2005 – Senator Norton said his amendment to Senator Kellum's resolution from the floor on WASC was friendly, not unfriendly as stated in the minutes.

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Nellen said, "I want to thank all of you for attending our extra meeting on April 29, 2005. We must continue to work diligently to complete our work by the end of our last Senate meeting of 2004/2005 next Monday, May 16, 2005, from 2 to 4 p.m. in this room, Engineering 285/287. That meeting will be immediately followed by the first Senate meeting of 2005/2006, from 4 – 5 p.m. also in this room. If you have not told your Committee on Committees Representative which policy committee you would like to serve

on, please do so right away. Also, if you plan to run for one of the Senate Officer positions for 2005/2006, please get your nominating statement to Eva Joice, Senate Administrator, as soon as possible so that she can load on the website. We will try and email those out as well.”

Chair Nellen said, “On April 25, 2005, we passed a resolution urging President Kassing and Provost Sigler to become partners with the AAC&U in their efforts to join them in their decade-long campaign to promote a broader and stronger understanding of the importance of a liberal education. They did sign the document, and we have joined. The Executive Committee will be looking for some activities for the campus to pursue, and the Educated Person Dialogue will identify some additional actions. The last brown-bag meeting for the Educated Persons Dialogue will be this Wednesday, May 11, 2005, at noon in IRC 101. I hope some of you can attend.”

Chair Nellen said, “One thing I would like to see us pursue is having an annual campus forum where people who are involved in activities such as the Western Association of Schools and Colleges (WASC), Association of American Colleges and Universities (AACU), Association to Advance Collegiate Schools of Business (AACSB), ABET, and other groups give an annual update at the forum.”

B. From the President of the University – None

IV. Executive Committee Report –

A. Executive Committee Minutes – None

B. Budget Advisory Committee Minutes – None

C. Consent Calendar – The Senate approved the Consent Calendar as amended.

D. Executive Committee Action Items:

Senator Donoho presented *AS 1293, Policy Recommendation, The Planning and Budget Process at SJSU (Final Reading)*. Senator Donoho presented several friendly amendments. In the last Resolved clause where it says S04-3, that should be “F04-3.” And, in the 1st Resolved clause where it says “permanent body,” it would be better if it said, “Special Agency of the Senate.” Also, in the last Resolved clause add to the end of the sentence, “and S93-17 be repealed.” **The Senate voted and AS 1293 passed with 1 Nay.**

V. Unfinished Business -

Senator Kellum presented *AS 1295, Sense of the Senate Resolution, Western Association of Schools and Colleges (Final Reading)*. Senator Norton reminded the body that his amendment from April 29, 2005 was friendly as follows, “Be it Resolved, that the Executive Committee is requested to refer this resolution to an appropriate policy committee to investigate the impact of WASC on San José State University and make a recommendation to the Senate.” **The Senate voted and AS 1295 failed.**

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

A. Organization and Government Committee –

Senator Veregge presented *AS 1290, Policy Recommendation, Modification to Bylaws – External Relations Added to Executive Committee Duties (Final Reading)*. **The Senate**

voted and AS 1290 passed.

Senator Veregge presented *AS 1297, Policy Recommendation, Modification of F90-4, Review of Department Chairs (First Reading)*. Senator Veregge said, “The reason for this policy is that some departments wanted to change the process for requesting a formal review of the department chair. In reviewing the policy, the committee felt that any faculty member should be able to request a formal review of the department chair by the Dean. This does not mean that the Dean is mandated to do a review. The review is at the discretion of the Dean.”

Questions:

Senator Wei said, “We need a threshold, otherwise this will put the Deans on the spot to respond to every request.” Senator Veregge said, “We don’t have a threshold, what threshold do you recommend?” Senator Wei said, “50%.”

Senator Norton said, “The principal point is to let the Dean know there is a problem.”

Senator Campsey said, “Without a threshold, wouldn’t the Dean appear to be protecting an unpopular Chair?” Senator Veregge asked, “What threshold do you suggest?” Senator Campsey said, “51% of voting faculty.” Senator Veregge said, “One of the reasons this was brought to our committee is that some departments have over 50% of the faculty that are lecturers. These departments felt that there might be undue pressure on the lecturers to support the Chair, and that the regular faculty should be able to request a review of a Chair.”

Senator Von Till said, “I have a question from the Chair of the Council of Chairs. First, the threshold of 50% may be too high. However, there should be some threshold, because as currently written a single faculty member could request a review. Also, would you consider some language that would require the Dean to investigate whether a request is justified?” Senator Veregge said, “Deans aren’t obliged to do anything, so are you suggesting we put language in that would require the Dean to investigate?” Senator Von Till said, “Yes.”

Senator McClory said, “I agree with Senator Von Till that the 51% threshold is too high, but we do need some threshold. Maybe the threshold could be if more than one faculty member signs the petition.”

Senator Sigler said, “Have you considered, for example, using 1/3rd of the faculty as the threshold? I had only one case where a faculty member asked me to review a department Chair as Dean of Humanities and the Arts. When I said that I would consider it if the person brought me a petition with the signatures of 50% of the faculty, I never heard from the person again. I would encourage you to consider the 50% threshold.”

Senator Lessow-Hurley said, “I think we need to define what we mean by electorate. For example, in my college we have people with various relationships with their departments. A small percentage of these people are not full members of the electorate. So if you are looking at 50% of the members of the department, we should consider whether we are

making a significant policy change.” Senator Veregge said, “The electorate is currently defined as regular faculty and temporary faculty with a vote that is proportionate to their appointment. The committee did consider modifying the electorate in this amendment to be the temporary faculty that have a multi-year contract. We used the faculty voting rights policy to define electorate.”

Senator Stacks said, “Have you reviewed the current California Faculty Association (CFA) contract in this regard?” Senator Veregge said, “Yes, I believe we did review it, and also our own departmental voting rights policy.” Senator Stacks said, “If we are proposing a change, maybe this should be discussed with Faculty Affairs to be sure it doesn’t violate the contract.” Senator Veregge said, “I will contact Interim Associate Vice President (AVP) Joan Merdinger and discuss.”

Senator Van Selst said, “If you are going to put in a threshold number, it would seem to be appropriate to require a written response from the Dean.”

Senator Lessow-Hurley said, “Faculty have a recourse if they are not treated right, because they can file a grievance. In my 25 years experience here, if there is dissatisfaction with a department Chair, it is usually not less than half of the department, it is unanimous.”

Senator Meyers said, “The purpose of all of this is really for faculty to have an avenue, as a group, to bring concerns to the Dean. If 1/3rd of the faculty complain to the Dean, there are issues there that need to be addressed. This is an avenue to alert the Dean, the percentage doesn’t matter really.”

Senator Sigler said, “I think that the key word here is “formal” review. For a formal review, there has to be a threshold number. A formal review involves a committee, and a lot of time.”

Senator McClory said, “We need to keep in mind that we are not creating a new policy, we are just revising F90-4.”

Senator Bros said, “I still worry about the threshold with regard to temporary faculty. Do temporary faculty serve at the discretion of the Chair?” Senator Sigler said, “No.” Senator Veregge said, “The Chairs do have some discretion in this area.”

B. Budget Advisory Committee – None

C. Instruction and Student Affairs Committee –

Senator Thames presented *AS 1292, Policy Recommendation, Modification to F04-2, Changing the Schedule Adjustment Period (Final Reading)*. Senator Van Selst presented a friendly amendment to remove the comma in #9 after “remains.” **The Senate voted and AS 1292 passed with one abstention.**

Senator Thames presented *AS 1291, Policy Recommendation, Greensheet Policy (Final Reading)*. Senator Thames made a friendly amendment to change “online” in the 2nd bullet

under the General Greensheet Procedures section to “electronic.” Senator Sabalius made a friendly amendment to remove “academic freedom and” in the 3rd Whereas clause. Senator Hebert made a friendly amendment to change section 1.e., 2nd bullet to read, “Since attendance per se....” Senator Lessow-Hurley made a friendly amendment to change the 3rd Resolved clause, 2nd line to read, “...be provided by Chairs to new faculty unable to attend orientation and to new temporary faculty hired in the spring, and be it further.” Senator Breivik made a friendly amendment to add a new last bullet to #3 that reads, “List the name and contact information for the Librarian liaison.” Senator Buzanski presented an amendment to strike 2a, 2c, and all of 3. Senator Hebert presented an amendment to the Buzanski amendment to keep 2a. (To be continued at the May 16, 2005 meeting.)

D. University Library Board –

Senator Heisch presented *AS 1294, Sense of the Senate Resolution, Endorsing the Annual Report of the University Library Board (Final Reading)*. **The Senate voted and AS 1294 passed with one abstention.**

E. Professional Standards Committee – No report.

F. Curriculum and Research Committee –

Senator Lessow-Hurley presented *AS 1298, Policy Recommendation, Report of Organized Research Units and Training Units (ORUs) (Final Reading)*. **The Senate voted and AS 1298 passed with one abstention.**

VII. Special Committee Reports – None

VIII. New Business:

A. Remarks from Trustee Chandler –

Chair Nellen introduced Trustee Carol Chandler. Trustee Chandler said, “I grew up in Alameda County. Many of my friends attended San José State University. I wanted to take this opportunity to get some of your concerns and take them back to the Board of Trustees. I am a new Trustee, and there is so much to learn about 23 campuses. I don’t want to be a Trustee just for the Central Valley, because we have different issues than you have in Silicon Valley. I would like to have the opportunity to visit all of the CSU campuses. I had the opportunity to tour your new campus village today, and it is very impressive. I already have my room picked out for my next visit.

Trustee Chandler said, “Having been faculty in higher education, I understand that you are the heart and soul of the university system. You have a myriad of tasks you have to do, and I appreciate what you do. I also want to say that we do understand that faculty are 17% below the market as far as salaries go. We are hoping we can make changes as the economy in California improves.”

Trustee Chandler said, “Chair Nellen went over some of my background. I am a farmer, and I am in to health, nutrition, and physical fitness. I also love sports. I’d like to come back to some of your Spartan activities.”

Questions:

Senator Sabalius said, "I'd like to see the CSUs return to their original task instead of spreading ourselves too thin. On the one hand, we provide remedial education, while at the same time we are considering offering doctoral programs. And, we are doing all this with more and more limited resources. I would like to see us focus on what the CSU was meant to do." Trustee Chandler said, "I couldn't agree more. We shouldn't be doing remediation. As far as the doctorates go, we are still looking into this. In my opinion, the joint doctorate program is not working. It is not providing the type of access that needs to happen."

Senator Kellum said, "Up till a few years ago, summer school was financed through student fees. It cost a little more to go during the summer, but we offered lots of classes. The Chancellor has said we need to have year-round classes, however, that hasn't been funded. In my department, we can't afford to offer any classes for students in the summer. If summer classes aren't going to be funded, then maybe we need to go back to the old way." Trustee Chandler said, "That is a good point. I know at Fresno State they have had to cut back classes. This is something we need to look at."

Senator Breivik said, "We need to be concerned with the basic structure of the campus i.e. secretarial support, more money for the Library and for technology. We can't support doctoral programs when we don't have enough resources to support what we have now." Trustee Chandler said, "Good point."

Senator Veregge said, "I would like for us to take a good look at all of the constraints we are operating under. For example, the Executive Orders and policies that prevent us from taking full advantage of our resources." Trustee Chandler asked for an example. Senator Veregge said, "We have space in Silicon Valley that is extremely valuable. We could use that space to generate income during Special Session, however, we are told how we can use the space and what we can use it for. We are not allowed to offer classes for profit." Trustee Chandler said, "Do you think this is a liability issue?" Senator Veregge said, "Some of it may be a liability issue." Trustee Chandler said, "I'll look into it."

Senator Campsey said, "Thank you for coming. Why is the CSU so unsuccessful in lobbying the legislature to get funding for faculty salary increases, when the UC seems to be so much better at it?" Trustee Chandler said, "I just went through the confirmation process, and I have to tell you that the largest number of people are CSU graduates. I'd like to know why we aren't getting our message across also. I'll look into that. Having served on the UC Board, I have to tell you that there is just this aura of respect that they have that we should have, because we educate the largest majority of California students. Something needs to change here, and I'll get back to you on that."

Senator Van Selst said, "The tenor of the communications from the Board of Trustees regarding faculty control of the curriculum increasing forebodes legislature. The Board of Trustees and the Chancellor directs the President to implement their recommendations. A lot of these recommendations make sense and we like them, except that we are starting to get into curricular issues, where really the faculty should have control. At the

statewide-level we end up advising the Senates to consider the recommendations from the Board of Trustees/Chancellor as an advisory, even though the language doesn't say that. I don't know if this shows a lack of understanding at the Trustee level, or if that is the Chancellor's office language?" Trustee Chandler said, "I think that is a valid concern, because you are in the trenches and you know what works and doesn't work. I would hope that you would work through your faculty trustee and get some of those concerns addressed."

Senator David said, "I hope that in your role as Trustee, you will support ways to educate the whole person." Trustee Chandler said, "The one thing I would like to explore, and maybe you can help me with this, is financial aid. I see huge amounts of financial aid coming through grants and loans, but very little for work study. I wonder if we could encourage more work study, because I hear from students all the time that say 'I have a full-time job, but I have to have 12 units to get financial aid.' Would it be feasible to have their work translate into something that goes towards their degree, or could we work towards that? I think that might help some of their financial woes. I feel so bad when students tell me that they are taking basket-weaving because they need the 12 units."

Senator Singh said, "Thank you for coming. Over the years I have seen the student-faculty ratio increase a lot. We need to consider a reduced workload to 9 units as opposed to 12 units. We should also involve our alumni in lobbying the legislature." Trustee Chandler said, "It makes a big difference with the legislature when the grass roots people such as you and I go and lobby them, because we can talk about the practical things."

B. Report on Faculty Diversity as required by SS-S03-5—

Interim AVP for Faculty Affairs Joan Merdinger presented the Faculty Diversity Report. AVP Merdinger said, "We were asked to provide an update on faculty hiring and retention, particularly with regard to efforts to recruit and maintain a diverse faculty. Our focus today is on hiring and retention data for tenure-track faculty. As you know, significant resources are spent to find, hire, and maintain these new tenure-line faculty members that are likely to spend many years on our campus. As context for this, it is important that we be aware of and follow federal affirmative action guidelines, and outreach efforts during all faculty searches. The print, web, and discipline-specific outreach efforts create as large a pool as possible for each faculty search. When the final date of the search is reached, each applicant has an equal opportunity to be selected as an applicant. We follow a number of policies that begin with Executive Order 883, the Chancellor's Directive on Guidelines for Non-Discrimination and Affirmative Action Programs in Employment. Some campus-specific policies are F89-15, F98-8, and S01-13."

Interim AVP Merdinger said, "Table 1 shows what our outcomes for searches conducted in 2003/2004. During academic year 2003/2004, we conducted 42 searches that resulted in 19 tenure-track hires. These new hires began their employment with us in Fall 2004. That was a 45% success rate. This year 2004/2005, we are conducting 95 searches, and in September this year we will report on our new hires. This report focuses on the tenure-track faculty that began working here in Fall 2004."

Interim AVP Merdinger said, “At the directive of the Provost back in 2003/2004, existing college budgets funded new positions for the 2004/2005 year. No positions were rolled from the previous year, and national searches for temporary faculty were examined on a case-by-case basis. Departments submitted a five-year recruitment plan to their college planning councils, with the Dean indicating that funds would be available to hire new faculty members.”

Interim AVP Merdinger said, “As many of you know, each year we have a discussion about the need to begin searches early in order to hire the best candidates. These people are also the most competitive in the job market. The budget in the state of California makes this an increasingly difficult job although we are all in agreement that earlier searches are better than later ones. Several colleges had their applications in early in summer 2004. I am pleased to report to you that we have already hired more faculty to start in 2005/2006 than we even hired in the entire 2004/2005 year.”

Interim AVP Merdinger said, “As you can see in Table 1, our biggest hiring year was 2002/2003. We hired 70 new tenure-track faculty that year. That was actually the largest number since the early 1990’s. For this past year, we hired no African-American or American Indian faculty members. We hired 10.5% Asian and Asian-American faculty, and 5.3% Latino/Hispanic faculty. We hired 10.5% unknown and 73.7% white faculty. This is actually not as good as the comparison rate in the CSU for 2004/2005. Gender is also reported for our new tenure-track faculty. Our new tenure-track faculty were 42.1% male, and 57.9% female. Again, note that these are the lowest numbers since 1996/1997. If you look at 1993/1994, the time of the last budget crunch, we brought in only 10 new tenure-track faculty members. I want to emphasize that many of the searches resulting in our small number of hiring new tenure-track faculty in 2003/2004, had to do with cancellations or hold-backs due to budget considerations. What is not on this table is that we have records in Faculty Affairs that indicate the best hiring year we had was in 1991/1992, when we hired 79 new tenure-track faculty members. That was the best in 16 years.”

Interim AVP Merdinger said, “If you look at Table 2, it has total numbers of all the faculty. You will see that in 2004/2005, 70.5% of our tenure-track faculty are white, and 27.3% are minorities. If you go back to 1992/1993, the faculty at SJSU was 78.4% white, and 21.6% minorities. In the CSU overall, 74.6% of the faculty are white, and 24.5% are minorities. We can also see that the makeup of faculty gender is changing more rapidly. In 2004/2005 56% of our faculty are male and 44% are female. You can compare these percentages to those of 1992/1993, when 70.2% of faculty were male and only 29.8% were female.”

Interim AVP Merdinger said, “The final handout is related to retention for 2003/2004. As you know we have not completed our Retention-Tenure-Promotion (RTP) process for 2004/2005. We are presenting data from last year. This indicates retention of candidates undergoing both 2nd and 4th year retention reviews. You can see that all but one person were retained. Special reviews may be required in the off years of 3rd and 5th, but are not included in our table. Since 1993/1994, we have lost 147 tenured and tenure-track faculty. We lost an additional 32 in the summer 2004 due to the Golden Handshake. And, we only hired 19 people back in the fall. We have an overall loss in tenure and tenure-track faculty.”

Interim AVP Merdinger said, “I wanted to say in summary, we are making slow progress towards creating more gender, ethnic, and racial diversity. Our progress is much more visible with respect to gender. These efforts have been impeded by our state economy and mandates from state and federal governments that are not synchronized. And, this national pool of graduate students who are possible candidates for our faculty positions are not yet as diverse as our SJSU student population is. I would recommend that people take a look at the data on graduates from doctoral programs, which indicate that 24% of people coming from doctoral programs are not U.S. citizens. We have a large group of people that are non-U.S. citizens that would be applicants to our campus; this has implications for immigration assistance. The latest information on who is earning doctorates indicates that 5.2% were African-Americans, .7% were American Indians, 9.4% were Asian-Americans, 5.0% were Latino/Hispanics, and 79.7% were white.”

C. Special Election –

The Senate held a special election for the Vice Chair/Chair-Elect to replace Vice Chair Donoho. The candidates included Senators Lessow-Hurley and Veregge. The Senate Chair asked if there were any nominations from the floor and there were none. Senators Lessow-Hurley and Veregge presented their candidacy statements. The Senate voted and the Associate Vice Chair Elba Maldonado-Colon, and Senate Administrator, Eva Joice, counted the ballots. Chair Nellen then announced that Senator Veregge was the new Vice Chair/Chair-Elect.

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

- A. Statewide Academic Senator(s) – Moved to next meeting**
- B. Provost – Moved to next meeting**
- C. Vice President for Administration – Moved to next meeting**
- D. Vice President for Student Affairs – Moved to next meeting**
- E. Associated Students President – Moved to next meeting**

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