Minutes of the Executive Committee Meeting, Tuesday, October 25, 2011

Members present: Nick Baham, Denise Fleming, Sharon Green, Susan Gubernat, Mike Mahoney, Sally Murphy, Gretchen Reevy-Manning, Jeff Seitz, Mitch Watnik, Dianne Rush Woods

Members absent: Leroy Morishita

Guests: Linda Dalton, Linda Dobbs, Jiansheng Guo, Stan Hebert, Jim Houpis, Mark Karplus, Rita Liberti, Jim Murray, Sue Opp, Glen Perry, Carol Reese, Kathleen Rountree, Donna Wiley

The meeting was called to order at 2:04 p.m.

1. Approval of the agenda

M/S/P (Woods/Murphy) to approve the agenda

2. Approval of the minutes of 9/27/11

M/S/P (Seitz/Woods) to approve as amended to delete “even so, many legislators took oaths not to raise taxes,” capitalize “Compass,” add “approved” to Physical Therapy and Nursing, and delete Physician Assistant.

Add Gubernat as one of the report-out persons for Statewide Senate

3. Reports

A. Report of the Chair

Mahoney reported on how the Senate Office is using links in the agenda to facilitate reading of documents that accompany Senate and ExCom business. Mahoney also presented documents listed under the Senators/Faculty page (see link on the Senate Home page).

Mahoney hopes to change the SEO functions for finding the documents.

The President is continuing his listening sessions. Today, Mahoney attended a student listening session; about 30 students were present.
The Chair and ExCom wished Sharon Green a happy birthday.

B. Report of the Provost

Houpis reported that the new faculty justification forms have gone to the colleges, with a return due date of 11/18/11. He views the 20 tenure-track searches this year as a stop loss, since we will probably lose several TT faculty this year due to retirements and separations. Houpis added that the President wants to implement a five-year hiring plan, if the budget so allows.

The Provost discussed increasing non-state sources of funding to develop undergraduate and graduate self-support courses, certificates, and degrees, as well as to revise existing degrees using best practices.

In response to Houpis’ request, Fleming reported on the American Association for Sustainability in Higher Education (AASHE) Conference she, Michael Lee, and David Bowen attended this month in Pittsburgh, PA. She stated that the conference was very well attended, provided copious amounts of information (both worrisome and hopeful). CSUEB is an AASHE member and Fleming has volunteered to work on the planning effort for the October 2012 conference in Los Angeles.

C. Report of the Statewide Academic Senators

Woods stated that she and Gubernat will be attending meetings next week. Gubernat reminded the body of two documents they should have received: the CSUDH resolution in support of no waivers for American Institutions, and the English Council’s latest document on the Early Start Program, refuting information posted on the CO’s website.

4. Appointments

Jim Murray (Chair CIC) stated that he is compiling a list of CIC subcommittee members.

Woods suggested that we hold an ExCom discussion on the burden of committee representation on faculty workload, especially in light of the loss of so many tenure track faculty in recent years. FAC will be looking at the review document this year.

5. 10-11 CR 2, Center for Math Education and Research (CMER) (ExCom approval-see policy)

M/S/P (Seitz/Reevy) to place on the Senate agenda for approval

There was discussion about including appropriate diversity language in the document. Houpis suggested that Academic Affairs Mission statement on Diversity be contained in the document.

6. 10-11 CR 3, Center for Sport and Social Justice (CSSJ) (ExCom approval-see policy)
M/S/P (Murphy/Gubernat) to place on the Senate agenda for approval

7. Time, Place, and Manner Policy (continued from 10/18/11)

M/S/P (Murphy/Reevy) to bring the topic back to the floor (as it had been tabled, rather than postponed, at the last meeting)

There was discussion about the fact that there appear to be more than one policy and discussion of the differences between the previously approved policy and the current (proposed) policy. There was significant discussion about whether or not the policy is complete and whether it aligns with recent court decisions/constitutional rights.

Freedom of speech is not limited to the Agora, but extends to the entire University. Because CSUEB had identified the Agora as the place for such speech, an organization that looks at universities to see if they are compliant identified CSUEB as a potential target for being in violation of free speech rights.

The policy that Woods and all worked on (and Stan Hubert chaired) encouraged all to notify policy of planned action, but did not require it. Woods pointed out that VP PEMSA and the Chief of Police are the ones who determine if and when participants must disperse for having exceeded “the limits of their constitutional rights” or limitations of the policy. Carol Nowiki and others reviewed the document.

Murphy stated her concerns about the policy being incomplete. Section 9 does not address what constitutes a disruption. There is also no right of appeal included in the document.

Discussion ensued about how freedom of expression is defined and that it does not supercede freedom of speech. Opp stated that the genesis of the document was in response to an administrative request.

M/ (no second) (Seitz/): Issue a BEC asking that the Senate agree to approve the policy that already exists on the administrative side.

M/S/P (Gubernat/Woods) to introduce as a BEC to replace BEC 13, May 15, 2007, with the current administrative policy on Time, Place, and Manner.

M/S/P (Woods/Gubernat) to refer the issue of academic freedom in the classroom to FAC and ask that they look at this and other areas that impact academic freedom in the classroom and freedom of expression.

M/S/P (Baham/Murphy) to refer to FAC the issue of enforcement and the possibility of recommending formation of a group of all constituencies to address the enforcement of the Time, Place, and Manner.
The committee requests that new versions be presented in the strike through format and that the background include some rationale for the changes.

8. 11-12 CIC 1, SB 1440 Policy Recommendation *(James Murray, Chair of CIC)*

M/S/P (Murphy/Woods) to place on the Senate agenda

Jim Murray, Chair CIC, reported on the nine recommendations/options from the CO on how to implement their plan to articulate better with the system. In essence, none of the recommendations were workable/applicable at CSUEB.

9. A2E2 update *(Academic Affairs)*

On 10/17/11, the C.O. issued E.O. 1066, making CSUEB’s A2E2 policy official.

The CO views CSUEB’s A2E2 approach as an excellent model that other campuses should be using. Opp is heading a committee of constituencies from various divisions, including an Advisory Committee consisting of equal numbers of 5 faculty and 5 student members.

10. Consideration of Executive Search Committee Pool *(SFSU policy)*

President Morishita recommended we look at the SFSU system that creates a pool of those willing to serve on executive search committees. We will explore this in more detail.

11. Adjournment

M/S/P (Green/Guberbnat) to adjourn at 4:02

Respectfully submitted,
Denise Fleming, Secretary