



M E M O R A N D U M

TO: ACADEMIC SENATORS
FROM: Ana Medic, Academic Senate Secretary
SUBJ: **ACADEMIC SENATE MINUTES**
DATE: Friday December 16, 2022, 12:00 pm – 2:00 pm
Webinar link:
<https://csuchico.zoom.us/j/86826726204?pwd=V0tid1o0SGVDV0I3aEo4dIpsM0loUT09>
Passcode: 121669

Present: Adamian, Alvarez, Boyd, Brundage, Bruns, Burk, Cline, Coons, Draper, Ferrari (Bailey), Ford, Gibson, Hidalgo, Hutchinson, Kaiser, Kralj, Larson, Lee, Leon, Magnus, McBride-Pretorius, Medic, Moss, Musvosvi, Newell, Nickols, O’Conner, Paiva (Chair), Peterson (Gray), Sendze, Sherman, A., Sherman, N., Sistrunk (Walter), Smith, Son, Teague Miller, Trailer, Traver, Yeager-Struthers, and Zeichick.

Absent: Boura, and Wagner.

Academic Senate webinar MyMedia recording [link](#).
Transcript [link](#).

Chair Paiva called a meeting to order at 12:11 pm.

The senate meeting was designed to receive feedback on the resolution and statements from speakers.

1. Approve Agenda
Agenda approved.
2. Campus Feedback: Protocols, Procedures, and Practices Regarding Campus Safety – Discussion Item
 - a. Individual and group statements were shared during the first hour of the Academic Senate webinar.
 - b. [Statements](#) were shared with the Academic Senate.
 - c. Video recording and transcript can be accessed in links above.

The senate discussed the following:

- a. Definition and meaning of “vote of no confidence”.
- b. Stated that vote of no confidence can be made at this meeting. This can be done as a motion to add this to an existing resolution as a separate clause or brought as a separate document and separate item on the agenda.
- c. Discussed senate actions:
 - i. The senate does not have a purview in personnel matters and cannot remove an individual from a campus.
 - ii. The senate can make recommendations, pass a resolution, which is a form of a recommendation, based on which other parts of the university can act upon.

3. Proposed Resolution: [Academic Senate Call for an Independent Investigation of the Campus Response to a Threat of Violence](#) – Action Item (1:00 pm time certain) [My Media recording 1:08:01 – 4:13:01]
- [Supporting documents](#)
 - [Proposed Collection of Amendments](#)

Chair Paiva asked Senator Ferrari to introduce item 3 [1:08:01 – 1:18.01]:

Motion made to consider the amended document attached to the agenda (proposed collection of amendments). Second. Overview of changes in a document:

- a. The amended document is an attempt to include feedback and requests from various constituents for the original document that was presented on Wednesday.
- b. The amended document included clearer language on the investigation and the review of Title IX processes, a long history of issues within Title IX reporting, not appropriate responses to reporting, needs for investigations as well as the threats of violence.
- c. The document included a timeline of the process, and who is responsible and accountable.
- d. Clarified that Stachura was not removed from his role as chair of the Institutional Animal Care and Use Committee, which is a position that has ethical implications.
- e. Asking for the investigation of Title IX cases in the last ten years as part of the systematic issues.
- f. Clarified to have policies reviewed, including FRAS.
- g. Asking for the Academic Senate Chair to be present in the president’s cabinet where these types of important conversations occur.

No opposition, the senate passed the motion to include a new document and discussion continued.

Discussion and motions

[1:18:02 – 1:32:57]:

Motion made to add language “whereas the CFA leadership acknowledged in its 12/12/22 email that its process failed our colleagues and the community.” And as a result, add a resolve “resolved the Academic Senate requests the CFA do a full review of its participation in Stachura’s disciplinary process to identify specific actions that led to its admitted, failing review and reflect on its role in advocating for faculty with Title IX violations to receive lighter discipline, support proposals to include provisions in the next collective bargaining agreement that allow for more discipline of faculty with Title IX violations and engage in further outside consulting on the guidelines of their duty of fair representation.” Asked to add CFA to the distribution list. Second.

Rationale: concerns shared regarding missteps taken by the administration and the negotiation between CFA and administration that led to the under-discipline measures for Stachura. Asking for resolution to acknowledge that involvement and demand a change in the process.

Senate voted: 34 yes, one no vote. Motion passed. (Voting results were shared with the public)

[1:32:57 – 1:59:00]:

Motion made to add language to the seventh resolve “the university must terminate Stachura immediately and as the employer should file a restraining order against him on behalf of their employees. The Department of Justice should be doing an investigation into his intention of a mass shooting and confiscating his weapons, and” Second.

Rationale: the domestic violence restraining order expired in August of 2022. The call for an external investigation is crucial and necessary. Focus on supporting students, staff and faculty on campus and providing a safe environment.

- a. President will provide an email to the campus community with updates on what has been done.
- b. Stated that Stachura surrendered firearms yesterday to the UPD.

Amendment to the amendment to delete the second sentence of the original motion. Second.

Rationale: asking for a more action-driven statement. Another sentence will be proposed later.

Senate voted: 23 no, nine yes. Amendment to the amendment failed.

Amendment to the amendment to replace the wording by adding “resolved the Academic Senate of CSU Chico requests that the appropriate law enforcement authorities immediately commence a criminal investigation into the threats of gun violence allegedly levied by Dr. David Stachura” and make it its own resolve.

Senate voted: 32 yes, no opposition. Amendment to the amendment passed.

Senate voted on the main motion as amended: 34 yes, no opposition. Motion passed.

The Senate made a 5-minute recess; recording was paused.

[1:59:57 – 2:08:01]

Motion made to add five resolved statements from BSS. Second.

Rationale: Action driven statements, safety for all. The first three statements are more immediate action-driven statements, safety for students, faculty, and staff, while the last two are long-term actions. Utilize examples from universities that experienced mass shootings and tools to provide alert and action steps for the campus community.

1 RESOLVED: Immediate safety measures are taken; for example, all of the locks should be rekeyed in Holt Hall; and

2 RESOLVED: Immediate alternatives to standard routines must be made available to students, staff and faculty to accommodate safety concerns; and

3 RESOLVED: A concerted, visible, available, and consistent safety and sexual harassment prevention campaign (both physical and digital) must be implemented before the Spring 2023 semester begins; and

4 RESOLVED: That present and past people involved with this situation such as the President, Provost, and the Natural Sciences Dean in addition to OAPL, Title IX, Risk Management, and CVCT (under President’s direct supervision) need to be held accountable via public, formal censure; and

5 RESOLVED: All administration, faculty, staff, and students are responsible for using safe practices, for following all university directives, policies, and procedures, and for assisting in maintaining a safe and secure campus environment. This includes the reporting of security risks and cooperating in any investigation that may result; and

Motion made to separate these five statements. Second.

Rationale: they are very strong and important, however, with a different timeline in mind. Instead of risking losing them, suggesting separating them into five individual statements and the senate to discuss and vote on them. Support shared.

No opposition. Motion to separate five statements passed.

[2:08:01 – 2:17:57] discussing each resolved statement individually.

1 RESOLVED: Immediate safety measures are taken; for example, all of the locks should be rekeyed in Holt Hall; and

- a. Shared that some keys have already been changed and card swipe is used to access additional keys. This will continue.
- b. Stated that Stachura had access to the master key.
- c. Suggested for rekeying to be considered for the entire Holt Hall building.

Question: Did Stachura voluntarily give guns or was the Red Flag Law enacted? Answer: It was done voluntarily.

Question: will other buildings with public access (museums, BMU, library) be included in safety measures? Answer: Current focus is on the Holt Hall building and campus safety. Other buildings will be included in the safety plans as well as the university farm.

The senate voted on the first resolved: 35 yes, no opposition; approved.

[2:18:07 – 2:19:52]

2 RESOLVED: Immediate alternatives to standard routines must be made available to students, staff and faculty to accommodate safety concerns; and

The senate voted on the second resolved: 35 yes, no opposition; approved.

[2:19:52 – 2:23:06]

3 RESOLVED: A concerted, visible, available, and consistent safety campaign (both physical and digital) must be implemented before the Spring 2023 semester begins; and

- a. Suggested having the university communication office as a point of contact.
- b. Stated this is an ongoing and dynamic change that can be implemented on campus.
- c. Support shared.

The senate voted on the third resolved: 34 yes, no opposition; approved.

[2:23:06 – 2:33:55]

4 RESOLVED: That present and past people involved with this situation such as the President, Provost, and the Natural Sciences Dean in addition to OAPL, Title IX, Risk Management, and CVCT (under President's direct supervision) need to be held accountable via public, formal censure; and Motion made to change the order and place fourth resolved after the current fifth. Second.

- a. The opposition shared to this resolved. Reasons: document is asking for investigation, resolved statement is asking to censure without receiving requested information. Different people took office positions that are stated here and are not connected to the process.
- b. More opposition shared.
- c. Stated that the intent was to include those involved in the process, not currently new at those positions. Suggested to rather re-write the statement.

The senate voted on the fourth resolved: zero in favor, 35 no; failed. Resolved #4 will not be included in this document.

[2:33:55 – 2:43:23]

5 RESOLVED: All administration, faculty, staff, and students are responsible for using safe practices, for following all university directives, policies, and procedures, and for assisting in maintaining a safe and secure campus environment. This includes the reporting of security risks and cooperating in any investigation that may result; and

- a. Support shared.
- b. Clarified that administration is added as a separate group from staff.

Amendment to the amendment made to add "The Academic Senate of Chico State reaffirms that" at the beginning of fifth resolved. Second.

The senate voted: 36 yes, no opposition; passed.

The senate voted on the amended fifth resolved: 33 yes, no opposition; passed.

[2:43:23 – 2:47:52]

3 RESOLVED: A concerted, visible, available, and consistent safety “and sexual harassment prevention” campaign (both physical and digital) must be implemented before the Spring 2023 semester begins; and

Motion made to add “and sexual harassment prevention” to the resolved #3. Second.

Rationale: Pattern of a power dynamic between faculty and students exists and should be recognized. The senate voted: 32 yes, no opposition; passed.

[2:47:52 – 3:21:04]

The senate discussed accountability for the administrators.

Motion made to add at the end, before the distribution list “resolved because the administrative response to the violations of campus Title IX and harassment policy outlined above and her failure to follow up adequately to assess and guarantee the wellbeing of members of the biology department and campus safety interest, we express no confidence in the Provost and Vice President of Academic Affairs Debra Larson.” Second.

- a. Similar concerns are shared by another senator and their constituents stating a need to include accountability in the statement.
- b. The statement shared that the investigation is ongoing and until the results are clear, there should be no decisions like those made.
- c. Considering this was not part of the original resolution, statement shared more feedback from constituents is needed prior to determining vote on this.
- d. Multiple senators shared the same concerns as b. and c..
- e. Moved to have an anonymous ballot. Second.
- f. Need to understand who is responsible and for what decisions is important to know.

The Senate had a five-minute break to create a form for the anonymous ballot. [3:06:43 recording continued]

- g. The senate discussed the “no confidence” meaning and processes.
- h. Clarified that previous no confidence votes in administrators resulted in them obtaining a different administrative position at different institutions. Their careers were not terminated.
- i. Shared that resolution is asking for processes and investigations. More agreed with this statement and that the focus should be on a resolution.

The senate voted: 11 yes, 24 no; the motion failed.

[3:21:05 – 3:39:37]

Motion made to add in a resolution a “resolved: the University Police Department will immediately file a Red Flag Gun Violence Restraining Order (GVRO) against Stachura to ensure he does not have access to firearms.” Second.

Rationale: it is not clear if Stachura surrendered all the guns and no longer has them. This would confirm all firearms are no longer in his possession.

- a. Discussion included who in the name of the university would be filing GVRO and to whom. Suggested to clarify this in this resolved.
- b. An investigation was opened against Stachura after other information was revealed.
- c. Stated that ample evidence exists that GVRO can be filed and if the police department is not able to do this, the university should find another body to file GVRO.

Amendment to the amendment made to add “and the campus community in its entirety will be notified immediately that the restraining order has been filed and whether it has been granted.”

Second. Rationale: to inform the campus community and have full transparency of this process and provide a sense of safety on the campus.

The senate voted on the amendment: 32 yes, no opposition; amendment to the amendment approved. Amendment made to remove the term “will” and add “The Academic Senate of Chico State demands”. No opposition, approved.

The senate voted on the amendment: 32 yes, no opposition; amendment to the amendment approved. Amended motion: “resolved: the Academic Senate of Chico State demands the University Police Department immediately file a Red Flag Gun Violence Restraining Order (GVRO) against Stachura to ensure he does not have access to firearms and the campus community in its entirety will be notified immediately that the restraining order has been filed and whether it has been granted.”

The senate voted on the motion: 32 yes, no opposition; motion approved.

[3:39:37 – 3:49:00]

Motion made to add “Resolved: The Academic Senate of California State University, Chico demands a formal response to the resolution from California State University, Chico administration that specifies actions they are taking toward addressing and responding to this document in a fair and timely manner.” Second.

Rationale: accountability to this document and addressing safety concerns immediately.

Asked the senate to allow senate chair Paiva to address editorial changes to the document without changing its content. No objections, approved.

The senate discussed timeline options. The president suggested a series of progress reports of ongoing updates on the investigation.

Amendment made to add after the word demand “frequent and substantive updates and a final formal report”. Second.

Rationale: satisfy concerns and provide a solution.

Senate voted on the amendment: 34 yes, no objection; passed.

Senate voted on the motion: 34 yes, no objection; passed.

[3:49:01 – 3:53:45]

Motion made to add the following to the distribution list: “The CFA, the Butte County District Attorney and the Cozen O’Conner”. Second.

No objection, approved.

Appreciation and gratitude shared for the tremendous work done on this resolution and for the support students, faculty, and staff have provided to their colleagues in the Biology Department.

[3:53:45 – 4:13:09]

The senate voted on the resolution document: 35 yes, no opposition. Resolution passed as an action item.

Acknowledgement of the monumental effort and work on the resolution and four meetings in the last eight days shared. Appreciation shared for everyone’s work on this resolution. Shared this is the beginning of the work to make this place safe for everyone.

Provost made a statement of retirement-resignation.

The president stated she has the responsibility of the Division of Academic Affairs right now until an interim is named. The president will consult the EC regarding an interim provost and the final decision will be made prior to January 18th.

Appreciation shared for the work done by Chair Paiva and senate officers. Implementation of changes has already started; more updates will be shared with the campus community.

4. Other

5. Adjourn at 4:32 pm.

Respectfully submitted,
Ana Medic, Academic Senate Secretary

For a direct link to all agenda items in Box, click [here](#).