

AGENDA
Executive Committee Meeting
CSUSM Academic Senate
Wednesday, April 27, 2016, 12:00 Noon – 1:50 pm
Provost's Conference Room, KEL 5207

- I. Approval of Agenda
- II. Approval of Minutes – EC Meeting – 4/20/16
- III. Chair's Report, [Deborah Kristan](#)
- IV. Vice Chair's Report, [Michael McDuffie](#)
- V. Secretary's Report, [Laurie Stowell](#)
- VI. Provost's Report, [Graham Oberem](#)
- VII. Vice Provost's Report, [Kamel Haddad](#)
- VIII. Discussion Items
 - A. Black Student Center Workgroup **TIME CERTAIN: 12:30** (10 min presentation)
[Ruttanatip "Dang" Chonwerawong](#), AVP, Student Academic Support Services
 - B. Election of Senate Parliamentarian for AY 16/17
 - C. NEAC: Proposed Changes to *Election Rules and Procedures* Document **Page 2**
 - D. TPAC: Memo from TPAC Re: Open Access Policy Referral **Page 9**
- IX. EC Members' Concerns & Announcements

Next meeting: May 4, 2016, 12:00-12:50 p.m., Library Reading Room – KEL 5400



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4 **ELECTION RULES AND PROCEDURES**
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7 **For Elections of: Academic Senate**
8 **Senate Officers**
9 **Academic Senate Standing Committee Members**
10 **Senate Parliamentarian**
11 **Statewide Academic Senators**
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15 **I. PREPARATION OF ELECTION BALLOTS**
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17 **A. The Nominations, Elections, Appointments, and Constitution Committee (NEAC)**
18 **shall provide an Election Announcement to all eligible faculty (as defined by the**
19 **Constitution and Bylaws).**
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- 21 1. The Election Announcement shall include a listing of the continuing Senators
22 and continuing Academic Senate Standing Committee members, as well as
23 a listing of all vacant seats on the Academic Senate, Academic Senate
24 Standing Committees, and some university committees.
25 2. The Election Announcement shall solicit self-nomination by interested faculty
26 for vacant seats on the Academic Senate and Academic Senate Standing
27 Committees.
28 3. Faculty eligibility for specific committee seats shall be described in the
29 Election Announcement.
30 4. Faculty members are not expected to provide university-level service to the
31 Academic Senate during their first year as a tenure-line faculty member.
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33 **B. NEAC shall use the responses to prepare a sample ballot.**
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- 35 1. The sample ballot shall be provided to eligible faculty at least two weeks
36 before the date of election with a deadline clearly stated for all nomination
37 petitions and requests for deletions (to be submitted in writing).
38 2. If, after NEAC has circulated the sample ballot, faculty members wish to
39 nominate themselves for vacant positions, such nominations must be
40 submitted to NEAC.

- 41 3. For persons wishing to change their candidacy from either at-large or
42 College/School/Library/SSP-AR (hereinafter referred to as "academic unit")
43 representative, the request for such a change must be submitted to NEAC.
- 44 4. If the request for a name deletion or a move between unit and at-large
45 representative creates a vacancy on the ballot for that position, the eligible
46 faculty represented by that position shall be notified of the vacancy.
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49 II. GENERAL PROCEDURES FOR ELECTIONS

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51 A. The elections for the Academic Senate, Senate Officers, Academic Senate
52 Standing Committees, and Statewide Academic Senate shall be by submission
53 of ballots to the Academic Senate Office. Elections will be held annually in the
54 spring, except in the case of Statewide Academic Senator elections, which
55 need not be held unless a term is expiring. The election process will be timed to
56 ensure that Senators are seated prior to the penultimate Senate meeting of the
57 spring semester.
58
59 1. The date of election shall be the date the poll closes.
60 2. Polls shall be open for one week unless otherwise stated.
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- 62 B. Eligible faculty shall be permitted to vote for one candidate for each vacant
63 position. Write-in votes and abstentions shall be allowed.
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- 65 C. Election shall be by plurality of votes cast.
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67 1. NEAC shall certify the election results.
68 2. In the event that there is a tie among more candidates than there are seats
69 available, NEAC shall select a winner by lot.
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- 71 D. Election results for Academic Senate elections shall be reported. Vote totals
72 shall be available at the Academic Senate Office.
73
- 74 E. Any eligible voter has ten (10) instructional days after NEAC certifies the results of
75 an election to challenge the result.
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77 1. Challenges must be submitted in writing to the chair of NEAC and must
78 specify the nature of the challenge.
79 2. If no challenge is received within the allotted time, all ballots and related
80 materials shall be destroyed.
81 3. If a challenge is received, ballots and related materials shall be retained until
82 the issue is resolved.
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84 F. Any Faculty Senator, Statewide Academic Senator or Faculty Senate Standing,
85 Special, or Ad Hoc committee member may be subjected to recall by a petition
86 to the Executive Committee of the Senate.
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- 89 1. The recall may be initiated by any eligible faculty member.
- 90 2. The initiator of the recall must write a petition explaining the reason(s) for the
91 proposed recall, obtain signatures of at least 20% of the eligible faculty from
92 the unit that elected the person, and then present the petition to the
93 Executive Committee.
- 94 3. Upon receipt of such a petition and verification of the signatures on it, the
95 Executive Committee shall direct NEAC to conduct a recall election.
- 96 4. Recalls become effective when they have received a favorable vote of at
97 least two-thirds of the eligible faculty who voted, provided greater than one-
98 half of the eligible faculty voted in the recall.
- 99 5. The vacancy thus created shall be filled under the election procedure set
100 forth in these rules within thirty calendar days of the removal.
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103 III. PROCEDURES FOR ACADEMIC SENATE ELECTIONS

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105 A. Election and balloting for Senate seats shall be by academic unit.
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- 107 1. The Senate shall be representative of the full-time faculty.
- 108 2. The number of Senators from each academic unit shall be determined by
109 NEAC each spring, prior to spring elections, in compliance with Article 5.1.1 of
110 the Constitution and Bylaws of the University Faculty and the Academic
111 Senate.
- 112 3. Based on the response to the Election Announcement, NEAC shall conduct
113 an election in accordance with these Rules.
- 114 4. Eligible faculty shall be permitted to vote for as many candidates as there
115 are vacant seats allocated to the academic unit (e.g., if an academic unit
116 may elect six representatives, the ballot will read "Vote for up to six persons").
- 117 5. Any business that must be addressed before the academic year ends will be
118 conducted by the extant Academic Senate and Executive Committee.
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120 B. NEAC shall be responsible for filling vacancies on the Academic Senate.
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- 122 1. Subsequent to the spring election, NEAC will interpret those seats that remain
123 unfilled as "Vacant." Vacant seats shall be filled by implementing the
124 previous rule.
- 125 2. When a senator notifies NEAC of his or her inability to serve, NEAC shall issue a
126 call for a volunteer replacement to serve during the vacancy.

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IV. PROCEDURES FOR ELECTION OF SENATE OFFICERS

- A. Nominees for Vice Chair or Secretary of the Senate must be eligible faculty who either have been a voting member of the Senate or who have served in any capacity on a Senate Standing Committee for two of the past five years. Nominees for Chair and Vice Chair must be tenured at the time of nomination.
- B. Each spring, NEAC will distribute a Call for Senate Officers to full-time (tenure line and temporary) faculty.
 - 1. The Call will request that nominations for secretary and chair-elect of the Senate be sent to the Senate Office.
 - 2. The Call will request that faculty obtain permission of nominees prior to submitting their names.
- C. A sample ballot will be provided, and faculty will have one week to review and respond. Faculty may make additional nominations or may request that their name be removed from the ballot.
- D. The Official Ballot for the Election of Senate Officers will be provided to the current Senate members and Senators will have one week to vote.
- E. Senate Officers will be announced at the penultimate Senate meeting of the spring semester.
- F. In the event that the chair becomes unable to serve, the vice chair/chair elect shall assume the position of chair.
- G. In the event that the vice-chair becomes unable to serve, NEAC shall conduct an election for vice chair/chair elect.

V. PROCEDURES FOR ELECTION OF STANDING COMMITTEES

- A. Standing Committee membership is of two types: academic unit representatives and at-large representatives.
- B. The members of the various committees serve staggered two-year terms.
- C. Specific academic unit representatives shall be elected by eligible faculty within that unit. At-large representatives shall be elected by all eligible faculty.

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- D. Elections for Promotion and Tenure Committee (PTC)
 - 1. Only tenured full professors may serve on the PTC.
 - 2. Elections for PTC seats must be contested (at least two candidates per seat).
 - 3. If there are fewer than two candidates per seat in the Spring Election, NEAC will put out a call for nominees subsequent to the reporting of Spring Election results and hold an additional election to seat the PTC by the end of the Spring Semester. This special election does not require a sample ballot. (Every effort should be made to fully seat the PTC for initial review of files at the start of the Fall semester.) ~~within the first two weeks of the subsequent semester (fall semester).~~ NEAC will conduct an election once a minimum of two candidates per seat is secured. ~~This special election does not require a sample ballot.~~
- E. A person may be elected to serve on no more than two committees.
- F. No person shall be elected chair of more than one standing committee.
- G. After election results have been announced, each current committee chair shall convene a meeting of current committee members and new committee members to (a) review the year-end committee report and (b) elect a committee chair for the next academic year from among the members of the committee who are ranked at associate level or above.
 - 1. Each current committee chair shall notify the Academic Senate Office of their committee's newly elected chair.
 - 2. The newly elected chairs (with the exception of the PTC) and the newly elected Academic Senate Officers will constitute part of the Executive Committee for the following academic year.
- H. The terms of those standing committee members whose terms are expiring shall end on the last day of the spring semester; however, they may be called upon to respond to urgent matters during the summer following their term's expiration.
 - 1. Any business that must be addressed before the academic year ends will be conducted by the extant standing committees.
 - 2. Newly elected members' terms begin with the start of the fall semester; however, they may be called upon to respond to urgent matters during the summer prior to their term's commencement.
- I. Vacancies

- 212 1. When vacancies arise on Standing Committees due to a faculty member
213 being on leave or due to a faculty member's resignation, NEAC shall issue a
214 call for a volunteer replacement to serve for the duration of that faculty
215 member's absence.
- 216
- 217 a. NEAC will review the volunteers and make recommendations for Senate
218 confirmation.
- 219 b. PTC vacancies may not be filled through NEAC's recommendation
220 process. These seats may only be filled by an election, in accordance
221 with item V.C. above.
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- 223 2. Subsequent to the Spring election, NEAC will interpret those seats that remain
224 unfilled as "Vacant". Vacant seats shall be filled by implementing the
225 previous rule, with the exception of PTC vacancies. These may only be filled
226 by an election, in accordance with item V.C. above.
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228 VI. PROCEDURES FOR SELECTION OF SENATE PARLIAMENTARIAN

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- 230 A. NEAC shall distribute a call for Parliamentarian no later than one week after the
231 announcement of the spring election results.
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- 233 B. NEAC will forward the list of nominees to the Executive Committee (EC), which
234 will select the Parliamentarian by the last EC meeting of the academic year.
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- 236 C. Should no nominees come forward by the end of the academic year, the
237 incoming Senate Chair shall appoint a member from the Senate to act as
238 interim Parliamentarian until NEAC is able to solicit nominees and the EC takes
239 action. The interim Parliamentarian shall be a non-voting member while acting
240 as Parliamentarian.
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242 VII. PROCEDURES FOR ELECTION OF STATEWIDE ACADEMIC SENATE REPRESENTATIVES

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- 244 A. CSUSM has two statewide academic senators (this number is determined by the
245 statewide Academic Senate) who serve staggered three-year terms.
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- 247 B. When necessary, NEAC shall put out a call for candidates to fill the position of
248 the senator whose term is expiring.
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- 250 C. The statewide academic senator shall be elected during NEAC's annual spring
251 Senate election process.
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- 253 1. Election and balloting for statewide academic senators shall be by all eligible
254 faculty.

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2. NEAC shall nominate all eligible faculty who indicate a desire to run. Senators whose terms have expired are eligible to run again.



Date: April 22, 2016

To: Debbie Kristan
Academic Senate Chair

Cc: Executive Committee Members

From: Technology & Policy Advisory Committee (TPAC)

We are writing to update the Academic Senate with our progress and action in response to the proposed open access policy.

As requested, we have made various efforts to educate faculty about open access. We have held two brown bag informational sessions, and presented at one all-chair meeting and at Academic senate. As part of this process, we developed an informational slide presentation, including a list of pros and cons for the opt-in and opt-out options that we presented at the sessions. In addition, after these presentations, we created a survey for all tenure-track faculty to determine their preferences; this survey included background information about open access as well. We reviewed the data from the faculty survey. Less than one third (32.67%) of the TT faculty responded to the survey (83 of 254); 56.6% of respondents voted for the opt-in option; 31.3% of the respondents voted for opt-out, 8.4% indicated no preference, and 3.6% indicated they were unsure and needed more information. Based on faculty feedback, we revised the draft of the policy to reflect current faculty preference for an opt-in procedure. However, the committee voted (4 in favor, 1 opposed of the 5 voting members in attendance) that we do not endorse moving forward with any open access policy at this time. We have several reasons for this position:

- We do not believe that a policy is needed to participate in this initiative. The resolution (Resolution in Support of Open Access for Faculty Publications, 2013-2014) already allows faculty to opt-in to sharing their research through the University's institutional repository (ScholarWorks).
- Given faculty feedback, we believe that our only feasible option is to put forward an opt-in open access policy. However, professional best practice states that opt-in policies do not reflect the current best practice for open access initiatives (Shieber & Suber, 2013).
- The comments from the survey reflect some confusion by faculty which indicates that we need more examples of our faculty participating and more education about the difference between open access and Open Access Journals.
- The Executive Committee (EC) requested that we add the definitions, form, responsibilities, and procedure to the policy.
 - The resolution includes this information.
 - Given current support for an opt-in initiative, we would like faculty to work with the library to choose how to opt-in and participate in this initiative. Therefore, we are concerned that documenting a formal procedure for opting-in through policy at this early stage of this initiative could discourage faculty participation.
 - We have identified approved Senate policies that do not include this information (e.g., social media policy).
- Moving forward with an additional policy for opt-in, that has no mandate, could create ill will with the faculty respondents that voted for an opt-out, no preference, or unsure/need more information (43.3% total).

We recommend that the Library continues to work with interested faculty across colleges on the open access process and continue open-access discussions on campus to provide faculty with needed information about open access.