

2005/2006 Academic Senate

**MINUTES
April 24, 2006**

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

Ex Officio:

Present: Veregge, Nellen, Van Selst,
Sabalius, Kassing,
Absent: Gutierrez, McNeil

Administrative Representatives:

Present: Sigler, Najjar, Phillips, Lee

Deans:

Present: Merdinger, Hegstrom, Stacks,
Wei

Students:

Present: Bridgeman, Balderas, Le
Absent: Glover, Estrada

Alumni Representative:

Present: Thompson

Emeritus Representative:

Present: Buzanski

Honorary Senators (Non-Voting):

Present: Norton

General Unit Representatives:

Present: Thames, Griffith, Moriarty

CASA Representatives:

Present: David, Fee, Perry, Hooper

COB Representatives:

Present: Osland, Campsey

EDUC Represent:

Present: Maldonado-Colon, Parsons, Lessow-Hurley

ENG Representatives:

Present: Singh, Meldal
Absent: Gao

H&A Representatives:

Present: Belet, Hilliard, Desalvo, Leddy
Absent: Fleck, Van Hooff

COS Representatives:

Present: McClory, Kaufman, Messina, Bros, Kellum

COSS Representatives:

Present: Hebert, Peter, Von Till

SW Representative:

Present: Wilson

**II. Approval of Academic Senate Minutes –
Minutes of April 3, 2006, were approved.**

III. Communications and Questions –

A. From the Chair of the Senate:

1) Chair Veregge said that Senator Nellen was going to make a brief announcement about the 150th Anniversary Celebration. Senator Nellen announced that we are going to celebrate our 150th Anniversary. There will be an open house kickoff on May 10th in the University Room. Ice Cream will be served, and people can come and learn about SJSU's history. A flyer will be coming out shortly about this event on May 10th.

2) Chair Veregge said that Senator Nellen had been awarded the first Bridge award from the Division of Student Affairs.

3) Susan Hansen, Director of University Housing Services, gave a presentation on housing services (see powerpoint presentation).

B. From the President of the University –

The President said, "I'd like to address two issues regarding Intercollegiate Athletics. First, there was a story in the San Jose Mercury News about SJSU losing some scholarships because of academic issues. I'd like to be sure the Senate understands how that works. Next, I'd like to go back to the 2% discussion, because VP Lee and I discovered an error in the budget report you got last December that understates the progress we've made towards the 2%. Let me introduce Etienne Thomas and Cindy Kato."

Ms. Thomas said, "Good Afternoon, I'm Etienne Thomas, and I'm the Director of Compliance here at SJSU. I report to the President's Office. My primary responsibility is Intercollegiate Athletics and compliance. What Cindy and I would like to do is briefly share with you the academic pursuits of our student athletics, and the requirements that they are held to in addition to their regular graduation requirements here on campus."

Ms. Thomas said, "In general, the average student athlete has to be a full-time student taking a minimum of 12 semester units. Any student that drops below the 12 semester units during the semester is no longer eligible as a student athlete. They are not eligible for practice, they are not eligible for their scholarship, and they are not eligible to compete the moment they drop below 12 semester units. We check this every Thursday. This includes fall and spring semesters, but excludes summer and winter intersession. Each year, each student must have a minimum of 24 semester units in order to be considered eligible for the coming year. Of those 24 semester units, at least 18 must be earned during the fall and spring semesters (and winter session if they are eligible to attend), in order to be eligible to go to summer school and use an additional 6 semester units."

Ms. Thomas said, "Additionally, in 2003 the NCAA instituted the 6-unit-rule. This means each semester every student athlete must earn a minimum of 6 semester units. If a student enrolls in 12 semester units, we expect them to earn at least 6 units each semester to stay on track. In addition to this, there is the 2.0 rule. The 2.0 requirement is specific to SJSU. The NCAA requirement is that you have a 1.6 grade point average (GPA) after your first year, a 1.8 after your second year, and a 2.0 after your third and subsequent year. As you can see, our standard at SJSU already exceeds the NCAA minimum. In addition to that, starting with the fall 2003 class, once a student reaches their sophomore year, that December and every subsequent December, we check their GPA at midyear. They must reach those minimum standards to continue to be eligible for each subsequent semester."

Ms. Thomas said, "At the end of each year, starting with their fifth semester, or junior year, we check for progress toward degree, or percentage of degree requirements. If it takes 120 units to graduate in a specific discipline, we are looking at that first mile marker to see if student athletes have completed 40% of their degree program. After the next year, or going into their 7th semester, they must have met 60% of their degree requirements. If they haven't met 60% of the requirements, then they are not allowed to compete. Going into their final year of eligibility, student athletes need to have completed 80% of their degree requirements."

If they are not at 80%, they are not allowed to compete. After the next two semesters student athletes should be at 100%, or as close to graduation as you can possibly be. That's the course a student athlete takes here. In order to maintain their scholarship, they must be in good academic standing, and they must meet all other NCAA and university requirements to be considered eligible. If they are not eligible to athletically compete, they either stay in school and try to become eligible, or they simply pursue their degree."

Ms. Kato said, "The ACR was begun in 02/03, and so far we have two years of data--03/04 and 04/05. The data is reported after the fall census for the previous year, because that is in part what the ACR definition is. Ultimately this will be a rolling average. My personal preference is to use the ACR over the graduation rates, because the ACR is a much more immediate indicator of what the recruiting and graduation patterns are by team. For example we just reported data on the fall 99 playoffs. We have ACR data from 03/04, 04/05, and through fall of 2006 that will be reported next fall. The ACR was put in place by the NCAA to hold coaches and athletic departments accountable for the type of student athletes they bring to a campus. Are they being careful to bring in students that can succeed at this institution? Furthermore, there are teams and sports out there where there has been a revolving door. NCAA hopes to eliminate this. That is part of the reason why they instituted the ACR and the penalties that go with it. The people who count for the ACR are anyone that is on Athletic A. Anyone that gets a scholarship counts in the ACR."

Ms. Kato said, "We measure two different criteria each semester. We have an eligibility point that is if the student continues at SJSU will they still be eligible for athletic participation. There is also a retention point. The retention point is whether the student is registered full-time at the next census date. Ideally we would get a two out of two per semester per student. A student that is on a scholarship for a whole year could earn up to 4 points. We could have a 1 of 2 if someone transfers to another institution, but would have been eligible if they remained here, or if someone is still here but is not athletically eligible. Each semester counts separately, and so again, there is the possibility of up to 4 points per student per year. You add up all the possible points for a team based on their scholarships, count a 1 for eligible, 1 or 0 for retention, then you divide the total earned points by the total possible points and multiple by 1,000."

Ms. Kato said, "The 925 cutoff is the magic number that the NCAA has chosen, and that predicts a 60% graduation rate over 4 years. If a team is below 925, that is a trigger. If a team is below 925, then NCAA looks at how many 0 for 2 the team had in the prior year, and that is where they begin to determine the contemporaneous penalties. These are the scholarship penalties that you have read about. What's important to note is that the contemporaneous penalties may not be any more than 10% of the allowable scholarships for a team in any one year. For example, football has 85 allowable scholarships and they round up, so football could have lost 9 scholarships. They lost 5. Those contemporaneous penalties must be taken within the next two years. No student athletes who are currently here and on scholarship, and no one who signed a national letter of intent with us in November or February will be penalized. If you heard, as I did on one of the television stations that dozens of student athletes will be denied their aid, that is a fallacy. What has to happen is that either in 06/07 or 07/08, football must issue 5 fewer scholarships."

Ms Kato said, "Just to give you a couple of highlights on this, through fall 2005, 8 of the 16 teams had perfect scores. Everyone was eligible and still here. In 03/04, our average department-wide was 874. For 04/05 our department average was 901, and through fall of this year we predict 949. We are seeing improvement, and a dramatic decrease by over 50% of the number of 0 for 2's. When I get to the powerpoints you will be able to see all this data."

Ms. Kato said, "A couple of other points, we just did the graduation rate. The graduation rate for the 98/99 freshman cohort for all students at SJSU was 38%. For student athletes the graduation rate was 45%. Including transfer students, student athletes graduate at a rate of 57%. Of those that remain here long enough to exhaust their eligibility, 80% graduate. The fall 2004 average GPA for all student athletes was 2.608. In fall 2005, we had 411 student athletes with a 2.819 average GPA. We are seeing improvement. We are working hard to send the message that we expect good student athletes that work hard at their classes. We are trying very hard to make a change in the culture. We understand there have been some issues in the past. It will definitely take us time. It will take us a minimum of 2 years to change the culture."

President Kassing said, "One last comment on the academic infrastructure that is in place. Some of you may remember, I was asked to step in as Acting President on August 1, 2004. About four weeks later we played Stanford, and we had 9 students ineligible. I decided I wasn't ever going to let that happen again. We brought in Cindy's team, and Etienne was already here. They are very good at what they do."

President Kassing said, "VP Lee is passing out a correction to the budget handout we gave you in December. Included with that is a projection of how we are going to reach the commitment we made to the Senate to reduce Athletics to 2% of the general fund."

VP Lee said, "My apologies, when we picked up with part 2 of the budget report, I was not able to attend. Cynthia Haliasz passed out some corrections to the budget at that meeting. I have 1 more corrected page to give you. If you will look at the handout, there is a revision to page 15. The Athletics budget was misrepresented on that page. It included one-time allocations. Column F of page 15 has been corrected, and it now reconciles to the total base. At this time, I'd like to refer you to the small spreadsheet which shows the progress toward reducing the Athletics budget to 2%. At the time the Senate resolution was passed, the Athletics budget was 3.1% of the general fund. As you know, in 05/06 we made a \$750,000 general fund budget reduction in Athletics. That brought the Athletic general fund budget down to 2.7% of the general fund budget. In 06/07, the plan is to reduce the Athletics budget by yet another \$750,000. This should bring the Athletics budget down to 2.3% of the general fund budget. That leaves one more fiscal year. The Senate resolution called for the Athletic budget to be 2% of the general fund by 07/08. If we take another \$750,000 in 07/08, we will be at 2% of the general fund. This is just to show that we are progressing."

Questions:

Senator Sabalius said, "Your corrected spreadsheet does not show the \$1.8 million debt forgiveness. If you add that in then the total revenue for Athletics from the general fund amounts to \$7.4 million, which is over 3%."

VP Lee said, "That is correct. Senator Sabalius is pointing out how the error on page 15 was made. Page 15 is a base budget representation; we inadvertently added the \$1.8 million there. The one-time allocation was brought over, and it shouldn't have been. It was not base funding nor general fund money. We did not use general fund money to clear the Athletics deficit."

Senator Sabalius said, "Where does the money come from then?" VP Lee said, "The money came from the miscellaneous trust. Specifically where it came from is the investment account and its earnings. These earnings do not go back to any specific project. We manage our cash on a day-to-day basis, and we invest over the short term. We have been generating income here. Did I want to use this money for this purpose? No, but it is what it is. We had a deficit. It did not take away from another program."

Senator Sabalius said, "We heard just about the same argument when the "Read to Lead" classic resulted in a deficit of \$500,000. Then our President told us that he bailed Athletics out, but it didn't come from the general fund. However, when departments, colleges, or the Library has a shortfall, that money is gone. There is no money to bail out the English writing lab, or to purchase more books for the Library. Why does that money always pop-up in the millions for the Athletics department, and never when we seem to be struggling?"

VP Lee said, "Well, we have covered a shortfall in the Library this year through other funds. The Provost worked with the Academic Division."

Senator Singh said, "The Athletics program isn't just football. It includes table tennis volleyball, swimming, and promotes the health of our students."

Senator Sabalius said, "As far as I can recall, the Senate has never passed a resolution limiting the Library's budget to a percentage of the general fund, but we have done this for the Athletics division. It is not fair to say we came up with extra money for the Library. It is a disregard of the will of the faculty. We had a referendum that was passed 3 to 1. We made a resolution that was signed, and a promise was made. You come here with a spreadsheet that shows the budget has decreased, when actually more money is going out."

President Kassing said, "Senator Sabalius, you and I should talk. There are other examples I could offer. At the end of a fiscal year, the university will make a whole range of decisions about reallocating funds. I can think of one very quickly. About 5 or 6 years ago, the Business school had a major project where we weren't able to raise all the money (\$1.6 million) we were promised. The university covered about \$800,000 using the same source we used for Athletics. At the end of the year, these are decisions that we have to make. I know this one is uncomfortable, but I made it."

IV. Executive Committee Report –

A. Executive Committee Minutes – Moved to next meeting.

B. Consent Calendar – approved as is.

C. Executive Committee Action Items: The 2006/2007 calendar was approved.

V. Unfinished Business -- None

VI. Policy Committee and University Library Board Action Items (in rotation):

A. Instruction and Student Affairs (I&SA) Committee:

Senator Thames presented *AS 1328, Sense of the Senate Resolution, Improving Textbook Affordability and Availability (Final Reading)*. Senator Hebert made a friendly amendment to remove, "; and be it further " from the last Resolved clause. Senator Thames made a friendly amendment to the 2nd Resolved clause to replace the word "adoption" with "ordering." Senator Thames made a friendly amendment to the *Recommendations to Help Make Textbooks and Course Materials More Affordable and Available at SJSU*, 3rd bullet, to replace the word "ending" with "beginning." Senator Nellen made a friendly amendment to add "Instruction and Student Affairs Committee," and the date to the top of the *Recommendations to Help Make Textbooks and Course Materials More Affordable and Available at SJSU*. **The Senate voted and AS 1328 was approved.**

B. University Library Board (ULB):

Senator Lessow-Hurley presented *AS 1323, Policy Recommendation, Committee Assignment of the Vice-Chair of the Senate on the University Library Board (Substitute resolution to Organization and Government's AS 1323) (Final Reading)*. Senator Buzanski made a motion to make the resolution a final reading. The Senate voted and the motion passed. **The Senate voted and the substitute AS 1323 passed.**

C. Professional Standards Committee (PS) --

Senator Bros presented *AS 1319, Sense of the Senate Resolution, Guidelines (Final Reading)*. **The Senate voted and AS 1319 passed.**

D. Curriculum and Research Committee (C&R) :

Senator David presented *AS 1327, Policy Recommendation, Undergraduate Declaration of Major and Advising (First Reading)*.

Questions:

Senator Singh said, "What happens to transfer students that can no longer come in undeclared for their major? They may not know what program they want yet. Is this mandated?" Senator David said, "It is mandated that we come up with a plan that includes a reasonable point for choosing a major. The Undergraduate Studies (UG) and C&R Committees felt that after completion of 6 units, or upon entry of the transfer student that was reasonable." Senator Singh said, "Will this greatly increase faculty workload?"

Senator David said, "That probably will need to be examined depending on the program. However, there is a lot of evidence suggesting that students that get advice make the more appropriate choices, and get through their programs more efficiently and effectively."

Senator Sabalius said, "How do you plan to enforce that all students have advising? Do you plan on having a hold placed in peoplesoft so students can't register?" Senator David said, "Yes, peoplesoft has the capacity to do this quite easily."

Senator Sabalius said, "If we speed-up graduation this will actually have a detrimental effect on our full-time equivalent students (FTES)." Provost Sigler said, "We have a record number of applications, so we can always get more students."

Senator Lessow-Hurley said, "This issue came up when I was chairing C&R. Two problems that came up were workload and making advising mandatory for students. How can we penalize students for not getting advising if we can't guarantee that faculty will be able to provide it?"

Senator Bros said, "Have you considered a mechanism to ensure faculty are trained in advising using peoplesoft?" Senator David said, "I don't recall that coming up."

Senator Hebert said, "What is the purpose of advising adults four times in five years as to what they must take?" Senator David said, "For a couple of reasons, check-in is valuable in and of itself. Also, to make sure they are interpreting it correctly and they are on track. It can be a brief encounter, and doesn't necessarily have to be an individual one. It could be done by a department's Administrative Assistant, or something like that."

Senator Fee said, "Has this been discussed with the Advising Reform Board that I believe is now in Enrollment Management?" Senator Stacks said, "I informed them because I am on C&R."

Senator Thames said, "It looks like there is a minimum of 4 or 5 contacts. I'm aware of mandatory advising being required during orientation, and also at graduation. What kind of advising would be required in between there?" Senator David said, "I believe it varies from program to program."

Senator Von Till said, "We are being required to do this, because WASC identified advising as a weak area for us. We have been directed to do this."

Senator Peter said, "Has the committee investigated the need for more assigned time to allocate to faculty advisers, and/or chairs to do this?" Senator David said, "The committee didn't address assigned time particularly for chairs. We did discuss assigned time in general and felt that would be very helpful and make this much more feasible. However, we didn't think we could postpone having some kind of advising system until the day we can provide that."

Senator Kellum said, "Have you looked at the detrimental effects on students of advising holds?" Senator David said, "No."

Senator Nellen said, "Did C&R consider ways advising could be done, e.g. on the web?"

Senator David said, "No, in the short run, maybe next year."

Senator Bridgeman said, "Students can wait hours at Admissions and Records trying to get holds taken off their records. There are only about 8 advisers in Admissions and Records. There are really, really long lines. This is good, because you will be forced to have advising 4 or 5 times. There is also a validation of your progress as a student."

Senate Administrator, Eva Joice, said, "Currently, the progress to degree report on peoplesoft does not recognize general education (GE) transfer classes. This means that it will continue to show some GE classes as not being completed. In addition, minor requirements are not listed. This could be a problem for faculty advising, because they don't have access to the student's actual paper file. Also, as a student, I feel the amount of advising being mandated is more than necessary."

Senator Wei said, "All Engineering students are required to see their adviser before each semester."

Senator Van Selst said, "Did the committee consider separating GE and major advising?"

Senator David said, "No. However, by requiring someone to designate a major, it moves them into the major advising earlier." Senator Van Selst said, "One of the problems there is that faculty as advisers don't have the skill set to know what actually transfers for GE."

E. Organization and Government (O&G) Committee -- Moved to next meeting.

VII. Special Committee Reports – None

VIII. New Business – None

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

A. Statewide Academic Senator(s) - No Report.

B. VP for Administration and Finance - No Report.

C. Provost - No Report.

D. Vice President for Student Affairs - No Report.

E. Associated Students President- No Report.

X. Adjournment – The meeting adjourned at 4:55 p.m.