

**CALIFORNIA STATE UNIVERSITY, STANISLAUS**

## ACADEMIC SENATE MINUTES

April 25, 2006

PRESENT: AFONSO, ANDRES, BROWN, DAVIS C.,  
DAVIS S.,  
DECARO, DEKATZEW, DEMETRULIAS, GARCIA,  
HALL, JACOB  
JANZ, KIM, LAWSON, MANRIQUE, MANTZ,  
MERCIER, MINOR, MORGAN-FOSTER, NAGEL,  
NELSON, O'BRIEN, PETERSON, PETRATOS,  
PETROSKY, POOLE, RENEAU, RIEDMANN, ROUTH,  
SANKEY, SARRAILLE, SCHOENLY, SENIOR,  
SHAWKEY, STONE, TAN, TAVERNIER,  
THOMPSON, WEIKART, WERLING, ZARLING

PROXIES: GARZA (JACOBS)

GUESTS: S. BURNS, CASH, FILLING, MURRAY-  
WARD, NOVAK, STEPHENS, S. STRYKER, TYNAN,  
VANISKO, WENDT.

RECORDING SECRETARY: DIANA BOWMAN

4/AS/06/FBAC--Resolution for Fee Structure  
for Winter Term, APPROVED  
UNANIMOUSLY

5/AS/06/FAC--Courseload for Lecturers,  
APPROVED

6/AS/06/RSCAPC--Amendment to  
5/AS/01/RSCAPC--Human Subject Research  
Policy, FIRST READING

7/AS/06/UEPC/GC--Proposal for  
Gerontology Graduate Certificate, FIRST  
READING

## STRATEGIC PLANNING UPDATE

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Next Academic Senate Meeting:

Tuesday, May 9, 2006  
2:30-4:30 p.m., JSRFDC Reference Room

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Minutes submitted by:

Scott Davis, Clerk

1. The meeting was called to order at 2.40pm.

2. The agenda was approved.

3. The minutes of 4/4/06 were approved.

#### **4. Announcements**

Speaker Petrosky congratulated winners of recent AS and GF elections.

Stryker reported on progress on the WASC Institutional Proposal. The self-study process is on-going for next three years; the second phase (Capacity and Preparatory Review) will begin in Fall 2006. Inquiry Circles will begin meeting in September. He thanked Demetrulias for leadership on Self Study Leadership Team. Copies of the Institutional Proposal are available at HYPERLINK "<http://web.csustan.edu/wasc/>" [web.csustan.edu/wasc/](http://web.csustan.edu/wasc/). Comments and questions may be sent to HYPERLINK "<mailto:selfstudy@csustan.edu>" [selfstudy@csustan.edu](mailto:selfstudy@csustan.edu). Schoenly asked if the current Strategic Plan dovetailed with the self-study process. Stryker replied yes, it was a fortunate coincidence.

Thompson announced two open sessions on intellectual property rights were held today. The other two are tomorrow in JSRFDC 113. If you have questions, please stop by one of the sessions.

Morgan-Foster thanked Mantz for his service as Faculty Resident, and announced the availability of the position for next year.

Minor announced ASI elections 5/3 and 5/4 and asked for faculty encouragement of student participation.

Weikart announced that DeKatzew is giving a presentation 4/25 in the FDC.

Mercier announced the opening 5/4 of the Theater Dept. production of *The Wager*.

#### **5. Questions about reports**

Janz asked for clarification of remarks in the GC report on proposed student FTE changes. Garcia replied that it was Pughís formula to address a Chancellorís office proposal to change accounting. Weikart added it is a change in ratio that decreases units per graduate FTES, thereby increasing the actual number of graduate FTES.

#### **6. Action Items**

##### **a. 4/AS/06/FBAC ó Resolution for Fee Structure for Winter Term**

Weikart reported speaking to Financial Aid, and they report no problems in mechanics for student receipt of aid as a result of the proposed change.

There was no further discussion.

The motion passed unanimously, and will be forwarded to the President.

##### **b. 5/AS/06/FAC ó Workload for Lecturers**

Shawkey voiced support but expressed concern about advisors for student teachers, currently classified as lecturers. They donít have the same demands, and should really have a different category. If this passes, they can request release time that may be inappropriate. Sarraille observed that the first resolved contains enough "outs" for Chairs dealing with hypothetical lecturers in COE.

Thompson offered a friendly amendment that the first resolved add: "The Academic Senate of the California State University, Stanislaus recommend thatÖ." Amendment was accepted as friendly.

Afonso offered a change to add "and creative" to "scholarly activities." This amendment was accepted as friendly.

DeCaro asked if "full-time" referred to 1.0 time base or 30 WTUs. Nagel replied that there was a difference. If faculty are hired as contingent, a course can be removed, and the person bumped down to part time. However, if the faculty member is full-time and non-contingent, the department would have to find alternative work in that case. Zarling asked if we were addressing all the people we want to address by using "full-time." Nagel admitted it was a good point, but was unsure how to resolve it. Zarling observed that some people are teaching 30 units and not getting credit for time out of class, and asked if the resolution could be reworded to cover those people. Stone asked if this meant adding "both contingent and non-contingent" to the first resolved. Nagel offered to replace "full-time" with "all 1.0 time-base"; this was accepted as friendly.

Sarraille then spoke against it, noting that the full-time lecturer has a salary set by contract. "1.0 time base" faculty are paid by the course or by the unit. There is no mechanism to implement the resolution with them.

It was MS Sarraille/Riedmann to rescind the last friendly amendment.

Nagel argued against the motion, noting that the sort of things envisioned here are part of the jobs of 1.0 time-based lecturers as well as those designated full-time. 1.0 time-base is officially a part-time employee. In terms of university roles, however, they are probably not very different. The spirit here is to honor and recognize non-tenure-track faculty whenever and wherever their non-compensated work is. Weikart agreed with the principle of Nagel's remarks, but voiced concern about the practical application. Full-time lecturers have a salary, they are going to get paid. If 1.0 faculty take off, they don't get paid. Nagel replied that the assignment letter can specify duties.

Motion to rescind failed by voice.

It was MS Demetrulias/Minor to table the resolution to clarify distinctions on the operational level.

Sarraille argued this was not a good idea, noting that Nagel allayed a lot of worries, and he could see a pathway to application of the resolution, and bowed to his greater expertise. Sarraille reminded the body that this is not a policy document, and it is not going to the President for approval, and so it doesn't need all details of implementation laid out. This is a recommendation to do something as a sense of the Senate.

Demetrulias raised a point of order that motions to table are not debatable.

Thompson, as Parliamentarian, intervened to rule that this point of order was technically correct, but that the motion needed to clarify whether the table was time-certain or indefinite.

Demetrulias advised her intent is not to table indefinitely, but she was not sure until when. She wanted to consult the contract. She claimed no intent to be divisive, but merely wanted time to get clarity. She amended the motion to table until the next AS meeting.

Petrosky advised that the resolution being tabled and returned could only be enacted if we suspend the rules.

Motion to table was asked as a voice vote, but was indeterminate. A show of hands revealed 19 for, 22 against, and the motion failed.

The body returned to the main motion. There was no further discussion.

Vote on the main motion was carried by voice, and the Sense of Senate resolution will be sent to all academic deans and department chairs. The resolution reads:

Resolved: That the Academic Senate of California State University, Stanislaus recommend that all 1.0 time-base lecturers who are performing indirect instruction, (for example advising, university and department service, course development, and performing scholarly and creative activities to remain current in their field), receive up to 6 WTUs of assigned time; and be it further

Resolved: That this resolution be sent to all Academic Deans and Department Chairs.

### **First Reading Items**

#### **a. 6/AS/06/RSCAPC ó Amendment to 5/AS/01 ó Human Subject Research Policy**

It was MS Schoenly/Nagel

Be it Resolved: That the Academic Senate of California State University, Stanislaus approve the attached Policy on Human Subjects Research.

**RATIONALE:** California State University, Stanislaus is committed to supporting the research, scholarship, and creative activities of the faculty, staff, and students. Some research activities involve the use of living human subjects. Such research includes experimentation, surveying, interviewing, and other methods of collecting information from or about individuals. The University has a professional and ethical obligation to assure that humans participating in human subjects research are treated in a manner consistent with the highest possible legal, professional, and ethical standards. The federal government, the California government, and professional societies concerned with the use of human subjects in research have established standards and regulations governing the use of human subjects in research. Failure to comply with these standards places the University, the faculty, and students at financial and legal risk. The University has an obligation to protect subjects in human research, and to protect faculty, staff, and students from personal and financial risks that may be incurred in the conduct of human subjects research. The attached would replace the current Policy on Human Subjects (5/AS/01/RSCAPC).

#### **Discussion:**

Schoenly advised that this is a replacement document and has been in the works for several years, enduring discussion in various committees. They believe the language has been fine-tuned adequately, but they can accept changes in wording.

Nagel spoke for the resolution as a member of the IRB. They have worked especially hard to streamline the process and to clarify definitions. He acknowledged there have been some misunderstandings in the past, and the document tries to fix that. He added that any changes to the document would need to occur before the next Senate meeting, as the body can't make changes to the underlying document in a second reading.

DeCaro asked what "individual identifiers" meant (p2/13 under 2 identifiable private information). Schoenly replied basically one's name. Nagel added any information that could make an individual known to the reader. Schoenly added that if you are using data from an archived data set, you would need IRB approval.

DeCaro was also unclear on the next paragraph (p2/13, If an activity involves obtaining information about a living person), and asked if, for example, he was conducting an interview with Gerald Ford, would he need prior permission. Garcia explained that, like so many cases, IRB could advise only if they had more information, specifically about the context of the interview and the specific nature of the questions. Burns advised that the critical issue was on p6, which identifies unusual risks or vulnerable populations, so people can understand the context under which research takes place. She acknowledged there was not always a simple answer for exemptions, but the document also wants to get people to realize that context matters.

DeCaro claimed he was writing rhetorical criticism on living subjects. Under this rule, would he need to get IRB approval. Demetrius agreed with Garcia, and pointed out that p7 defines criteria for exclusion of oversight. There is a caveat. DeCaro said he understood the problems with survey research, but this is a gray zone for discussion, and it puts an unfair burden on those who do this kind of research.

Nagel offered that IRB understands the burden, in that it burdens IRB too. They don't want to give themselves more work either, or do too much micromanagement on faculty research. However, for your own protection, determining whether or not it falls under IRB oversight is prudent. IRB's interest is to take faculty through the process as quickly as they can so faculty can get on with the work.

Sarraille expressed fears that it is too broad. Actually, IRB does not have powers to vet all research, and is not required by federal law to do so. There are sixteen federal funding agencies, and we have to clear those. But no unfunded research is required to go. He then offered what would be a hot topic for the next hour: the ice cream example. He asked if he surveys students in a class if they like ice cream, and if so, what flavor, and then uses that data for a publication, would he then have needed to have received permission. He also asked how IRB members are chosen and certified. And finally, whether the provision for the destruction of data was reasonable; some faculty have legitimate reasons for keeping data.

Stephens offered that we have to look at this from a risk-management perspective, and ask what our liabilities are. Some are clear from federal and non-federal funding sources, but some also derive from laws and expectations of us as a public institution.

O'Brien followed-up Sarraille and asked if this only covered funded research. And what do we do with the ice-cream example? Garcia said he didn't want to hear about ice cream, frankly. Burns claimed it does fall into "research" but not under "generalizable knowledge," and so would not be under the purview of IRB. Nagel mentioned that Committee on Committee appoints the faculty members.

Novak offered that federal guidelines use "generalizable" knowledge for both applied and basic research. The definition needs to be clear. Ice cream is clearly not research, unless it is about student preferences in the Central Valley.

DeCaro asked if he would need to clear each class of 25 students each time, were he using an in-class project. Nagel replied that p5 determines that if the intent is to develop generalizable knowledge and publish this knowledge, then IRB should get involved. If you are using the classroom to learn about research, and not publishing results, then it is an educational activity.

Weikart: spoke to the "research on rhetoric" question. If you are researching a public figure making public statements, it doesn't apply, it's not human subject research, unless you are getting private information not publicly available. DeCaro explained he interviewed Ford about comments he had made about Angola; would he need to go to IRB. Garcia said that the whole issue is, what are you going to be asking? IRB needs to know what is contained in the questions.

Nelson mentioned that as chair of Psychology Department IRB, they had perhaps 80 proposals a semester, and kept a rather conservative line. They looked at it from the end goal of the research. If you are going to publish, and data from students will contribute to your publication, you need IRB review. They have students doing research in lab methods courses, presenting work in poster sessions. All those have to go through IRB, because they're going to present.

Poole questioned the distinction between "general" and "generalizable" knowledge. In quantitative research, these have different meanings. In qualitative research, the intent is to share, and they feel more comfortable with "general." However, the Fed doesn't recognize qualitative research as "research." She would like our definitions to be more broadly applicable.

Sarraille attempted to clarify the ice cream example. He was not, he said, referring to the actual meaning of ice cream. The point is that he can ask any seemingly innocuous question, and if he wants to use it in any publishable way, ever, he would need IRB approval. That seems too broad.

C. Davis pointed out that informed consent forms cover this. The permission form has to say there is no negative repercussion if a subject doesn't participate, but you give permission to use ideas. This covers the innocuous question.

Petratos asked if there could just be a blanket disclaimer form. And also if agreements from other institutions covering data there traveled with faculty when they arrive here.

Nelson urged taking a conservative line. If publication is the intent, it needs to go to IRB. Giving students the opportunity to opt out is also good. Schoenly noted that in biological sciences, any use of vertebrate animals demands approval.

Zarling pointed out that in every course he's ever taught he's asked questions of students in class, and they have no option but to answer them. He's never used the grades for exams in research, but it's conceivable he might. Does he have to ask permission for every exam? Nagel replied that assessment of the educational program is specifically excluded. Zarling asked if that included asking how much time they spent studying compared to other activities. Dating was submitted as an example of another activity. Nagel replied that if he was asking questions about those other activities, like dating, it was probably crossing the line from educational policies to a personal area. Garcia noted it was a good question, and someone always brings it up. "What-ifs" are good context specific questions. Exams don't count, though he added that if he was examining dating trends, that might be a department issue.

Zarling asked then what's the purpose of the document. It can't be a legal statement, but it seems to want to lean that way to guide decisions made by the IRB. Novak explained that the document deals with the definition of "research," and advised that the first question responds to this. The question is about "specific knowledge." That needs to be defined. Poole advised that the best methods influence practice. This

document is formulated to action research. Our definition ought to be broader than the federal one, and the definition has to identify. Sarraille asked why we should create a policy to apply to situations not required by law. What is so important to warrant this level of scrutiny. Nagel said the conversation demonstrated the gray areas of "research," and therefore it is prudent to ask. Function of IRB is not to stop faculty doing research, but to make sure we're doing it appropriately.

Burns clarified the two areas IRB is designed to address. The first is research integrity, and the second is to protect human subjects. The Belmont Report gives ethical guidelines for biomedical and behavioral research, and these critical elements are redacted on p1: respect for individual autonomy, etc. If we look at risk management issues, this is what we're trying to deal with. Federal mandates apply not only on their funded research but to all research done at an institution that receives funds. We have to file with Health and Human Services every year that we have a policy and an active IRB that protects human subjects. So if the question is, "Is there a federal mandate?" Yes.

Demetrulias noted that on all four campuses she had been affiliated with prior to here, all human subject research was conducted subject to IRB approval. She noted that most faculty are conducting research as agents of the university, but also in the context of faculty rank, seeking reward for work. She noted there have been many cases where a person was protected from legal liability because they had undergone IRB review. And the alternative, where the University was subject to lawsuits. She acknowledged it was difficult from a risk management perspective to support grad students without seeking appropriate review of their research. But Federal funding is not the distinction. We have had policy since 1981, and it needs a revision. This new IRB policy adds to the structures we have in place to protect subjects, a concern with streamlining the process, to not be compliance-driven, but rather to be responsive to faculty and enhance their work.

Petrosky advised the resolution will return for action next Senate.

#### **b. 7/AS/06/UEPC/GC ó Proposal for Gerontology Graduate Certificate**

It was MS Peterson/O'Brien

Be it Resolved: That the Academic Senate endorse the Proposal for the Gerontology Graduate Certificate; and be it further

Resolved: That this be effective for Fall 2006 upon approval by the President.

Rationale: On March 16, 2006, Graduate Council approved the Proposal for Gerontology Graduate Certificate. The purpose of the proposed certificate is to provide a fifteen unit graduate certificate in gerontology to provide coursework that will prepare students for careers that deal with aging populations. The certificate program is interdisciplinary with the departments of Accounting, Communication Studies, Nursing, Sociology, and Social Work all offering course work. No similar program currently exists on campus. AB2202 and AB953 have been passed by the California Legislature to encourage the CSU to offer coursework that will prepare the citizens of the State of California for the expected sharp rise in the senior population.

Discussion:

Peterson reported that UEPC members unanimously support the program.

O'Brien gave some of the history of the program's development. Many faculty across campus teach courses related to the discipline. Sociology and Social Work took the lead in creating an interdisciplinary program, using a Ford Foundation award. Of the 15 units needed for the certificate, 12 already exist. He advised they are, in part, responding to state legislation identifying the needs of our future and current seniors in California. Although the demand is unknown, he stated we can take on students enrolling in existing classes and if it mushrooms in the future, it will be all right. Because most courses already exist, we can build with what we have, and use creativity in developing the program. Faculty seem to want to go after funding, and Burns is helping secure funds for a gerontological center.

Tynan reported that there is a documented talent shortage nationwide and in California, so there is a demonstrated need.

Demetrulias spoke in favor, saying she was delighted it was coming forward, and appreciated the leadership of O'Brien on this project. Certificate programs are part of a national movement to develop applied skills. Certificates are transcribed in whatever program the student completes. They take it with them, and it enhances advancement in profession.

Nelson also spoke in favor of the program, and about the need for it. He noted it helps us be at the front of a national movement. People are still unaware of the impact of aging baby boomers. This will have a huge impact on all areas of society. Further, he stated if we have a program here, we will be ahead of other universities. O'Brien commented that B. Carroll has expressed an interest in teaching a History of Aging class and the Psychology Department has expressed an interest in getting involved.

Petrosky advised the resolution will return next meeting for action.

## **Discussion Item**

### **a. Strategic Planning**

Novak explained that a writing group (Demetrulias, Morgan-Foster, Boffman, Davis, Novak) were responsible for taking notes from the January forum and formulating a draft. We want to get ideas and opinions from you to bring back to the writing group and then return the document back to you when it's ready. He thanked Thompson for his lengthy analysis.

Schoenly asked re: 1.5, 1.6 whether the effectiveness indicators were going to count publications, and whether this was going to be a regular issue in the future. Novak said that the writing group decided that one of the problems with the previous Plan was that there was no way to check whether what we're doing is working. He admitted that these indicators were not to the level of implementation detail, and certainly could accommodate concerns. Schoenly observed that many departments don't specify a number of publications, which seems incompatible with "publication index" as an indicator. Novak asked whether productivity reports would show success. Schoenly asked to move from number of articles to some other metric. Novak thought that other metrics already existed.

Garcia reported that GC had a number of concerns. Their major recommendation was that SEC and AS join with the writing group and return to the last Plan to compare goals and objectives. There was a concern about a disconnect from that one to this. Novak promised to take a look. Morgan-Foster added that all the documentation from the last Plan was in the packet of materials for the forum, and we assumed people were familiar with it. Subsequent to that review, discussion went back and forth about themes. As a writing

group, we're trying to capture the flavor of these discussions. We're not designing, we're trying to give voice to what people have said.

Novak noted that the current revision (available at [panopticon.csustan.edu/stratplan/](http://panopticon.csustan.edu/stratplan/)) incorporates most recommendations made during the open forums and the threaded discussion.

Poole admitted she liked it better, but it still doesn't capture what came out of the forum she went to. No sense in Section Three, for example, that the community impacts what we do. No connection to service learning or to Stockton, we're not tapping into our service region. This should tie into the Mission of the University. We had a big discussion about all this, and it's just not here.

Thompson repeated concerns he's voiced several times, first about cost benefit analyses linking to the budget, and second, how the descriptions of assessment in here can be in accordance with the Principles of Assessment. Novak said he had checked the Principles. Number Six says you use results of assessment for decision-making processes. He didn't see it violating those Principles; we're not making comparisons or evaluating faculty, for example, but using it to improve curricula and programs. We are trying to promote departments using assessment data internally to analyze curricular needs and make statements based on that information. It is part of Academic Program Review, and the Program Assessment Coordinators are involved. He didn't know if the deans or the provost were privy to that information. Thompson said that ambiguity was part of the problem.

Novak asked that input be sent to Janet King ( [HYPERLINK "mailto:jking@csustan.edu"](mailto:jking@csustan.edu) [jking@csustan.edu](mailto:jking@csustan.edu)), or to the threaded discussion at [panopticon.csustan.edu/stratplan/](http://panopticon.csustan.edu/stratplan/).

**Meeting was adjourned at 4.30pm.**