



## Academic Senate

### **21/AS/18/SEC OPPOSITION TO THE “TENETS OF SYSTEM-LEVEL SHARED GOVERNANCE IN THE CALIFORNIA STATE UNIVERSITY” (Sense of the Senate)**

RESOLVED: That the CSU Stanislaus Senate urge the Academic Senate of the California State University (ASCSU) to reject the California State University Shared Tenets of System-Level Governance in the CSU (Tenets) document\* unless they are modified; and be it further,

RESOLVED: That the CSU Stanislaus Senate call for Chancellor White to reaffirm CSU administration’s commitment to uphold the key provisions regarding shared governance in the Higher Education Employer-Employee Relations Act of the State of California (HEERA) and commonly accepted practices endorsed by the American Association of University Professors (AAUP); and be it further,

RESOLVED: That the CSU Stanislaus Senate urge the Chancellor’s Office to remain steadfast in the practice of ensuring curricular decisions remain under the purview of faculty, rather than outside groups or consultants; and be it further,

RESOLVED: That the CO provide CSU faculty governance bodies with critical analysis of future curriculum policy proposals as part of the development of those proposals through shared governance. Such analysis should include peer-reviewed research, findings specific to the efficacy of proposed changes, grey literature,† and arguments delineating the anticipated and possible positive and negative results and/or impacts of suggested changes; and be it further,

RESOLVED: That such analysis is presented to the ASCSU and the academic senates of the twenty-three universities with adequate time‡ for the faculty and campus administrations to meaningfully evaluate the expected impact on their university’s programs, departments and student outcomes, and respond to the CO; and be it further,

RESOLVED: That the CSU Stanislaus Senate express its deep and continuing appreciation for the efforts of the AAUP and the California Council of the AAUP in advocating for genuine shared governance in public higher education; and be it further,

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\* The Tenets of Shared Governance document was drafted by the ASCSU Executive Committee and representatives from the Chancellor’s Office during the 2017-2018 academic year and presented to the 2017-2018 ASCSU, which passed it on to the 2018-2019 ASCSU for consideration.

† Materials and research produced by organizations outside of the traditional commercial or academic publishing and distribution channels.

‡ CSU Academic Senates need more time than the 75 days proposed. The notification and timeline for feedback must be during the academic school year.

RESOLVED: That the CSU Stanislaus Senate urge that the AAUP continue monitoring shared governance practices within the CSU; and be it further,

RESOLVED: That the CSU Stanislaus Senate express its deep and continuing appreciation for the efforts of the ASCSU in advocating for genuine shared governance in the CSU; and be it further,

RESOLVED: That the CSU Stanislaus Senate urge CSU systemwide leaders –both CO and ASCSU—to work collegially to defend against systematic threats to the modern university from outside entities.

RESOLVED: That the CSU Stanislaus Senate distribute this resolution to

- CSU Chancellor,
- CSU Executive Vice Chancellor and Chief Academic Officer,
- ASCSU Chair,
- CSU Board of Trustees,
- Governor of the State of California,
- Lieutenant Governor of the State of California,
- AAUP,
- AAUP-CA,
- CSU campus Presidents,
- CSU campus Senate Chairs,
- CSU campus Provosts/Vice Presidents of Academic Affairs,
- California Faculty Association (CFA),
- California State Student Association (CSSA),
- CSU campus Associated Students Presidents,
- CSU Emeritus and Retired Faculty Association and Staff Association (CSU-ERFSA).

#### RATIONALE:

In September 2017, the ASCSU passed AS-3304-17/FGA/AA/APEP “On the Development and Implementation of Executive Orders 1100 (Revised) and 1110.” In the resolution, the ASCSU noted the major changes in curricular design that would result from the Executive Orders (EOs) and called on Chancellor Timothy White immediately to put both of them into abeyance. The resolution also expressed serious concerns about the adequacy of the consultation and the timeline of the EOs. Chancellor White made the decision to leave both EOs in place, including their aggressive timelines for implementation. Subsequently, in November 2017, the ASCSU passed a resolution directing its Executive Committee “on behalf of the faculty to meet with CSU leadership to address the current state of faculty/administration relations.” A series of six, two-hour, and in-person monthly meetings ensued. The first and last meetings included Chancellor White; all six meetings included the following individuals:

- *Dr. Christine M. Miller, ASCSU Chair*
- *Dr. Catherine Nelson, ASCSU Vice Chair*
- *Dr. Simone Aloisio, ASCSU Secretary*
- *Dr. Thomas Krabacher, ASCSU Member At Large*
- *Dr. Robert Keith Collins, ASCSU Member At Large*
- *Dr. Loren Blanchard, Executive Vice Chancellor*
- *Dr. Christine Mallon, Assistant Vice Chancellor*
- *Dr. James Minor, Assistant Vice Chancellor*
- *Mr. Leo Van Cleve, Assistant Vice Chancellor*

*The tenets statement is the result of these meetings and was to be brought to the full ASCSU for its consideration for adoption.*

It is laudable that the two parties, after considerable time discussing shared governance came to agreement on the importance of key provisions in the Higher Education Employer-Employee Relations Act of the State of California (HEERA) and commonly accepted practices endorsed by the American Association of University Professors (AAUP). The CSU Stanislaus Senate further posits that the tenets are not needed because HEERA clearly establishes both collective bargaining for faculty at CSU and Academic Senates to engage in shared governance, and in doing so traditional shared governance practices are not inhibited or undermined: “The Legislature recognizes that joint decision making and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of these institutions, and declares that it is the purpose of this chapter to both preserve and encourage that process. Nothing contained in this chapter shall be construed to restrict, limit, or prohibit the full exercise of the functions of the faculty in any shared governance mechanisms or practices...”

<https://www.perb.ca.gov/laws/statutes.aspx#ST3560>

The positions expressed by the AAUP and CA-AAUP and 22 CSU campus Senates, the CSU English Council, the CSU Math Council, the California Faculty Association, the Quantitative Reasoning Task Force, the Admissions Advisory Council, the General Education Advisory Committee, and the California Teachers Association State Council clearly call for rejection of the tenets.

With respect to the suggestion of an alternative course of action which is to continue with the spirit of cooperation by focusing on an existential threat to the university we note that The United States Supreme Court in Sweezy v. New Hampshire (1957) held, “[t]he essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any straitjacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation... Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die” (354 U.S. 234).

Even with the affirmation from the highest court in the land, academic freedom continues to be under attack in a large number of easily documented cases. Modern attacks are both frequent and pernicious. There are coordinated campaigns directed against faculty from without (including verbal and physical threats), and increased pressure on university administrators to attack from within. These forces demonstrate the need for the University Presidents, University senates, ASCSU and Chancellor’s Office executives to govern together and develop a policy and process to guide our universities in their responses to ideologically-motivated attacks on faculty, staff, and students.

**Approved by the Academic Senate on 10/30/18  
(Sense of the Senate Resolution)**