

**Academic Senate
September 26, 2017**

Present: Alvim, Ashmun, Bernard, Bettencourt, Carroll, Chvasta, Crayton, Davies, C. Davis, DeCure, Demers, Dorsey, Drake, Erickson, Espinoza, Filling, Foreman, Garcia, Gerson, Gibson, Hall, Hight, Hudspeth, Jaycox, Johannsdottir, Mayer, McNally, Mokhtari, Morgan, Nagel, Petratos, Petrosky, Randol, Renning, Sarraille, Stephenson, Strahm, Strangfeld, Thompson, Webster, Weikart, Wellman, Williams, and Zong.

Excused: Geer and Petratos.

Proxies: Jose Diaz-Garayua for Jeff Frost.

Guests: Shawna Young, Amanda Theis, Ronald Rodriguez, Julie Johnson, Rosalee Rush, Jason Myers, Anysia Mayer, Ed Erickson, Oddmund Myhre, Gitanjali Kaul, Lauren Byerly, Jovonte Willis, Kathryn Bell McKenzie, Betsy Eudey, James Tuedio, Harold Stanislaw, Stuart Wooley, Martha Cuan, and Helene Caudill.

Isabel Pierce, Recording Secretary

First Reading Item moved to a Second Reading:
15/AS/17/AS Resolution on CSU EO 1100 General
Education Breadth Requirements. Passed.

Discussion Items: Resolution to Permit Co-
Authored Dissertations
Process for Certification and Recertification of GE
Courses approved by UEPC 9/7/17
CSU Stanislaus Policy on Time, Place and Manner
of Expression

**Next Academic Senate Meeting:
October 17, 2017
2:00-4:00pm, JSRFDC Reference Room 118**

Minutes submitted by:
Gerard Wellman, Clerk

1. Call to order

2:00pm

2. Approval of Agenda

Approved.

**3. Approval of Agenda Approval of Academic Senate Minutes September 12, 2017
(distributed electronically)**

Approved.

4. Introductions

Shawna Young, Amanda Theis, Ronald Rodriguez, Julie Johnson, Rosalee Rush, Jason Myers, Anysia Mayer, Ed Erickson, Oddmund Myhre, Gitanjali Kaul, Lauren Byerly, Jovonte Willis, Kathryn Bell McKenzie, Betsy Eudey, James Tuedio, Harold Stanislaw, Stuart Wooley, Martha Cuan, and Helene Caudill.

5. Announcements

Strahm announced that it was Nancy Hudspeth's birthday. Applause.

Tonight at 6 pm, the Turlock City Council will be voting on a resolution entitled "Not in Our Community" that will condemn bullying, discrimination, and harassment of vulnerable groups. Spread the word and see if people will show up to support this resolution.

Gerson – The Faculty Center for Excellence in Teaching and Learning and Human Resources invite your attendance at this special, two-hour workshop.

Title IX and Accessibility Training

Do want to support your students so they can do their very best work? Get up to date on campus resources and your legal responsibilities.

Who: New and continuing faculty

When: Wednesday, October 11 (*a paid, non-instructional day*) from 9-11 am

Where: Naraghi Hall of Science, Room 101

What: A special training, just for you, with breakfast snacks provided

Please RSVP to facultycenter@csustan.edu or by calling Emy Barsley at x3216.

Also, there will be a Call for the position of Director of FCETL coming soon. Spread the word that that there will be 3 WTUs of Fellow time to transition in the Spring 2018.

Nagel – Coming soon will be a Committee Preference Survey for this year. This is to solicit people’s interest in taking part in ad hoc and search committees that we anticipate this AY. This will be an opportunity for faculty to participate in these committees. Please respond to the survey.

Junn – This Friday, September 29th Marvalene Hughes will be here for the dedication of the Reflecting Pond. There will be a reception in the lobby of the MSR building at 5pm, followed by the dedication ceremony at the Reflecting Pond at University Circle at 6pm. Stop by and say hello.

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

FAC – Foreman noted that they met last Wednesday. The committee has discussed issues, but he has nothing to report out until we discuss item 7 on the agenda.

FBAC – Weikart noted that they met two weeks ago and discussed the strategic plan. They will be talking about CA Promise and a budget priorities resolution.

GC – Dorsey said that they met recently for the first time. Discussed co-authorship of culminating assignments and whether programs should be allowed to select their own directors which would require constitutional amendments. Also discussed the time module policy.

ASCSU – Strahm noted that they had three resolutions last week that are important to this body. First, a support of preservation for DACA. We urged continuation of this policy, continuing in-state tuition for these individuals and other types of protections. Our resolution from this body was included as a supporting document for the statewide resolution. Also we had a resolution urging that EO 1110 be delayed and that CO engage in actual consultation and data collection

and a moratorium on the action affecting Ethnic Studies be reinstated and multiple measures be used. There was also support for AB-19 Bill on California Promise which would waive fees for first time college students.

UEPC – Thompson stated that the committee met on 9/21 and is close to finalizing language on the processes to create, approve, and modify Structured Exploratory Emphases (SEEs). This is a new process for affinity programs that do not lead to a major, minor, certificate, etc. The program will require additional learning outcomes and assessment. The proposed process will track through college curriculum committees, deans, GE sub, and the UEPC.

On certification and recertification of GE courses, the committee has approved and forwarded a process for certification and recertification; a path of approval for the alignment of areas, goals, outcomes, and courses, and has approved the alignment table and mapping document with editorial corrections.

The committee discussed EO1100 General Education Breadth Requirements and is proceeding with the processing and review of the executive order per usual procedures of the committee. The first step is to develop an understanding of the meaning and requirements in consultation with the Academic Senate, the General Education Subcommittee, and the administration. As of the meeting time, two campuses had been granted extensions and two had been denied. The committee received a request from the Provost to respond on a short timeline to outline reasons for a delay in implementation as well as an interim work plan.

The committee viewed a presentation on Curriculog, a curriculum management software, and was asked to forward response to Curriculum Specialist Schraeder.

At the 10/12 meeting, the committee will continue work on SEEs and EO1100 as well as taking up the draft General Education Program Assessment Plan and, perhaps, the review of learning management systems at Stanislaus as the Provost has requested.

CFA: Filling noted that in your e-mail this morning, there was a notice that we have reached a tentative agreement to extend the contract 2 years. There are salary increases, 3.5% effective Nov. 1, 2018, and 2.5% effective July 1, 2019. The first of those is effective in November rather than July, which is us bargaining and fitting within the CSU's budget. Our benefits remain as they are. Other state workers' pay significantly more. The additional assigned time for junior faculty and extraordinary service continues. We will convene a group to work on a basic re-sculpting of the salary structure. We need to change this structure. CFA will increase its work to increase tenure density. We anticipate a vote by the membership the last week of October. There will be a luncheon on Oct. 10th where folks will explain the extension of the contract.

CFA did a meet and confer with the Chancellor's Office on EO 1100 and EO 1110. These EOs have significant impact on our workload and we're scheduled to meet with them again after they get us information on the impact of those EOs.

7. Information Item

a. Q&A on Security Cameras on Campus

Foreman – On the first page of the packet, there is a Q&A referring to the role of cameras on our campus. FAC surveyed faculty and staff about their feelings and concerns. We learned that of those who had an opinion, the ratio was 3 to 1 positive with concerns mostly around privacy. A lot of people said the cameras made them feel safer or that cameras were part of modern life. There were specific concerns addressed in the document.

Bettencourt – Does FAC know where the cameras are located in the Library building where the Psychological Services is located.

Foreman – There are signs indicating where cameras are. No one has tried to hide them. There are cameras on the perimeter of the collection area of the library. Every camera you see is operating.

Bettencourt – There are signs saying it's under surveillance

Davis – It's because they're in the building. They're not hidden in your hallway.

Carroll – Is this the full extent of the locations of cameras right now?

Foreman – As far as I know, the two academic buildings where cameras are located is Bizzini and the Library.

Filling – In light of reverences to Public Safety, a lot of this rests on the integrity and judgment of the Public Safety folks, should we ask Chief Roy to talk to us about this process and policy?

Davis – Sure, we can ask him and invite him to a Senate meeting.

Foreman – I saw where these cameras are monitored. There's a room with one person monitoring the cameras. There's no sense that those cameras are being monitored personally. They record only when there is someone moving in the frame. They look at them retroactively if there's a concern. They're nothing monitored actively.

Filling – I appreciate that, but there's concerns about what is done with the data storage.

Julie Johnson – Today Wade Williams went on a tour of the Library building with CSUEU reps. They are putting cameras as on the outside of the building in the loading dock and areas specific to OIT to protect state property. Departments have submitted requests for cameras, and we send

this information out to all of the unions. We provide tours and camera specs to anyone who asks. We do that before they're installed, and we send screenshots after they're installed. KCSS has requested cameras and other cameras on UPD's building to alleviate blind spots in the corporation yard. The Innovation Center will also have cameras. Many times it is frequently departments that are requesting to have cameras installed.

Morgan – They're not regularly monitored? What's the policy on what would prompt them to go back and watch the video?

Foreman – Their purpose is to investigate criminal activity. That would be a reason. They do not monitor work areas except where money is exchanged. There's are no cameras in classrooms. They are only going to look at them in real time if there's a serious issue on our campus.

Morgan – Disciplinary proceedings can arise for work time.

Foreman – It would allow looking at them if there is an alleged breach of the law or campus policy. If there's an investigation or lawsuit, the video can be looked at.

Davis – The policy refers to the policy in the handout.

Video and access control security records will not be used for purposes related to the evaluation of employee job performance, nor will they be used as a means to track employee attendance and/or as a timekeeping record. However, the University may use such records in support of disciplinary proceedings against faculty, staff, or student(s), in a civil suit against person(s) whose activities are shown on the recording and are the basis for the suit. Review of video records shall only be performed by an authorized Police, Department administrator, Police Officer or dispatcher, with a good faith reason for the review.

Sarraille – There is an extant policy for video surveillance on campus. There have been CFA alleged violations which have not been resolved to our knowledge. They include surveillance of faculty work areas that is inappropriate. There is a negotiation going on for a campus wide video policy, which will supersede this policy. This thing is in play and I think there are concerns that that have to be addressed, and the parties involved need to keep their eye on this.

Strahm – How about vulnerable populations? We have child development research projects where they observe children in Bizzini Hall. Will this policy include their IRB research? Do the parents of these children know they are being surveilled when they bring their children to campus? The Psychological Counseling Services staff, faculty, and students traverse that area, and I'm wary of the way the University of Oregon utilized these services against a student who was raped on campus. The Health Center should also be included as a vulnerable population.

8. First Reading Item

a. 15/AS/17/AS Resolution on CSU Executive Order 1100 General Education Breadth Requirements

Nagel – This is the result of the motion that came from the floor at the last Senate meeting. The Speaker appointed an ad hoc group to write this resolution. We tried to reflect the concerns that were expressed and the result is what you have in your packet. The ad hoc committee members were Ann Strahm, Betsy Eudey, John Sarraille, Paul Morgan and Chris Nagel. Special thanks to Marcy Chvasta for reviewing the resolution.

Davis – This was done in a week. Thank you to the ad hoc committee.

Bernard – On Area E, that should read significant impacts on Kinesiology part time faculty because the coaches and staff from athletics that teach in KINS do so as employees of KINS, not under Athletics.

Morgan – Are there not full-time faculty that teach in that area?

Bernard – There is one, but we discussed this and felt it should only be part time.

Thompson – Is there any time pressure about this resolution or is it just regular process?

Nagel – Speaking for myself, I don't have a strong feeling about this resolution being moved to a second reading today. My concern would be that I would want this to be a genuine expression of the sense of the senate and the faculty the senate represents. I want to make sure that departmental faculty have read it, believe in it and have expressed that.

Wooley – This Friday the campus community at Stanislaus State is invited to participate in a CSU Chancellor's Office [EO 1100-Revised](#) and [EO 1110](#) - Policy Summary and Q&A Live Webcast on **Friday, September 29, 2017 from 2 p.m. to 4 p.m. in FDC 118**. The webcast will begin promptly at 2:00 p.m.

I agree with Nagel that it's worthwhile to think about this and attend the webinar. You can also send questions about the EO's as I'll be collaborating with Sarah Schraeder. They may address those questions in that webinar. I support the idea of thinking this through and viewing the webinar since it might clarify some questions we might have.

Filling – I disagree. I note that in the CO policy there is a time cycle. The Statewide Senate made a fairly strong statement, however that fades quickly. I encourage you to speak expeditiously to have a practical impact. I have sat through 4 iterations of this webinar. The nascence of this was that a single college student was trying to transfer between 2 CSUs with connections. The CSU rushed to address this in a hurry, and I think the best thing we can do is respond expeditiously.

Davis – We are sending a letter to the CO requesting an extension, which many campuses are doing. We are specifically saying, here's what we can get done this year; here's what we need

another year to do. It's not a promise, it's us stating here's what we can reasonably do. This would be co-signed by the Provost and the Speaker, so it would reflect the Senate and the administrators. We are gathering information through Stuart Wooley, GE Sub, SEC, and UEPC to lay out our argument for more time. A question I have received is whether we are putting this on hold or continuing ahead. We are starting the process, but we're not trying to get all the curricular changes completed in a month. I don't think that's possible – that's what we're arguing against. We are looking at what this would take and the necessary steps. The Speaker and Provost letter will lay that out and add a timeline.

Greer – We'd like to get this letter out next week, which would allow SEC to review it. The CO is aware that we're going to write and submit a letter.

Thompson – There's good reasons to wait or jump, so I move that we waive the rules and move this to a second reading. Seconded by Petrosky.

Sarraille – I think we need to say unambiguously that we don't want this. We need to make this clear that we don't want more time, we just plain don't want this and we're willing to fight against those who do want this. I think it's best for us as a group to get our message out first and it be the one that makes the greatest impression.

Carroll – I think time is important especially in light of sending a letter out to request an extension. Should this resolution pass today, then a letter that asks for a delay would not reflect the views of the Senate.

Davis – if this resolution passes today we might reference it in the letter to say that this is the view of the Senate.

Filling – There have been two campuses who have been given extensions. They both have special circumstances that granted them extensions. At least two campuses have been denied extensions.

Strahm – I am responding to a statement by the Speaker that may be out of order. I am opposed to the Speaker signing on to the Provost's letter because it is in opposition to this.

Davis – I was referring to the timing of the two things.

Strahm – I'm standing in opposition to that.

Davis – This needs to be relevant to moving this to a second reading.

Erickson – One unique circumstance is that we're currently under our accreditation process. This would have implications for that review, so we really need an extension.

Jaycox – The Statewide Senate already submitted a resolution. Have any other universities submitted a resolution? Are we late on a resolution?

Davis – We're middle of the pack.

Gerson – We don't meet until Oct. 17, which is three weeks rather than two weeks from now. This should be taken into consideration.

Thompson – There was no contention in the discussion. If it were a contentious matter, that would warrant further discussion but I don't see that.

Results of the Vote: 34 Yes, 4 No, 2 Abstained.

Davis – This has been moved to a second reading. There was one request to change the rationale and that could be considered a friendly amendment.

Nagel – I neglected to put in the text that this is a sense of the senate resolution.

Stanislaw – I don't think we can use accreditation as a justification for delay because we're constantly subject to changing demands and requirements.

Davis – We will vote on the resolution which is a sense of the senate, which will be released in accordance with the 11th resolved clause and will not be sent to the president for signature.

Result of the Vote: 41 Yes, 2 No. Resolution passes.

Davis – Thank you to the ad hoc committee for working on this so quickly.

Strahm – I want to make a motion for the Senate to demand that the Speaker not join in the Provost's letter. I don't want the Speaker who represents the faculty to join in a letter asking for a time extension to fulfill the EO. Having the Speaker sign onto that letter makes no sense. Seconded by Sarraille.

Davis – Any letter that I would sign would be shown to SEC and I would only sign it with the approval of SEC. If, when we look at the letter in SEC, that objection remains, I would not sign it.

Thompson – If something will happen with this motion, we'll need to know the specific language that we're talking about.

Strahm – I've been advised to withdraw this motion.

Davis – We have three discussion items. I will do my best to hold us to a maximum of 20 minutes each for these.

9. Discussion Items

a. 16/AS/17/GC Resolution to Permit Co-Authored Dissertations

Dorsey – This recommends that general university policy be amended. This is alignment with the graduate learning goals. It reflects disciplinary trend in co-authorship. It would allow dissertations of increased scope and complexity. We began this discussion last spring and it met with skepticism at first, but as a result of discussions the central concern around potential of abuse was resolved to our satisfaction. They assured us that they're very collaborative so that the product is a process of extensive student/faculty consultation and faculty advisers and committee members positioned to intervene if necessary.

Petrosky – For those who were here a few years ago, we had a proposal for a new doctoral program wherein the faculty would not need to have a doctoral degree. I thought that was backward, until today. A dissertation reflects a unique contribution to their discipline. This violates that. If you have difficulties dividing up your culminating experience, address it there. Have better ideas. Have ideas that are more divisible. I don't care if Michigan State or Vanderbilt have done this. I'm worried about our reputation. This is the tipping point to idiocracy.

Morgan – There doesn't seem to be a rationale for what the upper limit on a committee would be. Could you have a cohort of 10 doing one dissertation. Also, I worry that this might set them up as a disadvantage should they need to do research later.

Carroll – If it's GC that allows programs be allowed to opt out, I request that a resolved statement be addressed to reflect this.

Davis – This is not for graduate programs entirely; this is only meant for doctoral programs.

Young – Rather than present just an extracted and revised element (Item 12) from the Dissertation Requirements policy (2010), present the entire policy, with strikethroughs/lines in-an-out so that proposed changes are viewed within the context of the entire policy.

- Incongruences, or inconsistencies, exist between the extracted and proposed revisions for Item 12 and the current policy:
 - The policy is a University-wide Graduate School policy that is framed in a way that does not speak to one specific program, as it is intended to address dissertations of any doctoral programs the University may add/offer (for which the CSU is authorized to offer – Physical Therapy, Nursing Practice, Audiology). We do happen to have just one currently, but when you insert language about one specific program, the EdD, then the policy in its whole becomes inconsistent.
 - There are other elements of the policy where, if we were to have co-authored dissertations, discussion in Senate in that light might be important – such as the section related to the oral defense. Does policy language need to be revised to reflect oral defenses in co-authored scenarios?

- Many points in the policy, including the oral defense section, are written in singular third person; the assumption is that a single student is authoring the product – so it should probably be reviewed to see if that kind of mechanical issue ought to be changed to most accurately reflect the intent of the proposed revisions.
- And there are other technicalities that can be addressed when we have the opportunity for the Senate to review the entire policy on the table, such as updating the outdated Animal Welfare Committee referenced in Item 9 to Institutional Animal Care and Use Committee (IACUC).

Morgan – Since we voted on reinstating a graduate dean, we probably will be expanding our graduate programs, this would open up future programs to this language and could be contradictory.

Strangfeld – I add that language is problematic that students will never do this type of research again. Even master's students who do a thesis will be doing some form of research in the thesis career. If they're not doing research, why do a dissertation? This is the same argument that I hear from undergrads who don't want to do research. I find that rationale to be hugely problematic.

Thompson – It's good to have a line in line out version of the policy. The previous comments resurrect the concern that Carroll brought up about allowing programs to opt out. I'm going in the opposite program from Petrosky about whether this could be extended to theses.

Foreman – GC has worked diligently on this question, and I've heard Dorsey reference skeptical members of GC on this issue. How practical would it be for the EdD program to present to us on this issue?

Dorsey – I think because they are so eager to make this change, they would probably do it. The truth is that the EdD Leadership does this through petitions. This is something that's going on, and they will continue to do it. Whether we say they can do it, they will continue to do it, but I think they would welcome that opportunity.

Petrosky – Should two doctoral students complete a dissertation, each doing half the work. If they defend that successfully, are they half a doctor?

McKenzie – One thing I'm hearing is that the EdD is very idiosyncratic from a PhD. We are not creating new knowledge. Our students rarely go into a tier 1 research university. The EdD is designed to prepare and educate practitioners who work in the real world of educating students in K-12 and community colleges. I can tell you their work is not done singularly. It's done collaboratively. Right now, I'm working with 3 students who are doing GIS research in the Airport District. It's a large project. We're looking at health indicators. We're defining the position of the superintendent as one who has to be a community advocate as well as the leader

of the school district. This is a collaborative position. We're mapping the area. We're mapping food deserts, are there safe places to play, are there sidewalks, is there healthcare, is there childcare? This is not something an individual student can do. We are held by EO 991 to a 3-year time frame. They could not do a project of that scope in three years. The beauty of the work is its collaborative in nature. It is not PhD-lite; it is not a PhD. It is an EdD on steroids. We are part of an international consortium to clearly articulate the differences between a PhD and an EdD. Collaboration is a best practice in the field, including in dissertations.

Mayer – I have a group dissertation with four students, and I'm happy to speak to anyone with students. This is a collegial place and we respect students and programs. We can tell you this is national practice. We are bounded in ways that we wish we weren't. The EO says we're preparing students for K-12 and community college education. I understand people's points, but the mission of this program is what is reflected in the policy we've proposed. This is where the field is going. it is considered best practice. We do a lot of work to make sure that our practices are respected but we also want to be very clear that this is different from the PhD and we take best practice very seriously in the program.

Young – To clarify, it's not that they're petitioning GC, they're submitting the student petition for exception form which goes to Enrollment Services. The folks who sign off on this are the program coordinator and college dean. On a case by case basis, those exceptions are being approved.

Garcia – Faculty of MSW fully support this resolution because we have similar issues in terms of what we're trying to produce in our graduates. The emphasis starts on day 1 on collaborations, shared decision making, understanding multiple perspectives and putting that rhetoric into that practice. It is hard work to write a co-authored document, and it's not less work. In the RPT process, we don't put less emphasis on a co-authored publication than a single-author. We need to trust and honor the work of discipline experts. For me this has been a 17-18-year battle. I wrote a coauthored thesis. I'm thrilled this is finally out of GC.

Foreman – In English we are asking for a new hire in English Ed. WE are debating whether we want to hire a PhD or an EdD. How is a coauthored thesis reported on the transcript? Is everyone's name listed, or is it reported normally?

McKenzie – It's reported as an EdD. It's a false equivalency. This is a matter of trust and whether you trust your colleagues.

Thompson – When we look at a policy; we trust that there was rationale from the faculty who put the policy in place. If it's approved on a petition for exception for university-wide requirements, it seems like the language in the current policy is a prohibition.

Morgan – I'm still unsure on the number of people per dissertation. Is a 4-person dissertation 4 times more complex and difficult? Is there a metric that defines and manages this?

Davis – These questions and comments will go to GC, but we need to move to our next topic.

b. Process for Certification and Recertification of GE Courses approved by UEPC
9/7/17

Thompson – This is for certification and recertification. With the new goals and outcomes, GE would be recertifying GE courses. The handouts look similar as the changes were mainly in the top section. I believe the process for approval beyond that is pretty much the same. We were asked to approve a process, and we did, and now it's being shared with the Senate. I'm not sure if this requires further approval or not.

Chvasta – is there something we should consider in terms of the changes that were not indicated? We're looking only at what is now improved? Is there something else we should consider?

Thompson – For example the interim is the same. It still has the same information, but it's a different process. In the past we had to take all 7 GE goals and explain how our course met 5 of the goals and one of the remaining 2. Now we have 3 goals, 16 outcomes, and you select an anchor outcome and then some additional outcomes (2-4) and explain how you will satisfy those. In short, I don't think so.

Foreman – There was thought to make a difference between UD and LD GE. Will they now all be treated the same? Will outcomes be chosen for each?

Thompson – Refer to the table with the GE areas listed. In the past if you were doing A1, you had to satisfy 6 goals. Now, you have an anchor outcome, but you can select any other outcomes you want and explain how your course satisfies those.

Wooley – You might remember other faculty members talking about this. This is what came out of the discussions with 24 individual departments. Those conversations have ended up in this form.

Thompson – The second part shows how we're going to approve the table we just saw that specifies how a course qualifies to be GE. That shows the work that was done by GEAC and the important part is that it comes down to the bottom and says it's approved by the Academic Senate. What will be coming from UEPC is a resolution to approve that table of alignment that specifies what you have to do to get a GE course approved. That's the second process. UEPC looked at the GE area and outcome alignment, and we approved it so we think it's ready to go to Senate for approval.

Davis – Take this to your departments, and forward your questions to Thompson and UEPC so they can address them.

Wooley- On that table is choosing outcomes, but that doesn't limit you to other outcomes you have for your course. Within this we need to fit within a range to make it GE, but then if you have all kinds of other goals for your class, you're welcome to do whatever you want to do as long as you're still within the GE program. The other thing is that we've reduced the number of goals, and that's what you'll assess, the anchor outcomes. The other goals you will assess on your own. In the APRs and Annual Reviews, we will be assessing the goals and how they fit within departments and university wide and we'll look through different APRs as they come along. This streamlines the system and it's useful for faculty and programs rather than our more cumbersome method from before. From a new course proposal process, this is also a good bit simpler.

c. CSU Stanislaus Policy on Time, Place and Manner of Expression

Davis – This will come to us in a more formal way, as this needs some clarification. This policy was written, went through governance, Senate voted, it went to the president, and at the same time it went to the unions for consultation. What the Senate voted on had not gone through the other consultations it needed to go through, so we do not have a policy in place. SEC has looked at it in its new form. Chris Nagel and I met with Julie Johnson to discuss SEC concerns. We're bringing this to the Senate to identify areas of concern to go to Julie Johnson. Any changes that we make must go to the unions for consultation.

We're walking a delicate balance. It may be that we end up with a separate policy dealing with safety issues and another dealing with expression issues. Ideally, we want to have something in place so we have something we can enforce since the world is a different place since 2016. Our concerns are about the following redlined sentence and who rescinds the approval we wanted to be more clear. Some of your concerns may not need to be responded by Johnson but she can make an informed response at a later date.

D. Cancelling or Rescheduling Events and ~~Withholding or Withdrawal of Approval~~

For all events schedule pursuant to Section VI.B., Stanislaus State reserves the right to cancel or reschedule based on considerations for public safety, new scheduling conflicts, prevention of unlawful conduct, avoidance of disruption to educational instruction, and prevention of commercial exploitation.

Petrosky – The last time this cycled through, at one point we raised the issue of determination of noncompliance. Whether something is compliant or not is an interpretation and should there be a dispute between someone expressing themselves, and someone determine whether it is compliant, it should go to a board of faculty, staff, and administrators. Has there been any discussion of that?

Johnson – No.

Weikart – In 6e, it noted the following:

E. Other Restrictions

Speakers at any protests, rallies, demonstrations, meetings or similar events enjoy the rights of free speech and members of the campus community and other persons shall have the right to disagree with and protest any speaker or event, **incompliance with all provisions of this policy.**

Students and faculty are free to express their opinion and views in the classroom without censorship, provided that such expressions are not disruptive and are related to the subject matter under discussion in the class or are invited by the class instructor. Those not enrolled in a class or specifically invited by the instructor to attend a particular class do not enjoy such rights.

I have a problem with what “all provisions” meant. I would like to see the Facilities Use policy to see what that is saying. What would stop a group who’s protesting a speaker to simply chant during the entire speech, and rib the speaker of their free speech rights? What in this policy protects someone’s free speech? Under 6F2, it’s unclear why we want to restrict the distribution of published materials. I’m mystified as to the reason for that.

2. Distribution of Published Materials

- The display and free distribution of books, newspapers, pamphlets and other published materials is permitted Free distribution of published materials is permitted on Monday-Friday (except holidays), in the

Designated Vendor Area provided such activity conforms to the general limitations outlined in Section VI of this policy and there is:

- No noise louder than permitted by the Use of the Amplified Sound Policy
- No misrepresentation of the true name or purpose of the material or of any organization involved in its distribution.

Johnson – That’s commercial speech. ASI regulates the vendor boxes etc.

Weikart – it says “free distribution.” This needs to be rewritten. It doesn’t say anything about commercial or a table. This would apply to anyone who comes on campus to distribute free materials. My third point is 7d canceling events, I’m concerned about the way that could be used to shut down free speech, and I don’t know how to repair that one.

~~D. D. Cancelling or Rescheduling Events and Withholding or Withdrawal of Approval~~
For all events schedule pursuant to Section VI.B., Stanislaus State reserves the right to cancel or reschedule based on considerations for public safety, new scheduling

conflicts, prevention of unlawful conduct, avoidance of disruption to educational instruction, and prevention of commercial exploitation.

For all activities requiring prior approval, pursuant to Section VI.F and VI.G., Stanislaus State reserves the right to rescind approval based on considerations for public safety, new scheduling conflicts, prevention of unlawful conduct, avoidance of disruption to education instruction, and prevention of commercial exploitation.

Strahm – I would add to what Weikart said about prevention of unlawful conduct. Maybe that needs to be better written. How do you know if someone will engage in unlawful conduct? I would also point out and ask us to remember that, with our white supremacist on campus, that we don't put anything into a rule or regulation that can be turned against the very people it is supposed to protect. My best example is that in the 1980s, the University of Michigan adopted a hate speech code and they did it because there was a lot of hate speech against African American students. There has never been a white student charged with hate speech, but 20 black students have been charged. The rule that was meant to protect them was turned against them. I appreciate the way union rights to present and organize is explicitly laid out, because that is also frequently used against unions. I just want us to be very careful that we don't have something that we put into play that could ultimately be turned against us.

DeCure – In Theater we often portray things that are political and not always accepted. If there is clarification, there is no protection of the act or performance. We can think about what happened at the public theatre in NYC where the performance was interrupted because groups didn't like the portrayal.

Strahm – I like Petrosky's point about having a committee. I'm the faculty advisor for an LGBTQ group on campus. Last year they were trying to schedule for the Amphitheater, and the lady doing the scheduling didn't know that it was for a drag show. She asked, and as soon as they said drag show, immediately the response was I'm not sure if we can do this. The questions went from having an extension cord to 50 questions about insane things. I told the person that this was implicit bias, to which her supervisor responded that she wasn't biased. My point is that that was so subtle, that's a subtle way to reject someone or a group from an opportunity to have their free speech and their ideas. Having a committee made up of folks so that if there is an issue, we could take it to them and not be at the whim of the scheduler.

Wooley – I appreciate Strahm's previous comment. We should think about not trading security for freedom. We get fearful and sometimes we restrict everyone's speech to keep everyone safe. Ultimately, we all lose freedom and we also lose freedom of assembly. Both of those are important to consider fundamentally that we're talking about basic freedom, and we need to

maximize the amount of freedom, and then we can figure out the security things. By focusing on security things first, we compromise our freedom. The rabble rousers are the ones that win.

Sarraille – On p. 3, beneath the list of bullets/boxes, it says:

There shall be no restrictions on ~~legal~~ **protected** free speech activity based on the content of such speech or expression nor on the political, religious, union or other affiliations of speakers.

The word “legal” is crossed out. I haven’t had an electronic copy, but what do we mean by protected speech, and why is the distinction between protected and legal?

Davis – Somewhere in consultation with unions, in one consultation, it was changed from legal to protected.

Sarraille – It’s a word adopted from some other consultation, but we’re not sure why. I wonder what the definition is. I wonder what the term is supposed to mean.

Morgan – I believe that it’s directly connected to the verbiage and rhetoric from the constitution.

Foreman – I suggest that we move this quickly since it’s urgent. We should consider putting a sunset clause in the policy to hold our feet to the fire to continue this discussion.

Nagel – I want to make sure that ASI is consulted throughout this process. Student speech is often fraught on campus.

Davis – Seeing no other hands, we will be continuing this discussion.

10. Open Forum

Strahm would like to respond to Strahm’s earlier comments. I went through the resolution we just passed, and I believe there are things within it that would support me supporting the Provost’s communication with the CO. Resolved clauses 5, 7, 8, 9 are specific and allow me to weigh in. It is my view that this resolution supports my plan, but I will not sign without the support of SEC.

Filling- I’m not sure that that letter would support the resolution. What would make me feel better is if the letter stated that it was not a statement of fealty, that there’s a clear communication that we still think this EO is not worth pursuing.

Carroll- If the resolved clauses in our sense of the senate resolution regarding the revised EO 1100 were in order of importance, then the letter SEC is working with the administration to prepare should reflect the context of resolved clause #2.

11. Adjournment at 3:58pm