

<p>Academic Senate April 24, 2007</p> <p>PRESENT: Afonso, Bender, Brown, Carlstrom, Carroll, Clarke, Davis, DeCaro, Eudey, Filling, Garcia, Garza, Grobner, Hall, Johnson, Kim, Lawson, Manrique, Mantz, Mayer, Nagel, Nelligan, O'Brien, Petratos, Riedmann, Robbins, Routh, Sankey, Sarraille, Shawkey, Stessman, Tan, Taniguchi, Thompson, Tuedio</p> <p>PROXIES: Wendt (Covino), Bull (Janz), Noble (Morgan-Foster), Carter (Silverman), Hall (Sniezek), Wikoff (Keswick)</p> <p>GUESTS: Schulz, Calhoun, Senior, Bettencourt, Novak, Jaasma, Stephens</p> <p>Recording Secretary: Diana Bowman</p>	<p>12/AS/07/SEC—Strategic Plan, APPROVED</p> <p>13/AS/07/RSCAPC—Research Misconduct Policy, APPROVED</p> <p>14/AS/07/Ad Hoc--Web Accessibility Plan, FIRST READING</p> <p>15/AS/07/FAC—Lecturer Evaluation Policy, FIRST READING</p> <p>16/AS/07/SEC—Resolution on Campus Sustainability, FIRST READING</p> <p>17/AS/07/FAC—Intellectual Property Rights Policy, FIRST READING</p> <p>18/AS/07/Mayer—New Catalogue Attendance Policy, FIRST READING</p> <hr/> <p>Next Academic Senate Meeting:</p> <p>Tuesday, April 24, 2007 2:30-4:30 pm., JSRFDC Reference Room</p> <hr/> <p>Minutes submitted by:</p> <p>Steve Filling, Clerk</p>
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1. Call to order at 2:35 pm.
2. **Approval of Agenda - approved**
3. **Approval of Academic Senate Minutes of April 3, 2007** – page 6, 3rd paragraph, last sentence to read, Nagel suggested saying “non-tenure-track faculty.” Minutes approved as amended.
4. **ANNOUNCEMENTS**
 - a. GF meeting May 10, 2:30 in JSRFDC Reference Room. It is a chance to see summation of the year and get a look at the new officers of the SEC.
 - b. From the Chancellor’s Office there is a request for the job of Faculty Director of the CSU Institute for Teaching and Learning. Application date is May 18, 2007. Contact Sarraille or Bowman for further information.
 - c. CFA will have a general membership meeting this Friday, 12-2 and lunch will be provided. There will be

discussion of the new proposed contract and answers on ssi's. Faculty will be voting next week on the tentative agreement.

- d. Dieter Renning is a nominee for the statewide URFA.
- e. Patricia Shaw (History) just won the Phi Alpha Theta competition last weekend.
- f. Phi Kappa Phi and the Union Program Board are sponsoring a 3:00 pm reading of Yasmina Reza's "ART" with Jeff Perry, Dan Gately and CSUS Professor Mayer. There will be a 5:00 pm Panel Discussion of the "Ins and Outs of Hollywood" with Jeff Perry (actor), Sarah Utterback (actor) and Linda Lowry (casting director) of Grey's Anatomy.
- g. Women's Softball team is ranked first in the NCAA Division II West Region and seventh in the nation.

5. QUESTIONS ABOUT REPORTS

6. ACTION ITEMS

a. 12/AS/07/SEC—Strategic Plan

Sarraille advised that attached to the agenda packet is a list of amendments incorporated into the SP. The suggestions came from last AS meeting discussions and from Business and Finance. Changes are on pages 14-17 of the packet.

Discussion:

Wendt asked for clarification on the status of all of these changes. Sarraille replied most of the changes were discussed at the last AS meeting or they were suggestions sent to us by Business and Finance. He stated he did receive follow up from Senators that asked for specific wording. Most of the changes here were looked at by SEC at their last meeting and they tried to see if anything there was problematic. SEC did decide to take out the "structural deficit" bullet. Wendt stated there is some language that caught us off guard and we (administration) are wondering what it means and what if anything we can suggest about that language on Page 15 line 282 and 283 'mentor full time and part time faculty and increase opportunities for non tenure track faculty to participate in governance, service, scholarship, and creative activity.' In Academic Affairs, he stated, we don't know what that means in terms of action. Nagel replied it means a recognition of an increased role of non tenure track faculty and an increased ratio as a trend in higher education. Since non tenure track faculty are increasing, language that includes us as full fledge members of the University seems appropriate in the SP. Johnson stated her support for this bullet. It is trying to prevent excessive exploitation of non tenure track faculty. For example, Nagel has been here a long time and if he wanted to look elsewhere, if he were not able to do any research, that puts damage on his ability to look elsewhere and it puts him in a position he can't leave. She stated in her department, they have hired a number of non tenure-track faculty with the expectation they would do the same research as any tenure-track faculty. That is how they get a tenure-track position.

Thompson explained in Wendt's question about process, the SP came from SEC to AS, went back to SEC for changes based on discussion here, then came back to AS. Senators will now decide to vote yes or no. That is standard operating procedures, so he is unsure why this came into question. Secondly on the issue of clarity of the statement, there is an implication that Academic Affairs understands everything else in the SP, if so, they stand alone. O'Brien voiced support for the bullet, although he stated he is aware the administration might think it will cost too much money, but as Johnson states, we need it. For example, he stated he wanted to give research activity for a non tenure track person in his department but was unable to. And regarding participation in faculty governance, 25 years ago Jan Gregory, a lecturer from SF State served as a statewide representative and just retired last year. So lecturers' participating in governance is long-standing. DeCaro stated if this is voluntary by department, he would support it, but the way the Collective Bargaining Agreement is written, service is done by tenure-track faculty. So, would this mean non tenure-track faculty would get released time to do what they weren't hired to do? Nagel replied there is nothing that suggests non tenure track faculty would get assigned time to do something that is not part of their work assignment. DeCaro suggested this bullet needs clarification that it is voluntary. Eudey suggested the language as written gives the department an opportunity to lobby for assigned time, but also not too long ago we didn't even have a Lecturer representative on the AS. Given the work all of these people do, it is nice to have something we can continue to revisit and we are not putting arbitrary limits on them. We are all doing stuff above and beyond wtus and that is part of participating in the life of the academy. O'Brien added we are talking about the SP, not re-writing the CBA. He suggested our vision should be positive to increase opportunities. It is not a mandate for administration. Johnson stated it doesn't say every non tenure-track faculty has to have release time, but an awareness of possibilities is a good thing. Opportunities need to be there. Awareness is a way to provide lecturers a way to expand what they are doing. Filling asked if we vote, to do so by

secret ballot. DeCaro stated in talking about resources, part-time faculty can engage in rsca, but we need to be on record what we mean for future use. Carter stated over the last 5-10 years we had a fair amount of lecturers teaching 24-27 units, but it has now grown to 30 units. In the past, lecturers were recognized as full participants doing advising, curriculum development, doing rsca, then during the budget crisis, that changed. They are still hired to do those things, they just aren't acknowledged. Wendt commented that Johnson brought up the issue of exploitation, but he stated his concern is the statement as written opens non tenure track faculty up to exploitation. The correct relationship between non tenure track faculty and the University is they are hired to teach, period. If not built into their contract, it is a CBA violation. If the expectation they are expected to participate in governance, rsca, etc. is a serious erosion of tenure and what defines a tenure-track faculty member. Filling addressed some of what Wendt says, noting our administration's track record is different than stated. The progress on meeting the mandate of ACR 73 suggests a complete lack of success in lowering the ratio of tenure-track faculty. The reality is non tenure-track faculty have to do service and rsca if they are going to get a tenure-track job. We have a moral imperative to treat them better. Nagel stated 1) we do and have assigned work to non tenure-track faculty. It is false to say we are only hired to teach. 2) He emphasized what Filling said and that is erosion of tenure is not due to assigning work to non tenure-track faculty. It is not hiring tenure-track faculty. Carter claimed part of being a good teacher is being a good researcher. He stated he would argue that it is very disingenuous to argue that non tenure-track faculty can teach well absent any research agenda. We have this accounting mechanism called wtus, we've also recognized that it is not the same as expectations or actual workload. Taniguchi added let's not confuse expectations with mandates.

The question was called. Vote by secret ballot: 32 yes, 9 no, 2 abstentions, motion passed. This will be sent to the President for action.

b. 13/AS/07/RSCAPC—Research Misconduct Policy

Senior stated that the RSCAPC discussed the suggestions from the last AS meeting and made changes to the document. Eudey thanked Senior for adding more dates for faculty to respond.

The question was called. Passed by voice vote. This will be sent to the President for action.

7. FIRST READING ITEMS

a. 14/AS/07/Ad Hoc--Web Accessibility Plan

It was MS Taniguchi/O'Brien

RESOLVED: The Academic Senate of California State University, Stanislaus endorses the attached Web Accessibility Plan; and be it further

RESOLVED: The attached Web Accessibility Plan will become effective on June 15, 2007; and be it further

RESOLVED: That the endorsed Web Accessibility Plan be sent to the Office of the Chancellor.

RATIONALE: The California State University has an ongoing commitment to provide access to information resources and technologies to individuals with disabilities. This commitment is articulated in the January 2005 Executive Order 926, the CSU Board of Trustees Policy on Disability Support and Accommodations.

In January 2006, the CSU launched the Accessible Technology Initiative (ATI) in order to develop the work plan, guidance, and resources to assist campuses in carrying out the accessible technology provisions of EO 926. Priority one of the ATI is Web Accessibility and each campus is required to develop and implement a Web Accessibility Plan by June 15, 2007. The attached plan is therefore provided to ensure equal access for individuals with disabilities and to meet this requirement.

Discussion:

Bettencourt explained an ad hoc committee drafted this plan. This focuses on web accessibility. The idea is information is accessible by all. It is for employees and public, not just students. It is a starting point to address accountability on who will provide standards

and also do monitoring to make sure we are in compliance. Full compliance is expected for 2012. Mayer questioned the cost factor. Bettencourt replied it is unknown at this point, but OIT staff will be impacted. O'Brien shared that this is mandated by federal law and legislation, the Chancellor's Office mandated it and all campuses are discussing this. It has also been discussed at SWAS. All campuses are doing what we are doing to put forth a plan. Nagel questioned page 20 under Responsibilities voicing confusion where the responsibility would lie. For example, does it mean if the faculty member puts stuff on the web for students, will the faculty member be responsible to make it web accessible? Bettencourt replied at this time, he does not know. It still has to be worked out. Sarraille voiced as a point of information, you have to add little things like tags that give verbal descriptions of images. For example, if my photo is on my web page, software reads the page for a blind person and the voice of the software is able to say: "photo of John Sarraille" when it encounters the photo. Tuedio asked what sorts of examples of issues might come up. Bettencourt replied the most common one is vision. Thompson questioned if this is a plan or a policy. Bettencourt replied it is not a policy. It is a starting point. The role of the Academic Technology Subcommittee still needs to be discussed. The OIT role will have primary oversight. Mantz stated he is still unclear on the issue of financial impact. Bettencourt replied he doesn't think there will be a lot of financial impact if we pass this. It is more of a time issue. Carroll asked if there are materials that would be difficult to adapt in that way and Bettencourt replied although he is not an expert, his sense is that that is not a huge issue, but even if a small portion could not be accessible, we would have to provide an alternative format for the students. Afonso voiced concern it seems so vague he is afraid to support it. He would like to see more concrete ideas of what would be required from faculty in departments, what the University will be providing. It could be a nightmare for the Music Department to comply. Bettencourt replied right now, the emphasis is on administrative web pages. Carter advised the ADA mandates this. At this point, every public institution is out of compliance. Enforcement is held in abeyance so the institutions can engage in proactive activities. The 2012 deadline gives people like us the time we can get into compliance. But currently, we are out of compliance of federal law. Carroll advised UEPC has already been asked to come up with a plan that goes well beyond non academic content. Afonso stated his only fear is having to support something and then getting beat up about it.

Sarraille asked what we could add to wording of the resolution that would take care of that problem? Garcia suggested in the procedures, second paragraph "Individual departments will be responsible for the remediation of web content that does not meet accessibility requirements," add something about resources that allow people to do this. Robbins added her question is if OIT supposedly has responsibility, then goes on to say departments should deal with it, is OIT going to standardize everything and then teach those people in departments how to comply? Bettencourt stated the idea is that OIT is responsible for interpreting criteria. Sarraille suggested at the next AS meeting, we can invite Associate Vice President Whitman to address technical questions. Maybe there is automation that might be available. Bettencourt replied there is software that can check web pages to determine if they are in compliance with ADA requirements. Eudey stated what is missing is a sense there are resources there, there will be a system site license for adaptive software, and money to train people. She suggested at the college level student assistants can be hired to cover phones so the administrative assistant can attend training sessions. Taniguchi suggested adding wording to this document for discussion and put it before Whitman, that the University will commit resources so compliance can be met. Tuedio suggested that be put in the form of a 4th Resolved clause. Tan added that faculty will also require training. Vice President Stephens advised that this is actually going on in parallel in the Purchasing area which is putting a plan together on purchasing technology that responds to this. There are technologies that can facilitate this kind of work.

b. 15/AS/07/FAC--Lecturer Evaluation Policy

It was MS Thompson/Nagel

Resolved: That the Academic Senate, California State University, Stanislaus recommend the attached *CSU Stanislaus Evaluation Policy & Procedures for Temporary Faculty*, and be it further

Resolved: That the Academic Senate recommend that this policy and procedures become effective commencing the spring term 2008, and be it

Resolved: That the Academic Senate recommend that departments and equivalent units which do not currently employ temporary faculty may defer development of specific criteria with the condition that the department or equivalent unit must develop position description(s) and criteria at the time they request permission to hire temporary faculty, and, be it further

Resolved: That the Academic Senate recommend that the required criteria be made widely available electronically as they are developed in order to assist affected departments and equivalent units in formulating criteria.

Rationale: The proposed policy and procedures provide a university-level document that offers general guidance concerning the requirements of the Collective Bargaining Agreement for evaluation of temporary faculty. The policy and procedures guide compliance with the CBA and ensure that departments and equivalent units will determine the criteria for evaluation.

Discussion:

Thompson advised this is based on a draft that came from CFA and Faculty Affairs that reflects the work FAC did in concert with them. The idea is to have a university level policy that is in compliance with the Collective Bargaining Agreement (CBA). It insures departments and programs will develop their own criteria for the evaluation. The resolution says FAC thinks this should go into effect Spring 2008. That gives departments a little time to develop criteria for evaluation. The 3rd Resolved recommends that departments or programs not employing temporary faculty not be required to develop evaluation criteria. FAC also thinks it would be a good idea for the criteria developed to be disseminated so it will help others develop their own.

Nagel clarifies if goes into effect Spring 2008 the CBA says temporary faculty have to be evaluated in terms of criteria given to them in writing at the commencement of their appointment. This document won't apply to faculty already appointed or on a three year appointment until their next appointment. Thompson replied that the document might as well say Fall 2008. Nagel answered that it could apply to faculty hired for that semester, not those on a continuing contract.

c. 16/AS/07/SEC--Resolution on Campus Sustainability

It was MS O'Brien/Carroll

Resolved: That California State University, Stanislaus strives to adhere to best-practices of sustainability in the purchase, use, and recycling of materials and energy used in carrying out its mission of offering quality education in the Great Central Valley of California.

Rational: The use of all materials and energy in society is coming under greater scrutiny as it relates to accepted principles of sustainability. Government agencies, such as California State University, should be at the forefront of wise conservation for the citizens of California. Central to any sustainability plan is the efficient use of resources and energy. California State University Stanislaus commits itself to an on-going evaluation of best practices in keeping usages rates as low as possible, which should result in cost savings as costs for materials and energy steadily increase.

Discussion:

O'Brien stated the backdrop to this is the news said by Memorial Day gas will be \$4 per gallon. The genesis for this is being on SWAS and the many trips to LA. He stated he drives a state vehicle that uses 34 gallons of gas to get there and back. This is a big issue. But, the last time he went to LA he rented a small car and it only used 18 gallons, a savings of 15 gallons, which would amount to saving to the State of about 60 gallons. In looking at the SP, it is interesting there are three references to it. Lines 244, 263, 275, all those things are the current intellectual activity we do and that is good, but nothing that asks the University to do anything about it. The CSU, the UC, any state agency should be at the forefront of this issue. He stated he did approach Andrew Janz, ASI VP to co-sponsor. Janz took a similar resolution to the ASI Senate and they referred it to their Recycling Committee. He stated he has been working with VP Stephens about saving paper and buying more fuel efficient cars. She is looking into it and he hopes to bring back more information at the next Senate meeting. But this resolution is asking the University to do the right thing and go beyond activity into action. Editorial suggestions were pointed out: first line, strives, drop the s off and adherer change to adhere. Rational should be Rationale. Comma after University in the Rationale.

Nagel asked if he considered adding specific language like sustainable substances. O'Brien stated he has specifics, just didn't put it in the Resolution. Sarraille added that SEC discussed it but we thought initially the more specific we get the more we will argue. Eudey stated this is great idea and there are lots of ways to address this. She suggested developing an Oversight Committee, because this could be one of those great things that floats around and nothing gets done. Tuedio stated this suggests that best practices of sustainability would produce cost savings, and that is not always true. So his question is, are we committing to doing this when it is affordable or are we suggesting that we prioritize sustainability? Sarraille replied the SWAS does talk about the total cost in the sense of the cost to the environment, society, and future generations. Tuedio stated it also suggests short term costs that would affect our budget. Johnson suggested seeing the clause eliminated "which should result in cost savings as costs for materials and energy steadily increase." There might be cost savings, but maybe not. She suggested talking about costs from a much broader perspective. Bender

agreed and shared that Ag Studies will be getting a grant to do a sustainable garden. There is a lot going on at this campus, and more can be done. He also agreed with Eudey that a task force would be a good idea.

d. 17/AS/07/FAC--Intellectual Property Rights Policy

It was MS Thompson/DeCaro

Resolved: That the Academic Senate, California State University, Stanislaus recommend the attached CSU Stanislaus Intellectual Property Rights Policy to supersede 6/AS/98/Ad Hoc, and be it further

Resolved: That the Academic Senate recommend that this policy and procedures become effective upon approval by the President and be included in the Faculty Handbook

Rationale: The attached proposed revisions to 6/AS/98/Ad Hoc reflect the work of an ad hoc committee and the Faculty Affairs Committee in consultation with many campus constituencies. In 1997-98 the current intellectual property rights (IPR) policy was developed in response to, as the policy noted, "the explosion of electronic and visual methods for disseminating information which created a reexamination of policies and laws regarding fair use, copyright, and intellectual property rights, to name a few." The policy which emerged from that reexamination, 6/AS/98/Ad Hoc was approved and has served as the campus policy since that time.

Background: In 2003-2004, the Off-Campus, Mediated, and Distance Learning subcommittee of the University Educational Policies Committee submitted a proposed augmentation of Section III of the campus policy, titled *Intellectual Property Right Procedures for Televised, Online, and Web-Assisted Courses*. At around the same time, the CSU system also undertook a review of intellectual property and fair use, culminating in *Intellectual Property, Fair Use, and the Unbundling of Ownership Rights*, an update of the work of the CSU/SUNY/CUNY through the Consortium for Educational Technology for University Systems (C.E.T.U.S.). Both documents signaled the need for a general review of the intellectual property policy at Stanislaus in light of continuing development of technology, of new federal policy, and of the need to provide education concerning copyright and fair use.

After discussion at the Senate Executive Committee, there was consensus to refer the matter to the Faculty Affairs Committee and to convene, through the Committee on Committees, an ad hoc committee to review policy, propose possible changes, consult broadly, and report back to the Faculty Affairs Committee.

The general charge to the ad hoc committee was to review the current status of intellectual property rights policy on the Stanislaus campus and make recommendations to the appropriate policy-making groups on campus.

The specific tasks were to:

1. Review why Stanislaus needs or must have an IPR policy separate or in addition to any system-wide CSU policy and/or CBA.
- ±2. Review the current CSU IPR policy, including the proposed policy from the OCDL committee, in light of the CSU publication "Intellectual Property, Fair Use, and the Unbundling of Ownership Rights" (2003) and the CBA as well as other IPR resources including selected policies from other CSU campuses.
- ±3. Provide regular updates to the SEC and the campus as well as multiple ways for students, staff, faculty, and administration to provide input about IP concerns and issues.
- ±4. Recommend regarding revisions to current IPR policy and IPR education at Stanislaus.

Process: The ad hoc committee

1. followed the tasks in its charge
- ±2. met several times in the spring and fall of 2006 and held twelve forums open to students, staff, administrators, and faculty to allow for input on concerns about intellectual property rights and to explain the charge and progress of the group's work.
- ±3. developed an informative website that also provided a means for students, staff, administration, and faculty to comment and question.
- ±4. provided a progress report to the Academic Senate
- ±5. worked on proposed revisions to 6/AS/98/Ad Hoc
- ±6. provided the draft revisions to the administrative liaison, the Director of ORSP
- ±7. met with the RSCAPC at its request
- ±8. Distributed a report and a line-in/line-out version of proposed changes to the Associated Students; California Faculty Association; Faculty Affairs Committee; Graduate Council; Off-Campus, Mediated, and Distance Learning Subcommittee; Research, Scholarship, and Creative Activity Policy Committee, S. Burns, the Senate Executive Committee, and the University Educational Policies Committee

Discussion:

Thompson advised the resolution explains the year long process FAC went through. The idea originally came out at the system level. The campus already had an IPR Policy and it has been a good policy. The final part of the recommendation from the Ad Hoc Committee was we should not supersede a policy unless it assures better protection for faculty. Summary of proposed changes are listed on page 28. Lauren Gee, our campus compliance officer, reviewed the document. Thompson reported that members of the task force were: DeCaro, Potts, Myers, Thompson, and S. Burns as administrative liaison.

Taniguchi questioned if research is done with ordinary support, do we have to complete 3, 4, and 5? Thompson replied no. It's only for extraordinary support. The University would have no claim for the intellectual property you create when using ordinary support. Carroll questioned why the language concerning joint copyright was removed. Thompson replied it is explained in the footnote at the bottom of page 30. Language that is copied there comes from a document developed by a CSU task force. It has to do with unbundling of rights removing the need for sharing copyright. DeCaro added that the Ad Hoc Committee tried to make the language not so prescriptive. It only applies to extraordinary support under 3, 4, and 5. We left it where it could be negotiated between faculty and the University. The University does not have automatic claim. Mantz asked what is extraordinary support. Thompson replied e-College would be an example. The President said he would not make claim but he could say "I want you to develop an online course, I will pay you \$3,000 but that will constitute extraordinary support. In exchange for that, if there is revenue from that, we want 50% of the revenue." Extraordinary support would be money. DeCaro added there was a time some faculty would get money to develop programs online. That is an example of extraordinary support. Johnson suggested changing the form so that after item 2 say, "if ordinary support, stop and go to the signature line. If extraordinary support, please complete items 2-7." It makes it clear what you need to do and it's helpful to have a signature, no matter. Nagel asked if the form has the status of a legal document and has it gone through a legal expert? Thompson replied the campus compliance officer has reviewed it and the form is based on her input.

e. 18/AS/07/Mayer--New Catalogue Attendance Policy

It was MS Mayer/Hall

Resolved: That the attendance policy as it appears on page 74 of the 2006/2007 University Catalogue be rewritten as follows:

Current Policy:

Regularity in attending classes is assumed. The instructor sets the attendance policies. It is the student's responsibility to consult the instructor about particular policy regarding missed class sessions. The instructor is the judge of the validity of the reasons for absence and of what arrangements, if any, are to be provided for the student to make up class work.

Amended policy:

Students are expected to attend all of their scheduled University classes and to satisfy all academic objectives as outlined by the instructor. The effect of absences upon the grades is determined by the instructor, and the University reserves the right to deal at any time with individual cases of non-attendance.

Students are responsible for arranging to make up work missed because of legitimate class absence, such as illness, family emergencies, military obligation, or participation in University-approved activities. Examples of University-approved reasons for absences include participation on an athletic or scholastic team, musical and/or theatrical performances. It is the student's responsibility to give the instructor notice prior to any anticipated absence and within a reasonable amount of time after an unanticipated absence, ordinarily the next scheduled class meeting. Instructors must allow each student who is absent for a University-approved reason the opportunity to make up work missed without any reduction in the student's final course grade as a direct result of such absence.

Rationale: Many student athletes who have been penalized by professors have approached the Faculty Athletic Representative with their concerns. Students should not be penalized for participation in University-approved activities that take them out of class.

Discussion:

Mayer advised he has been the faculty representative for Athletics for the last three years. He is a liaison between faculty, the President, NCAA and the Athletic Department. One thing he wanted to do when he became the representative was to have a sense of academic integrity. He stated he has worked very hard to make that kind of thing possible. He has worked with student athletes and coaches, a fulltime academic advisor for student athletes was recently hired, and he has been working hard educating them. 5% of our student population is student athletics. They hold collectively a higher GPA than the average student. He has written this policy

that protects students when they are forced to miss classes due to a University sanctioned event. The ASI just passed a similar resolution.

Carroll stated he is generally supportive of performers of all sorts. However he wonders if there is some contradiction on the first paragraph that states “The effect of absences upon the grades is determined by the instructor...” and then the second paragraph states “Instructors must allow each student who is absent for a University-approved reason the opportunity to make up work missed without any reduction in the student’s final course grade as a direct result of such absence.” He stated he has a lot of questions that are grounded in class discussion and there is no way for a student to make that up. Mayer stated he doesn’t have an answer for that, but he has discussed with athletes the need for better communication with instructors and to be proactive. It is difficult for those students to know what the problems might be before classes starts. Carroll asked for reassurance that if a student misses class, faculty aren’t required to set down with them and discuss the lecture with them. Bull agreed you can’t make up a 58 minute discussion and faculty should not be required to do so. But, you should have to get them to do something extra that would be equivalent. O’Brien stated that all the time he’s been here he has never said no to a legitimate request but this takes it in a different direction. This proposal says I can no longer say no and that concerns me. If a student can’t make Friday classes, how does that get made up? My reading is it has to be excused. Mayer explained that generally speaking, the last twelve months plus have brought a lot of issues forward. The answer would be we’d advise the student not to register for that class. But this proposal provides a protection for the athlete that they can at least question when they are being penalized. Wendt questioned the definition of University approved activities and University approved reasons for absences. Do we have such a policy/definition and if so, how does one go about getting it sanctioned? Mayer replied there is not a policy and he’s unsure how you would go about sanctioning. Wendt stated if it is University approved activities or reason for absence, then students will attempt to get everything labeled university approved and students will make use of that policy to force faculty to give them alternative assignments.

Clarke stated it seems to not recognize the burden to the instructor in making up another assignment or exam. And the wording that says that they must be given the opportunity to make up the same work is too restrictive. Maybe say the instructor could make an equitable assignment. Thompson questioned three things, 1) Is there documentation that assures this policy comes out of students not being able to make up work? On that basis, is that anecdotal or is there documentation on their claim? 2) the first sentence of the first paragraph talks about a legitimate class absence, but those students don’t have an iron clad right to make up work, but then athletes/performers do have a guarantee to make up the work. 3) there needs to be a direct answer to O’Brien’s question. Under this policy, a student could miss 14 classes and the faculty member can’t do anything about it. It doesn’t say the student will be advised to take another class. Mayer stated most issues brought by students to him asks that he intervene with the Communication Studies Chair. Bull stated the intention of the policy is not to allow students to miss 14 classes. It is usually due to a game, not practice. DeCaro advised the problem they have in the Communication Studies Department is a number of courses are built upon one another, and you can’t miss not delivering a speech. Also what happens in the classroom when students have a performance or theory based assignment and students miss excessive amounts of classes. He stated he had a coach tell him that a student would miss 12 or so classes and wanted consideration for that student. And another example is a student athlete missed the first two weeks of class and wanted independent study. He stated he doesn’t mind individual instructors making individual decisions. But he objects to removing control from instructors and creating a privileged class of students. He stated he believes the current policy is fine the way it is written. Davis suggested saying “University sponsored.” Also, she stated her objection to the second paragraph that states “... without any reduction in the student’s final course grade as a direct result of such absence.” She stated she believes there should be a slight reduction in the grade when the work is made up. If there is no academic penalty when they miss a class, students could use athletics as an excuse. Also, she stated she doesn’t believe in a privileged class. Riedmann recognized there is a structural tension between athletics and other faculty on all campuses, but she stated she really doesn’t want her right to decide how to run her class taken away, so won’t support this resolution. Bull pointed out nothing in the policy requires that no legitimating would be required. If an athlete misses class, faculty can require them to get a note from their coach. But this policy requires you give them an opportunity.

Sarraille suggested maybe start thinking of remedies if we don’t like the policy as written. Wikoff stated in Nursing, we have clinicals and there is no way to make up the work. Multiple absences would be fatal for learning (and maybe for the patients). She suggested leaving the policy as is. Students will always try and stretch the limits. Garza stated he is normally happy with the first sentence in the second paragraph, but then the second sentence includes only examples of University-approved reasons. He suggested including examples of non University-approved reasons. Johnson advised that as written, she cannot support the amended policy. She sympathizes with student athletes but they are asking for special considerations. She suggested adding a sentence “students should communicate with their instructor prior to registration.” This is also a matter of academic freedom. She suggested also saying “instructors should make a reasonable attempt to accommodate students.” Nagel suggested saying students participating in an activity, not just attending it. Also, the concern about missing a large portion of classes could be addressed by limiting the number of absences faculty would approve. Eudey stated she is very supportive of student athletes. They represent the University and are part of our marketing. We do have an obligation to try to find ways to help them. She stated she doesn’t think we do enough

nationwide to effect the balance of being a student athlete. But, some classes are hard to accommodate. We need to do intervention prior to registration, work with the new academic advisor, work with student athletes to make sure we rotate classes so they can get a particular class eventually. But this policy is too broad. There needs to be clarification to our students why we are obligated to give special treatment to athletic/performers rather than legitimate illness in family. But this is very troublesome. There also needs to have a stipulation that athletes reveal up front their anticipated schedule.

DeCaro asked if there will be further discussion before voting. Sarraille replied yes, at the second reading which is May 8. Mantz added that as long as the last sentence is in the document, there will be unrest/upset/resentment. Bull pointed out he did call around to other students in the conference and the majority said their campus had a policy much like this and they used the term “university sanctioned activities.”

Sarraille advised there will be discussion next time on this item. Mayer asked if he should take the suggestions and rewrite the policy and Sarraille replied yes. Bowman will provide her notes to Mayer.

8. OPEN FORUM

9. ADJOURNMENT 4:47 pm

