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Faculty Senate Executive Committee Minutes (5/2/23)

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CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO
FACULTY SENATE EXECUTIVE COMMITTEE

<https://csusb.zoom.us/j/84761794289>

MINUTES

Tuesday, May 02, 2023 – 2-4 PM

Members Present: Claudia Davis, Sherri Franklin-Guy, Jordan Fullam, Thomas Girshin, Ann Johnson, Tiffany Jones, Karen Kolehmainen, Rafik Mohamed, Tomás Morales, Beth Steffel

Members Not Present: Mark Groen

1. Call to Order (2:00 PM)
2. Approval of [FS Executive Committee Meeting Minutes April 18, 2023](#)
 - 2.1. The FS Executive Committee unanimously approved the FS Executive Committee Minutes for April 18, 2023 as presented.
3. Approval of [Faculty Senate Agenda May 9, 2023](#)
 - 3.1. The FS Executive Committee unanimously approved the agenda.
4. Review of [Faculty Senate Meeting Minutes April 25, 2023](#)
 - 4.1. The FS Executive Committee reviewed the Faculty Senate Minutes for April 25, 2023 and had no amendments.
5. Appointments
 - 5.1. Campus Accessibility Advisory Board- 2 Positions, At-Large (2023-2025)
 - 5.1.1. [Bailey Benedict](#), (JHBC)
 - 5.1.2. [Shana Higgins](#), (Library)
 - 5.1.2.1. Bailey Benedict and Shana Higgins were appointed to the committee. The Faculty Senate Office will notify the appointees.
 - 5.2. Philanthropic Foundation Board of Directors- 2 Positions, At-Large (2023-2025)
 - 5.2.1. [Dorothy Chen-Maynard](#), (CNS).
 - 5.2.2. [Becky Sumbera](#), (WCOE)
 - 5.2.2.1. Dorothy Chen-Maynard and Becky Sumbera were appointed to the committee. The Faculty Senate Office will notify the appointees.
 - 5.3. Student Grade Appeal Panel- 1 Position, CSBS (2023-2025)

- 5.3.1. [Christina Villegas](#), (CSBS)
- 5.3.2. [Megan Carrol](#), (CSBS)
 - 5.3.2.1. Christina Villegas was appointed to the committee. The Faculty Senate Office will notify the nominees of the decision.
- 5.4. Sustainability Committee- 1 Position, JHBC (2023-2026)
 - 5.4.1. [Bailey Benedict](#), (JHBC)
 - 5.4.2. [Joon Son](#), (JHBC)
 - 5.4.2.1. Joon Son was appointed to the committee. The Faculty Senate Office will notify the nominees of the decision.
- 5.5. Teaching Academy- 1 Position, Library (2023-2026)
 - 5.5.1. [William Ortiz](#), (Library)
 - 5.5.1.1. William Ortiz was appointed to the committee. The Faculty Senate Office will notify the appointee.
- 5.6. Teaching Academy- 1 Position, WCOE (2023-2026)
 - 5.6.1. [Viktor Wang](#), (WCOE)
 - 5.6.1.1. Viktor Wang was appointed to the committee. The Faculty Senate Office will notify the appointee.
- 6. President's Report- None
- 7. Provost's Report
 - 7.1. Provost Mohamed informed that he and President Morales are at PDC for several reasons and presented Lacey Kendall with the Outstanding Lecturer Award, attended by faculty, staff, and students. Lacey Kendall was really touched by the outpouring of support. It was one of the most moving surprises he has attended.
 - 7.2. President Morales chimed in this was one of the largest groups of people he witnessed in an ambush award. It was a wonderful surprise. President Morales stated Lacey is an unbelievable citizen at this university.
 - 7.3. Provost Mohamed mentioned he also had lunch with Kim McNulty of One Future Coachella Valley and discussed how to provide more support for PDC students.
 - 7.4. Provost Mohamed mentioned the deadline for freshmen to commit to CSUSB is May 15, 2023 and June 1, 2023 for transfers. There has been an increase in first-time freshmen in terms of those who have been admitted and accepted the invitation to join CSUSB, although the number for transfer students is still a bit off.
 - 7.5. President Morales chimed in that he and Provost Mohamed are at PDC to participate in a celebration of about 300 PDC graduates. President Morales

mentioned he met several nursing students and that there is a growing kinesiology cohort. President Morales mentioned the search for the AVP of PDC is in its final stages. There is one more candidate tomorrow and hopefully there will be a decision in the next couple of weeks.

- 7.6. Chair Davis mentioned the EC has been participating in those interviews. The EC will participate in the interview with the last candidate and send feedback.
- 7.7. President Morales mentioned he appreciates the feedback.

8. [Chair's Report](#)

9. [FAC Report](#)

Senator Kolehmainen mentioned most of the FAC report deals with FAM 652.2. FAC is also working on a revision of FAM 642.4. There are still a few things to consider. FAC is working on a revision of the lecturer hiring policy and a proposed new policy on the selection of associate and assistant deans, which will carry over into next year.

9.1. FAM 652.2 "Evaluation of Lecturers"

9.1.1. [With Markup](#)

9.1.2. [Without Markup](#)

9.1.2.1. Senator Kolehmainen mentioned this policy had a second reading at the last senate meeting. However, she motioned to postpone the policy until the next senate meeting because a few things came up that FAC had to discuss. There is some priority in getting this policy signed this year because the California Bargaining Agreement (CBA) states criteria cannot be changed in the middle of an evaluation cycle. If the policy is signed next year, it would not go into effect until Fall 2024.

9.1.2.2. Senator Kolehmainen mentioned the policy was updated to separate the process for three-year lecturers and other lecturers. Lecturer representatives brought up that the language in the CBA requires lecturers to be able to rebut the dean's review. If the department and dean's review are conflicting, the Provost can make the final decision. This will also add checks and balances. However, there were some concerns from the Provost.

9.1.2.3. Provost Mohamed mentioned he was concerned he had to review all evaluations. Provost Mohamed asked if he would be involved only in cases where there is disagreement between the department and dean evaluations.

- 9.1.2.4. Senator Kolehmainen answered yes. It would likely be a small number.
- 9.1.2.5. Provost Mohamed mentioned he would have no problem with that.
- 9.1.2.6. Senator Kolehmainen mentioned if the EC agrees, she would like to take this back to FAC and propose language to allow the Provost to make the final decision if the department and dean evaluations conflict. Senator Kolehmainen proposed to have this policy, including the new language, as a second reading at the next senate meeting.
- 9.1.2.7. Senator Girshin asked if the sentence that talks about rebuttal implies that the CBA requires the dean to make the final decision. In that case, it could be problematic.
- 9.1.2.8. Senator Kolehmainen mentioned the referred article states “appropriate administrator” and indicated that the language can be made clearer. If there is a disagreement between the dean and department, the Provost will make the final decision.
- 9.1.2.9. Vice Chair Jones suggested moving the sentences beginning with “A three-year appointment will be granted...” up.
- 9.1.2.10. Senator Kolehmainen mentioned this section will be rewritten to include the language about the Provost making the final decision and it can easily be rearranged.
- 9.1.2.11. Senator Girshin asked if the policy goes for a second reading on May 9, should all the changes be considered or just those that happened since the first reading.
- 9.1.2.12. Senator Kolehmainen mentioned she will follow the will of the EC on that. Her suggestion would be to only discuss new changes in the interest of saving time. However, if anyone wants to revisit old changes, they can be addressed.
- 9.1.2.13. Chair Davis mentioned that is a fair statement. Chair Davis asked if deans will be using the criteria of satisfactory/unsatisfactory or is it more of a comment.
- 9.1.2.14. Senator Kolehmainen mentioned the CBA states all evaluators should rate as satisfactory or unsatisfactory. According to the CBA, comments are required if rated unsatisfactory.
- 9.1.2.15. The policy was approved for a second reading at the next senate meeting.

10. [EPRC Report](#)

10.1. FAM 827.3 “Distributed Learning Policy”

10.1.1. [Current Policy](#)

10.1.2. [With First Markup](#)

10.1.3. [With New Markup](#)

10.1.4. [Without Markup](#)

10.1.4.1. Senator Fullam mentioned there are two markups of this policy to promote transparency and show what has been changed. There were some changes in the definitions. The definition for asynchronous instruction was clarified. Senator Fullam mentioned EPRC received a lot of feedback about distinguishing hybrid from co-synchronous instruction. Language was added to allow instructors teaching face-to-face to let students join classes remotely if there is an emergency without changing the modality of the course.

10.1.4.2. Senator Fullam mentioned this policy will be used campus wide. EPRC received feedback about the section discussing intellectual property and removed the statement about allowing an administrator to access the information. The new language in Section 6 is based on an amendment that was passed last year.

10.1.4.3. Senator Kolehmainen mentioned the word “exclude” is missing from Section 6.

10.1.4.4. Senator Fullam mentioned it is a typo and it should say “exclude” and will make the changes.

10.1.4.5. Senator Fullam mentioned Section 17 was considered potentially problematic, but EPRC did not have time to address it. If there are concerns, they can be discussed today.

10.1.4.6. Senator Fullam mentioned there was a lot of discussion regarding training. EPRC initially used the term “expected”, but most were not happy with that. Thus, EPRC did background research on other CSUs to see how they handle training. Only three campuses require training. The term “expected” was replaced with “encouraged”.

10.1.4.7. Senator Fullam mentioned Interim Vice Provost of Academic Affairs Kelly Campbell requested deans be included in determining if faculty are qualified to teach DE courses.

10.1.4.8. President Morales mentioned deans are the chief academic officer of their college. Attempting to diminish a dean’s role is a mistake.

Deans should work collaboratively and in consultation with chairs and faculty on all matters of pedagogy and the delivery of instruction. It is in the CBA and HEERA.

- 10.1.4.9. Chair Davis thanked President Morales and mentioned that Senator Fullam needs to continue his report.
- 10.1.4.10. Senator Fullam mentioned EPRC received a lot of conflicting feedback on this policy but is confident the final product is strong.
- 10.1.4.11. Vice Chair Jones asked for background on Section 6, regarding the exclusion of evaluations. Why is an online class different from a face-to-face class or any other class?
- 10.1.4.12. Senator Fullam mentioned it was an approved amendment from last year.
- 10.1.4.13. Vice Chair Jones mentioned she does not necessarily agree but understands why it was included.
- 10.1.4.14. Senator Girshin mentioned the policy allows instructors to provide learning accommodations in emergencies. In a presentation from Services to Students with Disabilities (SSD), they mentioned “accommodation” is a legal term to be compliant with ADA. Typically, an accommodation would go through the SSD process. Is there a procedure in place to provide these accommodations in emergency situations?
- 10.1.4.15. Senator Fullam mentioned EPRC did not intend to use accommodation in a legal sense and the fact that there is a legal interpretation of this term may present an issue.
- 10.1.4.16. Senator Girshin mentioned if an accommodation is granted when a request is not officially documented, it is not in compliance with ADA. ADA requires accommodations be made, but also making accommodations without following procedures may be a violation.
- 10.1.4.17. Senator Fullam mentioned the intent of the language was to give faculty the flexibility to provide that accommodation without changing the modality.
- 10.1.4.18. Senator Girshin mentioned he supports that and suggested using “adaptation” instead of “accommodation”.
- 10.1.4.19. Senator Fullam mentioned he supports that change.
- 10.1.4.20. Senator Girshin asked if a department wants to hire a lecturer to teach a single course, is that decision made at the department level or does it include the dean.

- 10.1.4.21. Senator Fullam mentioned that decision is made by the dean.
- 10.1.4.22. Senator Girshin mentioned that suggests there is parity between the ways modalities are treated.
- 10.1.4.23. Senator Franklin-Guy mentioned the phrase “learning accommodation” might be problematic. For the purpose of this policy, EPRC may be able to use “situational accommodation” not “learning accommodation”. Senator Franklin-Guy recommended eliminating the term “learning” as it gets into areas that are specific to ADA and IDEA and may result in some challenges.
- 10.1.4.24. Senator Fullam mentioned the term can be changed to “instructional adaptation”.
- 10.1.4.25. Senator Franklin-Guy mentioned she is fine with that language.
- 10.1.4.26. Chair Davis mentioned that the policy states “instructors teaching face-to-face courses may elect to teach co-synchronously”. These are two different modalities, and this is a workload issue. This was also brought up in the last senate. Teaching two modalities is a workload issue and problematic. Did EPRC address workload issues?
- 10.1.4.27. Senator Fullam mentioned that EPRC considered it. However, it should not be an issue with the current language “may elect”. If faculty choose to do it, they choose to do the work that goes with teaching co-synchronous.
- 10.1.4.28. Chair Davis mentioned it is difficult for an untenured faculty to “elect” not to offer co-synchronous options.
- 10.1.4.29. Senator Fullam mentioned the language “may elect” tells faculty it is a choice.
- 10.1.4.30. Chair Davis mentioned the language of “case-by-case and emergencies” is problematic. What happens if several students have emergencies? The faculty member will be teaching in both modalities and again that is a workload issue.
- 10.1.4.31. Senator Fullam asked Chair Davis if she is requesting to remove the language. The intention of EPRC is “may elect” is something faculty can choose to do and should alleviate workload issues.
- 10.1.4.32. Chair Davis mentioned it could create a workload issue for faculty and stated yes, she is requesting to remove the language.
- 10.1.4.33. Chair Davis mentioned colleges are making their own policies, such as CNS and CSBS. It was clear from previous discussions in the EC that this policy would be university-wide and supersede

other college policies. Additionally, Chair Davis asked for clarification on what does the term “expected to follow” mean. It should be required.

- 10.1.4.34. Senator Fullam mentioned that is the intention of EPRC.
- 10.1.4.35. Chair Davis mentioned the policy states “expected” not “required”.
- 10.1.4.36. Senator Fullam mentioned he will accept the amendment to change “expected” to “required”.
- 10.1.4.37. Chair Davis confirmed her amendment.
- 10.1.4.38. Provost Mohamed there was a previous suggestion about replacing “expected” with “required”. Was that change made?
- 10.1.4.39. Chair Davis answered “yes”.
- 10.1.4.40. Provost Mohamed mentioned the argument made was that “expected” essentially means required but is a softer way of saying it. It seems to be a bit of a double standard to change it in respect to the rules administration must follow. If “expected” is going to be used, it should be used throughout the policy. If “required” is going to be used, use it throughout the policy.
- 10.1.4.41. Chair Davis mentioned there are DE policies made by colleges. The multiple policies cause confusion amongst faculty. When deans make policies for their colleges, it minimizes the role of the senate. Senate policies are developed by faculty with representation of administrators. They are vetted, discussed, and approved in the senate. When deans make their own policies, it goes against the work faculty do and causes confusion amongst the faculty. Chair Davis reiterated that there were previous conversations about this policy superseding any other DE policy. The expectations of faculty align in our FAM.
- 10.1.4.42. Provost Mohamed mentioned his position remains the same. Provost Mohamed also mentioned that the CSBS policy was not made by the dean, it came from the chairs as they wanted some guidance in terms of how to manage DE classes. Regarding the point about deans making their own policies, there is no DE policy currently as it is still being discussed. When CNS and CSBS made their policies, it was because there was no institutional policy.

- 10.1.4.43. Chair Davis mentioned that if a policy is not approved by the senate, it reverts to the previous policy, so there is in fact a DE policy.
- 10.1.4.44. Senator Girshin mentioned his view in using expectations when it comes to training is that it is trying to accommodate a complex situation where there are different ways someone can show themselves as being qualified to teach DE. The language of expectation coupled with the decision being made in consultation with the dean, chair, and faculty has the impact of a requirement. In using “required” in Section 3, it is parallel with FAM policy. There should be consistency, but in this case, there is parity even if it is not using the same language.
- 10.1.4.45. Senator Fullam mentioned EPRC used “expected” in the training section to find middle ground between “encouraged” and “required”. It was not working so EPRC abandoned it.
- 10.1.4.46.** Provost Mohamed mentioned that required being implied in all FAMs is the point, it is implied not necessarily stated in this way. There is a difference between something being implied and being unilaterally directed towards administration. Provost Mohamed also mentioned he finds it hard to believe a dean would unilaterally come up with a policy and demand adherence to that policy and a senior administrator would let that stand if a policy was previously approved.
- 10.1.4.47. Chair Davis mentioned this is the current case.
- 10.1.4.48. The policy was approved for second reading at the next senate meeting.

11. [Statewide/ASCSU \(Academic Senate of the CSU\) Senators' Report](#)

12. Old Business

3:00 PM Time Certain (if preceding times have not been completed)

13. New Business

13.1. Retirement Resolutions

- 13.1.1. The writing of retirement resolutions for 2023-24 retirees was divided amongst EC members.

13.2. Curriculum

- 13.2.1. [Course Changes 4/20/23](#)
- 13.2.2. [Program Changes 4/20/23](#)
- 13.3. Recreation Committee
 - 13.3.1. Chair Davis mentioned two individuals were appointed to the same committee, one through the EC, the other by SMSU.
 - 13.3.2. President Morales suggested calling the vice president who oversees SMSU. President Morales mentioned he believes the senate has the appointment.
- 13.4. Updates for Fall 2023
 - 13.4.1. Chair Davis mentioned there will be an organizational meeting and senate meeting. Chair Davis mentioned there will be a Follett survey completed by the end of the year and there will be a roundtable discussion on SOTEs in the fall.

Executive Session (3:47 PM)

14. Adjournment (4:00 PM)