



# CALIFORNIA STATE UNIVERSITY, FULLERTON

## ACADEMIC SENATE MINUTES MARCH 24, 2016

ASD 16-40

Approved 4-28-16

11:30 AM - 12:50 PM

PLN-120

Present: Armstrong, Balderas, Barr, Basil, Bonney, Carroll, Casem, Chavis, Cuaresma, Dabirian, DeMars, Dries, Eanes, Evanow, Filowitz, Fischer, Fitch, Fontaine, Guerin, Kanel, Lin, Mead, Meyer, Mouttapa, Patton, Randall, Rhoten, Robles, Rodriguez, Sargeant, Stang, Stein, Stohs, Tavakolian, Walicki, Walker, Wang  
Absent: Buck, Cruz, Fidalgo, Garcia, Gradilla, Myck-Wayne, Oliver, Perez, Powers, Puri, Stambough, Wood

### I. CALL TO ORDER

Chair Bonney called the meeting to order at 11:30 AM.

#### IN MEMORIAM

- George James, Emeritus Professor of Art [died 3-5-16, Age 84]

### II. URGENT BUSINESS

### III. ANNOUNCEMENTS

- Academic Senate has shared a Dropbox folder to allow you easier access to documents for Academic Senate meetings. You should have received an email from Dropbox and you will need to accept the invitation to gain access to the folder.
- Latino Americans Episode V: Prejudice and Pride 

Thursday, March 31, 2016, 7:00 PM - 9:00 PM
Fullerton Public Library: Osborne Auditorium
- (Bonney) If you are running for a position, please turn in your candidate statement and photo to the Academic Senate office before strike.
- (Bonney) We have extended the opportunity to make comments about Academic Master Plan until April 8th. We will put the access information on the Academic Senate website in the retreat section of the website.
- VP Kim introduced two new members to his division and the campus:
  - Nelson Nagai - Procurement Director
  - Mary Clark - Chief of Operations
- (Myer) CSUF Dance Program, Department of Theatre and Dance has been selected to perform at the Kennedy Center for the Performing Arts in Washington D.C. as part of the American College National Dance Festival.

### IV. APPROVAL OF MINUTES

- 4.1 ASD 16-28 Academic Senate Minutes 3-10-16 (Draft)  
M/S/P (Walker/Meyer) ASD 16-28 Academic Senate Minutes were approved unanimously.

### V. CONSENT CALENDAR

M/S/P (Mead/Stohs) approved unanimously.

#### NOMINEES TO COMMITTEES

##### 5.1 NOMINEES TO STANDING COMMITTEE

#### DIVERSITY & INCLUSION COMMITTEE (10 faculty)

Nominees: Henry Puente (COMM); Phoolendra Mishra (ECS); Julian Jefferies (EDUC); James Rodriguez (HHD); Rebecca Dolhinow (HUM); Alexandro Gradilla (SOC SCI); Lettycia Terrones (L/A/C/E); Charles Smith (MCBE); Jennifer Burnaford (NSM)  
Pending (ARTS)

**FACULTY RESEARCH POLICY COMMITTEE** (10 faculty)

Nominees: Xiaoying Xie (MCBE); Joshua Yang (HHD); HyeKyeung Seung (COMM);  
Janice Myck-Wayne (EDUC); Margaret Garber (HUM); Nikolas Nikolaidis (NSM);  
Kiran George (ECS); Robert Robinson (SOC SCI); Alvin Rangel-Alvarado (ARTS);  
Pending (L/A/C/E)

**5.2 NOMINEES TO GENERAL COMMITTEES – Senate Nominees – All University Elections****PROFESSIONAL LEAVES COMMITTEE** (10 faculty – Tenured Professor Status)

AS Nominees: Andrea Patterson (HUM)  
Confirmed 3/10: Maria Cominis (ARTS); Gloria Monti (COMM); Suzanne Robertson (HHD);  
Armando Martinez-Cruz (NSM); Jennifer Trevitt (SOC SCI); Adolfo Prieto (Library);  
Mira Farka (MCBE); Loretta Donovan (EDUC); Jidong Huang (ECS)

**5.3 NOMINEES TO SEARCH COMMITTEE****SEARCH: DEAN COLLEGE OF EDUCATION** (5 faculty)

Nominees: Sharon Chappell (EDUC)  
Confirmed 2/25: Natalie Tran (EDUC), (EDUC), Erica Bowers (EDUC), Minerva Chavez (EDUC),  
Benikia Kressler (EDUC)

**VI. CHAIR'S REPORT (Chair Bonney) Written report distributed to campus 3-21-16.**

Having written a long Chair's report prior to the 10 March meeting, I will keep this brief.

The Academic Affairs/Academic Senate retreat on 18 March 2016 appears to have been successful in engaging participants in the issues involved in the Academic Master Plan. While we have not yet had an opportunity to review the material generated both in the reflections and in the table discussions, it appears that we have a significant amount of comments that will enrich the creation of the first draft of the AMP. Thanks to Provost Cruz for supporting the event, to Amir Dabirian for organizing the technology, to Sheretha Benjamin and Mara Cabrera for handling the infrastructure details and the registration desk, to Mark Stohs and Amir for serving on the organizing committee, and to Erica Bowers, Lana Dalley, Susan Glassett Farrelly, Mark Filowitz, David Forgues, Lisa Kirtman, Marsha Orr, Katherine Powers, Irena Praitis, Su Swarat, Sora Tanjasiri and Alison Wrynn for taking notes of the table discussions. My apologies to anyone I may have forgotten.

We have a full agenda for our meeting this week, and I have addressed most of them in the prior Chair's Report. New to this meeting is UPS 295.000, The Outstanding Lecturer Award, which the members of the Outstanding Professor's Award committee have revised in light of their experiences in reviewing files this year. This is a new award, and some modifications seemed appropriate to provide applicants with both better guidance in the preparation of their files and a better sense of the committee's expectations. Also new is the Resolution called for by AB 798 that invites CSU campuses to apply for grants to develop a program aimed at increasing access to high-quality open educational resources. This resolution simply authorizes the Executive Committee to put together a task force to develop the plan called for by AB 798 and bring it back to the Academic Senate. Two new UPS documents are being brought back to the Senate for action - the UPS from the Academic Standards Committee on the sale of academic materials for commercial gain and the UPS on faculty selection of instructional materials from the Faculty Affairs Committee. While the impetus for the latter arose from a matter that was before the Faculty Hearing Committee in fall of 2015, our discussion should be looking forward and directed toward the proposed policy.

As of the writing of this Chair's Report there has been no word concerning the Fact Finders' report. If the parties cannot resolve matters and the strike is called the Academic Senate meeting for 14 April will be canceled, and the next meeting will take place on 28 April. Let us hope that the strike is averted.

**VII. PROVOST REPORT**

No Provost report.

**VIII. STATEWIDE ACADEMIC SENATE REPORT**

No Statewide Academic Senate report.

**IX. ASI REPORT**

(Valencia/Cuaresma) Presented the LGBTQ Campus Life Resolution, which was passed by the ASI Board.

M/S/P (Walker/Casem) moved to have the CSUF Academic Senate endorse the ASI's LGBTQ Campus Life resolution. Motion passes with a single abstention.

**X. CFA REPORT (Barr)**

We continue to prepare to strike. Impressed how the faculty, students, staff and Alumni have come together. Fullerton will have a very successful strike. Have some concerns, getting emails and phone calls from lecturers and tenure-track faculty who have a great fear of retributions if they participate in the strike. I hope this is nothing more than a rumor because that is illegal. It is not only a violation of the contract, it is a violation of the Higher Education Employer Employee Relations Act, and if it happens I would file the unfair labor practice complaints. I want to make clear that everything we are going to do is a legal and non-violent strike.

Q: (Walker) We have teaching assistants and grad assistants that have to report to work, and faculty are concerned about their having to cross the picket lines. It would be great if there was some reassurance they will be able to go through it without an issue.

A: We are the only union that can legally strike. There are a lot of other unions that can show solidarity with us. They can join us on the picket lines before work, after work, or on breaks.

Q: (Walicki) Regarding retributions, I have talked to some adjunct lecturers who aren't worried about being let go, they are worried that there won't be classes for them next year.

A: The contract lays out the order work is offered. For those at the very bottom, the order that work is offered can be an issue. If we feel like that is because it is a form of retribution, we are going to take every one of those complaints seriously and aggressively.

Q: (Walicki) What is going on with negotiations?

A: I am not at liberty to discuss anything during this time.

Q: (Patton) Any word on the fact-finding report?

A: I am not free to discuss anything about that during this time.

Q: (Lin) During the time of the strike, will that affect online courses?

A: Yes, online faculty are faculty and if they are striking, they should be withholding online labor. It doesn't mean you have to take your online course down, but you don't do anything with it. No email, posting, or grading.

Q: (Bonney) There is concern staff will be able to gain access to campus.

A: The best thing is if they have to be here, and are not a part of another union, it's up to us to communicate with the people around us.

Q: (Walicki) A faculty member was told by someone in administration that we had to sign a form if we were going on strike to say that we were, and I want to know if that is illegal?

A: Yes that is illegal, you cannot be asked ahead of time if you are going on strike. If that happens, as soon as you contact me, I will file the unfair labor practice complaint. You can be asked afterwards if you were on strike, and be truthful about that.

**XI. FIRST READING**

11.1 ASD 16-20 First Reading Revisions to UPS 411.100 Curriculum Guidelines and Procedures  
[Source: UCC]

Senator Fischer gave the overview for the revisions to this UPS document intended to align the UPS with newer technologies being used on campus. Now that we have Curriculog, Acalog, and an online catalog the online catalog can be kept up-to-date if the timing of the submission of the new course proposals changes was modified.

Changes recommended by Katherine Powers:

Line 42 Add sentence...if a challenge happened on behalf of both a graduate and undergraduate program, then the course shall be reviewed by both UCC and GE.

Line 287- limited numbers of courses that do not become a regular part of the curriculum. Suggestion would be: say to offer limited number of courses that differ from regular courses. (Walker) the language should stay the same; it's experimental.

Line 506 – Katherine Powers said there can be multiple changes made to a course on the course change form, which can be abused so as to result in a substantive change. So we can put in if there are multiple changes to a course, if the changes are substantial or if an approved course is divided to address that issue

(Carroll) Starting at line 527 – it states that “regular academic year does not include intersession, extension, special session or summer session”. How does that impact courses that are only offered in summer for example summer field courses?

A: When the list comes out, the Chairs can let Academic Programs know, and those courses will not get retired.

(Walker) This policy and the email you received from Senator Powers about Grad Ed and UCC illustrates a problem that we have noticed and I think we should think about how we either separate the graduate courses and policies so that Grad Ed is in charge of one set of policies and UCC is in charge of another. It might streamline it and make it easier for us to edit, change, and move things around and make sure we have the appropriate experts looking at each policy because right now we have graduate programs mixed in with the undergraduate programs and GE things and sometimes it gets really complicated.

(Patton) I would ask the committee if they decide to include the word substantive, that the meaning be fleshed out a little bit more. Also I had a change of learning goals as a Gen Ed category that was declared substantive. The change from one Gen Ed category to another initially was kicked back, so I would like a statement of those things we have change of course or pre-requisite. Is a change of learning goals also be considered non-substantive or would the committee please discuss Gen Ed change of learning goal and what the appropriate form is to use for that.

We will send these suggested changes to the committee. If you have additional suggestions, send to Senator Fischer before April 8<sup>th</sup>.

#### 11.2 ASD 16-21 First Reading Revisions to UPS 410.103 Curriculum Guidelines and Procedures Degree Programs [Source: UCC]

Senator Fischer gave the overview for the revisions to this UPS document. The introduction of an online system for curriculum changes has created the possibility of having an annual catalog that reflects courses and programs accurately. According the Academic Programs, new program proposals and program change proposals need to be made in the fall semester only.

No comments

## XII. NEW BUSINESS

#### 12.1 ASD 16-31 Statements-of-Opinion for All University Elections, Spring 2016

M/S/P (Stang/Walker) Motion passed unanimously to approve the statements of opinions for inclusion on the ballot for the All University Elections Spring 2016.

Executive Committee is bringing forth these two statements of opinions for inclusion on the ballot for the All University Elections Spring 2016.

(Kanel) Will the advisors be one of the newly appointed staff advisors that have been recently hired or will it be faculty advisors, people who teach in the department and might know a little more about that?

A: It will be academic advisors, we will make that change.

(Filowitz) Addressing Senator Kanel's statement, we have graduate and retention specialists who are academic advisors but are also staff, so I want to make sure we have not excluded them because they are very important in the process.

(Chavis) I would like to see added department advisor because if it's a college advisor who is not aware of the programs because they deal mostly with the first two years of students or their general requirements for college, they may not be aware of what the particular requirements for departments are and they are quite different across departments.

(Randall) You mentioned that my proposed statement of opinion had a contractual consideration, so I would like to get feedback from the Executive Committee on the question I proposed which was: should students who enroll in on-line courses and do not matriculate, be allowed to evaluate those on-line instructors.

- (Fitch) Maybe it could be restated in some way in some kind of a general opinion about the nature of the evaluation of the on-line courses.

(Cuaresma) I have a concern on consistency of advisors giving permission to the students. Are there specific guidelines which they would have to follow when they are giving permission? In the student's experiences, when meeting with advisors, one advisor might focus on this goal while another advisor might focus on another goal.

A: Those are issues that would be addressed in the implementation if we decided to address these through policies; those questions would be address there.

## 12.2 ASD 16-34 Resolution AB 798 In Support of Increasing Access to High Quality Open Educational Resources

M/S/P (Walker/Stohs) Motion to adopt this resolution. Motion passed with one abstention.

(Fitch) I have no problem supporting the resolution, but if this becomes some type of pressure we can only use those kinds of sources, then I would really oppose to it.

- (Bonney) Whatever the task force decided to do, they have to come back to us to do it.

## 12.3 ASD 16-32 New UPS 3XX.XXX Faculty Selection of Instructional Materials [Source: FAC] M/S/ (Patton/Stohs) Motion to pass UPS 3XX.XXX Faculty Selection of Instructional Materials

Senator Patton gave the overview for this new UPS document. There was an open discussion on this document as a first reading. There were comments made, and they were given to the committee, and the committee incorporated them.

(Stohs) I think it will be helpful to walk through a few of the points in this document. Some I will either quote or paraphrase.

- In Section II A: it talks about "The freedom to teach includes the right of the faculty to select materials..." then it goes on to say "This right is constrained only when a department has adopted policies that mandate selection of specific instructional materials for certain course(s)".  
That may sound like it come out of nowhere, but it is almost a direct quote from one of the AAUP documents. I would like to quote from AAPU, "The right of the individual professor to select their own instructional materials, a right protected under the principles of academic freedom should be limited only by such considerations as quality, cost, availability, and need for coordination with other instructors or courses."
  - The committee did a very good job in coming up with a way of stating that the right is constrained and the reasons of why it might be constrained.
- In Section II B: in the first line, selecting texts represents a balance among academic freedom and several external constraints, and between individual faculty judgment and the judgments of the community (in this case the department); and as a result of consensus or majority decisions.
  - That's important to keep in mind.
- In Section II C: faculty (a department) may choose to have no common texts and thus do not need to develop their own textbook adoption policy. However, if a department chooses to have common textbooks anywhere in their department, they must develop their own policy.
  - So this policy is not saying there have to be common textbooks or does not have to be, but if a department decides to have a common textbook, then they should have a policy.
- In Section III I'm going to summarize A – B: the books should be accessible to all students, academically rigorous, consistent with research in discipline, should satisfy the course description, used regularly if required. The policies should also be reviewed regularly; text books should be cost effective, consistent with accreditation standards. That includes faculty–authored texts as well and they should be consistent with all those guidelines.

- In Section III C: after text books are submitted, by the department, faculty would normally use those texts and faculty assigned to teach courses after orders have been submitted will be expected to use those materials. There may be limited circumstances when changing orders after the deadline is necessary, but efforts by the department chair and the bookstore shall be made to avoid changes that would impede the process of providing accessible materials for students.
  - This part of the proposal is permissive in allowing chairs to work with faculty (including lecturers) requesting changes, thus allowing for a compromise between the guidelines of this proposed UPS and academic freedom.
  - We do have federal and state laws that require textbook adoption at a certain time and after that point, it makes it very difficult to change things. This may impact late hires, but that is the way it is, it's part of the law. Nothing in the proposed UPS prevents lecturers from participating in textbook decisions. If it has already been made, they may be able to participate in the future.
- In Section IV A: all departmental policies should be consistent with this UPS.
  - That means if there are no common textbooks, then they are in compliance, not an issue.
- In Section IV B: if a Department chooses (common) texts for a course, then their policy must also specify:
  - Who may participate in the process of developing the policy? (e.g., should all faculty participate, or only those who teach the course).
    - The proposed policy does say it's the department faculty who decide.
  - Authors with texts under consideration may only provide written points of view.
    - This is to minimize conflicts of interest; it is also highlighted by the AAUP.
- In Section IV C: departmental policies shall be reviewed by faculty at the college level, following procedures developed by each college.
  - Meaning it is faculty who are reviewing the policies.
- In Section IV D: current policies shall also be reviewed by the faculty.
- In Section IV E: reviews of policies should occur every 5 years.
  - This is consistent with review of UPS policies.
- In Section IV F: if a Department does not have its own policy, the guidelines in this proposal are in effect.
  - Again, if there are no common textbooks, then it makes no difference what so ever.

To summarize a few things:

- It's faculty who have the responsibility and who have the rights; and its faculty within a department.
- The default policy is that individual faculty members choose their own texts.
- If departments want to offer a common text, the faculty must agree to a policy, develop it, and use that policy to choose a common textbook.
- Reading through the AAUP document, this proposal is very much in line with what the AAUP has stated.

(Kanel) I have an issue about the college component of it that the college must review. It's kind of vague of what you mean by the college. Who in the college? Is it going to be a separate faculty committee or is this going to be the dean/ associate dean reviewing the policy from each department to make sure they follow the UPS on this? Is it just an administrative review by dean/associate dean given to them by the department chair once a policy has been made?

A: (Patton) The committee discussed this and the idea is that the department alone should have someone else to review it in that department. And the question is who does that? Do we kick it to the curriculum committee that seems like a large task to put on the curriculum committee. So basically it says that each department will determine how to do it. It could be the department curriculum committee, the college curriculum committee, or they will form a special committee for this. But we didn't want to mandate a workload issue, but we did feel there should be an additional level review and it was appropriate to give it to the college.

(Walker) made an amendment, body agreed it was *friendly*.

To add each college should determine the appropriate procedure for the faculty review in consultation with the department chairs and program coordinators.

(Fischer) What's missing in this document is somewhere stating a faculty member is overruled has the right to appeal through some kind of process. There is language to that effect on line 98, but I find it really weak. I would like to have a separate section (under Section II) stating every faculty member has the right to appeal a mandated selection. Then we have to figure out that appeal process, maybe to the dean who will consult with the college curriculum committee. In the event the issue is not resolved from the college level, it should be referred to the University Curriculum committee who shall make a recommendation to the Academic Senate, whose decision shall be final.

- 12.4 ASD 16-19 New UPS Proposal for Sale of Academic Presentation Materials for Commercial Gain  
[Source ASC]
- 12.5 ASD 16-33 Revisions to UPS 295.000 The Outstanding Lecturer Award [Source: OPC]

### **XIII. ADJOURNMENT**

M/S/P (Kanel/Dabirian) Meeting adjourned at 12:50 PM.