1. Call to order 2:40

2. Approval of Agenda- Add Discussion Item, Data security breach with a time certain of 3:30. Agenda approved as amended.

3. Approval of Academic Senate Minutes of December 4, 2007-Approved as distributed.

4. ANNOUNCEMENTS

   a) Johnson announced the AS previously discussed the early college high school program (Aspire). There has been one ad hoc committee constituted. Members are: Mark Thompson as Chair, Al Petrosky, John Garcia, Shane Phillips and John Borba. The committee has met once. Thompson read the charge: “The committee will investigate a possible alliance between CSU, Stanislaus and ASPIRE Public Schools to develop an Early College High School program in Turlock. As part of this investigation, the committee will consult with faculty to identify and gather the information needed to make an informed decision (such as the proposed alliance’s effect on our relationship with local schools, the degree to which the mission and core values of ASPIRE align with our mission and values, the different modes of participation by CSU Stanislaus and their anticipated impact on our current academic programs, etc.) The committee will summarize this information in a report to the Academic Senate, accompanied by a proposal for an alliance or a recommendation that we not participate.”

   Thompson advised he sent a memo to President Shirvani asking for 3 things; 1) The committee would like to have the full written proposal about the partnership and any other supporting documentation on various kinds of consultation that has been done 2) That the President set up a forum in consultation with the Ad Hoc Committee. The Ad Hoc Committee made several suggestions about participants and speakers. 3) Ask the President and Linda Frost, a high level administrator in Aspire to meet with the Ad Hoc Committee. The Ad Hoc Committee is on a tight time line to be finished by March 31.
Johnson advised that a Presidential committee will be looking at the land use issue. Representatives from the community and faculty will be on the committee.

b) Steve Stryker gave an update on the WASC reaccreditation process. He stated we are at the point of publishing the draft report this semester. He suggested a March deadline for input. The report will be sent to WASC June or July. The first WASC group will be here in October. Then the committee will start preparing the final report. Stryker thanked members of the inquiry circles, the members of the WASC team: Scott Davis, Priscilla Peters, Armin Schulz, Ron Noble, Jeff Hatfield, and Associate Vice President Demetrulias. Scott Davis added that the draft will be released tomorrow. The link is available to download. Hard copies will be sent to governance groups on campus. They are on a tight schedule to get this done by spring. He’d like to have all feedback by March 7. He hopes to make the February 26 AS agenda for discussion.

c) Schulz reported that Instructional Institute Day is February 5. Please RSVP as soon as possible to Ximena Garcia or himself.

d) Filling advised that as Chair of UEPC, he would like to announce that Susan Marshall has been appointed GE Director.

e) O’Brien stated he sent the SWAS report out over ASNET last week. He distributed two resolutions today. The item labeled #12 regards CLA and is one of today’s agenda items. The CSU administration volunteered our system to be part of a 2 year program. Item #17 relates to the budget. The Governor’s proposal involves a cut to the CSU of about $312 million, plus $73.2 million representing a proposed 10% increase in student fees. The UC cut is about $400 million and about the same for the Community Colleges. There is more work to be done on the budget and we have to wait and see what really turns out to be the final budget. There was a take-away then something that seemed to add it back. The resolution calls for protection of academic programs and asks faculty to be part of the discussion. It also states that reductions to individual campuses should be unallocated so campuses can decide how to cut, and it recommends letting campuses decide their enrollment patterns. It also asks that the impact of any budget cuts be documented and reported both at the campus levels and systemwide. The President sent out an announcement creating a committee made up of faculty, staff, students and administrators to have fora regarding the budget. The Chancellor’s Office is thinking of raising student fees partly because they fear the Legislature will just raise them as much as required to fund all the cuts.

f) Eudey announced that as part of the celebration of Women’s History Month Dean Stefanco is bringing historian Vicki Ruiz to the campus. She will make a presentation on Tuesday March 4th at 2 pm.

g) Carl Bengston advised the new Library online catalog is to be unveiled in time for the beginning of Spring semester.

h) Provost Covino advised that the current projected budget does not provide us with 2008/09 funding for enrollment growth or other mandatory costs. He opined that it is likely the economic downturn affecting the state budget will last beyond the coming year. Given the uncertainty of the situation and the possibility we may need to make budget reallocations to mandatory costs, the shortfall could be as high as $4 million. Further, our top priority needs to be security and support of our current faculty and staff. We may not be able to fill some open positions. He is asking for a moratorium on full-time hiring until we have discussions regarding the situation we face. Ken Whitfield, the Interim Vice President of Business and Finance, will look at the possible effects on our budget. The President will give the picture to the campus. We will get more information next week from the Chancellor. He said a steering committee will be formed representing all constituencies to see how we move forward. Three faculty positions have been filled at this point. We need to go forward with replacing two Administrative Analysts in the Colleges. It will be done using this year’s dollars. The Advanced Studies position will be paid through program fees. The position in Nursing is supported by a special allocation. Other searches will have to wait. Some campus visits have already been planned and we will go ahead with some, but some candidates will have to wait longer. The worst case is that there may not be funding to complete some of the searches that were initiated this year. Covino stated he originally thought we would get an additional $4 million dollars for enrollment growth, then it looked like $2 million, but now there is a good possibility we will not get any new money. Thompson inquired about the timeline. Can we tell candidates they can expect to hear from us in four to six weeks? Covino answered that we should be able to get done with the re-thinking in about a month, so you can tell them that. But all positions are always contingent on funding. Departments will have to decide what to tell their candidates. We are not canceling searches, just putting them on hold. After we get the numbers from Business and Finance, we will know our mandatory costs and see what's left over. Then we will hold discussions with constituencies.
However, enrollment growth will not be a winning argument in this because there is a desire to bring enrollments down.

O’Brien asked Provost Covino if he could speak to the issue of the steering committee. When will they meet and what will they do? Covino replied the Speaker will recommend faculty members, there will also be staff and vice presidential representatives. Open forums will be held and there will be open sessions with the President when he talks initially and then with the steering committee. Johnson stated her understanding is the formal charge and reporting process is something that has not been determined. Sarraillie wondered if the Provost could help us understand why the UBAC is not performing these functions and a new committee is being formed to do so. Covino replied we can have UBAC meet as well, but a suggestion was made by a faculty member that there be a budget summit for this and in response to that the President thought of having a broadly based group with open forums. The UBAC overlaps this group. The steering committee will have staff labor representatives as does UBAC. There are faculty reps on both, two vice presidents and staff so there is overlap. It seems more appropriate to have membership complimenting UBAC. Sarraillie stated his understanding the intention was this new committee was to meet a lot and UBAC would meet less frequently. So, Sarraillie asked how often will UBAC meet and is there a meeting soon. Covino replied as of last week, UBAC was to meet, but he’s unsure when. The Interim Vice President of Business and Finance is working on that. But, he stated with today’s numbers, we could need $3.5 million dollars reallocated to mandatory costs to make up for money we are not getting, so we will need to take from other sources.

5. QUESTIONS ABOUT REPORTS

6. CONSENT ITEM

   a. 1/AS/08/COC—CSUS CAMPUS REPRESENTATIVE ON THE ACIP

BE IT RESOLVED: That the Academic Senate of California State University, Stanislaus recommends that Roxanne Robbin be appointed as campus representative to the Academic Council for International Programs (ACIP) effective July 2008 through July 2011.

Rationale: The Committee on Committees feels that Roxanne Robbin’s demonstrated interest in and commitment to international/intercultural programs make her an excellent choice for this position.

There were no objections. Roxanne Robbin’s name will be sent to the Chancellor’s Office.

7. FIRST READING ITEMS

   a. 2/AS/08/FAC—Temporary Faculty Range Elevation Policy (replaces 11/AS/00/FAC)

It was MS Floyd/Filling:

RESOLVED—That the Academic Senate of California State University, Stanislaus approve the attached revised CSUS Range Elevation Policy to replace 11/AS/00/FAC, and be it further

RESOLVED—That the Academic Senate recommend that this policy become effective upon approval by the President

RATIONALE—The new CFA/CSU Collective Bargaining Agreement requires a revision of this policy and this revision has been requested by the CSUS lecturers via their campus representative. The new CBA requires that local policy specify a deadline for review by administration. Meetings between lecturer faculty and administration have resulted in an agreement that 14 days is sufficient for administrative review and to provide time for a judicious and expeditious appeal process, should that be necessary. The attached amended policy simply codifies this into university policy. The attached would replace the current Range Elevation policy.

Discussion:

Floyd explains there is one change made in the policy on page 11. This came to FAC via the lecturer’s representative. The change brings the policy into compliance with the Collective Bargaining Agreement (CBA). This would replace the current policy. FAC had talks with Associate Vice President Wendt (AVPFA) and the lecturer representative. Sarraillie noted that the requirement of the CBA is that there be a deadline, not that it be 14 days. Floyd responded that FAC, the lecturer representative and Wendt had agreed on 14 days.
There being no further discussion, this is to be second reading item at the next meeting.

b. 3/AS/08/FAC—CSUS Evaluation Policy and Procedures for Temporary Faculty (replaces 15/AS/07/FAC)

It was MS Floyd/Eudey:

RESOLVED—That the Academic Senate of the California State University, Stanislaus recommend the attached amended CSU Stanislaus Temporary Lecturer Evaluation Policy to replace 15/AS/07/FAC, and be it further

RESOLVED—That the Academic Senate recommend that this policy become effective upon approval by the President

RATIONALE—The new CFA/CSU Collective Bargaining Agreement has necessitated revisions to this policy to provide for greater clarity for the process of evaluating temporary faculty members. These revisions have been requested by lecturer faculty via their campus representative.

Discussion:

Floyd advised that the new CBA necessitated this change. Amendments were requested by the lecturer representative. There was consultation between the lecturer representative, CFA, AVPFA and FAC.

There being no discussion, this is to be a second reading item at the next AS meeting.

c. 4/AS/08/SEC—Proposed Fee Increase for Graduate Business Degrees in the CSU System

It was MS Filling/Schoenly:

Resolved: That the Academic Senate of California State University, Stanislaus, strongly opposes the implementation of a professional fee for graduate degrees; and be it further

Resolved: That the Academic Senate of California State University, Stanislaus, urges the CSU Board of Trustees to seek and obtain the funding necessary to provide access to excellent academic programs to all qualified individuals desiring admission; and be it further

Resolved: That this resolution be sent to the Board of Trustees, Chancellor Charles B. Reed, the Academic Senate CSU, the California State Student Association, all CSU campus senates, local political leaders, the Modesto Bee, the Turlock Journal, and CSU Stanislaus MBA students.

Rationale: A proposal has been made for an additional graduate fee of $210 per semester unit for students pursuing a professional business degree in the California State University System. While we recognize that the State of California does not provide funding adequate to provide competitive faculty salaries and cover other costs of graduate business programs, the funding problems are not unique to business programs. Increasing fees to cover costs in specific programs does not address overall funding shortages within the system and establishes a dangerous precedent.

According to the mission statement adopted by CSU Board of Trustees, the mission of the CSU is to encourage and provide access to an excellent education to all who are prepared for and wish to participate in collegiate study.

Arguments have been presented in support of the proposal that suggest that MBA students will be able to bear additional costs more easily than students in other disciplines because many students have the costs paid by their employers. Those who pay their own costs are expected to earn sufficiently high salaries after graduation so that repayment of student loans will not be burdensome. The data presented in support of these arguments are misleading in that they reflect national averages rather than salary expectations specific to CSU graduates. Students receiving a graduate business degree in the CSU System may not have the resources to pay the increased costs nor to easily repay student loans obtained to cover these additional fees.

This proposal will not support the CSU mission because it may deny students with limited financial resources access to graduate business degree programs. The Academic Senate of CSU, Stanislaus, believes it will damage our relationship with area employers if we selectively raise student fees in those programs that are frequently employer-
paid. Such fee increases may cause businesses to reduce or terminate benefits available to their employees, an action we believe would not be in the public interest.

Increased funds are essential for continued excellence in our academic programs; such monies should not be provided by differential student fee increases.

Discussion:

Filling explained the purpose of this resolution. He stated he surveyed current MBA students and they stated they anticipate making about 50% of what the proposal had indicated. If the fee proposal passes, it could delay our MBA students from completing their degree or potential MBA students from enrolling in the program. O’Brien advised that the SWAS had a similar resolution that passed last week.

Dean Aly stated given the budget situation, it is interesting you would be closing the door on this option. Students pay much more than this already for similar degrees. He asked that the AS at least give us some options. At least modify the resolution to give us some leeway and allow us to set the fee to a lower level for example. He stated he feels this is just a grandstand. The timing is terrible. He stated the MBA students were surveyed (we have 100) and so far 20 students responded. Of the 20, 11 said no, but 8 said yes, they wouldn’t mind paying the fee. He asked how responsible is it to expect the state to support the MBA program at a higher level.

Eudey stated her opposition to the fee. She added she would be happier with a resolved clause that says systemwide increases should not happen in any programs, but she would still vote for this resolution as is. She stated her belief that the state needs to make a commitment. We should not nickel and dime our students. We should not burden the students because education of students in our state is everyone’s responsibility. We should not be told we must do this. Sarraille stated he is sympathetic that some programs feel they need this kind of help. But if we charge individual fees, we could quickly slip into a situation like the way cell phone plans work: complex arrays of confusing pricing structures.

There being no further discussion, this is to be a second reading item at the next meeting. Johnson asked how many would prefer to come back with language that Eudey suggested. Straw vote: 18 with Eudey changes and 7 leave as is. Resolution will be amended. Filling suggested a title change to add “Statement on” to the heading. Consensus to come back with a change of the title.

8. DISCUSSION ITEM

a. Collegiate Learning Assessment/Voluntary System of Accountability (CLA/VSA)

Johnson stated the system has committed to participating on a trial basis in the Voluntary System of Accountability Program (VSA). Part of that requires each campus administer the Collegiate Learning Assessment (CLA) each year. The results are to be recorded on our web page. Information has been sent out regarding this. Eudey suggested testing the transfer students, in addition to fall freshmen and spring seniors. It would be good to capture our sophomores and juniors. There is a difference in first time freshmen and first time transfers. Vice Provost Demetrulias replied that some CSU campuses are administering to transfer students and we were asked but didn’t feel we had the resources. Tuedio advised that he is the Chair of the Assessment of Student Learning Subcommittee and he assumes ASL will discuss evaluation of transfer students. He noted that it is being proposed to measure the ‘value added’ by a CSU education, that it is clear we get much of our students as transfers from the community colleges, and that only a small proportion of our seniors are coming out of the set of freshman admits. Peterson said we could use the current test to see if seniors and freshmen are statistically different. Poole stated she looked at the web site and the summary data that already exists was worthwhile but the CLA portion resembles the kind of assessment going on in k12, which is mandated for political reasons. Also, seniors are taking the test at the end of their senior year. What bearing does it have for them to do it? Will it tell us enough? Sarraille stated his concern this was just plunked down and someone said: you are doing this. He asked if anyone present had seen a single question that is on the test. What do you know about the test? We are the faculty at this university. What is the excuse for us to accept assessment of our students that we have not considered in any way? We passed principles of assessment and say we are proud of them. One of the principles is that faculty are in charge of creating assessment instruments. We need to think about the future, the role of faculty in this institution.

Peterson agreed that Sarraille made a very good point and given the Vice Provost’s earlier comment, how much will CLA cost? Demetrulias stated administration of the test is $6,300, for freshmen and seniors and there are incentives to encourage students to participate so that adds some costs, and there is unknown administrator and staff time
involved. But there was consultation and opportunities for discussion. It was not done in isolation. Speaker Johnson then pointed out that all campuses were required to participate. She asked what would happen after the two-year pilot period. Will campuses provide input, and is it possible that the CSU will mandate this CLA? What has the Chancellor's Office committed to already? The Vice Provost replied that she is not involved at that level. Covino said he was not aware of any further commitment. Johnson then suggested it would be appropriate for faculty to decide whether they want us to participate and let the Chancellor's Office and others know. The pilot ends in 2009.

Defer to next meeting for further discussion.

b. Data Security Breach (Carl Whitman, Kristin Olsen, Steve Jaureguy and Clyta Polhemas)

Johnson advised that SEC requested someone talk to us about the data security breach that was recently exposed. Carl Whitman, Kristin Olsen, Steve Jaureguy and Clyta Polhemas were asked to attend this meeting to explain the issue. Jaureguy explained the data breach came to the attention of Public Safety at the end of November. A financial institution notified Public Safety of fraudulent charges on a card used often at Sodexho. There were other reports of such fraud. The High Tech Task Force and other agencies got involved and the investigation is ongoing. In the week of January 7 there was a narrowing down. The consistent theme was card information captured on the server in the vendor office so Public Safety alerted them and has been working with them to isolate and secure information, continuing the investigation in case there are other problems. There is a lag due to Sodexho talking to its office in Maryland. California law requires notification, so once we have adequate knowledge of the private information that was compromised, we have to notify people. Public Safety worked with Sodexho to get the information out. We announced the breach on Friday, January 11. Authorities are allowed to delay notification while there is an ongoing criminal investigation. Once the server and point-of-sale terminals were identified as the sole sources of the breach, it was decided that the announcement could be made.

S. Davis asked how many people were victimized and Jaureguy replied a significant number over the past six months. Peterson asked what are people advised to do about the problem and how are students notified? Jaureguy replied they should look at their statements for any fraudulent charges and then tell Public Safety and their bank if they see any. Notification of students consisted of email, and notification in the housing area. Further, we are looking at making individual notifications. Dempsey asked what pattern of charges we should look for and Jaureguy replied it varied from charges off campus, across the country, and out of the country for varying amounts. Mayer suggested putting a flyer up in the dining area to alert students. Jaureguy agreed.

O’Brien asked if the University or Sodexho have a legal obligation to make those students whole if they suffered losses. Jaureguy replied they both have a legal obligation to notify but he stated he doesn’t know if they have a legal obligation to make them whole. Olson said the university is checking with legal counsel. We think everything needs to be done to make it whole. Sarraile asked if Sodexho has made a statement what they intend to do in that regard, and is there a point of contact in Sodexho to whom we can refer victims. Polhemas replied since Sodexho is involved in the investigation, they are not making a response now, but if someone thinks they are a victim, they should contact her. Sodexho has closed down their system and have upgraded. She asked them to not take credit cards until they are VISA compliant. That is the highest standard. Also quarterly audits are now required.

Associate Vice President Whitman stated this incidence highlights the need to secure our network. We installed a new firewall on our network last fall. It does some logging that was helpful during the current investigation. Further, in a memo that will go out today, he stated he is asking people to inform OIT if they have devices that OIT doesn’t know about - devices that are not in regular and frequent use. He said we have failed audits for lack of security measures. Sarraile replied that strictures put on campus on the academic side should not be undertaken without appropriate consultation. Any unnecessary heavy-handed approach would not be welcome. Please keep in mind just because this happened is not an excuse to get heavy-handed and centralize everything. Whitman agreed, but asserted that the measures and procedural requirements he was currently outlining are fundamental to securing resources. We are not interested in preventing access, we need to enable. It is not about what you can’t do. Sarraile gave an example: if he set up a web server, would he have to go through OIT? Whitman replied yes. Sarraile stated then that is heavy-handed. Whitman stated you aren’t being told you can’t do it. Sarraile replied that he teaches in the Computer Science Department and feels it could hamper his students' project work. He stated he would like to discuss further with him at a later date. Sarraile then asked Jaureguy to give his opinion on whether the security breach had appeared to be an inside job. Jaureguy indicated that no special insider information or access was needed to exploit the vulnerability.

Young asked what kind of level of security is the system in the bookstore. Is it similar? Whitman replied the bookstore is a different case in some respects. We are in discussion with them now. They operate under a different
type of system and it is less vulnerable. They also do not use our network resources, and they are a totally independent operation. Bratten questioned when is OIT planning on implementing the call to register “devices” on the network and Whitman replied a letter will come by Tuesday. Eudey stated part of the continuing frustration is notifying students because they don’t check email accounts regularly. We need to find ways to get accurate information to students quickly.

Schulz voiced concern about the amount of SPAM he has received lately. Whitman replied that on a daily basis we receive 800,000 emails and we identify 95% as spam. We update SPAM filter parameters every 20 minutes and we fail to filter some. We could delete the (perceived) SPAM before people get it. Emails are tagged with a label that estimates the probability it is SPAM. You can program your email software to delete it or put it in special separate mailbox.

9. OPEN FORUM

10. ADJOURNMENT 4:33