

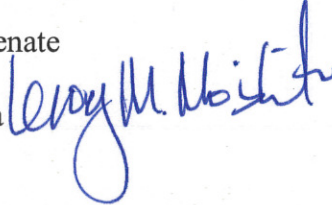


**MEMORANDUM**  
*Office of the President*

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July 8, 2014

TO: Michael Hedrick  
Chair, Academic Senate

FROM: Leroy M. Morishita   
President

SUBJECT: Academic Senate Resolution 13-14 FDEC 5 (Resolution on location of  
Senior Investigator Position (formerly EEO Officer))  
Actions accepted by the Academic Senate on June 3, 2014

Upon review of Academic Senate Resolution 13-14 FDEC 5, I respectfully reject the resolution and provide the rationale for my decision below.

Historically, collegiality and a shared governance process between faculty and administrators are fundamental and have been vital to the success of higher education in the United States, and I want to reinforce how critical and central they are to achieving Cal State East Bay's mission. The Academic Senate and the CSU Board of Trustees underscored the role of collegiality in a 1985 *ad hoc* committee report stating:

Collegial governance allows the academic community to work together to find the best answers to issues facing the university. Collegial governance assigns primary responsibility to the faculty for the educational functions of the institution... This includes admission and degree requirements, the curriculum and methods of teaching, academic and professional standards, and the conduct of creative and scholarly activity....  
"Central to collegiality and shared decision making is respect for differing opinions and points of view...."

With this understanding, at the same time, Title 5 of the California Code of Regulations, the CSU, and even the Cal State East Bay faculty constitution recognize that the president has both the authority and the responsibility for the operations and management of the university. This responsibility involves providing leadership for university wide issues and functions and the administration of all divisions affecting all constituents of the university in support of the academic mission.

Such is the case with Resolution 13-14 FDEC 5 (Resolution on location of Senior Investigator Position (formerly EEO Officer)). Given this context and responsibilities described previously, and while I appreciate the discussion by the Academic Senate, I cannot accept Resolution 13-14 FDEC 5 (Resolution on location of Senior Investigator Position (formerly EEO Officer)), accepted by the Academic Senate on June 3, 2014.

cc: James Houpis, Provost and Vice President, Academic Affairs