Minutes of the Executive Committee Meeting, Tuesday, March 4, 2008

Members present: Julie Glass, David Larson, Nan Maxwell, Sally Murphy, Susan Opp, Mo Qayoumi, Gretchen Reevy-Manning, Henry Reichman, Dianne Rush Woods

Members absent: Calvin Caplan

Guests: Carl Bellone, Benjamin Bowser, John Charles, Nan Chico, Linda Dalton, Jennifer Eagan, Kyzyl Fenno-Smith, Mark Karplus, Myoung-ja Lee Kwon, Michael Leung, Mike Mahoney, Setareh Sarrafan, Don Sawyer, Jodi Servatius, Aline Soules, Terri Swartz, Arthurlene Towner

1. Approval of the agenda

M/S/P (Maxwell/Larson) to approve the agenda with added item 5, 07-08 BEC 9. That item will be to discuss the document as well as the event to which it refers.

2. Approval of the minutes from the meeting on February 12, 2008 (Feb 26th not yet available)

M/S/P (Murphy/Larson) to approve as presented

3. Reports
   
   A. Report of the Chair
   
   The chair had no report.
   
   B. Report of the President
   
   The President reported that he had consulted with the Attorney General’s Office regarding the termination of a mathematics instructor because of her failure to sign an unaltered loyalty oath. The President found out about the situation on Thursday evening, after the termination had already occurred. As soon as he was made aware of the situation he asked that the Chancellor’s Office request an official opinion from the AG. The AG came back with an opinion in record time (within 48 hours) that affirmed the requirement that all state employees sign an unaltered oath. The AG’s opinion included the interpretation that the oath did not compel and/or require the employee to take violent action. A communiqué in preparation was distributed explaining the AG’s opinion and outlining the circumstances of the instructor’s termination. A copy of the letter from the AG’s office was also distributed. The President mentioned that this was not the first time the oath had been challenged within the CSU, and that situations had been resolved in the past. Earlier quotes from the AG that had appeared in local newspapers were made as general comments, and not in response to the particular situation at CSUEB. The President stated strongly that his job is to uphold the law and that is what had been done in this case. If there are disagreements with the law, then those should be taken up with the legislature. The President expressed disappointment at the name-calling and negative responses he had received via e-mail and otherwise from faculty, students, and others. He felt that the past 20 months had been spent building a collaborative institution with a strong sense of mutual support, and that had not been in evidence regarding this event. He expressed a wish that the University would address this problem by coming together and working as a team.

   C. Report of the Statewide Academic Senators
   
   Senate committees will meet on Wednesday with Plenaries on Thursday and Friday.

4. Appointments

M/S/P (Maxwell/Opp) to appoint Glenn Taylor to replace Eric Soares for Spring quarter on the Non–Grade Related Student Complaint committee.

No replacements were proposed for Fung–Shine Pan on CIC, Asha Rao on FAC, or Tammie Simmons-Mosley on the GE Subcommittee of CIC.

M/S/P (Rush-Woods/Reevy-Manning) to approve the appointment of one faculty member from each college to serve on the E-Mail Retention Policy Task Force; ExCom members nominated the following faculty, some of whom had not yet confirmed their availability: Kevin Callahan, Patricia Guthrie, Calvin Caplan and Chris Lubwama. (Eddie Reiter replaced Kevin Callahan via email, after the meeting.)
5. **Draft 07-08 BEC 9, Statement on Freedom of Conscience**

This item was in regards to the termination of a mathematics instructor because of her failure to sign an unaltered loyalty oath. There has been a great deal of concern expressed regarding this termination including articles in local papers, e-mails, resolutions, etc. The CFA board has passed a resolution condemning the termination of the instructor. As was noted in the President’s report, the AG has essentially upheld the university’s action. It was pointed out that the AG’s opinion is just that, an opinion, and that the instructor can still seek action. Some expressed disappointment that the President had not remained to participate in this discussion, though it was noted that he might have felt his presence would stifle honest discussion. There were three main areas of concern and discussion. These were: the impact on relations between the administration and faculty, and the impact of the incident on public perception of CSUEB, and *most importantly*, the impact on the instructor and her students. It is hoped that the “new” alternative will be presented to the instructor, allowing her to write a clarifying statement that will be attached (literally) to the signed oath. It is hoped that the instructor will accept this option, but that is not known. Hopefully this situation can be resolved swiftly. It was stated that if the AG had been contacted before firing the employee, the media attention would have been pointed at the AG and legislature and not the University, which would have been a better situation. It was also noted that many of the students walked out of her Math class when they heard of the firing. Although the action upheld the law, it was divisive and did not put the University in a good light. Discussion centered around how to mend the situation (especially in the media) and on changing the requirement by contacting the legislature about it. The idea of having a symposium on loyalty oaths and freedom of conscience was proposed. It was noted that a frank discussion between the President and Chair Reichman would be beneficial in bringing the administration and faculty back to a place of collaboration. It was proposed that Chair Reichman re-write the statement to bring to the Senate. That statement (to be distributed for comment and revision/approval by Excom via e-mail) would 1) acknowledge the situation and state that the Senate does not hold the administration responsible and that it is an issue of interpretation of the law, 2) urge that the instructor be re-hired if possible, and 3) urge that the legislature clarify the oath requirement. It would make clear that the action taken violates our values though it was in keeping with the law. It was noted that the Executive Committee of the ASCSU would take up this item for discussion at their upcoming meeting. It is hoped that they will not bring a resolution to the floor of the ASCSU before CSUEB’s Academic Senate has the opportunity to respond.

The Provost was gratified to hear that there was support for the President from Excom. He noted that the President has worked extremely hard for the University.

6. **07-08 CAPR 13, Multimedia Interim Report**

The Program was commended for its efforts. The item was accepted as informational.

7. **07-08 CAPR 14, Five-Year Program Review for the Sociology Program**

M/S/P (Maxwell/Larson) to place on the Senate Agenda

8. **07-08 CAPR 15, Five-Year Program Review for Information Literacy**

M/S/P (Opp/Reevy-Manning) to place on the Senate Agenda

9. **07-08 CIC 20, UDGE Application of ENGL 3850**

M/S/P (Maxwell/Reevy-Manning) to place on the Senate Agenda

10. **07-08 CIC 21, UDGE Application of HIST 3125, 3223, 3230**

M/S/P (Murphy/Larson) to place on the Senate Agenda

11. Planning future Senate agendas

Postponed.

12. Teaching Evaluations for Online Courses

Excom was told that the current method that is being used on an ad hoc basis to evaluate online classes online is not scalable. There are also some confidentiality issues involved and it was suggested that the IRA be responsible for the information, rather than department staff. Interest was expressed in having an online evaluation system that could be used for courses regardless of the delivery method. Ideally any such system would allow for individual student comments as well as “ranking” type questions. Bellone noted that several systems have been explored, the best being Scantron which allows online and paper surveys. There is some cost involved. It was proposed that Carl Bellone’s office narrow down the choices and then invite the chosen company(s) to do a demo (from the faculty perspective and student perspective) to Excom, CIC, FAC, and
other interested members of the University Community. Encouragement that the University move forward on this issue was expressed.

13. Sharepoint demo (TIME CERTAIN: 3:15)

Setareh Sarrafan gave a demonstration on the use of Sharepoint. CIC voted to use the system to share committee documents, and COBRA is interested as well. Several key features of Sharepoint were explained including using the announcements, calendar, team discussions, and shared documents. The process of “checking in and out” documents was demonstrated, along with a dialog box to give reasons for a suggested revision. Several organizational schemes were shown. It was suggested that for the most effective use of Sharepoint, someone (be it a Committee Chair or the Senate Office) should be in charge of each site, to provide organizational support and clearing out of inessential documents and drafts. Excom was told that one could assign a moderator and/or set access so as to ensure confidentiality and smooth operations. It was noted that one must use Explorer to interface with Sharepoint. ExCom agreed to use CIC and COBRA as test cases for standing committee use of the software and revisit the discussion later in the Spring if it looks like a promising way to save trees and communicate effectively enough to change the Senate Distribution Policy.

14. Continued discussion on Strategic Planning (TIME CERTAIN: 3:30)

After the last Excom meeting, Provost Mahoney, VP Dalton and Chair Reichman met and developed a new “score sheet” aligned with the Academic Plan. This sheet did not ask for priorities, rather for what items need “more attention.” It was noted that “attention” included commitment, not necessarily dollars. This document has already been brought to the Council of Chairs of CBE and CEAS by Dalton and Reichman. They were given an overview, had a discussion about the plan, were shown a brief power point, and then discussed the categories. Many/most had checked some boxes on the form, indicating some level of engagement. The conversation resulting was productive and interesting. The CSCI Council of Chairs will meet to discuss the document and provide feedback tomorrow.

There was a discussion about how to engage Excom and/or the full Academic Senate.

M/S/P (Rush-Woods/Murphy) to invite AVP Dalton to give a presentation to the full Academic Senate next week and to include the score sheet in the materials to all senators. Senators will be invited to return the forms if they so desire. It is hoped that this process will provide a university-wide faculty perspective. It was noted that involvement and “being heard” are important to this process.

It was mentioned that the African American Summit last week had been extremely successful with 700 – 800 in attendance (only 500 had been expected). 17 students were admitted on the spot with others entered into the Mentor system.

The Faculty Honors Convocation was also a great success.

15. Adjournment

M/S/P (Larson/Maxwell)

Respectfully Submitted,

Julie Glass, Secretary