

2006/2007 Academic Senate

MINUTES
May 7, 2007

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

Ex Officio:

Present: Gorman, Lessow-Hurley,
Van Selst, Sabalius, Kassing,
Veregge, Gutierrez

CASA Representatives:

Present: Perry, Hooper, Fee, Canham

Administrative Representatives:

Present: Sigler, Najjar, Phillips
Absent: Lee

COB Representatives:

Present: Campsey
Absent: Gehrt, Jiang

Deans:

Present: Merdinger, Hegstrom,
Stacks
Absent: Wei

ED Represent:

Present: Rickford, Maldonado-Colon, Parsons

Students:

Present: Dresher, Henderson, Reyes,
Patel
Absent: Antazo, Bridgeman

ENG Representatives:

Present: Backer, Meldal
Absent: Gao

Alumni Representative:

Present: Lewis for Thompson

H&A Representatives:

Present: Desalvo, Leddy, Van Hooff, Belet, Harris,
Absent: Vanniarajan

Emeritus Representative:

Present: Savage for Buzanski

SCI Representatives:

Present: McClory, Kaufman, Bros, Hilliard, Hamill

Honorary Senators (Non-Voting):

Absent: Norton

SOS Representatives:

Present: Peter, Hebert, Von Till

General Unit Representatives:

Present: Thames, Liu

II. Approval of Academic Senate Minutes –
Minutes of April 16, 2007, were approved.

III. Communications and Questions –

A. From the Chair of the Senate –

Chair Lessow-Hurley made the following announcements.

Dr. Wayne Savage has been designated to replace Senator Buzanski by the Emeritus Association at today's meeting.

Congratulations to Eva Joice, the Senate Administrator, who has made President's Scholar yet again. Eva has been working on her degree part-time, and she has a very demanding job

and a family with a young daughter at home.

The May 4, 2007, 150th Anniversary event was well organized and wonderful. Congratulations to University Advancement.

The Access to Excellence summit was held on April 24, 2007. Senator Phillips, Senator Sigler, Senator Hegstrom, Senator Stacks, Senator McClory, and Chair Lessow-Hurley attended. A strategic plan is emerging. As the plan evolves it will be made public and there will be multiple calls for contributions.

B. From the President of the University-

President Kassing made the following announcements:

President Kassing and VP Phillips have asked Colleen Brown to take a careful look at what we do as far as loan providers are concerned. We look fine in our Financial Aid office. We have received an open records request from the Attorney General for records from our Alumni Association. We use a company called Nelnet. Nelnet is a national company out of Omaha, Nebraska that services about 150 University Alumni Associations. We have an arrangement with them that if our Alumni use their loan consolidation services, we get \$100 per loan. Last year the Alumni Association received about \$25,000 from them. VP Najjar is looking at that extensively.

The President and VPs have teams that will be looking at our procedures as related to the Virginia Tech shootings over the next five to eight weeks from how we handle students with mental illness to the communication techniques we use on campus.

There has been an argument surfacing with the California Faculty Association (CFA) over \$1.2 billion of balances in the CSU. There are \$1.2 billion of balances in the CSU, but this is not state money. We have balances in the housing funds, student union, the parking fund, International and Extended Education funds. Those funds are related to bonds and cannot be used for faculty salaries.

Rona Halualani will be leading our Strategic Planning for the next year starting June 1, 2007.

President Kassing congratulated VP Najjar on the Lurie gift, and thanked him for all the events University Advancement planned for Founder's week. The President and Senate also congratulated Rose Lee and Tony Valenzuela on how the campus looked.

The San Jose Mercury News coverage has been fantastic.

Questions:

Senator Peter asked about the Athletic scholarship losses discussed in the San Jose Mercury News. Senator Peter said, "The news pointed out that we are one of two universities in the nation that have lost so many scholarships in so many sports. This doesn't seem in accord with the optimistic report we had a year ago." President Kassing said, "The APR is an

NCAA measure of progress towards degree. It is an accumulative average. In 2003/2004 our average APR for all the teams was 874, in 2004/2005 it was 901, and in 2005/2006 it was 915, and the target is 925. We are 10 off the target APR. The 925 is equivalent to a 60% graduation rate. The APR for the first class that Dick Tomey brought in is 937. Dick Tomey is suffering for what wasn't done before. The GPA for the football team went from 2.1 to 2.5 under Tomey." Senator Campsey said, "We had two teams that were in the top ten [1990-2000]. We did have some students leave that didn't like our emphasis on both academics and Athletics. Also, over the last year students that were below a 2.0 GPA were reduced by 30%." President Kassing said, "Tom Bowen also told me Saturday that the article is inaccurate. We didn't lose seven scholarships, we lost three." Senator Peter said, "Perhaps you could check to be sure that is the number we have lost. If the article is correct, then we are losing more scholarships despite our progress. We have lost more scholarships this year than last year." Senator Campsey said, "I will check and let you know for sure."

IV. Executive Committee Report –

A. Executive Committee Minutes – None

B. Consent Calendar – None

C. Executive Committee Action Items: None

V. Unfinished Business - None

VI. Special Committee Reports - None

VII. New Business -

A. Campus Security Update by Chief Andre Barnes and Captain William Coker.

Chief Barnes said, "I am very pleased to be here and share with you what the campus is doing about safety and the changes we are making. Our role will stay pretty much the same. Although things are more heightened since the Virginia Tech incident, our procedures haven't changed. We would still respond the same. A week prior to the Virginia Tech incident, I met with my colleagues in the Santa Clara County Police Chiefs' Association. We had just reviewed and revised our active shooter protocol prior to the Virginia Tech incident. We have an understanding that we will assist each other. Certainly because of the Virginia Tech incident we are taking a second look at our procedures. Two other groups I work closely with regarding this type of issue are the CSU Police Chiefs which meet annually, as well as an International Association of Campus Law Enforcement group that meets next month.

We have had quite a few classroom incidents this year. If there is a classroom incident we do want to know about it. If there is a threat we will respond and talk with the student, and

take appropriate action. I do not believe officers belong in the classroom. If there is a classroom incident, we want to meet with the student away from the classroom. We do not want to put other students at risk. We talk with students either at our office or at the Judicial Affairs office. We do not want to get to the point that we think all of our students are a threat to us. We do not want to turn this into a police state on campus. However, do not think we are not concerned with your safety."

Captain Coker said, "We would like you to report anything that makes you feel uncomfortable. We will make an assessment as to what we think needs to be done in the situation. Sometimes that is not as obvious as it may seem. We have sent our officers out in plain clothes to intercept a student and talk with them in the past so as not to be so disruptive to a class. Too much of a police presence can have a chilling effect on the educational process, or freedom to speak. We also sometimes use other methods of dealing with a situation. Sometimes we have our officers do patrol checks in the classroom areas in plain clothes just to be sure there isn't a problem.

Active shooter is a concept that came about after Columbine. The traditional police response didn't work when there was a shooter that was actively involved in randomly shooting people. This is not a targeted threat, or a hostage situation. This is someone actively involved in using violence and the violence is continuing. In a typical hostage situation, the first objective is to secure the area and attempt to communicate with the hostage taker. That doesn't work in an active shooter situation. In a typical hostage-taking situation, time usually works against the hostage taker. Slowing things down can lead to a better resolution than trying to rush in and take action. This is just the opposite in an active shooter situation.

In Columbine, this was a very large high school setting. The initial response was to establish a perimeter, gather some intelligence, and establish a plan. In an active shooter situation there is no time, it requires a rapid response. Following Columbine, and an incident at De Anza College in which a student planned a massive attack that was foiled, police in the county got together and came up with a county-wide protocol on how police should respond in an active shooter situation. All the police departments in the county respond the same. If the San Jose Police came here to assist us they have the same response protocol as we have. What we deal with a lot on our end is being prepared for that response phase, and what happens when it becomes manifest. There is certainly an element on the proactive side which includes recognizing behavior that causes concern, and doing something about it. We need to work a little harder on a multidisciplinary approach.

Our Emergency Operations Center (EOC) is focused on dealing with a variety of issues. It is comprised of people across campus in many different areas that have expertise in dealing with all different emergencies. We need to focus on how the EOC can be used to respond in a large scale event such as what occurred at Virginia Tech. Our role as first responders is to deal with the immediate tactical response of trying to isolate and neutralize that threat. I think we have the basis for dealing with those big picture issues through our emergency management team. Now we need to work on scenarios that envision other than earthquakes or fires. This year our EOC drill was a terrorist scenario. We have started to involve other

scenarios.”

Chief Barnes said, “We have convened a committee recently that VP Rose Lee is Chairing. We are starting to look at the infrastructure and what equipment we either have or don’t have. One of the issues at Virginia Tech was should people have been evacuated and how the information should have reached them. We are missing some of the key communication components we should have in this area. We have some very new buildings that should work well, but we also have some very old buildings that don’t work well. We are looking at public address systems, how we get into classrooms, text messages, email, etc. Everyday since Virginia Tech I get about 20 emails from companies wanting to sell us equipment. We just had our first committee meeting last weekend.”

Questions:

Senator Sabalius wanted to know how much of a burden the enforcement of rules, such as no smoking, put on the University Police Department (UPD). Chief Barnes indicated that issues such as skateboarding are reviewed to see if they are workable.

Senator Van Hooff said that the lighting in Clark Hall dims to the point of being dangerous at night, and that there are a number of elderly faculty in the building in the evenings. Senator Van Hooff is concerned about their safety, and asked if the escort service could still be called to walk them to their cars. Chief Barnes said, “Yes.” Chief Barnes said, “We do send out patrols to do crime prevention checks also.” Senator Van Hooff asked, “What is the number to call for an escort?” Chief Barnes said, “x42222.” Captain Coker asked, “Are we talking about the lighting inside Clark Hall or outside?” Senator Van Hooff said, “Inside on the fourth floor.” Captain Coker said, “We will contact the Facilities Development Office (FDO) and have them look into this.”

Chair Lessow-Hurley said, “It might be helpful to have these emergency numbers available for everyone and other information including building evacuation routes.” Chief Barnes said, “This information is available on our website, and we send out our crime report every year campus-wide.”

President Kassing said, “Everyone on campus should be doing everything they can to make sure their people are aware of the emergency procedures. Our police department has limited resources, only 34 officers total to cover 24/7 shifts.”

Senator Maldonado-Colon said, “I’m concerned that we have no drills during the evening hours and we have a lot of part-time faculty that work evenings that aren’t aware of the procedures.” Chief Barnes said, “As soon as we conduct a drill, I get horrible phone calls from faculty. We are going to be looking at that and how to address what to do when we have visitors on campus.”

Senator Henderson asked, “What new safety procedures have we implemented since the Virginia Tech incident?” Chief Barnes said, “At this point none. We feel what we have in place is adequate, and we are covered in terms of training and protocol. What we want to add new is a public address system and those types of things. We’re also working on being

ready to respond. I don't think we are going to change any of our procedures at this point."

Senator Phillips said, "We have begun some discussions in the Student Affairs Division about some publicity campaigns that will begin in the fall to make known rape crisis centers, and a variety of resources. It may or may not be accompanied with an outside organization known as mysafecampus.com. Another project we will start this summer is to pull together a group of people that will assess problematic behavior to determine whether or not we need to take action. That is a very difficult sort of thing to do. It is difficult because you walk the line between a free society and safety. Safety does need to prevail. This summer we will bring together people to develop a protocol for dealing with this behavior."

Senator Rickford said, "I always felt very safe on campus. However, I have become increasingly uncomfortable since Columbine and Virginia Tech. I would encourage you to continue to have those drills, and not be discouraged by the faculty that don't like them. Also, I'd encourage you to look into getting the equipment we need."

B. Faculty Diversity Report by AVP Joan Merdinger, Faculty Affairs -

AVP Merdinger said, "I would like to thank Chair Lessow-Hurley, President Kassing, Provost Sigler, VP's Lee and Najjar, Senators, and members of the SJSU community for the opportunity to address the Senate today. The Office of Faculty Affairs was asked to provide an update on faculty hiring and retention. Particularly with regard to the commitment of the university to recruit and maintain a diverse community of faculty members. Our focus today is on recent hiring and retention data for tenure-track faculty. As you know, significant resources are expended to find, hire, and maintain faculty who are likely to spend a lifetime on our campus, which could mean as many as 50 or 55 years. As contacts for my report, it is important to be aware that we follow federal affirmative action guidelines. We do that by our significant outreach efforts during all faculty searches. We use print, web, and discipline-specific outreach efforts to create as large a pool as possible for each of the faculty searches. When the final date for the search is reached, each applicant in the pool has an equal opportunity to be selected as a finalist to be brought to campus for the final round of interviews. We also follow Executive Order 883, the Chancellor's Directive on Guidelines for Non-Discrimination and Affirmative Action Programs in employment. Our campus-specific policies that guide affirmative action and equal opportunity are S89-15, S98-8, and S01-13.

During 2005/2006, we conducted the searches that resulted in the 39 tenure-track hires for 2006/2007. We had 60 searches and 39 hires, which is a success rate of 65%. This year is 2006/2007, we are conducting 75 searches. In September 2007, we will have the final numbers on our 2007/2008 tenure-track hires. My report today focuses on our tenure-track faculty that began in the fall of 2006. We followed the same practice that I will now describe for the last two recruitment cycles. Departments submitted five-year recruitment plans to their college planning councils or other such committees, with the Dean indicating that sufficient funds were available to hire new tenure-track faculty members. No positions are rolled from previous years. National searches for temporary faculty are examined on a

case-by-case basis. Appropriate paperwork needs to be filed with our office in order for searches to proceed. As many of you know, each year we have a discussion about the importance of beginning these searches early in order to recruit the best candidates. These people are also the most competitive in the job market. The budget in the state of California has made this an increasingly difficult job. Although, we are all in agreement that earlier searches are better than later ones. In 2006/2007, we created a new calendar that encourages colleges to submit applications during the summer. For the first time this past year, the application period for the colleges began in June and ended in late October. In addition, the University Planning Council (UPC) provided the Office of Faculty Affairs additional money to advertise in additional publications that focus on diversity recruitment campus-wide. As of today, we have hired 50% of the advertised 75 positions for next year. We are really doing well. Being able to do the advertisements earlier has been a significant change for this year. Thank you very much Provost Sigler for the change in our hiring practices.

Now to take a look at the three tables I passed out. We have been tracking tenure-track hiring for a number of years. Table 1 focuses on the newly hired tenure-track faculty. You can see that in 2006/2007, we hired 39 total faculty members. We hired 5.1% African-American, 0% American-Indian, 38.8% Asian and Asian-American, 5.1% Hispanic/Latino, 15.5% unknown, and 43.5% white faculty. The most recent data of Fall 2005 indicates that we are doing as well if not better than the CSU in hiring African-American and Asian/Asian-American faculty. We are doing less well in hiring Hispanic/Latino faculty. Throughout the CSU system Hispanic/Latino hiring was about 7.6%, and you can see we are at 5.1%. Gender is also reported. Our new tenure-track faculty were 59% male, and 41% female. If we go back further to 1991/1992, the best year we ever had for hiring, we hired 79 faculty members. You can see we haven't done that since, but we've gotten close. To bring in about 70 faculty members, we have to do about 100 searches.

Now if you take a look at Table 2 in 2006/2007, it includes tenure and tenure-track faculty. Sixty-five percent of our tenure and tenure-track faculty are white, and 30.9 are minority faculty members. If you go back ten years ago, you can see there is about a 9% change in this 14 year period of time. In 1992/1993, the faculty was 78.4% white, and 21.6% minority faculty members. In the whole CSU system, 73.5% of all faculty are white, and 26.5% minorities.

Gender at SJSU is changing more rapidly than ethnicity and race. In 2006/2007, 57.5% of our faculty were male, and 42.5% were female compared to 70.2% male and 29.8% female in 1992/1993. This is a 13% change in 14 years.

Table 3 indicates retention rates. All of the tenure-track faculty members were retained from that particular review cycle. What was asked for, but that I need to report to you, is that since 1993/1994, we have lost 144 tenure and tenure-track faculty members. We lost an additional 32 in the summer 2004 due to the most recent Golden Handshake. Another important data point to report is that 45% of our faculty are eligible for FERP. We have a disproportionate number of retirement age faculty. This makes it even more imperative that we hire more tenure and tenure-track faculty. This is the Baby Boomer generation.

In summary, at SJSU we are making slow progress towards more gender, ethnic, and racial diversity. Our progress is more visible with respect to gender. Our efforts have been impeded however, by the boom and bust state of economy, mandates from federal and state governments that are not synchronized, and a national pool of doctoral students that are not yet as diverse as our own student population is. The 1996-2000 doctoral pool included 5.2% African-Americans, .7% American-Indian, 9.4% Asian-American, 5% Hispanic/Latino, and 79.7% white students. Although we have more work to do, we do have programs that can be helpful to hiring minorities. Our Undergraduate and Graduate programs give us access to the next generation of teachers and scholars. That is really significant. We also have temporary faculty that are interested and qualified for tenure-track positions. We need to recruit students for our McNair Scholars program.”

Questions:

Chair Lessow-Hurley asked, "Do you do exit interviews to find out why faculty are leaving?" Senator Merdinger said, "We just had an exit interview survey approved by human subjects, so we can begin doing that. We have not done that in the past."

Senator Phillips asked, "Is the 144 the number of departures from SJSU, or the net loss?" Senator Merdinger said, "It is just on the table, in other words we had x number of people at this time and now all these years later we have this many fewer. It is the result of many things."

Senator Sigler said, "I was just going to point out that if you look at Table 2, tenure and tenure-track faculty, in 1992 there were 849. In 2006, the total number of faculty is 742. That is a difference of 107." Senator Merdinger said, "My numbers are off."

Senator Van Selst said, "I know at the Chancellor's office we were asking about the exit interview from people that are not formal resignations, but got a better job somewhere else. The other question is, looking at the impact of equity increases, I know that in my department one of discussions we are having is that we are looking for three new hires but six new hires would give us 80/20 again. We can maybe afford three unless we do a lot of equity changes that come out of department money, and then we could actually only hire two." Senator Merdinger said, "The good news is there is more than \$7 million in equity adjustments throughout the system. We are waiting to see if that will be ratified this weekend. However, how that is going to work, I can't tell. The campus is not in charge of it. It sounds like it is an across the system look at who is inequitable and who might be brought up. My understanding is that there is a committee that will be formed and looking at the procedure for that."

Senator Thames asked, "Senator Merdinger looking at the hiring of personnel, have you gathered any data on why it is hard to hire?" Senator Merdinger said, "I think there are a number of factors. There are some disciplines that are extremely difficult to hire in, because there is a very small pool. There is also a common theme of this being a high cost of living area, and this is very discouraging for people that come from outside this area."

Senator Canham asked, "I wonder if you have any numbers on the retention of tenure-track faculty?" Senator Merdinger said, "We do have that, it is in that report that is on the Chancellor's Office website. I don't have those numbers right now."

Senator Rickford said, "Some of these numbers are weak, and I think that we shouldn't be complacent. I know that it is true that our percentages are compared to the CSU, but I think that the stronger goal is for faculty of ethnicity to compare with the percentage in the general population. In terms of that goal, I think we are failing. Also, I am little discouraged because you said that we have a lot of potential on campus in terms of encouraging our own graduates, but there is a small number of American-Indian and African-American students on campus. I am wondering if there is in fact affirmative action actually enforced, and whether there is any data about the number of African-American, Hispanic-Mexican, American-Indian faculty that actually do apply and what are the outcomes. Do we track that?" Senator Merdinger said, "You are asking good hard questions. When we look at how we are doing with regard to hiring of faculty, we actually have to look at a national level. In terms of affirmative action, that is federal law and we follow that. We actually have reports from our Office of Faculty and Diversity that would tell us who is in the pool, but because of a recent ruling that applies to the CSU system we are no longer able to use certain kind of methods. One of them, a very important one, was halting a search because the pool wasn't diverse enough. What we do do as a result of additional money the UPC gave us, is target our advertisements to specific readers that are more likely to provide a more diverse applicant pool. The best way to make the pool as diverse as possible is to do as much outreach as possible."

Senator Gorman said, "I am intrigued by the number of faculty that are eligible to FERP. Do you have any idea how that compares to other campuses in the CSU? Do we have older faculty here as compared to the rest of the CSU?" Senator Merdinger said, "I actually don't know the answer to your question." Senator Gorman said, "Also, was there any attempt to breakdown the comparison to show the differences in CSU campuses based on the cost of living in the area? My guess would be that campuses in high cost of living areas are having the same problems we have. As for workload, we've had people walk away from the table due to the workload. My final observation is that this report ignores the whole dimension of gay faculty when looking at the issue of diversity."

Senator Peter said, "First, thank you and the Provost for getting those searches out. It is a huge process. My experience with the graduate pools has been that many of them were hired before we even got our searches underway. By getting the searches going earlier it gives us a fighting chance. I wanted to ask you about the trend in the hiring of women over the last few years. I didn't know if there was a trend or not. In 2003, 67% of our hires were women, in 2004 only 57.9% were women, and more recently only 41% were women. Do you have any explanation for why we aren't doing as well as we were years ago?" Senator Merdinger said, "This can change with just a couple of hires, because the numbers are so small. I think we need to see it for a couple more years before we can say it is really a significant trend. One of the things to look at and compare is areas where women have traditionally been under-represented. I think that 39 is a 65% success rate that is not bad."

Senator Van Hooff said, "Since we have a large number of faculty that are foreign-born, what is the process? I am always uneasy about what the hiring rules are." Senator Merdinger said, "We do not know if the person is foreign-born until the job offer. There are a number of regulations that tell us we can't question people about this until the offer is made. Then we can question them about their right to work in the U.S. Our office supports H1B Visa applications for our faculty candidates that are not U.S. citizens. We do not know when people are not U.S. citizens."

VIII.

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

A. Organization and Government Committee (O&G):

Senator Hebert presented *AS 1353, Policy Recommendation, Senate Vacancies, Amendment to Bylaw 1.6 (Final Reading)*. Senator McClory presented *AS 1362, Policy Recommendation, Senate Vacancies, Amendment to Bylaw 1.6 (Final Reading) as a substitute to AS 1353*. Senator Van Selst made a friendly amendment to AS 1361 to change "Senator" to "Faculty Representative" in the first line of 1.61. Senator Peter made a motion to return both resolutions to the Organization and Government Committee for them to combine and return to the Senate in the Fall. The Senate voted and the motion passed with 1 nay.

Senator Hebert presented *AS 1357, Policy Recommendation, Academic Assessment Committee (Final Reading)*. **The Senate voted and AS 1357 passed with 3 abstentions.**

Senator Hebert presented *AS 1361, Policy Recommendation, Amendment of Bylaw 10 (Special Agencies) Responsibility to Stagger Faculty-at-Large Terms (First Reading)*. Senator Hebert said, "We received a referral that brought up a problem that arose in a special agency. Some terms for some of the committees, for whatever reason, all seem to be expiring in the same year. The rationale for staggering terms is to have continuity and institutional memory. The Organization and Government Committee (O&G) decided to offer this one amendment. The reason O&G used "appointing body" is because faculty members are placed on special agencies through different agencies. Sometimes the Executive Committee puts them there, and sometimes they are recommended to the President. We felt the best way to approach this was to make it someone else's problem. This policy makes it the responsibility of whoever the appointing person is to make sure that if the terms are to be staggered, they figure out how to make and keep them staggered."

Questions:

Chair Lessow-Hurley asked, "Is appointive" an actual English word? Perhaps the committee could clarify this in the 2nd and 3rd whereas clauses." Senator Hebert said, "Bill Gates thought it was."

Senator Van Selst said, "My concern would be that the appointments are done after the elections and not before." Senator Hebert said, "Special agency seats aren't really filled by an election, it's more a selection by the Executive Committee." Senator Backer said,

“Ideally, once you’ve fixed the terms, they should stay fixed. You shouldn’t have to re-stagger them.”

Senator Van Selst said, “So, the flexibility of the Associate Vice Chair (AVC) to stagger and re-stagger the terms for the faculty is only for the policy committees, and not the operating committees and special agencies?” Senator Hebert said, “Faculty are elected to one year terms on the policy committees, there is no staggering of terms.” [Clarification by Senate Administrator – Faculty are appointed to one year terms on the policy committees by the AVC based on submission of committee preference forms, and seat availability. All Senators serve on a policy committee for a one year term.] Senator Hebert said, “As for operating committees there is some interest here.”

Senator Sabalius said, “Would it help to explain about how our Senate body already staggered the terms for the CSU Statewide Senators because we were un-staggered?” Eva Joice [Senate Administrator] said, “What happened with the staggering of the Senate seats is that when James Brent took over as Senate Chair we had trouble filling senate seats, so he had me appoint everyone for three year terms. James was new and I was new and neither of us knew any better. By the time Annette Nellen took over as Chair of the Senate, the seats were out of alignment. We need to have no more than one third of the seats go vacant each year. Chair Nellen had the AVC [Senator Thames] come up with a plan to get the seats back in alignment. It took three years to do this. However, this problem arises with all the committees. The seats don’t stay staggered. Over time as people leave and new people are appointed, the terms get out of alignment and need to be re-staggered. I feel it is very important that the AVC maintain the authority to stagger and re-stagger the seats on the Senate, and all the Senate’s committees whenever necessary. Leaving the staggering of terms up to the committees themselves could cause significant recordkeeping problems for the AVC and Senate Office.”

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

Senator Meldal presented *AS 1360, Policy Recommendation, Student Fairness Dispute Resolution (First Reading)*. Senator Meldal said, “This policy deals with when a student is initiating the grievance process rather than a faculty member. The policy change is driven by a number of concerns. First, the new policy is far less confrontational than the old policy. Second, definition of valid grounds for grade disputes were not covered in the old policy. Procedures are now spelled out clearly stating what is and is not the basis for a dispute between a faculty member and a student in grading. Third, we have removed the ad hoc college committees. In the past if the Student Fairness Committee made a recommendation that was not accepted by the faculty member, the recommendation went to an ad hoc college committee. That was problematic on two points. First, the students felt that it was unfair that faculty members in the same college passed judgment on one of their colleagues. It was also felt by certain faculty members that it was grossly unfair that colleagues in their own college should pass judgment on them, and also be the same people involved with retention-tenure-promotion (RTP) and professional issues. Finally, the entire policy was a two-headed beast. It had both grievances and grade disputes. The Ombudsman, Savander Parker, is also here today to answer any questions you may have.

Questions:

Senator Van Selst said, "In a case of a grade dispute and the grade gets changed against the faculty member's wishes, does the faculty member's name still appear as signing off on that grade?" Senator Meldal said, "I don't know. The policy change does not address that issue at all. The actual grade change is made by the Registrar's office if the faculty member does not wish to change it himself/herself."

Senator Veregge said, "If the faculty member refuses to change the grade, then does it automatically go to the Registrar and the Registrar changes the grade, or is there another level of appeal?" Senator Meldal said, "The level of appeal for the faculty member is the Board of Academic Freedom and Professional Responsibility. The ad hoc college committee has been substituted with the Board of Academic Freedom and Professional Responsibility."

Senator Peter said, "How many appeals currently take place from the Student Fairness Committee, and has the committee voted as to its willingness to take on this new task?" Senator Meldal said, "I'm glad you asked that question. It is actually shocking to me to see how few cases there are. In 2005/2006 there were a total of 388 cases out of which two went to the Student Fairness Committee. One was resolved in favor of the student, and the other was in favor of the faculty member. That pattern is consistent throughout the years. In appeals, we had one in 2003/2004, and none in 2005/2006. The numbers are very small and the committee has been consulted and has no objections."

Senator Thames said, "I'm on the Board of Academic Freedom and Professional Responsibility. The board felt this was a better way to go than to each time have to form a college committee."

C. University Library Board (ULB) –

Senator Peter said, "Just a brief report. We have concluded our meetings for the year. We have no action items, but we have been working on research on possibly establishing an information repository here. It turns out the CSU as a system is already preparing an information repository for which SJSU is certainly eligible to partake. The board has decided to explore the possibility beginning with our master's thesis. Under the able leadership of Celia Bakke, they have been negotiating and talking about what procedures and policies would have to be in adopted for our master's thesis to come in electronic format and be placed in a digital medium to be more widely accessible. We may have more news on this in the fall. The good news is we were visited by a representative of the CSU Long Beach who said the hardware is already coming along. The expense to the campus would be for converting documents into digital form, but the storage, retrieval, and backing up of materials would be at no cost to the campus. The second half of the committee has been working on information competency. In particular, we tried to get our hands around what information competency means. The Institutional Review Board (IRB) approved a study, and we are going to asking a number of you to be involved in the study to help us determine which direction we should be going regarding information competency."

Questions:

Senator Sabalius said, “You are talking about the CSU Digital Repository of works by professors and students?” Senator Peter said, “Yes.” Senator Sabalius said, “This came across our desk in the CSU Statewide Senate. To my surprise there was incredible resistance to this. Faculty have worries about property and copyright issues, and whether this would be voluntary or they would be required to contribute. Have these worries come to the ULB?” Senator Peter said, “Yes, but we were satisfied with the answers. We never contemplated requiring anything. With regard to the thesis, students already sign waivers.”

D. Professional Standards Committee (PS) –

Senator Bros said, “Professional Standards has been working on Peer Review of Teaching. We are making good progress in this area and should have a policy in the fall.”

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

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

A. Vice President for Student Affairs –

VP Phillips announced that Marshall Rose would be accepting a position as Special Assistant to the VP of Student Affairs starting June 1, 2007. Colleen Brown will be the Interim VP for Enrollment and Academic Services. VP Phillips announced that there have been several events in Student Affairs recently including: the Disability Resource Center (DRC) Awards dinner, the Annual Day of Service, the Admitted Students Reception, the Associated Students Awards 55 Banquet, the EOP Honors Ceremony, and Founder's week. VP Phillips also reported that the Campus Fee Advisory Committee recommended approval of the Student Center Facility Project.

Senators Sabalius and Peter asked the following questions. Why wasn't the Student Center Facility Project put to a vote by the entire student body? How did the consultation process work?

VP Phillips stated that there was overwhelming support in favor of the fee increase, and putting it to a vote by the entire student body would delay the process.

B. Associated Students President (AS) -

AS President Gutierrez announced that Benjamin Henderson had been elected as the AS President for next year. Senator Reyes was also elected as the Director of Students Rights and Responsibilities. AS President Gutierrez thanked the Senate for its support over the last two years.

C. Vice President University Advancement -

VP Najjar announced that he had some 150th Anniversary lapel pins if anyone wanted one. VP Najjar thanked everyone for their support during Founders week. VP Najjar announced that they had recently received a \$5 million gift for the College of Business, a \$3.9 million gift for the College of Engineering, a \$1 million gift for Nursing department scholarships, a \$100,000 for the College of Education, and a planned \$1.5 campus-wide gift. There have also been 130 donors to the Inger Sagatun-Edwards Memorial fund with an average gift of \$200. Also, it looks like we are going to double our highest fundraising year this year.

D. CSU Statewide Senators - No report

E. Provost -

Provost Sigler thanked everyone that attended the Honors Convocation and Founder's week. Provost Sigler announced that Dean Magid was resigning. We will be launching a national search for a replacement. Provost Sigler will be making an announcement shortly about the Interim Dean of CASA.

F. Vice President for Administration and Finance - No report

X. Adjournment – 5:00 p.m.