

Regular Meeting of the University Senate
Manchester Center, Hazard Board Room
September 28, 2006

Attendance

Law: Lazerow, Chair; Horton; Kelly; McGowan

Arts & Sciences: Branch; Guerrieri; Jubran; Lewis; Meter; Moran; Nadkarni; Otto; Pachence;
Pierson; Staninger; D. Sullivan; Tsomo; Velo

Business: Gin; Schubert; Sumner

SOLES: Low; Perrakis

Nursing: Clark

Ex-Officio: Allen; Cole; Cordeiro; Hardin; Healy; J. Sullivan

Student Representatives: Jones; Miranda; Vincent

Guests: Crumley; Dobkin; Herrinton; Wessells

1. Announcements

A. Report of Policies sent to President Lyons. President Lyons approved the policies sent to her by the Senate on tobacco use on campus and on illegal, dishonest, or fraudulent conduct. She approved the policy on involuntary leave after correcting typographical errors and making a minor word change. She approved the immunization implementation plan, limiting it to resident students and incoming undergraduate freshmen due to practical considerations. Because this is an implementation plan rather than a policy, it will not appear in the policy manual. The other three policies will.

B. Report of the Sept. 13 Cabinet meeting. USD has been approached by Major League Lacrosse about using the USD stadium May to August, mostly on weekends. The Cabinet approved the following policies in volume II of the *Policy and Procedures Manual*: Equal Opportunity, Prohibiting Discrimination and Harassment, the Family Educational Rights and Privacy Act, and on Reasonable Accommodations for Disabled Persons. These policies now come to the Senate.

2. Approval of minutes of Sept. 7, 2006

The minutes of Sept. 7, 2006 were approved by voice vote.

3. Committee reports

A. Report of the Senate Task Force on Academic Program Review. Pachence, noting that the Executive Committee of the Senate has accepted the report, distributed a listing of six proposed Academic Program Review document amendments and their rationales, prepared by a caucus of 11 Arts & Sciences senators and reflecting issues raised by the Academic Assembly.

Motion by Pachence, seconded by D. Sullivan, to: STRIKE "FACULTY WILL BE RECOMMENDED BY DEANS AND APPOINTED BY THE PROVOST." FROM P. 1, *ACADEMIC REVIEW COMMITTEE*, LINE 6, AND SUBSTITUTE "FACULTY MEMBERS OF THE ARC WILL BE ELECTED BY UNIT PEERS."

Summarizing the motion's rationale, Pachence noted that both the Provost and the Task Force's intended to make the review process faculty-driven. Faculty members of the ARC, therefore, ought to be duly elected by their peers.

Branch, speaking to the principle of the motion, said faculty will serve an important capacity and need the support of their peers. Healy recommended that A&S members of the ARC be appointed after careful consideration by the dean and in consultation with chairs and faculty. He also suggested that these members represent each of the College's three divisions – the social sciences, humanities, and natural sciences.

Motion to amend by Horton, seconded by Schubert, to: ADD “HOWEVER, THE FACULTY OF THE RELEVANT ACADEMIC UNIT MAY REQUIRE THAT” IN FRONT OF “FACULTY MEMBERS OF THE ARC WILL BE ELECTED BY UNIT PEERS.” TO READ: “FACULTY WILL BE RECOMMENDED BY DEANS AND APPOINTED BY THE PROVOST. HOWEVER, FACULTY OF THE RELEVANT ACADEMIC UNIT MAY REQUIRE THAT FACULTY MEMBERS OF THE ARC BE ELECTED BY UNIT PEERS.”

Vote: 22 – Approve; 2 – Oppose; 3 – Abstain. The amendment passed.

Vote on amended motion: 20 – Approve; 0 – Oppose; 4 – Abstain. The amended motion passed.

Motion by D. Sullivan, seconded by Pachence, to: ADD TO P. 1, ACADEMIC REVIEW COMMITTEE, AT THE END OF THE SECTION, “THE ARC IS NOT INTENDED TO BE A DE FACTO UNIVERSITY-WIDE ARRT COMMITTEE, NOR IS IT INTENDED TO BE A DE FACTO BUDGET COMMITTEE THAT DRIVES ACADEMIC EXPENDITURES.”

Sullivan said that the motion’s underlying rationale is that the Task Force’s implicit assumptions about the ARC’s functions should be made explicit in the APR document.

Kelly commented that he would not want to see the document restrict the ARC from recommending that a given program receive more resources. The self-study results could be used to recommend that the program under review receive more resources through the budget process. Pachence responded that the motion doesn’t address that issue. Rather, the issue has to do with the intention of the APR process, which is directed toward facilitating academic excellence and compliance with WASC standards. It doesn’t preclude the administration from giving more resources or taking some away. Lewis explained that some faculty have lingering concerns that the ARC is a first step toward creating a university-wide ARRT committee. The motion helps to alleviate those concerns.

Vote: 14 – Approve; 9 – Oppose; 1 – Abstain. The motion passed.

Motion to amend by Horton, seconded by Low, to: ELIMINATE THE FIRST SENTENCE OF THE RATIONALE AND ADD TO THE SECOND SENTENCE THE PHRASE “THAT ARE IMPLICIT” AFTER THE WORD “EXPLICIT.” TO READ “THE AMENDMENT WOULD MAKE THESE ASSUMPTIONS EXPLICIT THAT ARE IMPLICIT IN THE APR DOCUMENT.”

Herrinton, calling a point of order, said the Senate adopted the motion; it didn’t adopt the rationale.

Clark said the document and the rationale are from the Academic Assembly; it is not the Senate’s prerogative to change the rationale. Lazerow stated that what passed is the motion. To the extent that there is uncertainty about it, however, there is a written document that provides some interpretation. D. Sullivan said he agrees with Horton that the rationale’s language may be misleading, but he said he hoped that task force members would agree that the rationale was intended to convey exactly the point made in Horton’s motion to amend.

Horton withdrew his motion.

Motion to amend by Lewis, seconded by Otto, to: STRIKE FROM LAST PAGE, STAGE 3, ITEM 3) “...COMMENTS ON THE PROGRAM AND SUGGESTS STRATEGIES BY WHICH TO ACHIEVE PROGRAM GOALS.” AND REPLACE WITH “DESCRIBES ADHERENCE TO THE ACADEMIC PROGRAM REVIEW PROCESS.” TO READ “THE ARC WILL PREPARE A REPORT INFORMED BY THE MATERIALS PROVIDED IN WHICH IT DESCRIBES ADHERENCE TO THE ACADEMIC PROGRAM REVIEW PROCESS.”

Lewis said the motion clarifies the ARC’s role and certifies that the process has been followed.

Pachence said that the motion fundamentally changes the charge of the ARC. The ARC as originally proposed and endorsed by the task force would be a deliberative body that prepares a report in which it comments and suggests strategies. The motion changes the charge to oversight. The original proposal gives the ARC “teeth.” This motion is a compromise proposal. The ARC will make a report noting adherence to review procedures, not specific recommendations for program changes.

Lewis said that the individual unit should determine how it will pursue its goals. The motion focuses the ARC’s attention to procedural concerns. If there are interdisciplinary, university-wide opportunities, then it is appropriate for the ARC to suggest those to the unit.

Clark said changing the language eliminates the need for the ARC. Otto said that, as she understands it, the rationale for creating program review is to establish a regularized process so that all units being reviewed will have an agreed upon standard and procedures to follow. She recommends that the ARC monitor review procedures and verify to the Provost in its report that they have been followed. She doesn’t see the need for a committee to write a report on another committee’s report that is based on a report from an external reviewer.

Herrinton said the motion is about whether ARC looks at content or process. Whether the ARC should focus on process, content, or both depends upon whether one believes there is a University of San Diego or five separate units that have nothing to do with one another. The outside reviewer won’t look at how the unit contributes to the mission of USD because they have no expertise in that area. That kind of assessment is the ARC’s responsibility. The ARC’s role, as defined by the task force report, is to look at the data provided to it and assess how the program fits into the unit and how the unit fits into USD.

Lewis said the motion retains a content orientation in the second sentence. The amendment proposes that someone also monitor the process.

Low said the language somewhat captures assumptions that were implicit in the task force’s discussion of the section – that is, that the process would be reviewed and that the ARC would not necessarily accept the self-study and other review materials if the process wasn’t followed. The motion, however, removes the deliberative function of the ARC, a role the task force agreed was central to the review process.

Vote: 9 – Approve; 13 – Oppose; 3 – Abstain. The motion failed.

Motion to amend Meter, seconded by Clark, to: STRIKE ON PAGE 2, UNDER MODIFICATION OF THE APR, SECOND LINE, “WITH INPUT FROM FACULTY AND IN CONSULTATION WITH UNIVERSITY SENATE AND DEANS.” AND REPLACE WITH “IN CONSULTATION WITH THE DEANS AND WITH THE APPROVAL OF THE UNIVERSITY SENATE.”

The motion addresses a concern raised by several A&S faculty – that the APR document has no explicit statement about the Senate’s jurisdiction over the review process. Lazerow noted that this proposed amendment refers to future modifications of the ARP.

Herrinton said that the Senate has jurisdiction and will have jurisdiction to amendments after it has been passed. D. Sullivan said that while the Senate may consider this motion redundant with its claim to jurisdiction, it is better to have that claim stated explicitly in the APR document, especially because many policies that come before the Senate – even those within the Senate’s core jurisdiction – do not require Senate approval. The motion makes it clear to all that any proposed changes to the APR process must gain Senate approval, not merely Senate consultation. Pachence stated that jurisdiction over the review process has, in fact, been questioned and could be questioned in the future.

Lazerow noted that under the Senate Constitution items must be submitted to the Senate and the Senate will make a recommendation. The President has ultimate authority on University policies. Sullivan argued that because the APR process is not a policy that would be included in the *Policy & Procedures Manual*, the Senate would have authority over the APR process.

Vote: 21 – Approve; 0 – Oppose; 4 – Abstain. The motion passed.

Motion by D. Sullivan, seconded by Lewis, to: STRIKE FROM LAST PAGE, STAGE 3, ITEM 3), THE FIRST SENTENCE AND REPLACE WITH “THE ARC WILL PREPARE A WRITTEN COMMENTARY INFORMED BY THE MATERIALS PROVIDED COVERING THE PROGRAM AND THE REVIEW PROCESS.” THE REST OF THE ITEM REMAINS.

D. Sullivan said that the motion takes up again issues raised in the Senate’s discussion of A&S caucus motion number 4, promoting what he believes is a compromise position. The motion, if passed, would direct the ARC to address both process issues and program, or content, issues. The proposed language would eliminate the term “strategies,” which Sullivan argued was ambiguous and which some A&S faculty have perceived as a threat to program autonomy.

Vote: 17 – Approve; 2 – Oppose; 4 – Abstain. The motion passed.

Clark said that Nursing faculty have expressed concerns about maintaining the confidentiality of faculty interviews conducted as part of the review process. Perhaps the assurance of confidentiality does not need to be in the document itself at this point, but she would like to see this assurance expressed in the minutes. Lazerow said that the understanding is that the PRT will keep the identity of faculty who make review comments confidential, and this would include anything that in the substance of the comments might identify the person.

Senators discussed the comparative advantages and disadvantages of the various deadlines proposed in the APR document. Crumley noted that the task force had discussed these deadlines, raising many of the same issues, and determined that the deadlines were among many logistical concerns that would have to be addressed by the ARC and Provost. It was noted that extensions could be granted, especially to programs and to deans in their responses to PRT reports.

Vote on ARC policy as amended: 23 – Approve; 0 – Oppose; 2 – Abstain. The amended APR document passed.

B. Executive Committee: *Policy & Procedures Manual*, Volume I

Lazerow stated that Volume I of the *Policy & Procedures Manual* is relatively non-controversial. Lazerow sent Senators by email some alternate possibilities for wording that does not conform with the Senate’s constitutional authority. He requested that senators review the proposed alternate wording possibilities and advise him of which one they prefer.

Lazerow told senators that those interested in serving on a Senate committee should notify him.

The meeting adjourned at 1:45 p.m.

Submitted by,

David Sullivan
Secretary

Peggy Agerton
Recording Secretary