

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA

ACADEMIC SENATE

ELECTIONS AND PROCEDURES COMMITTEE

REPORT TO

THE ACADEMIC SENATE

EP-003-189

Constitution Change: Change Requirement of President's Response from 30 to 45
Days

Elections and Procedures Committee

Date: XX/XX/2019

Executive Committee
Received and Forwarded

Date: 05/15/2019

Academic Senate

Date: 09/25/2019
First Reading
10/23/2019
Second Reading

BACKGROUND:

According to Associate Provost Eskandari the requested response time of 30 instructional days is hard to meet and to avoid always having to write delay memos a response time of 45 instructional days was recommended (refer to Academic Senate Constitution, Section 3 E).

RESOURCES CONSULTED:

1) Individuals

- a) Sepehr Eskandari, Associate Provost, Cal Poly Pomona
- b) Val Otto, Analyst, Cal Poly Pomona Academic Senate
- c) Executive Committee, Academic Senate of the California State Polytechnic University, Pomona

2) Documents

- a) President's Response to AS-2468-145/AA (Masters Thesis Committee Guidelines), delay memo dated July 9, 2015
- b) President's Response to AS-2596-167/AA, &c. (Update Process for Registration Appointment, &c.), delay memo dated January 23, 2017
- c) President's Response to AS-2798-189/EP (Revision of Academic Senate Constitution and Bylaws), delay memo dated October 25, 2018
- d) Organizational chart – Office of the President, downloaded March 23, 2019
- e) The Constitution of the Academic Senate of Cal Poly Pomona, 2018
- f) The Bylaws of the Academic Senate of Cal Poly Pomona, 2018
- g) Academic Senate Constitution of California State University, Fullerton, 2018
- h) Constitution and Bylaws of the Faculty of California State University, Long Beach, 2005
- i) Senate Referral Processing Load for 2013-2018.xlsx (compiled by Prof. Ha T. Le), 2019
- j) report-status_03.27.19_With delayed days.xlsx, 2019

DISCUSSION:

The proponents of the referral indicate that the President's Office is having persistent difficulties meeting its deadline for responses to referrals passed by the Academic Senate of Cal Poly Pomona (AS-CPP). The AS-CPP Constitution states, in Sec. 3(E), that

The President, in making the final decision on these matters, shall accept the recommendations of the Academic Senate except in rare instances and for compelling reasons. Should the President decline to concur in determinations of the Academic Senate it shall be the responsibility of the President to explain the compelling reasons in writing to the Academic Senate. A decision must be

communicated in writing within thirty (30) instructional days from receipt of the Academic Senate recommendations. If the response to a referral cannot be completed within this time frame, then the President or his/her designee will report to the Executive Committee as to the reason for the delay and the Academic Senate Executive Committee shall establish a new deadline.

This 30-day deadline is considered insufficient by the proponents of the referral, and the proponents have requested that the Constitution be amended to provide an extended interval: 45 days.

We believe that the central questions to be addressed during deliberation on this referral are

- 1) Why this is necessary, when 30 days was apparently sufficient historically?
- 2) If necessary, what is the appropriate amount of additional time for the response period?

Why this is necessary now?

Our research and consultations indicate that present-day referrals are both more numerous and more complicated than in the past. The recent, peaked increase in referrals revealed by our research are indisputably related to semester conversion processes, but there is some indication that the background level of referrals is rising. This is superficially plausible, with potential causes related to

- 1) increases in the size and diversity of the student population and its needs,
- 2) increases in the number of academic programs and courses,
- 3) increases in the number of academic polices (and the need to amend and revise them), and
- 4) expansion of the intersection between the operations of the Academic Senate, the CPP administration, the CSU Academic Senate, the Chancellor's Office, the State, etc.

There is no reason not to anticipate that after the number of referrals re-equilibrates following semester conversion, it will be at a level higher than previous years.

The President's Office has its own internal referral process that informs the President's responses to AS-CPP referrals. This process might allocate a given referral in need of signature to a number of different offices (Academic Affairs, Faculty Affairs, legal counsel, IT, etc.) who identify any potential issues and what policies and documents might need to be modified to accommodate the AS-CPP's recommendation. The process is necessarily deliberative, and frequently other rate-limiting effects are superimposed. For instance, a larger number of referrals go to Academic Affairs for evaluation, and some referrals are interdependent (the adoption of one must wait for the adoption of another). Additionally, the additional reporting and negotiation required for a request for an extension on one referral tends to increase the delay in processing referrals overall. The necessity of recordkeeping and interoffice communication is superimposed upon all of this.

What is the appropriate amount of additional time?

If the request for an extended presidential-approval period is in good faith and related (but not necessarily limited to) to the reasons above, then the extension should be granted. What then, should the extended interval be?

A histogram of the delay (in days) between the date that the referral was forwarded to the President's Office and the date of its signed return, taken from AS-CPP data going back to AY 2015-2016, is in **Figure 1**. The same data, with the referral information for "semester-conversion" AYs 2015-2016 and 2016-2017 removed are in **Figure 2**.

There is the additional concern that the definition of what is and is not an "instructional day" has changed since this language in the Constitution was last modified. Instructional days now encompass Saturdays and Sundays – weekend days when presumably Administration offices do not work – and it is necessary to reinterpret the original inclusion of "thirty (30 instructional days" in the governing documents.

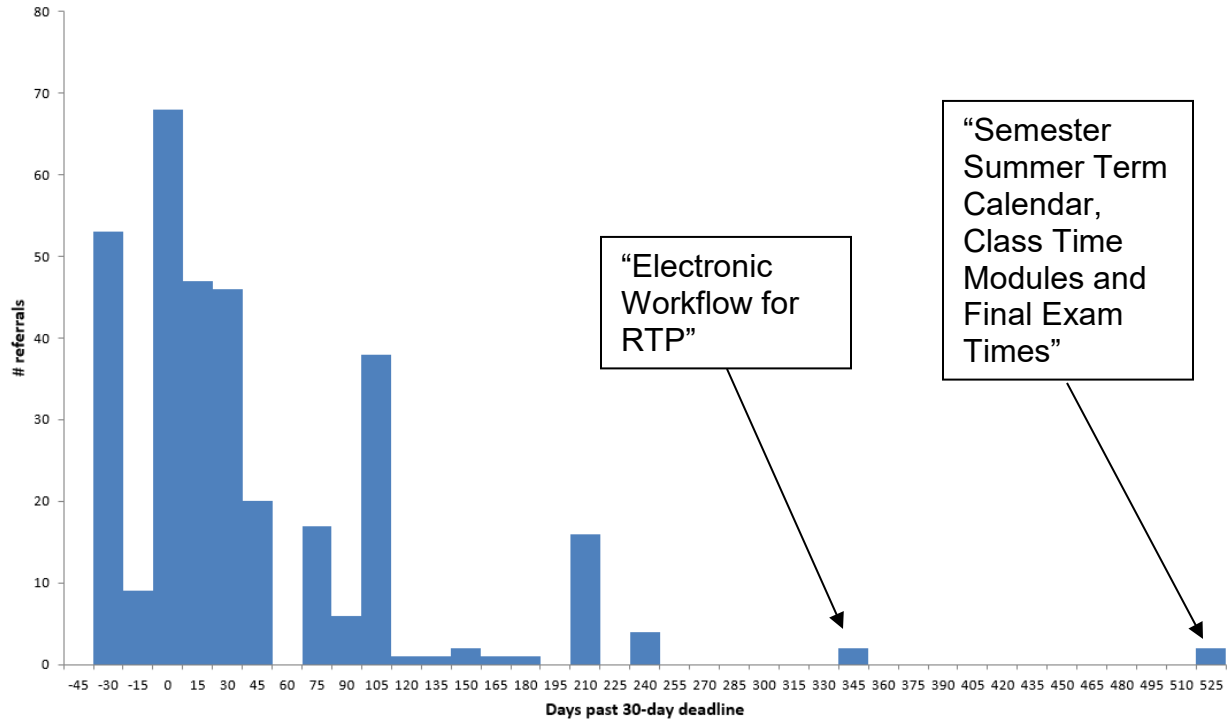


Figure 1. Histogram of presidential-response delays (in calendar days) for 2015-2019.

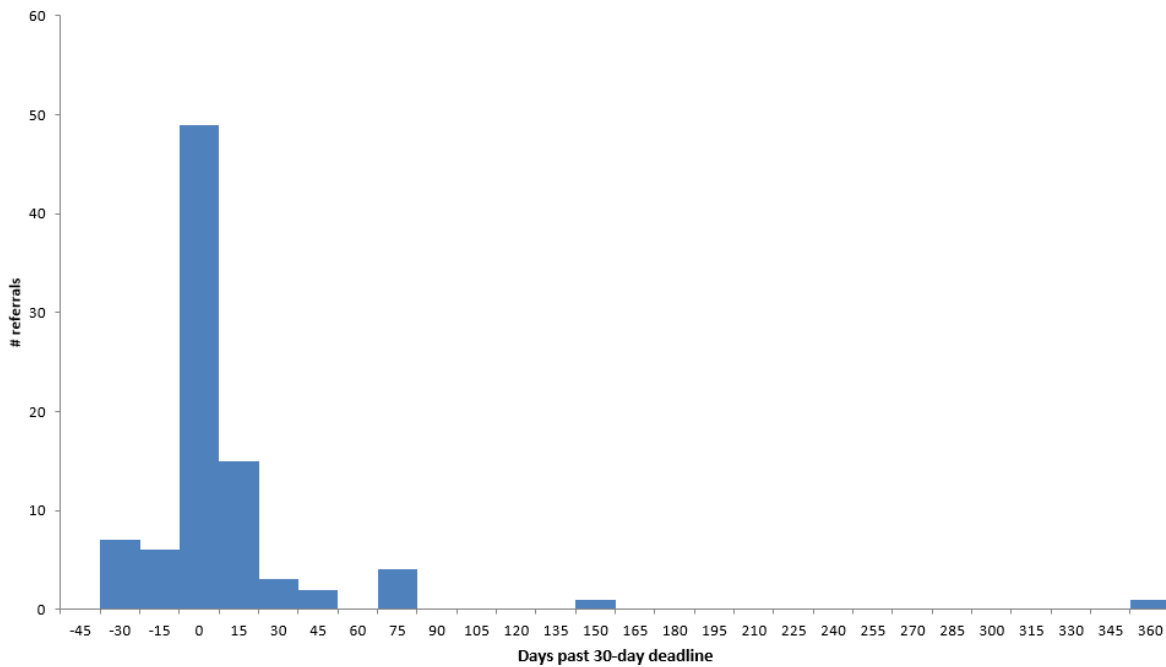


Figure 2. Histogram of presidential-response delays (in calendar days) for 2017-2019.

RECOMMENDATION:

We recommend that a referendum of the faculty on changes to the Constitution be called, and that the following language be proposed as a replacement for Sec. 3(E):

The President, in making the final decision on these matters, shall accept the recommendations of the Academic Senate except in rare instances and for compelling reasons. Should the President decline to concur in determinations of the Academic Senate, it shall be the responsibility of the President to explain the compelling reasons in writing to the Academic Senate. A decision must be communicated in writing within ~~thirty (30) instructional days~~ **forty-five (45) instructional weekdays** from receipt of the Academic Senate recommendations. If the response to a referral cannot be completed within this time frame, then the President or his/her designee will report to the Executive Committee as to the reason for the delay and the ~~Academic Senate~~ Executive Committee shall establish a new deadline.

We have the following concerns when it comes to the adoption of this new deadline.

- 1) Increasing the presidential response time may have only a limited time-saving effect for the President's Office and the Senate Executive Committee w.r.t. to the processing of delay memoranda. As shown in **Table 1** below, the number of referrals for AY 2017-18 reduced significantly and may eventually return or be close to pre-semester conditions. Then, the post-semester workloads may still be accommodated within the original timeframe of 30 days. Hence, the adoption of the later due date may not be necessary. It is difficult to disentangle the effect of semester conversion on the current state of affairs w.r.t. the complexity of referrals and the duration of the presidential authorization process. We wonder whether or not the post-conversion equilibrium will see a return to workloads that can be (mostly) accommodated within the original timeframe of 30 days.

Table 1. CPP Academic Senate referral processing load 2013-2018

AY	Number of processed referrrals
2013-14	18
2014-15	26
2015-16	164
2016-17	122
2017-18	42
Average 5-year period	74
Note: Only the referrals that passed the second reading are counted	
Reference website: http://academic.cpp.edu/senate/search.aspx	
Updated: 9-Apr-19	

- 2) Adopting a later due date (+3 workweeks) for presidential responses will force departments, colleges, etc. to advance (–3 workweeks) their timetables for the implementation of new programs, courses, etc. In the long term, this is not consequential, but in the short term it could cause problems.
- 3) There is a well-established (global) trend toward a larger number of administrator positions on campuses. The addition of some of these employees is presumably to cope with the on-campus trends identified above. However, with respect to the processing of AS-CPP referrals, there is apparently no commensurate benefit. It is incumbent upon these various campus offices to evaluate their own internal processes/workflows and determine how they can improve referral processing time on their end.