**For**

Academic Senate

October 22, 2013

**Present:** Bell, Bice, Broadwater, Carroll, Crayton, Espinoza, Eudey, Filling, Floyd, Garcia, Ghuman, Guichard, Hartman, Hidalgo, Hooker, Huang, Leyva, Lindsay, Littlewood, Lore, Manrique, Mulder. Nagel, O’Brien, Olivant, Park, Perrello, Peterson, Petratos, Petrosky, Phillips, Powell, Regalado, Salameh, Scheiwiller, Sarraille, Schoenly, Sims, Strong, Thompson, Won, and Wood.

**Proxies:** Kenneth Schoenly for Marina Gerson

**Excused**: Advanced Studies

**Guests:** Richard Luevano, Juan Flores, Lilia Dekatzew, Sari Miller Antonio, Richard Wallace, James Tuedio, Reza Kamali, Linda Nowak Oddmund Myhre, Annie Hor, Marge Jaasma, Erin Littlepage, Kelvin Jasek-Rysdahl, Jennifer Helzer, Dennis Shimek, Lauren Byerly, Brian Duggan, Chuck Gonzalez, Martyn Gunn, John Tillman and Mark Grobner.

Isabel Pierce Recording Secretary

First reading of 36/AS/13/UEPC – Policy for Service Learning Student Placements. Revisions suggested and returned to UEPC.

First reading of 37/AS/13/UEPC Policy for Student Internships. Revisions suggested and returned to UEPC.

First reading of 38/AS/13/AS Resolution of Concern Over Delay in Appointment of a Faculty Trustee. Waiver requested and passed unanimously as a Sense of the Senate.

Next Academic Senate Meeting:

November 5, 2013

2:00-4:00pm, JSRFDC Reference Room

Minutes submitted by:

Mark Thompson, Clerk

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Next Academic Senate Meeting:

October 1, 2013

2:00-4:00pm, JSRFDC Reference Room

Minutes submitted by:

Mark Thompson, Clerk

1. **Call to order**

2:05pm

1. **Approval of Agenda**

Approved as amended to include 7.b

1. **Approval of Academic Senate Minutes of October 1, 2013 (distributed electronically)**

Approved as distributed.

1. **Introductions**

The following guests were welcomed: Richard Luevano, Juan Flores, Lilia DeKatzew, Sari Miller Antonio, Richard Wallace, James Tuedio, Reza Kamali, Linda Nowak Oddmund Myhre, Annie Hor, Marge Jaasma, Erin Littlepage, Kelvin Jasek-Rysdahl, Jennifer Helzer, Dennis Shimek, Lauren Byerly, Brian Duggan, Chuck Gonzalez, Martyn Gunn, John Tillman and Mark Grobner.

1. **Announcements**

Salameh announced “Get to know your legislators,” in the Event Center, October 29th. Meet and greet during the ASI Board of Directors, November 12th, 5-7pm in the Carol Burke Student Lounge. The ASI will use Facebook to keep students updated regarding student government and political issues.

Sarraille announced the CFA Equity Week luncheon, October 28th, 12:00-2:00pm in the MDR.

Tuedio announced the screening of John Ford's classic film *The Grapes of Wrath* sponsored by the Compass Networking Partnership team. November 6th, 6:00pm, pre-screening presentation at 5:30pm featuring a curator from the National Steinbeck Center, which recently sponsored a retracing of the Dust Bowl journey to California to initiate a celebration of the 75th anniversary of the publication of Steinbeck's novel. Students are admitted free with school ID. Please encourage interested students to attend.

1. **Committee Reports/Questions**

**UEPC (Schoenly):** The committee has two resolutions on the agenda today regarding EO 1064- Student Internships and Service Learning Placements and will continue to discuss implementation.

On the Repeated Courses policy, Lisa Bernardo reported a modification is possible in the future for PeopleSoft to check for repeats during the registration process. Currently this is handled manually.

Discussed progress on Stanislaus’s Accessible Technology Initiative with AVP Whitman, VP Shimek and Director Duggan as the committee has oversight of the Instructional Materials Accessibility (see 11/AS/08/UEPC) and will report to the Provost.

Working with the OIT to change their maintenance days and avoid closing down Blackboard during instructional days. Recommendation: change from January 16-17, 2014, to December 26-27, 2013.

VP Shimek updated UEPC regarding affirmative action and requested that the committee prepare a statement specific to diversity in the curriculum for inclusion in a draft policy.

**FAC (Sims):** The committee discussed disruptive students with VP Espinoza, Dean Noble, and VP Shimek. In the discussion, “disruptive student” meant a student who engaged a faculty member in a threatening and challenging manner. The FAC believes the existing procedures are sufficient. There is no recurring review by the FAC of the issue.

Espinoza described a response suggested by University Police for an extreme case: a temporary suspension to provide a cooling off period. And, Noble has a booklet on how to handle disruptive students and can make presentations to departments to explain what the correct procedures are. Espinoza will forward the booklet to share with senators. It is unclear how students receive information on this issue; Noble may clarify at a future meeting.

Floyd noted the importance of having the manual online and encouraged program to invite Noble to discuss the issue.

**SWAS (Eudey/Filling):** Filling referred senators to the SWAS newsletter at: <http://www.calstate.edu/acadsen/Newsletter/October_2013/index.html>

There is now a Chancellors Task Force on the use of Tasers by Public Safety/University Police. There is new invasive software that some campuses are contemplating to track electronic communications among members of the campus community.

**FBAC (Lindsay):** FBAC is preparing a Budget Priorities Resolution. Potential items include the need to meet the Assembly Concurrent Resolution No. 73 to raise the percentage of tenure track faculty to 75%, an affordable high quality education, support for needs expressed in Academic Program Reviews, and sufficient counseling support to meet the needs of students. The committee will include a preamble and tie the priorities to the mission of the University.

A subgroup met with the Senior Budget Analyst Torngren who shared some documents regarding General Fund one-time budget allocation that reflect year-end fund balances. The information was incomplete as it shows budget, not actual expenditures. A subgroup will meet with AVP Whitman to discuss how the data warehouse can be tied to the budget template.

1. **Information Item**
2. **Ethnic Studies**

Garcia noted that the SEC reviewed the letter from two Ethnic Studies faculty and, after lengthy discussion, referred the item to the FAC. The duties of the FAC include:

2.2 The duties of the FAC shall be to:  
  
a) Expedite the resolution of professional concerns of members of the General Faculty (including questions of academic freedom and professional ethics) when requested to do so by one or more of the individuals involved in or directly affected by the matter.

FAC has agreed to bring in as many people as possible to discuss this concern. Although presented as an Information Item, the Senate may certainly discuss.

Points of discussion:

The letter from the faculty members is an overview of programs issues and concerns since 2006. Because the letter is not shareable hinders the Senate’s discussion, especially since senators representing the program have not raised issues at Senate previously.

Small programs suffered in the Shirvani era, but that threat has disappeared with the arrival of President Sheley. However, views of what makes for viable courses and programs still has ties to the Shirvani era and should be examined thoroughly by the FAC.

Sims assured the Senate that FAC takes this issue very seriously and will also respond to the general issue about smaller programs. We are at the beginning of responding to the issue and the FAC plans to devote two meetings to address it.

Sarraille asked that this item also be referred to the UEPC to address the curriculum changes being considered.

Upon request, Dean Tuedio offered his understanding of the difficulties. His awareness comes from former Dean Stefanco and his own tenure as Interim Dean and Dean. Low-enrolled courses were often in single digits, and this is a more acute issue when budgets are tight. The Ethnic Studies major was designed as a program having two separate tracks, each covering three ethnic groups, and a large menu of electives, a structure with a track record of soft enrollments despite strong demand in ETHS courses serving GE and LIBS. While predictable, these enrollments have been an issue given strong demand in other curricular areas, so discussions have focused on where best to direct resources. Some of the issues pertained to schedule so lots of discussion occurred about how to attract more student enrollment to the soft enrollment areas of the Ethnic Studies curriculum.

The tenure-track faculty wanted to preserve courses particular to their own specialization, and the scheduling of those courses often used esoteric modules. There are fewer than ten majors in Ethnic Studies. The timing of the tenure track resignations (delivered in May with a December retirement date) made quick replacement of tenure-track lines awkward at best, and this was communicated to the two retiring faculty (bear in mind we were still waiting for final confirmation to conduct other critical need tenure track searches already vetted by our college process and in the hands of the Provost). At no time did the Dean state "unilaterally" that there would be no replacement lines, just that the college process would need to be followed to rebuild the program faculty, this would likely take time and good arguments to achieve, and in support of this effort, enrollment issues in the program would need to be addressed.

The letter from the two retiring faculty reflects long-standing resistance to these efforts. “Legacy faculty” may not be aware of current trends in Ethnic Studies programs. Tuedio wants to be clear that the college will bring forward two tenure track position requests for consideration under the college process, with the program director position slated for a spring search; the second position might be deferred until the new director is hired to give that person input into the directions they want to take the program. In light of the two retirements, supporting these requests to serve the needs of the Ethnic Studies curriculum is clearly a strong priority for the college curriculum committee, the budget and planning committee, the Chairs Council, and the Dean.

Miller-Antonio reported that she prefers to do one thorough search to find someone to direct the program, and then build the program and asked whether it might be sensible to put the curricular changes on hold until the new director is found.

Salameh would like more clarification as students are hearing that the program is being discontinued. Tuedio reported some previous hints of discussions from higher administration that such programs with low enrollments are prospects for discontinuance. The college leadership continues to support the program.

DeKatzew reported that in recent years ETHS served nearly 700 students per year, an extraordinary accomplishment. And, of course, the program wants to provide all courses for minors and even concentrations. Regarding the commitment to Ethnic Studies, there was no commitment from Dean Tuedio to replace the tenure-track faculty, as the replacement would be one lecturer, labeled as a generalist, who would teach all the specializations that is the Chicano, African American and Asian American experiences as well as an integrative component of the Native American  experience. She later discovered that the posting for the position was for a part time lecturer.

DeKatzew noted that it is important to recall that Stanislaus is an Hispanic Serving Institution (HSI) and that 38% of our students are Hispanic. Without replacement faculty, who would be vested in the research, the students, and the community building which are the core of Ethnic Studies? We just have had VL’s come and go. This is her impression of what is happening in the Ethnic Studies reshuffle, that its program curriculum is being reconfigured to accommodate the lack of resources. The program formerly had four tenure-track faculty and was quite viable at the time with a high student/faculty ratio; now that number has decreased. The lack of such specializations in an Ethnic Studies program is unconscionable.

The two faculty retired because they felt the working conditions had become unsustainable, and they were hopeful that the positions would be replaced. It is important to recall that Stanislaus is an Hispanic Serving Institution (HSI) and that 38% of our students are Hispanic. Without replacement faculty, who would be vested in the research, the students, and the community building which are the core of Ethnic Studies? We just have had VL’s come and go. This is her impression of what is happening in the Ethnic Studies reshuffle, that its program curriculum is being reconfigured to accommodate the lack of resources. The program formerly had four tenure-track faculty and was quite viable at the time with a high student/faculty ratio; now that number has decreased. The lack of such specializations in an Ethnic Studies program is unconscionable.

Richard Luevano noted that when he retired in 2002 it took several years to hire Miller-Antonio as part time in Ethnic Studies and Anthropology. When he left there were four tenure-track faculty, now there are two, and soon there will be zero. He had the support of the deans and the department and wonders if that support is still there. With strong conviction he is disappointed, disgusted, angry and ashamed. He’s ashamed of an institution that does not support the Ethnic Studies program. We should really have three tenure track faculty. Soon, we will only have one part-time faculty teaching one course. This is 2013 not 1968 when he was a student here and nothing was mentioned about Chicanos period. If you know what Chicano means you learned that in the Ethnic Studies program. This should have been taught to you at the High School level, and it wasn’t. It’s also for all of you that are non-Chicano, non-Asian to know that your community is 67% Latino. This is California and this is 2013; Ethnic Studies must be supported. One part-time faculty isn’t going to cut it. We will not sit here and do nothing about this. We can call the *Modesto Bee* and students to ask what is going on here.

Regalado queried the Provost as to how the university demonstrates support for the continued existence of Ethnic Studies program. Provost Strong said that the University does support the Ethnic Studies program and provides resources to the college.

Regalado directed his question to DeKatzew. How did your resignations advance the continued existence of Ethnic Studies?

DeKatzew said that there came a time that they felt they had to retire as working conditions facing them had become unsustainable and they couldn’t continue on. They felt that by leaving their positions and advising Dean Tuedio that they were leaving that he would tell them that those positions would be filled. They’re leaving because they were facing challenge after challenge to advocate for their program.

Byerly spoke as a community member and alumna. Per the comments, she gets the feeling that everyone in this room theoretically supports the Ethnic Studies program but general support stops when a program that you love more impacts other programs. Ethnic Studies began in the CSU Los Angeles and serves to keep at-risk populations in college. According to a comment on the issue at the CFA Assembly, graduation rates for black men are at CSU LA are 9%, but, if they are part of an Ethnic Studies program, 100% can graduate. This is a specific case and very important to our students. She asked DeKatzew if there were actually sincere signs of support from the university, and if a search was created for a director and/or 1-2 tenure track positions would they be convinced to stay until the Spring semester?

DeKatzew sees the issue differently. What the program faculty are really interested in is to see some action that there is a desire to support Ethnic Studies and to hire faculty to support the program so that it will continue to grow and flourish. Regarding the new trends that Dean Tuedio mentioned, she is one of the founding members of the CSU-wide Ethnic Studies Council and would be delighted to refer Dean Tuedio to the Council so that he can learn about the new trends of Ethnic Studies; that way, he can be guided in a vision that will allow the Ethnic Studies program to continue to flourish.

Speaker Garcia asked that those concerned direct information and advice to the FAC.

1. **System wide Nursing Policy that states certain courses will now meet the Area B2GE** **Requirement**

The SEC has referred this item to the UEPC. Schoenly stated that the Chancellor’s Office consulted with Nursing but, evidently, not with Biology Chairs over what will fulfill GE area B2. This is setting a terrible precedent that members of one department (who are not the curriculum specialists in the area) can dictate to another department what courses should meet a GE requirement.   
  
Stanislaus has had an MOU on this concern since 2004. There are now three versions of the MOU and disagreement as to what will fulfill B2. The original 2004 memorandum makes clear that the three pre-Nursing courses do not fulfill B2, but a new Nursing MOU states that they do. Implementation of EO 1084 also circumvents the charge and duties of the GE Subcommittee to decide this matter on our campus.

1. **Discussion Item**
2. **President Sheley’s memo regarding Advising/GE/Writing (President’s Memo dated 9/20/13)**

Speaker Garcia recalled that the Senate discussed advising at its previous meeting, and he requested deferral of the GE discussion until the next meeting.

1. **17-Unit Cap for Spring 2014 (Provost’s Memo dated 10/14/13)**

Provost Strong distributed three documents: a worksheet that the Enrollment Management Committee uses to help plan enrollment, a revised memorandum to the SEC discussing ways to contend with the possibility of exceeding the target, and a draft of a memorandum to be sent to students.

Stanislaus should not exceed 105% of our FTE target; we would be financially penalized. The current projection is at 104.37%. By the Provost’s calculation a 1% (i.e., 106%) overage would result in a ~$470K penalty. Students are taking more units, most are in the 6-plus tuition category, so we would garner no additional tuition. The 17-unit cap is projected to put us at 103.80%. We do not know why our unit load spiked by 3%; it could be pent-up demand from previously lowered unit-cap (15-unit). Also, summer FTE dropped 15%. Although, the change could affect up to 510 students, this is the least disruptive measure we can take to tamp down enrollment. If not successful, other measures may be necessary, and as enrollments are monitored, the restriction may be eased or eliminated based on future projections.

Other points of discussion:

Affordability due to increasing tuition and fees may also be a factor even though tuition decreased after Proposition 30 passed.

Dean Tuedio noted that one thing done differently this past summer was to provide students with a more robust schedule of class options spread more broadly across the full day; whereas the year before, late arriving students were left with enough total seats in the saved sections, but the sections were scheduled mostly at 8am, late in the afternoon, or at 7:20pm, which reduced the actual number of courses they could choose to build their schedules around.

Do the so-called “bottleneck” courses play a role?

Is there a continuing impact of the transition from Winter Term.

Vigilance in dropping non-attending students can help to reduce FTES.

1. **First Reading Items**
2. **36/AS/13/UEPC – Policy for Service Learning Student Placements**

It was M/S Schoenly/Sims:

**California State University Stanislaus**

**36/AS/13/UEPC – Policy for Service Learning Student Placements**

**Be it Resolved:** That the Academic Senate of California State University, Stanislaus, approves the attached Policy for Service Learning Student Placements; and be it further

**Resolved:** That this policy be effective for all service learning placements occurring after June 9, 2014.

**Rationale:** Service learning placements provide significant community experiences for students in many academic disciplines. Executive Order 1064 (EO 1064) issued by the CSU Chancellor requires each university within the CSU System to establish policy to maximize the educational experience while minimizing the risks to participants and the University’s liability exposure. This policy complies with EO 1064 [END]

Schoenly noted that the policy is in response to EO1064 (2011) requiring policies for Service Learning. Item E in the policy will require changes to current practice. This outlines not only the policies but the procedures. For example, page 2 mentions site visits:

1. Service Learning Site Visits.

The criteria for conducting a site visit and evaluating the Service Learning Site shall be developed by the appropriate Academic Department. At a minimum, the site visit shall include a) an assessment of whether the placement will lead to meaningful academic Service Learning, b) an evaluation of the facility to identify potential risks, and c) communication with the Service Learning Site Supervisor who will supervise the student at the Service Learning Site. The site visit may be bypassed if the Academic Department can demonstrate and document sufficient knowledge of the Service Learning Site. This could be accomplished through online review, published materials, direct contact with the site, or a history of approved site visits.

Some programs indicate that they are already doing this but the policy may expand current work; faculty should review the procedures carefully.

Points of discussion:

Eudey noted that the policy responds to a requirement from the Chancellor’s Office, the policy protects everyone involved, but there is concern about the workload for staff in the Service Learning Office and faculty. Generally the MOU is a 5-year document, so the process work is front loaded. Once the policy is approved, faculty will be out of compliance if they engage in internships without using these procedures.

Salameh noted that this would be great for students dealing with liability issues with agencies.

Petrosky asked who is doing the initial check and requested language to suggest to what degree it is required that faculty fill out the paperwork. It was noted that under E.1[[1]](#footnote-1), the faculty member will be writing the assessment; the language may need to be changed. What level of participation will require response to the policy (e.g., what is a “placement”?).

Many questions may be clarified through the Director of Service Learning.

1. **37/AS/13/UEPC Policy for Student Internships**

It was M/S Schoenly/Eudey:

**California State University Stanislaus**

**37/AS/13/UEPC – Policy for Student Internships**

**Be it Resolved:** That the Academic Senate of California State University, Stanislaus, approves the attached Policy for Student Internships; and be it further

**Resolved:** That this policy be effective for all student internships occurring after June 9, 2014.

**Rationale:** Student internships provide significant off-campus experiences for students in many academic disciplines. Executive Order 1064 (EO 1064) issued by the CSU Chancellor requires each university within the CSU System to establish policy to maximize the educational experience while minimizing the risks to participants and the University’s liability exposure. This policy complies with EO 1064 [END]

Schoenly noted that the policy is in response to EO1064 (2011) requiring policies for Internships. This will impact most programs on campus. On pages 2 and 3, certain faculty responsibilities are detailed.

Points of discussion:

Section E.2: Seems to read that university officials will complete the assessment.

Section E.3.b: Is there liability if we cannot see potential risk? Who makes the determination of mitigation, and what if there is disagreement among parties? The Service Learning plan may be informative for this section.

Section E.6: This section stipulates an “annual review of all internships” but it is not clear just who and/or what will be reviewed?

Who will deem what is considered “competent mitigation?

Does the definition of “internship” provide sufficient clarity?

Can the UEPC incorporate reference to additional costs in the resolution itself.

Schoenly noted that Amy Thomas wants to be able to refer to these policies that were created for faculty to follow and these are the issues.

**c. 38/AS/13/AS Resolution of Concern Over Delay in Appointment of a Faculty Trustee**

It was M/S Filling/Eudey:

**38/AS/13/AS**

**WAIVER REQUESTED**

**Resolution of Concern Over Delay in Appointment of a Faculty Trustee**

**RESOLVED:** That the Academic Senate of California State University [CSU], Stanislaus affirm the

Academic Senate of the CSU system (ASCSU) resolution AS-3141-13/EX expressing concern over the

delay in the Governor's appointment of a CSU Faculty Trustee; and be it further

**RESOLVED:** That the Academic Senate of CSU Stanislaus urge Governor Brown to appoint a Faculty Trustee in time for that Trustee to be seated at the next CSU Board of Trustees [BOT] meeting; and be it further

**RESOLVED:** That this resolution be distributed to Governor Brown, the CSU BOT, ASCSU Chair Guerin, CSU Campus Senate Chairs, and the media.

**RATIONALE**

The Faculty Trustee provides the BOT with both expertise and a faculty perspective in areas of academic policy as well as matters of curricular and fiscal concern. In addition, the presence of the Faculty Trustee strengthens faculty confidence in BOT actions and provides a direct line of

communication from the Board of Trustees to the ASCSU and faculty throughout the CSU system.

Currently there is no Faculty Trustee sitting on the BOT, as the term of the prior Faculty Trustee expired in May 2013. This marks the second time in four years that there has been no sitting Faculty Trustee at meetings of the BOT. In both cases, the Governor has failed to fill the position in a timely fashion. This situation is of grave concern to Academic Senates and faculty across the system.

The CSU Stanislaus Academic Senate acknowledges with gratitude the CSU Sacramento, CSU Maritime and ASCSU resolutions upon which the foregoing is based. [END]

Filling noted that our Faculty Trustee’s term expired last spring. A list of candidates has been forwarded to the Governor, but he has not appointed a Trustee. Having a faculty Trustee is important because the BoT is often unaware of policies and issues that affect the campuses. Also, the third BOT meeting takes place in two weeks, and we would like to ask for a waiver for a second reading.

It was M/S/P (unanimous) Filling/Nagel to waive the rules and move to a second reading.

Points of discussion: The position of Faculty Trustee is stipulated in law, but it is not mandated that the appointment be made in a certain time frame.

This delay in appointment has occurred before, and we should respond.

Motion passed; record as unanimous.

1. **Open Forum**

Salameh queried about a potential fragrance policy on campus. Nagel noted he implemented a class rule asking that no one wear excessive fragrances; the rule is informal and effective. He has had only one incident, and he was able to address the issue anonymously and successfully. Faculty can provide rules and behavior expectations for their classrooms. Eudey added that there are many people with sensitivities to a variety of chemicals.

1. **Adjournment**

4:02pm

1. **Procedures E**

   Placement Assessment**.**

   Prior to placing students at off-campus locations, the Faculty Member shall conduct an assessment of the appropriateness of the Service Learning Site for CSU Stanislaus students. A written assessment summary of the Service Learning Site shall be completed and retained by the Office of Service Learning and be available for review. That summary shall address, at minimum, the following considerations: [↑](#footnote-ref-1)