



FACULTY AFFAIRS COMMITTEE

MEETING DATE: Wednesday, **March 20**, 2024 from 2:00-4:00pm via Zoom

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APPROVED MINUTES

Members Present: Danvy Le, Duke Austin, Jim Murray, Lyn Scott, Meiling Wu, Silvina Ituarte, Michael Rowley, Alina Engelman, Jiannan Wang, Stephanie Seitz, Kevin Pina

Guests: Mark Robinson, Becca(interpreter), Jennifer(interpreter), Christina Chin-Newman, Kyzyl Fenno-Smith, Nina Haft, Balvinder Kumar, Rita Liberti, David Fencsik, Jen Eagan, Roz McCall, Sarah Nielsen, Kate White, Kathleen Wong(Lau), Keri O'Neal, Monika Eckfield, Michael Schmeltz, Stephanie Alexander, Paul Carpenter

Absent: none

1. Elect Secretary

a. Michael Rowley

- i. Meiling: When we discuss BAS 2, like last time, we will delete recording and remove identities from minutes for discussion.
- ii. [Secretary's note: Given the sensitive and important nature of discussion about BAS 2, I extracted comments verbatim from Audio Transcript whenever possible. Please excuse the many typographical errors in the transcript reproductions, which represent typical ways of speaking and I did not have the capacity to correct. These transcript excerpts are indicated with quotation marks "" and *italics*. Further, designated guests who explicitly expressed they were speaking in their professional role as a representative of other faculty or an official body are identified in minutes. Personal opinions and comments are not identified.]

2. Approval of the agenda

a. **Motioned: Jim, Seconded: Stephanie, Passed without dissent**

3. Approval of [3/6/24](#) minutes (thanks Duke)

a. **Motioned: Stephanie, Seconded: Alina.**

- i. Meiling: One edit - we not only motioned to delete the recording but also to remove the identities of speakers. This was already done, but it wasn't included in the line where the motion itself was written.

b. **1 Abstention: Silvina, otherwise Passed.**

4. Reports:

a. Report of the Chair

- i. FAC stated that Exceptional Levels of Service to Students was applicable to a faculty member who only teaches in Extension. Those awards do not apply to Extension as per Article 40.5. Per [Provision 40.5](#), Article 20 does not apply to faculty teaching in Extension.
 1. Meiling: Silvina found the answer for us.
 2. Silvina: Extension has its own Article, which says which other Articles apply or don't apply. If a faculty member is only in Extension, Article 20 doesn't apply, which includes Exceptional Service for Students Article. Silvina will double-check this individual's name to make sure they are coded correctly.
 3. Meiling: We should add this note to future calls for Exceptional Levels of Service to Students application.
 - ii. 23-24 BAS 2
 1. Meiling: Invited a representative from President's Office given the discussions today. The President's Office sent UDO Kathleen Wong-Lau. [Secretary's note: FAC greatly appreciates Wong-Lau's presence in this meeting, especially while on bereavement leave, and we express our condolences for her recent loss.]
 2. Christina: If FAC approves this, we could send it to ExComm which would then send it to Senate. Or, since it was raised directly from the Senate floor, we could send it directly back to Senate for a second reading.
 3. Meiling: For now it will stay with us, then we will decide if we want to endorse it or submit it back to ExComm as a revised version or as an FAC-commented document. For now, we are still in discussion.
 4. Meiling: We will treat the document the same way we treat others - discuss for one or two meetings using a working document that we can edit and add comments to. We will also invite ExComm and Task Force members to join the revision and answer questions in the working document. Guests should talk to FAC members if they have things they want to contribute to the working document. Currently, it is in Discussion, so we will not have a vote to take action or move it anywhere.
 - iii. Update from Senate on 3/19: Presentation about Presidential Assessment survey - Senate presentation [slides](#)
 1. Meiling: We can continue discussion of survey results here.
 - iv. Concerns about Provost search not following the policy for MPP searches: [15-16 FAC 1](#)
 1. Update: President Sandeen solicited input from ExCom about [Provost position description](#) and the update announcement from [Communique](#) on 3/12
 - a. Meiling: Placed here in case others want to discuss this during the meeting.
 - v. Possibility of FAC closed session about personnel (see [FAC P & P's](#)) in order to discuss 23-24 BAS 2 resolution about President Sandeen, or secret written ballot (Senate Coordinator Mark Robinson can administer an anonymous Qualtrics ballot sent by email)
 1. Meiling: We will consider a closed session at any point after 3:30pm today. At this time, this is a suggestion. A FAC member should make a motion later if we want to have a closed session.
 - vi. Meiling: In addition to the important discussion of BAS 2 at 2:45pm, we have a lot of items to cover.
- b. Report of the Presidential Appointee S. Ituarte

- i. Silvina: Week of Recognition - April 15-20, some events have RSVPs.
 1. Silvina: Monday Apr 15 - Tea and Coffee for Faculty and Staff. Please consider coming! RSVP is required. We want a strong turnout from faculty, administrators, and staff.
 2. Silvina: Wednesday Apr 17, 1-3p, requires an RSVP, Faculty Awards and Recognition - both awards from Senate and retirements.
 3. Silvina: Honors Convocation - very important to recognize our students!
- ii. Silvina: This Week of Recognition is all about positive things, which is something our campus really needs right now. Encouraged us to listen carefully during these difficult discussions. Highlighted two important student voices that spoke at Senate on Tues 3/19. These comments were (1) Presidential Assessment Survey was not relevant to them and (2) these problems existed before President Sandeen. Highlighted the courage and strength it took for these students to speak up. Asked us to come back to things that are promoting our institution, supporting our students and staff. Concern we are shifting to a place where we are hurting ourselves.
 1. Silvina: *"You know, that week is all about positive things. And right now I think our campus really needs a little bit more of like highlighting all these special things that are going on. I know for a while we were talking about the solar suitcase. We're talking about these other things, and right now we've sort of been shifting away. So a couple of things that came up for me, and and I'll mention them a little later, too, is, you know, really listening carefully, and yesterday at Senate, and I don't normally attend Senate. Two voices that were really powerful were the two student voices. And I think that we really kind of do a disservice to our students if we don't listen to them a little bit, and recognize the respect and honesty and the courage that it took for them to speak up and kind of go, hey? You know this stuff that's going on. We don't really understand it. It really doesn't speak to us. It doesn't speak to what's going on here. So I think that's super important. There were two two comments that they made one being that the survey that we're gonna talk about wasn't necessarily relevant to them, or that they didn't really understand the questions or didn't know how to address it. And I thought that was a really important point. And then the second student talking about it being very heavy, and these problems already existing beforehand. So I think we moved on very quickly from it. But I think the the courage and the strength that it took for our students to speak up was really super important, and something that we wanted to highlight. As well as you know, coming back to thinking about things that are promoting our institution, doing things that are positive for our students, for our faculty, for our future faculty, for our staff. As well as for donors, I think we're losing sight that at times we're shifting in a place that we're hurting ourselves. And so just wanted to focus in on that a little bit. Some other stuff I'll mention afterwards."*

5. Appointments/Approvals:

a. [FAC Subcommittee Members](#)

- i. **Motion to approve student rep of Awards Subcommittee. Motioned: Stephanie, Seconded: Jim.**
 1. Danvy: Currently there is no chair for Awards Subcommittee but they are all working together collaboratively.
 2. Meiling: Please, Danvy, let the committee know they have a new member.

3. **Passed without dissent.**

ii. **Motion to approve members for Special Committee on Evaluation of Coaches.**

1. Meiling: We have two coaches. And Silvina will be FAC rep.
2. Silvina: Concerned that we only have two coaches, when initially had said we wanted at least half of the committee to be coaches. Also think we should have Marcy (sp?) on here who is compliance person.

a. Michael: Agree. We had said at least half the committee should be coaches.

3. **Revised motion to approve those who have volunteered so far, and will continue to look for two more coaches to fill the four spots.**

4. **Motioned: Stephanie. Seconded: Michael. Passed without dissent.**

6. **Old Business:**

a. [23-24 FAC 9](#): Proposed Summer Calendars 2025-27 and Winter Calendars 2024-2027 (Duke)

- i. Duke: Added instructional and duty days to subsequent winter and summer calendars. Begins Winter 2024-25, then summers and winters for the next 2-3 years. Been vetted by dozens of people representing various constituencies. This is the best option for compliance with WASC and federal guidelines.
- ii. Duke: Previously, there was a 10-week summer with 2 5-week sessions, Duke and Christina learned after talking with people in Housing that they would not be able to prep housing with a summer session that long. They need at least one week after Spring and two weeks after Summer. Therefore, we opted for the shorter session. There was some discussion about overlapping two 5-week sessions for a total of 8-week summer, but the overlap where students could take double the courses puts us out of compliance.

iii. **Motion to approve. Motioned: Stephanie. Seconded: Duke.**

1. Silvina: Concerned that Winter has a long list of consecutive long-hour days - 17 in a row. Too high of a workload for faculty and for students.
2. Duke: There has been an adjustment from the first version. Now has no scheduled days on weekends or Dec 24, 25, 31, and Jan 1. In addition, this calendar has instructional days when the campus is closed (week of Dec 26-30). Those days are designated as only being for 4-unit courses. Students and instructors taking 3-unit courses wouldn't have those three days. And, those 4-unit courses can only be online during those days.

3. **1 Abstention (Silvina), otherwise Passed without Dissent.**

b. Draft [23-24 FAC 15](#): revised Student Evaluation of Learning Policy (Murray) ([cover sheet](#))

- i. Scheduling of surveys - Online Course Evaluations (Lyn Scott approved)
- ii. SET vote by email (6-0-2 in favor)
- iii. Jim: See cover letter for summary of updates. These are just revisions that are necessary, for example, no more paper survey option.
- iv. Lyn: No further comments.
- v. **Motion to approve. Motioned: Jim, Seconded: Lyn. Passed without dissent.**

c. [23-24 FAC 16](#): Revised PSYC Department RTP Criteria for Professional Achievement (Murray Horne)

i. **Motion to approve. Motioned: Michael. Seconded: Jim.**

1. Murray: Thanked us and said he thought it was passed last time.
2. Meiling: This was not passed last time because it had no number.
3. **Passed without dissent.**

- d. 23-24 FAC X [Policy for Emergency Remote Teaching \(ERT\)](#) (Seitz) (needs cover sheet eventually)
- e. [Faculty Workload Policy](#) survey (Murray)
 - i. Revised with input from Rowley and Reevy (more general, less leading Qs?), send when?
 - ii. <https://forms.gle/hipzFYLLSTLnEHxx5>
 - iii. Due date is Sun 2/18. Advertised already in [Senate newsletter](#), will also be advertised in Academic Affairs newsletter, and a separate email message sent out to all faculty (including lecturer faculty)
 - iv. [Input](#) so far.
- f. [Draft 23-24 FAC XX - Prohibited Consensual Relationships Policy](#) (Murray/Rowley) (invited relevant guests: Sarah Nielsen and Ellen Maloney Ruhe, tentatively time certain 2:20 pm)
 - i. Sarah (Guest): Nothing new to report. Title IX implementation team has not been meeting regularly this semester while they wait for guidance from the Chancellor's Office. Sarah will reach out to JoLani and Terry again and ask them to provide feedback.
 - ii. Meiling: Mark, please make sure they are on the working document.
 - iii. Sarah: Thank you, Michael and Jim, for working on this. Could we also send this to Tom Poon for Risk Management review?
 - iv. Silvina: We need to spell out things more clearly so it applies to spouses who may use tuition waiver.
 - v. Kathleen (Guest): Just wanted to add the term "committed relationship" so that it includes domestic partnerships.

7. New Business:

- a. [23-24 BAS 2](#): Resolution Expressing No Confidence in the Leadership of President Sandeen (referral from Senate 3/5/24)
 - i. Invited president designee Kathleen Wong Lau (University Diversity Officer) and COBRA Chair Paul Carpenter (tentatively start 2:45pm)
 - ii. Possible closed session tentatively starting at 3:30 pm
 - iii. Document requests: a) Faculty Governance Task Force Report; b) President's response to [23-24 FAC 3](#)
 - iv. Potential changes to consider:
 - 1. Changing the title to match the RESOLVED statement, so that it is about "lost confidence" rather than "no confidence"
 - 2. Changes to the RESOLVED statements
 - a. Removing the requirement to hold a vote of no confidence by the University Faculty (can still be considered separately in the future)
 - b. Removing the requirement to hold a meeting of the University Faculty, or changing it to a town hall which can include lecturer faculty, staff, and students
 - c. Adding Board of Trustees request for an investigative team to study issues of concern
 - v. Meiling: Recording of meeting will only be for Secretary's use, then deleted. Comments in minutes will be identified only by "Member" or "Guest". First we will have a discussion. Only ExComm, FAC, and Shared Governance Task Force members will have editorial access to the document. Then, we might vote on endorsing the document, since it is a Senate document, not an FAC document. Therefore, Meiling will be the leader of the discussion. We might revise and send back to the Senate floor. Invited President's Office designee - Office sent UDO Kathleen

Wong-Lau. Invited Paul Carpenter - COBRA Chair - because some issues were discussed in COBRA regarding budget. We must discuss a “stopping point” for this document as well or we could keep revising and adding things.

- vi. Meiling: First, we are discussing the original BAS 2. Continuing our original motion to discuss the item. This resolution comes out of the Shared Governance Task Force. When it first arrived on Senate floor, one major question was about why the resolution came before the survey was concluded. Asked for comment from the UDO about President’s response to [23-24 FAC 3](#).
 - 1. Language of original motion from previous meeting: I move FAC accepts this document for review and discussion with the intent of providing feedback, which may include proposed revisions and/or an endorsement of the current language to the Senate and the Shared Governance Task Force.
- vii. Guest: There are a few different things we are discussing and considering. Survey is one thing, which can inform other steps that can or cannot occur. We have this Resolution [BAS 2]. One thing we could do is revise to take out the Resolved statement that calls for a university-wide vote of no confidence. In that case, this would be like a “Part 2” to FAC 3, giving the President a chance to respond to a list of issues. A university-wide vote of no confidence could be called later. If the Resolution HAS a vote of no confidence, the Senate question is essentially “Should the university faculty vote on this?” rather than actually expressing approval for it. If it does NOT have the vote of no confidence, then it is truly a vote of the senate expressing an opinion on the President’s leadership.
- viii. Guest: Regarding survey responses, more than 200 out of total ~800 faculty is a good turnout. The question is - did the survey have enough information to move forward? Senate Officers have heard a lot of faculty complaining, but unsure what more faculty felt.
- ix. Rita (Guest, Shared Governance Task Force): Task Force intent was to gather more information. No matter what you think of the survey methods, strengths, etc. it did give us some information. Task Force does not relish this situation. We need our President to succeed, because when she succeeds, we succeed. There are good things happening at Cal State East Bay every day. This Task Force work is necessary, but it is not the only thing we are doing. Open to questions.
 - 1. Rita (Guest, Shared Governance Task Force): *“I do wanna reiterate something that [Guest] said that it really was our intent as a task force to gather more information. and I don't think we can stress that point enough. And no matter what you think of the survey its methods, its strength. I think it. It did give us some. It did give us some information, and I think that's a good thing. I also would like to say a couple things if I may. In response to [Member]'s earlier comments at the beginning of the meeting. I'm speaking for myself, and I think for the other members of the task force. We don't relish this. I mean. I. This is not something that I expected to be doing at this point. and so in that way. I that just struck me as I. I didn't want anybody to think that that we're getting our kicks from this. We need our President to succeed. Because when she succeeds we succeed. and I think sometimes we can forget that. I would also say that there are good things going on at Cal State East Bay every day. and as faculty we live it. Many of the good things that go on at Cal State, East Bay don't require a special banquet or a pat on the back. We're faculty doing our jobs every day, having conversations with students and making this place run. And this work of the task force is, I think, a necessary part of what we do. but I hope*

people think it's not the only thing we're doing. so I appreciate your time, and if you have questions of me, I'll attempt to ask. Answer them."

- x. Guest: None of us want to be in conflict with those in leadership positions here. This survey aimed to get input from many constituents, not just those at higher levels. I want greater transparency, greater collaboration, and great inclusion of voices. The more we are steered in a hierarchy direction, the less this will happen. Although our ASI Senators spoke up in Senate, only 20 students filled it out. Senators acknowledged that many students don't know the President. Those who speak and share feedback in the survey likely do, and maybe are working more closely with her. If we want to engage students, questions will have to be framed differently.
 - 1. Guest: *"This survey was designed to gather input from every constituency, not just from select people who are trusted at the highest levels, much like the tiger team seem to be assembled. And the question has been posed, what is it that we're after? What is it that we want. I can say that what I would like to see is greater collaboration and greater transparency and greater inclusion of voices, and we work in a hierarchy, and the more it is steered that way, the less we're going to have the voices and the perspectives of people who work most closely with our students, which are the staff and faculty. And the other piece of context I'd like to offer is that although our Asi representative spoke up yesterday, and it was brave of them to say, You know, we're not sure that this survey really speaks to our concerns. There is also the context of only 20 students filled it out, and the statement was made that most students don't even know the name of our President. So one could imagine that those who filled it out are people who have close rapport and have the ear of the President. So I think we have to be careful about centering our students, but not assuming that they're being suppressed. I would like to see their voices and their perspectives gathered, and I think the issues will be the same, but the questions will have to be framed differently."*
- xi. Kathleen (Guest, UDO, President's Office Designee): Grave concerns about the methodology of the survey; biggest concern is that one person can take it multiple times. Have only reviewed slides briefly. Wishing for an analysis of median and mode of responses; potential very bimodal which could be hidden in reporting means. Acknowledged personal bias of expertise in survey research design and analysis. Process of this resolution has not created the kind of engagement Senate wants. Resolution was written before survey, and language was not done well. An opinion piece was written stating a vote of no confidence would happen, which makes this feel like it's a campaign. [Secretary's Point of Clarification - Chair Chin-Newman's Letter to the Editor stated the Senate was **considering** a vote of no confidence, not that one would happen.] I have had faculty and staff come to me fearful of speaking up at Academic Senate meetings to go against the resolution. They have witnessed microinvalidations, giggling and laughter, flippancy. Don't like hearing this on any issue, especially one as important as this. Some reported that they were concerned student responses were being ignored. Heard fears about bullying and retaliation from Senate leadership. Sharing this as someone in a role where comments and concerns come my way.
 - 1. Kathleen (Guest, UDO, President's Office Designee): *"Thank you. Chair Wu, and thank you, FAC and guests. I come with you kind of come to you today. I'm actually on bereavement leave. But I came onto campus cause I wanted to have the space to be able*

to attend this meeting. So because it is really important. I know it's important to you. It's also important to me, and of course, to the leadership on our campus. I won't repeat too much what I've already shared, I think in the last academic senate meeting is, I do have some concerns about the methodology of the Survey. I think mostly probably the greatest concern I have is that multiple times that people can take the survey and although you could probably say that if people are highly motivated, then they're gonna take it multiple times. And isn't that a measure? But that's not really a good research design. I would say, if that's the case, if that's the case. I've only been able to see the slides really, briefly. And so part of me is wishing for, and I'm not doing this just to delay things or delay the analysis or anything, but part of me would really like to see an analysis of the median and the mode of responses. Since this is such a contentious issue, I imagine maybe some of the questions and some of the categories of folks that responded, it's probably very Bimodal. I think sometimes, you know, when you have a middle anchor that says that you are. You know you don't feel one way or the other. If the average is somewhere or the mean is somewhere around there, then it's really not a meaningful understanding of what the responses were. So that's sort of some of my I used to, you know I was a faculty member. My area is communication studies so much of what I'll talk about today in organizational leadership and organizational communication. So what much of my analysis today is really based on you know what I'm seeing in the survey and and my concerns. So I think that you know. So that's where my bias may enter and again I discussed that at the last Academic Senate meeting, when I had a chance to talk. The other comment, that I have is that I think that you know when I look at the process. So I'm someone who, you know. I'm looking at a sense of belonging. I'm looking at things like organizational culture. How things are communicated, I would say that the process for this resolution has been very I would say, has not. I don't think has really created the type of engagement that the academic Senate leadership really wants in terms of looking at something like. You know, critiquing and understanding how governance is operating on this campus. And I would say that the fact that the resolution was written before the survey was done, and indeed the task force did inform it. There was a lot that was done, including the language in the resolution that I thought was not done very well. I was really surprised, including the formation of the survey and the methodology. Additionally, I learned that there was a you know, an opinion piece that was written about it. With it already, a statement that a vote of no confidence would be taken [Secretary's Point of Clarification - Chair Chin-Newman's Letter to the Editor stated the Senate was **considering** a vote of no confidence, not that one would happen.]. And so for me, just looking at this, it looks like it's a campaign, not really a fact finding or an exploratory, or a way in which we're trying to help the campus move forward on governance. And so it feels that way to me. Just from my analysis. I will additionally share. That I have had faculty and staff. Maybe, like two administrators, faculty and staff, come to me that they are really feeling fearful of speaking up at academic Senate meetings, and to go against the resolution, and part of it is that people have said that they have seen micro invalidations happen when they've brought up comments in Senate. There has been giggling and laughter when serious comments were brought up. Perhaps the Speaker on

Senate was nervous, but there's been a lot of flippancy. I know that has created some fear among early career faculty who feel like if I bring up something serious. Then this is how it's gonna be treated. And it really seems like, this is already a done deal, and I hate hearing that on any sort of issue but particularly on something as serious as this. And so I take those comments seriously. And I don't see them as necessarily discriminatory or based on identity, perhaps based on occupational status or rank, or something like that. But a lot of it is really is about invalidation, right? And so I won't say that the the people who came to me with necessarily the targets of the comments but people who witnessed it. So, hearing A comment made about student votes being or student survey items being dismissed. I think, was something that people who witnessed it felt concerned about that there wasn't more discussion. And so these are the things that I'm hearing from faculty and staff who have come to me right? Not necessarily not one student has mentioned about the comment that was made. Of course I was not at Academic Senate because my brother-in-law had just died Monday afternoon. So so it's it's I'm giving you my professional assessment of the types of things that have come into my office. And so what I've heard several times is fear of bullying or retaliation from senate leadership. If they are to go against this publicly. So that's what I've heard, and that they appreciate the people who have spoken up. And so it's this caveat. I appreciate the people who have spoken up, but I won't be speaking up because of the ways in which some of the comments have been treated. And I'm worried about tenure worried about evaluation. In the future, as you don't know. So again, I'm sharing this as someone who is the university diversity officer and comments and concerns like this tend to come my way. In in on any campus and I haven't had the opportunity to share that until now, because it's really, I think, kind of gone up, and I've also been gone. Because of family care. So I apologize for that. So those are. Those are the extent of some of the comments. That I'd like to make. I'm certainly happy to answer questions. I know that you've received already the notes that were written in terms of response. About some of the issues of governance. I really feel that you know academic Senate and FAC your role models for leadership on our campus, and I hope that you comport yourself so that when people feel that they may have an opinion that is different, that they feel safe to do so. And I think that's really that's really important. And I'm not saying it's intentional. I'm not saying that anybody was you know, trying to shut people down. It could be your passion and your caring about the about the campus that's created that but when we don't let other types of opinions come in or feel like people can contribute. I think that's when group-think can happen, a lot of things can happen that are really problematic with leadership. So those are my professional comments. And I know that I did let the President know that I would be talking about these issues. I didn't give all of the points that I was gonna be talking about. But I do feel like I'm representing the leadership on that statement. So thank you for the time. Appreciate it.”

- xii. Member: There has been a lot of conversation about process, speed, methodology, about feelings on the process. In the spirit of reflection, I'm interested in knowing how the President's Office is reflecting on the content of the document. I haven't heard anything about the substance of the document. When we have a large number of employees saying that they are not happy with what

is happening, it is a great opportunity for a leader to reflect on that. How is the President reviewing what's IN the document?

- xiii. Kathleen (Guest, UDO, President's Office Designee): Cabinet members cannot talk about personnel issues legally. In terms of complaints about governance, President believes that consulting she is doing and appointing people to task forces, etc. is part of shared governance. President feels this is a good opportunity to shore up shared governance, but that the methodology makes the intent suspect. President has been improving and specifically been communicating more transparently. President has said she is not taking this personally and wants to improve, sincerely.
1. Kathleen (Guest, UDO, President's Office Designee): *"Appreciate your comments. So yes, I do believe that. You know, I think there have been documents. And again I apologize because I've been in and out because of family care. So I believe that there has been documents responding to specific items. You know, personnel issues are not something that the President nor any of us on Cabinet can talk about legally and so I think the you know, and and we we choose not to make comments that might be harmful to all parties involved, I guess. I would say. So. That's off the list in terms of the other complaints about governance. I think that the President believes that the Faculty appointments are the governance, and the task forces, the notifications that come from example from your faculty representative on COBRA and others are, are part, are part of governance. I believe in many of the many documents that I read. That there is the belief that that is not a part of governance, but governance is really all of that is a part of governance, including consulting with Asi and all the different bodies on campus. You know, I think that the President does agree that you know, communication maybe wasn't marked as 'this is consultative', perhaps right? Because I know that there are meetings that I've been in where faculty and leadership, such as the chair and vice chair, are asked, and are told, you know, or said, Hey, here's some information. What would you? You know? What is your opinion of this, and so I think that. Yes, I think it's a good opportunity to shore up governance on campus, and I think the President believes so as well. I don't think the methodology, though, is creating a lot of faith that the that the governance. I would say, formation of a collective governance..."*
 2. Member: *"We weren't talking about methodology. We're talking about content."*
 3. Kathleen (Guest, UDO, President's Office Designee): *"Right right. But the methodology makes it makes the intent suspect. Right? I would say. I would say, Yeah, and and I'm not just speaking about me so I I wouldn't speak on behalf of administration. I'm speaking on behalf of faculty and staff and administrators who have come to me right so."*
 4. Member: *"So the President doesn't have a plan for improving is what I'm hearing."*
 5. Kathleen (Guest, UDO, President's Office Designee): *"The President, I think, has been responding and improving. I think, when information was asked about the task force of the President issued memos. When I think at every step that you have cited, I believe I what I've seen in the short time that I've been here, and I I have. You know I was, only I've only been here over a year, the President has responded, is brought up to Cabinet, and we talk about what is the best way to respond. What is the quickest way to respond? Given all the work that everyone else has to do, and how some of this goes flows downhill*

downriver to the staff and analysts that have to do the work. So I think we've tried to do it as quickly as possible in the moments that that we've been able to do that. So thank you. I appreciate your asking that. And I think the President is open. I mean, the President does want to move forward and improve governance and improve that governance relationship. She's very sincere, I mean she is. She has assured all of us on Cabinet that you know I'm not taking this personally. This is something. This is an opportunity. But we need to have an opportunity that is open and an opportunity that includes different. All members of faculty, staff and students. especially staff. I think Staff, I think, feel unheard. So yeah."

- xiv. Member: Concern about shared governance. Been talking with colleagues across campus and seen a common theme of "PROCEED WITH CAUTION" (with neon flashes lights) about a vote of no confidence. We need to think through the potential repercussions and what the consequences might be. What are we hoping to achieve?
 - 1. Member: *"Hi, everyone. I think I'm gonna keep a really brief. I share some of the concerns about shared governance. I also have been informally talking with colleagues across campus in multiple different departments, and the common thing, or, like what I've been hearing is, proceed with caution. With neon flashing lights, proceed with caution. For the vote of no confidence. We need to really think through what the repercussions might be. What are we hoping to achieve? Thank you."*
- xv. Paul Carpenter (Guest, COBRA Chair): COBRA has had no explicit conversations about shared governance or a vote of no confidence. However, as someone who has been on COBRA for a long time is a lot more data coming our way, a lot more shared dashboards, a lot more openness from presidential appointees. Everything COBRA has asked for has been delivered, with the exception of some legal restrictions. COBRA has a remit to make recommendations, but cannot implement policy. Some recommendations find their way to action, a lot of them do not, often without explanation. We have gotten some feedback regarding what has or has not been prioritized. Information has increased in breadth and depth, no problems in regards to that with shared governance.
 - 1. Paul Carpenter (Guest, COBRA Chair): *"Thanks to the committee, thanks for the invitation, and it's been informative listening to all the comments and remarks. I'll try and frame this with specific reference to cobra. But try and use cobra, maybe as an example of what I think I see going on so first up. Cobra hasn't had no explicit conversations about shared governance or a vote of no confidence. That's not been on our agenda. That's not been some that we've discussed. However, as someone who's been on Cobra now for a number of years more years than I care to remember. What we've increasingly seen in the last few years is a lot more data coming our way. A lot more shared dashboards, a lot more openness from the Presidential appointees, one of which is from academic affairs, Raphael Hernandez, Deputy Provost, and the other Monique Cornelius, who's the budget manager. They've been very open in sharing information and providing us with information. Whatever we've asked for has tended to come our way, unless it was something that, for whatever reason, for legal reasons, it couldn't come our way but the range of information that we've received. Of course you can ask questions. Have we got the whole truth and nothing but the truth? But I have no reason to believe the data being*

shared. Given. We're a public institution, isn't data that's publicly available. How you interpret it is another matter. And as a committee. What cobra has a remit to do is to make recommendations. We have no decision making authority. We have no power to implement policy. We make recommendations. Some of those recommendations do find their way to action. A lot of them don't. And there may be very good reasons for that. Sometimes. That explanation isn't shared with us, but we have over the years tried to have the Provost come back every year to actually debrief on what they did with your cobra recommendation in terms of budget priorities, and we have got some feedback upon that in terms of what was acted on and what wasn't, and what couldn't be done because of whatever the reasons might be. And right now, fiscally, there is so much happening. And it, things seem to change almost weekly on that front. So I think that is the process of cobra. So from our perspective, the information we've been getting seems to have increased in both the content and breadth and depth. So no problems there in that respect with shared governance."

xvi. Guest: Are we conflating shared governance (collecting input) with decision-making authority? If decisions are continually made against the collection of input, we must decide if we have confidence in those decisions. At the end of the day, the CFO and President have to stand by the decisions they make. If we see those decisions have harmed the university, then we have to decide how to respond.

1. Guest: *"I think the piece here that reflects upon for me, and maybe something I throw into the mix here. More of a personal opinion here is that we're potentially confounding here the process of shared governance with the actual decisions that come out of that particular process.vSo shared governance is, we have a chance to input. There are different ways you can do shared governance. We may not like the way one individual does it. We may have a preference for a model that someone else uses, but I haven't seen a definitive statement. Exactly what shared governance is what isn't. So there are ways in which we input into this. However, we don't have the decision-making authority. So decisions will potentially be made that we haven't recommended, or that we would actually not recommend. I think at that point you have to start then, looking in over time, what were those decisions that were made. What was the implications of that? What was the outcome of that? And has that been detrimental to the institution? I think that's a very different question to ask. That's a very different way to go. And I'm not sure that we've got there with the survey. I'm not sure we've even really had that conversation here. I think we're confounding the 2 together. We can point to where we believe the priorities are, but we do not have the authority to make those decisions, but at the end of the day, the CFO and the President will have to live and die, as it were, by those decisions in terms of the fiscal health of the institution. And again, if those sorts of decisions that they make, and you can demonstrate that they have harmed the fiscal health of the institution. Well, then, maybe you have more of a case to start thinking about, a vote of no confidence. But I don't believe we've even been asking that question at this particular point in time."*

xvii. Member: FAC 3 felt like a soft knock at the door, hoping to get the President to reflect and respond. There was not a sufficient response. This is a louder knock, and it has been successful as now these productive conversations are happening with administrators.

1. Member: *"What I really was hoping for when this was first introduced to the Senate floor and unfortunately did not see, was a comment from the President. Something along the lines of like. Wow, thank you, for you know, making it so clear that these that you see these issues with my leadership and decision making. You know, I'm gonna look at this. And I'm gonna you know, try to improve and take this feedback. She actually didn't say anything during that meeting. Except I will take questions during her President's report. So that was very surprising to me. I thought it was a big missed opportunity to kind of listen and reflect. I think multiple administrators on this call so far, have said, listening and reflecting is important, and I didn't see that from the President at all. So that was concerning the I will say I think you know we passed FAC 3 which has been mentioned here, which was a resolution about shared governments, and I think was a soft to the President. You know, it wasn't about the President. It was about shared governance, but it was sending a message that we were not happy with the way decisions were being made. And we didn't get much of a response at all. So I kind of see this as like. We're now knocking at the door a little bit harder, and we're gonna see if anybody answers this time. And so you know, I hear your comment, Kathleen, that this I think your comment that this is not engaging administration in a good way. I sort of disagree, because I'm really glad that we're all talking about this. I'm glad it's been the topic of multiple meetings, and I'm glad people are being frank. So I think any engagement is good engagement. at least where we are right now, and I'm glad that this has kind of maybe shaken things loose or gotten the conversation started."*

xviii. Member: Resolution should have an explanation of multiple issues, rather than focus on two main issues of course cuts and emergency response. Recommend removing university wide vote resolved statement.

1. Member: *"These are my personal thoughts on the resolution. I kind of have 2 things to say. One is I think, as written, you know, again, we didn't write the resolution, but I think, as written, it focuses on made really 2 main topics. One is the spring, 2024 budget cuts and the Associated University faculty meeting with the unprofessional treatment of our then Provost and it focuses on the power outage emergency. I think that's not the way to frame the resolution. I would frame it as more, describing the the accumulating issues rather than focusing on 2 issues, we think are large. So that would be my suggestion to us, as fact is to look at that and see if we can. Maybe provide more information. So people don't feel like this is about one or 2 things. My other comment on the resolution is that I agree with the option that Christina laid out that. I I do think, given the comments in Senate about the the process. That I think it would be good to remove the resolved statement of calling for a university wide vote of no confidence and limit this to a Senate resolution. So we are. Essentially, we get to hear from the senators on whether they agree with what's in the resolution or not, and that still leaves the door open again. If we need to knock harder at the door that leaves the door open to to call for a vote of no confidence at a later date. University wide. and then my last. Those are my points."*

xix. Member: Why were survey results not shared out?

1. Member: *"My last question about the survey results. There was something mentioned in Senate yesterday about why the raw results were not going to be shared out. I'm curious if*

anybody on the call. I don't know who made that decision. I'm curious. If anybody is willing to speak to that decision, and why we won't have access to the raw results. Thank you."

2. Guest: Raw survey data has not been shared. Shared Governance Task Force did want the data released. President's Office wanted it sent to the President but not released publicly. Some comments might be identifiable, and perhaps those should be reviewed before being published. Planning to discuss this at ExComm and talk about the difference between sharing out the quantitative only vs both. We must consider some ethical and legal things. Could send a report that has more information than the slides.
 - a. Guest: *"So just with the raw data, it's been a little complex, actually. And so that is a decision. We don't want to rush. So at first, the shared Governance task force. They were concerned about what has happened, where the methodology has been criticized. And so they actually wanted to release the raw data and then the office of the President. They didn't want the raw data released, and they just wanted it to go to the President. And then the more we talk about it, it starts to get a little confusing. So, for example, there's a couple of comments, and they're accusing other administrators, not the president of things. And so I guess I was thinking of maybe filling out. You know, one of those title 9 / dhr Forms about those, and then for the comments where someone could be identified. Then because of the potential for retaliation or something, I'm not sure if those should be released, because when people were filling out the survey sort of epically, they didn't know it was going to be published. So there's sort of different ways that I've handled the things that have come in on the Senate feedback form that are anonymous, you know. So if they're signed, I know it's okay. But you know even then, just to check, you know. Do you want it to be published, or did you just want, like, you know, the Senate officers to respond? So I I think I was hoping at ExComm next week that we could talk about some of that, you know, and that maybe we could also talk about the difference between the quantitative and the qualitative, because I think there's less. maybe, of an issue of releasing the quantitative. It's the qualitative ones where you you know, just not every comment. But just, you know, like, do we need to go through a process where we remove the ones that could potentially identify someone's, you know, department or committee, or something before it's kind of more widely released, or whatever. So, anyway. So I I think also, please don't be under the impression that the slideshow like that's it, I mean. So the task force is charged with writing a report right? So the report could really go into more detail like, I think it'd be okay to release, you know, information, like, item by item. For example, for quantitative, I think there's not an issue. It's more the issue with some of the qualitative comments and how to do that. And for people that do that kind of research, you know that it takes a longer, you know, to kind of talk about frequencies, you know, identify themes and things like that. It's not as quick as the quantitative research. So you know again, I I think if people are wanting the raw data which I totally understand, we we just have to have talk about some sort of ethical and legal things about that. But in the meantime, I*

mean, I think that the report would still be sort of in between. You know the slideshow and the raw data, you know, so that there would be more information. And people can kind of be patient with that part of it."

- xx. Guest: Please do not load the data into ChatGPT, as the data then becomes the domain of OpenAI.
1. Guest: *"Yeah, I I have a a quick comment about Chat Gpt. Please do not load the data into chat. Gpt. So if any of you know, once you load it into chat, Gbt becomes the domain of all of the data within Chat Gpt. so I was really alarmed. I would say, I remember how many meetings ago, when I saw a chat, Jpt. Summary, I was like, Oh, my God! That means ever so. Everyone who does a search from here on, in, on Chat Gbt will be able to have access to that data. And so if you're really wanting to protect, people, do not use it. You know I use chat to bet for things like you know how many duplicated attendees are there on these 5, you know, attendee lists, or something like that. So don't please don't use it to analyze qualitative data, because you're compromising the privacy of everybody to the whole chat gpt world. So just thought I'd say that not a good. It's really bad. Don't do it. So yeah."*
- xxi. Keri O'Neal (Guest, Faculty Development): Concerns brought to Faculty Development- some faculty have concerns about retaliation if they speak out against the resolution.
1. Keri O'Neal (Guest, Faculty Development): *"Hi, thank you. I will be brief as well. I come as a messenger from folks who have come to talk to me in faculty development of of their concern about retaliation. If they talk out against this measure. I haven't had anybody come, see me to say I'm afraid about retaliation if I am in support of this and perhaps that's because it's kind of been discussed. But I have had folks come and talk to me as faculty that has said. I don't agree, but I don't. I don't know if I can talk in the negative about it. I don't feel comfortable doing that. So I'm providing their voice that there were some folks that have come see me. I've had a few that we're just concerned about it. And so and I think [Member]'s big flashing sign analogy is definitely the sentiment that I heard from these folks as well. So just sharing what people have come to faculty development to share with me. Thank you."*
- xxii. Member: Heard faculty comments feeling intimidated by both sides of this resolution issue. They are therefore silent. How do we represent that silent majority?
1. Member: *"I also received similar kind of faculty's kind of concerns. They somehow kind of intimidated by both sides. So so then they choose to be silent. And that was the reason why, yesterday in Senate, I asked about student return rate, and also ask about. how do we represent those silent majority? So that is something I'd like the committee to consider when we make the decisions."*
- xxiii. Guest: Looking at the Resolution, the survey, and FAC 3, what is our goal and what is the data really telling us? It does not appear that faculty want a vote of no confidence. Opinions in the survey are split when asked about confidence in the President. I don't see that this is screaming vote of no confidence. A vote of no confidence is not a way to get someone's attention, it is a way to get someone removed. FAC 3 was a good direction. Suggestion - ask the President to connect the dots and outline for us how these things are connected together to moving forward. Future Directions share-out has really been bearing fruit; a recent meeting had sharing out of successes that was motivating. College of Health is a positive thing coming to the university. The other

piece is navigating everyone's anxieties during these challenging times. Incremental changes are not going to make a big difference, so what's the big picture and big plan? I think there is a more productive way to articulate what is frustrating us as faculty and what we want to hear from faculty.

1. Guest: *"What I wanted to add that I haven't heard people say is looking at the the resolution, and the survey and FAC, 3. And what? What is our? What? What is our goal here? And also, what is this data really telling us. Because one thing that I'm seeing is that the data is not saying that faculty want a vote of no confidence. If you look at the number of NOs. I don't have confidence in the person. I have confidence, or I don't want to answer, or I'm just not sure which is not a no? Then you've got, you know, 60, 60, 40, split among the faculty with more nose than yeses. But then, you know, 65, 35 among staff, 60, 40 in favor of the President. For students, you know, obviously 75 well, no, my numbers are off there even higher for administrators. You know. 83 to 13 or somewhere in there. So I I just don't see that that this is screaming out vote of no confidence.*

[Secretary's Point of Clarification: See pasted below the responses to the question the speaker is referring to.]

Based on your responses to the previous questions, do you have confidence in the President's ability to lead Cal State East Bay effectively?					
	Yes	No	Unsure	Don't Wish To Respond	Total
Faculty	43 (18.1%)	140 (59.1%)	45 (19.0%)	9 (3.8%)	237
Staff	32 (35.2%)	31 (34.1%)	23 (25.3%)	5 (5.5%)	91
Student	4 (20.0%)	8 (40.0%)	7 (35.0%)	1 (5.0%)	20
Administrator (i.e., MPP classification)	22 (71.0%)	4 (12.9%)	4 (12.9%)	1 (3.2%)	31
Other (please specify)	3 (42.9%)	3 (42.9%)	1 (14.3%)	0 (0.0%)	7

It's alarming. And I know I'm now repeating but a vote of no confidence is not a way to get someone's attention. This is a way to to call for someone to to, to call for, someone to be removed and a change in leadership. And I don't think that that's I. That's not what I want, and that's not what I'm hearing among my faculty. And so I am concerned about messages that are being sent out and sort of a disclaimer of well, I'm not. I didn't expect it's to get much attention, or for it to be taken that way. Well, these things are going to be taken this way. So I think it would be more productive, I think. FAC 3. It was a a good direction, and and outlining what the concerns are. I I think if I were to make a suggestion to the President, I would advocate for her to to outline. connect the dots, and how these things are all working together for a brighter future for the University. I think that a number of the the initiatives that she's had, like the future directions, like the strategic planning, are already bearing fruit. We just had a very productive meeting, where we all shared out, where our departments were progressing in their future directions, goals and people had set measurable goals that they never intentionally set before, and we're sharing out successes. And it was really it was really motivating. so I think that I know that with the College of Health. This is an area of of healthcare workforce growth in the Bay area. And there's there's a lot of like positive things coming to the University potentially right. No one has a crystal ball. from a movement in this

direction. I think that's part of that's my interpretation of her overall plan. So I think if you were to a able to articulate that that plan, and and it's probably still coming, I think the other piece to all of this is navigating everyone's anxieties during these these, you know, challenging times, and you know she, and like Provost Greer said at the last, at the meeting yesterday and and and a week ago Friday. with the deans and chairs. Incremental changes are not gonna are not gonna make a big difference. So what's what's the big picture? What's the big plan? And we've got to both cut big and look at how we're gonna grow big. so those are just some perspectives that I I wanted to share. And I think there's a more productive way to to ask, articulate, what is it that's that's frustrating us as faculty that we want to hear more about. That would give us reassurance. Rather than this vote of no confidence. I don't think I think that's really barking up a a very dangerous tree. So thank you."

xxiv. Kathleen (Guest, UDO, President's Office Designee): Resolution came so quickly that President could not respond in the meeting. President and administrators are feeling ambushed.

1. Kathleen (Guest, UDO, President's Office Designee): *"I do agree. That I think the important thing as far as university to move forward on governance and on improving it. You know, I think, that the President has been open. I think that it's really hard, I think, to be publicly critiqued. I I feel like she is. Held it well, You said that you would. I wanna respond back to another speaker. So, you had said that it would have been nice for her. To respond immediately. I I I do believe that the resolution and all of that came so quickly. I mean, I'll just tell you I was in a meeting. And I had to have someone run in and say, Did you hear what came in? You know you need to read it so because it's come it. There's a lot of documents that have come in. And I said, for today's meeting. And they said Yes, and so I had to jump back into a meeting, and so I had like 15 min to look beforehand, so I think that you know part of it is just being really feeling ambushed. I would say right. I I wouldn't say it's not just the the present. I think that it felt like I. I also know faculty who said that they were, and students student reps who said that they were ambushed as well is like they're coming into the meeting, and they had no idea all this was going on. And so I think that's part of it, too. Having said that, I think the President is very open to want to move forward on governance and to work collaboratively right with the Academic Senate as they see it all the different bodies on campus, other governance bodies as well, so."*

xxv. Member: I'm hearing a lot of opportunities - more collaboration and communication. The piece we may have been miscommunicating or missing was - what does shared governance look like? President might think task forces, deep dives, town halls, etc. are addressing this. Things that came up for all groups was creating a diverse and equitable environment among other positive things. Doing the resolution in this way is negative, shuts things down, and is not productive. Maybe we need a different approach that is more specific about what we want - "I'm knocking at the door and telling you what we want."

1. Member: *"So so here's what I think I'm hearing. I'm hearing a lot of opportunities. Cause I think we started the conversation with saying, We want more information. We want more collaboration. I'm hearing knocking on the door. Here's what we want to communicate, which I think is all very positive, and it's all about more collaboration. And I think the piece that maybe where we were miscommunicating or miss just missing it was kind of*

going back to [Guest's] point of like. Well, what exactly does shared governance look like? Right? Because well, this is what you know. Maybe again, the President's thinking, hey, I've got these deep dives. I've got these town halls. I've got this. I've got that, you know. I'm providing what people want. But maybe people want something different and and well, what exactly is that? With the with the survey, I actually looked at? One of the sheets last night, and there were top. There were 3 top categories that came up. And again, there's lots of methodological issues and all that. But 3 things that did come up for both faculty staff and administrators, and they're almost like 1, 2, and 3 for all 3 of them. And it's about creating a diverse and equitable environment, developing relationships with external stakeholders and student success. So I mean, there's positive stuff there. So if what we want is to have a conversation, if we want to have to be heard in a different way. If we want to say, Hey, this is what shared governance looks like for us. I think those are really positive opportunities. I share [Guest's] point. That, you know. Doing this as a resolution in this way again makes us look negative. It shuts things down it. It's not productive. And going back to Rita's point, I absolutely know and agree with you that faculty are doing amazing things, and it's not about the awards, because the awards are what 7 people. Meanwhile, there's like hundreds that are doing amazing stuff with their students. But we need to be focusing more on that. And instead, we are all consumed with this. And oh! And can I talk about this, or can I not talk about that? So I think we need to view this as an opportunity of okay, maybe we tried to say something, and it wasn't interpreted in the way that we thought or it wasn't heard. So now we're knocking on the door again. Okay, now I'm telling you I'm knocking on the door. And this is what I would like. So maybe that's what we need to do. We just need to provide a little clarity on. What is it that we want? What would make us feel like we're getting the information. We're getting the transparency. We're getting the consultation. What does that look like? And maybe that's the opportunity to all of this, because I've now heard it at least 3 times today. One of the students said it yesterday, hey, these problems have been here. But at least we're having the conversations. So I think that's where the real opportunity is."

xxvi. Guest: There are pressing issues that we haven't put into context. (1) Shrinking revenues. (2) Increased costs. (3) Declining enrollment. (4) Increasing deficit. These have been around for a while. We need a plan that will address these things. We all need to take ownership and responsibility for it. And our decisions need to be based in sound reasoning and based on good data.

1. Guest: "I think thing I'd like to sort of mention here is, and I'm not making a statement here, good or bad, about the level of shared governance, good or bad, about the decisions. I think right now, there are 3 pressing issues that are facing this institution that we still really haven't put into context. And I really haven't heard too much spoken about today. They're alluded to into some of the documents out there. We have shrinking revenues. We have increased costs. We have declining enrollment, and we have a growing deficit. Those are real and those have been growing, and they haven't happened overnight. They've been around for a while. and what we need here is is not only to highlight the good stuff we do, but to highlight and put into place an effective plan that's going to address those things and allow us to move forward in a productive way. And I

think those things have to be kept front and center. But again, that's where everything is going to get driven from the decisions that get made around increasing revenues, lowering costs reducing the deficit increase in enrollment. All those things have to happen, and there's going to be a process by which that needs to take place where we all have to take ownership and responsibility of it. We will then have to get involved and make sure that the decisions we make are based in good, sound reasoning and the best available data that we have, whether that's qualitative or quantitative. And so I think that's sort of building on the points that both [Guest and Member] are making about. We need to have a strategy here for moving forward productively. rather than reflecting on what has happened, which we can't undo. Now."

2. Member: Should budget issues be focused on in place of talking about issues with faculty?
 - a. Member: *"Are you saying that budget issues should be focused on in place of talking about issues with the faculty?"*
3. Guest: No, they are intertwined. Faculty need to be part of the solution.
 - a. Guest: *"No, I I think that that that intertwined in the sense that in order for us to move, move forward here, we have to recognize that we are in a particular budget situation. We have to have those conversations in terms of how can we move forward and move that? And we, as faculty have to be part of that solution. We are part of that solution. And so I think that's part of the conversation that needs to happen. I'm not sure if I'm answering your question specifically."*

xxvii. Christina (Guest, Senate Chair): Asked for clarification from UDO about comments regarding professional conduct leading Senate meetings.

1. Christina (Guest, Senate Chair): *"Just to say, it's really been a pleasure working with Kim Greer and Kathleen Wong-Lau. Obviously as a human being, it's kind of hard to be attacked yesterday and today, and people making the focus about this about me personally as the Senate chair, and not the larger thing that the Senate is considering. So I just want a little clarification. Are you saying that I'm giggling in the meetings, or are you saying that, like people in the audience are giggling?"*
2. Kathleen (Guest, UDO, President's Office Designee): *"Well, I would say I would say that. Yes, several people mentioned that you were I I think it might be just. You know, a nervousness or something, or I don't know, but I know that for some people it was really, I see 2 people in particular were really shocked, I think. And then I think, was a mention about what happens. I think it was a comment about what happens to Presidents. If they get a vote of no confidence. And I think you started, cause I remember I also was kind of like ooo. because I think you started giggling, and you started saying some stuff about, you know, trying to sort of downplay what happens to President. And I think you were trying to like calm people down. I'm sure it wasn't intentional, but I wasn't gonna say anything. But then 2 other people came up separately to to talk to me about it. So so anyways, I'm I generally don't type like to give this type of comment in a meeting, but since you asked me directly and again. I don't think it was intentional. At all."*
3. Member (via Chat): *"I would prefer any delivery of personal feedback for how someone runs a meeting be done outside of this public meeting."*

4. Guest (via Chat): *"Concerned that there is potentially both a gender and racial bias component of these comments about the Senate Chair"*
5. Christina (Guest, Senate Chair): *"Yeah, I just. I know you missed the meeting yesterday. So in the beginning I did give a little bit of context about women leaders. And so I wanted to say that people should not criticize the President for being angry as a woman leader. If it's not something they would criticize a male leader for doing. and so I find it curious that I am being accused of giggling, and no one would ever accuse Michael Lee of giggling in a meeting, or chuckling, or twirling, or whatever. Right? So when you mentioned these things, I was surprised because I haven't been hauling to the office to talk to Kathleen and Silvina when people fill out a form like when we had sent out the newsletter accidentally in the fall, you know, and and so I just wanted to make sure it was about me and not about the meeting, so that I can know how to respond, because if there was something in the meeting I was missing. I can try and monitor it, but if it's about me then I didn't realize it was perceived that way. And I think the other thing with the students. So I'm gonna go ahead and share the screen. Oh, I guess I can't share it. But I I wanted to clarify. In no way did I need to be dismissive of the students, and I was trying to advocate for the President. Because if you look at it. It looks like the largest number is 40% of students said they don't have confidence in the President and that was like 8 students out of whatever 20, you know. And I didn't want people saying like, the students don't have confidence in the President based on like 20 students out of 10,000, you know, and that was my intention. And now that I understand that people thought instead that I was being dismissive of students is not the first time I've issued a kind of a written or an oral clarification, and so I think I can do it about both of those things you know about the giggling and about the dismissing of students. Just so you know my role as Senate chair. I do attend ASI Board of Directors meetings, and I do know those students personally, and I completely respect their opinions. And also they don't necessarily represent all students. And I just really feel like this vote. No, confidence isn't about students, but I don't mean to dismiss them just that. Historically, when you have votes of no confidence, they tend to be a conflict between faculty and administration. That's all you know. So thank you for that feedback. I appreciate it."*
6. Christina (Guest, Senate Chair): *"I had to get off my chest, you know. That's all you know. Just again a vote of no confidence. It's not about me personally, like, you know. So you think, like my percentage here, that all these faculty are magically going to be happy. It's not my responsibility. I have to repeat what I sent in the meeting yesterday for those of you that missed it. This is like the very, very, very, very, very, very, very, very last thing I would ever want to do as the Senate chair right. I do not want to lead the Senate, or like have to administer a vote of no confidence. because as a Senate chair, you wanna work with the Administration, you can't collaborate on anything. If you've like done this thing, and everyone hates you like, you know, throwing darts at pictures of you and stuff. And so it's not something I'd wanna do. But I'm saying. For 5 months I've been talking to more faculty than you have probably been talking to. who have been wondering what is going on. And so, you know, there's just a certain point at like I don't know what excuses I can make for not having a vocal confidence. And so that's my perspective. And I understand*

you've been talking to different people. But really, after the power added, I just don't know what excuses to make."

7. Member: *"I would just like to chime in one thing. I wanna remind people that we have an other conduct of concern form which sounds like maybe some of the things you brought up here Kathleen could have, and should have been routed through that, so they could kind of then be processed and delivered as feedback in a in a more appropriate setting. So I wanna say that piece. And then the other piece, I also wanna kinda provide some I guess backup for Christina. Here. I went in November last year. I went to my first Senate officer drop in it was like, you know, Thursday at noon, and I was available, and I said, Oh, I'll just pop by and I was actually very surprised. The room was full of faculty members all discussing this issue. And this is back in November. I'm not in leadership positions right now other than this fact seat. And I was hearing things I didn't know we're going on, and I was hearing a lot of context, and Christina was, and the other Senate Officers were certainly, in my opinion, getting a lot of pressure to move in this direction. And I think eventually, this is what led to FAC 3. And and where we're at now, when these issues continually were not addressed. So you know I appreciate you, Christina, for sitting in this difficult seat and taking a lot of this heat, and I have witnessed myself that you are hearing from faculty. And this is not your you know, a vendetta or something. And and you're responding to feedback and and pressure that you're getting from your constituents."*
8. Kathleen (Guest, UDO, President's Designee): *"And can I just say that I have received complaints about men who joke when talking about very serious things as well joke and laugh and giggle. So I have received that. So I just want to say that in specific meetings. So I think I just want I do want to share that I'm not making it up, so I do want to share that. Yep."*

xxviii. Jen Eagen (Guest, Faculty Rights Chair, CFA): Speaking as Faculty Rights Chair of CFA; the union is part of faculty governance. There are a lot of concerns from faculty as employees about working conditions. Some concern about the seriousness of the massive loss of work of lecturers in spring, how that happened. Our Provost was fired as a result but we have not heard any analysis about what happened. I've been counseling faculty members about payroll, retirement, etc because HR is not responding to their concerns and is under-staffed. Concern about CoH, new building, etc. They sound like great resume-builders but the daily operations, bread and butter stuff, are not getting done. Tentative agreement is good, but morale is as low on campus now as it was back in the furlough days. In the face of a 10% raise, this is really concerning. This is about a lack of respect for faculty work, layoffs related to the low degree conferring review, a massive take-back of reassigned time, concerns about the budget. Multiple faculty are concerned about areas of the budget we are not hearing about - What happened with continuing education? What about the budget in athletics? What information is COBRA not receiving? Grave concerns coming from faculty. There are big problems. Thank you to Christina for handling this; many Senate leaders do not touch these issues because they are so difficult and because of retaliation.

1. Jen Eagen (Guest, Faculty Rights Chair, CFA): *"I'm just here as a guest, cause this is such a juicy agenda today I'll try and keep it short. But as to the resolution, I just wanted to. I felt really compelled to chime in about to speak from my role as faculty rights chair*

of Cfa cause. I have a lot of faculty come to me as well. I think I think the Union is also a part of faculty governance. We are a necessary part of the university, and I think there are some deep concerns from faculty coming from faculty as faculty as employees. So about working conditions. And you know, I think, there's some really deep concern about this seriousness of the massive loss of work, of lectures in the spring. How that happened. You know, I know our provost was fired as a result, but I haven't actually heard any analysis of how that you know. How did that come to be? And that affected that impacted a lot of faculty members negatively. People lost people not only lost pay, they also lost benefits. Whatever happened was a grave, a pretty grave mistake. I have been counseling faculty members on payroll and HR issues because our payroll and Hr. Offices are deeply dysfunctional. I've been counseling faculty members about retirement and parental leave. That is not my job, but they come to me because I know some of these things, but because there is no one at Payroll and Hr. Who is responding to their concerns. And that's multiple people. And there is concern about, you know. The the College of Health sounds great, the new building sounds great. They all sound like great resume builders. But I talked to a lot of faculty members who say the daily operations, the the bread and butter stuff is not getting done. and even though we just passed a tentative agreement that I think will ultimately result in faculty getting a 10% raise. I have faculty communicating to me that morale is as low on campus now as it was back in the furlough days. and we're getting a 10% raise. So it's not. It's not about pay. It is about concern of just out lack of respect for faculty work concern about the potential layoffs with the low degree conferring program process, whatever's gonna happen there and then the latest announcement that there's gonna be a massive what sounds like a massive take back of assigned time. Concerns about the budget, and you know you know, I'll certainly have to talk offline with COBRA. But I have multiple faculty members who are deeply concerned about areas of the budget that we're not hearing about. Faculty would like to know what happened with continuing education. We have coaches who are concerned about the budget and athletics. so even though, you know, COBRA's getting lots of numbers. There's concern about what they might not be getting and you know, just last, but not least, you know I've been. I've been here for a really long time since 1999. I'm a old, old school person like Rita and Nina and and I I do think that there are grave concerns about things happening on the university coming from faculty. And I'll say that because I'm a conduit like Christina, you know, like other faculty members in leadership. And we're all getting different spec perspectives. But we are talking to a lot of people. And there are big problems. So and I'm not. I'm not speaking you know. CFA has no position, you know, votes of no confidence, or the province of the Senate, not for us, but in terms of wanting to talk about the big problems happening on campus. I just wanna say, great respect to our senate leadership. Christina, Nina, Kyzyl, and the task force for digging into these issues. You know I've been here a long time. A lot of Senate leaders don't touch these issues because they're difficult. And also you know, I take very seriously, we're all in different positions of power in this meeting. faculty are concerned with retaliation because they have watched it. And faculty are also watching the way our elected representative, our Senate chair, has been treated in meetings, and it has not always been

appropriate. So I think I think getting very serious about the big problems is a something that needs to happen one way or the other. So, thanks. Sorry I went on. So long."

xxix. Guest: We are in a difficult time but it does feel good (in a weird way) to get together and talk about our different perspectives. Looking at list of negative comments from MPPs in the Survey, the term "Toxic environment" was concerning. Glad to hear the President wants to engage and has been hearing the feedback.

1. Guest: *"I also just wanted to extend my thanks to Christina and the other Senate leadership. And Jen you know, for their roles representing faculty in different ways. And I also just wanted to echo [Member's] comments that we are. We are in a difficult time, but it feels good in a weird way to to be together; to be able to talk from our different perspectives. I wanted to just make 2 quick points. One thing that really struck me in the data that was shared at the Senate meeting was you know, there were the MPP narrative comments, and there was a list of the most common, positive, and negative words in those lists, and one that came up on the negative side from Mpps was toxic environment, and that really concerned me. I also, you know, I'm glad to hear that the President wants to engage and is and and is, and is hearing the feedback. I I I have been wondering how many times there have been Presidential and Senate leadership meetings over the course of this this year, that surprised crisis. And yeah, I'll just leave it there and thank you. Everyone for for being here. And for this space."*

xxx. **Motion to extend 10 minutes. Motioned: Michael. Seconded: Stephanie. Passed without dissent.**

xxxi. Guest: Shared personal comments about history in Hayward and at CSU East Bay. There is so much going on. Communication is key. In general, I would love to see us continue to communicate internally, rather than airing dirty laundry. If for no reason other than to support enrollment. Asked us to work this out internally, for the sake of the community.

1. Guest: *"I've been here for nearly 20 years. I been in Hayward since the first grade left for 3 years and came back. I went to school here right out of high school and actually worked and finished the degree after I started working here. I love this university. I love this community. I love all of you, even those that I don't even know. I go out and about and speak on Csu East Bay anytime. I see someone young working in a store. Maybe I'm shopping. I talk us up. I wear the Csu East Bay clothes. So this affects me deeply, emotionally. There's so much going on right now that communication is the key. This is what's going to help is the talk. but maybe it has something to do with my late great mom. Bless her soul! About good or bad. not airing your dirty laundry in public, and I don't mean this toward anybody in particular. Just in general. I would love to see us continue to communicate internally for one reason other than what I've mentioned. If we want the enrollment to go up as a mother of grown kids who went to school here, it's not going to help if they hear about. we don't have confidence in our leaders. We, the kind of leaders treating us like this, this that that who wants to go to a school like that when they have choices. So if there's any way we could work this out. not we. I mean, I'm just listening. But if there's any way that you all can work this out internally. I beg you to do so, you know, for the sake of the community. that's all thanks for listening."*

xxxii. Member: This is very productive what's occurring. This comes down to leadership style. For previous presidents, it started open but ended with "circle wagons around the president". Still holding out hope that Sandeen and her administration will not take a similar direction. We want to address leadership style, which is then reflected in the internal culture of the administration. Important points were brought up - two greatest challenges were enrollment and budget. Tiger Team approach is exclusive, more like corporate environment, not academic. Faculty with expertise and knowledge were not invited to participate. Course cuts most deeply affected lecturer faculty. Astounding that Sandeen said she didn't know about them and forced Walt to reiterate that she didn't know about them. Having our first Black Provost forced to resign does not reflect well on the University. This is productive. We need to air things. We can alter tact and be flexible, if the President is willing to discuss these matters openly and explain her approaches. That's shared governance, inclusive of the faculty and not just administrative Tiger Teams making decisions affecting most critical aspects of our institution.

1. Member: *"I think it's very productive. What's occurring here. And I think that. But this goes that comes down to for me, is leadership style and I remember watching Mo. And I remember watching previous presidents. and how bright and open those administrations were in the beginning and toward the end it always seemed to be circle wagons around the President, and a sort of defensive. and it really hadn't ended communication, and what what I would consider a productive shared governance. I still have hold out hope that President Sanden and her administration will not take a similar direction. that, in fact, we can address some of the leadership style, because I think that's really what it comes down to in many ways. Leadership, style and that leadership style of any president I've seen. Organization is reflected in the internal culture of their administration and their relationship with students, faculty and staff. And I think that [Guest] brought up some important points. You know the 2 greatest challenges that we face today. our enrollment and budget. And that's most likely where I feel there's been a disconnect with the President's leadership style. The A tiger team approach which is in its contemporary context most closely associated with corporate governance. It's very exclusive. It did not include faculty. It was exclusively administrators making decisions about those 2 critical issues. And I think that there we have many brilliant faculty who have lots of knowledge and expertise that could have been brought to the table that simply was not invited to participate. That is a reflection of leadership style. In the meeting. I was also in that meeting with Walt when Walt announced the cuts which, by the way, most deeply affected lecture faculty. It was just astounding to me that President Sandeen insisted. She didn't know about them. and had Walt reiterate, you know that that she did confirm that she didn't know about them, and and to me losing, or or you know, our first Black Provost in the history of our University being forced to resign one or 2 weeks later, was a very bad optic. It did not. it did not reflect well. and the way in which that interaction occurred again did not reflect. Well, so. on the other hand, I've had wonderful conversations with President Sandeen personally, and and and have. you know, have no personal animosity at all toward her. I like her as as an individual. so I think that Others are right when they say that this is productive, we need to air these, and I think that we can alter tact, you know we we we can be flexible and adaptable if the President is willing to discuss these*

matters openly and and explain to us for thinking and possible new approaches. That we're included in. And that's shared governance where where it's inclusive of the faculty. And it's not merely administrative tiger teams making decisions that are affecting the most critical issues at the university."

xxxiii. Meiling (FAC Chair): We are still waiting for two documents:

1. a) Faculty Governance Task Force Report
2. b) President's response to [23-24 FAC 3](#)
3. Meiling (FAC Chair): *"We are waiting to see whether we will receive one from the Task Force report, so if we can receive it. You will help us to work on the document. and also from President's office. People also mentioned it in today's discussion. I think people are not quite sure where the President see the softer version of FAC 3, and then maybe she thinks she already respond in different areas or different in her communicate. But it doesn't really work the Senate way. So we will be hoping that we may have a direct response for FAC 3. So these are the 2 documents I would suggest, I will again send out to both sides to see whether FAC will receive the document to share with everyone."*

xxxiv. Meiling (FAC Chair): BAS 2 Working Document to revise Resolution. At last meeting on April 10, we will have a final draft of the document either presenting as an FAC document or as an FAC endorsed document.

xxxv. **Motion to Adjourn. Motioned: Kevin. Seconded: Michael.**

8. Information:

9. Discussion:

- a. Revise [Guidelines for additional faculty employment from Deputy Provost Rafael Hernandez](#)
 - i. [Relevant doc from ORSP](#)
- b. Draft a new policy for equitable release time for department chairs across campus
- c. Draft a new policy for procedures when special faculty positions with release time are appointed by Academic Affairs (e.g., Director of Faculty Development, Director of GE, Faculty Athletics Representative, Director of University Honors Program)
- d. [21-22 FAC 9](#) - Academic freedom policy - revise to strengthen intramural speech, which covers service and shared governance activities of faculty members
 - i. [Editable document to enter notes/suggestions](#)
 - ii. [Senate newsletter from 11.7.23](#)
 - iii. [Letter from Senate officers to Associate Provost & UDO](#)
 - iv. [Message from HR about Teamsters strike](#) (new email clarification)
 - v. [CFA update](#)
 - vi. [Clarifying language from CO](#)
 - vii. Explore possibility of something like [SFSU's Academic Freedom Committee](#) to assist faculty who have had OCC (Other Conduct of Concern) filled out about them.
- e. OCC (Other Conduct of Concern) Form
 - i. Proposed wording of informative message: - "Reports on the University 'Other Conduct of Concern' form, when not rising to the level of a Title IX report, are intended to promote awareness and education on our campus. Therefore, these reports will not be included in faculty PAFs or used for any disciplinary purposes."
- f. [Ideas for 23-24](#)

10. Adjournment