



**ACADEMIC SENATE
MINUTES
JANUARY 25, 2024**

ASD 24-05

Approved 2-22-24

11:30 AM - 12:50 PM

PLN-130

Present: Alva, Awadalla, Badal, Barber, Barros, Bauer, Bonuso, Brown, Brusckke, Casem, Childers, Dabirian, Ebrahimi, Evanow, J. Garcia, N. Garcia, Ghosh, Graewingholt, Henning, Jarvis, Kakihara, Kanel, Kuffner, Landeros, Lewis Chiu, Mallicoat, Meyer, Miller, Nair, Ordonez-Jasis, Oseguera, Palencia Gutierrez, Plouffe, Robinson, Sacco, Salim, Scher, Self, Shepard, Stanley, Swarat, Thomas, Valdez, Valencia, Walsh, Weismuller, Wilson, Wood, Zazueta

Absent: Goodarzi, Guo, Luker, Milligan

I. CALL TO ORDER

Chair Jarvis called the meeting to order at 11:30 AM.

II. URGENT BUSINESS

No urgent business.

III. ANNOUNCEMENTS

- (Casem) Our Provost has established an initiative to provide free testing materials. I have heard some people have not gotten the message, in terms of the process for departments to order materials. My understanding was that email was sent to associate deans. For programs like Honors, who do not have an associate dean and for others who may have missed the message I would like you to carry the information to your respective departments, programs, and colleges. The process is there is a smart sheet that's been developed by the bookstore and orders can be placed through that. If you have questions, you can contact Kimberly Ball who is the director of Titan Shops at kball@fullerton.edu. If you have other questions, please contact me, I'm happy to help.

Q: (Shepard) In the smart sheet that was distributed, there's a dropdown menu that lists 10 or 12 different things that people can order. I am wondering if there is a web page or a document that explains what those things are that we could share with faculty? I fear if I just send out a general email to faculty saying testing supplies are available to order, they're going to email back what's available or they just say I want a blue book. But if you look in the dropdown menu there's a number of different blue book options. The staff are going to be confused and there will be a lot of back and forth between faculty and staff in having the staff feel out that smart sheet. I'm wondering if we can help eliminate some of the back and forth by providing a list of what's available for faculty to order.

A: (Casem) I'd be happy to put that together. The other issue that has come up is somebody who uses a particular form or a particular style of testing material that is not on that list, the list was derived from the most commonly used materials over multiple semesters. If there is something special that you need, just provide that information to the bookstore and they will work to provide that.

- We have the Trustees coming to campus on February 6th for a listening session on what qualities we want in our next president. The listening session will take place in Meng Hall from 12:30 - 2:30 pm. They would like folks to send in their questions in advance, please your email so you can do that.
 - (Provost) There will also be a virtual option to attend the session.

IV. APPROVAL OF MINUTES

- 4.1 ASD 23-124 Academic Senate Minutes 12-7-23 (Draft) - *forthcoming*

V. CONSENT CALENDAR

- M/S/P (Kanel/Meyer) Motion to approve the Consent Calendar. Consent Calendar was approved.

5.1 NOMINEES TO COMMITTEE

NOMINEES TO STANDING COMMITTEE

ASSESSMENT AND EDUCATIONAL EFFECTIVENESS COMMITTEE (10 faculty)

Nominees: Mary Pomonis (ARTS); **Pending** (L/A/C)

Confirmed 10/5/23: Judit Palencia Gutierrez (HUM); Scott Annin (NSM); Gary Germa (HHD); Mariam Ashtiani (SOC SCI); Sinjini Mitra (CBE); Laura Keisler (EDUC); Haowei Wang (ECS); Doug Swanson (CCOM)

VI. REPORTS

1. [Chair's Report](#)

2. Provost Report - **no report submitted.**

- (Provost) The Strategic Plan will launch on February 7th at 11:30 am. This will have a huge impact on Academic Affairs.
 - (Swarat) Food will be served.

Q: (Kanel) I wanted to ask a question and delicately bring up the issue about the messages that were sent to faculty about time being docked and that you didn't want the State of California taxpayers to be paying for services that weren't being rendered. I feel like that was a weird thing for salaried employees who often do so much work that they are not paid for. For example, I did a two-day training retreat uncompensated prior to the semester. Many times, faculty go to conferences and do things and they're not docked for that. I never put in to get paid for these things I do extra, and yet I'm going to be docked if I miss a class. I feel that message led to really bad feelings of morale and created a rift that didn't sit well for salaried employees who do a lot. And to ask our students to snitch on us feel bad and I wonder what you are going to do about that.

A: (Provost) This was a systemwide effort and it was a Chancellor's office and the campuses going through this process. I understand your input and I will make sure those inputs get propagated.

Q: (Kanel) Do you have an answer to my direct question are people going to be docked?

A: (Provost) I am going to refer that to VP Forgues, he is the vice president of HR, and he can respond to this matter.

- (VP Forgues) I don't believe that will be our option or our choice to make. We will do whatever we're directed to do by the Chancellor's office.

Q: (Bruschke) I hope our campus can provide some clarity on that question. My understanding is it has to be entered in a CHRS System that almost no faculty have even logged into before, much less figured it out. Now I do know if you go to the email, you can click a link it will take you to a page that lets you click on another link that tells you how to enter no time entered. But there is not a lot of information on what you're supposed to do with the dock. The dock code did not exist four months ago and if you're a lecturer, the question is were you assigned to work on Monday, if you didn't have a class on Monday. If you are a lecturer, that is very unclear. Are you supposed to dock yourself the whole day, just the hour, are you supposed to report it, and will we be subjected to disciplinary action if someone makes a mistake?

A: (VP Forgues) We happen to be at a place where we are shifting to a new system, CHRS. It is a CalPERS requirement that everyone accounts for their time. The no leave taken is new for faculty, 12-month employees have been doing that for a long time. It happens to be taken effect with this pay period that ends. That system is new, it's new to our campus. The communications have come out about no leave taken are part of that shift. There are training videos, if they are not clear I will be happy to look at that again. The shift happens to be at the same time the labor action happened, that's just unfortunate timing, it's a kind of coalition of those two things. But it will be something that from now on every one of our employees will have to certify at the end of each month, whether they have taken leave or not.

- (Bruschke) Thank you, my question was can you let our lecturers know whether or not they are supposed to enter that if they were not scheduled to teach that day. And if they were to teach that day, are they supposed to take the whole day off or only the hours they were supposed to teach and how do they do it? I don't think that information is out there, and it would be helpful to the campus's ability to do.
- (VP Forgues) I will share that with the systemwide HR folks and ask that they incorporate that into the communications.

- (Bruschke) Given the terms of the agreement, the lecturer contracts use to show what your entitlement was, your WTUs, what classes you taught, and you could find out if you were a Lecturer A, B, or C. The new form includes none of that information. I presume that is also a system thing, but our lecturers are going to need to know pretty quick if they are range A, B, or C. As department chair, I need to know their entitlements. For the contacts they get paid per WTU and that's enormously confusing and part of that is the terms of the settlement and whether or not that takes effect. But part of that is nobody knows what's going on. I'm hoping our campus can come up with an effective way to get that information both to the lecturers and to the people who have to make decisions.
 - (Landeros) Right now the contracts are reading range 2 or 3, is that A or B, so lecturers can have clarity of what their range is. I'm getting a lot of those questions from lecturers. I am also getting questions of how do they know if they qualify for SSI? Other questions I'm also getting from lecturers is do part-time lecturers qualify for the salary increases? If so, how is that prorated? I think an email from the University to the lecturers to let them know their range, if they qualify for SSI, and if they are a part-time lecturer, how do the salary increases as proposed in the tentative agreement apply to them.

A: (Provost) We will have communication coming up. We are trying to figure out the exact details, and that comes from the Chancellor's office. Faculty Affairs & Records has been campaigning to get faculty that want range elevations. We will make sure there is communication to all faculty.

Also, you can find your range and level, it's embedded in the system, it's part of the contract. I am going to work with HRDI to help communicate with the faculty so it's clear and they understand what's an impact and how to move forward.

Q: (Kanel) I'm hearing a little bit of Pontius Pilate washing my hands saying it just came down systemwide. I want to know if there was any push back by any of the CSU presidents, provosts, or anybody about this draconian method of monitoring faculty? Does administration have the same kind of monitoring to make sure they are doing everything? I know administration works way beyond what they're scheduled, so I feel like it's a very harsh approach.

A: (Alva) For me it's an important question that philosophically makes clear the difference between hourly employees and salaried employees. We know that even faculty, the scope of their work, is not all done at a desk where you're clear whether they're on task or not. The nature of faculty work requires them to be engaged both on campus, off campus, in a variety of appropriate and legitimate activities for faculty. I will share with you that this has been a topic of conversation.

I think that what we recognize is that it's sort of two trains that are in friction with each other. One is clear understanding of the nature of faculty work, and clearly, it's not hourly work, it's result oriented. One of those performance metrics is being there for your class when it's scheduled or making sure your students have alternative ways to meet the learning objectives. The other train I think we need to acknowledge, that made this complicated, was that we were in an active strike period. When you, from a labor perspective, not from an academic policy perspective when you are striking, you are saying I'm withholding work. We believe the terms of the proposed contract are unacceptable, they don't meet our needs and we care enough about this to withhold work to engage in the strike.

The problem gets complicated with lecturers, they might not have an assignment to work. Even with full-time faculty, there may be expectations that vary throughout the week. We have raised these issues, and I think as VP Forgues has indicated, we are in dialogue with the system office to make sure that what is communicated acknowledges the different types of faculty that we have and the different ways in which faculty perform the duties and responsibilities of their role as Unit 3 employees. Not all of them are faculty, you have coaches, counselors, and everything else. It gets really complicated and we are trying to avoid simplistic analysis. I do agree with Senator Bruschke that the instructions we will provide around how to appropriately report time will give us an opportunity to make sure that we are nuanced enough and appreciate the nature of faculty work, as well as the other Unit 3 employees. There are active conversations to get at the themes that are surfacing here.

Q: (Robinson) Are tenure-track faculty legally required to code out Monday's strike action?

A: (Provost) We are still working with the Chancellor's office on the details of that.

- (VP Forgues) The information that they've shared with us and that they've had us send out on their behalf is that folks that withheld labor should enter dock in the system.

Q: (Shepard) I would like to follow up because I heard inconsistency between what President Alva said and what VP Forgues said. For those of us who are 12-month chairs, we have to report our absences next week, we don't have until the February 29th deadline. I heard President Alva say discussions are continuing about this complex issue and more communication will be coming. I heard from VP Forgues that we should be reporting, we have been directed to report dock pay. I'm wondering if we could get any direct answer as to what those of us who need to report in four days should do.

A: (Alva) I will comment from my perspective from both being a faculty and managing and overseeing faculty. As I mentioned in my comment, there's a difference, there's a lot of types of employees under this broad category called Unit 3, and one of them is department chairs.

Department chairs teach, but they also are paid to engage in other administrative responsibilities. Like helping our students find their classes and overseeing the work of the department or the unit. So, I might venture to guess what VP Forgues might say is that if you are a 12-month chair and you were on strike, yes you should report that you were legitimately within your right to withhold your teaching and administrative duties to strike.

- (Provost) It's a systemwide initiative to go with CHRS. CSUF and one other campus is leading into CHRS, so our campus is on CHRS while other campuses are not. They are going to move into CHRS. So, when you talk to your colleagues at other CSUs, they don't have CHRS for the reporting purposes. What we need to be doing is from a CHRS perspective, what Jon is asking and what you're asking is for a clear communication of how do we do this in CHRS so the faculty knows as a 12-month chair, tenure-track faculty, or lecturers. So, we need to clarify how to enter this clearly in the system and I will work with VP Forgues to make sure that piece comes out.

Q: (Salim) Is my understanding accurate that one day of missed work equals one week of missed pay?

A: (Forgues) My understanding from the Chancellor's office was that intermittent striking is not something that is allowable under state law. There was only one day of strike, so I believe the dock will only be for one day.

Q: (Kanel) Don't the chairs have to sign off and approve anything that we would put in that system or is it changing? Are the chairs going to be the ones responsible to approve whatever a faculty member puts in there.

A: (VP Forgues) The approval is from the appropriate administrator.

3. [Statewide Academic Senate Report](#)

Q: (Bruschke) Could you recount any of this, there was a resolution about the strike and there was also a resolution about AB 928. Was there discussion of AB 928?

A: (Kanel) There was a lot of discussion of AB 928 with the Trustees and also the Chancellor. The position of the Statewide Senate is we want the breadth to stay within the realm of teaching at CSU. We oppose complete alignment with community colleges for first time, first year freshman.

- (Shepard) Three resolutions were passed regarding AB 928; 1) Opposition to Changing California State University General Education Breadth at This Time, 2) A Call for Continuing Collaboration on Title 5 Changes, and 3) Transfer Admission Routes to the CSU Outside of Cal-GETC.

Regarding the strike, there was a resolution was passed titled Support for the Unit 3 Bargaining Process and Historic Statewide Strike. The resolution was passed unanimously.

- (Jarvis) The Statewide Senate Chairs had a discussion of which campuses have passed resolutions and which campuses have not regarding AB 928. CSUF was the first one to have done in this iteration; we also were one of the ones who passed something about AB 928 last year. Our AB 928 resolution was being shared around the system.

Q: (Mallicoat) The Second Start Program talks about 12 to 13 campuses have signed up to participate. Is Fullerton one of those campuses?

A: (Provost) Yes, Fullerton is one of the campuses.

- (Mallicoat) Given that Fullerton would be one of those, are we looking at bringing some of these students that have left? How are we looking at that from an enrollment management perspective? Are we thinking about where those students might go? Is there a way of reaching out to students and hopefully supporting departments that are already under enrolled or to help support those departments?

- (Provost) Yes, we are looking at campaigning to some of the students and bringing them back. We are hoping that we will have a session talking to the students to make sure they end up in the right place. And Second Start also has requirements for the first year, They must have a 2.5 gpa and pass 18 units in the first year in order to stay in the program. We are not the only campus looking at this, it is a systemwide initiative.

Q: (Jarvis) Can we get the system to include graduate students? If they don't leave the right way, they leave with any Ws, Inc, or Fs, they can't come back because either Title V or an Executive order, or both says the grade follows them even though they can't get credit for those classes because of the five or seven year period. So, it's brutal for the grad students.

A: (Provost) The committee that looked at this, first wanted to look at undergraduate and do a pilot to see how successful that's going to be. I will follow up with the committee that worked on it to find out where they are with the graduate students.

4. [ASI Report](#)

5. [CFA Report](#)

Q: (Valdez) Knowing that the last time we voted on a contract, we were told we would have a contingency percentage, that we did not get. Why are we pretending that Gavin Newsom honors contingencies?

A: (Brown) I do trust this contingency is different than the last contingency. The last contingency was based on us getting a certain amount of money, this contingency is based on a cut in our budget, on what it is. That has only happened once in the past 13 years, during the Great Recession. If you look at the governor's budget right now, the monies that are included, includes our base salary and base budget for the CSU. The likelihood of it being touched and lesson is very small.

Q: (Henning) Are there any updates to the information that you have in the report about the tentative agreement or about any forums where we are hoping to gather all the members together and talk about all these issues?

A: (Brown) We at Fullerton had planned to do a town hall tomorrow, but it's too soon to do it tomorrow. We are planning to have a town hall next week and possibly more than one. I am going to send an email out later today informing our Fullerton community.

Q: (Mallicoat) Regarding the boost to the parental leave policy, in previous contracts we've had time or course release, this bumps it to 10 weeks. Is it time only or does that convert to course release?

A: (Brown) The actual language is being worked out as we speak. We are not sure of the exact details, but it is being worked out. I have confidence our CFA team will get us the best that they can.

Q: (Stanley) In a lot of this explaining of the contingency for next year, the whole language and discourse about reserves seems to have gone out the window. I think a lot of us are confused about what the California Constitution or educational code would say about whether reserves of campuses or the system can be used or not, or why it's always a state funding expression. I don't think we fully understand the reserve financial side. Cal State Fullerton, we get that story, we have no idea if other campuses have zero reserves and that's why no one's talking about it. I think as the contingency discussion continues; I hope the language of what happened to the reserves can be explained in that process.

A: (Brown) We do know that the CSU has 8.5 billion socked away. Our Auxiliary Services Corp here at Fullerton has close to \$2 billion. The University has money. This was a reopener contract and when we reopen, we have so many more things added to this tentative agreement that we will build on it.

- (Alva) This question about reserves causes a lot of confusion because it's a complicated concept. I am pleased to see at the next PRBC meeting, Administration and Finance is going to be giving a budget update. I am going to speak to our vice president for admin and finance to ask them to put a brighter spotlight on this concept of reserve because there are some aspects of reserve that are not within our ability to touch them. We have our state allocation, we have our auxiliary, and we cannot use parking fees to pay faculty salaries. When you lump all those reserves together, we're mixing and matching funds that cannot be use for the intended purpose. We also have to unpack this concept and be very clear what is recurring and what is one-time. Because we can meet an obligation for a short term, but once those dollars are out the door if they're one time they don't get replenished there is not a backfill for them. So, I do think this concept of reserve creates a lot of confusion. I think we would all be better served, whether it's in our own conversations with our bargaining units, with the administration, or even in our departments, to be very clear about this concept of reserves. These are the questions one needs to ask to better understand what do you mean by reserves. I am going to make a commitment to ensuring that PRBC is a good place to start that, and if that's successful or helpful, we need to continue to expand that conversation.

Q: (Valdez) We talked about SSI, but I don't know how to read that chart to know where I am or if I am eligible. So, I'm wondering if someone would do some sort of teaching on this campus? I don't know if CFA or HR would do this, but if we would have something on campus, it would be really helpful.

- (Bruschke) The other information that used to be accessible, and is no longer in CHRS, is your salary history. So, the question of are you eligible, when did you get the last one? That information had been there and it's not anymore. So, if we could add that to the list of what needs to be put on there, would be quite helpful.

VII. NEW BUSINESS

7.1 ASD 23-114 Revisions to UPS 100.700 - Formation and Review of Campus Centers and Institutes

- M/S/P (Walsh/Casem) Motion to approve ASD 23-114 Revisions to UPS 100.700 - Formation and Review of Campus Centers and Institutes. Motion passed unanimously.

7.2 ASD 23-119 Revisions to UPS 102.001 The Faculty Development Center (FDC)

- M/S/ (Casem/Weismuller) Motion to approve ASD 23-119 Revisions to UPS 102.001 The Faculty Development Center (FDC).

7.3 ASD 23-120 Revisions to UPS 210.080 Classroom Observations

VIII. ADJOURNMENT

- M/S/P (Garcia/Meyer) Meeting adjourned at 12:50 PM.