THE MINUTES OF THE EXECUTIVE COMMITTEE

OF THE ACADEMIC SENATE

CALIFORNIA STATE UNIVERSITY, FRESNO

Fresno, California 93740-8014 Fax: 278-5745

Telephone: 278-2743 (EC-2)

September 20, 2021

Members present: Raymond Hall (Chair), Tinneke Van Camp (Vice Chair), Rich DeJordy (At-Large), Kathleen Dyer (Universitywide), Xuanning Fu (Interim Provost), Thomas Holyoke (former Chair), D’Aungillique Jackson (ASI Executive President), Saúl Jiménez-Sandoval (President), Jennifer Miele (At-Large), Rebecca Raya-Fernandez (At-Large), Susan Schlievert (Statewide)

Members excused: (N/A)

Guests: Venita Baker (Academic Senate), James Mullooly (Chair AP&P), Bernadette Muscat (Interim Dean of Undergraduate Studies), Jim Schmidtke (Interim AVP Academic Affairs)

The meeting was called to order by Chair Hall at 3:00 pm on Zoom.

1. Approval of the Agenda.

MSC

1. Approval of the Minutes 8.30.21.

Minutes amended.

MSC

1. Communications and Announcements.

Communications from the President:

**President Jiménez-Sandoval** will be sending out a message on resilience to encourage the campus community, inspired by the recent football game win by Fresno State.

He also referred to a petition initiated by a student in the Craig School of Business, with the aim of changing fall on-campus instruction to virtual instruction. The President has engaged in a dialogue with the student who initiated the petition and there will be a forum in the Craig School of Business, led by the Dean and senator for that school. There will also be a message to the campus regarding teaching modality in the fall, partly in response to the above-mentioned student petition, partly in response to a mischaracterization by the Fresno Bee about the campus would most likely go virtual. The consideration right now is that we might go virtual after Thanksgiving in order to mitigate infections. The President is supporting the initiative from ASI President Jackson to hold another student forum.

**President Jiménez-Sandoval** further explained that more HEERF funds have been made available by the federal government. The first installment of 23 million dollars for Fresno State will be distributed to students between Oct 11 and Oct 18. Another installment of 23 million dollars is expected in the spring. This is in addition to financial aid to students, it will not count against their financial aid. It will help support our most needy students and students in the middle of needy and well-off, as well as DACA and international students.

**President Jiménez-Sandoval** wants to put together an RFP for a consultant for the strategic plan for the campus that is comprehensive, speaks to the future of Fresno State, and speaks to diversity, equity and inclusion. The President will continue to communicate with the Chair and with the Executive Committee of the Academic Senate about the RFP and about forming a core group of planning for the university for the next 5 years.

Fresno State Day, which involves going to every community college in order to increase our visibility and showcase Fresno State, is going well.

The comprehensive 250-million-dollars-by-2026 campaign is in its third year and has entered into its silent phase. We have exceeded last year’s goal of raising 28 million by 100,000 dollars. At the end of last fiscal year, we received an endowment for a Chair for Genetics and Molecular Biology, which is the first endowed chair in The College of Science and Mathematics. Aiming for more endowed chairs in other colleges, to strengthening innovation and visibility of disciplines in all of our colleges.

The Provost and Dean Emerita Luz Gonzalez have led the work on an application for the Seal of Excellencia, to receive recognition for campus support for LatinX students. Only four universities are awarded the seal per year, and only two other CSU campuses have been awarded the seal. Waiting for the outcome.

Finally, the President mentioned a report published by the Brookings institute about supporting distressed communities by strengthening regional public universities through federal grants. The President has been advocating for this grant and spoken with our elected federal officials, who appear supportive of this grant. Once the proposal for this federal grant passes, we will be able to apply for it.

Question for the President:

**Senator Holyoke** wanted to know what the arguments are behind the petition to take the campus back to virtual instruction.

**President Jiménez-Sandoval** explained that the student who initiated it has a concern for someone they live with who is immuno-compromised.

**ASI President Jackson** added that ASI is monitoring the situation too and the petition prompted ASI to do a second town hall. There is a concern among students about the campus having been opened prematurely and guidelines that keep changing as a result. The goal is to make guidelines clearer to students, *e.g.*, that it is university policy to make accommodations for students that have clear medical reasons keeping them out of class.

**President Jiménez-Sandoval** explains that it has always been our policy to accommodate students for medical reasons, including having a person in their household who is particularly vulnerable to COVID. We are doing the best we can to accommodate students. This is easier to do in some disciplines than in others due to, for instance, accrediting guidelines. Hence, providing fair due process for the student while also maintaining the core notion of their discipline.

Communications from Provost Fu:

**Provost Fu** provided updates on personnel searches and hires. Three Dean level searches are being launched (dean for Research and Graduate Studies, Dean for JCAST, and permanent AVP for Faculty affairs). Dr. Schmidtke has been appointed as interim AVP for Faculty Affairs. We will be using a search firm for the Dean searches given that these kinds of searches can be challenging.

In addition, two Dean searches are in progress (Dean for COSS and permanent Dean for Undergraduate Studies).

On September 30 the Provost will be hosting a Provost Q&A forum for faculty.

Questions for the Provost:

**Senator DeJordy** explained that in his School, some classes were approved to be virtual until Oct 1 (e.g., large lectures) but going forward, he wanted to know whether there is one policy for continued flexibility for course modality and virtual teaching for the university for the fall or does this policy vary by college/school or department? Who then gives permissions for virtual teaching (Chair, Dean, or Provost)?

**Provost Fu** explained that these will be bottom-up decisions, but when changes are made course modality, these changes should also be made in the schedule - the official schedule should mention the course modality that concurs with how the course is being taught.

**Interim AVP Schmidtke** added that instructors could have requested a medical exemption to allow accommodation by HR if they have a particular medical concern for coming on campus.

**Provost Fu** repeated that changing course modalities midway through the semester is problematic for students, so this will require careful consideration. He will talk with the Chairs and Deans about this.

**Provost Fu** provided an update on self-certification regarding vaccination status and COVID-19 testing. The number of students who have not provided self-certification yet has come down to about 560 students. Students still have nine days to complete it (deadline is Sept 30). They keep getting reminders through phone and text. Also providing help for students who have difficulties completing the self-certification. The Provost will also share data on employee certification and testing.

The focus now on our campus is on testing compliance.

**Senator Hall** wanted more insight into compliance with testing. For instance, in addition to students who have not self-certified yet, 7 per cent of the members of the students have declared a religious exemption for getting vaccinated– they are required to get tested. Based on 25,000 students, that would mean that about 1,700 students on campus are not vaccinated due to religious exemption. If we are not above 1,700 tests, that means that a number of students is not complying with the testing requirement, and that is concerning. (**Holyoke** clarified that 8, not 7, per cent of our students declared a religious exemption.)

**Provost Fu** responded that last week 1,184 tests were done.

**Senator Hall** urges the administration to do all they can to increase testing compliance to protect what we have accomplished so far that allows us to be back on campus.

**Provost Fu** agreed that this is a very important issue.

**Senator Holyoke** wanted to know what happens with the students who do not complete self-certification by Sept 30, because they are potentially putting our campus at risk.

**Interim AVP Schmidtke** mentioned that the number of students concerned is not clear yet – among the students who have not certified yet are students who are not coming to campus because they only have virtual classes – they do not have to get tested. Still working to have more accurate data on testing compliance.

**Senator Holyoke** added that some of the students who have not self-certified yet may not have in-person courses, but they may still access the campus, *e.g.* the library, and that is a concern.

**Senator Hall** asked for faculty numbers about self-certification and testing compliance.

**President Jiménez-Sandoval** mentioned that a little over 60 per cent of all faculty self-certified as being vaccinated.

**Provost Fu** added that faculty have until Oct 27 to self-certify and will be receiving repeated reminders. Self-certification rates among faculty are lower than among students. Faculty who do not self-certify have to get tested, which makes testing compliance data particularly important. This data will be shared with Executive Committee of the Academic Senate.

**Senator Hall** responded that faculty need to comply with testing requirements and the Senate would like to be informed of those numbers because non-compliance is concerning.

**ASI President Jackson** noted that, despite the hard work on our campus, the entire CSU system may have made the move to on-campus instruction prematurely, which has resulted in regularly changing guidelines and, therefore, expulsion of non-complying students would not be good move. Registration hold for spring semester is a good alternative. She also suggested monitoring access on campus with key card access swipes, which can be enforced, and certification and vaccination status can be connected to key cards.

She further mentioned that if faculty are concerned about student compliance, we could push out a call to Senate and the Colleges to share information about vaccination clinics, testing sites, testing requirements, reporting requirements, gift cards incentive etc. She repeated that students do not respond well to emails – they respond to face-to-face communication, so faculty should distribute this information in their classes.

**Senator Schlievert** mentioned that none of the major religions seem to be against vaccination. Is there any plan for the general counsel, for Darryl Hamm, to rethink the religious exemption, because it has also been reported in the media that people are using the religious exemption as an easy way to not get the vaccine, and that would be concerning?

**President Jiménez-Sandoval** responded that the position of the counsel remains the same. He also noted that students with exemptions have to get tested.

**ASI President Jackson** wants the campus to be respectful for students claiming a genuine religious exemption and not to single them out for their beliefs.

**Senator Schlievert** explained that her intention was not to single out people with genuine religious beliefs but to be mindful that some may be using this exemption not to get the vaccine.

**Senator DeJordy** asked for clarification whether a red check mark on the daily screening that is required to come to campus is considered to be a compelling reason to miss class and to seek accommodation, in light of the recently approved relaxation of APM 232 on absences.

**Senator Hall** responded that this would be indeed the case for that day. A requirement to quarantine would also be a medical reason for absence.

**Senator Miele** added that the red check mark means that we are telling a student that they are not allowed on campus on that day.

**President Jiménez-Sandoval** explained that students need to have documentation for the authorized three weeks of absences.

**Senator Dyer** remarked that the red check mark is not documentation, but self-screening.

**Interim AVP Schmidtke** will send out reminders about COVID guidelines to faculty.

**Senator Miele** asked whether there is guidance on the percentage of courses that can be virtual in spring 2022 given the relaxation of APM 206, in light of potentially not having WASC exemption for spring.

**Senator Hall** added that the Chair and Vice Chair of the Council of Chairs are looking for guidance on this. Are we going to vet medical reasons for requesting virtual instruction? Can faculty request virtual teaching and can Chairs assign it? What constraints are there, apart from accreditation requirements and safeguarding a good experience for freshmen?

**Provost Fu** responded that the process will be improved based on the lessons that can be learned from the summer, *e.g.*, we have to avoid constant incremental scheduling changes. The spring schedule will be published late October. We will be using the spring 2020 template that was designed in fall 2019 (pre-COVID), in which most courses were in-person courses. The Provost has been working with the Deans to draft guidelines for Deans and Chairs, the first draft of which will be discussed with this body. Once the spring schedule is published, we do not want to keep changing it. We need to protect classes that count toward accreditation and make sure to maintain 50 per cent of classes in person. Now we are offering over 60 per cent of our courses in person. We need to identify which classes are critical, such as student research classes, as well as accommodate for faculty concerns in a uniform way (*e.g.*, go through HR to accommodate concerns, as we have been doing for this fall). Some of these concerns can be documented, but others cannot (*e.g.*, having small children who cannot be vaccinated or taking care of an elderly family member).

**Interim AVP Schmidtke** added that EHS is working on guidance about risk assessment to be helpful in scheduling.

**Provost Fu** mentioned that this is a dynamic situation and there will not be a perfect plan, but at least by October we will have a better understanding of vaccination rates.

**Action Items**

1. Memo dated August 30, 2021, from Colin Stewart, Associate Dean of Student Involvement to Raymond Hall, Chair Academic Senate re: USU Board Faculty Representative. Memo has been received.

Suggestion: call for service

1. Email dated September 16, 2021, from Xuanning Fu, Interim Provost and Vice President for Academic Affairs, to Raymond Hall, Chair Academic Senate re: AVP of Faculty Affairs Faculty representatives. Email has been received.

Suggestion: call for service

1. Email dated September 16, 2021, from Xuanning Fu, Interim Provost and Vice President for Academic Affairs, to Raymond Hall, Chair Academic Senate re: Faculty Representatives on Search Committee for Dean of Jordan College of Agriculture Sciences and Technology. Email has been received.

Suggestion: call for service

1. Email dated September 2, 2021, from Keith Clement, Chair Undergraduate Curriculum Committee, to Raymond Hall, Chair Academic Senate re: University APM 206 Online Blended Learning Subcommittee Ad Hoc Member Request. Memo has been received.

Back log of online proposals. Need for more bodies temporarily.

Suggestion: call for service

1. Memo dated September 16, 2021, from Robert Guinn, Interim Chief Information Officer Undergraduate, to Raymond Hall, Chair Academic Senate re: Faculty Representation for the Technology Steering Committee. Memo has been received.

Suggestion: call for service

1. Nominations/Appointments:

* President’s Enrollment Management Advisory Board
* Campus Planning Committee
* Athletics Advisory Council
* Task Force Exploring Fresno State Operations in a Post COVID World
* Appointments to Search Committee - Vice President for Technology Services and Chief Information Officer

Suggestion: in executive session today

1. Student Faculty Rights.

**Mullooly (Chair AP&P)** presented a proposal for the creation of an honor code task force. There is a variety of policies on student conduct and academic integrity, each of which present issues that need to be addressed. For instance, APM 235 (on cheating and plagiarism) and APM 236 (Code of Academic Integrity Honor Code) could be combined. It was also signaled to AP&P that the lack of feedback to faculty who report students for plagiarism and cheating, discourages faculty from reporting such behavior. The union commented on APM 419 (on disruptive class behavior) as providing protection for students but not for faculty, and there was a request to amend this. In addition, APM 415 (on dispute resolution), a policy of final redress in disputes other than disputes about grades, has never been executed. This was brought to the attention of the Academic Senate with a request to abolish it, which was denied. Then, last year, ASI came to AP&P with their Student Bill of Rights, and the idea arose to merge policies and to create a new policy rather than adding amendments to the various existing APMs. Hence the request for a task force to be created, now or, given that we are still dealing with COVID, later.

**Senator Dyer** asked whether implementation of policies is not part of what administration does? Can the Provost assign someone, rather than charging faculty with working out the procedure?

**Provost Fu** responded that he would need to learn more about what the various issues presented by these policies are and about the operational side of this. He also noted that policies often include detailed operational guidelines. He added that the pressure for this academic year is already apparent – we are doing normal and COVID-19 related business.

**Senator Hall** noted that the memo to the Executive Committee does not frame a charge for this committee. He will work with Mullooly to figure this out and will communicate with the Provost before bringing this back to the Executive Committee in the spring.

**ASI President Jackson** mentioned that the previous ASI senate worked to get the Student Bill of Rights integrated in the course syllabus template, which was approved by the Academic Senate. Can this be passed on to a committee right away?

**Senator Miele** remembers that the Academic Senate supported the idea of having a Student Bill of Rights but that there were concerns about the language and violation submission form. That is why it was not approved to be added to the syllabus template. Faculty Affairs was going to look into this.

**Senator Holyoke** added that the Student Bill of Rights would be included by reference only, not in full.

**Interim AVP Schmidtke** asked to get a copy of this document to allow him to review it.

1. Relax APM 203 Special Majors.

**Mullooly (Chair AP&P)** explained that AP&P suggests to strike the following sentence in APM 203: “The candidate must have the special major program approved by the Provost and Vice President for Academic Affairs or designee prior to the semester of graduation” to address the issue with Special Majors discussed in the Executive Committee meeting on Aug 30.

**Senator Dyer** responded that the reason APM 203 requires students to declare a special major prior to their final semester is to allow people to combine two existing majors. That was the purpose of this policy, but we have been using it to allow students to graduate when they have a class that they cannot finish. It is problematic to continue to tweak the policy to fit something it is not meant to do. It would be better to rewrite APM 203.

**Interim Dean of Undergraduate Studies Muscat** explains that she has been seeing students who only need one more class to graduate, and we require them to stay another year if we do not strike the requirement that a special major is declared before their final semester. If they cannot graduate in fall, they will be held back by the registrar for spring graduation and this would require them to take additional classes.

**Senator Hall** suggested to provide an interim fix to the policy for this semester by striking the sentence, and to allow time to resurrect a permanent fix.

**Mullooly (Chair AP&P)** added that there is an urgency to this. If the policy is kicked back to AP&P now, the policy can be changed by spring.

**Senator Dyer** mentioned that interim fixes and pushing work on a permanent solution down the road is not a good idea – we risk that the bigger issue of reconciling the purpose of the APM with how it is being used will get lost again. Also, there is already a rewrite for APM 203 available that was done in 2017 and sent to AP&P. With this, we could get a full new proposal by the end of fall.

**Mullooly (Chair AP&P)** mentioned that the 2017 rewrite was rejected by AP&P in March 2021 and kicked back to the Academic Standards and Grading Committee.

**Senator Miele** wanted to know how many students are being affected.

**Interim Dean Muscat** explained that no one is at this date, but that students may be reaching out to her about this at any time. In any given academic year, maybe five students are affected.

**Senator Miele** suggested to use a flexible interpretation of APM 203 for now, while we wait for AP&P to do a full revision of the policy.

**Senator Hall** proposes to allow a waiver for APM 203 this semester due to COVID-19 and to request AP&P to update the policy.

Approved

1. Executive Session.

Appointments to:

Athletics advisory council: Carolina Quintana (Health and Human Services)

Campus planning committee: Scott Sailor (Health and Human Services) and Yasmin Rodriguez (Arts and Humanities)

President’s enrollment management advisory group: Larissa Mercado-López (Social Sciences)

Post-Covid task force: Amanda Dinscore (Library); Zoulikha Mouffak (Lyles College of Engineering); Marcus Crawford (Health and Human Services); Yuleinys Castillo (Kremen School of Education and Human Development; Katy Tarrant (Jordan College of Agricultural Sciences and Technology; Karl Oswald (College of Science and Mathematics); Virginia Patterson (Arts and Humanities); Lizhu Davis (Craig School of Business)

MSC

-------------------------

The Senate Executive Committee adjourned at 5:45 pm.

The next meeting of the Executive Committee will be held on Oct 4 via Zoom.

Submitted by: Approved by:

Tinneke Van Camp Raymond Hall

Vice Chair Chair

Academic Senate Academic Senate