

Report from ASCSU May 10-11, 2018

John Tarjan and Janet Millar

1. **Chair Miller** added to her written report with the following comments. The joint statement on shared governance was being perfected as of Tuesday this week. The final draft was approved by the administration and Executive Committee as soon as it was finished yesterday afternoon. The ASCSU is the preeminent voice dealing with curriculum and other academic matters. We believe that collaboration has begun improving already. The document reflects a change in how we are moving forward in shared governance. (A copy of the document is appended to the end of this report.) Chair Miller is very proud of the forcefulness and effectiveness of the voices of the Executive Committee during the process of developing this document and finding common ground with the administration in moving forward. VC Nelson feels that the conversations were valuable in better understanding the perspectives of the administration. She has concerns related to the expedited consultation part of the document. Secretary Aloisio feels the process was educational but very time consuming. He supports the document as a first step in moving forward. Member-at-Large Krabacher recapped the process followed by the Executive Committee and administration in developing the document. He is gratified that the discussions moved from being more confrontational to collaborative in seeking to move forward in accomplishing shared goals. He is gratified that there was movement on some issues such as the amount of time allocated for deliberation and consultation, including a suggestion by the administration that the time allocated be expanded. While the document is not perfect, he urges us to support it. Member-at-Large Collins echoed these comments. The process has allowed him to realize the depth of commitment of ASCSU members to shared governance. AVC Van Cleave (Chancellor's ASCSU Representative—one of the rare times he has weighed in in his role) commented on the collegial conversations that took place during the production of the documents. Lot of research was done on past CSU documents and statements of other groups around the country about shared governance to use as a basis for discussions. Lots of time and consideration was put into producing this document. He feels good about the process and feels the administration, including the Chancellor was very committed to this process. He hopes ASCSU will endorse the document. (Note: The proposed resolution adopting this document was not granted a first reading waiver so that no action can be taken on the document during this year's ASCSU, even though a resolution of appreciation was passed—see below.) Chair Miller's current and past chair reports can be found at http://www.calstate.edu/AcadSen/Records/Chairs_Reports/

2. Excerpts from Other Reports

- **Academic Affairs** discussed the following topics.
 - White Paper on Student Success
 - Full Funding for State University Grants
 - Funding for Professional Development Plan for EO 1110 Implementation (from English Council)
 - Research on Closing the Equity Gap
 - EO 1110 Professional Development
 - Issues Surrounding Dropping the Algebra Prerequisite from C-ID Math 110
- **Academic Preparation and Education Programs** discussed the following topics.

- Discussion with WestEd (the group contracted to do the EO 1110 implementation study)
- Dual Admissions (with CCC)
- Smarter Balanced assessment
- EO 1110 Categories (very few students are in Category 3)
- BOARS/Admissions Advisory Meeting (potential for adding a year of science and math to a-g admissions requirements)
- **Faculty Affairs** discussed the following topics.
 - Systemwide Research Efforts and Support
 - On-Line Hiring Software Available to Campuses
 - Perfecting the Second Reading Items on the Agenda
- **Fiscal and Governmental Affairs** discussed the following topics.
 - Updated Legislative Agenda with updated positions, as approved by the Executive Committee.
 - Review of ASCSU Advocacy Day
 - Continuing Advocacy Plans
- **GE Advisory Committee** discussed the following issues.
 - GEAC concluded its review of the Guiding Notes
 - “Best practices” in assessing General Education as a campus program.
 - The letter from EVC Blanchard dated April 17, 2018 clarifying Executive Order 1100-Revised August 23, 2017.
 - A request to permit Intermediate English as a Second Language (ESL) to satisfy GE Block C2 requirements—carried over to next year.
- **Services for Students with Disabilities Advisory Committee** discussed
 - Service and Support Animals
- **English Council** discussed (see related resolution)
 - Professional Development Plan for EO 1110 Implementation
 - Perfection of EO 1110 FAQs (thank you to Dr. James Minor)

3. **Faculty Trustee Sabalius** will be visiting the state prison at Lancaster with CSULA faculty who teach in the baccalaureate program there (the only such CSU program). He reported on other campus visits and activities and the appointment of two new presidents. Tuition increases have been taken off the Board agenda. It appears that we will likely get an augmentation recommended by the legislature which will not be opposed by the Governor. The likely increase will be very welcome but will not come close to being enough to cover mandatory cost increases, etc. It is gratifying to see various members of the CSU family going arm-in-arm to advocate on behalf of the CSU in Sacramento. Our Board recently received a national award. At the meeting that he attended, Dr. Sabalius learned that the CSU is somewhat unique in having both student and faculty members on its board. Written faculty trustee reports can be found at http://www.calstate.edu/AcadSen/Records/Faculty_Trustee/index.shtml

4. We passed the following resolution upon second reading. <http://www.calstate.edu/AcadSen/Records/Resolutions/>.

- a. **Academic Senate of the CSU Calendar of 2018/2019 Meetings** is self-explanatory.
- b. **Adoption: “White Paper on Student Success”** presents a white paper including a literature review of the dimensions of student success and factors leading to success and urges usage of a more a broad definition of student success.

- c. **Concerning the Influence of Outside Groups into the Development of Curriculum** asserts the important faculty role in curriculum, urges the CSU administration to be transparent about sources of proposed curricular changes and to provide justification for such proposals.
 - d. **Equity and Responsibility in Admissions to the Distinctive Universities and Campuses of the California State University System** argues against legislative intrusion to the admissions process and supports a balance of in- and out-of-area students on our campuses.
 - e. **The State University Grant Program: A Call for Full Funding from the State** recognizes the severe burden the lack of funding for this program places upon the CSU and its students and requests full funding.
 - f. **Protecting Faculty from Attacks by Outside Groups** calls for the formation of a committee to draft a policy to address professionally or politically related attacks on CSU students and faculty.
 - g. **Appreciation for the American Association of University Professors' (AAUP) Support of Shared Governance at the California State University (CSU)** expresses gratitude for their letters addressing the implementation of EOs 1100 and 1110 and welcomes their continued monitoring of shared governance practices in the CSU.
5. We passed the following resolutions without a second reading due to their timely nature.).
- a. **Commemoration of the 1968 Student Strikes for Relevant Education** recognizes the importance of these events and their impact on the CSU during the 50th anniversary year of their occurrence.
 - b. **Funding the English Council Professional Development Plan to Implement Executive Order (EO) 1110** is self-explanatory.
 - c. **In Support of the Advancement of Ethnic Studies in the California State University** reaffirms support for work of the CSU Task Force on the Advancement of Ethnic Studies, urges provosts to make students aware of ethnic studies opportunities on their campuses, and argues for a reinstatement of the moratorium on implementation of policies related to EOs 1100 and 1110 that have a negative impact on ethnic studies.
 - d. **Assessing Outcomes Stemming From Changes in Academic Preparation Driven by Executive Order 1110 (August 2017)** urges that the impact on student learning be assessed.
 - e. **Appreciation for Conversations on System Level Shared Governance in the CSU** thanks the ASCSU Executive Committee and CO leadership for their hard work on the document, urges that the work on shared governance to continue and encourages the 2018/19 ASCSU to take up discussion of the document in the fall.
6. **Jennifer Eagan (CFA Liaison):** CFA has endorsed Gavin Newsome for Governor and Javier Becerra for Attorney General. We are encouraging members to communicate with the Governor in support of restoring our budget request. We had a good rally in Sacramento last month. The Chancellor, CSSA, CFA and legislative leaders spoke in support of the CSU budget. Dr. Eagan recapped the CFA legislative agenda and reported on lobbying activities. The bargaining team is discussing academic freedom and intellectual property with the administration. CFA is working on a tenure density report—it should come out in the fall. Concerns about the apparent lack of support of faculty on the SLO and Fresno campuses by their presidents were expressed. A senator raised

questions about the lack of consultation with the senate relative to the ethnic studies bill (Weber AB 2408) and the lack of courtesy extended to Chair Miller at the CFA board meeting. Response: we have distinct roles. Sometimes we both take difficult questions from the other body. Many faculty are unhappy with the Executive Orders—both content and process. The bill carried by Weber is in many ways a response to the EOs. The speakers at the CFA Board meeting began by thanking Chair Miller for being there. Our members are very passionate in support of ethnic studies. In response to a question regarding communicating about legislative agendas and other activities, President Eagan pointed out that ASCSU does not communicate formally with CFA regarding their legislative agenda. There were a number of exchanges regarding the respective roles of CFA and ASCSU and the need for civility in our relationship.

7. **Manolo P. Morales** (Alumni Council President) shared the activities of the alumni on behalf of students. They are particularly committed to helping to meet student basic needs. They look forward to working with the faculty to promote student success. The alumni are very engaged in lobbying efforts on behalf of the CSU, mainly advocating for a full funding for the CSU. They are supporting system-level alumni events in New York and D.C., among other places (including in eastern Asia). The events are well attended and work better than individual campus events. John Nilon has been reelected as alumni trustee.
8. **Chancellor Timothy White** began by thanking Chair Miller for her service. Her leadership was consequential. She was an effective leader. Thanks were extended to the entire Executive Committee. Dr. White thanked all those who are helping with the lobbying effort to have our budget request restored. While the May revise will come out tomorrow, he does not expect the Governor's suggested CSU allocation to change at this time. We may have some one time money to take care of infrastructure issues. The state both has a need for more degree holders, including those with graduate degrees in critical areas. The CSU provides great value to the state. California is now in a position to restore increases to our base budget to meet these needs. We are hopeful that the legislature will support us. We need to continue to have a strong voice in Sacramento, regardless of what happens with the Governor's budget in the short run. It seems unlikely that he would override the legislature if they recommend increased CSU funding. Final budgetary decisions will not be made until the summer. Dr. White was laudatory of the Executive Committee and the work on the statement on shared governance. Collective bargaining units and senates have distinct roles. We can be more effective if we are ever cognizant of those differences. He quoted from HEERA to illustrate the differences in these roles. He commended the statement to us. In response to a question: we do need to reexamine the Master Plan for Higher Education in California. We also need to look at K-12 issues. The Chancellor is involved in broad discussions supported by the College Futures Foundation. Access to college in California is a moral issue. Senator: outside groups, especially the Gates Foundation are pushing initiatives to push folks to graduation and along with legislators and other outside groups advocate for changes to policy without much faculty voice involved. How do we resist these pressures? These foundations and others will not drive our policy even though they do have an important voice. The ASCSU voice is even more important in light of the pressure from outside groups. In response to a question about funding GI 2025 the Chancellor discussed his budget request strategy and acknowledged the need for more funding—entailing a change in the state's priorities. We

also need more students coming into the system. We can reach the goals for increased numbers of graduates given the resources. Unless the new Governor shares our concern about the “degree drought” in our state, we will not be able to attain these goals, with dire consequences for the state. In response to a question on “efficiencies in athletics, he indicated that like most things in the CSU how many resources to devote to athletics is a campus decision worthy of campus discussion.

9. **EVC Loren Blanchard** highlighted some of the many initiatives and programs that we have engaged in together. (He recited a very lengthy list demonstrating the breadth and scope of topics and issues we have worked on together and with many other internal and external groups.) This is an exciting time of year when we celebrate student success and the work of the faculty to get our students to this point. The following issues/presentations are on the Board agenda for next week.
- Title 5 Changes (Doctor of Nursing Practice)
 - Presentation on Online Education in the CSU
 - Presentation on Student Health (physical)

The conversations surrounding the development of the shared governance document have been beneficial and substantive, even when disagreements were openly aired. We are committed to moving forward. We respect and value our faculty and hope to continue to move forward together. He spoke glowingly of departing AVC Dr. Chris Mallon. He did the same for outgoing Chair Miller.

We are continuing to work with campuses to provide clarity and guidance on EO 1100. We are reinstating the oversight group for online education. It would be great to undertake a study of the effectiveness of online education system-wide. Some campuses are undertaking similar studies. Perhaps the oversight group will take on this task.

10. **Ryan Brown (CSSA Liaison—supported by Brandon, a CSSA staff member)** CSSA passed resolutions on/discussed
- Support for gender, ethnic, etc. studies and equity
 - Title 6: EO 1097 (Sexual harassment, retaliation, etc.)
 - Resolution on Campus Safety
 - Are also working on a student bill of rights.
 - Consultation on curriculum changes
 - Protection from retaliation due to opinions
 - Etc.
 - Support for Project Rebound
 - Their Strategic Plan

11. **Rick Wall (Representative of CSU Chiefs of Police)** discussed several issues.
- Our primary function is to protect students, faculty and staff.
 - We try to ensure first amendment rights while maintaining a safe environment. Campuses have policies regarding the time, place, and manner of expression. University police only get involved when there are safety issues involved. In most cases, these issues are addressed by faculty or administrators. In emergency situations where a crisis response unit (50 officers) needs to be deployed, the CSU may need to absorb \$60,000/day.

- Police/sheriff departments and other agencies have “mutual aid” agreements to help out in emergencies. Typically, the costs of deployment are borne by the individual agencies. The CO has borne part of the cost for campus events in the past.
- Active shooters. He reviewed the “run, hide, fight” strategies. It is much more likely our campuses will experience a severe earthquake threat than an active shooter threat.
- His research shows that most school shootings are in fact suicides. We need to be vigilant in looking for signs. There are typically signs between the planning phase of a suicide and acquiring the means to accomplish it—we can often read these signs which are often in the form of statements that seem fatalistic.
- Mental health funding is inadequate at all levels of government. The largest mental health facility in the nation is the LA County Jail. Law enforcement personnel deal with more people with chronic mental health issues than any other group.

12. Jay Swartz (ERFA Liaison): ERFA recently held its semi-annual meeting East Bay Oakland campus. The organization will need to repeat its vote on whether to welcome staff members due to technical difficulties along with a related name change.

13. ASCSU Election Results (2018-19 ASCSU Executive Committee)

- **Chair: Catherine Nelson, Sonoma State University**
- **Vice-Chair: Robert Collins, San Francisco State University**
- **Secretary: Simone Aloisio, CSU Channel Islands**
- **Member-at-Large: Praveen Soni, Long Beach State University**
- **Member-at-Large: Jodi Ullman, CSU, San Bernardino**
- **Immediate Past Chair: Christine Miller, CSU Sacramento**

Tenets of System Level Shared Governance in the California State University

The Academic Senate of the California State University (ASCSU) and the Chancellor affirm their commitment that joint decision making is the long-accepted manner of shared governance at the system level.ⁱ Shared governance refers to the appropriately shared authority, responsibility and cooperative action among governing boards, administration and faculty in the governance and accountability of an academic institution.ⁱⁱ

The Constitution of the ASCSU establishes the purpose of the systemwide senate, as well as the means of consultation and decision making by which the senate will act.ⁱⁱⁱ Both the ASCSU and the chancellor recognize there will be areas of consultation and decision making in which one party or the other will have primary responsibility.^{iv} In the case of the faculty, primacy includes academic programs, curricula, methods of instruction, and areas of student life that directly relate to the educational process.^v In these areas the ASCSU is the formal policy-recommending body on systemwide academic and curricular policy and matters that directly impact them; it is also the primary consultative body on the academic implications of systemwide fiscal decisions.^{vi} The authority of the

faculty in these areas derives from its recognized expertise in academic matters. The chancellor maintains administrative responsibility for the institution. The chancellor shares responsibility for the defining and attaining of systemwide goals, which may include goals for the educational program, and the communication that links all components. In the case of academic policy, proposals for changes in policy or for new policy may arise from academic administrators.^{vii} Both parties accept the fiduciary and governing authority of the Board of Trustees of the California State University ultimately to set policy. For the CSU, consultation must take place with the ASCSU in areas of faculty primacy described above. This primacy means the faculty voice is given the greatest weight, although the authority for the final decision resides in the Office of the Chancellor. In areas of faculty primacy, recommendations of the faculty are normally accepted, except in rare instances and for compelling reasons.^{viii}

Consultation and mutual respect are key components of shared governance. Effective consultation and joint decision making result in decisions that better serve the CSU and its students. While discussions may take place in different forms with other constituencies, faculty consultation means that there is an established process of deliberation that offers a means for the faculty—either as a whole or through authorized representatives—to develop and provide formal input in advance of decision making on the particular issue under consideration. System level policy affecting faculty primacy areas shall result from consultation between the chancellor and the ASCSU. Joint decision making in these areas results from effective consultation, as characterized below. While the ASCSU serves as the official voice of the faculty on systemwide issues, campus senates serve as the official voice of their respective faculty. Consistent with the precepts of this document, but not expressly addressed herein, campuses have their own relationships with the Office of the Chancellor. A normative culture of meaningful consultation must be characterized by:

- openness and transparency;
- commitment to civility, integrity, respect and open communication;
- mutual responsibility for decisions;
- trust, including trust of good intentions;
- a commitment to responsible participation on the part of all parties;
- a respect for evidence-based deliberation;
- a recognition of established best practices and promising new data-driven practices in the evaluation of subjects under consideration; and
- a recognition that consultation must allow both parties the time to consider, debate, develop their responses and work toward consensus while recognizing the need to proceed in a timely manner.

In accordance with the above described culture of consultation, any plan or policy that could affect faculty primacy areas and that may actually or potentially result in an executive order, shall be provided in draft form to the ASCSU body (or Executive Committee if during the summer), allowing for a reasonable review period (normally expected to approximate 75 days). If requested by the Executive Committee, additional extensions to obtain feedback may be authorized by mutual agreement. Each party recognizes that there will be occasional circumstances in which time constraints do not allow for normal systems of consultation to work effectively. The formal consultation process will therefore make provision to allow for an explicit agreement between the ASCSU and the chancellor to engage in a mutually agreed-upon process of expedited consultation in such cases, while still recognizing the formal role of the academic senates as the faculty voice on the matters under consideration. In the unlikely event that agreement cannot be reached, the chancellor will decide. Because an expedited process is not the most optimal form of consultation and shortchanges a robust shared governance process, its use should be limited to those rare circumstances that justify departing from the more comprehensive process intended by this document.

Ultimately, genuine consultation based on sound reasoning occurs only in such a time and manner that each party has a reasonable opportunity to affect the decision being made.

ⁱ In California, the faculty role in shared governance and the centrality of joint decision making in that process is clarified in the Higher Education Employee Relations Act (HEERA); HEERA was to establish collective bargaining for faculty at CSU to insure that in doing so, traditional shared governance practices are not inhibited or undermined: *"The Legislature recognizes that joint decision making and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of these institutions, and declares that it is the purpose of this chapter to both preserve and encourage that process. Nothing contained in this chapter shall be construed to restrict, limit, or prohibit the full exercise of the functions of the faculty in any shared governance mechanisms or practices..."*

<https://www.perb.ca.gov/laws/statutes.aspx#ST3560>

ⁱⁱ <https://www.aaup.org/report/statement-government-colleges-and-universities>.

ⁱⁱⁱ http://www.calstate.edu/acadsen/records/about_the_senate/documents/constitution_2013_revision.pdf

^{iv} <https://www.aaup.org/report/statement-government-colleges-and-universities>.

^v <https://www.aaup.org/report/statement-government-colleges-and-universities>.

^{vi} http://www.calstate.edu/acadsen/records/about_the_senate/documents/constitution_2013_revision.pdf

^{vii} <https://www.aaup.org/report/statement-government-colleges-and-universities>.

^{viii} [Report of the Board of Trustees' Ad Hoc Committee on Governance, Collegiality, and Responsibility in the California State University](#). Adopted by the Board of Trustees of the California State. University, September 1985.

Addendum

This document resulted from a series of meetings between members of the ASCSU Executive Committee (Christine Miller, Catherine Nelson, Simone Aloisio, Thomas Krabacher, and Robert Keith Collins) and members of the leadership team at the Office of the Chancellor (Timothy White, Loren Blanchard, Christine Mallon, James Minor and Leo Van Cleve). The meetings took place during the 2017-18 academic year, and culminated in mutual agreement on May 8, 2018.

The following definitions aided in the crafting of this document:

Chancellor: For the purpose of this document the Chancellor refers broadly to the functions assigned to the Chancellor and the staff who work in the Office of the Chancellor.

The following definitions are used by the American Association of University Professors and the American Conference of Academic Deans in surveys of higher education governance in 1970 and 2001. (1)

“Consultation: Consultation means that there is a formal procedure or established practice which provides a means for the faculty (as a whole or through authorized representatives) to present its judgment in the form of a recommendation, vote or other expression sufficiently explicit to record the position or positions taken by the faculty. This explicit expression of faculty judgment must take place prior to the actual making of the decision in question. Initiative for the expression of faculty judgment may come from the faculty, the administration, or the board.”

“Discussion: Discussion means that there is only an informal expression of opinion from the faculty or from individual faculty members; or that there is formally expressed opinion only from administratively selected committees.”

(1) <https://www.aaup.org/NR/ronlyres/97F85F15-0C93-4F2D-8291-E0E3DAC00329/0/01surv.pdf>