MINTUES OF THE PERSONNEL COMMITTEE

CALIFORNIA STATE UNIVERSITY, FRESNO

5200 North Barton Avenue, MS#ML34

Fresno, CA 93740-8014

Office of the Academic Senate

Ext. 8-2743

# September 17, 2020

Members Present: Alexandrou, Baum, Hopson-Walker, Low, Moore, Nguyen, Rivera, Vitali

Absent: ASI rep

Members Excused:

**Meeting called to order by Chair David Low at 9:07**

1. Minutes – MSC to approve minutes of 9/10/20.
   1. Moore motions, Hopson-Walker seconds. Motion passes unanimously.
2. Agenda – MSC to approve agenda of 9/17/20.
   1. Hopson-Walker moves, Moore seconds. Motion passes unanimously.
3. Communications and Announcements
   1. Committee member updates.
      1. In some departments, faculty are planning for in-person teaching and learning in Spring 2021 (primarily lab courses). If Instructor A insists that in-person teaching is the appropriate mode of delivery, can the department chair offer the course to Instructor B who is willing to teach it virtually, and then assign Instructor A alternative courses that can be taught virtually more easily? The issue is that certain courses greatly benefit from face-to-face instruction, but some instructors would be willing to teach those courses virtually.
         1. There is no right of first refusal. Faculty members do not have a right to teach particular courses because they’ve taught them before. Chairs make determinations about dept. operations and new preps can be assigned.
         2. Schools are determining whether to cancel or design accommodations for courses that are deemed necessary to teach face-to-face.
            1. Offering face-to-face causes chaotic scheduling (courses grouped together)
            2. University is attempting to minimize facility use in an effort to maximize the ability to keep campus hygienic.
         3. Departments can advocate for the need to offer face-to-face instruction.
            1. Xuanning Fu has been receiving wish lists from Deans about courses that should be taught face-to-face. Faculty can confirm with their Dean whether this list was shared with Dr. Fu.
         4. Repopulation plan (for fall 2020).
            1. Any faculty member uncomfortable with teaching face-to-face was removed from the list of prospective in-person instructors.
            2. The university’s commitment is to keeping the on-campus population to 10% to enable distancing and hygiene. This cap was based on Fresno County Health Dept. and CDC guidelines, as well as our space limitations. The cap will remain until there’s a decline in cases county-wide.
   2. Updates from Academic Senate meeting on 9/14/20:
      1. Provost Jiménez-Sandoval has reconvened taskforce for Spring 2021 to assist in our continuing transition to virtual instruction.
      2. Fresno State to begin offering Ethnic Studies courses in Fall 2021. A new taskforce has been assembled, chaired by Bernadette Muscat. There will be reps from across campus. Courses will be taught by faculty representing an ethnic studies department. The taskforce is working on developing such a department. For cross-listed courses, FTEs would go to Ethnic Studies dept, not the home dept. of the faculty member (if outside Ethnic Studies). (Chancellor’s Office decree.)
      3. Prop 16 will be on the ballot for this November. This seeks to undo Prop 209. If passed, it would open up a dialogue using ‘ethnic components’ for hiring resource distribution purposes. Implementation instructions would come from Chancellor’s Office.
      4. Provost looking into extending family leave options for the spring 21 semester. FCRA and CPAL have end dates of 12/31/20.
      5. Formation of a Climate Change Action Taskforce passes in the Senate. There will be a call for service.
      6. Internship Policy (AP&P) passes in the Senate. A requirement of EO 1064.
      7. Next Senate meeting (9/28) will be a special meeting on the university budget.
4. New Business
   1. CV Vitolo-Haddad – see [university statement](http://www.fresnostatenews.com/2020/09/10/university-statement-sept-10-2020/?fbclid=IwAR1gP2vOAI00OZ6_U_d9Ecwsc0OohwefH659hhdFudyOfpkmanOuXMW7oV4) from 9/10/20.
      1. For discussion: “California State University, Fresno, extended a tenure-track job offer to CV Vitolo-Haddad but is now looking into Vitolo-Haddad’s recent admission that they (their preferred pronoun) claimed to be a person of color online and in conversations at the University of Wisconsin at Madison, where they are currently a Ph.D. candidate in journalism and mass communication.   
         Fresno State “is aware of the concerns regarding CV Vitolo-Haddad that have been appearing online,” the university said in a statement. “Please know that this matter is currently under review. The university will always uphold its core values of discovery, diversity and distinction. We are taking this matter seriously and acknowledge the pain and confusion this situation has caused members of our campus and external community.” **Does the committee want to weigh in by writing a letter to the Office of the Provost and Vice President for Academic Affairs?**
      2. Synopsis of committee’s discussion points: **The committee deliberated and ultimately feels that it is not in our official capacity to weigh in on this matter without the facts. We are not a fact-finding body. We should have faith that the situation is being handled and that a resolution is in order.**
   2. APM 320
      1. Background: Since there are three dean searches currently starting, it would be helpful to have these proposed changes considered as soon as possible. The Provost has spoken to Tom Holyoke about the **addition of the development directors to the search committee membership but the question of the inconsistency in the language regarding eligibility to vote has also been raised again this year**. **The HR officer handling the searches has responded that the Personnel Committee last year confirmed that the current language inconsistency between VI.A.4 and VI.D.1.b (whether college full-time tenured faculty to serve on the search committee for dean would be elected by full-time tenured faculty or selected by full-time college faculty [which could include untenured tenure-track faculty and full-time lecturers]) was to be resolved in favor of election of the dean search committee members by full-time tenured faculty only.**
      2. Action Items: The questions for the committee are: 1) clarification and adjustment of language between VI.A.4 and VI.D.1.b and 2) change to VI.D.1 to include the College development director as a member of the search committee.
         1. Motion to vote on Action Item 1: clarifying and adjusting language between VI.A.4 and VI.D.1.b to allow untenured tenure-track and full-time lecturers to participate in electing tenured full professors to serve on the Dean search committee.
            1. Vitali moves, Moore seconds, motion passes unanimously.
         2. **Committee vote on Action Item 1** 
            1. **Motion passes 5**-1.
         3. Motion to vote on Action Item 2: changing VI.D.1 to include the College development director as a voting member of the Dean search committee.
            1. Alexandrou moves, Vitali seconds, motion passes unanimously.
         4. **Committee vote on Action Item 2**
            1. **Motion passes unanimously.**
         5. **Follow-up: David will work on edits to APM 320 language in consultation with Marsha. Following these edits, David will send a memo to the Executive Committee of the Academic Senate (via Tom Holyoke) to be added to the Senate docket. David can suggest that the Executive Committee take action that would allow the changes to be implemented for current searches; they have the power to do so if they choose to.**
5. Old and continuing business are tabled until next meeting.
6. Motion to adjourn at 10:28
   1. Nguyen moves, Alexandrou seconds, motion passes unanimously.

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

**TABLED**

1. Old/Continuing Business
   1. Course Classifications/Class Size
      1. For discussion: **Communicating that ‘normal class size’ is not a hard cap:**
         1. The information should be applied consistently.
         2. Department chairs need guidance on how much wiggle room is appropriate so that 1) class size is not increasing by too large a number or percent and 2) vulnerable faculty are not pressured into agreeing to increase their class size.
         3. There should be a firm window (+/- a certain percentage or number) that is agreed upon and that should not be exceeded. Chairs and departments should have some discretion on setting this number, but faculty need a voice beyond threatening to file a grievance.
            1. **Personnel Committee could consider developing a guiding document for chairs to follow. Further consultation with Marsha Baum required.**
   2. APM 322 – Policy on Assessment of Teaching Effectiveness
      1. For Discussion:
         1. **Confer with Student Ratings Subcommittee. In the instructions that are provided to students when they’re assigned course evaluations, students should explicitly be asked to write comments addressing inclusivity.** 
            1. More explicit instructions can provide a “teachable moment” for students about what happens with the ratings and comments students provide. Demystify this to them: who will receive the comments? What role can comments have in shaping the course in the future?
         2. **Did the Student Grievance Committee ever come to fruition? If so, this committee should be involved as well.**
   3. Faculty working remotely following the pandemic
      1. For Discussion:
         1. Holding faculty forums, creating a resolution, or initiating a policy statement to the effect of:
            1. Fresno State is a regional campus, not an online university. Faculty must 1) attend department meetings; 2) hold 20% of office hours on campus; 3) teach face-to-face when assigned to do so.
            2. Include language for faculty who are unable to follow these criteria for approved reasons (i.e. they need to be a caregiver elsewhere). Faculty cannot simply prefer to live elsewhere and work remotely.
         2. **How much need is there to create a formal policy with precise language for deans and chairs to follow? (Should there first be Faculty Forums and Resolutions?)**
         3. Absenteeism negatively affects department productivity and morale. It creates inequities when on-site faculty have to pick up the slack for off-site faculty. Further, faculty are beneficiaries of a 176-day contract put up, in part, by CA taxpayers. Faculty are insured state employees.
         4. Mechanisms for responding to the problem:
            1. **Would it be possible for the university to establish guidelines on job performance that make it prohibitive to work from outside of the region?**
            2. Tenured faculty can receive negative letters in their files, and over a long enough period of bad reviews could face repercussions. (These letters cannot be anonymous)
            3. Peer evaluations (which are not anonymous)
            4. Faculty can request that the Dean investigate a situation in which a faculty member is not contributing their share due to living outside the region.
            5. There could also be a reward system for tenured faculty who contribute their share of service. Commendations from the President, incentives, etc.
   4. Conflict of Commitment
      1. For discussion: How best to ascertain whether a faculty member’s outside work negatively impacts their job performance?
         1. Periodic review/audit
         2. **Would it be possible for the university to establish guidelines on job performance that make it prohibitive to do certain types of work that pull faculty away from their university commitments?**
         3. Marsha was looking at other universities’ language concerning conflict of commitment.