

Executive Committee Minutes

November 15, 2001

Present: Rick Luttmann, Noel Byrne, Phil McGough, Peter Phillips, Susan McKillop, Catherine Nelson, Susan Moulton, William Poe, Michael Little

Absent: Art Warmoth, Ruben Armiñana, Bernie Goldstein, Larry Furukawa-Schlereth, Tim Wandling

Meeting began 3:07

Approval of the Agenda-

R. Luttmann - Art can't be here today so Johanna Filp will be here as the representative from EPC. This has a time certain of 4:30 for consent items.

W. Poe - I have an objection to the second item as a consent item.

R. Luttmann - We can calendar it for business then. I'd like to add First and Second readings to the agenda. The problem is that there is nothing in Robert's Rules about this. It is a local decision in our by-laws. There is nothing in governing documents about what can and cannot happen. People have different ideas about what can and can't happen at a first reading. We need to discuss this at some point.

P. McGough - What about at Statewide?

S. McKillop - Yes, we do that.

P. McGough - The first reading is only for clarification.

S. McKillop - Yes.

P. McGough - It comes from somewhere.

R. Luttmann - We need to go with what is in the by-laws or write it down. Now it is too vague. We get in fights all the time at the first reading.

P. McGough - Why not request Structures & Functions to articulate a long standing policy for the by-laws.

W. Poe - You could approach it by describing what it is done rather than having to describe what not do.

R. Luttmann - The first reading is notification something is coming.

W. Poe - First readings are first readings and the next time it hits table it's an action item.

S. McKillop - If someone comes with murky motion, if it is not said as well as could be said, we are helping people clarify what they need to bring it to a vote.

R. Luttmann - That bleeds over to partisan debate, but I don't see why we can't have partisan debate on first readings.

M. Little - Maybe if you put a time limit on it.

P. McGough - There are years of tradition at Statewide and here to do it that way. I don't think you should think about instituting a complete change in how this Senate and Statewide Senate do it.

N. Byrne - Laurel suggested researching the folklore and perhaps Structures & Functions should examine this compilation and propose it be codified.

P. Phillips - Thinking about Phil's question - on a first reading most of it is supposed to be oriented to clarification however, in past practice we raised questions and concerns in terms of speaking against or for it. This seems to be where we come into issues. That may sound like debate.

R. Luttmann - We will put it on Structures & Function's agenda.

S. McKillop - Sometimes the Chair at the beginning of the year makes a statement about how they are going to run it for the year. That way everyone knows the rules at the beginning. That might be something within Robert's Rules. If the Chair has a particular style to announce it at the beginning of the year. Seems fair to me.

N. Byrne - I found the discussion of the matter of units for academic governance extremely useful. Points raised were important. I have been told from an ostensible good source, that it might be that all units are eliminated therefore on the agenda I feel we need to make some kind of statement in light of information from last week. We are strong in affirming 54 units to academic governance. The allocation of units is very essential.

S. McKillop - When I heard that I thought I might go to Jackie Kegley to find out if anyone else might be getting an attack on faculty governance.

P. McGough - We attacked ourselves. I was at the Senate chairs in Rick's place and time ran out before we could bring this up. I found Bill Buckley and raised it with him. There wasn't time but he commented about Sacramento State. People have to have a lot of time think about it.

S. McKillop - The governor is thinking about it. To balance the budget.

P. McGough - At Sacramento State , what we allocate is allocated by their Provost.

R. Luttmann - We are trying to approve the Agenda here.

Agenda - Approved

Approval of Minutes - Approved

Correspondence Received - None

REPORTS

No reports

BUSINESS

Diversity Vision Statement Proposal, response from standing committees

(three version were made available at the meeting)

P. McGough - I used to teach writing and one thing I learned is that there are many ways to write. But on the 5th line - where do these come from?

R. Luttmann - The one dated 9/24 is from the Campus Climate committee, the 10/2 one is from the Diversity Steering committee, and the 10/4 is from the Executive Cabinet.

P. McGough - I will focus on the 10/4 one to start with. I really don't think you can put a colon after "fosters" and perhaps use academic community rather than family. I'm not sure.

R. Luttmann - Bare in mind again, this body is not discussing this. We are discussing how are we going to bring this to the Senate.

W. Poe - This body did asked the Standing committees for responses. FSAC is of a strong opinion that "social justice" and "democracy" need to be put back into the document. I am speaking in favor of the language which occurs in the 9/24 document be included in the final version.

R. Luttmann - Did any other committees consider this?

S. Moulton - APC discussed it this morning with no recommendation, but we have the same concern as FSAC. We noted grammatical and writing problems. If this is published it should be correct.

M. Little - We talked about the version of 10/4. I would prefer the earlier documents.

C. Nelson - What exactly is Senate going to do with this? Does the Senate finalize it, approve it? What about the Diversity Steering Committee?

R. Luttmann - The Senate is going to adopt a diversity vision statement for the campus.

C. Nelson - Do we know what they want? We should use version C as our working version, if that's what the Diversity Steering wants, and what Campus Climate wants.

R. Luttmann - So we could send version of 10/2 to the Senate with our recommendation. It would be helpful if we go to the Senate and have on the agenda that the Executive Committee is placing a motion on the floor that we adopt the version of 10/2.

W. Poe - I propose we place it on the Senate agenda sometime calling it the Diversity Vision Statement, not draft C or version of 10/2 and not present the Senate with other versions. This is the most inclusive document.

R. Luttmann - There was some expression by members of the Senate who want to see them all. Would you have objection to including these in the packet for information, but the item on agenda would be 10/2?

C. Nelson - I like the idea of having all three and whoever introduces it could give some history and say why the Executive committee is recommending that particular version.

W. Poe - An alternative is that we include in the packet only one. And that we have other copies available if anyone wants them. If we attach the others to the agenda they acquire a status that they don't deserve.

R. Luttmann - I'm hearing a consensus on draft of 10/2 and that we as Executive Committee bring it to the Senate for their consideration to adopt.

P. McGough - On the third from last line - to demonstrate actively. I don't think we need actively. And "to enrich a lively vibrant liberal arts" - get rid of vibrant.

S. McKillop - I move that we follow his suggestion.

Seconded.

R. Luttmann - We have proposed to eliminate those two words. Any objection?

No objection.

R. Luttmann - Any objection to send what is now called draft version 10/2 forward as a recommended version from this body and to summarize orally how this evolved and Laurel will have copies of other versions available for people.

No objections.

Two consent items from EPC - attachment

R. Luttmann - We already have from Bill Poe not to have the second item on the consent calendar.

J. Filp - Regarding decreasing the number of units there was a misundersating. It was not clear to them they could have more units than 120 with a justification. They want to go back to 124.

P. McGough - The gossip is that we have an internship program in business and the idea is that all students should have an internship. This gave some impetus to save the internship. It's quite possible the department will think of a better way of packaging it so the students will do internships. TK didn't understand.

J. Filp - Once this was clear then this program belonged in that group.

R. Luttmann - My recollection is that Business had quite a generous number of elective units, about 14. We needed to reduce all programs to 120 unless there was some compelling reason not too. EPC had discussed the question whether to have a cushion for electives and rejected that. The only exception was not to require a reduction of GE or major requirements.

J. Filp - What we said was that we would leave it up to each department to make that decision.

P. McGough - I thought that any major that wanted to have more than 120 was ok.

R. Luttmann - It's a very strange thing to say that we'll leave a decision about electives up to each department. And it really shouldn't be the department that makes that decision. It should be a university wide requirement.

J. Filp - It was a hard decision to make. There is such a wide variety, each department is subject to different constraints. It was just not clear they could justify why they needed these units.

R. Luttmann - Are these two things are connected?

J. Filp - They are separate.

P. McGough - Business reduced the number of required units in the major from 59 to 55. They did it as part of request from the Chancellor and the Provost to re-look at our program now that the law has changed.

R. Luttmann - Business elected to reduce by major requirements and not electives?

P. McGough - TK thought Business had go down to 120 so they reduced the number of required units in the major and reduced the electives by 4. Then two things happened -the gossip I shared was a really important part of the program, and he discovered that in fact we didn't have go down to 120 units. They misunderstood. Every two weeks they had a different take on 120 units.

J. Filp - If it could go forward as business item that would be good. Other programs were accommodated.

R. Luttmann - I was under the impression at the Senate that we were agreeing to those programs because they didn't have room to cut electives. This is the only program in which the excess units were neither. My problem is that there is no justification given nor anything in writing from EPC.

N. Byrne - If your understanding is correct, you have voiced an understanding but not consensus. They should get a hearing. Maybe I'm the only one. One of the functions of this group is not to get into a big fight at the Senate that could be avoided.

P. McGough - Actually you need a statement from EPC. If we had it in writing it would help.

J. Filp - I see your point that it requires justification. My take on this would be does it require written justification? Since we talked about it orally and approved it, would it be possible to ask TK for written justification and bring that to the Senate.

R. Luttmann - Why did EPC approve it?

J. Filp - Because he came to EPC and justified it.

R. Luttmann - If the Senate approves this, would it end it that every other department couldn't do that.

J. Filp - Your point is important and coherent with EPC's policy from last semester. When Business presented it, it was well grounded. My suggestion is can we ask TK to provide justification? There is a problem with the new catalog. There is some time constraint.

C. Nelson - We didn't let time stop us on WGS. This needs more justification and why EPC approved it.

J. Filp - We did the WGS. We approved it last week.

R. Luttmann - We have agreement from the Executive Committee that this should go as a business item conditional on getting from Art and TK more documentation.

J. Filp - The changes in the B.S. in Business Administration is that they are seeking accreditation. There are four big areas of changes which were accepted by EPC unanimously. First external advisors, one concentration dropped its agreement with the Economics department. They didn't want to deal with accreditation. Second, a new concentration in Business Strategies. There has been a lot of demand for this. They changed some courses to adjust to the need that exists. Third, a change in core courses. Fourth, a clean up of consistency. All concentrations will be 5 courses. They can take courses at another university but they want to make sure that half of the courses are taken here.

N. Byrne - These are commendable changes.

C. Nelson - I would like more information. Like a list of this is our new core, this is the concentration, descriptions for new courses.

J. Filp - That information exists. I didn't want to bring it here. We can add that to it.

R. Luttmann - Perhaps. Let me make sure this was unanimously approved.

J. Filp - Yes, approved.

R. Luttmann - Was there any objection from Economics?

P. McGough - My impression is there is none.

J. Filp - This was done in consultation with the Economics department. That is what TK said - they were happy to be dropped.

P. McGough - Can I move this is a consent items pending on more documentation and approval of Economics. TK needs to be at the Senate for the item which is not a consent item.

Second.

No objections.

C. Nelson - I am doing written series of recommendations on APC's recommendations from the Budget committee.

P. Phillips - APC recommends faculty on the Extended Cabinet.

R. Luttmann - We can discuss it when it gets here. Would this body be willing to ratify Steve Winter to be on the Student Union Board of Directors?

No objection.

R. Luttmann - We also need a document review committee for the URTP to be made out of those who have recently serve but are not on the committee.

Recommendations is based on getting consent. Those eligible are Sue Garfin, Bill Barnier and Marty Ruddell. For back up in case they are not available are Pat Jackson and Doug Martin. It's only function is to decide if documents coming in late should be included in the RTP file.

Approved.

Duane Dove cannot serve on the search committee for the Dean of Extended Education search. So this will come up again.

P. Phillips - I have a question of our State Senator. We made a recommendation that the Human Rights resolution be taken to the Statewide Senate and we haven't heard back on that. Can we get a report back on that?

M. Little - SAC is preparing a report on diversity that could go into next agenda or final meeting agenda. I'd like to give a report in the final Senate meeting in SAC's work on recruiting for diversity.

R. Luttmann - Better to do it next time.

Academic Freedom subcommittee discontinuance recommendation from S & F

R. Luttmann - This subcommittee has been moribund for sometime. The charge and function are unclear. We recognize that maybe some people would object and they can.

N. Byrne - I can add some clarification. It is not just moribund. The reason why it is moribund is that it does not have investigative powers and no process by which it could take action. The other side argued that issues of academic freedom are already addressed at other places in the university.

W. Poe - Judith today forwarded me an email about the Academic Freedom committee. It seemed to me that it was academically creative of the Senate to create it in a particular context. In the by-laws it says that among the subcommittees of FSAC there should be an Academic Freedom subcommittee. There ought to be one and it would be a subcommittee of FSAC. It may need charges, need responsibilities to make it more active. It makes more sense to discontinue this particular Academic Freedom subcommittee and ask FSAC to create a new Academic Freedom subcommittee within FSAC.

P. Phillips - Wasn't Ken Marcus really involved with this?

R. Luttmann - I can summarize this briefly. The university was involved in an investigation by the Office of Civil Rights and the outcome was we had to agree to the stipulation that a new blue paper policy on non-discrimination would be created. Ken Marcus, a life long defender of free speech, was offended by this document and bent over backward to disqualify it based on free speech. I was on the Senate at that time. The outcome was to create an Academic Freedom/Non-Discrimination committee. Awhile later a motion was brought to the Senate by the committee to drop non-discrimination from the title. I argued vociferously against it. It seemed to me cutting off one leg, but the Senate did it. At some point they brought a case to the Executive Committee against Duane Dove and Drew Callendrella regarding PEP. We didn't see the case against Duane Dove. They were offended and were passing rumors around campus that we denied to take to the Senate. But the Executive Function was to make sure thing was in order. We never heard from them again.

P. Phillips - A piece of it too is that secret investigations on discrimination were being conducted on this university and faculty didn't know about it. I'm very concerned about this. A committee could be consulted in those cases if students brought discrimination charges. When we went to Edna they were really unclear about that at the time. Not sure where we stand on that. A professor could be investigated without being consulted if there was discrimination in the classroom.

P. McGough - They are legally obligated to conduct an investigation if a student complains, but being notified, they need to tell you if you are being investigated.

P. Phillips - That was one of the origins of that committee - to deal with that question.

P. McGough - EPC created a subcommittee when a subcommittee was needed to act. Maybe that's what FSAC needs to do. It doesn't need to meet unless there is a reason. FSAC could choose members of its own body.

W. Poe - Perhaps you should charge FSAC to find out what are the procedures in place now, we can create a charge or a committee in response to the cases of investigation of discrimination complaints.

M. Little - Another dimension is intimidation by rank of people coming up for promotion or tenure feeling squelched. In conversation with faculty, a few have confessed that some faculty are scared that what they say could backfire on them. Staff intimidation is even worse. This is greatly negative to our freedom of speech. Can we change this new committee to doing what they can to bring this to light. It helps to just bring it to light.

R. Luttmann - One needs to worry about in reconstituting what exactly it should do, what power it has and where does it fit into the faculty governance structure. That's the problem now. The charge is fairly useless. **It sounds like FSAC would be willing to look into this matter and come back with a recommendation.**

C. Nelson - That policy is undergoing revisions. Tim Young said he would do the widest possible consultation.

P. McGough - Bill, I hope the committee will find out from Edna times and situations where they have to investigate where they do not have to tell a faculty member. Academic institutions are not fully understood by person who are not academics. I think this subcommittee of FSAC could be very important. Both investigators are not familiar with the academic environment.

P. Phillips - This sounds as though it should not be just for faculty academic freedom issues on campus, but emeritus and staff as well. We really need some way of addressing that.

Senate Service Release Time continued discussion - attachment

R. Luttmann - There are two new developments. One I brought up at the beginning of the meeting which is the rumor that faculty governance units may be a causality of budget cuts. Second is the matter brought up by Michael and SAC.

W. Poe - As for FSAC, my committee chided me also. They thought there should be equity across committees. I never volunteered to give up units, but said I could do with less. Most of the time EPC has a heavier load than the rest of us.

S. McKillop - Can you head this off by saying this rumor is floating around and speak with Bernie and say this would be absolutely wrong and see what he says? For Statewide it would be terrible if the Chancellor said no release time. If people don't get it here there's no way people will do the job now. It is an attack on the benefit of governance. It's a very high priority. I think it is something we shouldn't do on hearsay.

P. McGough - Bernie had just heard that morning that campuses need to prepare not for 5%, but 10%. A friend at the UC said they are preparing for 15%. A 15% cut will decimate this campus. When it comes to it we need to make it clear that this is

essential. Everything is going to be on the table. We might decide to work without release time if tenure track faculty are going to be laid off.

N. Byrne - Your point that some might serve for fellow faculty without taking away for others is good, but once they go away they don't come back.

P. McGough - They shouldn't go easily.

C. Nelson - What are we supposed to be doing? Are we revising this issue? Are we taking this to Structures & Functions? Who has authority? Are we taking units away from the lecturers? What am I supposed to be thinking about?

R. Luttmann - There are two separate issues. I agree with Phil that we may be jumping the gun. If it is only a rumor then we can worry about that later. The Senate finally passed that resolution. It was recommending that we give a unit each to the lecturers each semester. It also recommended that the administration provide those units, but made clear in the absence of that we are supposed to deal with that problem. We had thought as of last week we had a way to do it. How are we going to fit 60 units of expectation into 54 units?

C. Nelson - This is strictly a process question about why, as we are the Executive Committee, that Structures & Functions and SAC can tell us what to do. The chair of FSAC and SAC are not giving units. Can in fact those two committees tell us how to allocate units?

R. Luttmann - We thought they had agreed to it but they hadn't. We've got to give somewhere.

C. Nelson - Do the committees need to approve this?

R. Luttmann - No.

M Little - Did you all get the email I sent yesterday? In that I proposed, but also I think as I read the constitution, that Article 5.1 explains it is Structures & Functions' job to do this and it is not our job to do this. I have observed that by our doing it, it could create a conflict of interest. It is wise in design that a body outside of Executive committee can come up with a solution. Then we make a proposal to the Senate as a whole and vote on it. I went further in that fractional units are not a problem, maybe an annoyance. Therefore there is no practical obstacle to diving 54/60th into everyone's share and hacking it out. It's not our job anyway.

S. Moulton - It might all be moot if we have the kind of cuts we may have. It's not an issue to reopen until we know what the reality may be. We should wait and see what information we get from administration about how to respond to cuts. We should have a strategy how we would do that for faculty governance.

W. Poe - Something else Structures & Functions could look at is the workload of these things. Also the extent to which the Senate is not a representative body because of the number of ex-officio positions on Senate. There was a good reason to move for greater communication between the Standing committees and the Senate. But the Chairs of Standing committees came when they had legislation. Having Standing Chairs on the Executive committee, but not on Senate makes sense. My position is strange on the Senate. I have a vote but am not sure what my constituency is. It's an odd position. On the practical side I did not really have to run hard on the campus for this position. A large a body of ex-officios undermines the Senate. I would ask Structures & Functions

if any member can sit as a liaison for FSAC. Maybe we could spread out the workload for all standing committees and then if need be reconsider the WTUs.

C. Nelson - I would like to know who does have authority to allocate those units? I would like some authoritative answer. In terms of fractions of units, I raised a similar issue last time. It is a problem for some people to go below three units in terms of unit loads they teach. Please keep that in mind as it will pose a problem for some people.

P. McGough - What happened to that discussion when we discussed one unit per semester?

R. Luttmann - Some members disagreed with you. We came to no consensus on it.

P. McGough - I thought we had to do something this year. Lecturers are not getting anything this year?

R. Luttmann - No, they are aware of that. We are talking about 2002-03. The problem is that it is a hell of a way to run an institution. We can't do anything this year; fall is done and spring is planned. If we don't make a move in February, we're out of gas for next year. Somebody's got to be chair of these committees. We have to pick these people and they have to plan their schedules and we've got to do that before spring planning for fall.

P. Phillips - I move that Structures & Functions make a recommendation to the full Senate.

Seconded

C. Nelson - Is it possible to connect this with the context of who has authority to do this?

R. Luttmann - Traditionally this has not gone to the Senate.

P. McGough - Peter's suggestion is a good one. Whatever authority the Executive Committee has comes from the Senate.

M. Little - Again there is a conflict of interest. It has to be done and we are not the best people to do it.

R. Luttmann - I have no objection to referring it to Structures & Functions, but I do have problems with bringing it back there. The Senate thinks the matter has been settled. The Senate has never in 30 years had this come before it. There is a motion on the floor.

P. McGough - Rick, you are uncomfortable with this. You have no problem sending it to Structures & Functions, but do with the Senate?

N. Byrne - I understand your point Michael that there could be a conflict of interest. My feeling is that on the other side of the issue that members of this body that include chair s are in a good position to assess the work and make an informed assessment.

P. McGough - I move that it be brought back here for discussion. This an amendment to the motion. I agree with Noel and I really believe the Chair of the Senate should get at least six units. It's my opinion that the Senate Chair serves on more committees than other chairs, just my opinion but. .

Motion to amend seconded.

Vote on amendment - Approved

Vote to refer the item to Senate Service Release Time to Structures & Functions - Approved

P. Phillips - The secretary position information should come back with that.

Senate Agenda

R. Luttmann - We need to postpone further the last installment of the Green Music Center as Bernie cannot be at the next meeting

There was a discussion of when the Green Music Center would go on the agenda.

It was decided that the last Green Music Center presentation would be on the December 13th agenda.

Jim Meyer would be invited back to answer questions about this presentation.

C. Nelson - (*in regard to Academic component of the Green Music Center*) I suggest that as an academic program it needs to go through Senate procedures.

S. Moulton - I'd like to have a CMS update at a Senate meeting.

R. Luttmann - We could do that at the first meeting of the Spring semester.

Final Senate Agenda

Consent Items:

Approval of the Agenda

Approval of Minutes

B.S. in Business Administration

BUSINESS

Women's and Gender Studies as a Department - second reading T. C. 3:15

Jim Meyer returns for questions T. C. 3:30

Business Department request to return to 124 units

Presentation on Electronic Voting for Senate Elections

ADJOURNMENT 5:05

Agenda Items held over:

University-wide Lecturers Forum, recommendation from S & F

Calendar issues: Cesar Chavez Day; Summer 2002; Summers 2003 ->

Electronic Voting

APC recommendations - attachment

Staff Representative on Senate

Respectfully submitted by Laurel Holmstrom