Academic Senate
December 8, 2009


Proxies: R. Giannini for Dunham-Filson

Guests: Nikki Boudreau, Andrew Brown, Ryan Bundy, Vice Provost Diana Demetrulias, Brian Duggan, Clay Everett, Marina Gerson, Mark Grobner, Alejandra Juarez, Melina Juarez, Ronald Kammeyer, Barbara Olave, Dean Daryl Moore, Dean Gary Novak, J. Potter, Grizelle Rios, Dean Thomas Sandman, John Sarraile, Dean Carolyn Stefanco, Mark Thompson, and Carl Whitman.

Isabel Pierce, Recording Secretary

Next Academic Senate Meeting:
Tuesday, January 26, 2009
2:30-4:30 pm., JSRFDC Reference Room

Minutes submitted by:

1. Call to order
   2:39 PM

2. Approval of Agenda
   Added to agenda under discussion items:
   c. A day without the CSU
   d. Draft Academic Calendar for 2010-11
   e. Administrative Searches

3. Approval of Academic Senate Minutes of November 24, 2009
   Silverman will send corrections to his comments on the November 24th minutes to I. Pierce.

4. Announcements
   Filling announced that the new chair of the Board of Trustees, Herb Carter, will be on campus on Thursday and perhaps Friday. He will be speaking with a variety of people including Filling. Filling is not sure who else will be talking with him.

5. Committee Reports
   Schoenly noted that FAC will hold a special meeting tomorrow to address concerns that were raised recently regarding administrative searches.

   Littlewood noted that UEPC has distributed a draft calendar for the 2010/11 academic year. He will hold other comments for the discussion item later in the meeting.

6. Discussion Items:
   a. Student-Faculty Actions
   Filling recognized Alejandra Juarez noting that there are several students present today and Alejandra will
share a few words. Juarez spoke on behalf of some students. She noted that there are many who are aware of the regional meeting that took place on Saturday and she thanked those that attended. The purpose was to try to get the central valley campuses to coordinate for the March 4th Strike/Day of Action. Aside from this, they want to build networks in the central valley to coordinate support at the student level. They want to continue building stronger ties with the faculty. On that note, there are a lot of students who are proposing to form a general assembly on campus. They want to schedule it for sometime in January 2010. They want to get campus clubs and students who aren’t in clubs to form part of the general assembly as well as faculty. They’re outreaching to unions and workers and want all to participate to discuss not only the effects of the budget cuts on students and faculty but also what we can do about it.

Nikki Boudreau shared that there is another action planned for tomorrow. A walkout and rally that will take place at 11am and faculty and staff are welcome to participate. You are welcome to attend and/or bring your class out. We want everyone to keep this in their minds when they depart for the holiday break. Don’t lose sight of what’s going on with the budget. Students, faculty and staff are welcomed to share stories about how they are being impacted personally at tomorrow’s walkout/rally. Students are concerned about the quality of their education and how the administration has dealt with this budget crisis. This is an opportunity to work together to share our stories. Students may also do a march to Geer Rd. and Monte Vista Avenue to show the community that we’re in a bad situation. If you want to volunteer in some way we’d appreciate that as we want to coordinate with the faculty. Please come and encourage students to attend.

Regalado saw on YouTube some of the protest and congratulated the students for this patriotic act. He noted there being a question in the Modesto Bee regarding who is a student. He advised the students that they were not obliged to respond to the Bee’s questions on this matter as they had a right to free assembly. Regalado noted that Kirstin Olsen’s recommendation to write to your state assemblymen is probably a good idea but that they should continue to exercise their constitutional rights of free assembly in support of academic integrity.

Marcell asked if we could get contact information for the student’s leaders. Filling will share this information on ASnet once he obtains the student’s permission.

b. Non-Tenure Track Faculty Inclusion on Committees
Schoenly noted that this speaks to an ongoing process amongst our governance bodies this year. We were asked at the end of last year to rethink our committee structures and find some way to include the non-tenure track faculty in those structures. To date FAC has looked at this and has decided to add a Unit 3 full or part time lecturer or coach and it is going forward to SEC. He believes that other committees are being asked to consider the same addition.

Giannini asked which committees this relates to. Schoenly said that the Faculty Affairs Committee has proposed this and the Faculty Development Committee has also sent this request forward. Giannini noted that this body should also keep in mind that the staff body also requests inclusion on some of the committees on which there is not representation. Eudey noted that FDC voted on this last spring and it’s with the SEC.

Nagel asked about the procedure to add a lecturer to a committee. This would require an amendment to the faculty constitution. Nagel suggested that the faculty constitution as it is currently written illegitimately divides up faculty into general faculty and associate faculty. The collective bargaining unit doesn’t do that as they define all as faculty. Other campuses have made this change and he wonders if FAC can look at this as well. Schoenly agreed that FAC can review this.
Jasek-Rysdahl said that the committees have been asked to look at this process and how viable it is to add a non-tenure track to this process. Hopefully, we’ll be able to review all of this at once with one vote in spring rather than have separate voting processes for each committee. Some of this may not come up again until April 2010.

Dean Novak said the last time membership was looked at was during the reorganization of the college of ALS to give broader representation of the colleges. He asked how this will relate to representation across the colleges. Has that been brought up?

Schoenly said the wording that FAC suggested would not have a lecturer to come from one particular college. They just indicated a Unit 3 faculty member so there could possibly be more representation from one college. Filling said a lot of committees chose not to say one from each college and just required some diversity. FAC will be busy reviewing this.

c. A Day Without the CSU
Filling said the origins of the Day Without the CSU came from the SWAS which in November passed a resolution on this. They asked the Chancellor to recommend to those campuses who chose to designate furlough days, and faculty on other campuses, to consider having a general day of furlough on March 2nd to be advertised as a day without the CSU. It might make more of an impact on helping others to understand our difficulties than those acting separately, but a coalition of the CSU, UC, and Community Colleges designated March 4th as a day to speak about higher education in general. We’re being asked to solicit thoughts on what to do on our campus. Do we talk about March 4th as a furlough day or go with SWAS with the March 2nd date or do something different?

Alejandra Juarez recommended that we go with March 4th because it has been endorsed by major unions at most of the major campuses. Joining the rest of the campuses in the CSU will give us a greater voice to get attention of those making decisions at the state level.

S. Davis appreciates the student’s comments, but he’s got an issue with the date specifically as it’s the second of a three-day visit by WASC to this campus. WASC will be here March 3-5. One main concern is that if we devote a day to this that it may be beneficial for the team to hear the messages about the state of the climate on campus, but they might not get the full picture of the local conditions at our campus in terms of educational effectiveness.

Strahm asked if we can change the WASC date. Heredia said CSSA did work with some of the coalitions and tried to work out a March 24th date. It doesn’t matter as long as it’s getting done.

Alejandra Juarez suggests two days of action. March 2nd and 4th. The March 4th is called the March 4th Strike/Day of Action, recognizing that smaller campuses are not as organized to pull off a strike which is why it’s a day of action. We can’t pull off a strike, but maybe we can have an occupation of a building or a rally.

Sarraille thinks since WASC is here March 4th it might be good not to have furloughs on that day, but to engage in actions and not to call for everyone to take a furlough day on March 4th. He’s not sure how March 2nd would tie in. Perhaps consider group furloughs on March 2nd which is the date SWAS called for and is in the same week as the WASC visits. There are possibilities there. WASC can be here and other things can happen -- pluralism isn’t a problem. Some of our issues are local but others are statewide. It might be best to express many of our concerns in Sacramento. Perhaps we could have a send-off event for a delegation going to Sacramento to express our thoughts to the governor and legislator. We can wish them bon voyage and have a local demonstration at the same time.
Strahm noted the SWAS day without the CSU and asked if someone could explain the idea some more? Filling read a statement from SWAS Chair Tarjan.

Greetings colleagues. I have been following the discussion about the proposed “Day Without the CSU” over the past couple of days. To add some perspective, I have reproduced the Fiscal & Governmental Affairs committee chair’s (Buckley Barrett from CSUSB) summary of the bill below. I have also cc’ed him and will gladly forward any comments if he cares to weigh in on the following comments. JT

1) ASCSU considered calling for action on March 4th to potentially coincide with the actions of other segments. I believe this option was defeated for the following reasons.
   a. It will be very difficult to coordinate such an action across our system and much more difficult to coordinate across segments.
   b. Having two such actions in one week may greatly increase the coverage and impact of similar actions.
   c. Publicizing our CSU event(s) may be easier/have more impact if we hold our own stand-alone event(s).
2) The impact of this action will be magnified if campuses are shut down in addition to cancelling classes. The visuals would be much better for print and broadcast media as well. For this reason, presidents are encouraged to adjust furlough days to support this action.
3) While this action may involve inconvenience, economic hardship to communities, and hard work, it may be one of the most effective ways to communicate the impact of the defunding of the CSU to the public.

AS-2914-09/FGA (First Reading/Waiver)
Approved: 6 November 2009

Calling on the CSU to Designate March 2, 2010 as “A Day Without the CSU”
In order to provide California citizens with a specific and dramatic example of the severe impacts of recent budget cuts on higher education and the 400,000 plus CSU students, this item strongly encourages CSU campus presidents and faculty to attempt to designate or re-designate a furlough day on 2 March 2010. FGA members and other senators discussed 4 March as an alternate date because of the possibility of joining then with UC and community college supporters; nevertheless, we ultimately stayed with 2 March due to uncertainties about exact plans for the other two segments. At the January 2010 ASCSU plenary, FGA will report out to the entire Senate on the status of what has transpired with coordinated furlough closures at all 23 CSU campuses.

Alejandra Juarez said the proposal to have a general assembly could perhaps include discussion of how to address the day of action/day without the CSU.

d. Draft Academic Calendar for 2010-11
Filling noted that copies of the draft academic calendar were distributed at the meeting. Littlewood said UEPC has been through a number of calendar iterations and this is the third version and the one at the moment we think works the best. It was sent to the campus yesterday and we’re looking for suggestions. The next UEPC meeting is scheduled for Thursday, December 17 so we would like ideas before then. We have some restrictions that have to be addressed so refer to the rationale for the calendar.

The number of work days must be 170-180 days and at least one has to be in June. The policy calls for 145-149 instructional days. We’ve tried to create a calendar that contains equal numbers of each day of the week. There is an Executive Order from the Chancellor’s office that doesn’t allow spring to start before January 16. The earliest start date for the spring semester is January 18th, but the suggested date is January 27th. If we start on the 18th, there will not be enough time for those who wish to make use of the intersession. It would only leave 10 days for the intersession if we start spring on January 18th. With the
suggested start date there would be two advising days (25th & 26th) and classes would begin on January 27th.

Fall seems like it’s reasonably set as there is not a great deal of flexibility. In Spring there’s more flexibility. Note that Tuesday, October 12th is listed as meeting on a Thursday schedule to allow an equal numbers of days. Thursday would meet one week short if we didn’t make a shift for a Tuesday. Spring break is tentatively scheduled for March 21-25th. This is not the same week the high schools will be on break. Good Friday in 2011 falls on the 22nd of April and the high schools are closed the week after. If we did the same it would leave only 2.5 weeks before finals. This will occur again 3 years from now. Finally, we scheduled commencements for Thursday, May 26th and Friday, May 27th. This causes problems for some students and their parents, but if we scheduled it for a Saturday it would interfere with the Memorial Day weekend which would cause more problems. We’re open to suggestions. Please send your modifications to Ian Littlewood and Randi Esau.

Filling noted that the spring semester can’t start until January 16th but intersession can start at any time.

Andrew Brown wondered why we have Cesar Chavez day off but hold classes on President’s Day. President’s Day honors all presidents. Littlewood said Cesar Chavez Day is a mandated state holiday. Demetrulias added that another element to the calendar design is that we cannot move Cesar Chavez day or Veteran’s day because of state law.

Petrosky asked if we could permanently set spring break as a permanent part of spring semester instead of tying it to a religious holiday. Littlewood said it’s not tied to a religious holiday. It’s the high schools who tie it to a holiday. It’s set so faculty with children in school can be home with them. They take Good Friday off which we do not.

Marcell asked if there is a final decision if we’re going to a 50 minute class periods starting or ending on the hour. Littlewood said the plan seems to be starting on the hour for 50 minutes. Andrew Brown asked why the federal holiday doesn’t need to be honored. S. Davis said we take days off in the end of December for Lincoln’s and Washington’s birthday. We choose to take it then so we can shut the campus down between Christmas and New Years.

Marcell followed up on the time issue. Does the three hour class move to 2.5 hours? Littlewood said we’ve had the same question from others. The suggestion in science labs was to continue to meet for 3 hours per class but meet for fewer weeks to get the correct number of semester hours. Changing the lab schedule from 2.5 hours per class to a nominal 3 hours per class doesn’t impact the 3 hour schedule modules. Marcell noted that the evening classes are not the same. Littlewood said they would welcome input.

Bender noted that a 10 minute break each hour would have it go a different length of time.

Strahm asked why we can’t keep the classes the same hours they are now. Littlewood said that if we keep them at 58 minutes we don’t have the right number of instructional days. Strahm asked why giving more instruction is a bad thing. Littlewood noted that we have another side issue in that in order to get the number of courses into fall and spring; we have more demands on the physical space.

Sarraille said if we have shorter classes and longer semesters there can be one more time slot each day, which could accommodate some of the classes formerly taught in winter term.

Regalado thinks that the whole notion of adopting a new academic calendar year in the time frame presented to us is absurd and undermines the quality of education we are supposed to display. Given the
questions everyone is asking on this topic, there are so many logistical problems and we have to restructure all of our courses. Starting earlier than we normally do, shorter time to overhaul classes in addition to winter term. Our pay will end at the end of June unless they think we want to work for free in July and August to change classes. Filling said this is what we’ll be doing in another month and a half. Filling noted that if you have suggestions to please send them to UEPC members or Ian Littlewood as they will be struggling to wrap things up next Thursday.

e. Administrative Searches
Filling inquired if there were comments, position statements or information bits that senators would care to share.

Garcia noted that in the minutes of November 24th Filling had raised an issue related to confidentiality on searches. Garcia clarified that the concern had nothing to do with UBAC, but came within his college and the search within the college for a dean. A member of the committee seemed quite hesitant to speak about the search process and reiterated there were issues of confidentiality about which the committee had been briefed. The question was to put out information about confidentiality that govern the search process. Filling apologized for conveying this information inaccurately. Garcia noted that the overall content addressed the concerns.

R. Floyd says this does not have to do with search compositions, but noted the dean of CBA candidates are coming to campus this week. She also heard via Schoenly’s correspondence with the Provost’s search that finalists are being identified. She asked if anyone knew if these positions are being hired soon as it was her impression that we have an interim provost and a dean thru July 1, 2010.

Filling had no information. Dean Novak said members in his college got an email indicating that there are interviews set for two candidates for dean of CHHS who were named and files were made available for them. One for December 15 and the second for January 10th. R. Floyd wondered if hires are imminent.

McGhee asked what were the implications of the CBA Dean’s search because as of last Thursday they were told that some of the candidates they’re considering are not finalists and they’re just checking them out. Some of the conversation is strange because as we’re checking out these candidates more resumes are coming in and we may consider others as well. It’s difficult to find out when we’re supposed to meet with these candidates as to have an idea before bringing anyone in. The process is cloaked in confusion and disarray from what little information he has seen in the CBA Dean’s search.

Peterson heard that the CHHS had made a suggestion, in light of the budgetary concerns, that the dean’s position not be filled immediately because of the cuts to the college and perhaps it be overseen by one of the other deans. Most thought that made some sense as current deans might take on more duties since we’re not part of the growth mode that was part of the rationale for more deans, but from Novak’s comments it seems this might not be true. Could there be clarification about whether this suggestion was made? Novak said there was a college-wide meeting and it was discussed and a series of scenarios were suggested. At this point nothing has been acted upon and the status is unclear.

Schoenly added that he was quite surprised to learn from the CBA Dean’s search that instead of resumes being sent out by email, that paper copies were being made available in the Dean’s office. The justification given was “due to the length of the resumes,” several copies will be available in the Dean’s office. How can you say the length of the resumes requires paper copies instead of emailing to faculty? Schoenly is concerned about possible overlap of new hires and interims. Are we spending more money having two people in the same job or not? Colnic was concerned about the potential for overlap and wondered about hiring and starting dates.
Sarraille added that if there are concerns about the cost of resumes we could save money by posting one copy of the resume on a webpage and sending a link. If there is concern about confidentiality, one can put a password on a web site.

Regalado is curious about the possible overlap in positions. We’re talking about two six-figure contracts for a single job. He’s especially concerned about budgetary implication and the loss of classes. Can anyone answer that question?

Filling reported on the VP of Business & Finance position. When Ken Whitfield left in October the university paid him through the end of the year while paying Suzanne Green. The same thing happened when Giambelluca came in May and we paid Suzanne Green to some point. We have some indication that the university pays thru the end of contracts. Jasek-Rysdahl was on a committee and was told that there was a one-month overlap but it didn’t happen.

Andrew Brown offered a recommendation. He knows a local candidate, a professor at CSU Stanislaus, who had experience as a dean, Dr. Nael Aly. He thinks he should be considered.

R. Floyd asked SEC to write a letter to the President asking about hiring dates on these positions.

S. Davis was curious about the status of the Provost search. He asked if we could get a spokespeerson here.

Eudey continues to be concerned about searches that seem to not be following processes. She’s disheartened that formal and informal policies and procedures are being undermined, and that the President has chosen not to respond to or act upon the recommendations made by this body regarding searches. She asked why we’re not drawing upon the skills of our own faculty. She’s confused as to why we don’t have phone interviews before bringing candidates to campus. The use of Skyping, phone calls, teleconferencing, etc. could save thousands of dollars and lots of time. When she hears of these things she wants to wash her hands of it as it’s not defensible. These cost savings alone could enable several classes to be offered.

Sarraille says that if you add up all of the money that we have spent on hires that are considered questionable; it adds up to pretty much what all those classes we canceled in the fall would have cost to keep. We canceled 119 classes; and the money we could have saved is somewhere around 500K which is what it would have cost to run those classes. That’s the level of savings we’re considering here.

Strahm is thinking that the CSU system is in the news for what she is deeming Travelgate. Maybe in the letter suggested by R. Floyd, she suggests SEC note Travelgate and that we are coming under the gaze of the media because of things like this. For example, $150K spent on partying in Thailand. To Strahm, this is a variation on that theme, a local variation. R. Floyd is in favor of much more pointed, concise questions. Strahm agreed.

Nagel wonders if some of the rancor could be obviated by changing the name from search committees to search parties.

Garcia says it will sound a little off target, but will bring it back. The campus community just completed a process called “detailed planning” where each division would look at a 15% cut. In CHSS, one idea was to not fill the dean’s position as a way of saving money. Unfortunately, that detailed planning is not being examined in UBAC. UBAC has been told whatever plans were developed would not be seen in the committee and would have to wait for an official budget call in January. While we’re waiting for the official budget call, we could now be looking at ways to save us money such as the dean’s position.
Regalado said all of these questions have legitimate concerns. He requested that the speaker pose a question to our interim provost who is the closest to be able to answer questions. Does the provost consider the nature of our questions to be way off base? Filling is struggling with the syntax about asking someone about the search for their own position. Lujan noted that’s why he’s being quiet. Filling asked if Lujan had information on the searches. Lujan says not particularly since he plays a minor role in them.

Petratos asked if searches can be discontinued. If not, why is all of this being done in such a rush?

Lujan can’t speak to why there’s a rush. There are openings and processes to try to follow, and the chair is spokesperson for the committees. Names get made public at a particular stage when they come to campus and resumes are made available. Typically if it’s an interim position there might be some overlap but this is largely dictated by the new person. If we get a replacement for Dean Novak in the next month the person will not come the next day. Appointing an interim to keep things moving till a permanent dean is hired is common sense.

Dean Moore said with regard to dean searches; typically in the announcement there is a start date and typically it’s July 1st. Having an interim is to be expected.

O’Brien asked why UBAC isn’t looking at budget plans. What is their role? Is it to analyze and make a judgment or simply to sit and think about it and do nothing?

Garcia noted that they were told that the rationale for UBAC not looking at this planning has to do with confidentiality issues.

Sarraille said that if the Provost is not a major player in the hiring of academic officers, who are the major players to whom we should be asking our questions? The Provost is a co-chair of UBAC with VP Giambelluca, so they are the ones who have determined that UBAC will not discuss ideas such as a proposal to not immediately hire a replacement for Dean Novak. The Executive Committee of the College of Natural Sciences sent a message to the chairs of UBAC, asking to meet with UBAC to discuss some of concerns of CNS. At the time, Sarraille was a member of both UBAC and the CNS Executive Committee. CNS received a communication from the UBAC chairs refusing to meet with the CNS committee, but as a member of UBAC Sarraille was never notified that that request had been made.

McGhee said some of the words Lujan used talking about how the committees are working with the chair leading negates the situation that the chair is a non-voting member. In CBA the chair of the committee gave information about questions, responses, etc., and the communication came from the chair not the committee itself. Therefore, the percentages of faculty on the committee need to be met. How are we going to have legitimate interactions if we’re violating rules on the proper make-up of committees?

Eudey checked the university website and shared that on the posted position announcements the starting dates for the CHHS & CBA Dean’s searches state the position is to begin “as soon as possible after the formal offer.” No starting date is listed for the Provost position.

Schoenly followed up on the make-up of committees. There was an email sent to President Shirvani requesting a response, and in Schoenly’s mind he did not respond. The policy says there must be 50% faculty representation on these committees. There’s a question he didn’t raise but should have; does this also apply to internal and external searches which might involve perhaps appointing someone. The president is still required to consult with governance bodies when making direct appointments. This was not done with three surprise appointments. We’re seeing a wide range of deviations from past practice.
O'Brien would like to take one minute of furlough time now so he's not speaking as an officially paid state employee. He's outraged as a taxpayer to have 30% of salary deducted monthly with the lack of accountability at this state supported institution.

7. Open Forum
O'Brien has been talking to R. Floyd in Counseling about a chancellor's initiative called Troops to College. The chancellor is actively recruiting former soldiers to join the CSU. In discussion with R. Floyd, he has considered how will these impact campuses regarding PTSD and other issues that soldiers are dealing with. At SWAS, we're trying to get a resolution passed to urge the chancellor to get funding from the Department of Defense to defer costs of counselors within the CSU. O'Brien would like to talk to some veterans about this. He tried to talk to a veteran in one of his classes but it was too sensitive a topic to talk about. Please give O'Brien names of veterans you think might be willing to talk to him about this. He would like input before writing the resolution.

Strahm wants to thank O'Brien for this as she has former military members in her classes and she sees that they have difficulties. If you ask them what they want to do, eventually it comes out that some of these students may be afraid they will hurt somebody. We will see more people in this group with more traumatic brain injuries. There’s always emotional trauma, but they’re having the whole package happen to them because of the type of military action taking place. She hopes that SWAS will support this because we’re going to get a great influx as they come back and there aren’t jobs to be found. We need to also be trained on not just to send them off, but how to deal with them in our one-on-one interactions with them.

Colnic echoes the value of this program. He has three veterans from recent wars with various levels of PTSD. Veteran’s Affairs has been, rather than the Department of Defense, the most helpful in giving services as a funding source. The more new soldiers and former soldiers in our classes will demand specialization.

Garcia says we have some wonderful things happening on this campus. A Master of Social Work student has written a book called Exit Wounds on this subject. The Veteran’s Affairs office is championing his cause.

Regalado reiterated with respect to internal administrators, how exceptional the jobs were. How much money we should save if we continued that practice so we wouldn’t have two six-figure contracts paying for the same position. He thinks the practice of hiring only outsiders for administrative posts, along with the lack of transparency in the process, is an outrage. His hope is that the administration will take this into consideration when making hiring decisions.

Filling pointed out that we covered some pretty important discussions today. Although we didn’t have action items we made people aware of what goes on in our campus community, and we raised questions that needed to be asked.

8. Adjournment
3:56 PM