Meeting of the Academic Senate
Tuesday, November 26, 1996
UU220, 3-5:00pm

I. Minutes: none.

II. Communication(s) and Announcement(s):

III. Reports:
   A. Academic Senate Chair:
   B. President's Office:
   C. Provost's Office:
   D. Statewide Senators:
   E. CFA Campus President:
   F. Staff Council representative:
   G. ASI representatives:
   H. IACC representative:
   I. Athletics Governing Board representative:
   J. Other:

IV. Consent Agenda:

V. Business Item(s):
   A. Resolution on Program Review and Improvement Committee's Findings for 1995-1996
      programs reviewed: Morrobel-Sosa, second reading (separate document previously sent).
   B. Resolution on Policy on Amorous Relationships: Swartz, chair of the Status of Women
      Committee, second reading (document to be distributed).

VI. Discussion Item(s):

VII. Adjournment:
The University of Minnesota Regents Drop Effort to Modify Tenure

By WILLIAM H. HONAN

After months of protest by faculty members, the University of Minnesota's governing Board of Regents has abandoned a plan to make it easier to dismiss tenured professors from most of its campuses, but it passed such a measure for the law school.

The regents had sought the authority to dismiss professors whose programs were eliminated and to cut salaries for reasons other than financial emergency. Tenured professors now have lifetime employment unless a financial emergency is declared or in a case of individual misconduct.

"It's the sense of this board, as I see it," Tom Reagan, chairman of the board of regents, said last week, "that we will not be revisiting the tenure code for at least a year and a half and probably never."

The Minnesota faculty, whose 3,000 professors teach 67,000 students at campuses in Minneapolis-St. Paul, Duluth, Morris and Crookston, condemned the plan. The university president, Nils Hasselmo, also opposed it, warning of "serious, unnecessary and lasting damage to the university." In a letter to the board, he said that if the proposal was enacted the university would "not be able to successfully compete in the academic marketplace at a time when we face many retirements and will need to recruit significant numbers of new faculty."

The 12-member Board of Regents announced the tenure plan in September, but the faculty quickly tried to maneuver around the board by invoking their rights under state labor laws.

The 3,000 professors at Minnesota's four campuses are not unionized, but faced with the proposal they began efforts to form a union. As a result, the Minnesota Bureau of Mediation Services barred the regents from acting until after the faculty vote on union membership, scheduled for January 1997.

"The new policy also makes it easier to cut pay in times of financial distress," Fred L. Morrison, a University of Minnesota law school professor who has been a faculty leader in the negotiations, said. "The new proposal, in my view, meets all of the faculty concerns for academic freedom, due process and protection of employment."

Professor Morrison had said earlier that he and many colleagues opposed new policies because they "dramatically shift the burden of tenure decisions from the faculty to the regents and reduce the right of appeal."

Others were less sanguine about last week's compromise. One faculty member, who spoke on the condition of anonymity, said, "What has been imposed on the law school faculty is an indication of what the regents would do for all the other units on campus when they are able to act."

Mr. Hasselmo said the revisions in the tenure code for the law school faculty were an improvement because they provided a systematic post-tenure review, defined base pay and provided clearer policies concerning disciplinary action.

The revisions do not include the ability to lay off faculty members, but do provide — with faculty approval — for possible across-the-board pay cuts in times of financial distress.

A separate effort to unionize the 33-member law school faculty narrowly failed last month, leaving the trustees free to revise employment practices at that school.

The law school regulations, under a compromise worked out by the law school dean, Thomas Sullivan, permit tenured professors to stay on the payroll when programs are cut if they accept reassignment. Previously, layoffs could be made only if a financial emergency was declared.
Memorandum

To: Presidents

From: Thomas W. West
Assistant Vice Chancellor,
Information Resources and Technology

Subject: Allocation for Baseline Hardware/Software Access, Training and User Support

Date: November 4, 1996

On behalf of the Technology Steering Committee (TSC) an allocation of $50,000 from the “one time” FY 1996/97 General Budget funds is being made to your campus. The TSC encourages you to use these funds to advance the Baseline Hardware/Software Access, Training and User Support Initiative of the Integrated Technology Strategy. Following this memorandum will be an allocation to your campus of $50,000.

This allocation is intended to provide modest assistance for your campus programs associated with this initiative. In particular, we are recommending that $20,000 of the allocation be used to move forward with the second year of the Institute for Teaching and Learning Faculty Development project and that $10,000 be used for a program of information competence. Both of these programs were endorsed and funded by the Commission on Learning Resources and Instructional Technology last year.

Attachments 1 and 2 contain the guidelines for use of these funds in these two program areas. Please note that we are encouraging multi-campus cooperative projects in information competence through the offer of matching funds as described in Attachment 2.

The TSC requests that your campus submit a brief report to the Commission on Learning Resources and Instructional Technology, via my office, by July 31, 1997 summarizing how this Baseline Hardware/Software Access, Training and User Support allocation was expended and what accomplishments resulted. This report will assist the Commission and the TSC in future planning. Please call me if you have any questions regarding this matter.

ATTACHMENTS (2)

Distribution: Vice Presidents, Academic Affairs (with attachments)
Budget Officers (w/out attachments)
Technology Steering Committee (w/out attachments)

400 Golden Shore, Suite 328, Long Beach, CA 90802
GUIDELINES FOR FACULTY DEVELOPMENT
CAMPUS IMPLEMENTATION PROJECTS

$20,000 of the CLR.IT Baseline Hardware/Software Access, Training, and User Support allocation is intended to facilitate Faculty Development Campus Implementation Projects on your campus (ITI Year 2). We are requesting that you apply these funds to the development of new, technologically enhanced curricular models that can be implemented and institutionalized at the campus level.

Campus Implementation Projects should build on the technology training received by CSU faculty teams at one or more of the ITI Systemwide Institutes conducted during AY 1995-96. Specifically, campus projects should link the ideas and approaches presented at ITI Year I Systemwide Training Institutes to new and innovative courses and/or course modules.

Recommended faculty for campus projects are those who participated in the systemwide training Institutes during Year I, those who were subsequently peer trained on campus by an Institute participant, or campus faculty recognized as experts in one of the training areas addressed by the Institutes.

OBJECTIVES -- Campus Faculty should:

• Examine current curriculum and teaching practices and develop a plan for integrating new technologies in teaching and learning for specific disciplines and/or interdisciplinary offerings.
• Redesign curriculum to incorporate new teaching/learning approaches with a focus on active learning.
• Develop long-range plans for making best uses of technology for teaching and learning.

EXAMPLES -- Campus Project components:

• New Pedagogy
  - Existing courses redesigned with technology as an integral component (e.g., Web or video-based modules, case studies)
    a) Network-based collaborative learning
    b) Simulations
    c) Faculty-guided independent study

• New Curricular Structure
  - Existing courses enhanced through the use of technology
    a) Computer-generated manipulation of images/abstract concepts
    b) Synchronous or Asynchronous electronic discussion sessions
  - Courses in which student seat time is not related to credit hours earned
    a) Network-based independent or collaborative learning
  - Courses which utilize technology to facilitate team teaching, interdisciplinary, or inter-departmental offerings

• New Content and Epistemology
  - Courses in which content is constructed as a function of student input
    a) Problem-based distributed learning
    b) Resource-based learning (information competence)
  - Courses for which no pre-determined text exists and students “create” text through technological explorations
    a) Faculty and student use of non-linear (branching) databases
    b) Faculty and student use of hypertext presentations

11/1/96
GUIDELINES FOR INFORMATION COMPETENCE PROGRAMS

$10,000 of the Baseline Hardware/Software Access, Training and User Support allocation is intended to support a program of information competence instruction on your campus. Information Competence, which is defined as the ability to find, evaluate, use and communicate information in all its various formats, is a project of the Commission on Learning Resources and Instructional Technology (CLRIT). CLRIT appointed a Work Group on Information Competence to develop recommendations for activities to increase information competence in the CSU; that group's recommendations, accepted by CLRIT in June 1996, provide the framework for guidelines for the Information Competence allocation.

We are requesting that you apply the Information Competence allocation to one or more of the ten areas identified by the CLRIT Work Group on Information Competence. We are urging multicampus collaboration in addressing these areas. To that end, we will award additional matching funds to campuses proposing new multicampus projects addressing one or more of these areas, or to campuses which join multicampus information competence projects now getting underway. For information on those projects, please contact Dr. Sue Curzon, chair of the workgroup, at (818) 677-2271, e-mail scurzon@csun1.csun.edu, fax (818) 677-2676. Proposals for matching funds should also be received by Dr. Curzon no later than December 6, 1996. Following are the ten areas identified by the work group:

- systematic assessment of student information competence to develop benchmarks for student attainment;
- development of a comprehensive model list of information competence skills for a particular discipline or all disciplines for students entering the university or graduating from the university;
- develop a comprehensive model list of information competence skills for K-14 students;
- development of pilot information competence courses that can be transported to any other campus;
- development of a "teaching the teachers" program for faculty;
- development of computer software that enables the teaching of information competence;
- development of faculty workbooks, checklists and any other tools to help with the teaching of information competence;
- piloting of a distance learning program in information competence;
- collaboration on any information competence effort with universities beyond the CSU; and
- collaboration with textbook publishers to incorporate the concepts of information competence.
ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

AS- 96/
RESOLUTION ON
AMOROUS RELATIONSHIPS

WHEREAS, Faculty or instructional staff hold positions of authority that involve the legitimate exercise of power over others, and

WHEREAS, Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power, and

WHEREAS, The issue of appropriate and inappropriate relationships between students and faculty or instructional staff is very complex, and

WHEREAS, It is the responsibility of Cal Poly faculty to maintain the highest standards of professional ethics, and

WHEREAS, Cal Poly’s Faculty Code of Ethics and the AAUP’s Statement on Professional Ethics affirm that 1) professors adhere to their proper roles as intellectual guides and counselors; 2) they make every reasonable effort to assure that their evaluations of students reflect each student’s true merit; and 3) they avoid any exploitation of students, therefore, be it

RESOLVED That Cal Poly adopt the attached Policy on Amorous Relationships Between Students and Faculty or Instructional Staff Who Evaluate or Supervise Them.
POLICY ON AMOROUS RELATIONSHIPS BETWEEN STUDENTS AND FACULTY OR INSTRUCTIONAL STAFF WHO EVALUATE OR SUPERVISE THEM

California Polytechnic State University, San Luis Obispo

May 10, 1996

I. POLICY STATEMENT: AMOROUS RELATIONSHIPS IN THE INSTRUCTIONAL CONTEXT

It is the policy of California Polytechnic State University, San Luis Obispo that faculty members or other instructional staff shall not initiate, pursue, or be involved in any amorous or sexual relationships (hereinafter referred to as amorous relationships) with any student whom they are in a position to evaluate or supervise by virtue of their teaching, research, or administrative responsibilities.

Friendships or mentoring relationships between faculty or instructional staff and students are not proscribed by this Policy, nor is it the intent of this Policy that such non-amorous relationships be discouraged or limited in any way.

Marital relationships are covered separately in the Campus Administrative Manual (Conflict of Interest—section 311.5).

II. RATIONALE FOR POLICY

The University's educational mission is promoted by professionalism in faculty-student relationships, and professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty or other members of the instructional staff that undermine this professionalism jeopardize the University's ability to fulfill its educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power.

Faculty members and other instructional personnel exercise power over students, whether in giving them praise and criticism, evaluating their work, making recommendations for their further studies or future employment, or conferring other benefits on them. Because it may easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member or other member of the instructional staff and a student entails serious ethical concerns when the faculty or instructional staff member has professional responsibility for the student.

Voluntary consent by the student in such a relationship is difficult to determine with certainty, given the fundamentally asymmetric nature of the relationship. Because of the complex and
subtle effects of that power differential, relationships may well be less consensual than the individual whose position confers power believes, and the faculty or instructional staff member bears a special burden of accountability in any such involvement.

Further, amorous or sexual relationships in which one person is in a position to review the work or influence the career of another may provide grounds for complaint by others outside the relationship when that relationship appears to give undue access or advantage to the individual involved in the relationship, or to restrict opportunities, or create a hostile and unacceptable environment for those outside the relationship. Other students and faculty may be affected by behavior that makes or appears to make obtaining benefits (such as advancing one student over others) contingent on amorous or sexual favors.

III. DEFINITIONS

As used in this Policy, the term "faculty member" or "instructional staff" means any member of the university community who engages in instructional or evaluative activities of any student who is enrolled in a course being taught by that individual or whose academic work, including work as a teaching or research assistant, is being supervised or evaluated by that individual. Graduate or undergraduate students, when performing official University academic supervisory or evaluative roles with respect to other students, are considered instructional staff for the purposes of this Policy.

As used in this Policy, an amorous relationship exists when, without the benefit of marriage, two persons as consenting partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.

As used in this Policy, to "evaluate or supervise" means:

a. To assess, determine or influence (1) one’s academic performance, progress or potential or (2) one’s entitlement to or eligibility for any instructionally conferred right, benefit or opportunity, or

b. To oversee, manage or direct one’s academic or other institutionally prescribed activities.

IV. AMOROUS RELATIONSHIPS OUTSIDE THE INSTRUCTIONAL CONTEXT

Amorous relationships between faculty members or other members of the instructional staff and students occurring outside the instructional context may also lead to difficulties. Particularly when the individual and the student are in the same academic unit or in units that are academically allied, relationships that the involved parties view as consensual may be disruptive to unit activities and appear to others to be exploitative. Further, in these and other situations, the faculty or instructional staff member may face serious conflicts of interest. In any such situation, therefore, faculty or instructional staff members should be most careful to remove themselves from involvement with any decisions that may reward or penalize the student.
V. PROCESS AND SANCTIONS

Because of the sensitive nature of such relationships, every reasonable effort should be made to resolve alleged Policy violations on an informal basis if possible. Concerns about problems related to this Policy may be taken to the administrative official most directly involved, excluding the person alleged to have violated this Policy, or to one of the individuals listed below in Section VIII.

Any remedial actions taken through informal procedures by the administrative official most directly concerned, excluding assuming s/he is not the person alleged to have violated this Policy, will depend on the totality of the circumstances. Efforts should be made to be constructively educational and to be corrective rather than punitive if a Policy violation is found: an acknowledgment of the violation and a commitment not to violate the Policy in the future, along with a warning or other appropriate action directed toward the faculty or other instructional staff member, may be sufficient resolution. In cases where further action is deemed appropriate, sanctions may range from a letter of reprimand to dismissal of faculty, all in accordance with applicable University procedures as identified in Articles 18 and 19 of the Collective Bargaining Agreement.

VI. APPEALS

If not satisfied with the administrative official's decision, the faculty member or other member of the instructional staff accused of a Policy violation may proceed, in accordance with established procedures, to the grievance or hearings committees to which he or she otherwise has access.

VII. ABUSE OF THIS POLICY

Complaints found to have been intentionally dishonest or made in willful disregard of the truth may subject the complainant to disciplinary action, with possible sanctions ranging from a letter of reprimand to dismissal.

VIII. RESOURCES FOR ASSISTANCE AND INFORMATION

Questions concerning this Policy may be addressed to the University's Director of Affirmative Action (756-2062), Women’s Program/Student Life and Activities (756-2476), the Sexual Harassment Advisors (names and numbers are available from Director of Affirmative Action), the Vice President of Student Affairs (756-1521), and the Vice President of Academic Affairs (756-2186).

Copies of the Policy are available from Department Chairs and from the offices listed above. These offices are also prepared to help people understand what the Policy means and what options for resolution are available if they believe they have experienced a problem related to this Policy in connection with their academic study or work at the University.
Collective Bargaining Agreement
between
The Board of Trustees
of
The California State University
and
The California Faculty Association

Unit 3 - Faculty

October 4, 1995 - June 30, 1998
ARTICLE 17

TEMPORARY SUSPENSION

17.1 When the President determines that there exists strong and compelling evidence, the President may temporarily suspend with pay a faculty unit employee for reasons related to (a) the safety of persons or property, (b) the disruption of programs and/or operations, or (c) investigation for formal notice of disciplinary action.

17.2 The President shall notify the faculty unit employee of the immediate effect of a temporary suspension.

17.3 The President may terminate or extend a temporary suspension and shall so notify the faculty unit employee.

17.4 Unless earlier terminated by the President, a temporary suspension, including any extension of a temporary suspension, shall automatically terminate upon the service of formal notice of disciplinary action or thirty (30) days after its commencement, whichever first occurs. The thirty (30) day period may be extended for a specific period of time by mutual agreement of the President and the employee.

ARTICLE 18

REPRIMANDS

18.1 A faculty unit employee may receive from an appropriate administrator an oral and/or written reprimand.

18.2 A faculty unit employee shall be provided with a copy of a written reprimand at least five (5) days prior to the possible placement of such a reprimand in the faculty unit employee's Personnel Action File.

18.3 A faculty unit employee may request a conference with the appropriate administrator who issued the reprimand to discuss the reasons for reprimand. Such a request shall not be unreasonably denied. The faculty unit employee may be represented at such a conference by another faculty unit employee or a CFA representative.

18.4 The appropriate administrator may at any time retract a reprimand or modify a reprimand. The appropriate administrator shall notify the faculty unit employee of such retractions or modifications.
18.5 A written reprimand shall be placed in the official personnel file of the affected faculty unit employee and shall be subject to Article 11, Personnel Files.

18.6 The faculty unit employee shall have the right to attach a rebuttal to a written reprimand and/or request correction of the record pursuant to Article 11, Personnel Files.

18.7 Upon the faculty unit employee's request, and four (4) years from its effective date, a reprimand in the Personnel Action File shall be permanently removed. A statement verifying the permanent removal of the reprimand shall be provided the faculty unit employee. Neither the request for such a removal nor the statement verifying the removal shall be placed in the official Personnel Action File. This provision shall not be implemented under the following conditions:

a. a notice of disciplinary action has been served on a faculty unit employee and such a reprimand is related to the pending disciplinary action; or

b. a subsequent reprimand(s) of a similar nature has been placed in the Personnel Action File within the four (4) year period.

ARTICLE 19
DISCIPLINARY ACTION PROCEDURE

Scope of Disciplinary Action

19.1 Sanctions imposed in a disciplinary action shall be limited to dismissal, demotion, or suspension without pay.

19.2 Disciplinary action shall not include denial of appointment, separation during a temporary appointment, rejection during probation, denial of tenure, denial of promotion, reappointment, reassignment, transfer, layoff, reprimand, temporary suspension with pay, or any other personnel action or recommendation or decision except those in provision 19.1 of this Article. Recommendations or decisions in the appointment, reappointment, probation, tenure, promotion, reassignment, transfer, layoff, reprimand, or temporary suspension processes are not disciplinary actions and are not subject to the disciplinary action procedures of this Agreement.
Informal Resolution Prior to Notice of Pending Disciplinary Action

19.3 Nothing contained in this Article shall be interpreted to preclude a voluntary attempt by the parties to informally resolve potential disciplinary actions, whenever possible, prior to the notice of pending disciplinary action. The parties agree that this attempt at informal resolution may not occur in cases that involve either the safety of campus persons or property, or the disruption of campus programs and/or operations. Such attempts at informal resolution shall not preclude the University from relying upon, at any future disciplinary proceeding, evidence gathered during the investigation of the alleged misconduct by the faculty unit employee.

Notice of Pending Dismissal, Demotion or Suspension Without Pay

19.4 The President shall initiate the disciplinary action process by written notice of pending disciplinary action served in person or served by certified mail return receipt requested to the affected faculty unit employee. The faculty unit employee shall be informed in this notice that the sanction specified in the notice shall be imposed unless, following review of the matter, the President notifies the faculty unit employee otherwise.

19.5 The notice of pending disciplinary action shall include:

a. the cause(s) for disciplinary action;

b. the pending sanction;

c. the proposed effective date of the pending sanction;

d. the appropriate administrator designated by the President to review the matter;

e. the right of the faculty unit employee to appeal pending disciplinary action and to have the matter heard; and

f. a copy of this Article.

Acceptance of Disciplinary Action

19.6 The faculty unit employee may accept the pending disciplinary action at any time by filing a letter of acceptance of the disciplinary action with the President. An acceptance of disciplinary action shall result in the imposition of the pending sanction, but is not an admission by the faculty unit employee to the allegations of misconduct. Failure of a faculty unit employee to appeal a pending disciplinary action pursuant to this Article shall result in imposition of the pending sanction.
Review of Pending Disciplinary Action

19.7 Within seven (7) days of receipt of the notice of pending disciplinary action and at a time and place mutually acceptable to the affected faculty unit employee and the appropriate administrator, the faculty unit employee and a CFA representative, if any, may meet with the appropriate administrator designated by the President and his/her representative (if any) to review the notice, the reason(s), and the evidence. The faculty unit employee may respond orally or in writing. Such a written response (if any) shall be directed to the appropriate administrator within seven (7) days of the meeting or within fourteen (14) days of the notice of pending disciplinary action in the cases when no meeting takes place. A copy of such written response may be provided to the President. The appropriate administrator designated by the President shall not have been directly involved in the initiation of the pending disciplinary action.

19.8 Based upon the review and the response, if any, of the affected faculty unit employee, the appropriate administrator shall issue a report to the President within five (5) days of the response of the affected faculty unit employee or within fifteen (15) days of the notice of pending disciplinary action in cases when no response is submitted. The President shall consider the report of the appropriate administrator.

19.9 Within five (5) days of receipt of the report, the President shall notify the affected faculty unit employee of his/her decision to rescind, modify, or affirm the pending disciplinary action. The effective date of such disciplinary action shall be included in this notification. Such an effective date shall be at least twelve (12) days from the date of this notification except as provided in provisions 19.12a and 19.12b. This notice shall be the notice issued by the CSU for purposes stated in Education Code Section 89538 and Section 89539.

Disciplinary Action Appeal Process

19.10 A faculty unit employee may appeal a pending disciplinary action by selecting one of the two following appeal options:

a. Within ten (10) days of receipt of the notification pursuant to provision 19.9 above, a faculty unit employee may file a written notice of appeal with the President in accordance with the Disciplinary Action Arbitration Procedure, provisions 19.13 - 19.22 below. Such a notice of appeal shall include the name and title of the CFA representative. Such notice shall be accompanied by a detailed statement of the disputed facts and defenses to the allegation of misconduct.
b. Within ten (10) days of receipt of the notification pursuant to provision 19.9 above, a faculty unit employee may file a written notice of appeal with the President indicating an intent to request a hearing of the matter by the State Personnel Board as provided in Section 89539 of the Education Code. Such notice shall be accompanied by a detailed statement of the disputed facts and defenses to the allegation of misconduct. A request for a hearing by the State Personnel Board must be filed with the State Personnel Board within twenty (20) days of receipt of the notification pursuant to provision 19.9 above.

19.11 Filing the notice of one (1) of the two (2) disciplinary action appeal options pursuant to provision 19.10 above shall constitute a final and binding decision by the affected faculty unit employee.

Imposition of Sanction

19.12 a. If, pursuant to provision 19.10a, the affected faculty unit employee notifies the President of an appeal involving the sanction of suspension without pay for thirty (30) days or less, the CFA and the CSU may agree that the sanction shall be held in abeyance pending a final arbitration award and its implementation.

b. If, pursuant to provision 19.10a, the affected faculty unit employee notifies the President of an appeal involving the sanction of suspension without pay for more than thirty (30) days, demotion, or dismissal, the CSU shall hold the sanction in abeyance pending a final arbitration award and its implementation.

Disciplinary Action Arbitration Procedure

19.13 No later than ten (10) days after the decision to submit the pending disciplinary action to disciplinary action arbitration, CFA and the Office of the Chancellor shall agree on a mutually acceptable arbitrator or shall jointly request the American Arbitration Association to supply a list of arbitrators pursuant to its rule.

19.14 Upon receipt of the names of proposed arbitrators, the parties shall alternately strike names from the list until one (1) person is ultimately designated as the arbitrator. The decision as to which party strikes first shall be determined by lot.

19.15 It shall be the function of the arbitrator to determine whether cause for disciplinary action existed and to affirm, modify, or deny the sanction or pending sanction.
19.16 Within ten (10) days from the date the hearing is closed, the arbitrator shall issue to the parties a written award stating the decision on the issue(s) submitted. Copies of the award shall be provided to the parties. The award shall be final and binding on the parties.

19.17 The arbitrator shall provide a complete written decision setting forth his/her findings, reasons, and conclusions on the issue(s) submitted no later than thirty (30) days after the award is issued. Copies of the complete decision shall be provided to the parties.

19.18 The Voluntary Labor Arbitration Rules of the American Arbitration Association shall apply except when the specific language of this Agreement is in conflict, in which case the specific language of the Agreement shall apply.

19.19 The arbitrator's award shall be based solely upon the evidence and arguments appropriately presented by the parties in the hearing and upon any post-hearing briefs by the parties.

19.20 The arbitrator shall have no power to alter, add to, detract from, or amend the provisions of this Agreement. The arbitrator shall be without power to make an award which requires the commission of an act prohibited by law, or an omission of an act required by law, or which is violative of the specific terms and conditions of this Agreement.

19.21 The award of the arbitrator may include back pay provided, however, that any back pay award shall be less the difference of any unemployment compensation received.

19.22 Each party shall bear the expenses of preparing and presenting its own case. The affected faculty unit employee, the CFA representative, if any, and witnesses who are CSU employees called before the arbitrator shall be provided with release time for the official hearing. The cost for the services of the arbitrator shall be borne by the CSU.

Pre-Sanction Suspension

19.23 When the President determines it is in the best interests of the campus, he/she may suspend with pay a faculty unit employee who has been served with a Notice of Pending Dismissal, Demotion, Suspension Without Pay pursuant to provision 19.4 of this Article. Such a suspension may continue until imposition of sanction or a final award pursuant to this Article or pursuant to Education Code 89539.
19.24 The affected faculty unit employee shall be notified in writing of such a suspension with pay. The President may terminate such a suspension at any time. The affected faculty unit employee shall be notified in writing of such a termination.

Pre-Sanction Reassignment

19.25 When the President determines it is in the best interests of the campus, he/she may reassign a faculty unit employee who has been served with a Notice of Dismissal, Demotion, Suspension Without Pay pursuant to provision 19.4 of this Article. Such a reassignment shall be without a change in salary. Such a reassignment may continue until imposition of sanction or a final award pursuant to this Article or pursuant to Education Code 89539. The affected faculty unit employee shall receive written notification of reassignment and a written notification of termination of reassignment, when appropriate. Such a reassignment shall not be considered a punitive reassignment.

ARTICLE 20

WORKLOAD

Instructional Faculty: Professional Responsibilities

20.1 a. The primary professional responsibilities of instructional faculty members are: teaching, research, scholarship, creative activity, and service to the University, profession and to the community.

b. Faculty members have additional professional responsibilities such as: advising students, participation in campus and system-wide committees, maintaining office hours, working collaboratively and productively with colleagues, and participation in traditional academic functions.

c. The performance of instructional responsibilities extends beyond duties in the classroom and includes such activities as: preparation for class, evaluation of student performance, syllabus preparation and revision, and review of current literature and research in the subject area, including instructional methodology. Research, scholarship and creative activity in the faculty member's field of expertise are essential to effective teaching. Mentoring students and colleagues is another responsibility that faculty members are frequently expected to perform.
TRUSTEES APPROVE 1997-98 SUPPORT BUDGET REQUEST

The California State University Board of Trustees approved a $2.6 billion support budget for 1997-98, which continues financial commitments to campus maintenance efforts and targets technology as a funding priority. Of the $2.6 billion, $1.9 is provided from the state’s General Fund.

General Fund appropriations were $1.6 billion for 1995-96 and $1.8 billion for 1996-97.

The governor’s compact provides a 4 percent annual increase in CSU operating support (plus additional funds for debt service payments on outstanding bonds). For 1997-98, the 4 percent amounts to $68.7 million. With enrollment targeted to increase by 2,499 students, the budget calls for additional student fee revenue of approximately $3.7 million.

The proposal also includes revenue from a 10 percent student fee increase (which would generate $30.4 million in net operating support). General Fund support is requested to offset the net revenue increase as has been done the past two years. The 10 percent fee increase is included at the beginning of the budget process in accordance with the governor’s budget compact.

Allocation of the funds include a 3.4 percent pool for negotiating faculty and staff compensation increases and maintenance of existing employee benefits ($57.7 million); $13.5 million for academic technology outlined in the systemwide Integrated Technology Strategy; and $14.3 million for enrollment growth.

“The budget compact for higher education has returned long-term, stable strategic planning to how we prepare for and accommodate enrollment demand, instructional achievement, facility management and human resource development,” Chancellor Barry Munitz stated in his budget message. “This could not have been achieved without the active support of the University of California, our partner in its development, or the dedicated support of the governor, his staff and the many higher education advocates in the Assembly and Senate.”

Referring to the proposal’s 10 percent fee increase, Munitz agreed with Lt. Gov. Gray Davis that the Legislature would not want fees raised for 1997-98. The State University Fee currently is $1,584 annually for full-time students. If an increase is included in the state’s final budget, fees would rise to $1,740.
"We are now the lowest-priced institution (compared to comparable public universities) in the country," Munitz said. "We've been able to keep fees down . . . and we will go fight the good fight to keep them down. But I want to be sure not to leave us in the worst possible situation and not have money from either the state or fee increases."

Trustees Ali Razi, Ralph Pesqueira and Laurence Gould voted against the budget request at the full board; Davis voted against it at the committee meeting.

EASTIN, MUNITZ OUTLINE STANDARDS FOR HIGH SCHOOL GRADUATES

With the encouragement of State Superintendent of Public Instruction Delaine Eastin, two task forces appointed by the California Education Round Table have been working since last January to define clear standards in mathematics and English for graduation from high school.

The draft benchmarks were outlined to the board by Eastin, Munitz, Rudy Castruita, chair of the English task force and superintendent of the San Diego County Office of Education, and Jerry Hayward, chair of the math task force and co-director of Policy Analysis for California.

"Delaine Eastin wanted the standards to be high and consistent for all students," said Castruita. He added that there is much support from the task force participants and the community for early testing in 10th grade to enable high schools to address remediation issues before students graduate and go on to either higher education or careers.

Hayward said that the standards are necessary to send clear signals to both students and teachers regarding what must be taught and learned before graduation. "But there are other things that have to take place to make sure these standards are a reality," he said. "We need improved curriculum, better prepared teachers and better management of schools. The goal is not just setting the standards, but ensuring that the students meet the standards."

Under public review through Dec. 4, the standards were developed with the help of representatives from K-12, higher education, parents, business and community groups. Following the hearings, the task forces will refine the standards and recommend a final set to the Education Round Table by the end of the year. They then will be sent to the State Commission for the Establishment of Academic Content and Performance Standards and the State Board of Education for adoption.

"There are those on the far left and far right who don't believe in standards," said Eastin. "But if we don't have standards, California could pull the entire nation down because it is such a powerful engine."
“In 10 years there will be two kinds of people in California: the well-educated and the hardly employable,” she added. “In light of global competition, this is a matter of grave urgency.”

UPDATE OUTLINED ON CAMPUS VENTURES: STOCKTON, CAMARILLO

Senior Vice Chancellor of Business and Finance Richard West gave the trustees a status report on the feasibility of the state conveying the Stockton Development Center to the CSU.

According to a business plan for the conversion of the center into the California State University Stanislaus Regional Center for Education and Human Services, capital outlay and maintenance expenses will be generated from the lease of on-site buildings not used for instructional uses.

Financial success of the regional center will depend on support from state and non-CSU sources during the first years of operation. The plan assumes that the state will provide $2.5 million for preconveyance work on the facilities and start-up funds in 1997-98. In addition, CSU will need to be provided $1.7 million a year for five years beginning in 1997-98, which is a continuation of the funding currently provided to the Department of Developmental Services to maintain the property.

The proposal is slated to come back before the board for approval in January. Trustee Bill Hauck called the measure “a model for how we can pursue other proposals like this . . . This will be a tremendous asset for Stockton.”

West also said planning was progressing on the proposed conversion of Camarillo State Hospital into CSU Channel Islands. He said that community support is important if the CSU is to follow the Stockton model in developing the Camarillo site.

TECHNOLOGY INITIATIVES ON A FAST TRACK

In a report to the board on the systemwide Integrated Technology Strategy (ITS), Tom West, assistant vice chancellor of Information Resources and Technology, said several initiatives of the technology program were on a fast track toward implementation.

“We must build our technology infrastructure quickly to meet academic program needs,” West said. “This time next year we will be in the implementation stage.”

The first initiatives of the program include getting all CSU campuses up to “baseline” capacity, said West. By striking a systemwide contract or entering into a joint public/private partnership by July 1997, every campus would be at least at baseline technological capability.
West said it would cost approximately $32.6 million a year to achieve ITS objectives and that the system is exploring a variety of funding possibilities, including public/private partnerships, state support and general obligation bonds.

One of the first student friendly services initiatives of the ITS was launched Nov. 1 when student admissions applications went online throughout the system via the Internet.

**IN OTHER ACTION**

The Trustees Approved:

- Authorizing the issuance and sale of CSU Los Angeles Student Union Revenue Bonds, Series B and related matters to support the student union renovation.

- Delegating to the chancellor authority to execute a joint powers agreement to establish the CSU Risk Management Authority. The Risk Management Authority would provide insurance, self-insurance, and related services to the CSU and its auxiliary organizations.

- The 1997/98 State and Nonstate Funded Capital Outlay Program, which totals $264,186,000 for state and $11,737,000 for nonstate funded projects. The nonstate funded projects will be funded through housing and parking programs, campus auxiliary organizations, donates and a grant.


- Extending to CSU executive employees a paid maternity/paternity leave.

- Extending to CSU executive employees the survivor benefits previously approved for all CSU employees.

- Requiring President Dr. Peter S. Smith of CSU Monterey Bay to occupy the official presidential residence on the campus, and ceasing his housing allowance as of Oct. 1, 1996.

- Selecting the certified public accounting firm of KPMG Peat Marwick as the CSU Independent Auditor.

The Trustees Heard:

- The first CSU Investment Report: as of March 31, 1996, the total book value of CSU investments was $186 million. KPMG Peat Marwick has recommended that investments be consolidated under a central treasury function to balance the portfolio for liquidity and to streamline decision making.

- A report on virtual universities in the western United States and the status of efforts to determine the crucial issues involved.


- Chair Martha Fallgatter appoint trustees to the search committee for the CSU San Bernardino presidency. Current president Tony Evans has announced his retirement as of summer 1997. Serving as committee chair will be Ralph Pesqueira; members will be Michael Stennis and Ali Razi.

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