THE MINUTES OF THE ACADEMIC SENATE (AS-02)

CALIFORNIA STATE UNIVERSITY, FRESNO

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Office of the Academic Senate

(559) 278-2743

September 26, 2022

Members excused: M. Jackson, P. Turnbull

Members absent: A. Alexandrou, L. Brillante, B. Taylor, A. Weerasinghe

In-person attendance: 14 Zoom attendance: 29

The Academic Senate was called to order by Chair Hall at 4:04 p.m. in Library room 2206 and via Zoom video conferencing.

1. Approval of the Agenda.

*MSC*

1. Approval of the Minutes of 9/12/22.

*Motion to approve*

Senator Maldonado offered a correction. Amended on the floor.

*Motion seconded*

*Approved*

1. Communications and Announcements.

Communications from President Jiménez-Sandoval

The President thanked faculty for participating in the strategic planning townhalls.

He offered an update on the State budget. Following funding last year for the farm and mobile health unit, he announced that this year we will receive 2.9 million through the health professions pathway program. This focuses on underrepresented students and disadvantaged communities.

The report from the Title IX Task Force is forthcoming. There will also be an independent report that was commissioned by the Chancellor’s Office. Our task force’s report will address what happened on our campus and will focus on four areas: (1) communications, including a better web presence and more user-friendly website for Title IX; (2) policy, including need for updates, and evaluations for MPP’s; (3) prevention education and training, for instance a campaign on culture of competence, raising awareness about what are micro and macro aggressions, training and tools for middle management; and (4) process, including how to triage, timing, resources for victims, disciplinary actions and software to keep track of these. This will be a model for other campuses.

The President explained that the President and faculty cannot take an official position on Measure E. This tax proposal was not initiated by our campus. No Fresno State resources can be used towards talking about it, and this includes our affiliation. If it passes, this would mean about 36 million per year for the campus for the next six years, of which a minimum of two thirds would be for academics.

He also thanked faculty for attending his investiture.

The President informed the Senate that he is now on the executive board of LEAD California.

The President is about to launch a South East Asian Students task force as well as an AANAPISI advisory group.

Finally, the President announced that he is on two working groups for the CSU system, one for black excellence and one for financial sustainability.

*Questions for the President:*

**Senator DeJordy** wanted to know whether the working group on sustainability is limited to financial sustainability, or also addresses other forms of sustainability.

**President Jiménez-Sandoval** responded that it only concerns financial sustainability.

**Senator Moreman** learned at the President’s investiture that President Jiménez-Sandoval is co-chair of the task force on black excellence, and he wanted to know who the other co-chair is.

**President Jiménez-Sandoval** responded that he is co-chair with the President of CSU Dominguez Hills. They will be bringing in individuals from other campuses.

**Senator Bryant** mentioned that specific departments are named in the Measure E proposal, suggesting that this is where money would go. She also wanted to know whether Fresno State would be represented on the supervisory committee if the measure passes.

**President Jiménez-Sandoval** responded that, from what he understands from the proposal, the departments that are mentioned are sample departments that represent specific needs in our community and are iconic, but it is his understanding that other departments would benefit too. Measure Z, to support the Fresno Zoo, could serve as a model. It used the elephant as its icon, but the entire zoo benefitted. It is his understanding that there would be representation on the supervisory committee, like is the case for the Zoo following Measure Z.

**Senator Pinzón-Perez** mentionedthat a first coordination meeting about the new mobile health units took place today. There was a discussion about sustainability. What is the vision in sustaining these projects in addition to grant funding?

**President Jiménez-Sandoval** responded that 4 million has been received so far. We began with one mobile unit, which was borrowed and runs on diesel, requiring a special driver’s license. The new units will not need a specialized license because they will run on gas. We can build on this, showcase success, and move forward with a continuous ask for funding as well as fundraise on our own.

**Chair Hall** wanted to know what regulation prohibits us from talking about Measure E.

**President Jiménez-Sandoval** explained that we cannot advocate for or against a measure on a ballot as per State law. The President is waiting for more guidance from the Chancellor’s office.

**Senator Yang** wanted to know more about the AANAPISI initiative and how he could serve on it.

**President Jiménez-Sandoval** explained that there have been issues with AANAPISI students’ sense of community and belonging. The task force will focus on strategies to develop a sense of belonging and access to resources. As a university we need to clearly message to the AANAPISI population that they are an integral part of who we are at Fresno State. He will reach out to senator Yang.

**Senator Capehart** appreciated the information on Measure E. He wanted to ask the President, in his capacity as a private citizen or as President, about concerns regarding where the money for academics would go, for instance, will it be used for athletics and the stadium?

**President Jiménez-Sandoval** responded that there is no private citizen Saúl Jiménez-Sandoval when it comes to taking a position on this. Hypothetically, if we were to be offered money by a rich benefactor, for instance, it would help raise all the departments, with a focus on our R2 classification, to support research and strive towards building infrastructure towards R1 classification.

**Senator DeJordy** recognized Michael Lukens.

**Lukens** provided two sources of law regarding restrictions on speaking about Measure E:

1. Stanson v. Mott (1976) 17 Cal.3d 206: A public agency may not use public funds to promote partisan positions in election campaigns.

2. Government Code §8314(a): It is unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to use or permit others to use public resources for a campaign activity, or personal or other purposes which are not authorized by law.

Communications from Provost Fu:

No announcements.

*No questions for the Provost.*

Mazie Moua – Academic Success Coaching

**Moua** is the coordinator of our academic success program. This was previously known as SupportNet. The name SupportNet was often confused with tech support, hence the name change, which better reflects what the service does: help succeed in classes. There are various ways to refer students, explained in the slides that were shared on the Senate webpage.

Communications from Chair Hall

The ASCSU is requesting feedback on the ICAS proposal on a single transfer pathway in response to AB928. The ICAS proposal, called CAL-GETC, is an agreement between CSU, UC and Community Colleges about a single transfer pathway. The CSUs will to have to tighten on some courses. The single transfer pathway will imply a reduction of five units in our GE, three units in area C and three units in area E.

Feedback to the ASCSU is due by October 24. Chair Hall will put together a Google form to collect feedback from Senators. Feedback options are limited to whether we agree with the ICAS proposal, have suggestions to improve it, or reject it.

The State has restricted our ability to negotiate on this. If we do not reach a consensus, administrators in the three systems will decide.

Chair Hall will collect feedback and bring it back to the Senate in two weeks.

1. New Business.

None.

1. APM 301 – Policy on Tenure-Track Appointments. Second Reading.

**David Low** (Chair Personnel Committee) reminded the Senate that the changes include bringing APM 301 in alignment with the current CBA, a new footnote explaining what is meant with insufficiency, and replacing pronouns with gender-neutral pronouns.

**Senator Pitts** expressed concern over the term insufficiency, especially with regards to representational identities and parameters of identities. What constitutes sufficient balance of ethnicities and perspectives, for instance? The description is somewhat ambiguous and it is unclear when it would apply.

**Low** responded that the policy is run through departments, hence the nature of insufficiency would be decided by the department, not administration. An issue observed on our campus that led to introducing this description of insufficiency concerned a department looking to recruit for a specific position in Hmong studies that did not have Hmong faculty, hence their need to find faculty to serve on this search committee outside of their department, and an insufficiency in another department that did not have faculty with the disciplinary background for a specific position they were recruiting for.

**Senator Pitts** was concerned that the use of the term ‘insufficient’ could create a situation where any search committee could be invalidated for lack of differences in perspectives and identities, but he appreciates that a decision about insufficiency is taken at the department level.

**Low** appreciated Senator Pitts’ comments.

**Senator Pitts** wanted to know whether this new language could put us in the position of being liable for not having sufficient representation on a search committee. Could this language put us at risk of a grievance or lawsuit?

**Interim AVP for Faculty Affairs Schmidtke** did not see a risk of grievances. Decisions about insufficiency are taken by a department collectively, not by one person.

**Senator Moreman** expressed a number of concerns about the amended APM and did not think it was ready. For instance, there is antiquated language, *e.g.* the AVP for Academic Personnel mentioned in the APM does not exist.

**Low** would accept it as a friendly amendment to replace ‘AVP for Academic Personnel’ with ‘AVP for Faculty Affairs’.

 *Replaced once in the document on the floor. Will be replaced throughout.*

**Senator Moreman** mentioned that there is more such antiquated language in the amended APM.

**Senator Moreman** suggested that we do not use URLs in policy documents. The URL in footnote 11 is dysfunctional, for instance. He also wanted to know why we would not include a list of protected classes in footnote 14 instead of referring to the California State Senate list and a URL to that list. This list is also based on lists from various other organizations. Why not use what we have at Fresno State and the CSU instead?

**Low** agrees that we could refer to the Fresno State and the CSU list.

***Senator Moreman*** *made a motion to send APM 301 back to the Personnel Committee.*

*Seconded*

*Discussion on the motion:*

**Senator Moreman** added that he has other suggestions for the Personnel Committee that he will share with Chair Low. He also suggested that as a body we should talk about what gender-neutral pronouns to use. The use of ‘they’ as gender-neutral is ambiguous.

**Senator DeJordy** wanted to know whether some of the changes were made in order to comply with the new CBA, which could imply urgency to make the changes.

**Interim AVP Schmidtke** answered that searches are already underway so there is no strong urgency. He also suggested that a list of protected classes could be in an appendix to the APM to avoid having to update the policy every time a new class is included. He added that the gender-neutral pronouns used in the amended APM are also used in the CBA.

**Senator Laha** had a few more suggestions for changes for Chair Low.

*Vote on the motion to send APM 301 back to the Personnel Committee: approved*

*The Academic Senate adjourned at 5:15p.m.*

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The next meeting of the Academic Senate will be October 10, 2022.

Submitted by Approved by

Tinneke Van Camp Ray Hall

Vice Chair Chair

Academic Senate Academic Senate