

FPPC MINUTES
FRIDAY, FEBRUARY 7, 2025
12:30-2:30

Agenda Approval Present: Erlyana Erlyana (Vice Chair), Richard Marcus, Barbara LeMaster (Chair), Rick Reese, Ted Stankowich, Roger Lo, Patricia Pérez (Provost Designee), Anna Ortiz (Dean Representative), Leslie Andersen, Jamie Lee Tran.

Not Present: Lily House Peters (CFA), Estella Chiznik

Approval of the meeting agenda. Approved Unanimously.

Approval of Minutes from 12-6-24. 9 approved. 1 abstention.

Chair's Report: (provided in writing to council members)

FPPC Charges for year 2024-2025
Chair Report from Barbara LeMaster 2-7-25

Our charges from the Academic Senate:

AS Exec wants the FPPC to work on (FPPC decides on the order):

- 1) hiring T/TT policy incorporating DEIA guidelines,**
- 2) copyright intellectual property policy,**
- 3) patent intellectual property policy, (or combine into one policy #2 and #3)**
- 4) NCAA Faculty Representative (FAR) policy, and**
- 5) SPOT review**

These four or five policies are to be seen as front-of-the line work as charged by the Academic Senate Exec in Fall 2024.

Following completion on the above policies, AS Exec directs the FPPC to work on other policies such as:

- 6) lecturer reclassification to T/TT policy, and**
- 7) hiring lecturers incorporating DEIA guidelines.**

Where is the Council at regarding the pending policies in Spring 2025?

- 1. AS Policy on Guiding Principles in Inclusive Hiring of Tenure-Track Faculty.**

The Charge: The FPPC was provided with an outline from the Academic Senate chair on March 2, 2022 and asked to write a hiring policy for T/TT faculty that incorporates DEIA guidelines into that policy. (The AS draft outline is provided on the OneDrive for year 2024-2025.)

We worked on the hiring policy as an ad hoc committee in 2023-2024 and as a committee-of-the-whole in 2024-2025 to include DEIA guidelines in a T/TT hiring policy. We have produced a draft of the policy which can be found in the OneDrive. Currently, information about hiring lecturers appears in this draft, which we may decide to separate for later work on a lecturer hiring policy with DEIA guidelines. We left our work on this draft with one section needing more attention. The section on Faculty Equity Advocates is going to be further drafted by Patricia Perez and brought to FPPC for review this semester.

Actions by FPPC for Spring 2025: Review the draft, add the section on Faculty Equity Advocates, either leave lecturers in this policy or put lecturer information aside for future work, then vote on the policy.

2. NCAA policy changes recommended by current Faculty Athletics Representative (FAR), Brenda Vogel – See AS 95-02, and recommendations from Brenda Vogel on our OneDrive.

The major change requested by Brenda Vogel of the FPPC are changes to the current AS policy 95-02 (from 1995). Those changes include eliminating FAR terms and term limits. Brenda Vogel tells us that these changes will bring the policy in line with other Big West Conference members and recommendations of the NCAA and of FARA. Term limits would be replaced with an annual review by the university president and this process would be enshrined in the job description (according to Vogel), which was also undergoing revision to reflect current practice in August 2024.

Actions by FPPC for Spring 2025: Look at the suggested edits by Brenda Vogel located in our OneDrive. **We will have a time certain meeting online with Brenda Vogel at 1:00 p.m. on February 7, 2025.** We will have discussion, and a time for questions. Our goal will be to attend to the request, vote on our work and pass our recommendations on to the Academic Senate.

3. Copyright and Patent Policy or Policies:

A request for change to the campus university intellectual property policy was originally brought to the Academic Senate by ORED. The Academic Senate charged the FPPC to review the requested changes from ORED on intellectual property, reviewing the drafts for a policy on Copyrights and a policy on Patents. FPPC can accept, change, deny suggested changes, and will decide whether to combine both into one policy or to have separate policies. Once we complete our review, vote on the policy/policies, then we send our document or documents to the Academic Senate for their review.

Some FPPC history: This issue was reviewed and discussed by the FPPC members last academic year, 2023-2024 with the following conclusion as appears in the Annual Report

from the FPPC Chair, Leslie Andersen, to the AS Exec at the close of the academic year 2024:

“Near the beginning of the academic year, we were presented with new copyright and patent policies authored by the Office of Research and Economic Development. These policies were given to us for review because of the university’s current non-compliance with the Bayh-Dole Act of 1980 and 2018 which obligates the university to retain ownership of certain intellectual property funded by the federal government. As the Council began its review, we realized that the policies from ORED were based on the former Intellectual Property policy introduced to the Academic Senate in 2015 and passed in 2016. This policy was not signed by the President and was never implemented.

By the end of the academic year, the Council was still in the process of reviewing and editing this policy and it has been distributed in its very rough form to faculty councils for input. For now, and until a new policy can be approved, the Council has recommended to the Senate Executive Committee to ask ORED to draft guidelines for Bayh-Dole Act compliance that could be implemented in a timely manner. Concurrently, the Council will continue to review and edit the Copyright and Patent policies with the goal of drafting a new Intellectual Property policy for Senate review.”

Our Charge from the Academic Senate: In the current academic year, 2024-2025, FPPC is charged with reviewing the policy drafts given to AS, then to FPPC in year 2023-2024. AS directs us in this way (from AS Chair, Neil Hultgren through AS Exec Discussion): *“FPPC is not required to make all the changes that have been recommended by ORED in the documents they sent forward. FPPC can also consult with ORED and decide whether they want to have one Copyright and Patent Policy or two separate policies.”* The AS Chair said that the ORED policy drafts are largely based on the Intellectual Property policy passed by AS in 2016, but not signed by the university President because of the expectation that the CSULB CO would issue a CSU system-wide intellectual policy. This has not occurred. In addition, the AS Chair suggested that FPPC bring in a representative from ORED, again this academic year 2024-2025, to talk with the Council about ORED suggestions for changes in the documents. FPPC can accept, deny, or change any suggested changes. After our review, the policy or policies will go to Academic Senate for review.

Actions by FPPC for Spring 2025: Jade Sche, the Director of Innovation and Economic Development at ORED, is scheduled to come to talk to the FPPC membership on February 21, 2025 at 1:00 time certain. Prior to this visit, FPPC will review work from last year on these documents at the February 7, 2025 meeting. See the file for 2024-2025 on intellectual property on the OneDrive. In this file you will find the powerpoint from ORED given to the FPPC last year (2023-2024). See the various policies: 1) the policy approved by the Academic Senate in 2016 but not signed by the university president, 2) two separate “clean” copies of a policy on Copyrights and a policy on Patents, 3) a policy that combines Copyrights and Patents (i.e., the work done by FPPC in

year 2023-2024, Leslie's copy of an integrated policy merging Patents and Copyrighted materials under the same intellectual property document). After Jade Sche's visit, we will take up the task of attending to the issue of intellectual property again with an expectation of sending our work on to the Academic Senate for review. We can revisit whether to have two separate policies or one integrated policy.

4. SPOT

Our Charge from Academic Senate: *"Per policy, every 5 years the SPOT (or equivalent) needs to be re-evaluated. The SPOT Policy says that FPPC shall select common items from nationally recognized and validated item pools. Work has begun last year on this but the previously used item pools were no longer available, Leslie Andersen (former FPPC Chair) indicated in her annual report to Exec that Senate should form a taskforce to overhaul SPOT. However, this academic year, the Academic Senate has again charged the FPPC to work on SPOT. The AS Exec sends this work back to the FPPC as the FPPC is specially positioned to do this work. A suggestion from the AS Exec is for the FPPC to find a SPOT alternative. At the Exec meeting in spring, Brian "BK" Katz suggested a process used at his previous institution (IDEA diagnostics feedback: <https://courseevaluationsupport.campuslabs.com/hc/en-us/articles/360038358293-Getting-Started-IDEA-Instruments>) as a possible alternative instrument to SPOT. Other members of Exec suggested that it could be useful to look at the evaluation instruments being used by other CSUs" (which the FPPC did in year 2023-2024 – see the information on the OneDrive).*

See the powerpoint provided in the OneDrive of an instrument used at CSU Fresno, which was part of discussions in FPPC in year 2023-2024 for how an evaluation instrument can provide better information from students about their experiences with faculty members' work.

There is a lot of information posted on our OneDrive regarding this issue that came from work done and led by Chair Leslie Andersen last year (2023-2024).

In a meeting on January 24, 2025 with the AS Chair, there was a reminder that one option regarding the FPPC review of SPOT can be a decision that we need a new instrument altogether. It was also noted by the AS that problems with the SPOT instrument that have come forward already (in campus discourse in general) have been issues of racism, homophobia, negative evaluations for people of color, women, etc. Also noted in this general campus discourse has been issues related to how and when the instrument is available for student input on faculty. Students have asked to have the instrument open for student feedback until after the student's receive their course grade.

Actions for the FPPC in Spring 2025: See the memorandum created by FPPC in Fall 2025 with the idea that this memorandum would go to the Chair of each college's all-faculty committee (called Faculty Council in some colleges, and College Council in others, and

may have even more diverse names across colleges). The idea was to have college council chairs distribute the memo to council representatives who would distribute the memo to department and program chairs and directors. However, given the overwhelming demands of RTP college and department documents taking up college committees' time this entire academic year, the AS Chair is suggesting a different way for the FPPC to gather college-wide information about the SPOT instrument. The recommendation is to use the memo for guidance, and for each FPPC representative to ask their College Council Chair for time at scheduled college meetings to gather college-level feedback on the current SPOT. Each FPPC member would bring their college information back to the FPPC members for review and synthesis.

If we agree to take this approach, we may want to modify the current memo wording accordingly.

We could also decide to take a different approach altogether. We will discuss this issue at upcoming FPPC meetings.

End of Chair report.

Additional part of the chair's report: Looking at the information on this council, I found several things that need to be addressed: 1) we have a Steering Committee (see item 2 below), we needed a Chair on the committee (Estella Chiznik will occupy that role and her elected role), 3) one of our members needs to attend the Academic Senate meetings and I teach during that time so we need someone else to volunteer, 4) we need an AS non-voting liaison to be part of our Council. The AS Chair said that he would try to find someone for us.

OLD BUSINESS:

1. **Vote on FPPC Secretary, Nominee, Richard Marcus.** Richard Marcus elected and confirmed as Secretary.
2. **Steering Committee:** Barbara LeMaster, Patricia Perez, Erlyana Erlyana, Richard Marcus
3. **Nomination of FPPC representative to Academic Affairs:** Erlyana Erlyana confirmed.
4. **Selection of Faculty Athletics Representative (FAR) update (time-certain meeting with Brenda Vogel at 1:00 p.m. today, CSULB Faculty Athletics Representative (FAR).**
Available on OneDrive. Request to change to term limit to align with Big West recommendations from the NCAA. Term limits would be replaced with an annual review by the university president or designate and this process would be enshrined in the job description.
 - a. Term Limits. If there are no term limits if someone wants to step down what would be the process?
 - b. Term Limits If someone would really like to do it how might they get the opportunity?

Brenda: In 4th four year term with a four year gap in the middle. Highly engaged FAR publication. It is different from other appointed or elected positions. It took me a solid 5 years to figure out the position. Guidelines mandate that you serve at the will of the President. Brenda is now the longest serving FAR. When it is rotating every 3 or 4 years – it is a lot of work. Some people find it is not for them. There is a problem for turnover. Less of an issue that people stay too long than continuity. I seek to bring our process in line with everyone else in the Big West. When I left I could focus on being department chair. I don't know where evaluation should sit.

c. Do other universities do annual evaluation?

Brenda: An annual evaluation is our CSULB president's recommendation. I meet with the president regularly. FAR is an at will position. The athletic director reports to the VP Finance and Operations. The NCAA Rep reports to the CEO.

d. Leslie: Where is this part of the policy right now? It is not in the committee on athletics. Brenda: 95-02.

i. Leslie: If there is some kind of annual review it should be in the policy.

ii. Brenda: The annual review should be in policy or PD. I don't know where the PD should live but it should live somewhere.

iii. Barbara: Brenda, will you provide us with a copy of the PD? (A copy of the PD was put in the chat.)

e. Richard: You mentioned you had a 4-year break. What was the experience of that representative? Brenda: The person did not seek to continue. She did not reapply.

f. Brenda: Investigations are the most difficult. We have spent 40 hours interviewing people and media interviews. It is like being a firefighter. There are times where the FAR works nonstop, weekends/evenings, then times when things are quiet. Overall, however, FAR is a demanding job.

g. Ted: How do you know one year in advance that the FAR will be stepping down? How would there be overlap for mentoring purposes, particularly if dismissed? The one year in advance notice is in the recommended policy change. Brenda: I don't know how that would work if they are dismissed rather than leaving by their own will.

h. Barbara: There are no more questions from the council. Brenda is thanked, and exits the meeting.

i. Barbara: Shall we add "Athletics to the title on the policy to read as: "Faculty Athletics Representative (FAR)". Agreed by acclamation.

j. Barbara: Perhaps we should discuss Brenda's recommendation on terms, and on term limits:

i. Richard: I understand the complexity and the reasoning, but I am concerned about 6 units per term without the opportunity for someone else to gain this experience – for a whole career. That is not in keeping with our campus culture and a potential equity issue.

- ii. Anna: Similar concern. We discuss assigned time equity. Maybe we should think about the length of the term for the work at hand rather than the never-ending term. Brenda was advocating for a lengthy term.
- iii. Richard: Perhaps consider a 1-year term that is evaluative for the FAR and the CEO before determining if this person will do this for consecutive very long terms?
- iv. Erlyana: Should we invite Committee on Athletics input?
- v. Ted: Does this eliminate terms or term limits?
- vi. Barbara: I will look at the NCAA Handbook Brenda mentioned to clarify.
- vii. Roger: Quick search. NCAA FAR survey on Roles and Responsibilities of NCAA Representatives (survey), p13. 2013. Typically the service averages 7 years. Most report no specific duration.
- viii. Barbara: Move to table. I will ask someone from the Committee on Athletics to come and meet with us while I will look at NCAA Handbook mentioned by Brenda. Approved.

5. Reports from FPPC Subcommittees, the University Awards Committee (UAC) & the University Mini-grant, Summer Stipend Committee (UMSSC)

- a. **UAC:** Receiving? Unanimously accepted. Discussion on DEI Criteria.
 - i. Barbara: The UAC has asked for assistance from AS which we can provide. Here is the UAC concern as they expressed it in their report to us: “Not all colleges provided a rationale for their recommendations. Rationale is helpful to the University Awards Committee and helps determine whether the colleges followed DEI criteria and other best practices.”
Barbara: Shall the FPPC take a look at the UAC policy in terms of their concern? Agreed by consensus.
- b. **UMSSG:** Receiving? Unanimously accepted. Richard: FPPC has reviewed both of these policies (2020, 2022). Consider reviewing UMSSG in light of new RTP Policy? Barbara: Yes, we can look at this policy too. Agreed by consensus.

6. Return to discussion and review of previous FPPC work on Intellectual Property Policy/Policies. Intellectual Property, Copyright and Patent policy/policies update (time-certain meeting with Jade Sche at 1:00 p.m. on February 21, 2025). Prepare for next meeting.

- a. Barbara: Jade will present at 1:00 time-certain on February 21, 2025.
- b. Leslie: Are we out of compliance still? How are they practicing this in light of a lack of policy? Are they willingly not complying with regulation or somehow trying to be in compliance without policy? It was so inflammatory in the Senate, if they are looking for a timely review they won't get it. It will take at least an entire academic year.
- c. Barbara: Went through AS approval but not signed in 2016 because a systemwide policy would come. None came. We are out of compliance with what the university gets to own and doesn't get to own. From my recent discussion with Jade, he said that Patent vs Copyright in a nutshell is that the university will own

patents developed by faculty, but they don't own copyrights of faculty produced materials.

- d. Barbara: Given what Jade said, we may want to divide Intellectual Property and Copyright/Patent policies.
- e. Richard: Dividing Intellectual Property and Copyright/Patent makes sense because Copyright/Patent is clearer and more straightforward with the propensity of rights held by the university. The IP is complicated in dividing rights and in looking forward based on technology changes (including AI) and changes in our disciplines on delivery and work product.
- f. Barbara: Agreed. Instructs Council to read through the current policy drafts on our One Drive, and to look over the powerpoint that Jade will present next week as preparation for our next FPPC meeting.

7. SPOT update, return to discussion on SPOT decision to engage college councils?

- a. Last year FPPC sent back to AS Executive considering a broader question about the nature of the SPOT policy and what it does.
- b. Look over notes from AS.—The chair's written annual report provides a reminder of what was done on SPOT in Fall 2024, and how and why it was returned to FPPC this year. The following is taken from the written report to assist with these minutes (it was discussed, but not quoted):
 - i. "By careful research and review, it became obvious that our current methods were in direct opposition to almost everything the literature recommends. The Council concluded that SPOT needs to be completely reviewed and overhauled on this campus. Recommendations and procedures for effective evaluation have changed dramatically across higher education in recent years. In discussing this most of this academic year, the Council has concluded that this is a MUCH bigger project than can be handled by us and requires a dedicated task force to take up the issue. We have made this recommendation to the Chair and consider the work on this issue by the Council to be complete for now." (Leslie Andersen, 2023-2024 FPPC Chair Annual Report to the Academic Senate)
- c. Barbara: As a reminder, FPPC was asked to look at replacement items which FPPC Rejected last academic year because the item bank is no longer in existence. (See the FPPC Chair report above.)
- d. Barbara: The Academic Senate Chair is suggesting Actions for FPPC in Spring 2025: Rather than task college council chairs with sending questions about SPOT to departments to then synthesize in college councils before coming back to the FPPC, because college councils are overwhelmed this academic year, the AS Exec recommends that the FPPC have our representatives go to college councils and to ask college council representatives the questions that we came up with for our memo (with an appropriately revised memo), for each FPPC college representative to synthesize college information before bringing it back to the FPPC.

- e. Richard: We spent AY 23-24 working on this and found the problems in SPOT. We concluded in the FPPC Final Report presented to AS in Spring 2024 by Chair Andersen that a Task Force was needed to find a new instrument.
- f. Richard: We spent a lot of time on SPOT in 2023-2024 and did a survey. Lesley did a lot of research on why we have the problems we do and the potential solutions (including a more formative instrument per ACE).
- g. Barbara: AS returned SPOT to FPPC in Fall 2024 for the Council to address the same charge given to us in 2023-2024. In the early Fall 2024 FPPC meetings, the Council members agreed to gather information about which parts of the SPOT instrument worked, and which were problematic. We also agreed to investigate whether colleges could suggest other existing instruments to replace SPOT. We developed a memo focused on the assistance from college council chairs to synthesize information from their colleges. Rather than further tax college councils (who are working on RTP documents and on the first-year experience), AS now suggests that the FPPC college representatives seek the information sought in the FPPC memo by going to their college councils, collecting the information from their college council representatives, and to return the information to the FPPC. If the FPPC goes in this direction, then the memo would be revised accordingly. In the Spring 2025, AS is open to a recommendation of needing a new evaluation instrument in place of SPOT. If FPPC still wants a university-wide task force to take this on, as was recommended to the council in Fall 2024 before preparing the memo, then the FPPC could move in this direction and establish an ad-hoc committee to take on creating or finding a new instrument to replace SPOT.
- h. Richard: I agree with Barbara that if FPPC is doing this then we need to create a working group and take the time to create that new instrument.
- i. Barbara: Creating a subcommittee to do this work would be similar to our other university-wide subcommittees (UAC, UMSSG) in the sense that we would convene a subcommittee comprised of members across the university to serve as a subcommittee (or ad-hoc committee) to the FPPC focused on finding a replacement evaluative instrument.
- j. Barbara: Is there a motion to create a subcommittee? Richard: So moved. Ted: second. Unanimous agreement.

Create a New FPPC ad-hoc Subcommittee:

Charge: Propose a New Student Perception of Teaching Instrument.

Suggestions of possible membership:

Barbara: one FPPC member as a liaison, two representatives from CLA and one representative from each of the other colleges, a chair, a dean/asst dean...and...?

Anna: Ensure psychometricians on the subcommittee.

Richard: Include Chair or Former Chair and AD Faculty – those who at rubber meets the road read across SPOTs of faculty every semester for extended years and see the challenges that arise across course and faculty parameters.

Erly: Ref: CSUN Teaching Effectiveness Task Force Progress Report
Fall 2022 - Fall 2023

Barbara: I will do some outside work and bring back recommendations to the Council.

8. **Faculty Hiring policy with a DEIA lens update.** Barbara: Urge FPPC members to review the policy. Patricia Pérez has written the FEA section of the policy.

Meeting Dates for Spring Semester (1st and 3rd Fridays, 12:30-2:30 p.m. online):

February 7, 2025 (time-certain meeting with Brenda Vogel at 1:00 p.m.)

February 21, 2025 (time-certain meeting with Jade Sche at 1:00 p.m.)

March 7, 2025

March 21, 2025

April 18, 2025

May 2, 2025