

CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO
FACULTY SENATE MEETING, 57th SENATE
[Faculty Senate Remote/Zoom Meeting Practices](https://csusb.zoom.us/j/87179814033)
<https://csusb.zoom.us/j/87179814033>

M I N U T E S

SESSION 8 - May 09, 2023 – 2-4 PM

Members Present: Ece Algan, Haakon Brown, Rong Chen, Nicole Dabbs, Claudia Davis, Sherri Franklin-Guy, Jordan Fullam, Paola Galvez, Donna Garcia, Janelle Gilbert, Tom Girshin, Mark Groen, Gina Hanson, Ann Johnson, Tiffany Jones, Jason Jung, Ryan Keating, Karen Kolehmainen, Janet Kottke, Angela Louque, Rafik Mohamed, Fadi Muheidat, John Mumma, Kathie Pelletier, Haiyan Qiao, John Reitzel, Brent Singleton, Ho Sung So, Beth Steffel, Monty Van Wart

Members Not Present: Helena Addae, Melissa Bakeman, Cary Barber, Stacey Fraser, Alain Guevara, Angela Horner, Young Suk Hwang, Sailesh Maharjan, Tomás Morales, Chad (John) Sweeney

Alternate Members Present: Taline Georgiou

Alternate Members Not Present: Nicholas Bratcher, Erin Alderson, Sharon Pierce, Terry Rizzo, Shannon Sparks,

Guests Present: Gerard Au, Chris Bradney, Gwendolyn Brower, Kelly Campbell, Lori Caruthers-Collins, Rueyling Chuang, Khalil Dajani, Chinaka DomNwachukwu, Melissa Evans, Twillea Evans-Carthen, Tomás Gomez-Arias, Karla Gonzalez, Kevin Grisham, Bryan Haddock, Jonathan Hall, Christina Hassija, Dorota Huizinga, Jacob Jones, Rebecca Lubas, Sally McGill, Miranda McIntyre, Hyunkyung Oh, Paz Olivérez, Brad Owens, Sastry Pantula, Robin Phillips, Andrea Schoepfer, Sam Sudhakar, Jill Vassilakos-Long, Rose Wilson, Marisa Yeager, Jie Yu, Jake Zhu

1. CALL TO ORDER (2:00 PM)
2. APPROVAL OF THE AGENDA
 - 2.1. Vice Chair Jones made a motion to approve the Faculty Senate agenda for May 9, 2023. Senator Groen seconded the motion, the agenda was

unanimously approved as presented.

3. APPROVAL OF THE MINUTES

3.1. [Faculty Senate Meeting Minutes April 25, 2023](#)

3.1.1. The Faculty Senate Meeting Minutes from April 25, 2023 were approved as presented.

2:10PM Time Certain (If preceding items have not been completed)

4. COMMUNICATIONS/INFORMATION ITEMS

4.1. [FS Executive Committee Meeting Minutes April 18, 2023](#)

4.2. [RPT Calendar \(Draft\)](#)

4.2.1. Senator Kolehmainen mentioned there was an erroneous date “December 51st”.

4.2.2. Chair Davis mentioned she will inform Faculty Affairs and Development.

4.3. Curriculum

4.3.1. [Course Changes 4/20/23](#)

4.3.2. [Program Changes 4/20/23](#)

5. OLD BUSINESS

5.1. FAM 652.2 “Evaluation of Lecturers” [FAC] (Second Reading)

5.1.1. [With Markup](#)

5.1.2. [Without Markup](#)

5.1.2.1. Senator Kolehmainen mentioned the policy was postponed at the last senate meeting because there were a few concerns. The procedures were clarified for three-year lecturers and all other lecturers. Lecturers who are eligible for three-year appointments will also be evaluated by the college. If the department and dean evaluations conflict, the evaluation will go to the Provost for final approval. Additionally, lecturers were given the chance to submit a rebuttal to the dean’s evaluation. Senator Kolehmainen also explained that the timeline was moved to allow time for the Provost to review the evaluation, if needed. The appendix was split into two, one for three-year lecturers and the other for all other lecturers. These changes were made in consultation with

senate lecturer representatives. Senator Kolehmainen pointed out that the word SOTE was included in the policy, even though it should have been removed. Also, the first sentence under Purpose and Scope should state “Lecturers play a vital part...”.

- 5.1.2.2. Senator Kolehmainen made a motion to approve the policy with the above amendments. The California Bargaining Agreement (CBA) states criteria for evaluations cannot be changed in the middle of the evaluation cycle, thus if the policy is not approved this year, it might be another year until it can be implemented.
- 5.1.2.3. Senator Chen seconded the motion.
- 5.1.2.4. Chair Davis reiterated the importance of considering the evaluation process and timing of acceptance of this policy.
- 5.1.2.5. Senator Chen mentioned that having the Provost review an evaluation when there is a disagreement is a wonderful instance of shared governance.
- 5.1.2.6. Chair Davis thanked Provost Mohamed for adding an additional layer to the evaluation process.
- 5.1.2.7. Senator Algan asked what happens if an individual with a joint appointment receives conflicting reviews.
- 5.1.2.8. Senator Kolehmainen mentioned lecturers who teach in more than one department have separate contracts. There have always been separate evaluations, it just was not spelled out. If the evaluation is satisfactory in one appointment but not the other, the individual will get a subsequent appointment in one department and not the other.
- 5.1.2.9. Chair Davis confirmed the policy has minor amendments to remove “SOTE” and change the verbiage to “Lecturers play a vital part...”.
- 5.1.2.10. A vote was taken. The results were 25 Ayes, 1 Nay, 2 Abstentions. The policy was approved.

5.2. FAM 827.3 “Distributed Learning Policy” [EPRC] (Second Reading)

- 5.2.1. [Current Policy](#)
- 5.2.2. [With First Markup](#)
- 5.2.3. [With New Markup](#)
- 5.2.4. [Without Markup](#)

- 5.2.4.1. Senator Fullam made a motion to accept FAM 827.3 as a second reading. Senator Louque seconded the motion.
- 5.2.4.2. Senator Fullam mentioned EPRC received a lot of conflicting feedback and was limited in their ability to respond and keep everyone happy. Senator Fullam explained some of the changes since the policy was last on the floor. The definition for asynchronous instruction was clarified. Co-synchronous courses don't need to be coded as hybrid now. Additionally, instructors in face-to-face (F2F) courses may elect to allow students to attend classes remotely in emergencies without changing the modality of the course. In hybrid courses, instructors may elect to allow students to attend in-person classes remotely on an ongoing basis or in emergencies, without changing the modality. The language was changed to state that this policy is the Distance Education (DE) policy the entire university is required to follow. An amendment that was approved last year, which allowed faculty to exclude evaluations from DE classes offered for the first time, was included. As an alternative to canceling in-class sessions, faculty can substitute with synchronous or asynchronous classes without changing the modality of the course. Senator Fullam mentioned that EPRC received conflicting requests regarding training and thus consulted other CSU DE policies. Only three campuses required training. EPRC decided to remove the term "expected" and use "strongly encouraged" in regard to training. EPRC wanted to include something else to ensure quality teaching in DE courses thus Section 5e was changed to include deans in the consultation when determining if a faculty member is capable of teaching online. EPRC wanted to promote shared governance through this policy, while remaining consistent with the Higher Education Employer-Employee Relations Act (HEERA) and CBA.
- 5.2.4.3. Senator Chen mentioned that in an earlier version of the policy, co-synchronous was coded as hybrid. In the current version, it is coded as in-person. Senator Chen mentioned

he has a problem with that. In a class of fifteen, on average a third to half of the students are participating via Zoom and thus not participating in in-person instruction. Coding those classes as in-person, seems like it is being done for the sake of making the coding work rather than being responsible for students and the quality of instruction. Senator Chen mentioned he would rather see those courses coded as hybrid.

- 5.2.4.4. Senator Chen mentioned he appreciates EPRC's effort to highlight HEERA and shared governance and appreciates the statement about faculty not being compelled to teach in a certain modality being included. Senator Chen proposed a friendly amendment to add the following language to the policy as item 4 under General Principles for Distance Education "In accordance with California Higher Education Employer-Employee Relations Act (HEERA) and the Shared Government Statement of American Association of University Professors (AAUP), the assignment of faculty to DE courses shall be done in consultation with the faculty member. No faculty member shall be compelled (directly or indirectly) to teach via DE without their consent. Should there be found any discrepancy between this provision (Policy Statement Item 4) and other provisions in this policy (FAM 827.3), this provision shall prevail." The current item 4d seems contradictory. Senator Chen suggested taking the current item 10, revising it, and moving it up to the Policy Statement so that shared governance and faculty authority over modalities are highlighted.
- 5.2.4.5. Senator Fullam mentioned co-synchronous courses do not need to be coded as F2F. In F2F or hybrid courses, faculty may elect to add co-synchronous classes without changing the modality. Regarding the amendment, it would need to be clarified before it is accepted or can be left to the will of the senate.
- 5.2.4.6. Senator Chen mentioned his proposal is to replace current item 10 "The assignment of faculty..." with the text he suggested "In accordance with...". Then the new item 10

should be moved up to the Policy Statement and become item 4. The current item 4d should be deleted because it contradicts the idea that faculty should not be compelled. It states that faculty “have a right to know” which presupposes that someone can assign a particular modality and just let faculty know.

- 5.2.4.7. Senator Fullam reiterated that the amendment is to delete item 10 and add to 4d “In accordance with...”.
- 5.2.4.8. Senator Chen clarified the amendment is to make current item 10 into item 4 and delete the current item 4d as it contradicts the current item 10. The new item 4 should be under Policy Statement.
- 5.2.4.9. Senator Fullam asked Senator Chen where he wanted the amendment as there are subsections to item 4.
- 5.2.4.10. Senator Chen suggested putting it as number 4, under General Principles, and then Curricular Control would shift to item 5.
- 5.2.4.11. Senator Fullam mentioned he would accept the amendment becoming item 3 and shifting the numbers after that.
- 5.2.4.12. Senator Chen agreed to that.
- 5.2.4.13. Chair Davis mentioned the current friendly amendment is to add “In accordance with California Higher Education Employer-Employee Relations Act (HEERA) and the Shared Government Statement of American Association of University Professors (AAUP), the assignment of faculty to DE courses shall be done in consultation with the faculty member. No faculty member shall be compelled (directly or indirectly) to teach via DE without their consent. Should there be found any discrepancy between this provision (Policy Statement Item 4) and other provisions in this policy (FAM 827.3), this provision shall prevail” as item 4.
- 5.2.4.14. Senator Chen clarified that the amendment should be item 3.
- 5.2.4.15. Chair Davis asked if there was a second.
- 5.2.4.16. Senator Pelletier seconded the amendment.

- 5.2.4.17. Senator Algan asked if the senate was also voting on deleting item 4d.
- 5.2.4.18. Chair Davis mentioned it is one amendment at a time.
- 5.2.4.19. A vote was taken. The results were 23 Ayes, 0 Nays, 3 Abstentions. The amendment passed.
- 5.2.4.20. Senator Dabbs mentioned the policy states that department chairs and deans in consultation with faculty determine if faculty are qualified to teach DE, but it does not state what makes them qualified. What criteria are being used? Senator Dabbs mentioned she believes it would be more seamless, consistent, and equitable if everyone had the same training. Several people in her department and college feel strongly about having required training.
- 5.2.4.21. Chair Davis asked if Senator Dabbs had an amendment or just for discussion.
- 5.2.4.22. Senator Dabbs mentioned she does not have an amendment.
- 5.2.4.23. Senator Kottke proposed a friendly amendment to simplify Section 5f and strike everything but the last sentence "Evaluation of faculty...".
- 5.2.4.24. Senator Fullam mentioned he would accept that suggestion as a friendly amendment.
- 5.2.4.25. Chair Davis mentioned the amendment on the table is to strike everything in 5f up until "Evaluation of faculty teaching...".
- 5.2.4.26. Senator Louque seconded the amendment.
- 5.2.4.27. Senator Chen mentioned that in his memory, according to Robert's Rules of Order, a friendly amendment does not have to be voted on. The chair of the committee agrees to the amendment, then that amendment is automatic.
- 5.2.4.28. Senator Garcia stated that according to Robert's Rules of Order Newly Revised (RONR), a friendly amendment should not be handled any differently from any other amendment: the entire assembly must consent to the amendment, either by majority vote or through unanimous consent.

- 5.2.4.29. Chair Davis mentioned that her rationale for conducting a vote is to ensure the policies are covered and that there is consent.
- 5.2.4.30. Senator Fullam mentioned it is important for all the amendments to be voted on, given the importance of the policy.
- 5.2.4.31. Chair Davis mentioned the amendment is to strike 5f and just leave the last sentence.
- 5.2.4.32. A vote was taken. The results were 23 Ayes, 1 Nay, 2 Abstentions. The amendment was passed.
- 5.2.4.33. Senator Algan commented on Senator Chen's amendment to delete the current item 4d that he saw as conflicting with previous item 10. The modalities of the courses cannot be easily changed and sometimes there are courses online that faculty might not know about. If a department chair asks an individual to teach a course, the department chair needs to let them know the modality of the course and faculty should not agree if they do not know the modality. Senator Algan mentioned she does not think it contradicts the previous item 10. However, Senator Chen's amendment is so encompassing that if item 4d was struck out it would be okay.
- 5.2.4.34. Chair Davis asked Senator Algan if she had an amendment or was just discussing the policy.
- 5.2.4.35. Senator Algan mentioned she is just discussing.
- 5.2.4.36. Senator Qiao pointed out that section 25a refers to 22b, not 25b.
- 5.2.4.37. Senator Fullam mentioned it should state 25b.
- 5.2.4.38. Senator Qiao mentioned that hybrid courses are a combination of in-person and online instruction. In the last column for Hybrid of Table 1, there is a code for synchronous and asynchronous, but not one for co-synchronous.
- 5.2.4.39. Senator Fullam mentioned that the learning modes in the table are the learning modes required by CSU. There is no code for a hybrid course that has a bi-chronous instructional component. It doesn't mean that hybrid

courses can't contain bi-chronous, it is just limited on how it is reported to the CSU.

- 5.2.4.40. Senator Qiao mentioned that might become an issue for an instructor teaching a hybrid course. It is difficult to take care of students in class and online concurrently. If the hybrid course code cannot reflect whether the online component is co-synchronous or not, it may cause issues. Faculty should be consulted and have a clear understanding of the modality if the course is hybrid.
- 5.2.4.41. Senator Fullam mentioned the concern he is hearing is that faculty should know whether they are teaching co-synchronous in the context of a hybrid course or not. The policy handles that concern in the definition of hybrid course. It states that instructors teaching hybrid courses may elect to include co-synchronous instruction on an ongoing basis or in emergencies, without changing the modality. Instructors teaching hybrid courses have the option to teach co-synchronous or not.
- 5.2.4.42. Senator Qiao mentioned that for a hybrid course, it is reasonable for instructors to accommodate student needs case-by-case to allow a student to attend class remotely co-synchronously. The language for hybrid courses says that instructors may elect to provide students the option to attend in-class meetings remotely co-synchronously on an ongoing basis. Senator Qiao mentioned faculty might be pressured to provide co-synchronous instruction if it is not coded or agreed upon ahead of time. If the language is kept, Senator Qiao suggested adding another sentence stating, "faculty should not be compelled to teach co-synchronous on an ongoing basis if the class is not a co-synchronous hybrid course".
- 5.2.4.43. Senator Fullam mentioned the amendment will change the verbiage to state "faculty may elect but may not be compelled to" to the hybrid definition.
- 5.2.4.44. Senator Qiao stated, "should not be compelled".
- 5.2.4.45. Senator Fullam reiterated "should not be compelled", then suggested "shall not be compelled".

- 5.2.4.46. Chair Davis mentioned the amendment is to add “they may elect but not be compelled to teach co-synchronous courses”.
- 5.2.4.47. Senator Qiao asked if that same language can be applied to the F2F definition.
- 5.2.4.48. Chair Davis confirmed that the language would be added to the hybrid and F2F definitions.
- 5.2.4.49. Senator Qiao agreed.
- 5.2.4.50. Senator Fullam mentioned he sees the suggestion as a friendly amendment that can be voted on.
- 5.2.4.51. Chair Davis mentioned the amendment is to change the language to “instructors or faculty teaching face-to-face courses shall not be compelled to provide students the option to attend in-person meetings remotely” in the F2F and hybrid definitions. This would give faculty a sense of some control.
- 5.2.4.52. Senator Pelletier seconded the amendment.
- 5.2.4.53. A vote was taken. The results were 21 Ayes, 1 Nay, 4 Abstentions. The amendment passed.
- 5.2.4.54. Senator Kottke mentioned the last sentence under Purpose and Scope states that this policy is intended to support faculty in adapting to technological changes. Technology should not be driving policy or pedagogy; it is a tool. Senator Kottke proposed an amendment to update the terminology to “The point of the policy is to support faculty who may find themselves teaching in the DE format in courses and programs”.
- 5.2.4.55. Senator Fullam proposed the following language “The policy is intended to support faculty in offering DE courses and programs that are consistent with the academic mission of CSUSB”.
- 5.2.4.56. Senator Kottke mentioned that this verbiage would work.
- 5.2.4.57. Senator Kolehmainen seconded the amendment.
- 5.2.4.58. Chair Davis mentioned there is language to be changed “The policy is intended in offering DE courses and programs that are consistent with the academic mission of CSUSB”. Chair Davis asked Senator Kottke if she wanted to strike out “in adapting to these changes”.

- 5.2.4.59. Senator Kottke answered yes.
- 5.2.4.60. A vote was taken. The results were 25 Ayes, 0 Nays, 2 Abstentions. The amendment passed.
- 5.2.4.61. Senator Kottke mentioned there was a comment about removing the sentence prior to the one that was just amended “Technology is changing quickly...”. Senator Kottke mentioned she is indifferent about it and is satisfied with the amendment.
- 5.2.4.62. Senator Kottke mentioned the policy contains syllabus requirements. There is already a syllabus policy in place, and it might make sense to reference it.
- 5.2.4.63. Senator Pelletier proposed the following amendment to Section 6 “faculty shall have the right to exclude student evaluations from their personnel file for any DE course they teach for the first time”. There is a difference between excluding evaluations for courses that are offered via DE for the first time and those taught by a faculty member for the first time in DE format.
- 5.2.4.64. Senator Fullam accepted the recommendation as a friendly amendment to be voted on by the senate.
- 5.2.4.65. Senator Chen seconded the amendment.
- 5.2.4.66. Chair Davis mentioned the amendment is to change item 6 to state “faculty shall have the right to exclude student evaluations from their personnel file for any DE course they teach for the first time”.
- 5.2.4.67. A vote was taken. The results were 25 Ayes, 1 Nays, 1 Abstentions. The amendment passed.
- 5.2.4.68. Senator Chen mentioned his issue with the coding of co-synchronous has been eased with Senator Qiao’s amendment.
- 5.2.4.69. Senator Louque mentioned she would like to come back to the section on intellectual property at a later time. The policy mentions no one may access a faculty member’s DE course or content without permission, but there have been instances where other faculty may be in the course.
- 5.2.4.70. Chair Davis asked Senator Louque if she was comfortable with the line that states no one may access or use a faculty member’s DE course.

- 5.2.4.71. Senator Louque mentioned she is comfortable with it but knows that it is not necessarily the case. There have been instances where other people have access to a course.
- 5.2.4.72. Senator Chen motioned to accept the policy with the amendments proposed today. Senator Groen seconded the motion.
- 5.2.4.73. A vote was taken. The results were 19 Ayes, 5 Nays, 3 Abstentions. The policy was approved.

- 6. NEW BUSINESS

- 7. [CHAIR'S REPORT](#)

- 8. [PRESIDENT'S REPORT](#)

- 9. [PROVOST'S REPORT](#)

- 10. COMMITTEE REPORTS
 - 10.1. [FAC Report](#)
 - 10.2. [EPRC Report](#)

- 11. [STATEWIDE/ASCSU \(ACADEMIC SENATE OF THE CSU\) SENATORS' REPORT](#)

- 12. SENATORS' REPORTS (INCLUDING ASI PRESIDENT'S REPORT)

- 13. DIVISION REPORTS
 - 13.1. [Vice President for Information Technology Services](#)
 - 13.2. [Vice President for University Advancement](#)
 - 13.3. [Vice President for Student Affairs](#)
 - 13.4. [Vice President for Administration and Finance](#)
 - 13.4.1. [Pop In With Procurement](#)
 - 13.5. [Vice President for Human Resources](#)

- 14. DISCUSSION ITEMS

3:25 PM Time Certain (If preceding items have not been completed)

- 15. Organizational Meetings of the 58th Faculty Senate (01 & 02)

16. ADJOURNMENT (Time Certain 3:30 PM)