

<p>Academic Senate May 9, 2017</p> <p>Present: Alvim, Azevedo, Bettencourt, Bice, Carroll, Chan, Crayton, C. Davis, Demers, Dyer, Eudey, Filling, Garone, Geer, Gerson, Gonzalez, Greer, Guichard, Hight, Huang, Nagel, McNally, Nainby, Odeh, Petratos, Petrosky, Renning, Sarraille, Sims, Stessman, Strahm, Strangfeld, M. Thomas, Thompson, Wagner, Webster, Wellman, Williams, Wood, Wooley, and Zhang.</p> <p>Excused: Advanced Studies, Bernard, Broadwater, Garcia, Strickland</p> <p>Proxies: Gunn for Espinoza</p> <p>Guests: Cory Cardoza, Marcy Chvasta, Scott Davis, Jason Myers, David Evans, Oddmund Myhre, Julie Johnson, Joyce Bell, Shawna Young, Amanda Theis, Ron Rodriguez, and David Lindsay.</p> <p>Isabel Pierce, Recording Secretary</p>	<p>Second Reading Items: 8/AS/17/SEC Adoption of Electronic Working Personnel Action Files, Passed. 9/AS/17/FAC Lecturer Range Elevation Policy Correction, Passed. 10/AS/17/UEPC, Campus Implementation of SB 412: The California Promise, Passed.</p> <p>First Reading Items Moved to Second Readings: 11/AS/17/SEC Amendment of 4/AS/15/SEC Policy: Assigned Time for Exceptional Service to Students, Passed. 12/AS/17/SEC Sense of the Senate Resolution Support for the San Bernardino Academic Senate. Passed.</p> <p>Next Academic Senate Meeting: August 29, 2017 2:00-4:00pm, JSRFDC Reference Room 118</p> <p>Minutes submitted by: Betsy Eudey, Clerk</p>
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1. Call to order

Sims tam-tamed the meeting to order at 2:05pm

2. Approval of Agenda

Approved. Sims notes first info item (9a) will be an announcement.

3. Approval of Agenda Approval of Academic Senate Minutes of April 18, 2017 (distributed electronically)

Eudey noted Wagner sent slight editorial changes that will be reflected in the final minutes.

4. Introductions

Cory Cardoza, Marcy Chvasta, Scott Davis, Jason Myers, David Evans, Oddmund Myhre, Julie Johnson, Joyce Bell, Shawna Young, Amanda Theis, Ron Rodriguez, and David Lindsay.

5. Announcements

Carroll notes a History Dept. presentation by Stacey Farenthold on Syrian immigrants abroad in 1920. Farenthold is a lecturer of Social Science at Fresno State University. The event is scheduled for Friday May 12th, at 3:30pm in Bizzini 122.

Filling noted CFA lunch tomorrow 11-1 in S Dining to discuss bargaining and a successor contract. He encouraged all faculty to attend. Lunch will be provided.

S Davis noted the culinary alliance is hosting the faculty barbeque on May 13. Tickets are \$15.

Rodriguez reminded all that Link+ ends May 26. CSU Plus begins July 1.

Chan shared that the Music Dept. has a last week and a half of concerts, please come out. There is a choral concert tonight, including songs in Arabic. There is a composition recital on the 16th, and they'll be using 20th Century techniques of music. The orchestra concert is on the 18th. Sims said that he will be conducting Thursday for wind ensemble. The concert includes newer electronic instruments and includes a laptop as an instrument.

Sims noted that the Spring General Faculty meeting is from 2-4 on Thursday. C Davis will get the turkey leg. You will hear reports from the standing committee chairs about the work addressed this past year, some remarks from the president and provost and the incoming and outgoing speakers. Please review the year end reports if you can't attend the meeting.

Sims indicated that there will be a presentation of the Shared Governance Statement. Junn had the joint statement on shared governance made into displays. We are the second or third CSU campus to have such a statement. We are leading other campuses in the system in not just making the statement but because of what the statement says that speaks highly of the culture we have developed here, especially over the past few years. This will be a beautiful presentation of the statement. We will have these framed, posting one in the Senate office and the other in the President's office to remind us of our best intentions and aspirations for when things are great and not so great.

Junn said we are the third campus with such a document. Sacramento State and Chico have these. She wanted to say how pleased and grateful she is that we have a campus that will work hand in glove, consultatively. ASI is also interested in talking about their role working with the campus in this manner. This is a great thing, and she cut her teeth working in the AS when she got tenure at her first campus. This is something that she is very glad to get involved in. She's never lost that feeling of being part of the faculty and feels like this is full circle to solidify that. We will get these framed.

Sims thanked the committees and those who helped to craft the statement. Many hands were involved. This is a terrific statement and frame of reference.

6. Committee Reports/Questions (FAC, FBAC, GC, SWAS, UEPC, other)

FAC - C Davis has sent a short survey with one question addressing the issue of security cameras on campus. FAC has gathered information, talked to the chief of police, and is now trying to get more info. to better understand community and faculty concerns regarding cameras in buildings. If you have issues to raise, respond to the survey. The information from the survey will start the FAC off in the fall regarding next steps. All other information regarding FAC is in the year-end report.

Sims congratulates the Senate over the amendments to the constitution for being ratified. Thanks to FAC and C Davis for carrying the ball across the goal line. This was the result of good work and process.

FBAC – Wooley – Come to the Spring General Faculty meeting on Thursday for three minutes of awesomeness.

GC – Garone – They met last Thursday. GC has advanced a resolution for reinstatement of a graduate dean, which is on the AS agenda as item 10. Regarding co-authorship of theses and dissertations, a GC subcommittee prepared a resolution for sharing with SEC to allow co-authorship only for dissertations, and discussion of suitability for master's programs will continue in fall. They wrapped up revisions to graduate student disqualification for administrative, not academic, reasons, including the role of the deans and the composition of the Student Appeals Committee. They submitted catalog language changes. They also discussed the possibility of graduate programs having a choice of representatives in the GC, rather than the graduate director automatically serving on the GC. This discussion will continue in the fall.

ASCSU – Strahm notes they go to Long Beach next week for the meeting. They will be talking about the IP policy.

UEPC – Thomas noted that UEPC approved modifications to the course proposal coversheet, which is included in the packet. There is now a new program revision form, so if your program is dying to revise the major and wanted less unfriendly paperwork, now is the chance. This is a new form to enjoy. They spent time discussing new GE SEEs – Structured Exploratory Emphases - and how to get that alive on campus.

7. Second Reading Items:

a. 8/AS/17/SEC Adoption of Electronic Working Personnel Action Files

Sims noted changes were made following recommendations made to SEC. All ideas were incorporated. Editorialization was softened so as not to appear to be a *fait accompli*, and they incorporated OIT in the resolved clause to make sure they're in the loop as primary consultants.

Carroll asks what the first resolved clause means. Sims notes the Senate is a catalyst to help start the process. There is a process to it, and it is open and consultative. It is not just chatting with folks to see how people feel, but that it will be considered on agendas in a formal manner. It will be on the record.

Sarraille asks why the verb is “is” rather than “be.” Sims says it was probably 2am when writing this and it has something to do with verb choice. Not sure if it's consequential in terms of content. Just a grammatical error.

Garone said for further clarification on that resolved clause, the specific meaning of the word “option.” As worded, it appears that the candidates under the review would have the option to submit an online or hard copy, or it could mean the whole idea is an option. He noted the language doesn't specify which of the two is intended, the language is not clear.

Sims said it is not specific yet because it is not policy. Nothing is being prescribed. Does the wording undermine the meaning of the clause? Garone says if either interpretation is okay, it would be fine to leave it as is.

Results of the vote, 31 yes 5 no 5 abstentions. The resolution passed.

b. 9/AS/17/FAC Lecturer Range Elevation Policy Correction

C Davis said that FAC did not receive requests for change, so this is similar to last time. There should have been a page break to have the policy start on a new page. The resolution is separate from the policy. Normally this is demonstrated with a page break, but it didn't print out this way.

Eudey is thankful for this process. Eudey thinks it is great how quickly people got together to take care of this and appreciates how smart and collegial the solution and the process were. She's happy we're going to take care of this. Even if only a dozen or so are impacted next year that is fantastic.

Wood asked for clarification about the mention of "notification" in the last sentence on page two. Can faculty apply even if not notified? If enough time passes to miss the deadline, can they get an extension?

Nagel said that is the intention. Is it possible to work that into the document? Not without a 2/3 vote to waive the rules.

C Davis said we can trust it's done well in the first year in this interim, and then fix the small problems in the permanent policy. Faculty Affairs will ensure no one is missed and will send multiple notifications.

Myers is already working on calculating eligibility for the program. This is not easy to do. The way the MOU was crafted does not make it straightforward to get data. They're already working on it. They will try to make sure they are able to notify all eligible lecturers. This doesn't mean there is no possibility of a mistake but they're working hard on it.

Sims noted that Myers' office drew attention to this problem in the first place. Attention to detail is fairly consistent and close.

Woods asked if in a remote chance someone is missed, what will happen? Sims says the sentence allows a way to use formal action to be able to apply if someone was not notified. The sentence is enough to promote the office of Faculty Affairs to say "our mistake" and fix this. We would want to be more specific in a non-temporary policy.

Carroll asked if it is possible to have trust in this process without adding in a formal guarantee in the resolution? Will the AVP do all they can that those who are victims of mistakes will be taken care of? Myers said they will try not to victimize anyone, but if his office missed someone, they will do everything they can to try to remedy that problem.

Nagel noted this document is enacting provisions already in the CBA and issues addressed in the CBA as well. This is to put in the policy what is already in the CBA, and no one can be excluded due to failure of notification. In addition to the Office of Faculty Affairs notifying lecturers and indicating who is eligible, CFA has created a calculator so that lecturers can figure it out for themselves. The calculator lets you enter in when you were employed in the last 12 years, and how much you were employed, to determine your own eligibility. Nagel will send this information to lecturers 2-3 times.

Results of the vote, 36 Yes 0 no 4 abstained. Resolution carries.

c. 10/AS/17/UEPC Campus Implementation of SB 412: The California Promise

Thomas noted there were no changes to the policy itself. The only addition was a sentence in the rationale, second from the bottom. Concerns had been raised about the unfunded nature of this work, so they added a statement that it is an unfunded mandate and there is a wish to monitor the success of students in and not in California Promise, and on the faculty and staff work related to this. She hopes that makes clear that the campus is aware of the costs this policy will incur and will keep an eye on them. It's all we can promise to do at the moment.

Nainby is pretty sure we discussed this before, but he can't recall if we discussed who deems a major similar. Who is responsible for this?

Thomas said it is by the existing mechanism for transfers from Community Colleges. They've already greased the path, and there need be no changes to the calculus.

Eudey noted that in our policy language we opted for wiggle room with regard to similar majors. Eudey noted that the ADT claims that upon transfer you can complete a similar major within 60 units. If a student completes an ADT and selects a major that is not named as "similar," we'd have the opportunity to include someone in the program, but we are not legally mandated to do so if it's not feasible to complete the degree in 60 units at Stanislaus. As written there are some ways to work it out if it benefits the student and university. Nainby was happy to know that wiggle room can occur.

Wood asks who will monitor faculty and staff workload? Sims said other than normal processes? Wood is curious as to if this is the dept. chairs, deans, or administration?

Thomas didn't specific exactly. UEPC put a request to FBAC to look at this issue, but they're not their boss, but they could they consider adding consideration of the costs of this mandate to their agenda next year. UEPC did request that as FBAC has more knowledge of financial matters than UEPC does.

Sims says this would generally be monitored through normal structures for teaching assignments and such. If the dept. is not able to assign someone to be a CP advisor, if they can't find a way to

provide the work, that's something a chair would pass onto a dean. There are no new resources to do this. He wouldn't want a separate structure to monitor workload other than normal means.

Tuedio says that he is not sure where the friction is, but it feels like it's in the unclear element of workload creep if there is any. The question may be what kind of workload will be involved in the CP advisor's relations with students that isn't already part of the growing expectation we have about advising that would include workload consideration. This is a collective decision.

Sims will add this topic to the SEC transition agenda. UEPC will need to communicate this to chairs/departments for implementation so they know what they're doing. This topic will likely carry forward to the first August agenda as well.

Carroll is glad the workload sentence was added. He wonders if as an unfunded mandate, it might also incorporate unknown costs. Other kinds of costs as well and things FBAC might keep an eye on. Sims said almost assuredly. Sims noted that people are looking steps ahead, these are all things to look at in the future. There are problems with articulation agreements, and pressures on those. There are lots of unanswered questions. The sense is this is probably the best we can do right now given the timeline and legal requirement that this must be in place for fall. Is this limited enough to allow us to explore things as we implement?

Nagel points out the statement is not in a resolved clause, so we are not saying what people have to do, it's part of the rationale.

Sarraille asks if we need to work out a four-year plan for the students. Sims believes that we are only at the 2 year transfers. Eudey noted that the requirement is that the student develop an academic plan and then get advising from an advisor related to this plan. The requirement is to develop a 2-year plan, and adjust it over time through consultation with an advisor.

Strahm noted that we are asking a lot for students to navigate the plan. Sims noted that's what the advisor is intended to support. Strahm noted that they already do that in Sociology, others do it already. Granted this is anecdotal, she found a good number students require her to assist them in developing those plans. You can hand out all the stuff you want, all the literature they'll need, but they do not know how to sift through that without sitting down and getting assistance every semester.

Greer said it's in the pledge for students to develop the plan, and in the spirit of it does talk to what you're speaking about. The student will meet with an assigned advisor to develop a plan, and they meet once a semester to make sure it's going on. Strahm said something stated that it's the responsibility of the student. C Davis noted this is assisting, not doing it.

Eudey indicated Sarraille's question was if we need to work out a 4 yr. plan and the response is that it's a collaborative process. We are not doing this for the students, and they are not doing it alone. Eudey said that if we approve this, it does indicate that depts. provide advising and will require training and support on how to use Stan Planner and a variety of things need to be in

place. This program begins in fall so departments will likely need to discuss this in spring. Decisions need to be made to provide advising. We have no idea how many will choose to participate and in what majors. There are lots of unknowns but someone will have to help them do their academic plan and help them progress to graduation. There is no reason not to start having those conversations now and think about workload impacts and how this fits in the dept. Students don't know that this was thrown at us at the last minute and we need to make it as seamless as possible for the students.

Sarraille asked if there are other descriptions of duties? The policy doesn't really say that in the first semester he has to sit down with the student, or that the student has to in any way have to figure out what to do for the next two years. Here's a basket with courses for the next two years, let's work out next semester now, and think about the remaining later. We will cross most of that bridge next time we meet. That's how they do it in his department. He doesn't like the idea for each course for two years. We don't know what will be offered every semester, there is some side-stepping to do. To actually put in practice, it may sound like a good idea in theory to work out in advance, but in practice his experience is that you waste a lot of effort trying to do that.

Nainby likes that we can take advantage of processes in place. He likes the way we target the collaborative nature of advising and meet to enter plan in Stan Planner. As dept. chair, he was told by his dean and others that careful use of Stan Planner will be required when developing schedules. He takes it for granted that is likely to be true. If using this process, CP students will have incentive to use the planner to plan out coursework and this provides useful data to him. He sees implementation as helping him in regard to scheduling, not hindering.

Thompson said there are different ways used in depts. For now, if you are worried that vagueness is worrisome, trying to specify in policy how we will advise with more specificity would be more worrisome to him.

Petrosky said dept. chairs should within the next 10 calendar days, find folks to volunteer, and if asked how or how many people, we have to say I don't know. This seems too ambiguous to support.

Wood asked if this is in addition to intrusive advising or a replacement? Sims said it is in addition to regular advising and is a manifestation of intrusive advising. They meet with a CP advisor, which is a different role than a major advisor.

Eudey noted that intrusive advising was designed for students on the cusp of graduation and we are trying to push them to that goal. This was special advisement for students within a certain number of units of 120 to help them to complete graduation application, enroll in needed courses, etc. What this policy addresses is advising particular to CA Promise students as they transfer here from community colleges and aim to finish in four semesters. The CA Promise requires they finish in 2 years and this advising helps them do that.

Wood asked what if a dept. won't agree to be a CP advisor. Can they be forced to do this? This is extra work and what if nobody volunteers? Do dept. chairs order someone to be an advisor?

Tuedio said this is speculation. He feels a dept. needs to figure out how much workload is part of CP advising to serve majors in the program who come on board. This won't be known till early fall, and we need to be ready for that to happen. This may mean that there is a redistribution of other advising loads in the dept. The Chair may allocate this. There is nothing very specialized except to be conscientious and proactive. Second point, once demand analysis is done to the CP advising picture, what will happen is all students will need to put things into the Stan planner, upload preferences, and if our advisors aren't paying attention, demand analysis will tell us to put some things in, and not others. Smaller programs especially get impacted. We will all have to get savvy about this the minute demand analysis is brought into the picture and drives the way we build schedules. We need to be upfront helping students make choices that are favorable to the delivery of our programs.

Sims said there are lots of affiliated effects that we haven't seen, that haven't been dealt with. If courses are in four-semester rotations as cost-savings, according to CP we can't do that anymore because if courses are not offered in needed rotations for graduation that could be a problem. This will effect rotations. It's a mandate with effects we haven't worked out. This could have implications we haven't dealt with.

Greer said these are our students. We will advise them, like we do all our students. This asks us to think in a different way. We are talking about them like they're somebody extra. If someone refuses to advise, we'll find a way because we have to advise our students. The campus has worked to get the roadmaps built in, and we're relying on those maps because a CP student needs to look at two years. They're our students and we need to advise them.

Junn asked about summer advising discussions. Students do sometimes need summer advising. It's possible if there is a 12-month chair, but most are not. When she worked as provost she worked for a funding formula for the number of hours that chairs might work for advising and for other summer chair work, like hiring. More importantly to be around a set of hours. She developed a contract so your chair could contract out for others to do the advising. She noted this was something Myers and your Senate can work on addressing. Smaller campuses have more need to figure out how to do this.

Strahm is curious, knows this won't matter to people who made these kinds of decisions, but we should take a look at the graduation rates we had for transfer and native students when we were fully funded and were able to provide all of the courses that our students needed vs since we've been cut. This would be good info. to send up. In some ways, this feels a little classist and racist in the sense that we are going to be looking to see what are the classes that fill the most, and those are the ones we care about for these people who come to the CSU compared to those at private colleges and people with high SAT that go to good schools with resources. Little brown and working class people in the CSU System get put into the sausage machine and we grind you through there, you go in your prescribed curriculum instead of putting back the funding for the CSU and putting us where we were before. It would be interesting to look at what our rates were like when we were funded.

Junn said this data is on the CSU graduation rate website. Graduation rates were much lower before the funding crisis. Since Chancellor White came on, when GRI started under Reed. We can see every single change over time. Our graduation rates are up, but funding is going down. When the CO put in the graduation rate goals, every campus paid attention, presidents are evaluated on goals. It is hard to tell the story to the public when less money is increasing rates. It's not true for more money, they're graduating faster. We could say we can do many things to help our students. We're ahead of un-impacted campuses. We're leaders in that regard, and we need to figure out how to intentionally do this. We need to look at siloed programs, and what works for which students. When she got here, we opened more sections of courses, but the Academic Affairs is not getting enough money. We will find the money so we can help students graduate. She will take the heat from the CO if we go over our target. If we are making progress, they are not fining us anymore. This is why we have a VP for enrollment management. These are issues that the GREAT committee is trying to disentangle.

Petratos encouraged us to vote.

Sims encouraged us to try not to refer to 2 and 4 years as "on time," don't normalize such mandates and expectations. This is normalization of a legislative position that we have neither agreed nor disagreed with formally.

Results of the vote, 29 Yes 7 no 5 abstained. Resolution recommended.

Sims noted there is lots of information for committees to consider as we move forward.

8. First Reading Items

a. 11/AS/17/SEC Amendment of 4/AS/15/SEC Policy: Assigned Time for Exceptional Service to Students (*please anticipate a request to waive rules and move to a second reading during this meeting*)

SEC noted a desire to move to a second reading. We were given direction to make available funding under the exceptional service to students' awards, which we've had since 2014-15, and reached the intended end this year. The CBA extended this for another year, so now have more WTUs available to fund and our local policy doesn't fit the timeline.

Myers says there is no stipulation regarding the number of faculty to whom the time must be assigned, just to distribute a specific number of WTU's - 13.8. LAC has the right to distribute the units.

Sims notes the policy is in the packet, and includes a small change in language that would allow LAC to send out a request for applications, and LAC will establish a fall timeline for use of funds in spring 2018. This is language change to a time-limited policy.

Pierce says if it gets approved, LAC will send a tentative call early next week to notify faculty before they leave campus in anticipation of a quick fall turnaround. LAC noted that the recipients

will need to use the WTU's in spring 2018, and we need to allow sufficient time to plan the course schedule, with a quick turnaround. There will be a tentative call sent out by the Academic Senate office before Junn signs the policy.

Given no discussion, Eudey moved to waive the rules and move this to a second reading. Strahm seconded. There was no objection to voting on the waiver of the rules.

Results of the vote on the waiver:
33 Yes 4 No 4 Abstained.

Moved to a second reading.

Petrosky said under 4.2.1.2 it says that a current CV is limited to two pages. Do we need that limitation in an electronic world? Sims will send that inquiry to LAC.

Results of the vote on the resolution:
32 Yes 1 No 7 Abstained. Resolution passes.

9. Information Items

a. Signing of Joint Statement on Shared Governance
Addressed via announcements

b. EO 1108 – Campus implementation (Policy on System-wide Smoke and Tobacco Free Environment) Julie Johnson, AVP of HR
Sims noted the policy on a tobacco-free environment is in effect, commencing by September 2017. We invited AVP Johnson to give a summary. Sims asked about the mandate and policy, and information about the task force and implementation.

Johnson said there is a head of the task force for implementing the policy, Ms. Kellie Marshall. This is new and clearly a compliance program directive, and includes work with health educators for programming as there is an educational component to this. System wide they have been holding virtual and in-person meetings to help roll out this policy. They are working as a team with participation from faculty, health educators, and staff, about how to implement.

Johnson noted the focus is about education. Through our health benefits program, they will try to advertise the smoke cessation programs we have and will emphasize programs for students. For the compliance component, how we'll do that with the campus community is something system wide will help us develop. They are not intending to be punitive.

Johnson noted there is supposed to be elimination of tobacco products on campus including vapor pens. Smokeless tobacco is also banned on campus and on any campus property. Current policy is that smoking has to be 20 feet from a building, but now this expands to all campus properties and residence hall spaces.

Strahm is curious about what deviant behavior this could lead to. Johnson said there are people who have tobacco sensitivities. Some parts of campus are fragrance free, so this may help those who have sensitivities to smoke. On many campuses the students have led initiatives to be smoke-free, so in part this is in response to students that want to have this. It's not meant to be punitive or focus on deviance but on educating and having a place to emphasize the health of our campus community.

Strahm doesn't smoke, so she has no problem with this, but there are smokers on this campus, and she is concerned about what kind of deviant behavior can be created on campus by those who aren't otherwise deviant. They will be forced off campus. Tobacco is an addiction. If addicted, what we are doing is removing the opportunity to step out and smoke, but this is not going to stop people if they're addicted. Johnson has someone in her area who smokes. That's why we are waiting for system wide direction. She is sensitive to that, as she has family members who were smokers. There is no judgement here and we don't want to create a place where people will feel that way. We need to work sensitively to not create that atmosphere.

C Davis said that currently there are places to throw away cigarette butts, so will those receptacles go away or will they stay? What happens to these? The answer is unknown at this time.

Carroll asked what is the rationale for excluding chewing tobacco? Why is that a health threat to anyone else? Sims says Johnson didn't write the EO, so she can't answer it. If it is a health focus, why include vaporization if it less deleterious to your health?

10. Discussion Items

a. Strategic Plan first draft feedback

Sims said that they're actively seeking feedback through the open forums. Neisha Rhodes regularly shares the feedback with the Strategic Planning Council. Eudey asked if there is a deadline? The end of June at the latest and they will continue to work over the summer. They had two open forums last week and received more written feedback.

Greer says the sooner the better on feedback. They will accept feedback at any time, but are trying to incorporate feedback received, and the sooner it's received the easier it is for the committee to add it into the document. They will extend themselves past the end of the semester. She appreciates the feedback in forums and online. From the beginning, this was designed to be grassroots based on feedback. They welcome all comments in any format. USPC members are soliciting feedback.

Sims says when he read the five headline goals, they got terrific questions on these. He's heartened by the substantial feedback that each of the goals seems to be far-reaching and not siloed. The tendency is to silo by divisions in strategic planning, and silos are reflected and reinforced in the goals. It is easy to set goals around constituents, faculty, students, and facilities. What they wanted to try to do was create a strategic plan that in its content echoed processes, grassroots, and bottom-up. They have tried to discover, and not write, the goals. They looked at

feedback and starting in January had hours of meetings and conversations about the information gathered in order to see themes. They tried to write goals where every unit, division, dept., and individual can find a place of ownership in each of the five goals. Collaboration across units was written in intentionally. Each goal is everyone's responsibility. Everyone can be engaged in each goal. We would like to hear from you all, as you're all bright and incisive readers, to see how well we are hitting that mark. If we do this, we will get a strategic plan that fits for everyone. People can see how they connect to it at the local level.

Eudey noted that as written there are ideas and examples of actions/projects that might fit under each objective, and there seems to be little bit of tension between the desire to give in-exhaustive examples and the claim that funding priorities should be tied to issues addressed in the strategic plan. There is a sense that items that are named might be more deserving of attention even as the lists are not intended to reflect all possible actions. How are we working to be inclusive and broad, but not exhaustive, when people are concerned that funding is tied to what is named?

Sims noted that there are three tiers – goals, objectives, and potential strategies. Those are stems, starts. Part of the feedback in colleges, depts., programs, is to see how you might meet that. But we want to avoid any level of cataloguing in those strategies. The third level is ongoing – we can't list all possible strategies since this is an 8-year plan. The sense now is that this is still a draft, leave them open ended and they get filled out in implementation, rather than any version that catalogues. We don't want it to be perspective, only descriptive. How might my units help meet the objective? This will make it a different kind of strategic plan document. Lots of times out of security they are prescriptive. As one that has worked under one, he did not feel ownership. If it's descriptive, it demands that we help complete it, it will elicit participation in new ways.

Sims notes feedback can be provided on the website or you can also call him. Tibrewal, Ferriz, Tan, Sims, and Colnic are faculty members now on the committee.

b. Draft CSU Intellectual Property Policy and Recommendations feedback and concerns
Sims noted that Thompson sent really thorough feedback on this item via email and it's included in the packets. If you read the draft policy from the CO, it is a fairly problematic policy.

Thompson apologizes for being late, as he was downloading instructional materials off the university website! This draft policy is a massive take-away from faculty, and diminishes our status as professionals and makes us into any other work-for-hire. We lose the right to deny use of materials. When he first came here, a professor on campus had died, and he offered lots of TV courses and had tapes in his office of him doing instruction. The University wanted those, and didn't get them. Think of those tapes, if the CSU assumed unlimited worldwide copyright, they could use them and make derivatives against his will. There are strong ethical issues and moral components to this that looks like very bad manners and the taking of a lot of rights.

Sims thinks that going forward as teaching practice evolves, there are some challenges in instructional delivery in higher education that we have not devised the good solutions to yet,

hybrid courses, leveraging tools for new kinds of courses. If you're not in a field where you think you create intellectual property, you're likely wrong. SJSU addressed this policy quickly because of IP and patent work, but if you're a professor that figures out course delivery that allows for effective pedagogy for large enrollments, that has tremendous monetary value to university systems. Based on this policy, what you devise pedagogically or in your dept., you don't always get to keep them.

Filling said that this is a subject for bargaining. General Counsel says this will go to the bargaining table. It is unclear what will occur from there. Before they refused to talk about it. They wanted to particulate the faculty.

Petrosky wanted names and contact information of the IP team.

Nainby said that this was discussed in FAC briefly. What is curious is that it's not chronologically specific, like an eternal set of rights past and future. How enforceable is it? How to claim copyright after something is created? By this policy it seems a university could do that. Related, personally as a union member, he's frustrated that this is a collective bargaining issue. The idea is that on some level my union is at discussion with the University and my rights are up for discussion. He is not sure how that's up for discussion for any other part of his work engagement that shouldn't be up for bargaining.

Sims says a couple things are needed by next week in order to send a response, we need bullet points on this. Do we redefine extraordinary support in problematic ways? If you get 3 WTU's to do research, we could lose some rights to work done – for example writing a book.

Nagel asked for some legal opinions from AAUP's counsel, and was sent some confidential stuff that he can't share. He gathered that their legal opinion is that case law suggests the way the draft policy delineates copyright and licensing arrangements are not likely to be upheld by courts. Best practices are not in the current draft. For instance, on the point of assigned time as extraordinary support, there is case law that involved faculty suing a university on the basis that 3 units for research could not be regarded as extraordinary support if it is part of routine faculty work. Faculty won. We should send as feedback that CSU should start over again, consult with people who understand copyright law and IP as a concept or have heard of it or live in a world in which it exists. Start from scratch.

Strahm asked if folks read the San Jose State University statement. She strongly suggests that we take a look at that. Personally, she'd like it to guide the responses we send. In terms of economics, this policy they have created will go a long way to reduce qualified tenured or lecturer faculty willing to work for the CSU because they could be elsewhere where they are treated with respect and dignity and not have stuff stolen from them.

Chan agrees with Nagel. Consider people who manage artists, writers, publishers. Sometimes they are hired as faculty because of a prolific professional career, so this crosses over who owns the work.

Thompson noted if Stanislaus or the CSU didn't grant right of portability we couldn't take some materials with you.

Wooley said this isn't for starting a new company, but into fundamental things faculty do such as lectures, teaching, writing. Maybe something exciting is developed, but fundamentally effects every faculty member. This gets to the core of what all of us do here, not an imaginative thing every day.

Eudey noted the important parts between Thompson's and the SJSU statement. We know that all new hires get assigned time and that it is conceivable that it could be considered extraordinary, and that shouldn't happen but will likely have to go to court. San Jose State recommends that we get some direction from the CO and let each campus have their own local policy. She supports this recommendation.

Nagel noted one area of AUUP opinion. A policy that makes a blanket seizure of rights would not be sustainable. A mechanism that is more specific about ownership is necessary. This imposition on every faculty member would likely fail.

c. Draft resolution for the Reinstitution of a Graduate Dean

Garone says the resolution is broken into several parts. The resolved sections are self-explanatory. The rationale first talks about recent events 2005-present that GC has taken to try to get a dean back, and the second paragraph offers a longer history. The key paragraphs are on the second page. First it explains in detail, point by point, what GC thinks a graduate dean can and should do in roles that are now decentralized. In the last paragraph it makes a social justice argument for a Graduate Dean to provide graduate education for underrepresented minorities. He encourages all to read through the list to get a sense of why we feel a need to once again have a graduate dean. GC reached out to Junn in the fall and sent a memo about why we need to have this conversation. President Junn graciously met with GC and Provost Greer has also met with GC on this.

Sims said that feedback can be sent to Andrew Dorsey next year as incoming chair of GC. Sims says that this has been an item of on-going conversation. The administration has been receptive, but the question is how, materially, we can make this happen.

11. Open Forum

Filling mentioned an editorial about CSUSB. He asked for extended time for 10 minutes to discuss this issue. Approved.

Filling requested a sense of this senate resolution from the floor to support colleagues at CSUSB and within the system. He asked to waive the senate rules to make it a second reading, speaking to colleagues' deliberations at CSUSB.

The issue as reflected in a San Bernardino paper on May 9th is that the former chair of BOT and community member authored a guest commentary that is frightening. The article was distributed and can be found at this link and below:

<http://www.sbsun.com/opinion/20170508/academic-senates-need-more-transparency-guest-commentary>

We urge passage of [Assembly Bill 847](#), authored by Assemblyman Raul Bocanegra, D-San Fernando, that would require academic senates at campuses of California State University and California Community Colleges to publish the names of their members and their demographic makeup on a public website, as most other publicly funded entities are required to do. The bill would request the same of the independent University of California campuses.

For too long some academic senates and their executive committees, who are vested with great authority, have been able to hide in the shadows — using authority and intimidation to impose their will, creating a campus climate where innovation and best practices are actively pushed aside in favor of the status quo, protecting power and influence for the few.

In our opinion perhaps the worst example of this behavior is the current Academic Senate Executive Committee at our alma mater, Cal State San Bernardino.

Six years ago, we served on the presidential search committee, along with two current CSUSB Academic Senate Executive Committee members, that chose President Tomas Morales. They made it clear then that President Morales was not “their” candidate and have used the shadowy world of the Academic senate to work against him before he ever came to campus and ever since. What is even more troubling being the Academic Senate “candidate” for campus president at the time was the former CSUSB provost, who also now serves on the Academic Senate Executive Committee.

The recent [call for a vote of no confidence](#) in President Morales is nothing more than tilting at windmills. Don Quixote himself would hang his head in shame.

It is our opinion the CSUSB Academic Senate Executive Committee has waged an open war on civility and innovation on campus. Any effort to increase faculty accountability, enhance student success or to modernize and improve campus operations is met with relentless opposition. Faculty who speak in favor of counter ideas are quietly pulled aside and told their tenure or promotion is at risk if they don't fall in line, and yes, the Academic Senate does largely control the promotion and tenure of their own. Even worse, student government leaders, who serve on the Academic Senate, report they are routinely bullied and harassed at Academic Senate meetings. Is this the example we want for the next generation of leaders?

Such examples demonstrate why passage of AB847 is needed. Freedom of thought and expression without intimidation should be the hallmark of higher education, but until academic senates are open and transparent, this is a mark we will continue to miss.

Academic senates play a vital function and when run honorably and openly are beacons for student progress and success. They need to be focused on student success and academic exceptionalism. Without accountability and openness, the academic senate can become nothing more than a self-promoting private club, focused on maintaining a status quo that protects themselves and their special interests, and rejects any effort to improve higher education.

Transparency, diversity and accountability are what California's college students and taxpayers deserve. Passage of AB847 is a step in the right direction.

Paul Granillo and Lou Monville are graduates of Cal State San Bernardino, class of 1991 and 1994, respectively. They served on the university's presidential search committee six years ago, when Tomas Morales was hired as university president.

Filling also shared a letter of response from ASCSU Chair Miller.

May 9, 2017

To My Senate Colleagues at CSU San Bernardino:

As Chair of the Academic Senate of the California State University, I wish to express my sorrow regarding the aspersions cast on you specifically, and academic senates generally, by Paul Granillo and Lou Monville, alumni of your fine institution.

Mr. Granillo, as a community member, might be forgiven his lack of knowledge about the ways a senate functions in the institutional enterprise; Mr. Monville, however, should know better: as former Chair of the CSU Board of Trustees, he should have a firm grasp on the notion of “shared governance,” as instantiated in law (the Higher Education Employer-Employee Relations Act) and in the joint agreement expressed by the Association of Governing Boards and the American Association of University Professors in the “Statement on Government of Colleges and Universities.” Indeed, the CSU Board itself issued a report on “Governance, Collegiality and Responsibility” which clearly states, “collegial governance allows the academic community to work together to find the best answers to issues facing the university.”

Sadly, there was nothing at all collegial in the vitriol jointly penned by Granillo and Monville in the *San Bernardino Sun*, under the thinly veiled guise of support for a piece of legislation that has nothing whatsoever to do with the sweeping indictments they level against senates generally, and yours in particular. The editorial contained a shocking series of ad hominem attacks lacking any evidentiary support. Indeed, the tone and substance of their litany of unsupported claims has the same force of effect as the very bullying they decry. It’s not just ironic, it’s disturbing.

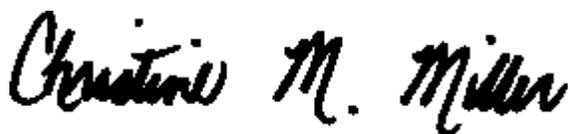
Please note that I take no position on the gut-wrenching decision that you face on your campus regarding confidence in the leadership of your president. I’m certain there are well-reasoned arguments on both sides of the question you are considering. I do take a position, however, on matters relating to how senates and faculty representatives function in the shared governance process. To that end, I believe it is essential to point out that the “two current CSUSB Academic Senate Executive Committee members,” as well as the “former CSUSB provost, who also now serves on the Academic Senate Executive Committee,” while not mentioned in the editorial by name, are clearly identifiable by the virtue of the transparent processes that Granillo and Monville allege are absent. Once again, it’s not just ironic, it’s disturbing.

Most critically, it’s important to acknowledge that the three individuals “outed” by Granillo and Monville never publicly breached the confidentiality of the presidential search process,

which constrained (until now) everyone on the search committee--including the editorialists. I find it unconscionable that Granillo and Monville, who agreed to the same terms and conditions of confidentiality as everyone else, now find it politically expedient to disregard those strictures and violate the confidentiality of an executive personnel process. It's doubly egregious coming from the former Board Chair, since it is the Board's own policy which establishes the process as confidential! This transcends irony, and isn't simply disturbing. It's shameful.

It's regrettable that your deliberations are now clouded by the defamatory claims in this editorial. Nonetheless, deliberate you must. Publicly. Rationally. Transparently. I wish you the best in your deliberations, today and in the future.

Best regards,

A handwritten signature in black ink that reads "Christine M. Miller". The signature is written in a cursive, flowing style.

Dr. Christine M. Miller

Chair, Academic Senate of the California State University

Fillings noted that CSU San Bernardino faculty have been deeply unhappy with their president for the last 6 years, this week they're having a discussion of a vote of no confidence. The former BOT chair seeks to influence that debate. It is important for us to support our colleagues and ASCSU Chair Miller.

Filling is proposing the following resolution.

Sense of the Senate Resolution

12/AS/17 Support for the San Bernardino Academic Senate

Resolved: That the Academic Senate of CSU Stanislaus express its disappointment in the content of the Guest Commentary authored by Mr. Paul Granillo and former Chair of the CSU Board of Trustees Lou Monville which was published 8 May 2017 in the San Bernardino Sun, and be it further

Resolved: That the Academic Senate of CSU Stanislaus shares the sentiments ASCSU Chair Miller expresses in her letter to the San Bernardino Academic Senate and commends Chair Miller for her immediate and direct response, and be it further

Filling noted that CSUSB faculty desperately need to hear from their colleagues.

This was moved as a first reading as a Sense of the Senate resolution. Sims read the rules about SOS resolutions. Filling says we are expressing agreement with the sentiments of Miller. We are not expressing an opinion on the VONC, but are speaking to the statement against the CSUSB Academic Senate.

Strahm reminds all that eight years ago we ourselves were in a situation where we had devastating, toxic leadership on this campus and it impacted many deeply. We ourselves went through the VONC process and she can't imagine being faced by a former chair of the BOT writing an Op Ed in a newspaper saying that we were a cabal of secretive special interests.

Sims says to imagine that this was our campus.

Thompson said it was due to the BOT failure that Shirvani stayed here as long as he did. Sims says that's why it is so disturbing.

Petrosky moved to waive rules to move to a second reading. Vote was taken by acclamation, and no objections were offered.

Wooley noted that we are not giving a thoughtful consideration. This is a quick statement and there may be more nuance than we know. Sims noted the timeliness of the message is intentional to keep senates silent.

Eudey encouraged Sims and Filling to identify the distribution list, as it is not written on our resolution and she'd like to empower Filling and Sims to identify the distribution list.

Nagel said in addition to the CSUSB senate and senate chairs, this should be communicated to the San Bernardino Sun.

An additional resolved was added indicating:

Resolved: That the Academic Senate of CSU Stanislaus direct Speaker Sims to communicate our support for our colleagues at CSU San Bernardino to their Senate Chair, and to distribute this resolution to the San Bernardino Sun and the CSU Senate Chairs list.

Results of the vote, 25 yes 2 no 3 abstained. The resolution passed.

12. **Adjournment**
4:10pm