



Academic Senate □ 1000 E. Victoria □ Carson, CA 90747 □ WH-A420 □ (310) 243-3312

Academic Senate Meeting Minutes

April 21, 2021

2:30 PM – 3:30 PM

Note: This meeting was a special meeting of the Academic Senate as per EXEC 21-14

Voting Members Present: Allen, Buffaloe, Chhetri, Chiappe, Dixon, Eames, Fortner, Gasco, Heinze-Balcazar, Hill, Johnson, Jones, Kalayjian, Katzenstein, Kitching, Kulikov, Kuwabara, Ma, Malladi, Marositz, McGlynn, Naynaha-Gill, Nguyen, Nicol, Pederson, Price, Raianu, Roback, Sanford, Spruill, Turner, Vieira

Voting Members Not Present: Brandt, Chaparro, Deng, Hernandez, Jarrett, Laurent, Ledesma, Macias, Morris, Park, Sexton, Gray-Shellberg, Stang, Supernaw, Tang, Vinovich

Voting Ex-Officio Members Present: Anderson, Ares, Celly, Heinze-Balcazar, Norman, Ospina, Russo, Talamante, Thomas, Weary

Voting Ex-Officio Members Not-Present: Mancio Molina, Parham

Standing Committee Chair: Boroan, Heinze-Balcazar, Naynaha, Vermeer (proxy for Caffrey-Gardner)

Standing Committee Chair Not Present: Macias, Mancillas

Non-Voting Ex-Officio Members Present: Koos

Non-Voting Ex-Officio Members Not Present: Afalqa, Barret, Brasley, Costino, Caron, Franklin, Hutton, LaPolt, Manriquez, McNutt, O'Donnell, Ortega, Olschwang, Peyton, Price, Poltorak, Roberson, Spagna, Wallace, Wen

2020-2021 Academic Senate Executive Committee:

Academic Senate Chair, Laura Talamante; Vice Chair, Ivonne Heinze-Balcazar; Parliamentarian, Hal Weary; Secretary, Dana Ospina; EPC Chair, Salvatore (Sam) Russo; FPC Chair, Terri Ares; NTT Representative, Rita Anderson; Statewide Senators, Kirti Celly and Thomas Norman, Previous Senate Chair, Charles Thomas

Recorded and Edited by SEW

Chair Talamante called the meeting to order.

Land Acknowledgement Statement of the Tongva people was read by Chair Talamante

First Reading Items

EXEC 21-13 Revision of the ASCSU Bylaws, Vice Chair Heinze Balcazar

A motion was made to bring the resolution to the floor which was made and seconded. Heinze Balcazar presented the proposed changes to the bylaws. She explained that some of these changes are following current practice. Additionally, some of the changes reflect updating the pronouns. Heinze Balcazar reviewed the various updates and highlighted that the rationale for the update to the bylaws includes the Senate's practice of moving to an electronic balloting system as a condition of the COVID-19 pandemic in spring 2020. She noted that in the fall 2020 the body agreed to continue the practice for efficiency. She also pointed out the addition of several new Academic Senate Standing Committees.

Questions/Comments

Senator Hill stated as a formality, he wished to speak in favor of the proposed resolution, and recognize that much of what it does is purely formal within the document, or recognition of things that we already do.

Senator Katzenstein asked why the non tenure track faculty representative is confirmed instead of elected? **Chair Talamante** responded that on the Executive Committee the Senate Chair reaches out to form a team, and then brings all of those nominations back to the Senate floor for confirmation. So when we added the non tenure track faculty rep onto Senate Exec we followed that practice. Katzenstein said stated that it's a procedural thing rather than a substantive thing? To which it was responded, "Yes."

Senator Sanford asked if it was necessary for us to do this as a First and Second Reading? He stated that to him it looks straightforward enough and he doesn't see anything controversial in it. He asked is it possible to move to call the question now? **Senator Hill** (formerly senate chair) responded it is allowed for any senator to formally move that the First Reading be dropped and that it be done in one reading. Hill pointed out that he originally raised his hand actually to address senator Katzenstein's remark, in case anyone had some lack of clarity on it, the non tenure track faculty representative that's referred to and that change is the one on the Executive Committee, not non tenure track faculty representatives to Senate who are elected as a different position. **Chair Talamante** said that she agreed with Senator Hill in terms of if there's a motion to make this a star W reading, which means it is a one reading only and then can be voted on. We can take that motion from the floor, and we can vote on that as senate body whether we want to make this a first reading or not. Talamante asked, "Senator Sanford, was that a request to make a motion?" She explained that they would be just be voting on whether or not we would accept waiving the First Reading only. **Sanford** said yes, he would move for that to which there was a

second. **Senator Malladi** stated procedurally, coming from a finance perspective, changing the bylaws in a special meeting is not looked favorably from a governance standpoint, even though he said he has no objection to this. “However”, he added, “It is normally perceived as done in undemocratic countries in undemocratic ways.” **Talamante** thanked Senator Malladi for sharing that perspective. Senator Norman said he wished to encourage us to allow for debate before we vote. He said he appreciates Senator Malladi getting started and if anybody else had concerns or wanted to speak in favor, or opposed, he wanted to do that as a point of information. Chair Talamante asked the body if there were other senators who wished to speak on this point. She asked if they had been able to speak to their departments, programs and units about the proposed changes? Is this better served by a first and second reading and be very good to hear feedback on that before we vote? Talamante pointed out that she was not seeing any hands.

Motion to waive the First Reading was put to a vote with 34 in favor, 5 abstentions and 2 against. Motion to waive passes. Talamante asked if there was any discussion on the resolution. There was none. The question was called and seconded.

EXEC 21-13 passes with a vote of 39 in favor, one against and one abstention.

FPC 21-05 Resolution on Sabbatical Leaves, FPC Chair Terri Ares

A motion was made and seconded to bring the resolution to the floor.

FPC Chair Ares provided some background on the resolution and proposed changes to the sabbatical leaves policy. She noted that the Faculty Policy Committee (FPC) has been working on this matter for three years. And last spring, in March, they had brought forward a First Reading of the proposed policy which received a lot of input. The committee digested this input and incorporated many of those updates to the resolution. She said that this particular policy, unlike some of the other ones we've tackled, is really seeking to expand the scope of the policy beyond just the review of sabbatical leave applications into the space of discussing more about the process, including the review process and the roles of the parties involved. She again noted that the FPC addressed previous comments that were received last year and decided to trim some passages that were essentially a duplication of the CBA language to make things a little more clear, and to read more easily. However, they did link specifically back to the CBA article that discusses the detail of that piece. Ares said that questions and interpretations of the CBA were addressed by the FPC Committee with CFA co President Dr. La Tanya Skiffer who was an ex officio member of FPC. Also actively involved in the discussions was AVP of Faculty Affairs, Cheryl Koos.

Ares reviewed some of the key points:

- Line 7, the FPC thought it important to have a delayed implementation of this policy to allow for folks who have accumulated seniority points under the current process to really

use and apply for those sabbaticals under those current rules.

- On line 37, she said that this is where they're clearly attempting to link folks back for more information to the actual CBA so they can see more details about the types of sabbaticals such as one year versus one semester and the eligibility criteria and so on.
- On line 44, this is a new section to clarify when the sabbaticals will commence. And to highlight that non teaching faculty can opt for a period of their sabbatical that's outside of the usual academic term. This would apply most directly to our counselors and librarian, faculty.
- On line 64, in this section, they're calling for Faculty Affairs to publish a list of eligible faculty, including the estimated number of sabbatical awards to comply with the 12% that's described in the CBA. Ares noted that this eligibility list was published for the first time this year.
- On line 100, Section 4.0, addresses components of the application. She said that this was previously described in application materials, but not within the policy itself. They're bringing those forward into the policy to make them a little more accessible and persistent.
- On line 128, Section 5 presents a revised evaluation rubric. She said that this is one of the larger changes. I'll point out that the current policy does wait 60% on merit of the proposal and 40% on seniority. The proposed revised rubric awards 100 points for merit of the proposal, and outlined on the page are the components of that scoring, and then permits up to 20 points based on longevity. The application then, is based on a total of 120 points. This approach elevates the weight of the sabbatical application on merit.
- Line 169 speaks to evaluation of their proposal based on substance and we're attempting to clearly articulate the appropriate types of sabbatical activities. She stated that the point here is that they don't want research specific proposals to automatically win favor in the evaluation process, purely because they are a research proposal.
- Line 204 provides guidelines for the content of the final report, which previously the contents of the report were silent, and then also specifies that the report is placed in the path with copies to the President and back to the Faculty Leave and Honors Committee.

Questions/Comments

Proxy Wendy Vermeer raised the following concerns: On line 70, which is the beginning section of 3.4, this section is new that where the chair will write an impact statement regarding the possible effects of harassment. She said it is her understanding is the previous or current practice is the Dean or Chair signs something that says there is no impact. What is the rationale behind adding an impact letter of sorts? Will there be letters that just say no impact? **Ares** responded that she didn't think there's an intention that anything be done differently here. The clarification the committee was attempting to address was more the timing that this part is done simultaneously, as the application is submitted and begins to go through the process. Whether that is an actual form versus a letter, she doesn't believe they discussed in any great detail. She noted it's really more the timing of making sure that the sabbatical applications were submitted to Faculty

Affairs. That's their first point of submission, where they get essentially documented and received. And then they're shepherded onto the next evaluation point. And the chair and the dean weighing in with their impact statements is sort of a side process that's occurring simultaneously. Ares said there was no overt intent to move it from a form type process of impact or no impact versus a more extensive letter, but that these perspectives are incorporated into the process.

Senator Katzenstein said there are a number of points that are given for longevity, he said he has a little bit of a problem with that, as a result of some of my experience in the last year. He said that as a non-tenure track faculty, the number of years of service are not straightforward. He believes that it should be included in here as to how that is calculated. He asked how will that be determined for non-tenure faculty that are applying for sabbatical? AVP Koos responded that she was just consulting the collective bargaining agreement and wanted to make sure that everyone's clear that only full-time faculty unit employees are eligible. That includes non-tenure track faculty. And so, what article 27.2 says, "a full time faculty and an employee shall be eligible for a sabbatical leave, if they have served full time for six years at that campus in the preceding seven year period. And at least six years after any previous sabbatical leave or difference in pay leave." Koos said again, "We're only talking about full time faculty. And the contract explicitly says that they must have served full time for six years to be eligible." Katzenstein asked if the six years were six calendar years? Koos said "Yes, and we're talking about those that a 1.0 time base or 30 units a year." Senator Nicol asked if there was any way to just clarify so that people will know that the chairs impact statement will come after that application has been submitted? Adding some language that would say that this will occur after an applicant has already submitted their application to Faculty Affairs. **Ares** said that she believes they attempted to clarify that in 3.6, which says that the Faculty Leaves and Honors Committee will review and evaluate the proposals and provide written recommendations to subsequent levels of the review. And this step is taken concurrently with soliciting the impact statements from the chair and the college dean. **Nicol** agreed that that was fine. Ares continued is that the point there, which is probably a good point to highlight is that the Faculty Leaves and Honors committee is not the one that's looking at the impact statement, that's looked at a higher level. They're just looking at the proposal in isolation of the impact that that sabbatical may engender. Proxy Senator Vermeer offered some suggested word changes and noted that on line 192, Section 5.5. it says some medical applications which were not approved, Vermeer suggested to change the word approved to recommended and suggested to change written comments and include scoring information. **Senator Heinze Balcazar** proposed the scenario where if the chair is applying for sabbatical? What if the department has a sabbatical committee, would the sabbatical committee, be allowed or permitted to write this letter of impact, as there would not be somebody who will support that chair at the department level if there were a sabbatical committee in that department? **Ares** responded that it has not been a practice to have a sabbatical committee. The dean would write the impact in that potential situation. In that case, it would skip the chair level, it would go to the Dean's level and then that's where potentially where the situation where an impact statement from the Dean may say, we can't live without this chair this coming year.

Therefore that sabbatical may not be awarded. And yet, if that was in the recommended area, and by virtue of the fact that that the impact did not allow for that sabbatical to occur, should that drop the awards down below that threshold level, then the expectation would be that given that the sabbatical components remain the same, then the chair would be awarded that sabbatical the following year, hence giving the Dean and the department a year to figure out how to fill in for that Chair. Vice Chair Heinz Balcazar said that was not necessarily a concern. "But", **Heinze Balcazar** said, "You can imagine that chair does not have a letter of impact or a letter of support from the department and could make that that chair weaker, or would make the application of that chair weaker, because there was no support from the department. **Ares** said the recommend the reading of the sabbatical application by the Faculty Leaves and Honors Committee is done separate and apart from the impact statements, the impact statements come in at the level of recommendation from Faculty Affairs and Provost. **Talamante** asked if AVP Koos could help with that clarification? There's concern that Chairs don't have an equitable opportunity for sabbatical, even if the Committee recommends them for it. And I think that's where we need a little clarification. **Koos** said this is in line with what the Collective Bargaining Agreement says on the sabbatical policy. Initially, there were a lot of footnotes to the CBA in this version, which they basically took out for brevity's sake. Koos said she thinks these are very important comments here regarding chairs and applying and so while she does not think we need a separate policy here, but what she would like to do is have FPC look into this issue and discuss it when they have their meeting. Koos said she will also consult with other AVPs in the System to see how that is campuses in the system to see if they have a work through this concern. Senator Naynaha said she has had many colleagues who have gone on sabbatical at particular times in their career, or at least applied for it requested it, because there are specific Institute's that are in their discipline that happened at certain times of the year or, or on a certain schedule. And so she believes some chairs could find themselves in a vulnerable situation, if it had to be delayed a year. She noted that there could be an Institute that's happening in Italy, and it's only this year, and it's not going to happen for three more years or two more years after that. And if it gets delayed one year, then that's going to have a major impact on that colleagues advancement toward tenure and promotion, potentially. And so I just wanted to put that out there. I think it's a wrinkle that needs to be considered in the conversation moving forward. **Senator McGlynn** said he understands the idea that someone would be eligible and ready to take a sabbatical, but they have to put it off for a few years because of a chair or some other commitment. So a different way of calculating this priority score would be to take the number of sabbaticals taken divided by the number of years of full time service. He explained, "let's say because a person had some commitment, and they hadn't taken a sabbatical for 15 years. If they take one sabbatical, they still have to take six years for another sabbatical. But then they would have a higher priority because they went a whole 15 years without ever taken a sabbatical, for example. That's a different way of having this calculation. But if we're concerned about people who at some point in their career, for professional reasons, did not choose to take sabbaticals, we wish to give them higher priority. That's another way of doing it. **Ares** said if someone had a protracted period of time without a

sabbatical, they would automatically be falling into that higher category of 12 or more years. This is in the current policy, the only part that's different is the scoring attributed. Ares said she is not quite understanding what McGlynn is suggesting if someone has had many years with no sabbatical? **McGlynn** responded that he thinks there was a concern that if someone had delayed a sabbatical at one point, and they take a sabbatical, then that basically resets their clock for having a higher priority score for the next one. Instead of measuring time since last sabbatical, one could look at the cumulative number of sabbaticals they've taken over the number of years that they've put in service at the institution. He said he's not necessarily advocating that position. I'm saying that's a way of responding to that concern quantitatively.

EPC 21-15 Academic Program Discontinuance, EPC Chair Salvatore Russo

A motion was made and seconded to bring the resolution to the floor.

Russo said that the resolution was discussed at the Educational Policy Committee meeting and some of the recommended changes from the last First Reading of this resolution were made. He noted that they've created a merger here of documents between an uncontested program discontinuance, which is to say, the program itself chooses to be dissolved and contested. What happens when some sort of institution entity or act or located from outside the program itself wishes or make some move to end that program. The idea of some sort of force other than the program itself ending the force is something that's probably going to be rare, but also something they want clearly spelled out procedures and with plenty of advanced notification and follow through for when the process begins. The resolution also talks about who the interested actors are going to be involved with, what documentation needs to be provided by both the parties seeking to discontinue and the party seeking to defend their own program. And they want this as transparent and as streamlined process as possible. Russo said we're not creating this policy to encourage program discontinuance; they're creating it so that there's a way for it to be done that's open and transparent and a way for it to be debated that's open and transparent. They're not looking to say they're now empowering entities to end programs, they're saying that should an entity want to end the program, these are the steps that must be taken and these ways for that program to be able to counter the suggestion that it be ended.

Questions/Comments

Senator Kalayjian said that said in the initial resolution, you'd left out the word discontinuance in the First Resolve. She added good for taking this on as it's been on the table for a long time, unfulfilled. **Senator Eames** said feedback from her department is that on line 45, section three, the suggestion is that there should be an item for departments/units that are discontinuing a program because it is being subsumed or replaced by another program. For instance, when they elevated their three concentrations to majors, they discontinued the communications major, and the four listed conditions in Section 3.3 don't address this scenario. **Russo** said he is surprised that wasn't addressed in the initial program discontinuous policy, but it's something that should

be taken under advisement. I think you're right. You know, even if it's a relatively semantic change, or is there some sort of larger change that goes through, but you know, what happens if your program isn't being dissolved? It's being incorporated into something else? **Senator Johnson** noted the following suggested changes:

- 2.1.1, where it mentions that a program could be discontinued by a vote from other than the program to be discontinued, it needs to clarify which departments? Could history for instance, go discontinue math? I don't think that's the intent there. But that is pretty open ended.
- 3.2, it says that a hard copy of documentation must be delivered to the program's physical office. The problem is right now, if we wanted to cancel a program, there would be nobody at that physical office. So we should probably think about what do you do if a physical office is not available? **Russo** responded that it could say, "with exceptions to be made in times of campus shutdowns and closures." **Johnson** continued:
- 4.1, it talks about having on this committee, a faculty representative, what if there is no faculty, it is still a contested discontinuance? Johnson said she also would note that any faculty member of a department to be discontinued, this puts them with a conflict of interest.
- 4.3.1, It mentions the most recent annual reports, that's kind of vague. Can we get a suggested list of documents such as program review, accreditation reports, whatever committees would want, because that's really pretty open ended.
- 4.4.21, it has a list of things that should be "or an ad hoc" that probably should read, "and/or" so that we could include multiple measures in this. Otherwise it implies that there will just be one measure used.
- 4.4.4 where it talks about public meetings? Do all of the meetings have to be public? For instance, if the committee is meeting to write the report, do those meetings have to be public? Or is it just public hearing on the information?

Senator Vermeer said in line 45, section 3.1. whether or not it's a contested or not contested, it's sort of unclear how the vote shall be conducted. And how that vote is communicated because the next step in the process would be there's a form to fill out and ideally it would end up on the curriculum register so that it's communicated as part of transparency. So maybe that needs to be clarified a little bit about how the vote is conducted and who hands it off to UCC at that point. On line 71, she would like to see Program Review Panel (PRP) included. Line 89 4.3.4. The Office of Institutional Research is now UEPA. University Effectiveness Planning and Analytics. line 187. Section 5.1. should the party that is voting for discontinuance also include the teach out plan, or are they going to force the program that they're trying to discontinue to make up their own teach out plan? Senator Vermeer asked if there could be consultation with UCC, because she thinks there are some procedural things that are not reflected.

Chair Talamante thanked the senators who reached out to let Senate Exec know that they were incorrect. She explained that the Constitution allows a two thirds vote of the Academic Senate,

but it's following a First Reading when amending the Bylaws. Therefore, it was not appropriate to have a star W vote today. We will bring EXEC 21-13 back for a second reading at the next meeting on 4/28. Talamante said we have not sent out the ballot for the senate chair election yet. She noted they're not entirely sure if they have somebody that is going to run for senate chair or not. She explained that Senate Exec was meeting immediately following the Senate meeting and would be discussing it and updating everyone as soon as possible.

A motion was made to adjourn.