1. The Speaker called the meeting to order at 2:35 pm.

2. The agenda was amended to reflect the following changes:

   a. 13/AS/04/UEPC moved to Information item.
   b. Add a) 14/AS/04/FBAC, and b) 15/AS/04/FBAC, to First Reading items.

   The agenda was approved as amended.

3. Minutes of September 21, 2004 were amended as follows:

   a. Page 9, paragraph 3: change FTES to FTEF (2 instances).
   b. Page 3 under Other announcements 5): delete as: "...compensation for faculty and faculty administrators."
   c. Page 9, first paragraph, third line: "and restored many temporary vacancies with one-time money." O’Brien asked at what point will we know how many vacancies have been filled and Filling replied he would follow up.
   d. Page 9, paragraph 9, second sentence: add "Having a reserve account is a system requirement." Page 9, third paragraph, third line: "Klein added that we did cut seven that had been previously scheduled." It is not clear if we cut or not. Filling advised he thinks we reduced sections, but increased headcount. Bowman will follow up with Interim Dean Klein.

   The minutes of September 21, 2004 were approved as amended.

4. Announcements
a. Speaker Filling:

Fred Hilpert and Mark Thompson were elected faculty representatives to the Presidential Advisory Committee. Filling asked for our patience with the process. Thompson stated that as a faculty representative on the Presidential Advisory Committee, he and Hilpert would like to be able to say they are speaking for the faculty. So, he asked that Senators to please send their input to them. Faculty are asked to email their input to newspres1@visar.csustan.edu

OIT is currently testing anti-spam software and tests are going well. Implementation will be contingent on funding.

A fundraising workshop will be held Monday, October 11 at 1:00-3:00 p.m. in MSR 130. The purpose of this workshop is to help faculty understand how DUR sets priorities and to help DUR communicate better with faculty. He urged faculty to take advantage of this workshop.

The CSU system annually prepares a list of priorities referring to their federal legislative agenda. The contact person is Diana Demetrulias. She has been asked to work with the Deans. If Senators have issues that require attention at the federal level, please see your dean.

O’Brien advised that the SWAS will be discussing the compensation issue for faculty at its meeting this Friday. He will post information from the meeting when he returns.

Bids for Science II construction came in $6-7 million over what had been projected. As a result, discussion is ongoing as to what can be scratched from the building. Senators, especially from the science areas, are advised to consult with your building representatives so crucial items will not be deleted.

b. President Hughes:

President Hughes advised that one topic that needs to be discussed is UC Merced. They will be opening Fall 05. An issue was raised with UC Merced about the extreme over-bidding they had to deal with. They shared some strategies with her. Partnerships are also being discussed with them. This might be an opportunity for the campus to do things differently to remain competitive. It should be a healthy competition.

5. Questions about committee reports.

All committee reports are posted. There were no questions.

6. Report on Judicial Affairs (Morgan-Foster)

Coordinator of Student Discipline Jennifer Humphrey and Associate Vice-President for Student Affairs and Dean of Students Fred Edmondson were introduced by Morgan-Foster to provide a brief overview of disciplinary actions taken during 2003/2004. Morgan-Foster referenced the status of the Sociology students under review and reported the student phase has been completed. Fifty-eight students were in the class and thirty-one were cleared of any wrong-doing. Twenty-five had disciplinary cases open in which they were found responsible for violating academic integrity, infractions that ranged from low level to very high. Sanctions were scaled to meet the severity of infraction, and included probation, community service, and researched reflective essays. Overall, the students were cooperative and it seemed to be a good learning experience for them.

Edmondson distributed a new brochure from the Office of Judicial Affairs outlining revised campus policies to comply to Title V requirements. Humphrey reviewed a four year case summary of reports, cases, outcomes, and sanctions from the OJA. There were no questions.

7. First Reading Items

a. 14/AS/04/FBAC–Resource Allocation Priorities

It was MS Johnson/Sarraille:
BE IT RESOLVED: that the $1,404,258 restoration of base funding and $1,849,299 carry-forward funds that are available for distribution be used to fund courses, restore cuts to those programs which support our primary educational mission (library, tutoring, and instructional technology), and restore support services to adequate levels, and be it further
RESOLVED: that no funding be provided for new initiatives until cuts in academic programs and academic support services are fully restored, and be it further
RESOLVED: that the administration not allow the funding crisis to lead to the assignment of unreasonable workloads to any employee.

RATIONALE: The $1,404,258 restoration of base funding does not represent additional resources, but a restoration of approximately 20% of the anticipated cuts to the University’s base funding in 2004-05. After this restoration, the University is attempting to deliver high quality educational services to its students with an approximate reduction of $5 million in base funding.

Item 6610-001-0001 of the Supplemental Report of the 2004 Budget Act which was compiled by the Legislative Analyst’s Office in July 2004 provides the following statement of intent:

"It is the intent of the Legislature that reductions to the California State University (CSU) budget in 2004-05 be implemented to protect, to the greatest extent possible, the CSU’s primary educational mission of undergraduate and graduate instruction, as defined in Education Code Section 66010.4."

At a time when the University is struggling to maintain the quality of its educational programs and student support services with reduced support, and in keeping with legislative intent, no new programs which would draw resources from our currently funded academic (and support) programs should be initiated.

It was MS Johnson/Thompson that the rules be waived to go to a second reading. Vote to waive the rules passed by voice vote.

Dauwalder proposed the following amendment: to the First Resolved, that the $1,404,258 restoration of base funding and $1,849,299 carry-forward funds that are available for distribution be used primarily to fund courses, restore cuts to those programs which support our primary educational mission (library, tutoring, and instructional technology) and restore support services to adequate levels, and be it further. To the Second Resolved, strike all and replace to read "that funding for new initiatives be consistent with the university's goals and priorities."

Morgan-Foster seconded the motion.

Dauwalder explained that it is unwise to insist that all monies that were removed earlier be placed back from where they might have come from. New initiatives might be the right thing to do, but they must be related to our goals and priorities.

Thompson asked that the amendments be divided. The request was accepted by the body.

The first amendment to add "primarily" to the First Resolved clause.

Morgan-Foster suggested a friendly amendment that the list of items in the parentheses be preceded by "e.g.,". This was accepted by the maker of the motion.

Thompson asked for a point of order, explaining that once something is moved and seconded, it belongs to the Senate. Filling asked Senators if there was objection to the friendly amendment. Hearing none, the friendly amendment was accepted.

Comments:

--Feldman asked if he wanted to use funds for something else. Dauwalder replied that it might be appropriate to use some of the money for new initiatives.
--Oppenheim inquired as to what kind of new initiatives these might be. Morgan-Foster replied that in Student Affairs, they would like to increase advisors for the First Year Programs. There is a need for wiggle room in order to do this type of thing.
--Thompson stated that the Second Resolved clause speaks to that: "that no funding be provided for new initiatives until cuts in academic programs and academic support services are fully restored." Morgan-Foster replied that it is still limiting.
--Nelson stated his sense of the FBAC resolution is that huge cuts were made, some of the money came back to campus and we want to take that money and restore our programs to previous levels prior to the cuts. The amendment says we will restore some, but that someone else will decide who or where the remainder will go. He stated his discomfort in this way of doing things. Academic Senate should have discussions on this.
--Nagel asked that the Senate vote against this amendment. Rather than adding language to the resolved because the original was too "limiting," as Morgan-Foster suggests, the amendment would only enhance or introduce new programs; it establishes an entirely different set of priorities.
--Morgan-Foster advised that some of the cuts that have been taken have streamlined our processes, cutting out fat, and to restore them might not be a wise use of the money.
--Feldman inquired whether if some of the monies were to be spent on new initiatives, would there be faculty consultation.

Dauwalder replied there has been faculty consultation with UBAC and the message has come through clearly that stronger attention
is needed to support OIT, and the Library. UBAC recommends that we find a way to restore base funding to those areas rather than one-time funds.

--Feldman asked whether in the future there would be consultation with faculty before funding a new initiative. Dauwalder replied that President Hughes will make her decision this week on how this money is to be allocated; one would have to ask her.

--Nelson asked for clarification as to the amendment. Cuts were made, but you may choose to fund a new initiative rather than to restore funding of areas that have been cut, because that would be better? He notes there is no language to allow for faculty or Senate consultation to see if it is wise to fund a new initiative.

--Johnson addressed Morgan-Foster’s concern about the resolution limiting funding, such as adding advisors. This resolution does allow it. The First Resolved states "and restore support services to adequate levels." FBAC purposely specified OIT and the Library because they took a significant portion of the cuts so they need more than what they got.

--Oppenheim voiced opposition to the amendment to add "primarily." Although the Provost considers there has been consultation on these issues, many faculty do not. If the Senate passed 15/AS/04/FBAC and the President approved it, he stated he would favor adding "primarily" to this resolution.

--Morgan-Foster responded to the issue of consultation. In her view, vice presidents are obligated to operate on our strategic priorities. These guide resource allocation.

--Thompson commented that telling us we have to cut the fat, makes him believe we are flush with money and that it can be spread around. A couple of years ago, we cut the fat, then last year we cut the muscle. This year we have cut to the bone. The comment about cutting the fat is not accurate.

--Sarraile expressed support of the resolution and opposition to the amendment. There is adequate latitude in the resolution without the word ‘primarily’ added. The amendment gives too much latitude. A huge amount of money was cut from the budget and we are getting some of that money back. It makes no sense to give people a lot of latitude to spend it in any way they want. We have obvious core things we need to take care of.

--Tan claimed that the word "adequate" permits hiring, development, increases, etc. That additional advisors could still be covered under it. She also noted that her understanding of "strategies" is that they are long-term; this budget is for the short term, this year alone, and we can delay attainment of long term goals to next year.

Floyd called for the question on the amendment. Thomas seconded. Vote to close debate on the amendment passed by voice vote.

Vote on the amendment to add ‘primarily’ and ‘e.g.,’ failed by voice vote.

Discussion on the second amendment to replace the Second Resolved clause to read "that funding for new initiatives be consistent with the university’s goals and priorities."

Comments:

--Johnson voiced concern that this amendment provides too much wiggle room. Goals and priorities are very broad statements. Lots of things could be consistent with that, but we might not want to do them in a budget crisis.

--Oppenheim agreed, stating our priorities are clear. Once we start undercutting, we open ways to funding new initiatives that faculty have said they want postponed.

--Schoenly stated we need more information about any new initiatives because if any are tied to our graduate programs, we have already lost a lot in that area. And the Library budget could be affected.

--Brown questioned why the substitution was proposed by the Provost. Provost Dauwalder explained that it is because the resolution does not allow for funding of new initiatives. The amendment allows for funding of new initiatives if they are tied to our strategic goals and priorities.

--Feldman felt it is not wise to totally rule out new initiatives. He gave an example of what they are doing in the Mathematics Department. He supports the amendment, saying management should have leeway to best manage.

--Thompson spoke against the amendment, stating this additional language should have been suggested as an additional Resolved clause, because the way it is stated is counter to the current Resolved clause it is replacing, and thus should have been ruled out of order. Nagel agreed.

--Oppenheim stated that although he opposes the amendment as is, if the Provost would accept a friendly amendment, "that funding for new initiatives be consistent with the university’s goals and priorities, and that they [new initiatives] be approved by the appropriate body of the Academic Senate," he would support it. It was not accepted by the maker (NB: as Thompson noted earlier, language belongs to the Senate body, not the maker), and Filling noted he interpreted the amendment as a rhetorical question. Dauwalder said that establishment of current goals and priorities goes through faculty governance, so that Oppenheim’s addition would be redundant. It’s not direct, he qualified, but it has gone through the process.

--It was asked if our University Strategic Goals and Priorities have come before the Academic Senate for approval. Filling replied no.

--Sarraile stated there is no need for this amendment. We’re doing triage here, he said. We need to get the patient breathing before he
can be fitted for a suit. It is our goal to keep us alive, to do what is necessary.

--Johnson reminded Senators that goals and priorities are very broad statements that can be implemented in many ways. She would not mind the amendment saying that funding of new initiatives would only take place after approval by the appropriate committees of the Academic Senate. This would not shut out our ability for new programs. Faculty want a voice in the implementation, in acting on these broad statements, and we don’t want to cut off our ability to do so.

--Peterson stated that this resolution effects only this academic year. If you agree with the Provost’s amendment, you are censoring or undoing the main point of the resolution, that this money is to be used for our priorities, Library, OIT, support services. We will not have money left over for new initiatives.

--Nagel explained that the faculty’s view of our goals and priorities are different than the administration’s view. This resolution, he stated, from his perspective, is that we are interested in concrete money going to concrete programs, not to abstractions.

--Estrella voiced support for the amendment. There is more to the University than programs and services. Planning is not cheap.

--Dauwalder, speaking to comments by Thompson and Peterson, agreed, stating than even with $1.4 million restored, we are still $5 million short from last year, so we won’t "restore" everything. Secondly, he has suggested these amendments so we can try to find a middle ground so what comes out of here, the President can approve. So, the degree to which the allocation of resources has been fully discussed by faculty, the process we have gone through, we still do not agree what consultation means. He is trying to avoid a situation like last year, where these resolutions go to the President and she can’t support them; we have a process, but we still disagree. He asked if the resolution can be revised acknowledging that input by the faculty is important and recognize there has been significant input from faculty in the process (FBAC, UBAC), and move forward.

--Nelson recapped the issue of consultation, noting that it seemed to suggest that process and consultation is important but won’t be significant to Presidential decisions. Dauwalder discussed the multiple ways that "we’ve [Presidential cabinet] gotten the message [from faculty]," mentioning in particular, UBAC’s recommendations to presidential action on allocation, as well as FBAC. Nelson, following up, asked the Provost if this resolution was sent to the President as is, is she saying that cuts have already been made, and they’re not going to do anything more? Dauwalder replied that if the resolution comes as is, she won’t approve it if she feels strongly a new initiative should be funded. He added he wants to avoid a situation where the sense of the Senate is not something the President can support.

--Thompson questioned the accuracy of labeling this amendment as a means of finding middle or common ground. It stands the original Resolved clause on its head. He reminded the body that the Academic Senate is not a voice of the President. The Academic Senate is the voice of the faculty. The FBAC has the charge to make this type of recommendation. This is not a "sense of the Senate"; we have a resolution from a standing committee of the Academic Senate, and this is the voice of the faculty.

--Petrosky reflected back to the the goals and priorities statement. They are vague. In order to accept this amendment, we have to accept this interpretation of them. This amendment ignores and violates the meaning of the original Resolved clause.

The question was called by Floyd/Johnson. Vote to close debate passed on a hand count of 30 to 9.

Vote on the second amendment to replace the Second Resolved clause with "that funding for new initiatives be consistent with the university’s goals and priorities." failed by voice vote.

It was MS Thompson/Nagel to amend: The First Resolved clause to add "that the Academic Senate, California State University Stanislaus urge the President to direct that the …". Second Resolved to read "that the Academic Senate urge that no….". Third Resolved to read "that the Academic Senate urge that the….".

--Oppenheim voiced his support for the amendments, although he felt it would not make a difference. He stated his feeling that the President will reject this resolution as she did many times last year. But, this is a matter of principle and shared governance. Stating you believe in shared governance and showing it are two different things. As President, she can do whatever she wants. Thompson’s amendments are a nice gesture, he concluded, that recognizes that the President has the only legal authority to act here; we recognize that authority. All the Academic Senate can do is urge her to approve this resolution as a means of shared governance.

--Thompson explained that the amendments are meant only to clarify, so future generations will know who took the action.

--EOIR Director Deanie Brown, explained that what the Provost means is that the President might support something through the shared governance process rather than faculty governance. That the President wants shared governance, not faculty governance. Further, she claimed that the University Goals and Priorities are mischaracterized, and are not so amorphous as was being claimed.

--Doraz observed it was interesting that so many people claim to speak for the President, when she was right here, and that since the President is here, she might want to talk for herself, rather than other people talking for her.

--Moran-Foster said it was unclear where we are [in the discussion], asking whether we were still considering the amendment.

--Regalado voiced concern about the remark on shared governance. This has not been the case regarding this resolution.

--President Hughes responded to Oppenheim’s statements about resolutions rejected last year. It is not true that all resolutions were returned rejected. Those rejected were not consistent with CSU policy or General Counsel recommendations. She then recapped the budget cycle. UBAC forwarded their recommendations to her and she then emailed the Vice Presidents asking that they take the
carry-forward funds and determine if they can implement all of UBAC’s recommendations. The carry-forward funds are their responsibility to make decisions with their staff, in consultation with the President. Then we can make decisions as to what is possible to fund. By the end of this week, decisions will be made. As of now, she could not say, not having received answers from the Vice Presidents.

--Sarraille noted the recommendations of UBAC are very close to what the Senate is considering here, so we need to proceed.

--Johnson agreed, explaining FBAC’s intent is that while we recognize the idea of trying to find common ground, our intent is to make a strong statement of what our faculty priorities are. We have taken cuts, and we think the carry forward and restoration money should be spent in this way.

--Regalado applauded FBAC’s efforts. It needed to be said.

The question was called by Nagel/Oppenheim. Vote to end debate passed by voice vote.

Vote on Thompson’s amendment passed by voice vote.

The body returned to the resolution as amended.

Nagel/Oppenheim called the question. Vote to close debate passed by voice vote.

Johnson requested a confidential ballot.

Vote on the resolution as amended passed by confidential vote of 36 yes and 5 no.

b. 15/AS/04/FBAC–University Excellence Incentive Awards

*It was MS Johnson/Floyd*

**BE IT RESOLVED:** that no funds be provided for the proposed "University Excellence Incentive Awards" until the proposal has been approved by all appropriate faculty governance committees.

**RATIONALE:** The CSU Board of Trustees and the Chancellor identified the following specific goal for CSU Stanislaus in its President’s performance review letter released on May 25, 2004: "Working with the provost and the faculty, identify a few academic programs that would serve as prominent programs for CSU Stanislaus." The President has invited applications for funding to "develop Centers of Excellence and Distinctiveness for CSU, Stanislaus." According to the President’s announcement, these initiatives are to be "capable of promoting a unique niche for the University."

The announcement states that the awards would increase the base funding of recipient university units. In other words, a few university units will have their funding permanently increased as a result of a competition allowing a very short time period for application.

Any decision about development of a "unique niche" for the University should be the result of a careful, considered process involving all members of the campus, particularly the faculty. The selection of centers which will "provide a unique niche" has long-run funding and programmatic implications, and should not be the result of a hasty, competitive process.

It was MS Johnson/Thompson to waive the rules and go to a second reading. Vote to waive the rules passed by voice vote.

It was MS Thompson/Doraz to amend as follows:

First Resolved clause to read "that the Academic Senate, California State University, Stanislaus advise the President to allocate no funding for the....".

Thompson explained that this is to clarify and point out who is recommending. Our role is advisory, and this also directs the resolution to someone, identifies whom we are advising.

Lawson suggested a friendly amendment to replace "advise" with "urge." The amendment was accepted as friendly by the body.

The question was called by Thompson/Petrosky. Vote on closing debate on the amendment passed by voice vote. The amendment passed by voice vote.
Comments:

--Oppenheim spoke in favor of the resolution. He stated that we all believe the University has always strived for excellence and we don’t need an Excellence Incentive Award for that. Our OIT has the smallest budget in the system. SFR is going in the wrong direction and we need more money to reduce SFR. We need to restore the Library budget to where it once was. It has been starved methodically over the years. Our Centers for Excellence should be OIT and the Library.

Nagel proposed a friendly amendment to the Resolved clause to read "that the Academic Senate, California State University, Stanislaus urge the President to allocate no funding for the proposed "University Excellence Incentive Awards" *without approval of the proposal by all appropriate faculty governance committees."

This amendment was accepted as a friendly amendment by the body.

Comments:

--Johnson reported that the reason FBAC separated this item out of 14/AS/04/FBAC is because even if we would not be facing budget cuts, we would bring this forward for Senate review because it appears that this award is an attempt to create a niche for the University to establish and promote programs and to increase base funding for them alone. It looks like it will be going to a few programs to receive increase in their base funding from now on. This has long term budget and program implications. We need to have a discussion around campus so we can decide what areas we would want to do that to, or even if we want to. There are other ways to create a niche without promoting programs. We need thoughtful consideration rather than competition by groups that can put forth an application.

--Sarraille concurred, adding that one way to view it is when we considered restructuring the University. The effect of creating Centers of Excellence could change the University, so it should be looked at holistically, by the campus community. There is a very short time line for application, as well, and it seemed odd to fast-track it.

--Doraz voiced support of the resolution. He is not opposed to Centers of Excellence if the money has come earmarked from the outside or from DUR, but it should not be taken out of the general fund. This will pit one group against another. It is very divisive and demeaning, and stratifies the University community.

--Oppenheim stated we are mortgaging our future. These kinds of centers will put an additional burden on the Interim President’s successor; this initiative would lock funds in place for years while we wait for the budget to stabilize.

--Morgan-Foster asked what committees are they talking about in the Resolved clause "all appropriate faculty governance committees." Johnson replied that because this has budget implications, FBAC would be involved, and to the extent this also effects educational policies, then UEPC would be involved. Sarraille stated that FAC might also be involved because of the way the contest would be run, or if there even was a contest.

--Sarraille compared this to the Academic Technology Plan. There were many ways the general campus population could give input. It is interesting we have not done anything with this until now. This came out of nowhere. Further, it is distressing we have dropped the Academic Technology Plan recommendations approved by the Senate and the President.

--Thompson noted that the appropriate faculty governance committee depends on the shape of the actual proposal with specific criteria for application. It might be that all faculty governance committees would be appropriate.

--Johnson stated that the Academic Senate or the Speaker should determine which committees this would be sent to.

The question was called by Thompson/Petrosky. Vote on closing debate passed by voice vote.

Johnson requested a confidential ballot.

Vote on the resolution as amended passed with a confidential vote of 37 yes, 2 no.

8. Information Items

a. Vision Statement (Boffman)-Carry over to next meeting.

b. Accountability Report

Dauwalder reported that every campus has to do an Accountability Report. The Academic Senate has a chance to review it before it goes forward. The Executive Summary is attached.
Kelvin Jasek-Rysdahl advised he is half time Director for Institutional Research. He stated that comments should be sent through the Deans before October 13, 2004. It is on the Deans Council agenda for October 13. In terms of the spread sheet which was distributed, the data was compiled by the Chancellor’s Office using various reports. The data cannot be modified even though we think some should be changed. The report is 15-20 pages, but was reduced to a two page summary.

Comments:

--Gomez stated that his interaction with students voiced a major concern. For example, the Nursing Program. If they are not admitted, they will leave.
--O’Brien questioned what Senators should do with this information and Dauwalder replied that Senators are welcome to comment. Last year Senators requested the Accountability Report come here for their review.
--Thompson asked what other campuses are doing and Jasek-Rysdahl replied that under 1.2 of the spread sheet gives a brief summary of this information. There is a directive from the Chancellor to do that. In the past, he stated we have looked at other campuses.
--Johnson asked why there were two programs singled out. Jasek-Rysdahl replied that the report previously filed in 2004 had those two programs in it. We are mainly gleaning information from the March 2004 report which is about assessment. Dauwalder explained that we don’t have anything about the College of Business accreditation process or NCATE either. He suggested we go back and look at it. We could possibly take the accreditation report and use it for assessment.

9. Other

a. RPT report (Hilpert) will be on the October 26 Senate agenda, as will Vision Statement report (Boffman).
b. 13/AS/04/UEPC is being returned to UEPC. Some schools have tweaked their figures and we need to find out how and whether to respond to that input.
c. 14/AS/04/FBAC and 15/AS/04/FBAC will be sent to the President for action.

Meeting adjourned at 4:30 p.m.