THE MINUTES OF THE ACADEMIC SENATE (AS-07)

CALIFORNIA STATE UNIVERSITY, FRESNO

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Office of the Academic Senate

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December 6, 2021

Members excused: K. Ayotte, F. Chen, B. Janetvilay, J. Miele

Members absent: J. Crane, B. Mason

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 11/22/21.

Three amendments were made on the floor by Senator DeJordy and Senator Ram.

Approval of minutes as amended: MSC

1. Communications and Announcements.

Communications from Provost Fu:

Provost Fu is close to making an offer for the new permanent Dean of the College of Social Sciences.

The search committee for the permanent Dean of Undergraduate Studies will have their final deliberations this week.

The Provost obtained approval from the President and the Executive Committee of the Academic Senate to postpone the search for a permanent AVP for Faculty Affairs until Fall 2022.

Finally, Provost Fu extended his thanks to faculty for their resilience this semester.

*No questions for the Provost.*

Communications from Chair Hall:

Chair Hall informed the Senate that a PowerPoint presentation on COVID-19 related information was provided by VP Adishian-Astone, which will be shared with the senators.

Two calls for faculty service were launched last week, for the search committee for a permanent Provost and VP for Academic Affairs, and for the search committee for a permanent VP for Student Affairs and Enrollment Management. Faculty representatives on these two committees will be appointed by the Executive Committee of the Academic Senate in January.

Chair Hall responded to a question in the chat about how the Senate will meet next semester. He explained that he is looking into using a Hyflex modality, with some senators attending in person and others on Zoom. He is looking into a voting system. He expects that at the start of spring, the Senate will most likely still be meeting on zoom, but we could transition to a Hyflex modality as the semester progresses.

Communications from Sarah McDaniel (Associate Dean Library): Clarivate EndNote Cancellation.

The library is testing with campus partners what the impact of the Clarivate EndNote cancellation will be and how to support faculty that are affected. Students and faculty have been notified through various emails. The library is providing assistance on what users need to do. Active EndNote users need to take action before December 31. The library, Technology Services and Procurement have been working with the vendor on long-term support and pricing for individual desktop licenses or department-level licenses for EndNote; updates will be provided.

*Questions for McDaniel:*

**Senator DeJordy** asked whether ongoing negotiations about pricing for individual licenses will also be finalized before Dec 31.

**McDaniel** responded that that would be the case.

**Chair Hall** wanted to know how many faculty use EndNote and will be impacted.

**McDaniel** estimated that, depending on the various applications that are possible, we have between 200 and 400 users. She emphasized that they will all be able to migrate.

Communications from Dr. Matt Zivot (Office of Institutional Effectiveness): Student Survey Update.

The Rapid Student Response Survey is conducted three times per semester by OIE.

Data from September 2021 indicates that students were having a better experience than last year, and this is confirmed in subsequent waves of data collection this semester. Analysis resulted in mostly small effect sizes. Students feel more academically engaged in their courses. They are more likely to learn the material and keep up with assignments. Improvements were seen in motivation, being able to concentrate, and access to a learning environment. Feeling academically supported by professors was slightly higher for students who took all or most of their courses in-person, but there was no significant difference with other modalities of instruction. For exchange of ideas with fellow students and with professors, in-person classes were on top, and this item was lowest for students taking all or mostly virtual courses, and this was a significant difference.

Overall, students are doing substantially better this semester than previous semesters. Both in-person and virtual classes are still going well, but in-person classes better enable exchange of ideas with fellow students and professors.

In addition to the survey, OIE led student focus groups, in which similar observations were made and students made very clear statements about the value of access to the library.

Data is available on Tableau.

*Questions for Dr. Zivot:*

**Senator Ram** noted that it is important to keep in mind that these scores are averages and that there is a lot of variety in how virtual classes are conducted, for instance, with regards to level of interaction. She also wanted to know where to find the data on Tableau to browse the data per department.

**Dr. Zivot** clarified that it is under Rapid Student Response Survey in the Survey folder on Tableau, and there is a filter for college and department.

**Senator Crowell** wanted to know whether the findings from the focus groups will also be made available.

**Dr. Zivot** confirmed that that will be the case. The focus groups were concluded recently and observations from then were presented to the academic leadership team. They can also be shared with the Senate.

**Senator Jenkins** wondered if we can add questions about whether students feel supported by the administration and President in the survey. It will reveal who students see as the face of the university.

**Dr. Zivot** responded that questions can be added, but OIE has been collecting the same data set for years now, and part of the value is to have comparison. Adding questions would inhibit that. He added that students do not necessarily know who administration is.

**Senator Walter** mentioned that faculty members have undergone training and invested time and funds to support virtual teaching. Can the data be broken down by faculty member who received or did not receive training to measure the return upon investment of the professional development of faculty? It would help place value on such certification.

**Dr. Zivot** suggested that course evaluation would be a better tool for this. In the Rapid Student Response Survey students are asked about all their faculty at once, instead of individually. This is something that can be discussed going forward.

**Senator Ram** asked what the response rate was and how well various departments are represented.

**Dr. Zivot** explained that the survey is sent out to 4,000 students. The lowest response rate was recorded in November 2021 with about 300 respondents.

1. New Business.

*None*

1. APM 233 Policy on Repeating Classes. Second Reading.

**Mullooly (chair AP&P)** reminded the Senate that this came to AP&P via the graduate committee. Changes were required to align the policy with current practice regarding graduate students repeating undergraduate course.

During the last Senate meeting friendly amendments were made and other suggestions were made on the floor [see minutes Nov 22.]. Mullooly agrees with the suggested amendments.

*Motion on the floor to add department chair in addition to the graduate program coordinator to give permission for a graduate student to repeat an undergraduate course:*

*‘Students pursuing graduate degrees may repeat undergraduate and graduate level courses with permission from their graduate coordinator and department chair, but grade substitution is not allowed.’*

*Motion seconded.*

*No further questions and comments on this motion.*

*Motion passed.*

*No further questions or comments from the floor on the amended policy.*

*Vote on policy as amended.*

*Amended policy passed.*

1. APM 241 Policy on Course Syllabi and Grading. Second Reading.

**Mullooly (chair AP&P)** reminded the Senate that some cosmetic changes were made to the policy, new items were added in the list of items that need to be in a course syllabus, and authority for the syllabus template is given to the Dean of Undergraduate Studies.

**Senator Holyoke** mentioned that in the past, the syllabus template would be run by the Senate’s Student Affairs Committee. Is there a reason they are not mentioned in the last sentence of the document, that was added by AP&P?

**Mullooly** saw no reason why this committee should not be mentioned in the policy.

**Senator Holyoke** suggested to add the Student Affairs Committee in the last sentence:

‘Management of the template is under the purview of the Dean of Undergraduate Studies in consultation with the Dean of Graduate Studies, Academic Policy, and Planning, Undergraduate Curriculum, Student Affairs Committee, and the Executive Committee of the Academic Senate’

*Accepted as a friendly amendment by Mullooly.*

*The change was made in the document.*

**Senator Jenkins** suggested it should be ‘template examples’ or ‘template example’ instead of ‘template’ throughout the document.

*Changes were made in the document to reflect this (in III.o; in the paragraph that was added by AP&P)*

**Chair Hall** asked whether this was taken as a friendly amendment or whether senators wanted to discuss this first.

**Senator Lent** was concerned about straying too far and that the template should still carry some weight in light of consistency.

**Mullooly** responded that, whether it says ‘template’ or ‘template example’ does not affect the requirement to have certain items included in a course syllabus. All the items listed in the policy under section III need to be in a course syllabus, regardless of what template is used.

**Senator Moreman** wondered whether, in section II (principle of the policy) we should highlight accessibility for students with disabilities. Increasing accessibility is good for all students. Do we need to spotlight it as being specifically for students with disabilities?

*Mullooly accepted it as friendly amendment*, since a footnote in the policy already includes reference to policies regarding students with disabilities.

*The change was made in the document.*

**Senator Moreman** had a question about III.c ‘summary outline of course and tentative schedule of topics covered’. Would that be a place where we designate synchronous and asynchronous classes? ASI had requested to include information on synchronous and asynchronous instruction.

**Chair Hall** and **Mullooly** argued that that is covered in item f in section III, which was added by the Executive Committee of the Academic Senate, of which the ASI President is a member.

**Senator Moreman** suggested that the paragraph on the syllabus being a legal covenant (towards the end of the policy) is heavy-handed and wanted to know when that was put in and what is legal about a syllabus.

**Mullooly** explained that that has been in the policy since 2018 and was not part of the current AP&P modification.

**Senator Moreman** moved to echo the language in section I (preamble), which presents the syllabus as a binding education compact rather than a legal contract.

***Mullooly*** *accepted it as a friendly amendment.*

*The change was made in the document.*

**Senator Lent** suggested that we need to consider why the term ‘legal covenant’ was used in the policy first. Was there a legal commitment and could removing it cause problems? He suggests that we get input from Faculty Affairs before changing the language. Senator Lent argues it should not be taken as a friendly amendment.

*Motion to reinstate the original language:*

*‘Faculty should realize that the syllabus might be viewed as a legal covenant between the instructor and students.’*

*Seconded.*

*Debate on motion to reinstate the original language:*

**Senator Jenkins** agreed that we need to know why that language is in the policy, and agrees to leave it alone until we get answers. Is there precedent of students suing for breach of legal covenant, for instance?

**Senator DeJordy** added that the original language provides rationale for the next statement in that paragraph.

**Senator Maldonado** agreed with senator DeJordy and spoke to the motion of reinstating the original language. Students should take the syllabus as a reasonable expectation of the parameters of the course pending unforeseen circumstances that require certain changes, and the syllabus made available to students prior to those changes should not be construed as legally binding.

**Senator Pitts** added that it is confusing to know which part of the syllabus is binding if the content is subject to change. What can change in this binding compact or contract?

**Senator Tawfik** suggested that a syllabus is not a legal contract, but agrees that we need to get legal consultation on this.

**Senator Karr** responded that there are elements that have legal ramifications and provide protection for both faculty and students. These have been challenged by students and faculty. A grading system has ramifications, for instance. This could be challenged in court, which has been the case in other institutions. It is, therefore, important to get counsel and keep the original language for now.

**Senator Moreman** spoke against the motion. He echoed what senator Pitts mentioned, in that is not clear what exactly is binding. Are the assigned readings, class topics, *etc.*, binding? He suggested to have the legal team look at this.

**Senator Jenkins** also spoke against the motion to return to the legal contract language. Would this not imply that every syllabus has to be read by a legal counsellor?

*Vote on motion to reinstate the original language: the ayes had it and the motion carried.*

*The Academic Senate adjourned at 5:18p.m.*

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The next meeting of the Academic Senate will be January 31, 2022, via Zoom video conferencing.

Submitted by Approved by

Tinneke Van Camp Ray Hall

Vice Chair Chair

Academic Senate Academic Senate