WHEREAS, The Board of Trustees of The California State University has established a faculty position known as Trustee Professor; and

WHEREAS, The position is specifically designated to be occupied by the tenured former President, Chancellor, or Vice Chancellor; and

WHEREAS, A person appointed to said position may request such an appointment to be on any campus in the system; therefore, be it

RESOLVED: That any President, Chancellor, or Vice Chancellor holding an appointment as Trustee Professor and wishing to move from his/her campus of tenure to California Polytechnic State University, must first obtain the concurrence of the receiving department at California Polytechnic State University after an evaluation of the individual and an affirmative vote by the tenured faculty of the department.

Proposed By: Personnel Policies Committee
May 20, 1986
Memorandum

To: A. Charles Crabb, Chair
    Academic Senate

From: Warren J. Baker
    President

Subject: ACADEMIC SENATE RESOLUTION ON CSU
        TRUSTEE PROFESSORSHIP (AS-222-86/PPC)

Date: April 13, 1988

This note will confirm our discussion relative to the subject resolution. By way of history, the Executive Committee, acting on behalf of the full Senate, adopted this resolution on July 8, 1986. On August 1, I responded, provided the general policy of the Trustees and indicated that I would follow current consultative procedures should the situation arise and would fully consider any departmental concerns.

On October 14, Lloyd Lamouria forwarded a report from the Personnel Policies Committee, seeking my review of a proposed alternative resolution before taking the matter to the full Senate. I responded on October 21 indicating the resolution was acceptable with one exception. The exception was to change the wording in the last section to indicate that the results of the faculty's consultation would be forwarded to the President for consideration rather than concurrence.

On February 3, 1987, Lloyd again forwarded the original resolution reporting that it had been reconfirmed by the Senate at its January 27 meeting. I have not responded because I had previously indicated the resolution was not acceptable.

I had already indicated that I would follow established consultative procedures and fully consider a department faculty's recommendation. Contrary to the statements and implication of the transmittal memo from the Chair, nonacceptance of the resolution was not bypassing normal consultative procedures. My concern then and now is that current procedures on this issue or on any other consultative matters do not require the President to concur in the results of consultation. To accept a resolution that provides that requirement would remove the decision-making authority of the President for which the President is held accountable by the Trustees. That was the thrust of my October 21 memo indicating that the alternative resolution was acceptable if the word "concurrence" was changed to "consideration."

On this issue and on others, I am committed to collegiality and the utilization of consultative procedures. I am equally committed, however, to not accepting resolutions which would change current consultative processes to remove the decision-making authority of the President.
The above-referenced resolution was reconfirmed unanimously by the Academic Senate on January 27, 1987.

Although we normally find it easy to concur with your recommendations concerning resolutions submitted, this is not one which permits significant compromise. The Academic Senate through its Personnel Policies Committee, Executive Committee, and in full Academic Senate floor debate has, through lengthy and careful consideration, reconfirmed its position on the CSU Trustee Professorship. To bypass normal consultative procedures is both potentially hazardous and unnecessary. Recent experience on our campus provides evidence that positions may be misused to permit time to seek a new position, earn minimum service time to retirement, or to perform in a nonclassroom situation. Theoretically, it is possible for the Board of Trustees to accelerate the departure of a university president by offering a CSU Trustee Professorship with the concurrence of the president of the receiving institution.

Campus presidents would benefit by staying with normal consultative procedures when considering a CSU Trustee Professorship for their campus. It reduces the possibility of the campus president being pressured into a compromising position. No evidence has been submitted to the contrary. I am confident that with your persuasive abilities, you could convince a worthy candidate to honor our normal procedures.

Hopefully, you will concur with the full sense of the Resolution on CSU Trustee Professorship (AS-222-86/PPC).
Date: July 15, 1986
To: Warren J. Baker
    President
From: Lloyd H. Lamouria, Chair
       Academic Senate
Subject: Proceedings of the Academic Senate, July 8, 1986
         RESOLUTION ON CSU TRUSTEE PROFESSORSHIP
         (AS-222-86/PPC)

The above-referenced resolution was adopted by unanimous vote on July 8, 1986 and is herewith forwarded for your consideration and approval.

Attachment
Subject: RESOLUTION ON CSU TRUSTEE PROFESSORSHIP

This will acknowledge your October 14 memo with which you transmitted the report of the Personnel Policy Committee regarding my earlier response to the Academic Senate resolution on the CSU Trustee Professorship (AS-222-86). With one exception the proposed alternative resolved clause as suggested by the Personnel Policy Committee, is satisfactory to me. The concern that I have is with the terminology utilized at the very end of the resolved clause stating "... faculty's recommendation being forwarded to the President for his concurrence."

Since the President of the University is not now required to concur in various appointment actions relative to faculty, it does not seem appropriate that that terminology be used in this particular instance. It is my suggestion that the wording in the latter part of that statement be changed to "... his/her consideration."

With this one modification the proposed alternative resolved clause would meet with my approval.
Date: October 14, 1986
cc: Charles Andrews

To: Warren J. Baker, President

From: Lloyd H. Lamouria, Chair
Academic Senate

Subject: Resolution on CSU Trustee Professorship (AS-222-86)

Attached for easy reference is a copy of your August 1, 1986 response to AS-222-86 and a copy of the analysis of your response provided to me by the Personnel Policy Committee.

Prior to submitting the proposed amendment to the Academic Senate, I invite your comments. The amendment definitely provides a degree of clarity which complements your desire to maintain effective consultation with your faculty.

If you concur with this proposal, I can place it on the October 21 or November 4 Academic Senate agenda. Thank you for your consideration.

Attachments
Memorandum

To: Lloyd Lamouria, Chair
   Academic Senate

From: Warren J. Baker
      President

Subject: Resolution on CSU Trustee Professorship (AS-222-86/PPC)

I have considered the resolution on the CSU Trustee Professorship passed by the Executive Committee acting as the Academic Senate on July 8, 1986 (AS-222-86/PPC). I have also consulted with the CSU Vice Chancellor for Faculty and Staff Relations.

According to current Trustee policy, a request by a President, Chancellor, or Vice Chancellor to receive a Trustee Professorship appointment to a specific campus is to be directed to the Board of Trustees for initial approval. If approved by the Trustees, the request would be referred to the appropriate campus President for a final decision. The Trustees have specifically delegated authority to approve such requests to the Presidents.

Should such a situation arise, I will make sure that Cal Poly's current procedures for appointment/assignment are followed, and will fully consider the Academic Senate's concerns, and those of the academic department which would be affected.
Date: October 8, 1986

To: Lloyd H. Lamouria, Chair
    Academic Senate

From: Personnel Policies Committee

Subject: Resolution on CSU Trustee Professorship (AS-222-86)

This is in response to your memo of August 5, 1986 regarding the above topic as addressed in President Baker's memo to you dated August 1, 1986.

You ask if President Baker's response to the Senate Resolution (AS-222-86) is adequate. The opinion of the PPC is that the response is not adequate and avoids the issue.

The middle paragraph of the President's memo is not related to having the faculty and the President concur on accepting such a request. The last sentence of that paragraph states "The Trustees have specifically delegated authority to approve such requests to the Presidents." It is the belief of the Committee that the same authority has been delegated to the Presidents for all faculty appointments, not just to CSU Trustee Professorships.

The Committee believes their recommendation to the Senate only asks for the same collegial participation as is available in the appointment process for any new faculty appointment. Although President Baker states he "... will fully consider the Academic Senate's concerns, and those of the academic department which would be affected," his response does not provide an established policy nor mechanism assuring faculty collegial participation in an area of primary importance to the faculty.

As an alternative, the resolution could be returned for amendment, with said amendment having the resolve clause read:

That any individual holding an appointment as Trustee Professor and wishing to hold such an appointment at Cal Poly, shall be evaluated by the faculty of the affected department in accordance with the policies, criteria, standards, and procedures used to make any other faculty appointment, with the faculty's recommendation being forwarded to the President for his consideration.

It is the opinion of the PPC that this issue can be resolved through constructive consultation to the satisfaction of President Baker and then resubmitted for Academic Senate approval.