ACADEMIC SENATE EXECUTIVE COMMITTEE
Minutes
Tuesday, November 3, 2020
10:00 a.m. – 11:28 a.m.
Videoconference

Members:  A. Hegde, M. Danforth, J. Millar, M. Martinez, M. Rees, R. Gearhart, C. Lam, B. Street, D. Boschini, V. Harper

Absent:  D. Boschini

1. CALL TO ORDER
A. Hegde called the meeting to order.

2. ANNOUNCEMENTS, INFORMATION AND WELLNESS CHECK
• Q&A RES 202109 Feedback for Second Reading – Debrief
  A. Hegde said there was good discussion of the resolution and those attending had relevant questions, comments, and concerns. The notes from the meeting were sent to the EC. There were changes to RES 202109 as recommended by M. Danforth. He thanked everyone for their feedback to the resolution. The changes will be made to RES 202109 and presented in the Second Reading, November 12. By that time, we’ll know what the Chancellor’s Office (CO) has done with the Feedback on CSU GE Draft EO submitted November 2. The people in attendance to the Q&A session also discussed the formation of a resolution in opposition to the process. C. Lam stated opposition to the mandate that the campus add ES sections without the funds. A. Hegde said that will be included in the new resolution. It appears that all the CSUs are opposing the implementation process. J. Millar said that the ASCSU AA chair is compiling specifics to then parse the key points in the resolutions. It will be a big part of the discussion at the state-wide AA meeting next week. A. Hedge said there is one more meeting between the CO, ASCSU, and the Council of Ethnic Studies to discuss the core competencies and Student Learning Outcomes.

3. APPROVAL OF MINUTES
M. Martinez moved to approve the October 27, 2020 Minutes. R. Gearhart seconded. Approved by a show of hands.

4. APPROVAL OF AGENDA (Time Certain 10:05)
M. Rees suggested adding URC Recommendations, and Sabbatical Applications.
C. Lam moved to approve the Agenda with the two additions. R. Gearhart seconded. Approved by a vote.

5. CONTINUED ITEMS
   a. AS Log (handout)
      i. AAC (R. Gearhart) No new issues.
      ii. AS&SS (C. Lam) No new issues.
      iii. FAC (M. Rees) Referral 2020-2021 02 Faculty Awards and concerns – when it came up in discussion in EC last year, the concern was getting the department’s support or non-support for their nominations. She addressed that in an email to chairs. A. Hegde said perhaps we can clarify in the Handbook with stronger language along with addressing the nomination process such that one only needs one individual to nominate and multiple signatures are not necessary. M. Rees said that the FHAC doesn’t look at what’s going on in a department nor at the number of signatures. FAC will look at whether something needs to be codified in the Handbook.
      Referral 2019-2020 #08 Honorary Doctorate Handbook Change – M. Danforth (AAC Chair 2019-2020) offered context. There was some discussion about confidentiality – approach EC rather than a wider committee. A. Hegde said that when a nomination occurs outside of the normal timeframe, the EC is the most obvious place for notification.
      iv. BPC (B. Street) the committee will be working on the Academic Calendar.
   b. Provost Update – V. Harper
      • Wellness Activity Halloween celebration went well. Yoga tomorrow.
      • Institutional Plan for Spring 2021 – the draft was shared with the EC. He welcomed feedback. Due to CO November 6, 2020.
      • CFA – D. Gove and E. Jackson provided good exchange at the meeting yesterday.
      • Mid-year TOPS Training – a smaller, more advanced version of TOPS training will be offered over winter break to enhance faculty skills in digital education.
      • CSUB Ranking – We have increased our rankings quite substantially. We were not overly concerned in the recent years. We don’t see ourselves as competing in the CSU rankings. The most popular rankings appear in the US World & News Report, Best Colleges. There are regionally university lists. We are in the West region. We were #94 of 126 in 2018. This year we’re #52. A large amount is due to GI 2025, faculty research, alumni giving rates. The campus jumped 40 spots in three years. There will be some public relations messages. We will continue to be ourselves. Our peer assessment went from 2.7 to more than 3.0.
It has to do what faculty does to get out in the community. It has to do with what M. Martinez is doing with The Law Project, and with R. Gearhart, N. Michieka appearing on the radio and community events to explain economic issues. A. Hegde is looking for the ranking to result in dollars for campus to continue our work for the students and greater community.

• Recording and preserving instruction memo going out soon. V. Harper will have an open forum to inform and answer questions. It’s an opportunity to work together and create an open environment for students and others to express themselves before the change takes place. See NEW DISCUSSION a. Zoom Lecture Recording.

c. Searches – V. Harper
• Interim Dean NSME – T. McBride accepted the position
• AVP AA and Dean AA – committee to meet
• Dean Library – good conversation with the chair. (4) Candidates coming next week.
• Faculty Affairs closes in January
• AV Dean closes in January
• AA Analyst - L. Bishop is onboarding.
• AVP Institutional Research - K. Krishnan – The Interim is relocating. M. Malhotra is motivated and comes with an impressive skill set.
• Permanent Dean NSME – Committee is meeting.
• AVP GRaSP - I. Ebong will be retiring in early 2021. V. Harper will not replace that position. This will be a savings. He is contemplating a faculty member to help evaluate GRaSP in the Spring. C. Lam asked if the Academic Administrator Review will continue. V. Harper referenced precedent and he is in favor of having the AARC do the work. B. Street said that GRaSP is key to help junior faculty and to help our students if we are expected to grow. V. Harper said the hold will be temporary. It gives him an opportunity to be closer to the position. The goal is to balance growth in MPPs and the growth in research. M. Danforth asked if there would be a call for general faculty input or he will appoint a faculty member? V. Harper replied that he’s considering whether a call is warranted. When he did the evaluation of the FTLC, he selected individuals for that. There are some talented people who could really help the Provost. He has a draft call to faculty to serve in the Spring, with one course release. M. Martinez suggested that the review of GRaSP include reviewing the process once someone has a grant. A $250K grant was lost because of people going about policing every minor detail. We need to recreate a culture that supports what happens once a grant is received. V. Harper is committed to make sure all
administrative units work optimally. It will take some time to get to best practices. A. Hegde said GRaSP is a work in process and if we do it right, there is an opportunity to bring money to campus and hopefully new leadership will lead to that. Whoever comes in can be updated on the issues. V. Harper said there will be continuing evaluation. We are going to have an incredible team to lead into the future.

d. Financial and strategic planning transparency and faculty participation – PBTF is working on recommendations.

e. Ally Software – should it be automatically turned on? Hold off on discussion until we get the accessible syllabi referral. Goal: The material is accessible and all students can access materials. M. Danforth is faculty rep on ATI. The Instructional Materials area falls short. There is a meeting today. The CO is expecting a lot. We’ve made progress. Handbook Appendix K is the Instructional Materials Access Plan (IMAC). FTLC has TOPs training. It’s a large area and an ad hoc committee may not be enough to cover it all. It may be substantiated to become a university wide committee. A. Hegde thanked her for representing faculty on the ATI.

6. NEW DISCUSSION ITEMS

a. Zoom Lecture Recordings (Guest: F. Gorham) – V. Harper gave context. We are in litigation as a system. The plaintiff states that this transition to virtual education was detrimental to students. Distance learning is a detrimental modality, so they are suing. As part of the case, the plaintiffs made a request that the Zoom files be preserved and recorded at all CSUs. Currently, faculty have the option of recording their classes. Faculty can delete files at any time. Chief Counsel at CO directed the campus to preserve all Zoom lectures and instruction. President Zelezny, F. Gorham, C. Catota and chief counsel were involved on the timing to comply and the protocol going forward. The letter directed to the campus from CO asks for specific things regarding Zoom lectures. Beginning Spring 2021, all Zoom lectures would be captured and preserved. They will be reviewed by the plaintiff. It is problematic and we are expecting a directive from the Chancellor. F. Gorham said once we are instructed by the technical team, we will implement the system. If faculty record to the cloud, it will no longer be able to be deleted. M. Danforth asked 1) what if a faculty member doesn’t opt to record, and 2) what is the line between an EC meeting like this, a student advising meeting, FHAC or any meeting containing confidential material. F. Gorham replied that initially there is no distinction when there is any kind of litigation hold. There is a specific set of text instructions, search criteria submitted to the chief security
office as we look at the material that’s available to us. For example, doing that in an email inbox or a simple request for a file in the hard drive. There would be a similar set of criteria we would go through to look at the recording for the legal team. They would make the discernment. V. Harper read from the draft communication. The CO directed all campuses to preserve all instructional Zoom content from Spring 2021. CSUB should remove the delete capability for Zoom users. The two stages: 1) we remove capability of faculty to delete recordings. 2) in Spring all instructional content will be recorded and preserved. M. Danforth asked how we distinguish confidential meetings? Do we set up separate Zoom meetings? F. Gorham replied that we don’t have fine grain control to distinguish those courses or classes that have subject and course number and those meetings that do not. V. Harper - They will be picked up on the back end. CSU plans to take to it to a judge. A. Hegde said that currently the students are informed, and then consent to being recorded. Will students be informed? They may choose to turn off their cameras. V. Harper replied that this is the front end of communication. He talked to CFA yesterday. He plans to have a forum or a Provost’s Hour. Then he’ll go to ASI. There will be a statement to include in all syllabi for Spring. R. Gearhart asked if course meetings outside class hours, such as extraneous review sessions, be recorded or is one free to choose? Will the recordings be housed for eternity? He suggested that the Provost’s communication warn faculty to be careful what they say. There could be exposure to other lawsuits. V. Harper replied that there will be a lot of communication on the implications to teaching classes, etc. He has taught classes with sensitive discussion and wouldn’t have wanted them to be recorded. Anytime people know that something is being recorded, it changes things. There has been a discussion in Cabinet that we’re not able to really distinguish between instructional content and non-instructional content. If we can’t distinguish, counsel will tell us to keep all recordings. F. Gorham said that the CO has agreed to pay for extra storage. CSUB has the bandwidth to run all classes. If faculty uses a separate platform than Zoom, faculty will be asked to record and preserve. J. Millar said that HIPPA laws guided Counseling to not use Zoom. F. Gorham said that because counseling is a separate entity from instruction, they do not have the same impact. M. Danforth surmised since there is a separate guideline for HIPPA what about advising sessions or department meetings to get students to certain services. Is there a way to get things that need to be confidential separate as HIPPA? F. Gorham said CICO reviewing risks and is looking at alternatives. We could move some activities to MS Teams or set up a Zoom instance for CSUB classes. A. Hegde said we’ll wait to see what we need to
do. Hopefully, the judge will rule in CSU’s favor. He thanked V. Harper for informing the EC early and for F. Gorham for attending the meeting to answer questions.

b. IRB Response to EC Questions and Appointments
   i. IRB re-appointment as alternate member - The EC approved I. Sumaya November 2020-November 2023.
   ii. IRB re-appointment Tunson – EC approved T. Tunson as the community member on the IRB, October 2020-October 2023.
   iii. IRB re-appointment Williamson – J. Williamson approved to the scientific concern position, September 2020-September 2023.
   iv. IACUC re-appointment as alternate member – I. Sumaya approved.

c. Wang Award – FHAC recommendation approved by the EC:
   i. Outstanding Faculty Scholarship - M. Attaran – Management and Marketing
   ii. Outstanding Faculty Innovator in Student Success - C. Lam - Mathematics

d. Elections and Appointments
   i. Appointments to TEAC – A. Kemp – Mathematics, and D. Sandles – Teacher Education to serve term
   ii. Appointment to USP&BAC – J. Tarjan appointed as Faculty Alternate for two years, 2020-2022.
   iii. School Elections Committees (deferred)
   iv. Committee proliferation (deferred)

e. BS in Public Health Proposal – referred to AAC and BPC
f. Master of Science in Accounting Proposal - referred to AAC and BPC
g. UPRC Changes (deferred)
h. APM Proposal – GECCo (deferred)
i. FYS Instructors and GECCo structure (deferred)
j. EEGO course offerings – Summer Term (deferred)
k. Post-Tenure Review Requirements (deferred)
l. Handbook 306.2.2.e (deferred)
m. Campus Data Needs (deferred)
n. Syllabi Accessibility (deferred)
o. URC Recommendations (deferred)
p. Sabbatical Applications (deferred)

7. **AGENDA ITEMS FOR SENATE MEETING NOVEMBER 12, 2020 (Time Certain 11:00 a.m.)**
   Announcements
   President Zelezny (Time Certain 10:10)
Approval of the Agenda (10:05)

Reports

Resolutions

  Consent Agenda

New Business

RES Academic Calendar

Old Business

RES 202109 Changes to the GE Breadth Requirement – Ethnic Studies

Open Forum and Wellness Check (Time Certain 11:15)

Past Senate Chair, Vandana Kohli (Time Certain 11:20)

8. COMMENTS FROM THE FLOOR

Topic: Student Misconduct – J. Millar said that R. Alvarez, Director of the Office of Student Rights and Responsibilities (OSRR), expected a resolution on the implementation of RES 192013 Response to the Student Misconduct Task Force Report. M. Danforth said the RES 192013 was meant to be an interim resolution while faculty worked on communication and OSSR took action on 1) OSRR’s annual report to the Senate of anonymized data about academic integrity violations and sanctions, 2) the dotted-line reporting of OSRR to AA, the Registrar, and Student Affairs 3) OSRR’s communication with the reporting faculty members when academic integrity violations are reported. J. Millar will inform OSSR that faculty is forming another round of educational pieces regarding academic integrity violations with the expectation that OSSR is working on their side of the issue too.

Topic: Special Senate meeting November 19 - Yes, it will be an opportunity to get the second reading on the Academic Calendar and to leave it open to respond to the CO.

9. ADJOURNMENT

A. Hegde adjourned the meeting at 11:28.