MINUTES OF THE PERSONNEL COMMITTEE

CALIFORNIA STATE UNIVERSITY, FRESNO

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Office of the Academic Senate

Ext. 8-2743

# September 24, 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 9:04**

1. Minutes – MSC to approve minutes of 9/17/20.
   1. Alexandrou moves, Rivera seconds, motion passes unanimously
2. Agenda – MSC to approve agenda of 9/24/20.
   1. Alexandrou moves, Vitali seconds, motion passes unanimously.
3. Communications and Announcements
   1. Committee member updates.
      1. **Face-to-face deliveries have been approved or denied for Spring 2021. Some schools have announced this to faculty, others have not yet.**
      2. **This is a dynamic list; courses can be added or removed still.**
   2. University statement on CV Vitolo-Haddad: “The University extended a conditional tenure-track job offer for fall 2021 to CV Vitolo-Haddad. The conditional offer, which was subject to completion of California State University background check procedures, was made prior to the allegations that have since surfaced publicly. We can confirm that CV Vitolo-Haddad will not be a faculty member at Fresno State.”
      1. **The committee commends Fresno State’s administration in coming to this decision.**
   3. Next Senate meeting (9/28) will be a special meeting on the university budget.
4. New Business
   1. APM 327, Tenure and Promotion to Full
      1. Overview of discussion points:
         1. There’s a question about professors who came to Fresno State at the Associate level (probationary/untenured) who are now looking to be promoted to Full. They came to Fresno State 1 and 3 years ago, respectively.
            1. One is going up for early tenure-and-promotion-to-full.
            2. They would need to meet additional requirements for going up early.
         2. Minimum period of time from Assoc. to Full? Should be ‘five years after completing the probationary period,’ NOT ‘five years following start date’
         3. Clarifying the language 🡪 APM 327, CBA Art. 14.2
            1. APM 327.III.A states that “**Probationary faculty shall not be promoted to the rank of Professor.** Normally, a faculty member is eligible to be considered for Promotion in the fifth year following promotion to Associate Professor (with the promotion becoming effective at the start of the sixth year). Anything less than this five-year period would be considered an “early” consideration, as described in Section IV.)” This seems fairly cut-and-dry. However, we have conflicting language later in APM 327.III.A which states: **The period of review shall be the period since the faculty member’s last promotion or, in the case of those with an initial appointment at the Associate Professor rank, the period from initial appointment on this campus. 15** In this case, footnote 15 says: **“At the time of the application, the Associate Professor must be either tenured or applying for tenure.”**
            2. When was footnote 15 added to APM 327? (which amended version?)

Reach out to Tom, Venita, Diane for past iterations of APM 327.

A previous AVP may have added the footnotes, **which are not considered an official part of the APM. (Where is it stated that footnotes are merely apocryphal?)**

* + - 1. The standard for promotion to Full should not be the same as the standard for promotion to Associate (i.e. the probationary plan; sustained excellence in all three areas.) But what standard is there for probationary faculty who are already Associate?
      2. **Marsha will reach out to Chancellor’s Office for clarification.**
  1. Local K12 school districts returning (in any capacity) to face-to-face schooling
     1. This could impact FFCRA. We will await updates.

1. Old/Continuing Business
   1. APM 320
      1. Committee voted on 9/17/20 to work on the following edits to APM 320:
         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.
         2. Changing VI.D.1 to include the College development director as a voting member of the Dean search committee.
      2. Follow-up: David worked on edits to APM 320 in consultation with Marsha.
      3. Committee reviews edits to APM 320.
      4. Committee discusses our concerns about having untenured faculty vote for Full professors to serve on the Dean search. We predict pushback from Academic Senate on the issue of possible coercion and retaliation. We do not think these concerns warrant disenfranchising junior faculty in the process of electing representatives to the Dean search.
      5. **Hopson-Walker moves to vote on submitting revised APM 320 to the Academic Senate. Moore seconds. Motion passes unanimously.**
      6. **Committee votes 5-0 to submit revised draft of APM 320 to Academic Senate for review.** 
         1. **David will send a memo to Tom Holyoke asking to be added to the docket.**
   2. 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.

**Neither the language in the CBA or CSU course classification matrix dictates firm minimums or maximums. We don’t want to tie chairs’ hands by setting a limit of what’s reasonable. CBA Article 20 says to look at past practices and to follow a case-by-case basis as enrollments ebb and flow. Faculty retain the right to file grievances. No Guiding Document needed.**

**Matter closed for now.**

* 1. 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.** 
           1. **Marsha will look into this. It was tabled at some point.**

**Hopson-Walker is willing to serve in some capacity.**

**We will look for APM that establishes this committee.**

* + - * 1. **There’s a Resource Guide on the Title IX website that can be included on syllabi informing students how to handle situations that may arise.**
  1. 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.

**Faculty Forums jointly presented by Provost’s Office and Personnel Committee. Toward the end of Spring 2021. Using faculty member responses to provost’s Q-and-A as guiding themes. What do we expect from colleagues?**

* + - * 1. 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.
      1. 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?)
         1. **TBD**
      2. 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.
      3. 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?

**Difficult.**

* + - * 1. 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)
        2. Peer evaluations (which are not anonymous)
        3. 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.
        4. There could also be a reward system for tenured faculty who contribute their share of service. Commendations from the President, incentives, etc.
  1. 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
           1. Faculty must document their work outside the university.
           2. Some chairs have a “reluctance to document” behaviors that are problematic.
        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?
           1. **Marsha is looking at other universities’ language concerning conflict of commitment.** **If Marsha finds language that can expand our policies while still comporting to CBA, she will bring this to the committee.**

1. Motion to adjourn at 10:45, motion carries.