MINUTES OF THE PERSONNEL COMMITTEE

CALIFORNIA STATE UNIVERSITY, FRESNO

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Office of the Academic Senate

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# September 3, 2020

Members Present: Alexandrou, Baum, Hopson-Walker, Low, Moore, Nguyen, Rivera, Vitali

Absent:

Members Excused: ASI rep

**Meeting called to order by Chair David Low at 9:12 am.**

1. Agenda – Move/Second/Carry (MSC) to approve agenda of 9/3/20.

* Hopson-Walker moved, Alexandrou seconded, no nays or abstentions

1. Communications and Announcements

1. We will be meeting remotely for the foreseeable future.
2. Committee member updates.
3. Update on Personnel Committee membership. Welcome to Dr. Vitali from the College of Science and Mathematics (Dept. of Physics).
4. A note of appreciation for the work Marsha Baum has been doing over the summer and into the new academic year.
5. New Business
   1. APM 322 – Policy on Assessment of Teaching Effectiveness
      1. Background: [NAME REDACTED] writes that “[APM 322](http://www.fresnostate.edu/mapp/documents/apm/322.pdf) specifies that teaching effectiveness shall be evaluated on 4 dimensions: 1. Course Content, 2. Instructional Design, 3. Instructional Delivery, and 4. Assessment Methods.

What is lacking in this is any type of professional conduct standards including treating all students equally, regardless of race, ethnicity, gender identity, sex, national origin, religion, sexual orientation, age or disability. In the student evaluations, there is no dimension for students to rate the appropriateness of the instructor’s conduct in class. The only one item that comes close is: “The atmosphere of the class invited students to seek additional help if needed” but that really doesn't address the issue. If we as a campus want to create learning environments that promote respectful, professional treatment of all individuals, it has to start with the instructor's behavior.”

* + 1. For discussion:
       1. Is it appropriate to modify APM 322 to include a dimension for professional behavior that is consistent with the university policy on collegiality (as stipulated in [APM 113](http://www.fresnostate.edu/academics/facultyaffairs/documents/apm/113.pdf), pg. 9)?
       2. What are the benefits in inviting students to evaluate an instructor’s behavior and/or the appropriateness of their conduct?
       3. What are some potential hazards in inviting students to evaluate an instructor’s behavior and/or the appropriateness of their conduct?
       4. Following any changes to APM 322, would the Student Ratings Subcommittee add items to the course evaluations?
    2. Synopsis of committee’s discussion points:
* Adding a “professional conduct” dimension onto student evaluations could make both students and faculty more aware of the issue, which we deem a good thing. However, the committee has several serious misgivings. “Professional conduct” is subjective; it is nearly impossible to establish a valid metric. Professional conduct has historically been weaponized against women and faculty of color. In our polarized culture, professional conduct could be used to punish professors who are perceived to hold different political views from students, even though political affiliation is not one of the listed identity categories.
* [CSU Executive Order 1097](https://calstate.policystat.com/policy/8453516/latest/) (Systemwide Policy Prohibiting Discrimination, Harassment & Retaliation, Sexual Misconduct, Dating & Domestic Violence, & Stalking Against Students & Procedure for Addressing) supersedes an in-house mechanism for evaluating an instructor’s behavior and/or the appropriateness of their conduct.
* Students are encouraged to provide feedback to department chairs so that chairs can determine 1) what faculty training/discussion needs to occur to address the concerns or 2) whether the complaint needs to go to DHR.
  + - * It could be made more obvious to students that they have a feedback mechanism. **We might discuss this matter with the Student Ratings Subcommittee, and ask them to make their instructions more explicit, inviting students to include qualitative feedback that speaks to faculty members’ treatment of students on the basis of race, ethnicity, gender identity, sex, national origin, religion, sexual orientation, age or disability.**
      * If a complaint is brought to DHR, there will be an investigation of the faculty member’s conduct. If it meets the threshold of harassment, those findings will go to Faculty Affairs. There would be meetings with the faculty member (with union rep present) that could result in a letter of reprimand or more severe repercussions.
  1. [APM 241](http://www.fresnostate.edu/academics/facultyaffairs/documents/apm/241.pdf) and Changes to Syllabus Template: Synopsis of committee’s discussion points:
     1. Adding department chairs’ contact information establishes a clear chain of communication for students who need to discuss their experience in a class. It also provides faculty members a first line of defense, so that students are not going directly to Deans or the Provost.
     2. **The Personnel Committee voted (7-0) in favor of contacting Prof. Holyoke to express our support for this amendment to the syllabus template. Chair Low will email Prof. Holyoke.**
  2. Faculty working remotely following the pandemic:
     1. For Discussion: Following the pandemic and the university’s temporary shift to virtual teaching/service, will faculty be required to return to campus?
     2. Synopsis of committee’s discussion points:
        1. Legally, faculty are not required to reside in CA, they are allowed to work from elsewhere in the U.S.
        2. What kind of policy do we need for faculty members who do not come to campus? The only policy we have currently is the Office Hours policy (that 20% of office hours must be held in person).
     + **Hold forums, to be hosted by the Provost’s Office. Initiate a campus-wide conversation about what it means to be Fresno State University. What are our values and what is our culture? Are we an online university now? What are the benefits of not requiring faculty to physically be on campus (obviously, following the pandemic)? What would be lost?**
     + **Create a Resolution (like our Principles of Community) that states we are a community of scholars dedicated to our local region.**
     + **Create a Policy Statement that indicates 1) Fresno State faculty do not work remotely; 2) faculty must attend department meetings; 3) faculty must hold 20% of office hours on campus. Include language for faculty who are unable to follow these criteria for approved reasons (i.e. they need to be a caregiver elsewhere). Faculty cannot simply prefer to live elsewhere and work remotely.** 
       1. Related: Will staff need to return to campus or can they continue to work remotely?
  3. Conflict of Commitment: Synopsis of committee’s discussion points:
     1. We do not currently have a “a conflict of commitment” clause that says a T/TT faculty member cannot hold another T/TT position at another university.
     2. Faculty members are allowed to own their own companies, run consultancies, work in private practice, etc. They must declare this to the university.
     3. CSUs do not have a rule about working beyond 25%. (Article 36 of CBA only refers to other CSU employment.)
     4. **The issue is when a faculty member’s outside work negatively impacts their performance as a faculty member. For example, being unavailable for dept/school/university service or being unavailable to hold office hours.** 
        1. **Could there be some sort of periodic review or audit? Administrators could attempt to determine whether faculty members who do work outside of their faculty positions are satisfactorily attending to their professional obligations at Fresno State. (Committee minutes could be used as evidence of attendance or absence, for instance.)**
  4. Course Classifications / Class Size
     1. For discussion:
        1. There’s a need for flexibility as student enrollments fluctuate.
        2. Courses are classified with a ‘[normal’ class size](http://www.fresnostate.edu/academics/scheduling/documents/CourseClassificationSystem%201.3.18.pdf). It’s not a hard cap.
        3. Some departments have voted to raise the ‘normal’ size of classes. Changes were predicated on questions like “what is past practice?” and “what are our current enrollment needs?”
     2. Synopsis of committee’s discussion points:
        1. Changing how a course is classified must be pedagogically sound. It’s one thing to enroll 23 students in a class that’s classified with a normal size of 20. It’s entirely different to enroll 40 in a class with a normal size of 20.
        2. How should the university effectively communicate to faculty that ‘normal class size’ is not a hard cap?
           1. The information should be applied consistently.
           2. Department chairs need guidance on how much wiggle room is appropriate so that 1) class size is not increasing by too large a number or percent and 2) vulnerable faculty are not pressured into agreeing to increase their class size.
        3. **Conversation was tabled for our next meeting.**

1. Old Business
   1. APM 335 – Policy on Periodic Review of Administrators.
      1. The committee discussed the policy in Spring 2020.
   2. APM 242 – Policy and Procedures on Assignment of Grades.
      1. The committee continued to discuss the possibility of modifying the policy to include consequences in the case of faculty that repeatedly miss the deadlines.
   3. APM 399 – Policy on Emerita and Emeritus Status
      1. The committee discussed the policy in Spring 2020.
2. Motion to adjourn at 10:36 am.