CALIFORNIA STATE UNIVERSITY, STANISLAUS

ACADEMIC SENATE MINUTES
December 7, 2004

**Present:** Brown, Dauwalder, Davis, DeKatzew, Doraz, Feldman, Filling, Floyd, Garcia, Jaasma, Jacobs, Johnson, Lawson, Mantz, Morgan-Foster, Nagel, Neufeld, O’Brien, Oppenheim, Peterson, Petratos, Petrosky, Regalado, Sankey, Sarraile, Schoenly, Senior, Shipley, Tan, Tavernier, Thompson, Weddle

**Absent:** Estrella, Everett, Gomez, Nelson, Tynan, S. Young

**Proxies:** Thompson (Foreman), Borba (Jenson), Stone (Stessman, Thomas)

**Guests:** Boffman, Bergstrom, Harris, Klein, Pugh, Stephens, Wendt, N. Young

14/AS/04/FBAC (Resource Allocation Priorities) and 15/AS/04/FBAC (University Excellence Incentive Awards), REJECTED BY PRESIDENT

FACILITIES SCHEDULING: Enabling what we value; DISCUSSION

19/AS/04/USPSC--Vision Statement/University Values, REFERRED TO SEC

13/AS/04/UEPC--CVHEC Transfer Associate Degree Proposal, APPROVED

18/AS/04/SEC--Renomination of Kathleen E. Kaiser as CSU Faculty Trustee, TABLED

20/AS/04/FBAC--Budget Priorities, FIRST READING

Divisional Excellence/University Excellence Incentive Award, UPDATE

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Next Academic Senate Meeting:

Tuesday, January 25, 2005
2:30-4:30 p.m., JSRFDC Reference Room

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Minutes submitted by:

Scott Davis, Clerk

1. Called to order 2.39pm

2. Agenda was amended: item 6a now 6b; new 6a: President Hughes’s Return of 14/AS/04/FBAC (Resource Allocation Priorities) and 15/AS/04/FBAC (University Excellence Incentive Awards). Agenda Approved as
amended.

3. Minutes were approved as submitted. The Clerk was cautioned that the Speaker never "warns" the Senate.

4. Announcements
Weddle announced a concert of the Symphony Orchestra at Snyder Hall commemorating Pearl Harbor Day and the sesquicentennial of John Philip Sousa, tonight at 7:30pm.

Filling reminded the Senate that Friday is a Reading Day: no classes are scheduled, but voluntary help sessions are okay.

5. Questions on Reports
None

6. Discussion Items
a. President Hughes’s Return of 14/AS/04/FBAC (Resource Allocation Priorities) and 15/AS/04/FBAC (University Excellence Incentive Awards).

Speaker Filling confessed he was unable to parse or to explain the President’s rationales for returning the two items; they appear asensical.

Discussion:

Thompson thanked God for the memoranda, especially that attached to 15/AS, as he didn’t know how faculty governance was able to function for so many years under such a profound misunderstanding. He also remarked that not only was the explanation gratuitous, but that it showed a misunderstanding of faculty governance relations in trying to explain those relations to faculty governance; irony doesn’t get any thicker than that. He looks forward to the President being here to continue the discussion.

Doraz suggested we send the motions back in their original language as going forward with the awards is no good. One place to put money is the dial-in server, now down. $45K into that enterprise is something that is shared by the entire campus, a place where excellence can be applauded. He further suggested, as a principle, to put money where all can share it, into libraries, etc. The idea is that if we have people with problems, we help them; not the other way around, where we award those who are doing all right already. He concluded by observing that the current President has a lame duck administration, and suggested waiting until next year to develop new initiatives, and meanwhile to make some wholesale changes from the experience of the last few years.

Oppenheim offered to draft a Resolution congratulating the President on her retirement and wishing her replacement selection committee Godspeed.

Regalado agreed with Doraz that the specter of new president on board should inform our decisions, and wondered whether the Interim President would be coming to AS, or just issuing a series of memos.

Filling observed that the President is often in attendance at AS, and makes a point of attending when she is able to do so. He will invite her to address the Senate on this issue, and the discussion item will be carried forward until such time as she is able to be with us.
b. Facilities: Enabling what we value

Filling explained that this item is brought before the Senate due to SEC and other groups receiving voluminous and voluble complaints about abrupt changes in facilities use procedures, producing, among other things, difficulties in fundraising. The document provided by the VPB&F is a proposal, not policy, although some are concerned that it is de facto policy and in mid-implementation anyway. He urged the Senate to be mindful of what the purpose of our institution is, and whether regulating activities get in the way of that.

Oppenheim asked whether the proposed policy was mandated by a CSU Executive Order, and thus not providing much leeway.

Stephens explained that procedures for certain areas were controlled by CSU mandates. For University activities, however, we can either take money off top or recharge. If it has nothing to do with the University, we clearly must reimburse the state for costs; if instructional-related, we have to support it with no possibility for recharge. The grayest category includes co-sponsored activities involving faculty and/or staff that are not related directly to instruction; for example, worthwhile activities such as the faculty-sponsored 4H club. There are costs associated with them, extra custodial services, for example. Central question is whether they are they funded off the top or do we charge for the event.

Oppenheim observed that the question of facilities would include parking. Patrons of musical events have to pay now. Stephens asserted that this policy proposal doesn’t cover parking. Oppenheim argued that it was the same principle. The activity is student related, appropriate to an academic program, and we’re still going to charge them. Stephens responded that parking gets no general fund money; they must be self-supported. Here, we’re talking about General Fund supported staff. They support activities not unrelated to mission, so how do we fund it? With budget cuts, we focused on instructional-related activities. We don’t have custodial like before. If someone is here on Sunday, we have to have bathrooms ready. This is an additional service; how do we fund it?.

Oppenheim pressed on, asking whether we demand payment for an activity such as kid’s soccer? Stone replied yes, they have to pay, and we ran them off. Stephens asserted that if the activity is totally unrelated to the university mission, we have to charge them; that’s the Executive Order you’re talking about.

Johnson observed that one issue is how direct and indirect costs are defined. Some costs listed as direct (eg, police officer present if serving alcohol, additional custodian) are not; they’re incremental. In most cases, do you bring in additional custodial help, or are they here anyway? Is there an additional cost to the University for using these services? Stephens replied, focusing on custodial services, that we only have custodial services during the hours we have classes. So by definition, have to do it when staff not here, and have to pay overtime to do it. Johnson continued, asking whether police assigned to cover small events is not in fact the officer ordinarily assigned to campus patrol duty. Stephens replied that they’re supposed to be located at the event; they’re an additional person.

Johnson returned to the question of incremental costs, asking whether we were clear about incremental costs for sponsored events, and not charging allocated costs (eg, supplies, salaries). If costs are allocated, they’re not direct. Johnson confessed to having some concerns as well that some events are so close to the university mission, they shouldn’t be expected to incur either, only incremental costs. Stephens offered no
argument with regards the mission, but argued that cost has to be covered, and the cost is in scheduling the facilities. That person can be charged against General funds, or the person needs to be treated as an indirect cost and allocated to every event. Dollars are being spent; the question is how do we spend them.

Peterson asked if this was current policy or a proposed change. Stephens replied a change. Peterson asked whether a student club invited a speaker to campus, and needed a data projector, shouldn’t that event be included under category three? Stephens replied that she thought it would be category two. Peterson questioned the distinction between off-campus groups and university groups. Stephens explained that there were equipment set-up charges that needed to be covered. There is a cost for OIT to provide the service; outside of faculty request for a particular class, it would be recharged. Peterson observed the categories and charges were confusing, and should be clarified. Stephens replied it was good to be inclusive.

Stone offered a concrete example, where the university was partnered with Science Olympiad, and incurred charges for things like turning on the overhead projector. The University is committed to the event, which charges no fee and generates no revenue. We have a problem, then; are we not to host these events? Stephens said that was a legitimate question. If we are going to say these activities are part of the core mission, we have to fund areas that support you so that they can. We need to staff ourselves.

Thompson observed that several events have gone off-campus, and asked if there were any occasion where an event that was listed as category two could avoid the charges associated with it; whether the category could be changed. Stephens couldn’t answer. Thompson continued, observing that a judgment has to be made, who makes it? Who should we ask to determine where our event falls? Stephens said that we try to be consistent in applying procedures, but she wouldn’t identify an individual to be brought into Senate and questioned about it. Thompson observed there may be a problem with the definition, if the person charged with applying it needs to be protected before any application of it. Who developed the definition? Was it a committee, were there students, faculty involved? Stephens replied there was a large committee, with a number of faculty and students, that developed the policy. They went through all the details, fees, everything. Staff are simply trying to implement it. Thompson pushed on, asking in that policy, who makes the ultimate judgment about what goes in what category? Stephens replied that if there were some question, it would come to her. She recalled one instance they changed: the staff picnic sponsored by unions. This was originally treated as an off-campus organization, but it was pointed out to B&F that faculty and staff unions are given a different level of access to the campus, and changed the event to category two. The division has been trying to stay consistent.

Filling cautioned that this was proposed policy under discussion, and not approved.

Mantz asked what the standing definition was of category three in terms of "academic related," and whether this was broadly construed, or whether there were exceptions. Stephens claimed that if the activity is related to instruction, part of a course, it is student-related. There is a draft policy document behind this with more details, Stephens explained, and offered to email that document to the Senate members, at the heart of which is how we fund co-sponsored events. If there is consensus that we need to fund these some other way, to redefine as part of core mission, we can do that, but we’re in the middle of a budget crunch.

Filling repeated his caution that this is a proposal, not a policy.

Johnson observed that any proposed policy needs to be clear. People using it need to be able to look at this and distinguish between categories and understand where we fall. The definitions are not clear, and they
need to be. This is not something that should be subject to interpretation by committee. Accounting and Finance traditionally hosts a function with the State CPA society which provides scholarships for students. The department couldn’t host the function here this year because the costs rose so high. The situation is unfortunate when you have a group that wants to give money to students, but the venue won’t allow it; we shouldn’t overcharge those who help us in our mission. Category two events should be required to pay only direct costs. Those covered anyway should be covered by the general fund.

O’Brien echoed Mantz and others, saying we’re state supported, with obligations to the community. We’re trying to do the best we can, to put our mission in a spreadsheet, but it is difficult to do.

Regalado asked where Senate needs to go with this, to an ad hoc committee to investigate, for example? He also informed Stephens of a big function planned for April, with a potential question about categorization, and hence would like to inform his department concretely whether the buck stops at the VP’s desk. Stephens answered yes.

Filling spoke to Regalado’s first line of questioning, saying that we think there’s a problem, and we’re asking for community wisdom to determine what the problem is and how to fix it. AS can carry the issue forward as a discussion item.

Feldman observed that category one says, in part, "and generates some excess revenue." He offered that the goal should be to generate substantial profits, should recruit business and use those profits to subsidize activities more in line with the university mission. Campus has sufficient attractiveness for this. Stephens replied that we struggle to cover actual costs, but we will look at the rate we charge to stay competitive.

Tan confessed to being confused as to process. Here we have another thing developed by committee; can we change this, or just approve or disapprove it? If it is just a proposal, why is it being implemented already? Can we change it in here?

Filling clarified that the Vision Statement came through as a First Reading to either approve or disapprove, but that this is a discussion item. He offered that the validity of the proposal was opaque at best, as it didn’t come through the governance process. Some of it appeared to be implemented already, but we don’t know what’s going on. The policy proposal is certainly not carved in stone; we can suggest changes.

Stephens agreed that it was not carved in stone, but that B&F had to move forward to provide services, and the process can change. She also observed that appointments to the committee were made through the Committee on Committees. Filling replied that adding a single faculty member’s name to a committee does not constitute consultation with faculty governance, nor does it appear to produce effective policy.

Feldman offered an additional example, where PG&E had an energy technology exhibit here several years ago, for which there were marginal costs, and a nice profit. Last year their representative was given a lot of double talk, offered a contract with one fee and then charged another, so they left. Any policy should be clear, unambiguous, and consistently enforced. Peterson agreed, saying that often the bill is bigger than the estimate. Division should be upfront about all charges. Stephens said yes, we should try to do that.

O’Brien asked where fundraising comes in, and whether there was room for a department to make some money, or would the fees eat it up?
Schoenly asked how upper administration was categorized, including B&F. Stephens replied that if the activity was part of the core mission, they were placed there.

The Speaker will carry the item forward, and asked members to please consult widely on this issue.

7. Action Items
   a. 19/AS/04USPSC: Vision Statement/University Values (2nd reading)

Harris distributed several documents related to Strategic Planning for 2010, including Draft Goals, remarked on the primacy of instruction and scholarship on campus, and observed that it was the wisdom of this body that these are primary, and this fact should validate discussion. Things have strategic importance and must be protected. Budget shortfalls provide clarity to process, and give principles. If we wait until the President leaves to do this, regardless of who sits there, it will take them years to acclimate. In the meantime we drift. We need to move forward, we need guidance while in transition phase. There is also WASC to consider, but this Vision should be for the entire University, for all of us collectively. At heart is continuous improvement, and strategic planning is a core piece, an integral part; it’s important we participate in it. He asked Senators to rediscuss and to circulate widely the documents distributed today.

Boffman referring to the Draft Strategic Goals and Objectives hand-outs, informed that there would be focus groups in January and February to give the campus community an opportunity to look at potential objectives, to help us refine and define these, and prioritize them. Hope to have a good process for producing a five year plan that is meaningful to us. This is more important while in leaderless position: we say who we are, what we want to accomplish. We need it on paper, or we drift. So far as a Vision Statement, there has been good discussion, we’ve had a comprehensive exchange about who we are, what we value, and how we define the organization. It is motivational, and challenges us.

It was M/S Petrosky/Thompson to refer 19/AS/04/SEC back to SEC.

Discussion:
Petrosky observed that given the concerns raised today and throughout the semester, with the misunderstandings and miscommunications, he would like to refer this back to SEC for further consideration.

Dauwalder asked didn’t it come here from SEC in the first place.

Filling replied yes, the motion is to move it back for communicative clarity.

Sarraille had a couple of questions: 1. what did it cost to produce this? 2. Is there a core idea here? Is there a bottom line?

Filling cautioned the body to remain on the motion.

Peterson asked to hear what people think if they are unclear on the vision, to hear more constructive criticism.

Petrosky allegorized the role of vision, etc. as comprising the fingers of one hand, that guide us. Not just the members of the AS, there’s miscommunication all around; see the President’s return of AS/15. Fingers need
to be on same hand. Need to address it.

Nagel offered a confusion as to the purpose of Vision, how it would affect day to day business. The faculty he represents doesn’t know how to vote, and have asked him to abstain, but he personally would support moving it back to clarify what it’s doing.

Thompson spoke as seconder, agreeing with Petrosky, and asked the body to refer back to the many resolutions returned, with never a clear rationale or reason. We all sit in meetings, think we have understanding, and it turns out we do not. He supported returning the resolution to SEC to have discussion in person, in smaller groups, with the President attending, to get clarification on the purpose of the vision statement, and what various words in it actually mean. Are we under pressure to approve this, sure. However, on this, since we are attempting to define our values, we should be an extra deliberative body.

Brown supported the motion as well. As a road map, they did a terrific job on the values, but the vision doesn’t seem compatible with them, and would like to see them clarified.

Stone offered that her department had merely one question: what do we do with this?

Morgan-Foster spoke against the motion, claiming that the Vision Steering Committee was comprised of the members of SEC. She asserted she was befuddled as to why the resolution was going back to SEC, when SEC moved the resolution and the Steering Committee was comprised of SEC members.

Stephens argued it was inaccurate to characterize the Vision as the President’s Vision. There were many perspectives. The process was very open and inclusive. We need to be careful how we look. President Hughes didn’t present this; we did.

Thompson remarked that as someone on SEC, he was not surprised that SEC would like it back. It’s not dependent on who populated a committee to get consultations, clarification, understanding. Further, no one has said this was the President’s vision, but that’s the go-to person, and he would like to consult with her. Plus, we still have not heard an answer to "what do we do with this?"

Doraz asked if the vision is for us, why doesn’t it fit our vision. If this is for us, and has to go to committee, then so be it. He supports it going back.

Floyd requested the motion be put to secret ballot.

Boffman argued that we can’t take this back for clarification with the President. This is the campus vision, not the President’s. This is our statement. Doraz countered that if that is the case, why is there so much confusion?

Harris spoke to the confusion, saying that the fact is, we don’t have a common vision. Further, we have experienced distress from the budget, which has frayed relations dramatically. So he’s inclined to agree; there is confusion. Question is what do you propose to do? Budget pressures won’t abate, and critical policy decisions need to occur. The fact is the campus will grow 2 1/2% next year, another 2-5% the year after. The pressure won’t abate. Problem is a pinch: we’re growing at the same time as our budget shrinks. And we need something to guide that process. VP Stephens is attempting to implement decisions made from these policies. The guiding principle here is the primacy of instruction and scholarship. Harris concluded his
remarks by urging the body to consider carefully the attempt to engage in substantive policy discussions on matters of critical importance.

Vote by secret ballot on the motion to refer 19/AS to SEC for clarity carried: 18 yes, 10 no, 2 abstain.


b. 13/AS/04/UEPC: CVHEC Transfer Associate Degree Proposal (2nd reading)

There being no comments, the motion was put to immediate vote, and passed without dissent by voice.

c. 18/AS/04/SEC: Renomination of Kathleen E. Kaiser as CSU Faculty Trustee (2nd reading)

Requested information has not been forthcoming; item deferred.

8. First Reading Item

a. 20/AS/04/FBAC: Budget Priorities

It was M/S Johnson/Sarraille:

20/AS/04/FBAC: Budget Priorities

BE IT RESOLVED: that the Faculty of CSU Stanislaus affirm the commitment of the CSU to public access to affordable high-quality instruction, and be it further

RESOLVED: that the Senate Executive Committee, the Faculty Budget Advisory Committee, and the faculty members of the University Budget Advisory Committee should serve as the Faculty’s representatives in the budget planning process and should participate in all budgetary discussions and decisions from the inception of the planning process until the determination of the final budget allocations, and be it further

RESOLVED: that all decisions involving program reductions or new initiatives be made only after consultation with all appropriate faculty governance committees and include open and consensual processes that consider the viewpoints of all affected parties, an analysis of the costs and benefits, and the effects on CSU Stanislaus as a whole, and be it further

RESOLVED: that the Faculty’s major priorities for institutional budget allocations are those essential to the academic mission of CSU Stanislaus, including (with no relative ranking implied):

S no reduction in the number of students (FTES),
S maintenance or reduction of the student/faculty ratio without increasing the proportion of part-time faculty,
S retention of university non-faculty staff critical to the core instructional mission,
S support of a library acquisition and operating budget which ensures accessibility to appropriate resources by all students,
S support of academic equipment, technology and infrastructure budgets to fully support teaching and research, and
S support of professional development and the travel required for such development, and be it further

RESOLVED: that the priorities above shall apply to academic year 2004/05 and all subsequent academic years until further notice.

Discussion:
Johnson informed the body that this resolution follows up last year’s resolution, rejected by the President. It is important for faculty to make clear what our priorities are, even in time of cuts or growth, and to point out the most important areas to prioritize. The bulleted list are our priorities. In addition, the resolution asserts that FBAC is the principal faculty body on this issue, and should be consulted at all stages of the process. The purpose is to make clear what our priorities are to the campus community.

Sarraille as seconder, would also like to add a possible area of concern: the resolution doesn’t call for an increase in ratio of tenure track to contingent faculty. Last year we did do so, in support of Assembly Combined Resolution 73, which also prohibits the laying off of contingent faculty to achieve that goal. It’s a controversial topic, but we should consider it. A possible compromise would say we’re in favor of increasing the ratio, and leaving it there.

Schoenly asked whether there is a reason for staying at the status quo, rather than saying "augment and enhance" our resources? As student enrollment numbers raise, we should be thinking about augmenting and enhancing.

Dauwalder raised several issues. First, in the third resolved clause, "all decisions involving… new initiatives" may be overstated. He supports the Senate’s involvement in initiatives generally, but suggested that maybe some initiatives were on such a small scale that they may not fall under the purview of the Senate. Second, in the fourth resolved clause third bullet, is "retention" appropriate. Third, the fourth resolved clause, second bullet may create a disincentive for contracts and grants. For example, if ten tenured or tenure-track faculty were reassigned to grant activities, we would normally replace their reassigned teaching to part-time faculty. Doing so changes the ratio. This practice may reduce flexibility. Fourth, in the fourth resolved clause, third bullet, "non-faculty staff" appears to be a reaction to the current fiscal condition. Maybe employment or maintenance might be a more positive way to look at it.

Sarraille offered that if we pass this and send it up, one way is to give a sense of senate. Are we seriously seeking presidential approval or only sending a message? If seriously seeking presidential approval, we should ask the provost to consult, incorporating language he would like to include.

Stone questioned if our mission is to have tenure-track faculty getting grants, or doing research as part of their job.

Thompson thanked FBAC for bringing the resolution forward, saying it is important to have a statement approved by AS stating what our priorities are. We’ve have had 3 or 4 now, and hope we have more, and soon someone will pay attention to FBAC’s direction.

Stephens noted if passed it would be important to use. In the fourth resolve, third bullet, we need to define "core instructional mission." We’re struggling with it, and went to "instructional activities," and perhaps that is too narrow. Helps to clarify to let us use it.
Johnson noted that there are many changes proposed, and would like to change the language of the resolution, including sending it to the provost to help clarify, especially, in light of the reasons for the previous rejection, language about "consultation." FBAC will revise for action next time.

Myers offered the following language to respond to ACR73 requirements to raise the number of tenure-track faculty without harming existing contingent faculty, and not locking us in: "to reduce SFR in ways consistent with ACR73."

9. Information Item

a. Divisional Excellence Initiatives/University Excellence Incentive Award

Filling referred to the attachment to the agenda, noting the Provost has volunteered this information on the distribution of funds in Academic Affairs, and has volunteered to urge other Divisional VPs to do the same.

Adjourned 4.15pm.