THE MINUTES OF THE ACADEMIC SENATE (AS-10)

CALIFORNIA STATE UNIVERSITY, FRESNO

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Office of the Academic Senate

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March 7, 2022

Members excused: N. Akhavan, K. Closser, S. Fulop

Members absent: J. Crane, D. Jackson, B. Mason, B. Taylor, C. Wang, J. Winder

The Academic Senate was called to order by Chair Hall at 4:00 p.m. via Zoom video conferencing.

1. Approval of the Agenda.

MSC

1. Approval of the Minutes of 02/14/22.

MSC

1. Communications and Announcements.

Communications from the President:

The CSU will appoint outside experts to conduct investigations into Title IX and HR. They will look at what former Chancellor Castro did when he was President at Fresno State in response to complaints against former VP of Student Affairs Lamas. They will also assess resources at Fresno State and the CSU. Additionally, there will be a task force on campus regarding micro- and macro-aggressions. The President has approved three new positions that will help Title IX and HR in-house as well. Overall, these steps will contribute to establishing a system of checks and balances, independent of the University President.

The Senate and ASI will receive an update on the Library task force in a few weeks. Forums for the campus and wider community will take place in April. Updates will be provided on the web page.

Based on feedback from the county, Cal-OSHA and the State, we are poised to lift the mask mandate on March 14. The university will continue to provide masks for voluntary mask wearing. An announcement about this will be made later this week.

*Questions for the President:*

**Senator Jenkins** asked what the President knew about the complaints against former VP of Student Affairs Lamas and the response by then-President Castro, while he was Provost.

**President Jiménez-Sandoval** responded that this was a Personnel matter and the Provost is not involved in matters concerning a fellow cabinet member. He got the same information about Lamas leaving that faculty received. In November 2019, while he was Provost, he heard rumors. He asked then-President Castro about them and was told that there was an investigation. He was not involved in the negotiations and agreement for payout.

**Senator Jenkins** also asked what other cabinet members might have known, and would the President support removing members from the cabinet if they did know.

**President Jiménez-Sandoval** responded that Fresno State does not operate separately and independently from the CSU system. Our campus counsel reported to the office of the general counsel. Someone on the general counsel of the CSU approved the actions taken, hence responsibility lies not at Fresno State alone. Consequently, the investigation will have to look into the entire system.

**Senator Pitts** wanted to know whether there are any penalties beyond termination if someone violated Title IX or does not report a Title IX issue.

**President Jiménez-Sandoval** responded that if a crime was committed, it can be reported to the police and the criminal justice system. Within the campus jurisdiction, the ultimate sanction is to terminate a contract.

**Senator Walter** inquired about the distribution of the GI 2025 budget.

**President Jiménez-Sandoval** explained that the breakdown was sent to the Senate Chair after the last Senate meeting

**Chair Hall** apologized for not having shared this with the Senate yet.

**Senator Mercado-Lòpez** wanted to know whether faculty will still be able to require students to wear a mask in their class room.

**President Jiménez-Sandoval** will look into it.

**Senator Calahorra-Jimenez** asked whether APM 232 on student absences and other APMs that were relaxed due to COVID also end with the mask mandate being lifted.

The **President** referred to the Provost on this.

**Provost Fu** explained that this could be discussed with Chair Hall.

**Chair Hall** explained that COVID relaxation for APM 232 already expired at the start of the semester. He clarified that faculty can be lenient about student absences beyond what is mandated in the APM.

**President Jiménez-Sandoval** thanked campus members for reaching out to him about the situation in Student Affairs and sees it as an opportunity to take account of what we have and how to move forward.

Communications from Provost Fu:

No updates.

*No questions for the Provost.*

1. Installation of New Senators

Welcoming:

Patricia Turnbull

Marketing and Logistics Department

Lisa Bryant

Political Science

1. New Business.

**Senator Jenkins** shared that the initial resolution in response to the revelations about the former VP of Student Affairs and the response by then-President Castro, which he introduced at the last Senate meeting, has been split into four new resolutions.

**Senator Jenkins** presented a motion to put the following item on the agenda: Call for an Independent Investigation into the Actions Taken at CSU Fresno to Cover Up Title IX Violations to Protect the Perpetrator and his Supervisor

*Seconded*

*Vote on the motion: motion carried*

**Senator Jenkins** presented a motion to put the following item on the agenda: Declaration of No Confidence in former CSU Chancellor Joseph I. Castro to Exercise Retreat Rights to Enter the Professoriate of the CSU

*Seconded*

*Vote on the motion: motion carried*

**Senator Pitts** presented a motion to put the following item on the agenda: Acknowledging Victims' Harm Resulting from Sexual Harassment by Frank Lamas and Affirming Support of Victims by the Campus Community

*Seconded*

*Vote on the motion: motion carried*

**Senator Roach** presented a motion to put the following item on the agenda: Call for More Intensive Training for Administrators, Faculty, and Staff on Title IX

*Seconded*

*Vote on the motion: motion carried*

**Senator Moreman** expressed discomfort with the voting polls on Zoom that allow for secret voting, suggested that Senators also raise their hand when they vote, and suggested that the Executive Committee discusses the use of Zoom voting polls.

**Chair Hall** explained that Zoom allows keeping a record of votes, which is not the case for in-person Senate meetings. The Zoom poll voting is recorded and stored. Chair Hall had not contemplated the immediacy of seemingly anonymous voting.

**Senator Schlievert** suggested to show the vote once a poll has closed.

**Senator Jenkins** agreed with Senator Schlievert to report the number of votes.

**Chair Hall** responded that he always announces the results to the senate floor once a poll has been taken and that incorporating vote counts in the minutes is not required by Robert’s rules. He will discuss this further with the Executive Committee.

1. Declaration of No Confidence and Call for an Independent Investigation into the Actions Taken by CSU Chancellor Castro as President of CSU Fresno. Second Reading.

**Senator Jenkins** moved to withdraw this item from the agenda, as it has been replaced by four more specific and timely resolutions.

*Seconded*

*Vote on this motion: motion carried*

1. APM 337 Faculty Workload: Policies and Procedures. Second Reading.

**Chair Hall** reminded the Senate that the aim of this proposal is to add a research component in APM 337.

**Senator Karr** expressed support for this, since faculty have little time and release time to do research, which matters especially now that Fresno State has been awarded R2 status.

**Senator Jenkins** agreed that this is overdue and enthusiastically endorsed it.

**Senator Dyer** also spoke in favor of the proposal to add a research component, and added that faculty do a lot that is not covered by the APM but that we are required to do. Doing research is not a new expectation. This proposal encourages new ways of supporting and funding what faculty are already doing in terms of research. She repeated that if the university can afford 20 million for athletics, we can allocate money to allow faculty to do their job. She also highlighted that we have been welcoming many new hires who have been bringing in new grants, but that this money is not necessarily coming to faculty.

**Senator Mercado-Lòpez** read a statement by Dr. Fobear and other colleagues in her department. In the statement, they express appreciation for the effort to address faculty teaching load, which is not sustainable to successfully pursuing research. They suggest that the definition of ‘research active’ is incomplete, however. They argue that research does not always lead to publications, but can lead to programming, advocacy, etc. Hence, they invite the Senate to accept a more inclusive definition.

**Senator Mercado-Lòpez** then presented a motion to adopt the following amendment to the proposed amendment to APM 337:

To replace

‘A faculty member will be considered “research active” for a period of two academic years if they publish at least one peer-reviewed journal article (or equivalent creative activity) in this time frame. If they achieve this research publication, they will be designated as “research active” for the next two academic years and be awarded 3 WTUs of release time each semester.’

With

‘A faculty member will be considered “research active” for a period of two academic years if they publish at least one peer-reviewed journal article or complete an equivalent scholarly or creative activity in this time frame. If they achieve this research publication, they will be designated as “research active” for the next two academic years and be awarded 3 WTUs of release time each semester.’

*Seconded*

*Discussion on this amendment:*

**Senator Bryant** offered a friendly amendment to this amendment: replace ‘If they achieve this research publication’, with ‘If they complete their scholarly activity’.

**Senator Mercado-Lòpez** accepted it.

**Senator Smith** made another friendly amendment, to also acknowledge a book as a publication.

**Senator Mercado-Lòpez** accepted it.

**Senator Wakabayashi** spoke in favor of the amendment presented by Senator Mercado-Lòpez, but argues that language should be broad, in the same way that we consider what a scholarly activity is for RTP purposes. This is not necessarily measured by publications either.

**Senator Laha** argued that also peer-reviewed conference proceedings should be recognized.

**Senator Mercado-Lòpez** accepted this as a friendly amendment.

*Friendly amendments added in the document:*

‘A faculty member will be considered “research active” for a period of two academic years if they publish at least one peer-reviewed journal article or conference proceeding, book, or complete an equivalent scholarly or creative activity in this time frame. If they complete their scholarly activity, they will be designated as “research active” for the next two academic years and be awarded 3 WTUs of release time each semester.’

**Senator Karr** argued that we should leave this definition vague to allow departments to specify what ‘research active’ means in their department. The more detail is added in the APM, the less flexibility departments will have. In his department (Music), performances at Carnegie Hall, for instance, would count.

**Senator Pitts** shared Senator Karr’s sentiment, but feared that departments tend to exclude certain creative activities, rather than being inclusive. By providing more details in the APM, it ensures that various activities should be taken into consideration.

**Senator Moreman** moved to extend the meeting with 15 minutes.

*Seconded*

*Vote on the motion: motion carried*

**Senator Dyer** proposed that an alternative amendment could be presented altogether.

**Senator Jenkins** spoke against the amendment now on the floor for being too specific, which does not allow departments to decide.

**Senator Brillante** spoke against it as well. What is ‘research active’ is discipline-specific, and could also include grants.

**Senator Panagopoulos** spoke against the amendment because there are no equivalents among departments, which requires the APM to be as general as possible. Departments should be able to decide what ‘research active’ is and guidance should be given for equivalence across the campus.

**Senator Karr** reminded the Senate that the purpose of the proposal is to create separate tracks. Applying to be in a research track will have budgetary implications, due to release time. This then requires input from colleges as well but departments need flexibility to decide what a creative activity is.

*Vote on the amendment presented by Senator Mercado-Lòpez, as amended on the floor: amendment approved.*

**Senator Polegato** asked whether research release time would not be awarded based on departmental, rather than college, budget. He also shared reflections from colleagues in his department, who pointed out that there is a potential for the research active status to always be awarded to the same person. Once someone receives release time, it is easier for them to get it again, as opposed to someone who has not received the release time yet.

**Chair Hall** responded that release time would be funded at top level and affects Level B budget. He added that the policy can also be refined when inequities emerge.

**Senator Moreman** recognized Dr. Melissa Gibson.

**Dr. Gibson** joined the Senate meeting to share CFA’s thoughts about the proposal. Work load is a problem and the CBA is vague on the research component, so it is good to have it in the APM. But there are some concerns, such as about equity, having a two-tiered system, where teaching load is going, and how this will affect lecturers, and there is no reflection in the amendment on what librarians and counsellors do. What is a creative activity could be broadened out, including performances, for instance.

*The Academic Senate adjourned at 5:30p.m.*

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The next meeting of the Academic Senate will be March 21, 2022, via Zoom video conferencing.

Submitted by Approved by

Tinneke Van Camp Ray Hall

Vice Chair Chair

Academic Senate Academic Senate