

CALIFORNIA STATE UNIVERSITY, STANISLAUS**ACADEMIC SENATE MINUTES**

April 6, 2004

PRESENT: Andres A., Aronson, Bettencourt, Cunha, Dauwalder, Everett, Feldman, Filling, Floyd, Gackowski, Garcia, Jensen, Karlstrom, Luo, Morgan-Foster, Myers, Nagel, Neufeld, O'Brien, Oppenheim, Paterson, Peterson, Poole, Regalado, Rios-Bustamante, Rumayor, Sarraille, Senior, Shipley, Stessman, Tan, Thompson, Watkins, Weddle, Youngblom,

PROXIES: Sarraille (Zarling)

ABSENT: Andres C., Bettencourt, Brown, Ferriz, Katsma, Nelson, Riedmann, Sumser

GUESTS: Brown D., Edmondson F., Hughes M., Jaasma M., Price B., Wendt T.

Recording Secretary: Diana Bowman

3/AS/04/FAC--Access to Faculty Offices,
APPROVED

4/AS/04/FAC--Lecturer Representative on
Academic Senate, FIRST READING

INFORMATION ITEMS: Assessment of
Student Learning Principles, IRB , Process
for Student Discipline

Next Academic Senate Meeting:

Tuesday, April 27, 2004

2:30-4:30 p.m., JSRFDC Reference Room

Minutes submitted by:

John Sarraille, Clerk

Speaker Aronson called the meeting to order at 2:40 pm. The agenda was approved as submitted. The Minutes of March 23 were amended on Page 2, item 8, second sentence to read "Colleges of ALS, Education and Business." Page 7, item c, to read "Spending process-it requires approval by the Provost of expenditures from \$1,500-4,999 and over \$50,000 approval by the President." Also, on page 6, item a) Resolved clause, strike "by Public Safety." The Minutes were approved as amended.

1. The 2003/204 Outstanding Professor is Armin Schultz, Outstanding Research Professor is Hope Werness and Outstanding Community Service Professor is Sara Garfield.
2. Alumni nominees are due April 26, 2004.
3. April 22 is the Faculty Recognition Dinner. Tickets are on sale for a couple of more days.
4. President Hughes and Vice President Ruud returned from Washington DC lobbying (over 100 alumni in

DC area). The purpose of the visit was to present on behalf of the Provost and faculty a request for funding from the federal government and meet with our legislators. Although our Legislators do support us, there are budgetary problems. The President and Ruud asked for \$525,000 for the B.S. Nursing pre-licensure Program, a partnership with CSU Sacramento and CSU Fresno. It would cover clinical faculty for a three-year program, increase the student cohort from 30 to 40 and sponsor scholarships for nursing students. Every legislator is aware of the crisis in nursing and they want to respond. Ruud and the President also lobbied for \$750,000 to construct the Center for Scientific Endeavor to complement the Science II facility. The Center will support the University's partnership with UC Merced to develop joint doctorates in environmental science and in science and mathematics education. Also, \$750,000 to launch a Family Business Development Program offered by the College of Business. The program will support family and small businesses in the region with research, training, internships and professional development for business faculty. There was a lot of support from Legislators because of the abundance of family businesses here. Also requested was \$966,100 to establish a Center for Confocal Microscopy. The University already has a confocal microscope which is a live cell 3-D imager. The Center creates an infrastructure of experienced personnel, including a project director and support staff to ensure that the microscope will be used to full advantage in research endeavors. The Azores Collaborative Research and Education Group seeks \$1 million to establish and support the Good Neighbor Partnership/Azores. We received a planning grant in the fall but now we want to move it to a new stage. The reauthorization of the Higher Education Act is also important. It might not be passed before the election, but Ruud and the President made clear the need for campus based aid, early outreach programs, work study, Hispanic-serving institutions, and other areas of assistance. It is important to our students to fund such needs. The President indicated that the visit went well.

5. Oppenheim advised that Horace Judson, previous Provost at CSUS, has been named the new President of Grambling State University in Louisiana.

6. Aronson thanked the Provost for refreshments.

7. The following guests were welcomed: President Hughes, Associate Vice President Wendt, Associate Vice President Edmondson, EOIR Director Brown, M. Jaasma, Director Burns, S. Clapper and B. Price.

QUESTIONS ABOUT REPORTS None

ACTION ITEM

a. 3/AS/04/FAC--Access to Faculty Offices

Floyd stated that at the last Senate meeting a legal question was raised but it still has not been clarified. So we have an option to go forward or wait. His suggestion is to go forward and accept the resolution as is.

Wendt stated that General Counsel's recommendation is to avoid writing such a policy. There is no parallel policy on other campuses. It assumes property rights to the office that do not exist. The proposed policy would likely deny access to persons who have a right to enter. Wendt recommended some other type of remedy to solve the problem.

Aronson reminded the body the proposal is only a minor modification of an existing policy. It has been in place for 20 years. Further, the issue came up because there was a situation where people have gone into a faculty member's office without permission and in one case with a student and no knowledge or permission

by the faculty member. At the time, there were confidential materials in the office.

Gackowski stated that in his case a secretary opened his office for a student and she took something she shouldn't have. Morgan-Foster asked if this policy would prevent a department chair from entering a faculty office. Floyd stated that the department chair would hopefully have a good working relationship with their faculty. Also, faculty could leave written permission granting access to their chairs. The proposed rule would at least deny random access. Thompson stated that he knows we don't own our offices, but we have the right to ask people not to enter. If there is a problem someone with a legitimate reason can ask permission.

Wendt stated that students should not be allowed access to a faculty member's office, but we don't need this proposed policy to regulate such access. Wendt said that he has knocked on doors and entered offices to see if they are in use. What if the faculty member is not around and someone really needs to get into the office? There could be a rule against rummaging around or against stealing from an office. There are insubordination issues. If a person is accessing space contrary to an order, then the administration has a right to check it out without permission. If you are concerned about inappropriate actions, there are other ways to deal with it.

Filling expressed his surprise at any of his administrative colleagues needing to get into his office. A lot of what faculty do is confidential: RPT materials, student papers. Faculty should be able to specify who is allowed in their office. Garcia questioned why a department chair would need access to a faculty member's office. Feldman stated that faculty have an obligation to protect student grades and if we don't, we could be sued. Faculty also have intellectual property rights. They should have confidence that no one can have certain kinds of access to what is kept in the offices. If we don't have a policy that limits access to faculty offices, we should have policy for what is in the office.

Vote on 3/AS/04/FAC passed by voice vote, with one no vote and one abstention.

FIRST READING ITEM

a. 4/AS/04/FAC–Lecturer Representative on Academic Senate

It was MS Floyd/Nagel

Be it Resolved that: The Academic Senate support an amendment to the General Faculty Constitution, Article V, Section 2.0 permitting the addition of one voting lecturer representative to the Academic Senate elected by full and part-time lecturers; and be it further

Resolved: That this amendment be sent to the General Faculty for approval; and be it further

Resolved: That this amendment be effective upon approval by the President.

ARTICLE V. THE ACADEMIC SENATE

Section 2.0 All members of the General Faculty are eligible for election to the Academic Senate. Voting membership of the Academic Senate shall be as follows:

- a) One Senator elected by and from the General Faculty in each academic department, the library, and the counseling unit.
- b) The General Faculty's representatives to the Statewide Academic Senate.
- c) The members of the Executive Committee of the Academic Senate.
- d) The Provost/Vice President for Academic Affairs and Vice President for Student Affairs.
- e) Two voting student members of the Academic Senate selected by the Associated Students, according to their procedures.
- f) One voting member of the Academic Senate elected by and from the CSUS Emeritus and Retired Professors' Association.
- g) One voting member of the Academic Senate elected by and from all full and part-time lecturers.**

Rationale: Results from a FAC survey of full and part-time lecturers suggest a relatively strong interest in having an Academic Senator who would represent their specific interests. Lecturers are interested in faculty governance concerns as it relates to their interests and are rather unsure how well the current composition represents lecturer interests. Special lecturer seats on Academic Senates within the CSU System are available at nine campuses. This proposed constitutional amendment would allow lecturers (part-time & full-time) to elect one Senator to represent their interests. This position would serve as an important voice for the issues and concerns related to lecturers.

Floyd reported that this item came to the attention of FAC through a member of the faculty who is a lecturer that believes that lecturer faculty needed to have more specific representation. What FAC did in response to that was send out a survey and from that, the lecturers that participated were in support. They seemed to not know much about what was going on in the Academic Senate. FAC felt that it would be a good thing to put a lecturer representative on the Senate to help the lecturers get more out of participation on the Senate and to also get their ideas represented.

Oppenheim asked how many full time and part time lecturers do we have. Sarraille replied that about one-half of the faculty are full and part time lecturers (about 200). Systemwide it is more than 50%. Oppenheim stated his concern that departments are already sending uninformed faculty or new faculty as their Academic Senators. It seems 15-10% of our Senators have been on campus less than two years. He feels that only tenured faculty should be Senate representatives. He has argued this for years. This cannot be compared to emeritus/retired faculty representative. The retired faculty have been around a long time and understand the issues. He asked how part time faculty would get together to vote. Will the representative be someone who knows the place? He acknowledged that there are some lecturers that have been here for years, but he would feel more comfortable if there were eligibility requirements. It should be limited to people that have been here a certain number of years. It is also important how the election would be handled. Rules are needed regarding how the lecturer representative is elected and who would be eligible.

Nagel stated that the perspectives lecturers have are different from those of tenured/tenure track faculty. They should be heard and appreciated. Thompson asked what would have to happen for this to become 'a law'? Aronson replied it would have to be approved by the Senate and it would then go to a General Faculty

vote and then to the President. It is an amendment to the General Faculty Constitution. Poole stated that in terms of whether someone on the Academic Senate contributes knowledge about the University, it is up to the department or the lecturers to elect someone new or someone experienced. She would not like to make the assumption that someone who has not been here long would not be appropriate.

Peterson agreed. It is good to have variety on the Academic Senate. New people are born to be old people eventually. Having lecturers represented is important. They represent over half of the faculty.

Regalado questioned the need for representation. Senators should represent everyone in their department. It would also be helpful to know the logistics on how the lecturer represented would be chosen.

O'Brien stated that he likes the idea of having a lecturer representative. But maybe there should be more prescription of how the representative would be elected.

Gackowski supported the idea of a lecturer representative, but there should be some type of requirement who can be elected. It should be someone full time or a part-timer who has been here a long time. It should not be someone who just teaches one course.

Nagel to work with Floyd on clarifying the above concerns.

Filling stated that although he is not cognizant of problems with lecturers, it might be hard to represent them, but he feels he could if he had to. But, he thinks it is a good idea to have a representative from lecturers on the Senate.

Floyd reminded Senators that FAC did develop guidelines for departments to use when selecting their Senator. It can also relate to electing a lecturer representative.

INFORMATION ITEMS

a. Assessment of Student Learning Principles

Watkins reported that UEPC wants to put this on the Academic Senate agenda for April 27. Thompson will send principles to Senators over Asnet prior to the meeting so they can look at them early to provide input prior to the Senate meeting. Send comments to Watkins at cwatkins@toto.csustan.edu She needs input by Monday, April 19.

b. Process for Student Discipline

Morgan-Foster introduced Associate Vice President/Dean of Students Fred Edmondson. They did a PowerPoint presentation on the process for student discipline concerning academic plagiarism and cheating.

c. IRB (Burns)

Burns advised that she and Clapper opened up a dialogue with SEC to find out how to disseminate information on IRB. Senators Garcia and Nagel are members on the IRB. SEC asked this be reported at the Academic Senate meeting today. A brief overview was distributed to Senators. She asked that this information be taken back to their departments. She reintegrated 2.1. Roles and procedures faculty have...

form attached.

Garcia stated that faculty are confused as to what is exempt and what is not. The IRB should make this determination. Anything regarding human subject research should come to the IRB. Burns stated that if you think you will be using human subjects or sensitive data, then use the instructions on the second to last page and the informed consent form on the last page. The IRB looks closely to see what the benefit of the research is. There should be a clear benefit. Garcia stated it is also confusing what is research and what is education. To decide, the IRB needs more information. IRB asks faculty what they are doing, for example if interviews are being conducted. Faculty need to tell the IRB what they intend to do with the information. If the assignment is a classroom assignment and the information will be kept in the classroom, then that is probably education and wouldn't have to come to IRB. If faculty are not sure, they should contact someone in IRB. Burns stated that the goal of the committee is to make the screening a user friendly process.

Floyd asked what was meant on the second to last page where one is asked to address the appropriateness of the design of the research. Garcia answered that the faculty member needs to describe the research question and explain how that question will be answered. You say what you are going to do and how you are going to do it. Burns stated that it also deals with safety. Does it protect the interviewee and the human subjects? Garcia added that one also considers whether there is a safer way to get equivalent information. Nagel advised there is a federal privacy regulation. Methodology has to fit. Watkins asked about the requirements of methodology. Who serves on the review board? Burns replied that there are representatives from all colleges and representatives from sciences, humanities, and an outside community member. Membership of the committee is meant to be well-rounded.

Watkins stated the most important sentence is at the bottom of page 5 under Exempt: "this is not to be confused with research being exempt from any review at all." She said that she hears people say that if their research is 'exempt,' they don't have to tell anyone or send it forth.

Aronson suggest Burns and Clapper be invited to departments to talk this through

Meeting adjourned at 4:20 pm.