

1998-99 FACULTY SENATE

RESOLUTION TO REFRAIN FROM PARTICIPATION IN THE IMPLEMENTATION OF

CALIFORNIA STATE UNIVERSITY, SACRAMENTO

Minutes March 25, 1999 Issue #15

ROLL CALL

- Present: Alexander, Amata, Barrera, Bauerly, Behrman, Bossert, Buckley, Cajucom, Cameron Wedding, Chambers, Ching, DeBow, de Haas, Dillon (Parliamentarian), Dokimos, Dundon, Dworkin, Elfenbaum, Hall, Hill, Huff, Huffman, A. Jensen, Jew, Kostyrko, Krabacher, Lan, Lascher, Lee-Sammons, Leezer, LeFebvre, Lewis, Lund, McCrystle, Palmer, Raingruber, Reardon, Rodriguez, Seid, Smith, Stabinsky, Timmer, Tobey (Emeritus), Turrill, Verdone, G. Wheeler, V. Wheeler
- Absent: Anderson, Banks, Barakatt, Cleek, Kando, Kim, Klyse, Lee, Llamas-Green, Newsome, Phillips, Pickett, Reveles, Scanlan, Scott, Serrano, Zucker

ACTION ITEMS

FS 99-22/Flr. MINUTES

The Minutes of the meeting of March 11 (#14), 1999, are approved as published.

Carried.

FS 99-23A /Ex. WAIVER OF FIRST READING OF FS 99-23 and FS 99-24

The Faculty Senate waives the first reading of FS 99-23 (Resolution to Refrain from Participation in the Implementation of Imposed Working Conditions) and FS 99-24 (CSUS Procedures for Faculty Merit Increases).

Carried.

1998-99 FACULTY SENATE

FS 99-23/Ex., Flr. RESOLUTION TO REFRAIN FROM PARTICIPATION IN THE
IMPLEMENTATION OF IMPOSED WORKING CONDITIONS

- Whereas: The Legislature in its enactment of the Higher Education Employer Employee Relations Act (HEERA) declared that "[h]armonious relations between each higher education employer and its employees are necessary..." to provide "an academic community with full freedom of inquiry and insulation from political influence in their administration of the system of higher education" {Title I, Division 4, Chapter 12, Article 1, §3560 (d)}; and
- Whereas: CSU Chancellor Charles Reed's repeated demonstration of a lack of regard for the principles and values of the CSU and his public disparagement of the faculty of the CSU has created disharmony and acrimony between the faculty and the administration of the CSU; and
- Whereas: HEERA was enacted by the Legislature for the purpose of providing "the means by which relations between each higher education employer and its employees may assure that the responsibilities and authorities granted to the separate institutions (of public higher education) under the Constitution and by statute are provided in an atmosphere which permits the fullest participation by employees in the determination of conditions of employment which affect them" {§3560 (e)}; and
- Whereas: The Board of Trustees of the CSU has imposed upon the faculty of the CSU terms and conditions of employment in a manner that has excluded any and all participation of the faculty in the determination of the condition of employment; and
- Whereas: In HEERA, the Legislature recognizes that "joint decision making and consultation between administration and faculty or academic employees is the long accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of these institutions" [3561 (b)]; and
- Whereas: HEERA provides that nothing contained in the act "shall be construed as to restrict, limit, or prohibit the full exercise of the functions of the faculty in any shared governance mechanism of practice, including the Academic Senate of the University of California and the divisions thereof, the Academic Senate of the California State University, and other faculty councils, with respect to policies on academic and professional matters affecting the California State University, the University of California, Hastings College of Law" {3561 (b)}; therefore be it
- Resolved: The CSUS Faculty Senate condemns the actions of Chancellor Charles Reed in his portrayal of the CSU Faculty to the public as failing in their role as educators and public servants, and in his role in creating acrimonious relations

that have impacted negatively on the ability of the CSU to effect its responsibilities for and on behalf of the people of California, and in his efforts to dismantle the California State University System which has well served the people of California since its establishment by the Donohoe Act in 1960; and be it further

Resolved: The CSUS Faculty Senate declares its lack of confidence in Charles Reed in the role of the Chancellor of the CSU and urges the Board of Trustees to examine his suitability to continue in the role given his loss of moral authority in the eyes of the faculty; and be it further

Resolved: The CSUS Faculty Senate urges the CSU Board of Trustees to rescind its action imposing revised terms and conditions of employment and take action to extend the prior collective bargaining agreement until such time as a new agreement is negotiated in good faith with duly authorized collective bargaining agents of the faculty and approved by its membership; and be it further

Resolved: The CSUS Faculty Senate refuses at this time to develop criteria, standards, procedures, and structure for implementing any of the modifications to the prior agreement imposed unilaterally by the Board of Trustees on March 17, 1999; and be it further

Resolved: The CSUS Faculty Senate urges the CSU Administration and the CFA to ensure that, in accordance with HEERA, there is appropriate consultation with faculty senates with respect to policies pertaining to professional matters, most particularly development of policies in collective bargaining agreements pertaining to the evaluation and recognition of faculty merit; and be it

Resolved: A copy of this resolution shall be forwarded to the Chair, CSU Board of Trustees, Chancellor Charles Reed, President Donald R. Gerth, the CSU Academic Senate, CSU campus Senates, and the Governor of the State of California.

Carried.

FS 99-23B/Flr. RESOLUTION ADMONISHING PRESIDENT GERTH FOR LETTER TO STUDENTS REGARDING THE IMPACT OF IMPOSED FACULTY WORKING CONDITIONS

Whereas: CSUS President Donald R. Gerth has contributed to disharmony and acrimony between the faculty and the administration by using the resources and position of his Office to send a letter to CSUS students (see attached) which

(a) misleads CSUS students as to the membership of the CSUS faculty in the CFA (48% of the full time CSUS tenure track faculty as compared to 31.5% of all Unit 3 members, not 33%) and the vote of the CSUS CFA membership

against the tentative Agreement (82% locally as compared to 57% systemwide),

(b) "guarantees" that the campus will remain open and that classes will meet, when a strike or job action is under consideration, and

(c) attempts to place the faculty in an anti-student light and the administration in a pro-student light; therefore, be it

Resolved: The CSUS Faculty Senate admonishes CSUS President Donald R. Gerth for using the resources and position of his Office to provide misleading information to CSUS students in a manner which portrays faculty in a negative light and has alarmed students and caused disruption in normal teaching/learning activities.

Carried.

With the adoption of FS 99-23, consideration of FS 99-24/FPC, CSUS Procedures For Faculty Merit Increases, became moot.

The hour of adjournment having been reached, the following First Reading Item was postponed to the next Senate meeting: FS 99-25/CPC, Ex. WRITING AND READING IN THE UNDERGRADUATE MAJORS-- ADVISORY STANDARDS (per FS 99-09).

INFORMATION

1. Tentative Spring 1999 Faculty Senate Meeting Schedule:

April 1 (Spring Recess), 8 (**NO MEETING**), 15, 22 (3:00-3:30 p.m., 1999-2000 Senate Nominations; 3:30-5:00 p.m., 1998-99 Senate), 29


May 6 (3:00-3:30 p.m., 1999-2000 Senate Elections; 3:30-5:00 p.m., 1998-99 Senate),

13 (3:00-4:00 p.m.; 4:00-5:30 p.m., Outstanding Teacher Award Reception), 20,

27 (Finals Week)

2. Senate Home Page (<http://www.csus.edu/acse/> or CSUS Home Page then Administration and Policy then Faculty Senate) - Vice Chair Arthur Jensen

The meeting was adjourned at 5:11 p.m.


Janice McPherson, Secretary