

**2007/2008 Academic Senate**

**MINUTES  
February 18, 2008**

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

<b>Ex Officio:</b> Present: Sabalius, Gorman, Henderson, Lessow- Hurley Absent: Van Selst, Kassing	<b>CASA Representatives:</b> Present: Fee, Schultz-Krohn, Canham Absent: Hendrick, Kao
<b>Administrative Representatives:</b> Present: Sigler, Lee, Najjar, Phillips	<b>COB Representatives:</b> Present: Campsey Absent: Roldan, Jiang
<b>Deans:</b> Present: Parrish, Stacks, Wei, Merdinger	<b>ED Represent:</b> Present: Maldonado-Colon, Rickford Absent: Langdon
<b>Students:</b> Present: Reyes, Lazarowich, Grabowski, Zeier Absent: McDaniel, Prothro-Jones	<b>ENG Representatives:</b> Present: Backer, Meldal Absent: Gao
<b>Alumni Representative:</b> Absent: Thompson	<b>H&amp;A Representatives:</b> Present: Belet, Desalvo, Van Hooff, Absent: Mok, Vanniariajan, Butler
<b>Emeritus Representative:</b> Absent: Buzanski (Savage attended for Buzanski)	<b>SCI Representatives:</b> Present: McClory, Hilliard, Bros Absent: Kaufman
<b>Honorary Senators (Non-Voting):</b> Absent: Norton	<b>SOS Representatives:</b> Present: Peter, Hebert Absent: Zia, Von Till
<b>General Unit Representatives:</b> Present: Romo, Sivertsen, Liu	

**II. Approval of Academic Senate Minutes – Minutes of January 28, 2008, were approved as is.**

**III. Communications and Questions –**

**A. From the Chair of the Senate:**

Chair Lessow-Hurley made the following announcements:

Senators Buzanski and Norton are absent today. However, Dr. Wayne Savage is attending the meeting in Senator Buzanski's place.

The Senate acknowledged what happened at the Northern Illinois University and expressed their concern and dismay.

The Chair acknowledged the important stand President Kassing had taken in suspending blood drives on campus, and emphasized that it was a suspension and not a ban. The intention behind the suspension is to pressure the Food and Drug Administration (FDA) to review and change their policy, so that blood drives can resume on campus as quickly as possible. The President's office received a letter from Karen Miller, a mother, in Austin, Texas. Ms. Miller and her husband applauded SJSU for standing up for equal rights for gays. Mr. and Mrs. Miller's son is gay and faces discrimination in some form everyday. Mr. and Mrs. Miller stated that decisions such as those taken at SJSU give them hope.

The Chair announced she had sent the link to the faculty campus climate report to Senators this week. She was disturbed to see comments indicating that faculty are unsatisfied with Senate leadership. There are two points of view on the Senate. The first view is that the Senate can't and doesn't do anything. The second view is that the Senate is responsible for everything and does it wrong. Faculty do not seem to realize that the Senate is not responsible for all policy on the campus, such as the use of motorized vehicles which is covered by a Presidential Directive. The Chair has worked hard to get the Senate seats filled and to have contested elections. If faculty are unhappy with the Senate or Senate leadership they are encouraged to join the Senate.

The Chair announced that nominating petitions for vacant Senate seats are posted on the web, and encouraged Senators whose seats are expiring to run for the vacancies, and/or encourage their colleagues to run for the Senate. Nominating petitions are due in the Senate Office on February 29, 2008.

The Chair gave an update on the Online SOTEs policy that the Senate passed at the January 28, 2008 meeting. The CFA has some concerns about the policy. The new contract language is more assertive about the need to meet and confer in areas where there are potential contract issues. The Chair announced there will be a meet and confer, but until that time the president will not sign the policy. This issue is now between the CFA and the administration.

The final draft of our Access to Excellence strategic plan has been posted to the web. Dr. Rona Halualani will give an update at the March Senate meeting.

**B. From the President of the University –**

Provost Sigler gave a briefing on behalf of President Kassing who is out of town at an Executive Council meeting. The Provost said, "President Kassing wanted me to tell you that all of us are deeply saddened by the recent events at the Northern Illinois University. I know VP Lee gave a presentation on campus security at the last Senate meeting, but she is willing to speak with you again today."

VP Lee said, “We will be issuing a memo in SJSU This Week about campus safety. It talks about the counseling resources we have. The memo will also talk about ways to report safety issues to authorities, such as the MySafeCampus program which is an anonymous way to report concerns to authorities. VP Phillips may also talk about the recent Threat Assessment Training we had on campus for people who serve the front lines, such as the counselors and faculty. This training addressed how to recognize signs and behaviors that may indicate that there are potential safety issues. We think we may need to bring a program such as this on campus to make everyone more aware. We will also recommend some procedures in the memo on what to do should there be a shooter on campus. Just to reassure you, our police department has been training with the city police on these types of incidents and others. An additional 100 speakerphones have arrived and we have been busy installing these in classrooms. We hope to have speakerphones in all classrooms by spring break. We will be able to use all speakerphones in classrooms and offices for internal broadcasts. We are also investigating where we can modify our blue light phones on campus so that they also can be used to broadcast messages. For the long term, we are still investigating the reverse 911 systems that will text message or call cell phones with an alert. The last step we are looking into is modifying our external building doors so that they can be put on an automatic locking system. This memo also talks about email notifications. This isn’t the fastest way to get messages, but it does reach a good number of people. Please go onto My SJSU and make sure we have your email address.”

AS President Henderson asked, “What can Associated Students do to help?” VP Lee said, “We would want AS to help us whenever we did get a reverse 911 system, because it does require the student to voluntarily give us their cell phone number on their My SJSU record. In addition, these systems are very costly, so if AS would like to partner with us on some of the cost that would be welcome as well.”

Senator Van Hooff said, “We used to have panic buttons in our offices before we moved to Clark Hall, but the panic buttons didn’t move with us. This was a nice thing to have.” VP Lee said, “Button alarms are still available, we generally put them in high risk offices such as Cashiering. If your department hasn’t been identified as high risk, the installation and maintenance would be up to the department. If that is something you feel your department needs, please contact the University Police Department (UPD).”

Senator Peter said, “I think the issue is that there were some departments that already had panic buttons before they were moved to Clark Hall, but lost that security when they moved.” VP Lee said, “Without getting into a long discussion here, we have been trying to come up with a policy about the conditions under which we would supply a panic button, because if we don’t come up with some criteria, we could have every department requesting one. What we have decided is that if the department isn’t high risk, the department can request a panic button at the department’s expense.” Senator Peter said, “These panic buttons were already paid for by the departments, but they lost them when they moved.” VP Lee said, “I realize that, but we have no budget to reinstall things that were a part of the move but aren’t mandatory requirements.”

Senator Rickford said, “Many of the programs you’ve discussed are designed for after-the-fact, I was wondering if something could be designed to have some discourse with students and have them alert us?” VP Lee said, “That is what I was referring to when I talked about the Threat Assessment Training.”

VP Phillips said, “Counseling services had a training session on February 7 and 8 by Dr. John Nicoletti, who is an expert on threat assessment. As a result of the training session, we are in the process of developing a plan for the campus to put together a vortex. My description of a vortex is two-fold in purpose. The first purpose is that a vortex is a central repository of information to assist in the detection and interruption of violent acts. Most, although not all, perpetrators of violence on campuses are known to someone on campus. The problem is that various silos of information are not put together in any centralized location so that the detection and interruption can go forward. One notion is that a vortex is the location of a centralized repository of information. The other notion of a vortex is a centralized core group of people that will evaluate that information and determine whether or not some interruption activity needs to be instituted. We are putting together a plan right now. We have some measures in place, but after consultation with Dr. Nicoletti we will improve those substantially.”

Provost Sigler said, “I listened to a panel of experts talk about this last Monday. They identified the same approaches we are taking. One is to have integrative threat assessment that brings together different people from different units across campus, and the other is cross training with local law enforcement agencies and individuals that are experts, such as in how to diffuse a bomb, and finally to communicate accurately, appropriately, and timely. We will do our absolute best to implement best practices.

I also have some really good news to share with you. AVP Merdinger and I had the pleasure of attending an event last week in conjunction with ACE at which we received a \$200,000 award and commendation. We are one of five masters level universities in the country that received this grant and award from ACE and the Sloan Foundation. This is a project that AVP Merdinger has devoted a lot of time and effort to for faculty career flexibility. In the future, AVP Merdinger will be sharing some of the plans we have. All of you made this possible by participating in the survey. In addition we have a beautiful glass bowl they gave us and we are trying to find a place in President Kassing’s office to put it. I was also very pleased to see at one of the luncheons that they were honoring universities that were committed to service learning and community service, and we were listed on the President’s Honor Roll. Congratulations to all of you.

Tomorrow is census day. As of today, spring enrollments are at a record high. We have 24,586 FTES, and a headcount of 30,921 students. This may change a little bit tomorrow, but these are extraordinary numbers. Thank you to VP Phillips and his team, and also to all of you who accommodated all of the students in your classes.

I want to report that this year there was a change in the contract for provision of sabbaticals, but the university has met all the requirements of the contract. I have approved, on the president’s behalf, a record number of sabbaticals. From 1991-2007, the university awarded

37 sabbaticals per year. This year I have approved 45 sabbaticals. Fifteen are full academic year sabbaticals at half salary. In addition, I awarded 30 semester sabbaticals. The distribution by college was such that each college received at least the number of sabbaticals they had received in the past. The additional eight sabbaticals were awarded based on the rankings the deans and committees developed along with the size of the college and number of applications. As a result of that, the College of Engineering received one additional sabbatical, the College of Social Sciences received three, the College of Humanities and the Arts received one, and the College of Science received three. The other two colleges only had applications that equaled the previous number of sabbaticals. I think that we had a good outcome.

That is the end of my remarks. I urge you to provide your response to the Access to Excellence proposal to Rona Halualani, or go online to the website and provide your response. It is expected that the Trustees will review and approve the document at the march meeting.

#### **IV. Executive Committee Report –**

##### **A. Executive Committee Minutes –**

**January 28, 2008** – No questions

**February 11, 2008** – No questions

##### **B. Consent Calendar –**

Senator McClory announced there was one additional item on the consent calendar. Huy Tran is a new student that will be serving on the Student Fairness Committee. The consent calendar was approved.

Senator McClory announced that the nominating petitions for senate seats have been distributed to all faculty on campus, and are posted to the Senate website. In addition, the Committee Preference Forms will be distributed campus-wide the week of March 17, 2008.

##### **C. Executive Committee Action Items:**

Senator McClory presented *AS 1376, Sense of the Senate Resolution, Commending President Don W. Kassing for Supporting San José State University's Commitment to Non-Discrimination by Suspending Campus Blood Drives (Final Reading)*. Senator McClory made a correction to the third whereas clause to change “certain members of our community” to read “gay men.” Senator Peter made a friendly amendment to add a Resolved clause to read, “Be it resolved that San José State University continue the suspension of blood drives until the Food and Drug Administration rescinds its policy of discrimination against gay men.” Senator Hebert made a friendly amendment to change “restrict” in the first line of the third whereas clause to “prohibit.” **The Senate voted and AS 1376 passed unanimously as amended.**

V. **Unfinished Business** - None

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

A. **Curriculum and Research Committee (C&R) – None**

B. **Organization and Government Committee (O&G) –**

Senator Backer presented *AS 1377, Policy Recommendation, Rescinding Prior Athletics Board Policies (First Reading)*. Senator Peter made a motion to suspend the rules and move AS 1377 to a final reading. The Peter motion passed. **The Senate voted and AS 1377 passed.**

Senator Backer presented *AS 1378, Senate Management Resolution, Creation of a Task Force on Sustainability (Final Reading)*. Senator Backer said, “This resolution is to create a task force on sustainability. The O&G Committee looked at various solutions that have been proposed at different CSUs. Some CSUs created a committee outright while others did studies, and then some created task forces. In addition, some were just doing resolutions. We felt we needed to create a task force to first survey what is going on on the campus. There are a lot of different things going on curricular, facilities, etc., but there is not a uniform survey or understanding and that is what we felt needed to be done first. That is what this resolution proposes.”

Senator Bros said, “Are you considering putting someone on that committee that is from the department of Biological Sciences? The reason I am asking this is that one of the components for sustainability is biodiversity issues. Grants that go through the department of Biological Sciences are concerned with local conservation and biodiversity. Would the O&G Committee consider having a person from Biological Sciences on the committee?” Senator Backer said, “We recommended that one faculty member from each of the colleges and the general unit be selected by the Executive Committee. We did add a faculty member from Moss Landing, because they have their own particular issues regarding sustainability. We talked about adding a faculty member from Biology specifically, but we decided to let the College of Science decide. We did not want the task force to become too big.”

Senator Hebert said, “As a reminder, this is the committee to create the committee.”

Senator Lessow-Hurley said, “Why is the chair of the task force being selected by the elected members of the Executive Committee of the Academic Senate?” Senator Backer said, “If you will notice under the faculty or staff member it says appointed by the Academic Senate upon recommendation by the Executive Committee with such members selected for their interest and expertise in sustainability.” Senator Lessow-Hurley said, “Would the committee consider the possibility of the task force electing its own chair?” Senator Backer said, “Maybe.” Senator McClory said, “I think it’s possible we could entertain having the Executive Committee choose an interim chair until the task force meets and gets to know each other and then they could choose their own chair.”

Senator Sabalius said, “Would the committee please consider in the second Resolved clause

to strike the last line that reads, “and make recommendations for a permanent sustainability committee on the campus.” I think if it is written this way in the resolution it is taken for granted that something like this is desirable.” Senator Backer said, “I will bring that back to the committee. There are three different outcomes we expect the task force to have. First, we need them to survey the entire university. Second, we want them to look at other universities. Last, we want them to come up with recommendations.”

Senator McClory said, “I wonder if Senator Sabalius would agree with making that last sentence in the Resolved clause read, “and make recommendations concerning a permanent sustainability committee on the campus.” Senator Sabalius said, “Yes.”

**C. Instruction and Student Affairs Committee (I&SA) – None**

**D. University Library Board (ULB) – None**

Senator Peter said, “The ULB met a week ago today. Jane Light, the Director on the city library joined us to give an update on where the things stand on the issue of internet filtering in the library system. She was very circumspect in sharing with us the proposals she is bringing to the library commission. The commission met last week, but their minutes aren’t up on the web. I’m not sure what they may have decided.” Senator Sivertsen said, “They voted for no filters.” Senator Peter said, “That is very good. Jane Light was presenting them with four options. Option one was no filters and option four was Councilmember Constant’s version and a couple of things in between. All three of the filtering options from lesser to more stringent were predicated on the notion that San José State University faculty, staff, and students could all log in and have their ID recognized by some separate code so we wouldn’t suffer filtering. The ULB made it clear to Jane Light that that does not get around the joint operating agreement. We did not filter our materials but made them widely available not only to our students, faculty, and staff, but also to the public prior to entering into the joint library agreement. Therefore, it would be unfair we told Jane, if as a result of entering into the joint library agreement our university materials were filtered even if they were just being filtered to members of the public. Therefore, it seems the library commission has agreed with our interpretation and has chosen the non-filtering option presented to them by the city library director. However, that is not necessarily the end of the story. The city council does not have to accept the library commission’s decision. We expect in March or April this will bubble up to the city council and we will hear more about it one way or the other.”

**E. Professional Standards Committee (PS) – None**

**VII. Special Committee Reports – None**

**VIII. New Business – None**

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

**A. Provost – No Report**

**Questions:**

Senator Sabalius said, “I was very dismayed about the lack of international education in the Access to Excellence report. In that 17-page document the word international only shows up three times. International education is hardly addressed. This frustrates me because since the second report came out various entities have provided feedback to Vice Chancellor Reichard and to the people who wrote the first draft with the express desire to have more focus on international education within the CSU system. I’m surprised that Chancellor Reed hasn’t jumped on this because in almost every CSU Statewide Senate meeting he talks about the need to further internationalize our curriculum, expertise, and the educational experience of our students. You also chaired a statewide task force to see how international education in the CSU could be fostered and increased, and I believe you gave input to the writers of the Access to Excellence document. Also, since the first report came out, the Academic Council on International Programs statewide council that advises the Chancellor and the Director of International Studies and has faculty members from every campus, has met and expressed their concern about the omission to Vice Chancellor Reichard. Vice Chancellor Reichard urged the committee to provide specific wording and to indicate the specific location where the wording could be inserted in the document. We have actually done that. We have deliberated and the chair of the committee sent a letter to Vice Chancellor Reichard and Roberta Achtenberg. There is no entry whatsoever of that paragraph which was very uncontroversial. I wanted to get this feedback to you, and to encourage you and everyone to stress that we need to include international education in this document.” Provost Sigler said, “I share your concerns and I will provide my input to the committee. I know that Vice Chancellor Reichard actually has an interest in the subject, because he was the person that initiated the effort to have a task force. I was greatly surprised about by the omission of the subject. If we don’t educate our students to be able to function effectively in the global century, we are failing them.”

**B. Vice President for Administration and Finance – No report.**

**C. Vice President for Student Affairs –**

VP Phillips said, “Thank you, I will just add a couple of comments to the discussion I provided at the beginning of this meeting regarding safety issues. VP Lee mentioned the reports available at MySafeCampus. I think I have reported here before that we have contracted with an external agency called MySafeCampus, so that reports of any kind of unsettling or unsafe behavior may be reported either anonymously, or by giving your name. You go to MySafeCampus.com or by telephone 24 hours a day/7 days a week at (800) 716-9007. The complaint will be routed anonymously to the appropriate administrator on campus that should handle it.”

Senator Peter said, “If someone anonymously submits a complaint about an individual, how is that handled?” VP Phillips said, “It depends on the specifics of the complaint. The person that submits the report can return to find out more information about the report that they gave. Very often an administrator will ask for additional information such as can you give us specific dates and times of the behavior. Very often the



individual making the report will then come forward. If the information is too vague, then we can only watch but can't take action." Senator Peter said, "If they don't identify themselves can the individual they have complained about be investigated under the rules of law?" VP Phillips said, "Rules of law are fairly vague. The student conduct or student organizational conduct may or may not fall under the rules of law. It falls under CSU policy and university policy and a variety of things. For example, if there were a complaint about a large fraternity party that got out of hand, but we had no idea what date, time, or fraternity, if we could find out more from the person that placed the complaint, then we could go to independent sources to find out more about it. If we find out something inappropriate happened at that party, then we will take appropriate action." Senator Peter said, "I was thinking more along the lines of someone anonymously identifying someone as a potential shooter. Maybe someone that seemed disturbed and talked about bringing a gun to campus, but the individual reporting the behavior wasn't willing to furnish their name." VP Phillips said, "The shooter's name, or the reporter's name?" Senator Peter said, "The reporter's name." VP Phillips said, "By all means, we would be able to investigate that. In that situation, it would be immediately referred to UPD, and we would seek to find out more about that individual and whether others on campus have experienced behavior from that individual that is problematic."

Senator Lessow-Hurley said, "In my own college we hold classes late at night and the staff and administration are long gone. When I suggested faculty might need panic buttons in their offices, I was told that was unfeasible. I was wondering when the criteria for getting the panic buttons is established if we might also consider the faculty that are here late in unsafe situations." VP Lee said, "I'm not prepared today to say that panic buttons are the solution. It is old technology that is hard-wired. I don't think that is the way to go. When I say that I don't mean we are going to ignore it. It will be brought up in the committees we have going. I don't know what the solution is at this moment, but I hear your concern and will bring that information back to the committees."

Senator Sivertsen said, "Some of you may remember that in 1976 or 1977, we had a rash of rapes on this campus. Part of the reason that occurred is that what is today the St. Claire Hotel was a place where parolees from prison were housed. We had talked to the parole board about it and they said it was the best place in town to house them. It was amazing how the campus pulled together during that time. One of the things we did to help people be safe was to ask women not to walk across campus at night by themselves. Women were also asked not to be in offices where they might be unsafe at night, and to let someone know when they were going to be there late. I get it completely that sometimes you have to work late at night, but I think we have to also find a way to be more vigilant in asking people to be concerned about it. For instance, if you are going to be in your office late in the evening put the word out to others. Students, staff, and faculty really reached out and helped one another during that time." Chair Lessow-Hurley said, "I would counter that we used to have, for example, custodians that knew when we were here and supposed to be here. However, as a cost-cutting measure we have contracted out their services. There is a hidden consequence to that action. It is

very hard to let someone know you are in your office when you teach from 7:00 p.m. to 10:00 p.m. at night.”

Senator Van Hooff said, “We are fortunate to be in the newly renovated Clark Hall. However, one of the problems in the evenings is that the lights are dim and it is really dark. Many older faculty members have been complaining about that. Even though I know it is really expensive to have panic buttons in all the offices, maybe we could at least put them in the hallways. I have been very concerned about this situation on our floor. I know there are many people in Clark Hall that would agree with me.” VP Lee said, “That is the purpose of the blue light phones. We have them on the floors of almost all the buildings. I don’t want people to forget we have that. All you have to do is lift them up and it will say the location. However, you do raise a question. We are talking about evenings when we have classes, but let’s talk about when the campus should be closed. During the holidays, when the campus was supposed to be closed, people did come in to work and propped the doors open. Turns out we discovered an ex-felon in one of our labs. He had apparently been living in there due to the cold weather while students were in classes next door. That is something we are going to talk about. Is the university completely closed when it is closed? There is a liability issue here should the student, staff, or faculty member be injured. I do understand the difference when you are teaching a class, but there are a number of other issues.”

Senator Sabalius said, “Technically, or legally, is the campus closed on Saturdays and Sundays?” VP Lee said, “I’m not going to answer that at the moment. We do have classes on Saturdays. I can say that when we declare a non-workday and that we are closed, those are closed days.” Provost Sigler said, “I’m not going to say whether the campus is closed on a Saturday, because we do have classes. However, I am going to say that if the building is locked everybody should be very careful about not leaving the door open.” VP Lee said, “We have to look out for each other. Our actions cannot endanger someone else, and we should be proactive in protecting ourselves and others.”

Sylvia Light said, “If you are concerned about being late in a building, you can call UPD and tell them you will be working late and ask if they can check on you. You can also call them and they will provide an escort to walk you to your car.”

VP Phillips said, “One thing I was going to add before this conversation is that there is sometimes the question about the role of the Federal Education Records Privacy Act (FERPA). Direct observation of problematic behavior is not an educational record and does not fall under FERPA. Having said that, know that we are not interested in becoming a police state. We are interested in becoming very safe and identifying behavior that needs to be interrupted.”

#### **D. Associated Students President –**

AS President Henderson said, “Good afternoon everyone. Our elections are going to be in April and applications went out today. AS 55 nominations are due on Wednesday, so if you have a student you’d like to nominate please do so. We are working on resolutions in support of the Gulf Coast Civil Works Projects. We are consulting with

the smoke-free campus group. In addition, we are working on EOP, and time, place and manner. On March 4, 2008, we are going to have a student forum on the proposed cuts to the CSU system and the California budget deficit, and how this is going to effect students. We are working on that with Rose Lee and the AS Director of Student Fees. Lastly, we are working on a march for higher education to be held in Sacramento, CA on April 21, 2008. Basically, the focus for this march is to freeze student fees at the state level. We will be requesting \$386 million. That would cover the proposed \$312 million in budget cuts to the CSU system, and the proposed student fee increases.”

**E. Vice President for University Advancement – No report.**

**F. Statewide Academic Senators –**

Senator Sabalius said, “A week ago we met but no resolutions were passed. I want to compliment our campus, because often when we go to draft a policy for the CSU system we look at what the campuses have. Our campus often already has bylaws and/or policies in place. We are doing a good job and are covering the issues well.”

Senator Gorman said, “I also attended the CSU statewide committee meetings. I sit on the Academic Affairs Committee. We also discussed the Access to Excellence issues, and we are concerned about the lack of reference to international education. I also am a Commissioner of the statewide Extended Education Commission. That commission is overseeing a process of grant solicitation for expanding international educational opportunities.”

**X. Adjournment –** The meeting adjourned at 3:25 p.m.