

**CALIFORNIA STATE UNIVERSITY, STANISLAUS**

## ACADEMIC SENATE MINUTES

January 25, 2005

**PRESENT:** Dauwalder, Davis, DeKatzew, Doraz, Estrella, Filling, Floyd, Garcia, Jaasma, Jacobs, Jensen, Johnson, Lawson, Mantz, Morgan-Foster, Myers, Nagel, Neufeld, O'Brien, Oppenheim, Petrosky, Sankey, Schoenly, Senior, Shipley, Stessman, Tan, Tavernier, Thomas, Thompson, Tynan, Weddle, Zarling

**PROXIES:** Deaner (Young), Thompson (Foreman)

**ABSENT:** Brown, Everett, Feldman, Gomez, Nelson, Peterson, Petratos, Regalado,

**GUESTS:** Boffman, Harris, Klein, Pugh,

**Recording Secretary:** Diana Bowman

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

20/AS/04/FBAC--Budget Priorities, APPROVED

1/AS/05/FAC--Amendment to Article V, Section 2.0 of the GF Constitution, FIRST READING

2/AS/05/UEPC--Amendment to Article VI, Section 2.0 of the GF Constitution, FIRST READING

Tell A Vision: Vision, Goals, Values and Strategic Planning, DISCUSSED

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Next Academic Senate Meeting:

Tuesday, February 22, 2005  
2:30-4:30 p.m., JSRFDC Reference Room

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Minutes submitted by:

Scott Davis, Clerk

1. Speaker Filling called the meeting to order at 2.42pm.
2. The agenda was approved as submitted.
3. The minutes of December 7, 2004 were amended as follows: 1) Add Jason Myers to the attendance list. 2) On page 3 of minutes (page 4 of packet), 5th full paragraph which begins "Johnson observed", line 2, "...custodian) are not, UNLESS they're incremental." 3) Same page, next paragraph, first line, "we were clear about THE TRUE incremental..." 4) Next page, 6th paragraph which begins with "Johnson observed", 5th line, "...scholarships for students. The SOCIETY couldn't host." The minutes were approved as amended.

#### 4. Announcements

Speaker Filling reported on the following:

- a. Excellence Initiatives:** SEC met with President Hughes a couple of times and believes we are in basic agreement on how to proceed with the Excellence Initiative Awards. It will be a one-time initiative with outside funding. The process is open and involves multiple public viewings of the proposals to make sure the campus agrees that excellence is imbedded in the proposals. There will be more information sent out as the process goes forward.
- b. Strategic Planning** forums are ongoing. One was today, 1/25, from 1-2pm. A list of sessions are on page 11 of the agenda. Sessions appear to be productive; Senators and colleagues are encouraged to show up.
- c. In today's Modesto Bee** appeared an article about the Professor involved in the change of venue for the Peterson case. The Bee reported that the investigation committee had made a recommendation that the professor be suspended one semester, be demoted to Associate Professor, and be on probation for 3 years. The Speaker advised that personnel actions are governed by the MOU, and the case ultimately will be dealt with according to those provisions. However, there was no prior notice to the campus community that the investigation committee had completed its work. Filling suggested that any news releases affecting our campus should be made available to the campus before any article is published in a newspaper.
- d. SEC and COC** will be talking to Vice Provost Demetrulias about what kind of composition we should have for a WASC Task Force. More information will be forthcoming. Anyone interested in participating should contact SEC, COC, or Vice Provost Demetrulias.
- e. The Modesto Bee** also recently ran an article about the Governor's ideas about CALPERS. Filling urged Senators to do what they can to help the community understand why CALPERS should be left alone.
- f. The Search Committee for the President** recently met and continues its work. Candidates will be on campus sometime in March. Search committees also have been formed for the three Dean's searches and are proceeding. Search Committees will be formed as well for Associate Vice President for OIT, and for Director of Global Affairs.
- g. Two years ago CFA** donated to the Senate campaign for Gloria Romero. Romero is a long time supporter of faculty in the CSU and is a product of the CSU. It is very important that there be people in the legislature who understand CSU faculty, and she does; she is one of us. A reception is being held in Sacramento February 22; Filling encouraged faculty to attend to show support for Romero. Contact John Sarraille for further information.
- h. Senators welcomed back Ray Zarling**, Senator from Computer Science.
- i. Provost Dauwalder reported** on the Governor's budget proposal. It appears consistent with the Compact, at \$2.6B, a 4.4% increase overall. Specific provisions include funding to support increasing enrollment by 2.5%, increases in General Operations spending to support a 3.5% increase in faculty compensation, and additional grants for financial aid, to the tune of \$23.3M. The Governor requests an 8% fee increase for undergraduate and teacher credential students (10% for graduate students) to offset, not including any increases in local fees. The Provost's full report may be viewed at the AS office.

#### 5. Action Items

##### **a. 18/AS/04/SEC–Renomination of Kathleen E. Kaiser as CSU Faculty Trustee**

Filling reported that at the last meeting Senators had wanted more information on the voting record of Trustee Kaiser. He stated that he found it impossible to find information on her voting record. Trustees are not identified by how they vote. The real story is in subcommittees. She has reiterated that she takes her job as faculty trustee very seriously and consults widely. SWAS Senators can attest to that.

O'Brien voiced support for the nomination. He stated that he has known her for over 10 years. She is a Sociologist at Chico State and is in charge of CAN for Sociology. He knows her as an extremely meticulous and honest person. She faithfully attends all meetings at SWAS and is a strong faculty advocate.

There being no further discussion, the question was called. Vote on 18/AS/04/SEC was approved by voice vote without dissent.

This will be sent to SWAS.

#### **b. 20/AS/04/FBAC–Budget Priorities**

Johnson explained that she sent out over ASNET the amended resolution for Senators to review. FBAC reworded the resolution and took into consideration comments from the last Senate meeting. Myers suggested language referring to ACR 73, but FBAC did not add that language because the reader might not know what is meant by ACR 73. Also added was a new third bullet "increasing the ratio of tenure track to contingent faculty," and in the second Resolved clause "Academic Senate" replaced "SEC." There was other minor rewording.

Nagel questioned what happens now to the resolution and Johnson replied that FBAC is recommending a Sense of the Senate resolution, which means it would not be sent to the President for action. Dauwalder voiced support for FBAC's recommendation. He stated that he has discussed this resolution with the President and she wanted him to emphasize three points: 1) She is still uncomfortable this would be coming forth as a policy. She does not want to tie the hands of the incoming President and that it is important that faculty know the incoming President's strategies. 2) The Third Resolved clause appears to be a reaction to a single issue (the excellence initiative). 3) She asked Senators to recognize that her arrival in 1994 no one knew how budget decisions were made and she opened up the process. Provost Dauwalder added that faculty involvement currently is present in the budget process.

Johnson stated her appreciation for the President's perspective, but clarified that the third Resolved clause is not merely a reaction to the excellence initiative. Further, she believes the President does try to include faculty in a manner she feels appropriate, but faculty may not agree to what is appropriate. An example of an initiative that did not have faculty participation was the International Masters in Finance. The Department of Accounting and Finance was not consulted; in fact, those faculty found out about it when they read it in the newspaper. Those in the department felt very uncomfortable when people asked them about a program about which they knew nothing. This is the type of new initiative on which faculty as a whole should be consulted, and faculty that will be affected should always be involved.

Speaker Filling passed the gavel to Speaker-Elect Petrosky so he could participate in the discussion.

Filling stated that he had a conversation with the President yesterday and this resolution was discussed. FBAC has done a very good job in shaping the document, although the Provost is correct that we not tie the hands of a new President. But, as a faculty member it perplexes and troubles him he stated. The President's remarks carry an implicit acknowledgement that administrative bureaucracy will go whichever way it wills regardless of faculty desire. He said he doesn't want to be set against administration, nor does he want to have to defend the educational mission against administrative whim. He said further that he doesn't see the need for a large pool of discretionary money for the President. President Hughes has said that because other Presidents have one, she should as well, as should any incoming President, and we should not expect

otherwise. He said he expects exactly that. Because we run on State money, it holds us to a higher degree of accountability than, say, Worldcom. We are a dispersed educational community, not a corporation, and not here for profit. Further, we aren't good at following directions, and this is precisely the value of the institution. FBAC's values are the values of the institution: they name our priorities. If a new President has a different notion, they should think long and hard about it.

Oppenheim stated his appreciation for the President's honesty. At least she is stating she will veto the resolution. Secondly, it raises the question how has it been done in past. Bowman explained that the first Budget Priorities resolution was sent to the President and she approved it. The second Budget Priorities resolution was sent to her and she rejected it. Oppenheim then suggested two friendly amendments to clarify grammatical infelicities, the first under bullet 4 change to read "retention and appointment of sufficient numbers and quality of non-faculty staff to support the core instructional mission effectively," and under bullet 6 change to read "academic equipment, technology and infrastructure budgets to support fully...." Amendments were accepted by the body.

Sarraille noted that the wording in the Third Resolved clause was there in the previous resolution, and thus antedates the President's Excellence Initiative. It refers to a continual pattern of initiatives going forward without faculty consultation, and should be considered in that context. Also, we should think about how the President expressed the point of view that the last time this resolution was sent to her for approval, it was sent forth as a statement of our priorities and she said she felt she could not approve it because she considered it a policy statement that would tie her hands. It would mean she would promise to carry out our priorities to the letter. So we have to consider what are we going to send to the President in the future. What sorts of things are for her signature? Just things that are policy changes viewed narrowly?

O'Brien stated that the FBAC resolution indicates that faculty have spent a lot of time thinking about what our priorities are. He supports the resolution, not to disrespect the President, but to respect FBAC.

Nagel stated that if it is a Sense of the Senate resolution, how it is treated by the President is irrelevant. Zarling stated the resolution ought to be noncontroversial. It speaks to the collaboration we talk about. Putting it forward as Sense of the Senate means it has no bite whatsoever. What is wrong putting this forward even if she vetoes it? We should be asserting these as our priorities, and this President—or any President—should be committed to them as such.

Myers agreed that even as a Sense of the Senate resolution, it can be valuable. We could use this document to open conversation by stating our priorities. Oppenheim voiced support of the resolution, and suggested that since all of the Presidential candidates will be here in March, and SEC will meet with them, candidates should be given this resolution to see how they respond.

Thompson noted that when you look at the resolution, the first and last resolved clauses seem to be unobjectionable. The second one, stating that the AS, FBAC and UBAC faculty members are represented in the budget process, he believes the President has already agreed to. The third Resolved clause seems hard to find objectionable unless you want to start new initiatives without consultation. And the fourth Resolved clause she just has to say are faculty priorities. It thus would be interesting to see what the President's rationale for a negative response would be. Further, it is really not clear that these Resolved clauses are objectionable in the way she says. If the resolution is sent to her, we could get a written response and we could use it to correct the resolution in the future.

Tan stated that in referencing the third Resolved clause, when she thinks of shared governance, she thinks of discussions, resolving differences and coming to consensus. It seems using the word "only" is strong language; if it were deleted, would that make the resolution acceptable to administration?

Oppenheim asked if this resolution is a Sense of the Senate or is it going to the President. Johnson replied it has been brought forth as a Sense of the Senate, but it can be changed.

Floyd stated she was in favor of bringing forward as a resolution and not as a Sense of the Senate. It is important we continue to assert our priorities. The only question is whether the President agrees that these are our priorities. She agreed with Senator Zarling, and added she is glad to see him back: since she first started here, he always has been the voice of reason.

Filling stated that in the spirit of full disclosure, he wanted to make AS aware that SEC met with the President and a major topic of discussion was communication between the President's office and faculty governance. SEC asked her that one thing she could do is talk to us. When resolutions are sent to her, she waits until the last day to send it back to us. If she vetoes it, we have no time to discuss it with her. Her message to SEC was that she will work to correct that. She seems to be trying to work with us, so we give her credit. Filling stated he holds to his belief that shared governance is about consultation and he can't imagine doing anything without consultation.

Sarraille stated that the resolution as worded seems to give the President enough wiggle room. But it needs to be a strong statement, given past action.

Zarling stated his appreciation for the information about communication with the President, and added that it has informed the debate today. Further, that we as a body has made it clear to the President what our priorities are, and the resulting dialogue—summarized by Thompson in talking about the 6th Resolved clause—is really not objectionable. He would hope the President would reevaluate her position. He asked for the protocol to move this as a resolution. Petrosky advised that if the original mover and seconder would accept an amendment that the resolution be sent to the President, that should be sufficient. Oppenheim noted that there should be no need to amend since nothing is in the resolution regarding a Sense of the Senate resolution.

Petrosky asked Senators if there are any objections to make it into formal resolution. Morgan-Foster and Provost objected.

Thompson questioned which should we do first? Determine whether it is a Sense of the Senate or for the President's signature and then vote on the resolution or vice-versa? He suggested Senators should first determine what kind of resolution it is.

Provost Dauwalder stated it is becoming apparent the issue is a difference in interpretation of the effects of the resolution. Does a resolution create policy? There is not a clear understanding of this, and we need to resolve it before voting.

It was MS Filling/Zarling that, if approved, we add a specific Resolved clause stipulating this document is to be forwarded to the President for her action. Filling further noted that it is never possible to fully specify an interpretation of anything.

Johnson stated the resolution was brought here as a Sense of the Senate in order to not force the President's hand. A new formal resolved clause makes it more divisive and confrontational than it needs to be. These are faculty priorities only. The President is just acknowledging she recognizes these are our priorities. If we had expected her signature, we would have worded it differently.

Dauwalder said we need the ability to communicate back and forth, and suggested the formal resolution and Sense of Senate is an important issue to discuss. Oppenheim stated that he really doesn't care either way what kind of resolution it is. He presumes that however it passes, the Provost will explain to the President about the Senate's discussion today. He suggested the last Resolved could be changed to say "the instructional faculty's major priorities." That might clarify this to the President. It is important we get to her the sense that what we say is important. She will be gone soon and we need to look forward to the next President and this should be sent to the candidates for their response.

Zarling suggested a friendly amendment that we not add the proposed resolved clause but just pass it on to the President. It was accepted by the maker and seconder.

Johnson added that we do not want to leave out library or counseling faculty.

Filling and Zarling withdrew their amendment to add a 6th Resolved clause.

The body returned to the main motion,

Johnson recommended we have a vote on the resolution without considering whether it goes to the President or not and then have another vote to see where it goes.

Thompson stated that we have had a Policy Committee working the last two years, previously chaired by Tom Young, then by AVPIR Hogan, and last year by AVP Wendt and EOIR Director Brown. If that committee continued to function, they might have dealt with this question by now. What is the status of the committee and could the committee address this issue. Provost Dauwalder advised that the committee's work went forward to the President, but no action has been taken. Wendt explained that the committee made a recommendation that tried to state as clearly as possible what we thought present practices were and tried to map out the terrain. He thanked Bowman for providing a draft flow chart of how things become policy. Prescriptive recommendations had more to do with hoping to arrive at a single format and a single way organizing and identifying policies that were clearly policies and having them in one place. The committee also offered some opinions on what ought to be considered policy or not. Thompson helped on that. As far as how it addresses this particular issue, he didn't know if the committee spoke to that specifically, but we recognized that in the past one of the ways policy comes about is to send it forward to AS and on to the President, who sometimes approves it, and it is then codified as policy.

Thompson asked how the committee's recommendation got to the President. The document had to do with defining policy and how it is made. He stated he didn't remember the committee voting to forward the document to the President. Wendt advised that the President gave a charge to the committee and one was for them to report back what they did. We were not charged to create policy but to provide a reference as to what seemed to be current practice on campus and to recommend on how to gather up the campus policies into one place.

Filling stated that in the past, the President has told us that policy can come from General Counsel, the

Chancellor, in addition to those policies which pass through this body. He suggested it is ill-advised to worry about what we do and spend additional time on stuff we don't see. There is nothing in the resolution that sets new ground.

Johnson stated the resolution stands as written. We still need to talk about the way we will present it. We know from the Provost that the President won't approve it because of the issue of whether it is policy. The Senate has sent a couple of resolutions forward with strong language that she has rejected. It is still a strong statement as a Sense of the Senate resolution and she suggests we not send it forward. It makes clear our priorities.

Provost Dauwalder agreed, stating it provides the Academic Senate with an avenue to identify their priorities and that is important. He supports the decision to decide this before the vote on the resolution.

Oppenheim suggested we could amend the title and add 'Sense of the Senate.'

Zarling suggested taking a straw vote on whether it should be a Sense of the Senate resolution or that it be sent to the President.

It was MS Dauwalder/Thompson to have a secret ballot. Oppenheim noted that any member of the body can request a secret vote and a motion is not needed. Straw vote to have a Sense of the Senate resolution  
Passed: 22 Yes, 10 No, with two abstentions.

There being no further discussion, the question was called.

Dauwalder asked for a secret ballot. Vote on the resolution, Passed: 30 yes, 3 no, and one abstention.

Petrosky passed the gavel back to Filling.

Oppenheim asked for a point of personal privilege. He stated that it seems that the conversation came out that we want shared governance, but we don't know the extent of faculty input. For example, Thompson was surprised the committee's work went to the President without consultation. Could it have gone to SEC so, when the report was sent to the President, everyone would have a chance to review it? If we want to work together and have shared governance, there should be a way to do it. We need to work for the future to do this.

## **6. First Reading Items**

### **a. 1/AS/05/FAC—Amendment to Article V, section 2.0 of the General Faculty Constitution (lecturer representative on the Academic Senate)**

It was MS Thomas/Nagel:

Be it resolved that: The Academic Senate support an amendment to the General Faculty Constitution, Article V, Section 2.0 permitting the addition of one voting representative to the Academic Senate elected by and from all full and part-time lecturers (all non tenure-track Unit 3 employees); and be it further

Resolved: That this amendment be sent to the General Faculty for approval; and be it further

Resolved: That this amendment be effective upon approval by the President.

Rationale: This proposed constitutional amendment would allow lecturers (part-time & full-time) to elect one Senator to represent their interests. Results from an FAC survey of full and part-time lecturers indicate that there is strong interest in having an Academic Senator who would act on their behalf. The survey also indicated that lecturers are unsure how well the current system represents their particular concerns. Special lecturer seats on Academic Senates within the CSU System are available at fifteen campuses. The Academic Senate and General Faculty approved this amendment during the 2003-04 academic year. While the President supported the intent of the amendment, she rejected it due to unresolved procedural concerns. This proposed amendment includes as information specific procedures to address the concerns raised in the President's response.

## **ARTICLE V. THE ACADEMIC SENATE**

**Section 2.0** All members of the General Faculty are eligible for election to the Academic Senate. Voting membership of the Academic Senate shall be as follows:

g) One voting member of the Academic Senate elected by and from all full and part-time lecturers (all non tenure-track Unit 3 employees).

### Discussion:

Thomas advised that this resolution came before the Academic Senate last year (as 4/AS/04). It was approved by the AS and General Faculty and sent to the President, who rejected it after the academic year. Not because she disagreed with the principle, but due to procedural concerns. The resolution and constitutional amendment is changed slightly from the previous version. FAC added language clarifying what full and part-time lecturers are and Lecturer Procedures were developed. They are not part of the resolution, but address concerns raised by the Provost and President.

Nagel stated that he helped FAC draft the procedures. Also, the committee had the help of the Provost in forming the procedures. It was very cooperative process. Nagel thanked Bowman for agreeing to be the support person in organizing and conducting the election. Oppenheim stated he voted against this last time because there were no procedures. He thanked FAC, the Provost, and Nagel for developing procedures.

O'Brien advised that last week the SWAS passed a resolution supporting lecturer representatives.

This item will be an action item at next meeting.

### **b. 2/AS/05/UEPC–Amendment to Article VI. Section 2.0 of the General Faculty Constitution (deletion of APR Subcommittee)**

It was MS Floyd/Lawson:

Be it Resolved: That the faculty of California State University, Stanislaus endorse the attached revisions to the Constitution of the General Faculty, University Educational Policies Committee, Article VI, Section 2.0, and be it further

Resolved: That this amendment be sent to the General Faculty for approval; and be it further

Resolved: That this amendment be effective upon approval by the President.

Rationale: The Academic Program Review Procedures were revised during Spring 2004 so that the reviews are less frequent and less onerous, while also being more streamlined, more efficient, and more likely to produce meaningful results. Specifically, the procedures implement a review cycle of 7 rather than 5 years and no longer require a review by the Academic Program Review Subcommittee of the UEPC. The UEPC desires to bring the Constitution of the General Faculty in line with the revised Academic Program Review Procedures.

Discussion:

Floyd explained that this resolution sets out to bring the GF Constitution into alignment with the new APR process passed by the AS last spring. Very few changes were made to the GF Constitution. The rationale states the reasons.

There was no discussion.

This item will be an action item at the next AS meeting.

## **7. Discussion Item**

### **a. Tell A Vision**

Speaker Filling offered apologies for the bad attempt at humor in the agenda.

Harris thanked the Speaker for the sense of levity and humor. Harris recapped the strategic planning process and remarked that it is going forward. He thanked Senators for attending the workshops. It is an attempt to engage in broad discussions with the campus community. He also thanked faculty for their comments over FACNET, especially the perspicacity of Senators Tan and Thompson. He also has met with the ASI, who refused to adopt the Vision Statement, and they suggested revisions. ASI Senate Resolution SR0405-07 reads, in part, "Whereas The Vision Statement does not reflect that the University is a learning community with student success as a primary function," and resolves "That, the Associated Students, Inc. recommends that the University Visioning Committee consider revising the vision statement to reflect education in their draft of core values."

Harris continued by observing that the Vision, Mission, Goals and Strategic Planning, rather than being separate pieces, should be treated as a single integrated document. They will be reorganizing the Strategic Planning Committees, but have suspended this process now because they have been requested to start thinking how to integrate the WASC self-study into the organization. There are a number of different approaches that can be used for the accreditation process and the approach has to be decided before the committees return to the issue of reorganization. What has come out of the strategic planning process is wide discussion of basic principles. We are still not in agreement as to what they are for this University. The Vision Statement does not speak to faculty and students yet. Harris said that his focus is a concept as to what our basic values are for the University. What has come out of workshops recognizes our diversity of the student body, a regional focus as well as a global focus. So how do we resolve this? To summarize: a) we are now focusing on a Vision Statement of the University and b) Strategic Planning is more effective if

we have a).

Nagel advised that at today's workshop, only five or six faculty attended, so we are not getting the degree of faculty involvement we need. What came out of it is there is no statement from the student's standpoint of what University Values are. He wondered how student input could be more effectively gathered or how they can become more involved in the process. Harris stated he will take this concern back to the appropriate bodies. But, he stated it really gets back to what Filling said on Facnet, comparing Sparta to Athens. If we ask students, they would say the purpose to their being here is to get a good job. But, that is not all that we do. The question gets down to who we are and who do we want to be. Also, from the discussion today, it is interesting that the priorities of faculty are perceived to be different than the priorities of the University.

Filling stated that this discussion will be carried forward at our next discussion of Vision, Goals, Values and Strategic Planning. Discussion Item on Facilities will be deferred to the next Senate meeting.

8. Meeting was adjourned at 4.40pm.