

SENATORS NOTE: You'll need to bring attachments from April 6 Agenda!

1999-2000
FACULTY SENATE
California State University, Sacramento

AGENDA

Thursday, April 13, 2000
Foothill Suite, University Union
3:30 -5:00 p.m. (Following 2000-2001 Senate Organizational Meeting)

MOMENT OF SILENCE

CHRIS KIM
Son of Faculty Senator Jong Kim, Accountancy

OPEN FORUM

CONSENT CALENDAR

FS 00-26/Ex. COMMITTEE APPOINTMENTS

Health and Human Services Interim Dean, Advisory Selection Committee for:
GEETHA RAMACHANDRAN, At-large

**FS 00-27/Ex. VIOLENCE IN THE WORKPLACE—CSUS CRISIS CONSULTATION TEAM
(Amend PM/FSA 96-04)**

The Faculty Senate recommends amending PM/FSA 96-04, "Violence in the Workplace," (Attachment A) to include the Vice Chair of the Faculty Senate as a member of the Crisis Consultation Team.

**FS 00-28/Ex. Fir. PEDAGOGY ENHANCEMENT AWARDS PROGRAM
[Note: Refer to Attachment B for background.]**

The Faculty Senate approves amendment of the Guidelines for the Pedagogy Enhancement Awards Program as follows [stikeover = deletion; underscore = addition]:

TO
FIRST
READING

II.C.2: Evaluation of the Proposal: ~~Eligible proposals will be evaluated by a peer review panel consisting of five faculty members from departments in the area of the proposed project, except those electing to be evaluated by the Interdisciplinary Panel. A representative from Pedagogy Enhancement Subcommittee will chair the panel. An interdisciplinary peer review panel consisting of five faculty members will evaluate eligible proposals. The reviewers will be recruited from all seven colleges, and no more than one reviewer from a college will be assigned to each panel. A member of the Pedagogy Enhancement Subcommittee will chair each panel.~~

^{Ex.}
FS 00-29/FPC, Ex. SCIENTIFIC MISCONDUCT IN RESEARCH, CSUS POLICY ON

The Faculty Senate recommends adoption of the "Policy on Scientific Misconduct in Research" (Attachment C).

REGULAR AGENDA

Approved

FS 00-17/Flr. MINUTES

Approved

Approval of Minutes of March 23 (#11), 2000.

FS 00-25/Flr. MINUTES

Approval of Minutes of April 6 (#12), 2000.

SECOND READING ITEMS

[Action may be taken]

Approved

FS 00-22/CPC, Ex. WRITING AND READING IN THE DISCIPLINES, UNIVERSITY COORDINATOR FOR

[Note: Curriculum Policies Committee background presented in April 6, 2000, Faculty Senate Agenda Attachment C.]

WHEREAS, In the spring of 1999, the Senate recommended and the President approved a policy making each academic program responsible for 1) writing and reading standards in their discipline and 2) assessing and supporting student achievement of writing and reading skills at the upper division level (FS 99-09); and

WHEREAS, Greater and more effective support is needed by both departments and students to successfully implement the policy; therefore, be it

RESOLVED: That the Faculty Senate recommends the creation of the position of Writing and Reading in the Disciplines Coordinator; and be it further

RESOLVED: That the Faculty Senate recommends the expansion of the Writing Center to provide tutorial assistance for student writing in the disciplines.

agreed

^A FS 00-23/CPC, Ex. ^{FIR} PROGRAM REVIEW SELF-STUDY GUIDELINES (Supercedes AS 97-46)

The Faculty Senate recommends revision of the "Program Review Self Study Guidelines" as shown in *April 6, 2000, Faculty Senate Agenda Attachment D*. [Note: Supercedes AS 97-46 as reflected in the current "Blue Book" (*April 6, 2000, Faculty Senate Agenda Attachment E*).]

agreed

FIR resolution re Consultant pay

FIRST READING

[Discussion only—10 minute limit, unless extended by majority vote; no action.]

[Note: For background on FS 00-31 and FS 00-32 refer to Attachment E.]

FS 00-30/FPC, Ex. ^{FIR} FACULTY MERIT INCREASE PROGRAM--CALL FOR A MORATORIUM [F. Baldini]

discontinued? reversion?

4/27/00 Carried

The CSUS Faculty Senate calls for a moratorium of the FMI process for the coming cycle 2000-2001). Specifically, the Faculty Senate requests that:

- 1) the CSU Administration and the CFA suspend all activities related to the current FMI process; and
- 2) the two bargaining groups get together and discuss the issues raised concerning this current process; and
- 3) all money earmarked for FMI during the 2000-2001 year be rolled over into the general salary increase given to faculty

4) ++

^{FIR} FS 00-31/FPC, Ex. FACULTY MERIT INCREASE PROGRAM—DATA COLLECTION [F. Baldini]

4/27/00 Carried

WHEREAS, Considerable controversy exists about the extent to which various factors influenced decisions during the first rounds of Faculty Merit Increase (FMI) awards; and

WHEREAS, Determination of the influence of such factors is subject to empirical investigation; and

WHEREAS, A clear understanding of how earlier decisions were made may help in assessing the current FMI process and developing recommendations for changes; therefore be it

RESOLVED: That the Faculty Senate directs the Senate Chair during the summer of 2000 to

- 1) develop a data base, and
- 2) analyze information contained in that data base for the purpose of determining the role of various factors in FMI decisions for 1997-98 and 1998-99;

and, be it further

RESOLVED: That the Senate Chair give consideration to at least the following variables:

- 1) seniority;
- 2) rank;
- 3) part-time/full-time faculty status;
- 4) college;
- 5) per capita FMI funds distributed to departments;
- 6) receipt of teaching awards during the period in question;
- 7) receipt of other awards;
- 8) presence/number of scholarly publications;
- 9) service on major committees;
- 10) FMI award recommendations from departments, and
- 11) FMI award recommendations from deans;

and, be it further 12) dept. chr. status

RESOLVED: That the CSUS Administration be urged to provide the Senate Chair information needed for this study; and, be it further

RESOLVED: That the Senate Chair report to the Senate by October 1, 2000, on the findings of this study.

FS 00-28/FPC/EX.

INFORMATION

1. Tentative Spring 2000 Faculty Senate meeting schedule [Note: *Additional meetings may be scheduled*]:
April 27
May 4 (3:00-3:30, Election of 2000-2001 Officers), 11, 18
3. Senate Home Page: <http://www.csus.edu/acse/> or CSUS Home Page *then* Administration and Policy *then* Administration *then* Faculty Senate



California State University, Sacramento

Attachment A
Faculty Senate Agenda
April 13, 2000

Academics
413


SACRAMENTO, CALIFORNIA 95819-6032

PM/FSA 96-04

MEMORANDUM

February 16, 1996

To: Campus Community

From: 
David L. Wagner
Dean, Faculty & Staff Affairs

Subject: Violence in the Workplace

It is the University's desire to maintain a safe environment for the campus community to conduct its business and fulfill its mission. In view of the increase of violent incidents in workplaces across the nation, I would like to clarify the policies and procedures of California State University, Sacramento, regarding potential threats to the campus community.

For the purposes of this policy, violence and threats of violence include, but are not limited to:

- * any act which is physically assaultive;
- * any substantial threat to harm or to endanger the safety of others;
- * behaviors or actions interpreted by a reasonable person as carrying the potential for violence and/or acts of aggression;
- * any substantial threat to destroy property.
- * Possession on campus of any weapon or dangerous instrument (e.g., any type of firearms, certain knives, brass or metal knuckles, etc) as defined in the California Penal Code, Title 5 of California Administrative Code or University Policy.

Violence in the Workplace

Page 2

A climate of fear or intimidation will not be tolerated at California State University, Sacramento. Threatening behaviors, acts of aggression and violence will result in appropriate action by the University, up to and including dismissal. Civil and criminal penalties will be pursued as appropriate. It is the responsibility of every member of the campus community to take any threat or violent act seriously, to consult with appropriate individuals and to take action as recommended by these resources and guidelines. The attached material on the Crisis Consultation Team provides the name of campus personnel who should be contacted if someone has concerns regarding a potentially violent situation. In addition, CSUS now has an Employee Assistance Program (EAP). The EAP Coordinator's office is located in the Student Health Center and is available by phone at extension 6416.

In March 1996, Jaffe Dickerson, Attorney with the law firm, Littler, Mendelson, Fastiff, Tichy and Mathiason, will be on campus presenting workshops. One of the workshops will be on the subject of violence in the workplace. Additional information will be sent out to the campus in the near future.

/mn

Crisis Consultation Team
California State University, Sacramento

Perceived or actual threats to personal safety have been relatively few at California State University, Sacramento, and, depending upon the specific situation, most appropriately are handled by personnel from one of several University offices, including the Department of Public Safety, Psychological Services, Faculty and Staff Affairs, Student Affairs, or another campus office. At times, however, staff in several of these areas are, or should be, involved, and in these cases, constitute a team that would meet or coordinate our response to a particular situation.

The Crisis Consultation Team is charged with coordinating University response to potentially violent situations on the California State University, Sacramento campus which involve students, visitors, staff, and/or faculty members collectively, individually, or any combination thereof.

Functions of the Crisis Consultation Team include the following:

1. At the request of any Crisis Consultation Team member who has been contacted regarding a potentially violent situation, to consult with appropriate persons on the crisis at hand and serve as a communications link between/among individuals and offices by communicating relevant information on a "need to know" basis.
2. To make recommendations to the President (or designee) on response to crisis situations.
3. To work with the University Relations Office in the timely provision of information to the media and others as appropriate.

The Crisis Consultation Team consists the following positions, with current incumbents identified in parentheses.

1. Director of Public Safety (Norm Scarr)
2. Director of Psychological Services (Vivian Miller)
3. Director of Staff Affairs (Fran Sato)
4. Assistant Dean of Student Affairs (David Rooney)
5. University Counsel (Donna Selnick)
6. EAP Representative and Psychologist (Chris Knight)

Meetings may be called by any member as needed.

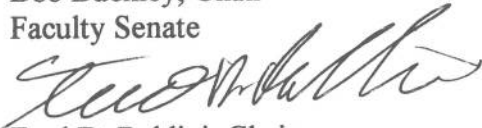
California State University, Sacramento
6000 J Street
Sacramento, California 95819-6036

APR 6 - 2000

Faculty Senate Received
413

4/5/00

To: Bob Buckley, Chair
Faculty Senate


From: Fred D. Baldini, Chair
Faculty Policies Committee

RE: Pedagogy Enhancement Awards Subcommittee

Issue: Changes to Guidelines for Pedagogy Enhancement Awards Program.

Background: Over the past two years, the Pedagogy Enhancement Awards Subcommittee has noted a large variation in the average scores between grant application review panels established in the various colleges. In the past two years, some college review panels seem to give very high scores while others give very low scores. In additions, there have been an increasing number of requests by applicants to be reviewed by an interdisciplinary panel, something that the existing guidelines allow for.

Faculty Policies Committee's review of the issue: FPC received a recommendation for changes to the existing policy from the chair of the Pedagogy Enhancement Awards Subcommittee. PEAS unanimously adopted this recommendation. FPC invited the Chair of PEAS to a meeting and discussed the proposal to change the policy.

Faculty Policies Committee's recommendation: During the April 5, 2000 FPC meeting, the following action was taken.

- FPC recommends that the senate adopt the following changes to the existing policies of the Pedagogy Enhancement Awards Program.

~~Existing Policy (II.C.2): Evaluation of the Proposal: Eligible proposals will be evaluated by a peer review panel consisting of five faculty members from departments in the area of the proposed project, except those electing to be evaluated by the Interdisciplinary Panel. A representative from Pedagogy Enhancement Subcommittee will chair the panel.~~

Proposed Policy (II.C.2): Evaluation of the Proposal: An interdisciplinary peer review panel consisting of five faculty members will evaluate eligible proposals. The reviewers will be recruited from all seven colleges, and no more than one

reviewer from a college will be assigned to each panel. A member of the Pedagogy Enhancement Subcommittee will chair each panel.

- a. **Arguments for:** This change will help reduce the variability of review scores between panels. There are an increasing number of requests to be reviewed by an interdisciplinary panel. In reviewing these types of awards, an interdisciplinary review may be more appropriate to examine projects looking at ways of improving teaching
- b. **Argument against:** There were no arguments against this proposal.

cc. McPherson
Duran

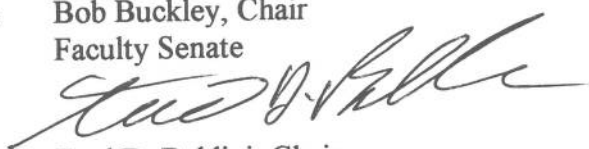
California State University, Sacramento
6000 J Street
Sacramento, California 95819-6036

APR 6 - 2000

Faculty Senate Received
413

4/5/00

To: Bob Buckley, Chair
Faculty Senate



From: Fred D. Baldini, Chair
Faculty Policies Committee

RE: Policy on Scientific Misconduct in Research

Issue: Adoption of Policy on Scientific Misconduct in Research.

Background: Federal guidelines require that the University have a policy regarding scientific misconduct in research if it is to receive any federal research funding. A review of CSUS policies indicates that we have had an "interim" policy since August of 1991 that does address federal guidelines. Ric Brown, Associate Vice President for Research, Graduate and Extended Studies, forwarded the interim policy to the chair of the senate requesting review and adoption of the policy.

Faculty Policies Committee's review of the issue: FPC received a request from the chair of the senate to review the interim policy. FPC sent the interim policy to the Research and Creative Activities Subcommittee and asked the subcommittee to review the policy. RCA reviewed the interim policy, made some edits to reflect current titles, and sent FPC the interim policy for consideration.

Faculty Policies Committee's recommendation: During the April 5, 2000 FPC meeting, the following action was taken.

- FPC recommends that the senate adopt the interim policy as policy for the campus with the recommended edits.
 - a. **Arguments for:** A policy on scientific misconduct in research is necessary to receive any federal research funding. The interim policy reflects all necessary information to meet federal guideline.
 - b. **Argument against:** There were no arguments against this proposal.

- cc. McPherson
Duran



CALIFORNIA STATE UNIVERSITY, SACRAMENTO

RESEARCH, GRADUATE AND EXTENDED PROGRAMS
OFFICE OF THE ASSOCIATE VICE PRESIDENT


December 3, 1999

California State University, Sacramento
6000 J Street
Sacramento, California 95819-6036

DEC 6 - 1999

TO: Bob Buckley
Chair
Faculty Senate

Faculty 413 Senate Received

FROM:  Ric Brown
Associate Vice President
Research, Graduate and Extended Programs

RE: Policy on Scientific Misconduct in Research

Federal guidelines require that the University have a policy regarding scientific misconduct in research if it is to receive any federal research funding. A review of CSUS policies indicates that we have had "interim" policy since August of 1991 that does address federal guidelines. To my knowledge, there has been only one incident using this policy. That incident occurred in 1991-92 involving a faculty member and alleged plagiarism in a federal grant proposal.

I have attached the interim policy with edits to reflect current titles, etc. Would you please pass this on to the appropriate Faculty Senate committee for consultation? I would be happy to answer any question as they arise. Thank you.

California State University, Sacramento
Policy on Scientific Misconduct in Research

Research and other scholarly activity on university campuses require that faculty, students, and technicians practice the highest ethical research standards. Violations of these ethical research standards have been extraordinarily rare. Yet, even a single instance of scientific misconduct can jeopardize federal funding, tarnish the university and destroy the credibility and reputation of its faculty and students. Scientific misconduct simply has no place in a university and cannot be tolerated. As well, the acceptance of federal funding for grants and contracts requires that a policy be in place.

Scientific misconduct is the intentional falsification or fabrication of data or results, the application of scientific procedures in a manner designed to bias results, the deceptive reporting of research outcomes, and/or plagiarism by a student, a faculty member, or a member of the staff. Scientific misconduct is different from honest error and is not to be confused with incompetence or with sloppy research. Scientific misconduct includes the unauthorized use of privileged information, and the deliberate failure to comply with University, State, or Federal requirement relating to a project, including the protection of human subjects and the welfare of laboratory animals.

There are no circumstances under which scientific misconduct will be tolerated. The university community must share responsibility for maintaining the highest standards of research conduct and must, when a deviation from these standards is uncovered or suspected, immediately report any suspected or discovered deviation.

PROCESS FOR HANDLING ALLEGATIONS OF SCIENTIFIC MISCONDUCT:

The Provost and Vice President for Academic Affairs (PVPAA) is the senior administrator in charge of handling allegations of scientific misconduct. All complaints must be to the PVPAA and must be in writing and signed. The PVPAA may delegate the responsibility for providing education about scientific misconduct and for disseminating the *Policy on Misconduct in Research* to the College deans. The PVPAA may delegate the responsibility for handling allegations of scientific misconduct. If a designee is appointed, the word designee may be substituted throughout this document for "Provost and Vice President for Academic Affairs."

The PVPAA will interpret the University's policy and advise any person who makes an allegation of misconduct of appropriate procedures. The PVPAA will maintain confidentiality and apply institutional process, including referral to a dean or University office as may be deemed appropriate, to resolve conflicts deemed not to fall under the *Policy on Scientific Misconduct in Research*.

A three-stage process consisting of an initial inquiry, an investigation, and a resolution will handle all allegations of scientific misconduct.

INQUIRY

Purpose

The purpose of the inquiry is to gather factual information as expeditiously as possible to determine whether an actual investigation is warranted. Its purpose is to separate frivolous,

mistaken, or unjustified allegations from those, which deserve further investigation. It is not intended to be a formal hearing.

Structure

All complaints must be in writing and signed. The identity of the complainant will be protected to the maximum extent possible. If an investigation is launched following an inquiry, it may be necessary to reveal the identity of the complainant to the respondent. The PVPAA will be responsible for conducting a fair and just inquiry and will form an *ad hoc* committee composed of at least two other persons, one of whom must be a member of the full-time teaching faculty, to explore the allegation and determine whether misconduct has occurred. Any person involved in making judgements about the merit of the allegations must have no unresolvable interest in the case and must have appropriate scientific or discipline related expertise to assure a sound knowledge base from which to judge the issues.

Process

Within five working days, the PVPAA will notify the respondent in writing that a complaint has been made and identify the process to be used to resolve the complaint.

The PVPAA will resolve cases expeditiously. The initial inquiry phase normally will be completed within 30 days of the initial written notification to the respondent. If this deadline cannot be met, a report specifying the reasons for the delay will be submitted for the record and all involved individuals will be informed.

During the inquiry, confidentiality will be maintained to the maximum extent possible and access to documents or other information related to the complaint will be restricted to the members of the *ad hoc* committee. The privacy of those who in good faith report apparent misconduct will be protected. If the evidence to be presented depends upon observations and statements of the complainant or to disputes relating to the veracity of documentary evidence, the open involvement of that individual will be necessary for the inquiry to proceed. In other cases, documentary evidence may permit the complainant to remain anonymous.

When an inquiry is initiated, the respondent may be asked to testify and to provide materials as necessary to conduct the inquiry. If the respondent refuses to testify and/or to provide materials, the inquiry may be terminated and an investigation may be launched.

Findings

Once a determination is made of whether an investigation is warranted, the inquiry is completed. A written report must be prepared documenting the inquiry process and stating the conclusions. The designee should notify the respondent and complainant, if there is one, about whether there will be further investigation.

If an allegation is found to be incorrect and that it has not been made in good faith, disciplinary action, consistent with University policy, may result.

If an allegation is found to be unsupported, but to have been submitted in good faith, no further formal action should be undertaken and all files relating to the allegation will be sealed and

maintained for three years as required by Final Rule 42 CFR Part 50, subpart A (Federal guidelines), and then destroyed. The proceedings of an inquiry should be held in strictest confidence. If confidentiality is breached, the University will take steps to minimize the damage to reputations.

Allegations which are found to have sufficient merit to warrant an investigation should be forwarded promptly to the investigative body and the University should seek to protect the complainant against retaliation. If a sponsoring agency is involved, it must be informed at this point that an investigation has been undertaken.

INVESTIGATION

Purpose

An investigation will be initiated only when a respondent refuses to cooperate in the inquiry or if the inquiry determines that an investigation is warranted. During the course of an investigation, evidence may emerge that justifies broadening its scope beyond the initial allegations. The respondent should be informed when significant new directions of investigation are undertaken.

Structure

The PVPAA will appoint an *ad hoc* committee composed of five people, at least three of whom must be full-time members of the faculty, to handle the specific case. Other members of the *ad hoc* committee may be chosen from within or outside the institution.

Full disclosure of conflicts of interest and any relationship with parties to the matter will be required of those asked to serve on the investigative body. The members of the committee must have no unresolvable conflict of interest in the case and must have appropriate scientific or discipline related expertise to assure a sound knowledge base from which to make determinations.

Process

The PVPAA will notify the respondent and claimant, if any, that an investigation is to be conducted. The investigation should be initiated promptly. All involved parties have an obligation to cooperate with the proceedings by providing information relating to the case. The respondent should have the opportunity to address the charges and the evidence in detail and all necessary information should be provided to the respondent.

Whenever possible, the investigation should be carried out and completed within a 120 day period. The nature of some of the cases may render the time period difficult to meet, and under such circumstances the committee is obligated to issue an interim report to the PVPAA at the end of the 120 day period. The report should document the progress of the investigation and request an extension for completion of the investigation. All entities initially notified about the investigation must be informed of the outcome.

Findings

The findings of the investigative committee should be submitted in writing to the PVPAA and the respondent should receive a copy of the full report. When there are several respondents, each will receive all those parts that are pertinent to his or her role. All federal agencies, state agencies, sponsors, or other entities which were initially informed about the investigation must be notified promptly about the outcome. The University must retain the investigation findings in confidential and secure file, except as indicated under "A Finding of No Misconduct."

Investigations into allegations of fraud may result in various outcomes, including:

1. a finding of fraud;
2. a finding of serious scientific misconduct short of fraud;
3. a finding that no culpable conduct was committed, but serious scientific errors were discovered; or
4. a finding that no fraud, misconduct, or serious scientific error was committed.

Thus, an investigation of fraud may disclose evidence that requires further action even in those cases in which no fraud is found.

RESOLUTION

A Finding of No Misconduct

In a finding of no misconduct, all files will be maintained in a secure manner for three years and then destroyed. If an investigation has been launched on the basis of a complaint made in good faith, and no fraud or misconduct is found, no disciplinary measures should be taken against the complainant and every effort should be made to prevent retaliatory action against the complainant. If the allegations are found to have been maliciously motivated, disciplinary actions will be taken against those responsible, consistent with University policy.

A Finding of Misconduct

Appeal/Final Review

If there is a finding of misconduct, the respondent may prepare a written appeal of the investigative committee's decision. Appeals must be restricted to the body of evidence already presented and the grounds for appeal must be limited either to failure to follow appropriate procedures in the investigation or to arbitrary and capricious decision making. New evidence may warrant a new investigation. The appeal must be filed within 30 calendar days after a finding has been made. The appeal will be heard by the *Provost and Vice President for Academic Affairs*, or designee. In all cases, a decision by the President is final.

Disposition

Any resulting action will be handled in a manner consistent with University policy and the collective bargaining agreement.

APR 6 - 2000

Faculty Senate Received
413

3/16/00

To: Bob Buckley, Chair
Faculty Senate

From: Fred Baldini, Chair
Faculty Policies Committee

Date: March 15, 2000

Issue: Recommendations concerning the Program for Faculty Merit Increase.

Background: The Faculty Policies Committee has been charged with conducting a review of the FMI process and making recommendations concerning the process. To conduct this review and make recommendations to the Senate, FPC has reviewed the FMI procedures used at other CSUs, survey responses from CSUS college deans and department chairs/committees, letters from each of the two FMI Appeals Panels, survey data reported by CFA, the campus list of FMI awardees, and other sources of information.

In reviewing the FMI process, it has become clear that many problems exist. One major problem is the lack of evidence concerning the impact of the program on faculty, staff, and students, evidence of the cost of the program (in person hours and in processing checks, for instance), and concerning the program's success in achieving its purported goals. However, through our review of available information, Faculty Policies has concluded that the FMI process is having a negative impact on the university. Below we note both specific findings and general conclusions:

General conclusions:

- ◆ There appears to be no common understanding or definition of the underlying purpose of the process. For example, is this process designed to reward all satisfactory performance or only exceptional performance?
- ◆ There are no existing job descriptions that define specific expectations for faculty. For example, is publication in a refereed journal required?
- ◆ There is no means by which to translate the level of performance into a specific level of reward. What constitutes a 0% award, a 2% award, a 7% award?

Thus evaluators at all levels are faced with making decisions without a clearly defined program objective, using unspecified criteria against non-existent standards and then translating their decisions into percentage compensation without any translation formula.

Specific areas of concern:

- ◆ There appears to be an uneven application of the MOU (how categories were weighted) across the colleges. For example, in one college, the weighting was 50% teaching, 25% scholarship, and 25% service, while in two other colleges these three categories were given equal weight. Further, it appears that departments used even different weightings. Some agreement must be made to assure an equal application of the MOU across the university.
- ◆ The current policy includes no feedback provided faculty concerning their activities or the reasons for the size of the award they received. If the purpose of the FMI process is, as Chancellor Reed has stated, to improve faculty performance, then feedback is both humane and necessary. Without it, faculty are left with no suggestions for improvement. Without feedback, the process has no clear purpose and appears capricious.
- ◆ Reasons for reduction of awards made by deans and/or the president are not given. One of the appeals panels wrote, “With virtually no information provided by either deans or the president regarding the basis for their decision to reduce or eliminate a departmentally recommended award, the Committee was left with little alternative but to rely upon the recommendation of those closest to the scene and most in command of the facts, e.g. the department.”
- ◆ There is no agreement between labor and management on the term “merit.” If the criteria for merit pay is “demonstrated performance,” then any faculty member who is retained, promoted, reviewed for post-tenure review, or reviewed through the part-time faculty evaluation process appears to meet this criteria.
- ◆ There is further disagreement between labor and management on the issue of moving money from one department to another. Clearly a problem exists when only a few eligible faculty apply in a given department, thus making a disproportionate share of money available to them. However, there is no clear evidence that money was moved from department to department only to address this issue. Was money moved for other reasons? Using what criteria? Were departments informed in advance that money might or would be shifted? Were they given reasons for the shifts? In the survey sent to deans, four said they shifted money, and three said they did not shift money.
- ◆ As part of the FMI process, two appeals committees (one for the 1997-98 cycle, one for the 1998-99 cycle) were formed to hear appeals from faculty. Each panel was charged with reviewing the appellant’s files, conducting hearings, and making decisions about the appeals. Following their work, each panel sent a letter to the chair of the faculty senate reflecting on the process they had just been through. These two letters from the CSUS Appeals Panels raise great concerns, as indicated in the following quotes.

The 1998-1999 Appeals Panel wrote:

“We the members of the 1998-99 FMI Appeals Committee wish to indicate in the strongest possible terms our dismay at the present FMI process.”

“We wish you to understand that our service on the FMI Appeals Committee has represented our least rewarding and most negative experience during our tenure at CSUS.”

“We find the negative aspects of the FMI process so overwhelming as to completely submerge any possible merit associated with the process.”

“We suspect that in its present form, the FMI process will ultimately persuade our junior faculty to reconsider the decision they made in accepting a position on the campus and will persuade our senior faculty to revise their plans for post-retirement financial and other support for the campus.”

The 1997-1998 Appeals Panel wrote:

“The Faculty Merit Increase was ostensibly designed to encourage and reward hard-working faculty. Presumably it was meant to foster high quality teaching, enhance scholarship and promote serve to the campus and the community. Unfortunately there is no evidence that the process we have observed from the vantage point of the Appeals Committee in fact does these things in a fair and even-handed way as it must if it is to have the support of the community and be effective.”

“The FMI process in general undermined morale of faculty.”

- ◆ An article concerning the FMI process was recently published by CFA in the Spring 2000 issue of the California Faculty, Vol. IV., No. 1. On page 6, results from a survey, which was mailed to CFA member’s homes in January, were reported. At the time of this publication, 1200 CFA members and filled out and returned the survey. Published results from the CFA survey report the following:

“A poll of faculty members shows 79 % having a negative assessment of the FMI program.”

“A whopping 82% [of over 1200 polled] would like to see moratorium on the program.

- ◆ A brief review of the FMI process used by other campuses reveals that variations exist in procedures and in expectations of faculty. On some campuses faculty were allowed to designate which areas they wished reviewed; on one campus, deans were not allowed to move money from one department to another. Further study of inconsistent procedures and applications across the CSU would take considerable time but, given brief samplings, would no doubt reveal significant inconsistencies and discrepancies in both interpretation and application of the process.

- ◆ In the survey sent by FPC to college deans, two deans commented on the time required to conduct this process. One stated, “Unfortunately, the present process has taken time and energy far out of proportion to its ultimate importance.” A second dean stated, “Many hours were expended on a process that has done nothing to encourage faculty professional growth and development. The very nature of the process stretched the college’s meager resources even further and did nothing to promote harmony among the faculty, staff and administrators. Staff, faculty and administrator time that could have been devoted to better meeting the needs of the students attending CSUS was consumed by a process that has done nothing to enhance teaching and learning.”
- ◆ Department committees and chairs were also surveyed, and returns are currently coming in. From even partial returns thus far it is apparent that there is large variation between departments as to how this process was followed. For example, some spread dollars equally among all faculty, some did not. The weighting used for evaluation categories varied considerably as well. As for the time necessary to conduct the process, chairs and committees reported from 0 to 40 hours.
- ◆ In the current process at CSUS, part time faculty are faced with a number of problems. Are they being included in the process of setting departments’ review procedures? Are they given the opportunity to serve on department review panels? Are they given clear instructions as to what they will be evaluated on? Are they fairly included in the merit pay raises awarded? The FPC and the Senate have heard from many full-time and part-time faculty who have voiced concerns about the application of the merit process to part time faculty.
- ◆ Recently, the CSU Hayward Academic Senate passed a resolution asking the CSU and CFA to negotiate an MOU that does not include a provision for merit pay. They base their resolution largely on the final report of the CSU Academic Senate Merit Pay Task Force (11-5-97), which states that “there is overwhelming research evidence that merit pay systems do not produce the desired result of increasing meritorious performance among college faculty. Of the roughly 3000 studies of merit pay done in the past two decades, only about 100 claim positive results.” A number of recommendations in this report raise serious concerns about the current FMI process.
- ◆ Finally, the costs of the program have not yet been tallied or made public, and a number of questions about costs arise. This process requires an incredible amount of time, energy, and human resources. The applicant writing the FARs, the departments/chairs reviewing the FARs and making recommendations, the deans, provost, and president also reviewing and making recommendations requires an enormous expenditure of time away from academic endeavors. The appeals process took further time and energy from applicants, faculty, and administration. In addition, department, college, and administrative staff and state employees were required to do a tremendous amount of work related to this process. Even so, many faculty have still not received their FMIs. No information has been made

public about the dollar and person power expenditure of the current attempts to prepare checks. We are left to wonder whether this incredible cost is worth the outcome, especially given the fairly narrow gap between awards.

FACULTY POLICY COMMITTEE RECOMMENDATION: Given the evidence gathered, the evidence and data still not forthcoming from the university, and the concerns expressed by faculty, staff, and administration, the Faculty Policies Committee took the following action at its March 15, 2000 meeting. These recommendations come to you as “Levels of Actions.”

1. On February 16, 2000, the Faculty Policies Committee sent a recommendation to the Executive Committee concerning the FMI process. We wish to again show support for that recommendation and state it again. The Faculty Policies Committee recommends to the Faculty Senate Executive Committee that the CSUS Faculty Senate call for a moratorium of the FMI process for the coming cycle, during which time an in-depth review of the process can be conducted and the university can make information available to faculty. Specifically, FPC recommends that the senate requests that the CSU Administration and the CFA suspend all activities related to the current FMI process, that the two bargaining groups get together and discuss the issues raised concerning this current process, and that all money earmarked for FMI during the 2000-2001 year be rolled over into the general salary increase for all faculty. This recommendation is based on evidence, which suggests that serious flaws exist in the current FMI process, that the process is causing major divisiveness and dissatisfaction, and that the process has an enormous cost associated with it in time, money, human resources, and faculty morale. This should be the first level of action taken by the senate.
2. In addition to #1 above, the Faculty Policies Committee recommends a database of the FMI awards given during the past two cycles be developed and analyzed. Possible variables for the analysis might include: 1)seniority; 2) rank; 3) part-time/full-time status;; 4 college; 5) per capita FMI funds distributed to departments; 6) receipt of teaching awards during the period in question; 7) receipt of other awards; 8)presence or number of scholarly publications; and 9)service on major committees. Again, this should be part of the first level of action taken by the senate.

Pending a decisions on the above two recommendations, the Faculty Policies Committee forwards the following recommendation as our next level of action.

3. Faculty Policies Committee recommends that if no moratorium is adopted, that the Faculty Senate consider making a recommendation to all faculty that either they decline to submit Faculty Activity Reports, or if faculty do choose to participate, that all departments make equal award recommendations and leave the decisions to the deans and president.

Lastly, our lowest priority for level of action is the following:

4. If, the recommendation of a moratorium is rejected, and if faculty, departments, deans and the president are going to participate in the FMI process, the following modifications to the

current process, at a minimum, should be made.

- a. Changes to the current Criteria:
Option 1: Section IV. Criteria of the CSUS FMI Policy should be changed to allow faculty to select which criteria they wish to be evaluated on if more than one criterion applies to their work assignment.
Option 2: Insert the following statement at the end of Section IV. Criteria, of the CSUS FMI Policy: “In the evaluation of the candidates’ performance within these criteria, committees/chairs and appropriate administrators shall exercise reasonable flexibility, balancing where the case requires heavier commitments in one area with lesser commitments in another. Evaluators should recognize that faculty responsibilities, priorities, and opportunities vary year to year and that this variation will be reflected in FARs.”
- b. Realizing that part-time faculty do not have assignments in all areas of evaluation, recognition for activities that have an impact on their teaching should be given. In addition, departments should be very proactive in involving the part-time faculty in discussions about the FMI process and submitting FARs. Special efforts should be made to help part-time faculty understand this process, what the expectation of them are, and how they can participate fully.
- c. If one of the goals of this process is to improve faculty performance, feedback about faculty activity is important. Realizing that requiring feedback from every level of review and for every applicant would add to the already incredible work this process requires, we recommend a change in the policy that whenever a department/chair’s recommendation is reduced, feedback as to why the reduction was made should be given. Changes to the current Procedures: Section V., Procedures C. Deans Review, should be changed to state that if a Dean reduces the award recommended by the department that a written explanation for that decision be given to the faculty member who’s award is being reduced. Section VI., Presidents Decision, should be changed to state that if the President reduces the award recommended by the department that a written explanation for the decision be given to the faculty member who’s award is being reduced.
- d. Because there is disagreement between the bargaining unit and the administration concerning the movement of money from one department to another, FPC is recommending that the senate approve one of the two following options. Option 1 is that any movement of money should only occur when circumstances are very clear that a department has been given “more than their share of money” because of the lack of FMI’s requested. Departments should be made aware of this possibility, and plan accordingly. Option 2 is that no money should be moved from one department to another or from one college to another.

ARGUMENTS FOR: FPC concluded that the current FMI process is such that changes to existing procedures and language will not address the issues of concern. Numerous concerns have been raised about the influence this process had on faculty morale and the divisiveness and dissatisfaction that it is causing. A number of concerns have been raised about the cost of the program relative to the outcome. Finally, concerns have been raised about the notion that this program is motivating faculty to perform at a higher level.

ARGUMENTS AGAINST: There were no arguments against this proposal.

cc. ✓ McPherson
Duran

*1. sabacher /
agreed to attach
this to
3400-23*

Draft Resolution on Program Review Team Consultant Pay

WHEREAS, The consultant's report is a crucial part of program reviews at CSUS; and

WHEREAS, If approved, the revised program review guidelines *recommended* being considered by the Faculty Senate would result in more detailed, specific expectations of consultants;

WHEREAS, Concerns have been expressed about the uneven quality of consultant reports; and

WHEREAS, The honorarium for consultants has not been raised in several years; and

WHEREAS, A significant increase in consultant pay would signal the high priority the CSUS community places on the program review process generally and the role of the outside consultant specifically; therefore be it

RESOLVED, That the CSUS Faculty Senate urges the campus administration to raise the honorarium for a program review consultant from \$600 to \$1000.

