DATE: May 21, 2014

TO: The Academic Senate

FROM: Faculty Affairs Committee

SUBJECT: Request for Reconsideration of Academic Senate Resolution 12-13 FAC 13, amended, Suggested Changes to the Policies and Procedures Governing Faculty Participation in Appointment and Review of Administrative Officers of CSUEB

ACTION REQUESTED: The Academic Senate approve the request for reconsideration of 12-13 FAC 13 amended and forward the attached letter to the President.

BACKGROUND INFORMATION:
In a letter dated December 20, 2013, President Morishita vetoed 12-13 FAC 13 amended: Suggested changes to the Appointment and Review of Administrative Officers of CSUEB document.

The Faculty Affairs Committee (FAC) believes that this veto may have been because the rationale for the proposed changes was not made explicit in the document. FAC recommends the forwarding of the attached letter.
Dear President Morishita,

The University Faculty requests your “further consideration” (per Article I, Section 3 of the faculty Constitution) of this document and we would like to provide you with more background information that justifies why we made the proposed changes. We would appreciate your reconsideration of prior rejection of the amended document.

1. Request for Waiver of External Search

As discussed at the January 17, 2014 Academic Senate meeting, the idea of incorporating the aforementioned waiver was the result of ExCom being asked for its approval of exactly such a request by the Provost. ExCom members were very appreciative of this request and wanted to provide some sort of fair and consistent guidelines to make any future requests conform to an agreed upon policy and referred the matter to FAC.

The intention of the Committee was to provide the administration a formal mechanism for waiving the requirement of a full external search for those MPP positions governed by the Appointment and Review policy.

FAC reviewed other universities' waiver policies and wrote the text in the document as well as the appended form. We also reviewed the Human Resources University Executive Directive #11-07 and quoted from it in the text: "CSUEB Academic Senate policy 09-10 cFAC 8; May 18, 2010, sets forth guidelines for faculty participation in the appointment of key administrators. Prior to initiating recruitment, the Academic Senate policy shall be reviewed for applicability." We recommend that the Executive Directive be updated to include a direct link to the Appointment & Review document so that it fulfills current policy.

If the wording of the text regarding the waiver is problematic, FAC would welcome working together to make it amenable to you and the Academic Senate.
2. Administrative Review of the Athletic Director

You state in your rejection of the addition of the Director of Athletics to the list of MPP positions governed by the Appointment and Review document that it is "beyond the scope of the review committee." FAC discussed this item at its meeting of May 1, 2013.

FAC was asked by the Kinesiology department to add the Director of Athletics to the list of those under UARC review. After hearing the arguments for this, including that this position oversees 17 FTE faculty and currently has no other method of review, and that the position ought to be reviewed based purely on budgetary reasons (the Director of Athletics manages a significant budget), FAC agreed that under Article III, Section A 4 of the current appointment and review document, this position qualified for UARC review as part of "Other senior managerial positions with significant impact on academic programs."

3. Administrative Review of the University Diversity Office and the Director of Sustainability

At the October 1, 2014 meeting, FAC also discussed adding the positions of the University Diversity Officer and the Director of Sustainability to the list of MPP positions reviewed by UARC.

The Committee agreed that employees filling both positions are expected to work directly with faculty. The University Diversity Officer (UDO) works closely with a wide range of campus stakeholders, such as in the following ways described on the Office of University Diversity website:

- [T]he Office of University Diversity guides the University in "enhancing our inclusive campus, responding to the backgrounds and interests of our diverse student, staff and faculty community and promoting their academic, professional and personal development.
- Work[s] with faculty & staff via organizations such as the Asian Pacific Islander Faculty & Staff Association (APIFSA), the Chicano/Latino Faculty & Staff Association (CLFSA), and the African American Faculty & Staff Association (AAFSA).

The Director of Sustainability spoke directly to ExCom at the September 30th meeting, stating that she will be working directly with faculty to promote, develop, and sustain the Institutional Learning Outcome in regards to sustainability.

Each of these positions works or will be working directly with faculty, advising faculty, and manage a flow of resources directly to or with faculty for the benefit of the campus. Further, both positions appear to be critical to guiding the university community on progress towards two key institutional learning objectives (ILOs) around diversity and sustainability. FAC agreed that under Article III, Section A 4 of the current appointment and review document, these positions also qualified for UARC review as part of "Other senior managerial positions with significant impact on academic programs."