THE MINUTES OF THE ACADEMIC SENATE

CALIFORNIA STATE UNIVERSITY, FRESNO

5200 N. Barton Ave ML 34

Fresno, California 93740-8014

Office of the Academic Senate FAX: 278-5745

TEL: 278-2743 (AS-11)

March 25, 2019

Members excused: F. Bohlin, A. Culbertson, S. Pooya, B. Singh, J. Smith-Warshaw, A.M. Tawfik

Members absent: P. Adams, T. Botts, C. Copher, M. Ellis, M.Gilewicz, M. Golden, D. Wack

The Academic Senate was called to order by Chair Holyoke at 4:04 p.m. in HML 2206.

1. Approval of the agenda

MSC approving the agenda

1. Approval of the Minutes of March 18, 2019

MSC approving the Minutes of March 18, 2019

1. Communications and announcements
	1. Interim Provost Harper

Senator Cady (History) asked the Provost what the campus policy about students recording professors without their permission is. The Provost answered that he is not aware of a campus policy, but he believed that recording an individual without their permission is illegal under state law.

* 1. Chair Holyoke

Chair Holyoke announced that the next meeting on April 8 will include the President’s budget briefing.

In addition, Chair Holyoke stated that he had no new information to report regarding the future direction of student evaluations.

1. Consent Calendar:
	1. B.A. in Integrated Design Degree Program Elevation. Undergraduate Curriculum Subcommittee.

	No objections were raised to the item and it was deemed approved.
2. New Business.

Senator Jenkins (Statewide) moved to take from the table the resolution on faculty free speech from April 2018. The motion was seconded.

The motion was called to a vote. There were 19 ayes, 10 nays, and 12 abstentions. The item was added to the agenda.
3. Resolution – Proposed Changes to CSU General Education.

Senator Kensinger (Women’s Studies) proposed adding a new WHEREAS stating “WHEREAS many faculty are particularly concerned with the overall reduction of General Education upper division units”. The amendment passed unanimously.

Senator Kensinger (Women’s Studies) then proposed an additional amendment to WHEREAS 4 stating “while many are glad to see a minimal return to some commitment to Multicultural and International Studies in the form of a Diversity/Social Justice area in the proposal…”. Senator Alexandrou (Industrial Technology) asked whether the new GE proposal would be brought to the Senate. Chair Holyoke stated that no formal proposal has been made, but the document in question is a task force report recommending changes to GE. Upon further reflection, Senator Kensinger withdrew her amendment.

Senator De Walt (Liberal Studies) shared a resolution passed by the CSU Liberal Studies Collaborative objecting to removing the double counting of GE units.

Senator Jenkins (Statewide) informed senators that several other campuses have passed similar resolutions and some concerns have been raised regarding the Chancellor’s Office’s approach to the GE task force. The Senator spoke in favor of the resolution.

Senator Schlivert (Statewide) moved to strike the specific mention of a five-year moratorium in favor of a general moratorium. Senator Kensinger spoke against the motion and suggested that a five-year moratorium would set a specific timeframe for any future changes. Senator Wilson (Computer Science) suggested that the time taken by a task force might be less than five years.

Senator Kensinger responded that the minimum of five years would provide time for the campus to actually implement any changes to GE. Senator Schlievert stated that the original GE task force has been disbanded and will no longer be meeting. Senator Ram spoke against the motion. Senator Botwin (Psychology) offered a point of information that the last major GE revision on the campus took three years. The motion was called to a vote. The motion failed (5 abstentions).

Senator Cupery (Sociology) asked if more specific language would help provide an exact timeframe for future changes. Senator Kensinger replied that such language might be added, but the more important consideration is to move the resolution forward.

Senator Chowdhury (Art & Design) made a friendly amendment to clarify that the changes covered by the resolution are state-imposed rather than campus generated. The amendment was accepted. The Senator then asked what the time frame for any future changes might be. Senator Jenkins answered that the task force report has not been accepted by the Statewide Senate and it will therefore not be imminently implemented.

Senator Henson (English) moved to waive second reading of the item. The motion passed (1 nay). Second reading was waived. Senator Kensinger moved to add additional recipients to the resolution. The amendment was approved unanimously.

The resolution was called to a vote. The motion passed without objection (1 abstention)

1. Guidelines for Free Speech. Second Reading. Personnel Committee.

Senator Kensinger (Women’s Studies) made a series of motions. The first motion was to move footnote 1 to the first page of the document. The footnote reads “Important here is AAUP’s 1970 “Interpretive Comments” to the 1940 Statement of Principles on Academic Freedom and Tenure. Note 4 containing Comment 2 states: “the intent of this statement is not to discourage what is ‘controversial.’ Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The passage serve to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.” The motion was seconded. The motion passed without objection (3 abstentions).

Senator Kensinger moved to strike the list of court cases on page 3 of the document. The motion was seconded. Senator Alexandrou (Industrial Technology) stated that he could see some use for including the court cases in the document. Senator Cupery similarly spoke in favor of keeping the court cases in the document, and spoke against the amendment. Senator Ram agreed that there was some use to including limitations in the document and spoke against the amendment. The motion was called to a vote. There were 13 in favor, 27 against, and 2 abstentions. The motion failed.

Senator Kensinger proposed adding a third point to page 1 stating that “…3) and are citizens, members of a learned profession and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations.”

Senator Ram (University-wide) suggested that the AAUP document in question might be directly cited for clarity, and that the reference to “special obligations” might be ambiguous. Senator Kensinger stated that the rest of the document could be seen as providing clarity to these statements.

Senator Henson (English) proposed adding quotes around all three sentences to indicate that they are direct quotes. The amendment was accepted as friendly. Senator Kensinger made a motion to add a footnote clarifying that origins of the quotation. The amendment was called to a vote. The motion passed unanimously.

Debate returned to the main document. Senator Botwin (Psychology) proposed changing the name “Fresno State” to the full name of the university in all references. The amendment was accepted as friendly.

Senator Ram moved to strike out the list of bullets under Title VII on the advice of counsel. The amendment passed (1 nay).

Debate returned to the main document. Senator Parra (Accountancy) made a motion to change the term “instructors” to “faculty” on p. 1. The amendment was taken as friendly. Brian Tsukimura (Personnel Committee) clarified that the term “faculty” has specific connotations in the Collective Bargaining Agreement and “instructor is more inclusive. Senator Jenkins spoke in favor of keeping the term “faculty” as it is used in the remainder of the document.

Senator Hall (Physics) asked where the document would be housed or made available following the vote. Chair Holyoke stated that it would be hosted on the Faculty Senate website.

Following a point of order, debate returned to the change of “instructors” to “faculty”. Senator Ram spoke in favor of the change. The motion was called to a vote. The chair ruled that the ayes carried the motion (4 abstentions).

Senator Kensinger proposed a footnote to the title clarifying that “faculty” refers to all instructors. The motion passed unanimously.

Senator Jenkins asked the chair of the Personnel Committee why the document had been created to begin with. Chair Tsukimura (Personnel) replied that the committee had begun working on the document in response to University Communication working on a similar document.

Senator Ram proposed changing language on Page 3 to state that “While a public university must protect free speech, speech may be limited in the following circumstances.” Senator Henson spoke against the change as worded. Consideration of the amendment will continue at the next Senate meeting.

The Academic Senate adjourned at 5:15pm. The next meeting of the Academic Senate will be on Monday, April 8, 2019 and will include the President’s budget briefing.

Submitted by Approved by

Bradley Hart Thomas Holyoke

Vice Chair Chair

Academic Senate Academic Senate