

2010/2011 Academic Senate

**MINUTES
May 9, 2011**

I. The meeting was called to order at 2:05 p.m. and roll call was taken by the Senate Administrator. Forty-one Senators were present.

Ex Officio:

Present: Sabalius, Van Selst,
Lessow-Hurley, Kaufman
Absent: Kolodziejak, Kassing

CASA Representatives:

Present: Schultz-Krohn, Semerjian, Fee
Absent: Kao, Correia

Administrative Representatives:

Present: Lee, Selter
Absent: Laker, Bussani

COB Representatives:

Present: Campsey
Absent: Jiang, Nellen

Deans:

Present: Parrish, Stacks, Merdinger,
Chin

EDUC Representatives:

Present: Kimbarow
Absent: Smith

Students:

Present: Khan, Starks, Mansour,
Salazar
Absent: Solorzano, Beilke

ENGR Representatives:

Present: Gleixner, Backer, Du

Alumni Representative:

Present: Walters

H&A Representatives:

Present: Van Hooff, Frazier, Mok, Miller, Brown
Absent: Desalvo

Emeritus Representative:

Present: Buzanski

SCI Representatives:

Present: Silber, d'Alarcao, McClory, McGee

Honorary Senators (Non-Voting):

Absent: Norton

SOS Representatives:

Present: Von Till, Heiden, Ng, Peter, Lee

General Unit Representatives:

Present: Kauppila, Lin, Peck

II. Approval of Academic Senate Minutes—None

Note: The minutes of May 2, 2011 will be brought to the September 19, 2011 meeting for approval due to the short time frame between the May 2nd and May 9th Senate meetings.

III. Communications and Questions –

A. From the Chair of the Senate:

Chair Kaufman commented that that it had been a great honor to be Senate Chair for the past two years. This past year has been a whirlwind of activity, and there were many things the Chair didn't see coming when he took over as Senate Chair such as the budget cuts, and the three presidents. Chair Kaufman commented that it was the people that made SJSU what it is today, and they are what make the job worth it.

B. From the President of the University: No Report.

IV. Executive Committee Report –

A. Executive Committee Minutes –
May 2, 2011 –

Senator Mok said she had questions about item 3 of the Executive Committee Minutes of May 2, 2011, and then introduced Dr. Janet Averett, Assistant Director from the School of Music and Dance. Dr. Averett announced that she had several questions regarding university policy S06-7.

Dr. Averett gave the following background information. Between March 16th and March 25th, the School of Music and Dance conducted a vote to determine whether they should merge with the Radio, Television, Video, and Film Department (RTVF). The Tenured and tenure-track faculty in the School of Music and Dance voted unanimously not to merge with RTVF. The faculty in the School of Music and Dance feel that this vote was entirely in compliance with university policy S06-7, even though it may not have been done exactly as Dean Toepfer would have liked.

Dr. Averett asked if the School of Music and Dance was opposed to this merger, would the upper administration still force this merger upon them, and if so, didn't this violate university policy S06-7?

Senator Backer responded that the Organization and Government Committee would be the committee that would deal with this.

Dr. Averett then noted that on May 5, 2011, she requested a formal hearing with the Organization and Government Committee (O&G) regarding this merger. Dean Toepfer responded in writing to Senator Michael Kimbarow, Chair of the O&G Committee. Dean Toepfer indicated that he felt that the O&G Committee was premature in requesting a hearing, because an election on the proposal had not yet taken place college-wide. Dean Toepfer commented that the vote by the School of Music and Dance did not include all faculty in the college that would be affected by the merger, and therefore was incomplete. For this reason, Dean Toepfer announced that he would not comply with the School of Music and Dance's request that he cease all activities related to the merger. Dr. Averett asked whether a Dean could reinterpret a policy and choose not to comply with the request for a hearing.

Chair Kaufman responded that this was not a question that could be answered by the Senate today, and he suggested that a meeting be held with all interested parties to see if a plan could be worked out to move beyond this.

Dr. Averett expressed her concern that the Dean had no right to tell the School of Music and Dance what sort of format was appropriate to express their collective view. The

School of Music and Dance did take a vote. It is the opinion of the faculty in the School of Music and Dance that the Dean's actions violate the principles of academic freedom, and joint governance, and indicate a serious lack of respect with regard to university procedures. Dr. Averett noted that the situation had become very hostile, and had created mistrust in the entire process from the School of Music and Dance's point of view.

Provost Selter responded that he did not want to address the matter of voting in the departments right now, but since upper administration was mentioned he would give a response. The Provost said that the entire situation was regrettable and could have been handled in a different manner. There are merits in what the Dean wants to accomplish that need to be discussed. The Provost would like to hold an open meeting with the faculty, and or with the Executive Committee of the Senate.

The Provost has a proposal from Dean Toepfer dated April 25, 2011. The Provost feels this proposal is the most concrete proposal that has been offered in terms of what a merger of the departments would entail. The Provost hopes that they can discuss this for however long it takes to clear up any misunderstandings that may have occurred over the course of the year, and then give some serious consideration to what is actually outlined in the proposal. However, the Provost explained that he did not think this was something that should be discussed at this Senate meeting.

Senator Sabalius commented that he was happy to hear the Provost wanted to hold meetings to discuss the matter. However, there were only about two weeks left in the semester and he wondered when the Provost hoped to schedule these meetings. Senator Sabalius said that the issue came to the Senate during the first Senate meeting of the year, because things had been done over the summer when the faculty were gone. Senator Sabalius suggested that the Provost postpone the matter until the Fall.

Senator Peter commented that he did not want the Senate to confuse the merits or demerits of the proposal with the matter that arose last week, which was whether or not a vote taken by an Academic Department needs to be respected and accepted by the Dean that it was directed to. Senator Peter was disturbed by the fact that the School of Music and Dance had held weekly meetings about the merger for over half a semester before they voted and came to an unanimous decision, only to have the Dean tell them their vote didn't count. Senator Peter feels the Senate should support the academic departments of the university when they comply with an university policy and express their opinion. However, Senator Peter noted that the Senate didn't have the authority to say this is a good merger or a bad merger, but he was disturbed by how the policy was interpreted by the Dean of the College of Humanities and the Arts.

Senator Mok noted that a vote calendar had been handed down to the departments in the College of Humanities and the Arts, and that all voting was to be done and a decision announced by May 27, 2011. Senator Mok asked Provost Selter if this calendar would be suspended. Senator Mok clarified that the faculty in the School of Music and Dance are very fond of their colleagues in the Radio, Television, Video and Film Department, and this complaint has nothing to do with them. The members of School of Music and Dance

are disturbed by the procedure and the manner in which it had taken place. The faculty are now very hostile to this idea. If the Dean had told the faculty in the college that they needed to merge because of budget issues, and had then asked the faculty to come up with solutions, Senator Mok feels it would have been a very different situation. Provost Selter indicated that he would not make administrative decisions on the floor of the Senate, but he that he would take the concerns of the faculty from the School of Music and Dance under advisement.

Senators Van Hooff and Frazier expressed their support for their colleagues in the College of Humanities and the Arts, and urged the Provost to suspend the voting calendar until after the summer. Provost Selter responded that he, “could not speak for the Dean, but would speak to the Dean.”

Additional Questions about the Minutes of May 2, 2011

Senator Buzanski asked if item number 4 referred to February of 2012, and Chair Kaufman responded that it did.

Senator Stacks asked for an explanation as to how Senate seats are filled that remain vacant after the general elections in the spring. Chair Kaufman responded that if a Senate seat goes unfilled during the Spring General Elections, the Executive Committee solicits the names of qualified and available faculty after consulting with the sitting Senators from that college. The Executive Committee then selects a new Senator from among those recommended to fill the seat until the next spring’s General Elections.

B. Consent Calendar – None

C. Executive Committee Action Items:

1. Chair Kaufman presented certificates of service to departing Senators.
2. Chair Kaufman presented *AS 1463, Sense of the Senate Resolution, Honoring and Thanking Rose Lee for her Service to the Senate and the University (Final Reading)*. **The Senate voted and AS 1463 passed as written with No Nays or Abstentions.** Senator Lee received a standing ovation from the Senate. Senator Lee was presented with a plaque thanking her for her years of service to the Senate.
3. Chair Kaufman presented *AS 1464, Sense of the Senate Resolution, Expressing Our Appreciation of Don W. Kassing Again (Final Reading)*. **The Senate voted and AS 1464 passed as written with No Nays or Abstentions.**
4. Vice Chair Von Till presented *AS 1462, Sense of the Senate Resolution, Honoring and Thanking Dr. Michael Kaufman for his Service to the Senate and the University (Final Reading)*. **The Senate voted and AS 1462 passed as written with no Nays or Abstentions.** Chair Kaufman received a standing ovation. Vice Chair Von Till presented Chair Kaufman with a plaque thanking him for his two years of service as Senate Chair.

V. **Unfinished Business** - None

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

A. Instruction and Student Affairs Committee (I&SA) - No report.

Senator Gleixner presented *AS 1457, Policy Recommendation, Required Enrollment for Report in Progress (RP) Units (Final Reading)*.

Debate:

Senator Stacks expressed concern about enforcing or implementing the policy and suggested a motion be made to return it to the committee for additional work with her office in this area. Senator Buzanski presented a motion to return the resolution to the I&SA Committee to consider the legality of enforcing it in special sessions, to consider implementation issues, to draft a form for students to use and to establish deadlines in the student appeals process, and to consider student costs. The Buzanski motion was seconded. **The Senate voted and the Buzanski motion passed with No Nays or Abstentions.**

B. University Library Board (ULB) – No report.

C. Professional Standards Committee (PS) – No report.

Senator Ng presented *AS 1456, Policy Recommendation, Faculty Office Hours (Final Reading)*. Senator Ng made several friendly amendments to change the vote to 9-1-0, to add Senator Khan to the members present for the vote list, and to remove Senator Khan from the members absent list.

Senator Van Selst presented an amendment to strike the first sentence of the Workload, and to change the second sentence to read, “The policy reduces and/or readjusts office hours to a minimum of 2 hours per week.” Senator Backer presented an amendment to the Van Selst amendment to change the second sentence of the workload to read, “The policy reduces and/or changes office hours to a minimum of 2 hours per week.” Senator Parrish presented an amendment to the Van Selst amendment to change the second sentence of the Workload to read, “The policy reduces and/or changes the physical office hours to a minimum of 2 hours per week.” Senator d’Alarcao presented an amendment to the Van Selst amendment to change the workload statement to read, “Reduces workload. The policy changes the minimum required physical office hours to 2 hours per week.” Senator Peter presented a substitute amendment to the Van Selst amendment to strike the workload statement and all proposed amendments to the workload statement. **The Senate voted and the Peter amendment passed with No Nays, and 2 abstentions.**

Senator Gleixner presented an amendment to II.C. to change the heading to read, “C. Electronic Communication (such as email, discussion boards, and chat rooms):”. **The Senate voted and the Gleixner amendment passed with No Nays or Abstentions.**

Senator Van Selst presented an amendment to replace the last sentence in II.D. with, “A more limited, or an increase in scheduled office hours could be justified by an acceptance of substantial department, college, or university committee work. Faculty members

contemplating a more limited schedule of office hours should consult with their department chair.” The Senate voted and the Van Selst Amendment failed.

Senator Lessow-Hurley presented an amendment to strike section II.D. entirely. Senator Von Till called the question. The Senate voted and the Von Till motion passed with 1 Nay. The Senate voted and the Lessow-Hurley amendment failed.

Senator Sabalius called the question on AS 1456. **The Senate voted and the Sabalius motion passed with 3 Nays.**

The Senate voted and AS 1456 passed as amended with 2 Nays.

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

Senator Heiden presented *AS 1460, Policy Recommendation, ABC/NC Grading, Amends University Policy S09-7 (Final Reading)*. Senator Buzanski called the question. The Senate voted and the Buzanski motion was approved. **The Senate voted and AS 1460 passed as written with 1 Nay and 6 Abstentions.**

Senator Heiden presented *AS 1461, Senate Management Resolution, Designation and Continued Designation of First-Year Experience (FYE) Courses (Final Reading)*. **The Senate voted and AS 1461 passed as written with No Nays or Abstentions.**

E. Organization and Government Committee (O&G) -

Senator Kimbarow presented *AS 1458, Policy Recommendation, Membership, Student Success Committee (Final Reading)*. **The Senate voted and AS 1458 passed as written.**

VII. Special Committee Reports – None

VIII. New Business – None

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

A. Associated Students President – None

B. Statewide Academic Senators – None

C. Vice President for University Advancement – None

D. Provost – None

E. Vice President for Administration and Finance – None

F. Vice President for Student Affairs – None

X. Adjournment – The meeting adjourned at 4:05 p.m.