ACADEMIC SENATE - AGENDA

Meeting -- January 16, 1973
Faculty/Staff Dining Room

I. Call to order in Faculty/Staff Dining Room at 3:15 p.m.

II. Minutes of Senate Meeting, December 5, 1972.

III. Business Items:


3. Personnel Policies Committee. Bylaws of Committee on Professional Responsibility. Second Reading (Final draft to be available Monday, January 15.)

4. Executive Committee nomination of Weston McCormac to replace George Eastham as alternate on the Personnel Review Committee of Senate (School of Business and Social Sciences).

IV. Information/Discussion:

1. Attempts are being made to secure permanent office space for the Senate.

2. Response from President Kennedy to Senate proposal re: Grading, etc. See Attachment 2.

3. Report from Charles C. Adams, Chairman of Statewide Academic Senate. See Attachment 3.

Memorandum

To: Bart Olsen, Chairman
   Academic Senate

Subject:

The Personnel Policies Committee recommends to the Executive Committee that the following be placed on the agenda of the Academic Senate.

The Academic Senate recommends to the president the implementation of the following "Guidelines for Faculty Evaluation of Academic Deans."

GUIDELINES FOR FACULTY EVALUATION OF ACADEMIC DEANS

I. Faculty evaluation of Academic Deans at California Polytechnic State University is designed, as part of the established personnel action procedures, to be one means of assisting each Dean in achieving and maintaining an optimum level of effective administration.

II. Development of any evaluation instruments should provide means for assessing working relationships with department heads, faculty and students; leadership qualities; communication; interdepartmental administrative efficiency and fairness; and good rapport with others on campus and in the community.

III. The Academic Deans in each school at California Polytechnic State University shall be evaluated by their respective faculties once each year between April 15 and May 1.

IV. All faculty, both tenured and probationary, shall be eligible to participate in the evaluation if they so choose.

V. To initiate this procedure, each school shall form a committee to develop guidelines and criteria for the evaluation of its Dean. The school committee shall be composed of one elected member from each department or division within the school. All those who are eligible to evaluate the Dean are eligible to serve on this committee. The
committee shall forward a copy of its recommended procedures to the President and the individual Dean concerned for their suggestions and recommendations. The wide variety of programs offered in each of the schools may necessitate diverse evaluation forms and procedures.

VI. During the implementation phase of the evaluation process in 1972-73, the evaluations, which may be anonymous, shall be forwarded to the respective Deans for their own edification. Beginning with the 1973-74 academic year, such evaluations shall be submitted both to the Deans and to the President.

VII. For the purposes of these guidelines:

1. "Academic Deans" shall include the Dean of each Instructional School and the Dean of Students.

2. "School" shall include each Instructional School and the Student Affairs Division.

3. "Faculty" shall include all teaching faculty and all academic and other professional employees of the Student Affairs Division.
Memorandum

To: Barton C. Olsen, Chairman
    Academic Senate

From: Robert E. Kennedy

Subject: Catalog Copy on Academic Disqualification and Grading

Date: December 21, 1972

As part of your December 6, 1972 memorandum to me on the subject "Official Actions of the Academic Senate as of December 5, 1972" you included a report on the Senate's action on Catalog copy on "Academic Disqualification and Grading"; in essence, the Senate endorsed the Academic Council's proposed copy, with a few amendments being suggested by the Senate. In my December 13, 1972 memo to Dale Andrews (copy to you), I commented on the grading procedures and asked that the Senate-endorsed version be reviewed to be sure it is still in conformance with systemwide guidelines. This was done, with the resulting version of the Catalog copy being forwarded to the Chancellor's Office accompanying our "Application for Approval of Non-Traditional Grading Proposal" as required by Vice Chancellor Langsdorf's letter of September 8, 1972 (AP & RP 72-49) (copy attached).

Also attached is a copy of the Catalog copy as forwarded to the Chancellor's Office. All of the amendments to the Academic Council version which were proposed by the Academic Senate have been included. I wish to call to your attention and explain two additional changes which were made as a result of further review.

1. The sentence "A final grade can be changed only on the basis of error." has also been deleted from the section headed "Grading System."

   I had commented on this sentence in my December 13 memo to Dale Andrews; he agreed that it would be inappropriate to leave this sentence in. He pointed out in a December 19, 1972 response to me that a policy statement on grading for inclusion in CAM is currently under study, and that further processing of the statement has been deferred until the coming Spring, when we will have had a year's experience with current grade change procedures. You may be sure that the proposed grading policy statement will be submitted to the Academic Senate before it is included in the Campus Administrative Manual as approved University policy. In view of this, I believe it would be better to omit any new reference to grade change procedures from the Catalog, particularly since whatever is included will appear there for two years.

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2. I have not endorsed the change in withdrawal procedures proposed by the Academic Council which would change the conditions under which a student could withdraw from a course after the 7th week of instruction.

In view of comments I recently received from an authoritative source to the effect that our present policy may be contrary to the intent of the Trustees, I feel it would be imprudent to liberalize this policy any further. In addition, I believe the proposed revision would make it practically impossible for a faculty member to do anything but routinely give a W to any student who would like to withdraw from a course at the last minute simply to avoid receiving an F.

3. We have added the parenthetical phrases "not to exceed 8 units" and "not to exceed 45 units" to refine the regulations on numbers of courses permitted under the "Credit-No Credit" option.

The reason for this addition, and consultation involved, is explained in Dale Andrews' December 19, 1972 memo to me, copy attached.

While I have forwarded the new Catalog copy to Dr. Gerhard Friedrich with my endorsement, there still remains a question of the legality of our dual set of academic probation and disqualification regulations as included under "Minimum Scholarship Requirements," (as in "Appendix B," attached). It has been pointed out that the present language of section 41300 of Title 5 of the Administrative Code may preclude our continuing to use grade point averages as probation or disqualification criteria. I have asked Dr. Andrews to get a legal opinion on this question from the Chancellor's legal staff. Pending legal advice to the contrary, we will continue to use the criteria under "I. Academic progress" as well as under "II. Academic performance."
ATTACHMENT 3

PREFACE

This was probably the most significant item discussed at the last meeting.
Mr. Charles C. Adams is the Chairman of the Statewide Academic Senate.

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ASCUC Meeting
December 14, 1972

CHAIRMAN'S REPORT
Charles C. Adams

The major issue engaging the Executive Committee and me since the October
meeting has been the projected implementation of the new salary structure
this year. The Senate position, adopted at the last session, differed
from the Chancellor's staff plan in that the Senate plan called for the
restoration of the full step interval between the Assistant Professor rank
and the two upper ranks as a first priority item, whereas the staff plan
excluded the restoration entirely.

The Executive Committee pressed the Senate position to the point of re­
questing a special meeting of the Board Faculty and Staff Affairs Commit­
tee. The meeting was held last Friday, December 8. It was our hope that
the Committee would thoroughly discuss the structure and its implementa­
tion. It has been the opinion of the Executive Committee that the Board
does not for the most part understand the structure and its implications
in significant detail. It has never been thoroughly explicated for them.
Since its adoption in November of 1970, several new Trustees have been
appointed. It is doubtful that even the current Faculty and Staff Affairs
Committee fully comprehends it. Unfortunately, the structure and its
implementation were not discussed in any breadth or depth on December 8.
The meeting concentrated on the restoration of the interval. Other
relevant issues, such as bases for allocations to campuses and the possi­
bility of step quotas, were not raised.

In preparation for the meeting the Chancellor's staff submitted to the
Trustees a brief consisting of two sets of questions and answers.
Apparenty, some presidents participated in its preparation, whereas the
Executive Committee received only the final draft. I therefore prepared
on behalf of the Executive Committee a ten-page brief which focused attention
on the step inconsistency--its origin, its impact, and its place in
the development of the new schedule. The Executive Committee was further
prepared with data and questions about other key issues related to the im­
plementation of the schedule. Vern Graves and Don Moore, who were with me
as Senate members on the ad hoc salary committee which developed the basics
of the new structure in late 1969 and early 1970, attended the meeting at
the request of the Executive Committee. Our careful preparation was almost
totally wasted. The name of the game was power, NOT persuasion--dictation,
NOT decision. The issue pretty clearly had already been decided before the
meeting began. The script for the drama had been written and several par­
ticipants had rehearsed their parts well. The scene was reminiscent of
the old Greek drama based on well-known legendary material. Most of the
audience knew when the play began, and everyone knew before the end of the
first act, that soon Jocasta would be dead and Oedipus would be groping
about blind. All that remained was to see how the playwright had managed
the development of the inevitable.

The central "fact" of the discussion was the allegation that the survival
in the budget of the $3.1 millions in inequity funds for instructional
positions was predicated on a commitment made last June which precluded
the use of any of the funds to remove the step inconsistency. Several
obvious questions raised by the assertion were not answered or were answered
only vaguely and ambiguously. Presumably the Chancellor and/or his
staff made the commitment to the Governor. Who took the initiative
in achieving the commitment remained obscure. Dr. Keene at one
juncture appeared to be taking the staff off the hook by saying
cryptically that there are commitments one makes and commitments one
is forced to make. But later Dr. Sheriffs, the Governor's advisor
on higher education whose presence and participation had considerable
impact on the outcome of the meeting, made a special point of asserting
that no one, least of all the Governor's office, had pressured CSUC
into any specific agreement. Dr. Keene a bit later expressed his wish
to correct any misimpression he may have left. The Governor's comments
on the final budget as he reduced the amounts appropriated by the Legis­
lature make no mention of any special limitations. Yet, throughout the
discussion, Trustees and staff alluded to the threat that the removal
of the step inconsistency would preclude certification of the $1.9 millions
and the availability of any further funding to implement the schedule.

Nor was it at all clear what specific commitment had been made. We
tried to determine whether the agreement was merely to implement the
new structure (of which the restoration is an integral part) or to
spend the entire amount on merit salary adjustments only. This question
was never directly answered. The message was that restoration would
somehow be a direct violation of the commitment. No party to the deal
apparently found any difficulty with the fact that more than a third
of the original $1.1 millions had later been used to increase the
salaries of Deans, Department Chairmen, and Librarians across the board
by category without special merit evaluation. That application seems
to have been part of the deal. No attempt was made to explain why
the staff proposal made to the Senate Executive Committee by Vice­
Chancellor Keene during the first week in July included $858,000 for
removal of the step inconsistency. A charitable explanation would be
that even the Vice-Chancellor didn't know at the time that what he was
offering was a breach of a prior commitment.

It is difficult at this juncture to determine why everyone involved
with implementation wasn't told about the commitment in July. So
much energy, so much time, so much paper have been expended in what, if
we are to believe the assertions of last Friday, was a meaningless
charade. In the absence of any solid information as to who made the
commitment to whom, why it was made, or what it was even. One is left
to wonder whether there really ever was a late-June commitment which
specifically precluded the restoration, or in fact the recent claim
that one had been made was merely a very effective way of bludgeoning
the holdouts into submitting to the staff plan.

It was disquieting, to say the least, to see logic and debate thrust
aside, to witness the arbitrary excision from the agreed upon structure
of one of its integral parts, to see the Trustees accepting the fact
that they were impotent to do anything but accede to the executive
power being brandished. "We have no choice," was their plaint.

The most painful part of the experience, however, was having a Trustee
openly accuse the Academic Senate of a "breach of faith" and the Governor's

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representative imply that the Senate was defaulting on a promise made to the Governor during his Senate appearance last March. There is an incredible, cruel paradox in the notion that, by insisting on the terms of the structure as adopted by the Board, the Senate was somehow reneging on its original endorsement of the structure. It was later acknowledged privately that the explanations by the Chairman of the Senate had adequately demonstrated that the accusation was misdirected, but the public charge was not publicly withdrawn.

The December 8 meeting resulted in two Committee actions on behalf of the Board -- (1) direction to the staff to proceed with its first year implementation plan, subject to certification by the Department of Finance, and (2) encouragement to staff to seek the restoration of the interval at the earliest possible time. The first is, of course, an outright rejection of the recommendation of the Academic Senate and other Faculty representatives. The second would hold some promise of redress, were it not for the fact that one technique for achieving restoration prominently suggested during the meeting was the possible differential application of next year's salary increase, with relatively more going to those in the upper two ranks and relatively less going to Assistant Professors -- in other words -- a new "squiggle" to correct the old "squiggle."

The central fact is that, if a new salary structure is to be implemented this year, it will be a modification of the salary structure endorsed by the Senate and adopted by the Board in 1970 -- with the modifications not necessarily having been agreed to by the representatives of the faculty, the most materially affected party involved in the negotiation of the original package. It is therefore, not the new structure -- for that contained the consistent intervals -- it is a new structure. Moreover, there appear to be in prospect other changes, such as the imposition of quotas for incumbents in the extended steps an element explicitly eschewed in the original pact and the recommendations leading to it. It is not predictable at the moment whether the Senate will be consulted on these changes at all or after being led through the motions of consultation will be clobbered by another exercise of executive power. The original agreement thus has been and is being rewritten by some of the original participants without the consent -- indeed in the teeth of the opposition -- of one of the principal participants of the original accord.

The foregoing facts appear to me to suggest the following short-term and long-term courses of action.

In the short run, the Academic Senate should:

1. Unmistakably dissociate itself from the implementation of what is in effect a new structure. I should hope we accomplish something of the sort before we leave here tomorrow.

2. Fully inform the faculty of the process by which the 1970 agreement is being unilaterally modified -- something fairly widespread by the time the faculty returns from Christmas recess.

3. Register its opposition to the restoration of the interval by a differential application by rank of any future salary increase --
Chairman's Report

some initial action this session.

4. Alert local Senates and Councils to the necessity of immediate action in order to participate in the local phases of implementation.

In the long run the Academic Senate should:

Do everything within its capabilities to hasten the achievement of the legal right of collective bargaining for the CSUC faculty. Nothing, I think, could more forcefully underscore this need than the events of last Friday. A salary arrangement negotiated solely with the Presidents, the Chancellor's staff, and the Board of Trustees under current conditions is not worth the paper it is written on. It can be, for it has been, modified unilaterally with impunity. The question as to whether the other parties to the agreement modify it voluntarily or involuntarily is really of no consequence. The fact that they can unilaterally modify it is the significant point. Moreover, the party unwilling to accept later changes in the original agreement may not merely be ignored; he may be accused of a "breach of faith" because he insists on the original terms. This most recent experience suggests that the collective negotiation package we seek should at least include the following:

1. An obligation of some designated representative of at least the executive branch, empowered to commit the entire executive segment, to bargain in good faith with an agent of the faculty.

2. The eventual drafting of a legally enforceable, written agreement.

Whether or not the Academic Senate in any form or in any manner is eventually involved in the process of negotiation, the Senate now has an obligation to its constituency materially to assist in, perhaps to take the leadership in, achieving the protection of collective bargaining for the faculty.
ACADEMIC SENATE OF THE CALIFORNIA STATE UNIVERSITY AND COLLEGES

TENTATIVE AGENDA

for

ACADEMIC SENATE AND STANDING COMMITTEE MEETINGS

JANUARY 11-12, 1973
Hollywood Roosevelt Hotel
Los Angeles, California

1. Roll Call
2. Chairman's Report
3. Approval of Agenda
4. Approval of Minutes of December 14-15, 1972 Meeting
5. C.C.H.E. Report - Austin J. Gerber
6. Chancellor/Chancellor's Staff Reports
   6.1 Glenn Dumke - TIME CERTAIN: Thursday, January 11, 10:00 a.m.
   6.2
7. Announcements/Communications
8. Standing Committee Reports
   8.1 Position on New Salary Schedule  AS-498-72/GR
   8.2 Responsibility for Associated Student Body Fees  AS-502-72/SA
   8.3 Commission on the Educational Process in The CSUC  AS-514-72/EP
   8.4 Administrative Grading Symbols  AS-517-72/EP
   8.5 Clarification of Senate Positions on Impasse Procedures  AS-518-72/FA-CN
   8.6 Faculty Responsibility for Professional Decisions under Collective Negotiations  AS-519-72/FA-CN
   8.7 Inclusion of State Employees in Proposed Legislation on Public Employee Negotiations  AS-520-72/FA-CN
   8.8 Lower Division English Credit  AS-524-72/EP
   8.9 Policy on Faculty Rights, Responsibilities and Procedures in the Development and Use of Instructional Television in The CSUC  AS-525-72/FA
   8.10 Transfer Admission Requirements  AS-527-72/EP

* Please bring document distributed at December 14-15, 1972 Meeting
8. Standing Committee Reports (Continued)

8.11 Governor's Task Force on Comparative Salaries

8.12 Consultation

8.13 Proposed Salary Increase and Fringe Benefits

8.14 Trustees' Legislative Program

8.15 Consortium of the California State University and Colleges

8.16 Faculty Participation in the Selection and Retention of Administrators

8.17 Revision of Grievance Procedures

8.18 Academic Grade Reporting, Spring 1972

NOTE: (First and only distribution of this document; please bring with you to meeting.)

8.19 Student Participation in Materials and Services Fees

9.0 New Business
Memorandum

To: Dr. Bart Olsen  
Chairman, Academic Senate  

From: Robert E. Kennedy

Subject: Academic Senate Actions, December 5, 1972

Date: December 21, 1972

In your December 6 memorandum you sent to me a report of two official actions taken by the Academic Senate on December 5:

1. A resolution pertaining to the proposed new salary schedule;

2. Academic Senate reaction to proposed changes in catalog copy on grading, etc., proposed by the Academic Council.

I will be writing you a separate memorandum on the second item.

In regard to the first item having to do with the Academic Senate resolution on the salary schedule, I telephoned back to the campus as soon as the Trustees had taken action on the matter at the December 8 meeting, and indicated that their action was basically in accord with the recommendation of our Academic Senate.