THE MINUTES OF THE EXECUTIVE COMMITTEE

OF THE ACADEMIC SENATE

CALIFORNIA STATE UNIVERSITY, FRESNO

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November 19, 2018

Members present: Thomas Holyoke (Chair), Bradley Hart (Vice Chair), Susan Schlievert (State-wide), Loretta Kensinger (At-large), Melanie Ram (University-wide), Robert Harper (Ex officio), Rebecca Raya Fernandez (At-large)

Members excused: Joseph Castro (Ex-officio), Demi Wack (ASI), Jennifer Miele (At-large)

Guests: Venita Baker (Academic Senate), Chadley James (GE), Keith Clement (Undergraduate Curriculum Committee), Brian Tsukimura (Personnel), James Mullooly (AP&P), Xuanning Fu (Dean of Undergraduate Studies), Rudy Sanchez (AVP of Faculty Affairs); Debbie Adishian-Astone (VP of Administration)

The meeting was called to order by Chair Holyoke at 3:00pm in HML 2108.

1. Approval of the agenda

MSC approving the agenda

1. Approval of the Minutes of October 29, 2018

MSC approving the Minutes of October 29, 2018

1. Communications and announcements
   1. Interim Provost Harper  
        
      The Provost announced an emergency campus preparedness meeting earlier in the day regarding the poor air quality. The AQI is currently in the low 150s, which is unhealthy for sensitive groups and others should avoid strenuous outdoor activity. The campus therefore plans to remain open unless the air quality deteriorates substantially further and raises above 200.

Senator Kensinger (At-large) observed that the current air pollution is from wildfires and therefore contains more pollutants than other forms of pollution. The Senator also observed that the campus has a number of students from areas directly affected by both the fires and poor air quality elsewhere in the state. The Senator asked whether housing is being opened for students on campus for those who may not be able to return home over the holidays. In addition, Senator Kensinger asked what is being done to protect athletes who are expected to practice in poor air quality conditions and may have medical conditions.

The Provost stated that he was not aware of any plans regarding housing but would speak to the Cabinet. In addition, the Athletics Director has established stringent guidelines to protect athletes by practicing in the morning or indoors when air quality conditions are poor. All kinesiology classes with outdoor components have been cancelled.

Senator Kensinger asked whether there are fundraising efforts underway to assist CSU students and faculty who have been affected by the fires. Chair Holyoke stated that efforts are underway at a system-wide level.

* 1. Action Items
     1. Memo dated November 16, 2018, from Deborah Adishian-Astone, Vice President for Administrative Services and Chief Financial Officer, to Thomas Holyoke, Chair Academic Senate re: Request for Faculty Appointments for Deputy Athletics Director Search. Memo has been received.

The Vice Chair will send a call for service to faculty.

* + 1. Memo dated November 18, 2018, from Marilyn Wilson, Chair University Graduate Committee, to Academic Senate re: Elevation from Option to Independent Program for Early Childhood Education. Memo has been received.

Sent to the consent calendar of the next Academic Senate meeting.

1. Planning: Committee Structure. Academic Policy & Planning.  
     
   This item was moved up on the agenda do to a guest not yet having arrived to discuss the item previously in this place.   
     
   Jim Mullooly (Chair; AP&P) was recognized to introduce the item. The proposal is to create an Undergraduate Curriculum Committee to oversee all curricular issues in an effort to streamline the process and avoid multiple committees working on the same issues simultaneously. This committee would then oversee a number of subcommittees that deal with specific curricular issues.   
     
   Chadley James (Chair; GE Committee) stated that his committee would like to remain independent for at least 2 years as it is starting to work more efficiently.

Senator Ram (University-wide) asked whether the proposed reorganization would simply be adding a new level of oversight to the current committee structures. Dr. Mullooly stated that much of AP&Ps work involves reviewing minutes of subcommittee meetings and managing committee structures and work. Senator Ram asked whether AP&P would therefore have less oversight work as the result of this change. Dr. Mullooly stated that this would be the case.

Senator Kensinger asked for thoughts from Dr. Keith Clement (Chair; Undergraduate Curriculum). Dr. Clement stated that he is in favor of the change as a way to increase efficiency and improve interactions with subcommittees because all curricular matters would fall under one committee umbrella. In addition, Dr. Clement stated that it would make sense for GE to remain independent. Senator Ram asked how this change might affect course releases. Chair Holyoke stated that creating a new standing committee would likely require another course release. Dr. Xuanning Fu was recognized and stated that the Undergraduate Curriculum Committee has a tremendous workload and has to review huge amounts of material. Dr. Clement stated that curriculum work can often be difficult, particularly when proposals fall afoul of university policy. Due to the committee’s hard work, Fresno State’s curriculum is recognized as one of the best in the CSU.

Senator Kensinger started that the GE Committee might start thinking about expanding its role into the policy sphere, and argued that the GE committee should remain independent. In addition, the Senator asked about the status of the new M/I Committee and asked where the approval process stands. Dr. Mullooly stated that the M/I Committee is still moving through the approval process. Dr. Fu stated that GE has a very important role on the campus, and because of the complexity of GE assessment it would be sensible to keep the committee independent for the next several years at a minimum.   
  
Chair Holyoke stated that this change would require a change in bylaws and requested that Dr. Clement review the existing committee charge prior to making a specific proposal. Dr. Mullooly stated that adding too many members to a committee can result in problems meeting quorum and argued that it is important to balance representation from all colleges with the committee’s ability to meet and conduct business.  
  
Chair Holyoke requested that Dr. Clement consider possible committee structure and the desired bylaws of the new committee.

1. Time, Place, Manner Presentation.   
     
   VP Adishian-Astone and Amy Luna (Emergency Preparedness) were introduced to make the presentation. The draft policy is modelling on that of Cal Poly San Luis Obispo and is designed to support First Amendment rights on campus by providing a single document with a wide range of information. The existing policy is considered interim, and is an administrative policy. Amy Luna presented some highlights from the proposed policy to the committee. The draft policy is currently being brought before various stakeholder groups and that process will continue. The draft policy is currently available online and there is also a form to solicit feedback from the public. Chair Holyoke stated that this process has been going on for about a year already, and he has made a number of suggestions that have been considered.   
     
   Senator Kensinger stated that on p. 6 there could be an APM section referenced regarding unmanned aircraft. The senator stated that a section requiring 8 weeks of notice for an event might not allow enough flexibility to respond to last-minute events. VP Astone stated that there is no hard and fast rule. Senator Kensinger stated that it would be good to identify a point person for approving last-minute events. The Senator also stated that the time limits listed for some events might prevent overnight camp-ins on campus and not allow exceptions. VP Astone stated that this provision might be contained in the Buildings & Grounds policy and could be referenced here.   
     
   Vice Chair Hart asked whether it would be possible to remove language seeming to grant more chalking rights to campus community members. VP Astone stated that this would be examined.  
     
   Senator Raya Fernandez (At-large) suggested that it would be ideal to tell groups or individuals whose event permissions are withdrawn why that permission has been revoked. VP Astone stated that this may not be possible in all cases, but it might be possible to add some form of feedback. Contact information might be provided for organizations to obtain further information.  
     
   Senator Kensinger asked whether it might be better to restrict this policy to on campus speech only, and eliminating any references to off-campus speech entirely. Chair Tsikumura (Personnel) asked if this policy would impact on-campus sports events. VP Astone stated that there would be no change.   
     
   Chair Holyoke stated that he would solicit additional feedback from the full Senate by finals week.
2. Best Practices with Freedom of Speech for Fresno State. Personnel Committee. Second Reading.   
     
   Chair Tsukimura was recognized to introduce the item. The Personnel Committee has reviewed the proposed policy and has suggested that the social media aspects of the policy be cleaved from this document and placed into a separate document.   
     
   Senator Kensinger asked whether the Committee believes something different should be done with the current social media section. Dr. Tsukimura stated that the committee would probably expand the section further. Senator Kensinger asked what status this document would have since it is not policy itself. Chair Holyoke agreed that this document would be similar to a resolution and might be appendixed to APM 103 at some point. Senator Ram asked where the social media sections were derived from. Chair Holyoke stated that he had compiled it from a number of sources including the policies of other universities. Senator Ram raised a question about the first bullet point of the second section under the social media guidelines, specifically the aspect concerning commentary on specific expertise. Chair Holyoke stated that the Personnel Committee would examine this section. Senator Kensinger also stated that the bullet point about social media network terms of use should be removed.   
     
   The Provost stated that harassment should be added to the list of 5 items where the university can take action on P. 3 of the document by adding a new Item F. Senator Kensinger stated that possible regulations on course content are debatable and should perhaps be excluded from the list as it could be construed to limit academic speech. Senator Ram asked how well established the legal precedents are in this area. Chair Tsukimura suggested the order of these bullet points might be reordered to create more clarity. Vice Chair Hart suggested eliminating the section about profane language as this is an arbitrary standard. Chair Holyoke agreed that this should be struck. Senator Ram suggested revising the introduction to this section to: “some court decisions and settlements have allowed universities to limit speech in education spaces on the following grounds:”.  
     
   Senator Ram asked where the bullet list of Title VII was derived from. Dr. Tsukimura stated that these were derived from past court cases. Senator Kensinger asked whether it would be possible to include a specific reference from AAUP about teaching controversial issues. Chair Holyoke stated that this could be added. Senator Ram asked about the origins of the section stating that speech that “disrupts the flow of class(es)”. Chair Holyoke stated that this section was probably intended for students rather than faculty. The Provost stated that this was probably intended to protect classes from outside disruption. The term “flow of class(es)” was removed. Senator Ram suggested updating the language on p. 2 related to APM 103 to make it consistent with the other sections.

The item was referred back to the Personnel Committee and will return to the Executive Committee at a later date.

1. APM 325 Policy on Retention and Tenure/APM 327 Policy on Promotion.  
     
   Chair Tsukimura introduced the item. The policy revision is being proposed to allow a second college committee to be created composed of Associate Professors at the college level to review Assistant Professors. The policy would also mandate that no more than one person from each department in the college be represented. Senator Ram asked about the elimination of Footnote 29 excluding FERP members from committees. Chair Tsukimura stated that FERPers are excluded by other policies already.

Vice Chair Hart suggested that language should be added stating that departments should add members of other departments to their committees. Vice Chair Hart will propose an amendment to that effect. Senator Ram asked whether there should be clarification as to whether FERPers are allowed to elect personnel committees. Chair Holyoke stated that this would be researched for the next meeting.

APM 332 Policy on Range Elevation for Temporary Faculty.  
  
Chair Tsukimura introduced proposed changes to APM 332 related to range elevation. Previous edits to the document had eliminated range elevation for librarians and had eliminated some examples of specific activities that would lead to range elevation. Vice Chair Hart asked about the role of a department chair in the process and suggested making amendments to clarify that role.

Senator Kensinger stated that this document reflects the only way a lecturer would receive range elevation, and that the committee should keep that in mind when considering the list of extraordinary action required for advancement.

1. APM 110 Policy on Ancillary Units.  
     
   This item was referred to the next meeting of the Executive Committee.
2. Consultation Regarding New MI Policy.  
     
   Dr. Xuanning Fu was recognized to introduce the item. The Senate passed an interim M/I policy in May 2018 specifying that courses in this area will automatically double count in their home departments. However, some departments have asked to not allow those courses to count in their majors. This would also allow departments to require specific M/I courses in other departments that would supplement their curriculum. Dr. Fu is asking the Executive Committee to clarify this language.

Senator Kensinger stated that it is unclear why the Chancellor’s GE policy affects a non-GE course, as M/I is currently constituted, and, in addition, this policy might restrict the courses a student can choose to take. Dr. Fu stated that this would be up to the departments and would not excessively restrict student choice. Senator Ram asked whether this change would require increasing the number of units in a major. Dr. Fu stated that it would not require any increase in overall units and would just be an additional graduation requirement within a major. This change would just be to the general catalog language and would not require any additional units. This would also keep the campus in compliance with the Chancellor’s Office Executive Order. The Provost asked what would happen if a department offered an M/I course that is not counted toward the major requirements at all. Dr. Fu stated that this would be addressed in the future. These changes could be made through catalog changes.   
   
The Senate Executive Committee adjourned at 5:19 p.m.

The next meeting of the Executive Committee will be on Monday, December 3, 2018. This will be the committee’s last scheduled meeting of the Fall 2018 semester.

Submitted by: Approved by:

Bradley Hart Thomas Holyoke

Vice Chair Chair

Academic Senate Academic Senate