

MINUTES OF THE ACADEMIC SENATE
CALIFORNIA STATE UNIVERSITY, FRESNO
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(AS-10)

March 7, 2011

Members Absent: J. Amaral (excused), V. Biondo, A. Espinoza, S. Figlioli, D. Frazier, A. Jassim, T. Johnson, K. Kutural, B. Lyons, D. Magoc (excused), S. Najmi (excused), C. Perez, M. Rahman (excused), R. Rai, M. Ram (excused), P. Ramirez, W. Rice, D. Sharma (excused), D. Smith, P. Trueblood (excused), M. Vungkhanching (excused), M. Zoghi.

A meeting of the Academic Senate was called to order by Chair Caldwell at 4:12 p.m. in the Library Auditorium, Room 2206.

1. Agenda. MSC to approve the Agenda.
2. Approval. MSC to approve the Minutes of 2/07/11.
3. Communications and Announcements.
 - A. Senator Loretta Kensinger (Women's Studies) announced the Alumni and Friends of Women's Studies Reception will be held March 17th, 5:30 pm, Madden Library Ellipse Balcony.
 - B. Senator Rebecca Raya-Fernandez (Health & Human Services) announced that College Anxiety Screening Day will take place on March 10th, 9 am – 4 pm in the Health Center.
4. New Business - There was no new business.
5. Master's Degree in Education with an Option in Reading Online.

Dean Karen Carey, Division of Graduate Studies, was present to discuss the degree program and answer questions.

MSC to waive second reading of the Master's Degree in Education with an Option in Reading Online.

MSC to approve the Master's Degree in Education with an Option in Reading Online. (1 opposed; 0 abstentions)

6. Multiple Off-Campus Degree Program, Master of Arts in Education, Educational Leadership and Administration (Focus on pre K-12 Administration) and the Preliminary Administrative Services Credential.

Dr. Sharon Brown-Welty, Doctoral Program in Educational Leadership, was present to discuss the degree program and answer questions.

MSC to waive second reading of the Multiple Off-Campus Degree Program, Master of Arts in Education, Educational Leadership and Administration (Focus on pre K-12 Administration) and the Preliminary Administrative Services Credential.

MSC to approve the Multiple Off-Campus Degree Program, Master of Arts in Education, Educational Leadership and Administration (Focus on pre K-12 Administration) and the Preliminary Administrative Services Credential.

7. Interim Policy and Procedures for Fingerprinting and Conducting Background Checks (APM315). Second reading.

Dr. Ted Wendt, Interim Associate Vice President of Academic Personnel, and Ms. Paula Popma, Chair, Personnel Committee, were present to discuss the policy and answer senators' questions. A lengthy discussion was held. The main questions and concerns expressed by senators included the following:

- Concern regarding the frequency at which background (Live Scan) checks will be conducted.
- Concern regarding the need to conduct fingerprinting and background checks on faculty when only one other CSU campus has a similar policy in action.

- Chair Caldwell replied that the policy currently exists at CSU Fresno and that page 2 contains the substantive changes.
 - Dr. Wendt replied that the policy on the Senate floor will bring CSU Fresno into compliance with laws regarding working with minors.
- Concern was expressed for conducting background checks on faculty who will not be working directly with minors.
 - Ms. Popma described the Personnel Committee's process and deliberations for applying the policy to prospective and incumbent faculty. Ms. Popma also clarified that only incumbent faculty whose job functions change to include working with minors would undergo background checks.
- Concern for regular or monthly background checks. (This is in reference to the procedure described by Ms. Jan Parten, Director of Human Resources, at the February 14, 2011 meeting of the Academic Senate.)
- Will Live Scan reports be placed in faculty's personnel file?
- Questions were given regarding faculty and the sensitive positions listed in Section G of the proposed policy.
 - Ms. Popma stated that Section G does not apply to faculty. Section B applies to faculty.
 - Senators expressed that the proposed policy should be written more clearly to differentiate between its application for faculty and staff and managers to avoid confusion and misuse.
- Questions regarding budget allocations for the background checks were given.

- Chair Caldwell replied that the Provost stated background checks would be covered “centrally.” Dr. Wendt will provide more clarity on the matter in a future meeting.
- Senator Loretta Kensinger, Women’s Studies, expressed that the faculty’s concerns should be addressed in the proposed policy (i.e., in its revision) and questions ongoing checks after the initial screening.
 - Dr. Wendt replied that he would need a reason to look into a faculty’s background.
- A question regarding Appendix C and its application to faculty was offered.
 - Ms. Popma stated that Appendix C applies to staff and managers in sensitive positions, not faculty.
- Senator Kensinger, Women’s Studies, offered a resolution to APM 315 (see Attachment A) written by Statewide Senator Jacinta Amaral, who was not present.
 - Ms. Popma stated that in the Personnel Committee’s deliberations fees were not discussed, therefore the proposed policy should not be returned to the Personnel Committee.
 - MSF to disregard the resolution. The motion failed.
 - A discussion regarding the resolution was held.
 - Chair Caldwell suggested that Dr. Wendt return with information to address the resolution at the next meeting. There were no objections.

Senator Tom Holyoke, Political Science, offered an amendment regarding APM 315.

The introduction to the amendment was interrupted by Senator Lynn Williams, Agricultural Business, who noted the policy had not been formally adopted for discussion.

Discussion regarding the Interim Policy and Procedures for Fingerprinting and Conducting Background Checks (APM315) will continue at the next meeting.

MSC to adjourn at 5:31 p.m.

The next scheduled meeting of the Academic Senate will be March 21, 2011.

An Agenda will be distributed prior to the meeting.

Submitted by:

Dawn Lewis
Vice Chair
Academic Senate

Approved by:

Michael Caldwell
Chair
Academic Senate

ATTACHMENT A

RESOLUTION

Academic Policy Manual 315
Interim Policy and Procedures for Fingerprinting and Conducting
Background Checks

WHEREAS: various supporting documents in the policy changes proposed by the Personnel Committee of the Academic Senate of CSU, Fresno refer to fees charged or not charged for background checks and fingerprinting including but not limited to the March 1, 2005 memorandum from the Vice President of Human Resources to campus presidents; HR 2005-10 Attachment A, the “Fair Credit Reporting Act (FCRA): A Summary of Your Rights;” and the March 11, 1982 memorandum from the Acting Vice Chancellor of Academic and Staff Affairs to campus Presidents; and,

WHEREAS: CSU, Fresno supports many activities for minors both on and off campus organized and executed by faculty and staff who may be required to have multiple credit checks, finger-printings and other checks which may prove costly to them; therefore;

THEREFORE BE IT RESOLVED: the proposed APM 315 currently before the Academic Senate be forwarded to the Budget Committee to assess if individuals or departments would be burdened by bearing the cost of multiple checks; and

BE IT FURTHER RESOLVED: the proposed APM 315 currently before the Academic Senate be returned to the Personnel Committee for further clarification of responsibility for the fees incurred by finger-printing, Live Scan, credit checks and any other checks required by the CSU.

Entered by
Senator Loretta Kensinger, Women’s Studies
CSU, Fresno
March 7, 2011