

**21/AS/18/SEC OPPOSITION TO THE “TENETS OF SYSTEM-LEVEL SHARED GOVERNANCE IN THE CALIFORNIA STATE UNIVERSITY”**  
(Sense of the Senate)

- 1 RESOLVED: That the CSU Stanislaus Senate urge the Academic Senate of the California State  
2 University (ASCSU) to reject the California State University Shared Tenets of System-Level Governance  
3 in the CSU (Tenets) document<sup>1</sup> unless they are modified; and be it further,
- 4 RESOLVED: That the CSU Stanislaus Senate call for Chancellor White to reaffirm CSU  
5 administration’s commitment to uphold the key provisions regarding shared governance in the Higher  
6 Education Employer-Employee Relations Act of the State of California (HEERA) and commonly  
7 accepted practices endorsed by the American Association of University Professionals (AAUP); and be it  
8 further,
- 9 RESOLVED: That the CSU Stanislaus Senate urge the Chancellor’s Office to remain steadfast in  
10 the practice of ensuring curricular decisions remain under the purview of faculty, rather than outside  
11 groups or consultants; and be it further,
- 12 RESOLVED: That the CO provide CSU faculty governance bodies with critical analysis of future  
13 curriculum policy proposals as part of the development of those proposals through shared governance.  
14 Such analysis should include peer-reviewed research, findings specific to the efficacy of proposed  
15 changes, grey literature,<sup>2</sup> and arguments delineating the anticipated and possible positive and negative  
16 results and/or impacts of suggested changes; and be it further,
- 17 RESOLVED: That such analysis is presented to the ASCSU and the academic senates of the  
18 twenty-three universities with adequate time<sup>3</sup> for the faculty and campus administrations to meaningfully  
19 evaluate the expected impact on their university’s programs, departments and student outcomes, and  
20 respond to the CO; and be it further,
- 21 RESOLVED: That the CSU Stanislaus Senate express its deep and continuing appreciation for the  
22 efforts of the AAUP and the California Council of the AAUP in advocating for genuine shared  
23 governance in public higher education; and be it further,
- 24 RESOLVED: That the CSU Stanislaus Senate welcomes the AAUP’s continued monitoring of  
25 shared governance practices within the CSU; and be it further,
- 26 RESOLVED: That the CSU Stanislaus Senate express its deep and continuing appreciation for the  
27 efforts of the ASCSU in advocating for genuine shared governance in the CSU; and be it further,
- 28 RESOLVED: That the CSU Stanislaus Senate urge CSU systemwide leaders –both CO and  
29 ASCSU—to work collegially to defend against systematic threats to the modern university from outside  
30 entities.
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<sup>1</sup> The Tenets of Shared Governance document was drafted by the ASCSU Executive Committee and representatives from the Chancellor’s Office during the 2017-2018 academic year and presented to the 2017-2018 ASCSU, which passed it on to the 2018-2019 ASCSU for consideration.

<sup>2</sup> Materials and research produced by organizations outside of the traditional commercial or academic publishing and distribution channels.

<sup>3</sup> CSU Academic Senates need more time than the 75 days proposed. The notification and timeline for feedback must be during the academic school year.

33 RESOLVED: That the CSU Stanislaus Senate distribute this resolution to

- 34 • CSU Chancellor,
- 35 • CSU Executive Vice Chancellor and Chief Academic Officer,
- 36 • ASCSU Chair,
- 37 • CSU Board of Trustees,
- 38 • Governor of the State of California,
- 39 • Lieutenant Governor of the State of California,
- 40 • AAUP,
- 41 • AAUP-CA,
- 42 • CSU campus Presidents,
- 43 • CSU campus Senate Chairs,
- 44 • CSU campus Provosts/Vice Presidents of Academic Affairs,
- 45 • California Faculty Association (CFA),
- 46 • California State Student Association (CSSA),
- 47 • CSU campus Associated Students Presidents,
- 48 • CSU Emeritus and Retired Faculty Association and Staff Association (CSU-ERFSA).

49 RATIONALE:

50 In September 2017, the ASCSU passed AS-3304-17/FGA/AA/APEP “On the Development and  
51 Implementation of Executive Orders 1100 (Revised) and 1110”. In the resolution, the ASCSU noted the  
52 major changes in curricular design that would result from the Executive Orders (EOs) and called on  
53 Chancellor Timothy White immediately to put both of them into abeyance. The resolution also expressed  
54 serious concerns about the adequacy of the consultation and the timeline of the EOs. Chancellor White  
55 made the decision to leave both EOs in place, including their aggressive timelines for implementation.  
56 Subsequently, in November 2017, the ASCSU passed a resolution directing its Executive Committee “on  
57 behalf of the faculty to meet with CSU leadership to address the current state of faculty/administration  
58 relations.” A series of six, two-hour, and in-person monthly meetings ensued. The first and last meetings  
59 included Chancellor White; all six meetings included the following individuals:

- 60 • Dr. Christine M. Miller, ASCSU Chair
- 61 • Dr. Catherine Nelson, ASCSU Vice Chair
- 62 • Dr. Simone Aloisio, ASCSU Secretary
- 63 • Dr. Thomas Krabacher, ASCSU Member At Large
- 64 • Dr. Robert Keith Collins, ASCSU Member At Large
- 65 • Dr. Loren Blanchard, Executive Vice Chancellor
- 66 • Dr. Christine Mallon, Assistant Vice Chancellor
- 67 • Dr. James Minor, Assistant Vice Chancellor
- 68 • Mr. Leo Van Cleve, Assistant Vice Chancellor

69 The tenets statement is the result of these meetings and was to be brought to the full ASCSU for  
70 its consideration for adoption.

71 It is laudable that the two parties, after considerable time discussing shared governance came to  
72 agreement on the importance of key provisions in the Higher Education Employer-Employee  
73 Relations Act of the State of California (HEERA) and commonly accepted practices endorsed by  
74 the American Association of University Professionals (AAUP). The CSU Stanislaus Senate  
75 further posits that the tenants are not needed because HEERA clearly establishes both collective

76 bargaining for faculty at CSU and Academic Senates to engage in shared governance, and in  
77 doing so traditional shared governance practices are not inhibited or undermined: “The  
78 Legislature recognizes that joint decision making and consultation between administration and  
79 faculty or academic employees is the long-accepted manner of governing institutions of higher  
80 learning and is essential to the performance of the educational missions of these institutions, and  
81 declares that it is the purpose of this chapter to both preserve and encourage that process.  
82 Nothing contained in this chapter shall be construed to restrict, limit, or prohibit the full exercise  
83 of the functions of the faculty in any shared governance mechanisms or practices...”  
84 <https://www.perb.ca.gov/laws/statutes.aspx#ST3560>

85 The positions expressed by the AAUP and CA-AAUP and 22 CSU campus Senates, the CSU  
86 English Council, the CSU Math Council, the California Faculty Association, the Quantitative  
87 Reasoning Task Force, the Admissions Advisory Council, the General Education Advisory  
88 Committee, and the California Teachers Association State Council clearly call for rejection of  
89 the tenets.

90 With respect to the suggestion of an alternative course of action which is to continue with the spirit of  
91 cooperation by focusing on an existential threat to the university we note that The United States Supreme  
92 Court in Sweezy v. New Hampshire (1957) held, “[t]he essentiality of freedom in the community of  
93 American universities is almost self-evident. No one should underestimate the vital role in a democracy  
94 that is played by those who guide and train our youth. To impose any straitjacket upon the intellectual  
95 leaders in our colleges and universities would imperil the future of our Nation... Scholarship cannot  
96 flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to  
97 inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will  
98 stagnate and die” (354 U.S. 234).

99 Even with the affirmation from the highest court in the land, academic freedom continues to be under  
100 attack in a large number of easily documented cases. Modern attacks are both frequent and pernicious.  
101 There are coordinated campaigns directed against faculty from without (including verbal and physical  
102 threats), and increased pressure on university administrators to attack from within. These forces  
103 demonstrate the need for the University Presidents, University senates, ASCSU and Chancellor’s Office  
104 executives to govern together and develop a policy and process to guide our universities in their responses  
105 to ideologically-motivated attacks on faculty, staff, and students.