Meeting of the
Academic Senate Executive Committee
Tuesday, April 7, 1998
UU220, 3:00-5:00pm

I. Minutes: Approval of the Academic Senate Executive Committee minutes for February 17, 1998 (p. 2).

II. Communication(s) and Announcement(s):
Academic Senate membership for 1998-1999: (pp. 3-4).

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. Other:

IV. Consent agenda:

V. Business item(s):
A. Appointment to committee vacancies.
B. Resolution on Information Competence: Lant, Chair of the Information Competence Committee (pp. 5-6).
C. Resolution for Development of a Research Infrastructure at Cal Poly: Cano, Chair of the Research and Professional Development Committee (pp. 7-10).
D. Resolution on Creation of a Permanent Director for a Faculty Development Center: Harris, Chair of the Faculty Affairs Committee (p. 11).
E. Resolution on Faculty Input for Academic Administrator Selection: Harris, Chair of the Faculty Affairs Committee (p. 12).
F. Resolution on Difference-in-Pay Leaves: Harris, Chair of the Faculty Affairs Committee (p. 13).
G. Resolution on Dean Evaluation Form: Harris, Chair of the Faculty Affairs Committee (pp. 14-17).
H. Resolution on Student Grievance Process: Greenwald, for the Ethics Task Force (pp. 18-20).
I. Resolution on Faculty Dispute Process: Greenwald, for the Ethics Task Force (pp. 21-32).

VI. Discussion item(s):
A. Department Chairs as MPP: (p. 33).
B. CETI: status report (pp. 34-37).
C. Cal Poly Foundation: set Academic Senate meeting for this discussion.

VII. Adjournment:
ACADEMIC SENATE MEMBERSHIP for 1998-1999

[Highlighted names indicate newly elected members]

COLLEGE OF AGRICULTURE (7 representatives)

Brown, Wyatt  Crop Science
Hannings, David  Environmental Horticulture Science
Harris, John  NRM
Lord, Sarah  Agricultural Education
O'Keefe, Tim  NRM
Stokes, Cliff  Animal Science
VACANCY

COLLEGE OF ARCHITECTURE AND ENVIRONMENTAL DESIGN (6 representatives)

Borland, Jim  Construction Management
Botwin, Mike  Architectural Engineering
Clay, Gary  Landscape Architecture
Dubbink, David  City & Regional Planning
VACANCY
VACANCY

COLLEGE OF BUSINESS (5 representatives)

Armstrong, MaryBeth  Accounting
Bertozzi, Dan  Global Strategy & Law
Labhard, Lezlie  Industrial Technology
Li, Eldon  Management
Swartz, Terri  Marketing

COLLEGE OF ENGINEERING (7 representatives)

Beug, James  Computer Science
Cummings, Russ  Aeronautical Engineering
Harris, James  Electrical Engineering
Johnson, Mark  Mechanical Engineering
LoCascio, James  Mechanical Engineering
Morrobel-Sosa, Anny  Materials Engineering
Yang, Tao  Industrial & Manufacturing Engineering

COLLEGE OF LIBERAL ARTS (9 representatives)

Bergman, Sky  Art & Design
Coleman, Jim  Social Sciences
Evnine, Simon  Philosophy
Fetzer, Phil  Political Science
McLamore, Alyson  Music
Rubba, Johanna  English
Scriven, Tal  Philosophy
Valencia-Laver, Debra  Psychology & Human Development
Yang, Phil  Ethnic Studies
COLLEGE OF SCIENCE AND MATHEMATICS (8 representatives)
Brown, Ron  Physics
Hood, Myron  Math
Jacobson, Ralph  Chemistry & Biochemistry
Marlier, John  Chemistry & Biochemistry
Rogers, John  Statistics
Walters, Dirk  Biological Sciences
VACANCY
VACANCY

PROFESSIONAL CONSULTATIVE SERVICES (4 representatives)
Breitenbach, Stacey  CENG Advising Center
Dimmitt, Laura  Financial Aid Office
Domingues, Tony  Admissions Offices
Harris, Pat  Student Life & Activities

UNIVERSITY CENTER FOR TEACHER EDUCATION (1 representative)
Scheftic, Carol  UCTE

STATEWIDE ACADEMIC SENATE (3 representatives)
Gooden, Reg  CLA
Hale, Tom  CSM
Kersten, Tim  CBUS
WHEREAS the new GE template recommended by the Academic Senate and approved by President Baker eliminates the previous computer literacy requirement (Area Fl);

WHEREAS the new GE template contains no provision for directly ensuring information competence, but asserts that it is a responsibility of the university to ensure the information competence of all its students (See Academic Senate Resolution approving the new GE&B model #47897, 03/17/97.);

WHEREAS the university Information Competence Committee has been charged by the senate and President Baker to make recommendations on competency levels and implementation methods for entering, continuing, and graduating students with respect to information competence;

WHEREAS no standards have yet been set by the state concerning information competence skills of graduating high school students;

BE IT RESOLVED that, with respect to entering freshmen students, the Information Competence Committee will continue to study and report on their preparation in information competence with the goal of establishing freshman entrance requirements at some time in the future;

BE IT RESOLVED that, with respect to continuing undergraduate and transfer students, the university will require information competence certification to be fulfilled in one of the following manners:

All lower-division students will be required to take at least one course approved for Information Competence credit by the Information Competence Committee or will be certified as Information Competent in a manner approved by the Information Competence Committee before they begin their junior year or within two quarters of matriculation as upper-division transfer students. Transfer students may receive credit for meeting Cal Poly information competence requirements by completing work at other institutions.

Academic departments and programs may require their students to take courses in their major which meet the information competence criteria or recommend courses offered by other departments for this purpose. All such courses or sequences of courses must be approved for information competence credit by the Information Competence Committee. Courses approved for certification may include or involve on-line modules like those being developed by the Cal Poly Library;

BE IT RESOLVED that, with respect to graduating students, the university will require information competence certification to be fulfilled in the following manner:

The information competence committee will work with individual departments to enumerate appropriate graduation skills to ensure that their graduates are conversant with the information competency requirements of their fields and their professions. These mutually agreed upon standards will become part of the curriculum responsibility of each major.

Students must develop the ability to find, evaluate, use, synthesize, and communicate information as part of their academic program at Cal Poly in preparation for lifelong learning. They must be able to demonstrate these skills in an integrated process using both traditional and new technologies. More specifically, students must be able to:

1. State a research question, problem, or issue.

2. Determine the information requirements for a research question, problem, or issue and formulate a search strategy that will use a variety of resources.

3. Evaluate, select, and use the appropriate traditional and new technologies to
   - locate and retrieve relevant information in various formats,
   - organize and store information,
   - analyze and evaluate information,
   - synthesize information.

4. Create and communicate information effectively using a variety of information technologies.

5. Understand the ethical, legal, and sociopolitical issues surrounding information and information technology.

6. Understand the techniques, points of view, and practices employed in the presentation of information received from various media.

7. Understand, evaluate, and use relevant information received from various media.
A RESOLUTION FOR DEVELOPMENT OF A RESEARCH INFRASTRUCTURE AT CAL POLY

Background Statement: In 1996, the Academic Senate reconfigured its subcommittees. From this process, the Research and Professional Development Committee was formed and given the charge to assist in the development of research policies for the campus. Faculty on this Senate subcommittee, over the past two years, began identifying barriers to research on campus through a campus-wide survey and have prepared recommendations for creating an environment which supports faculty efforts in their scholarly work.

WHEREAS: Cal Poly is an institution known for its high quality of undergraduate education where graduate programs have traditionally played a small role and faculty teaching of undergraduates has been the highest priority; and
WHEREAS: The Cal Poly Strategic Plan outlines a greater emphasis on research activities by faculty in the future; and
WHEREAS: The Research and Professional Development Committee was formed by the Academic Senate and given the charge to assist in the development of research policies for the campus;
WHEREAS: The success of research on campus requires an investment of time by faculty and students, allocation of space, and commitment of fiscal resources by the university administration; and
WHEREAS: The process of discovery through research and creative activities is crucial for the continued growth and development of a community of faculty and student scholars; therefore be it
RESOLVED: That research and other creative activities be a significant factor in assigning teaching loads so that faculty who have viable research projects or other creative activities are able to develop their work;
RESOLVED: That department facilities, allocations, and budgets include consideration of research as well as teaching activities;
RESOLVED: That supervising of senior projects and graduate student thesis be given credit towards faculty teaching loads that are commensurate with investment
RESOLVED: That research program and proposal development efforts be supported;
RESOLVED: That graduate curricula be encouraged and fully developed, including funding for recruitment of graduate students and for graduate assistants;
RESOLVED: That scholarly activities (among other criteria) be given consistent recognition in retention, tenure, and promotion decisions at all levels of review.
Cal Poly Mission Statement

As a predominantly undergraduate, comprehensive, polytechnic university serving California, the mission of Cal Poly is to discover, integrate, articulate, and apply knowledge. This it does by emphasizing teaching; engaging in research; participating in the various communities, local, state, national, and international, with which it pursues common interests; and where appropriate, providing students with the unique experience of direct involvement with the actual challenges of their disciplines, in the United States and abroad.

Academic Programs.

The purpose of academic programs at Cal Poly is to fulfill the university mission of pursuing and transmitting skill, knowledge, and truth.

The research process involves keen observation, hypothesis development, measurements, analysis of data, and the determination of conclusions. This process is an essential component of the skill required of professionals entering the employment market.

Recently, Ernest Boyer in the academic bestseller, Scholarship Reconsidered, emphasized that teaching and research are two sides of the same coin, that each should be thought of as equally important scholarly activities of the professoriate. In his treatise, Boyer combines teaching, research, and service under one heading: scholarship.

Here at Cal Poly we are seeking ways to acknowledge “integrated scholarship,” at the same time acknowledging that what have been traditionally distinguished as research, scholarship and teaching are so closely interwoven as to be part of the same fabric.

For effective teaching without inquiry is the tree without the roots, an automobile without an engine. Like the tree’s roots, discovery, integration, and application nurture teaching — like the engine, research drives the disciplines forward to keep teaching relevant and alive. It is our challenge to be current in our discipline and to integrate most effectively the teaching and creative activity sides of our coin of the realm — for the sake of future generations of students, our faculty, and for the sake of society.

Having undergraduates engage in sustained work on demanding, multifaceted problems in which they learn to define and communicate their own solutions may be the best way to prepare our students for future challenges in their professions and communities. It is essential that our students learn the art of critical thinking and analysis and to work well in team efforts under the tutelage and mentoring of the faculty.

This commitment to undergraduate research, however, carries implications. It is, for one, demanding of faculty time. More positively, the trend renders the distinction
between faculty research and teaching as less significant, just as it breaks down barriers between faculty members and undergraduates.

The findings in the NSF report, called *Shaping the Future: New Expectations for Undergraduate Education in Science, Mathematics, Engineering and Technology*, clearly indicate that undergraduate research is of prime importance in the educational experience of young men and women. Similarly, *Building Community* by Boyer, supports the need for creative scholarship. The nation’s goal for undergraduate education, it states, should be that: **All students have access to supportive, excellent undergraduate education in science, mathematics, engineering, and technology, and all students learn these subjects by direct experience with the method and process of inquiry.**

It is, therefore, essential for Cal Poly to encourage and support research activities in the campus since this is an integral part of its stated mission. It is be apparent that in order for Cal Poly to support academic excellence and maintain the high standards of undergraduate education that society requires, it should support the research activities of its faculty. A recent survey conducted by this committee of the Cal Poly faculty revealed that although there is some level of support for the research activities of its faculty, Cal Poly does not provide the necessary support to meet the professional development needs of faculty and that of its students in the area of research.

The following areas were identified in a faculty survey as barriers to professional development by the faculty surveyed:

1. Unavailability of funds to maintain a professional development program;
2. Lack of policy for research/creative activity space allocation;
3. Inequitable teaching loads;
4. Unavailability of “seed” funds to develop or expand creative/investigative activities;
5. Lack of support for graduate courses and programs;
6. Lack of standardized RPT criteria and acknowledgment of research as a valued activity
7. Unavailability of functional, “supportive” intellectual environment
8. Ambiguous policy regarding intellectual property of inventors.

**Recommendations of the Research and Professional Development Committee**

*Make available funds to maintain a professional development program.*

Each department shall be allocated by the Dean or Vice President for Academic Affairs an additional 10% of the allocated FTE for release time to support faculty creative/investigative activities consistent with the professional development of both new and senior faculty. It is recommended that a committee be established to allocate such resources based on progress and productivity of the faculty member.
Provide space for creative/investigative activities.
Each college shall set aside space for creative/investigative activities and develop criteria for allocating such space to its faculty and students.

Equitable teaching loads.
A. Many universities in the US with comparable mission and goals to those of Cal Poly award release time of 1-2 courses per quarter to those faculty members engaged in research activities. It is recommended that release time equivalent to 1-2 courses per quarter be awarded to faculty members engaged in research activities and that this release time be proportional and equitable to the faculty’s time investment in the research activity.
B. Every effort shall be made by Department schedulers to insure that no faculty member has more than two different course preparations in a given quarter.

Make available for creative/investigative “seed” funds.
A research fund shall be made available from unencumbered overhead funds. Fund allocations shall be made available to all new faculty and the amount of the allocation shall be consistent with the needs of the discipline. These funds shall be made available as a shared effort between the University and the Foundation and shall be administered by the Dean of Research and Graduate Studies. New faculty shall be allocated 0.33 FTE release time for 3 academic years. Allocations for the release time shall be made available at the time new faculty positions are allocated to the colleges by the VP Academic Affairs.

Promoting graduate curricula
A. The recommendations of the Task Force on Graduate Education (Appendix A) shall be implemented as a means of supporting and enhancing graduate education and research at Cal Poly.
B. As graduate level courses require a greater in-depth coverage of the subject matter and a greater student-teacher interaction, that they should be given an additional weight factor when calculating WTU. Each one-hour, graduate level lecture be assigned 1.2 WTUs and each one-hour, graduate level laboratory be assigned 1.0 WTU.
C. Every effort shall be made to promote the professional development activities of Institutes and Centers.
D. Establishment of a University-wide seminar series to promote collegiality and enhance the intellectual environment in the Campus.
Resolution: Creation of a Permanent Director of a Faculty Development Center from Faculty Affairs Committee, 3/12/1998

WHEREAS The importance of faculty development has been recognized in many Cal Poly and CSU documents; and

WHEREAS The position of Director of a Faculty Development Center exists at other universities nationwide and within the CSU; and

WHEREAS The Cal Poly Strategic Plan, “Road to the 21st Century”, page 6, recognizes that a director of faculty development is of importance; and

WHEREAS The importance of development and training is recognized as an important factor to increase employee productivity in human resource studies; and

WHEREAS The importance of teaching and professional development are recognized in promotion and tenure decisions in the University; and

WHEREAS The efficiency of coordinating faculty development would be enhanced by centralizing the responsibility in one office; and

WHEREAS The importance of having a single individual provide vision, leadership and accountability for the delivery of a comprehensive faculty development program is administratively apparent; and

WHEREAS The importance of having a single individual monitor existing fiscal resources and create new revenue sources related to faculty development is administratively apparent; and

WHEREAS The importance of having a single individual coordinate and collaborate with necessary internal and external units to assist in faculty development is administratively apparent; and

WHEREAS The importance of adequate and unified representation of both internal and external constituencies to the CSU system related to faculty development topics is administratively apparent; therefore be it

RESOLVED That the President create a Faculty Development Center and hire a director to provide vision, leadership and delivery of a comprehensive program in support and recognition to the career-long development of faculty in teaching, learning, technology and other related faculty development activities.
Resolution: Faculty Input for Academic Administrator selection from Faculty Affairs Committee, 3/11/1998

WHEREAS, There is an effort to improve collegiality at the university; and

WHEREAS, Faculty members are currently a part of search committees for academic administrators; and

WHEREAS, Potential confusion or uncertainty may exist if the search committee does not draft the job description; and

WHEREAS, Significant concern by the search committee if the job description is drafted by another group or person is not the proper atmosphere to begin a search for candidates; and

WHEREAS, Being a part of the process from the very beginning increases the “ownership” of any decisions made; and

WHEREAS, There would be consultation with the appointing administrative officer; therefore be it

RESOLVED, That the Job Description for Administrative Positions with academic responsibilities to the Provost and Academic Vice President be written by the designated search committee with appropriate faculty representation; and be it further

RESOLVED, That the Academic Senate Executive Committee be empowered to select faculty representatives to both assist in the writing of the job description and serve as members of the administrative position search committee
Resolution: Difference-in-Pay Leaves from Faculty Affairs Committee, 3/12/1998

WHEREAS, Difference-in-Pay Leaves requests are made annually by faculty; and

WHEREAS, There are often multiple Difference-in-Pay Leave requests by faculty each year in a College; and

WHEREAS, Often there are insufficient funds for these requests and ranking of requests must take place; and

WHEREAS, The importance of faculty consultation exists in the University; and

WHEREAS, At least one college in the university has established a college Difference-in-Pay Leave Committee; and

WHEREAS, That No university-wide policy exists concerning the establishment of college-equivalent Difference-in-Pay Leave Committee; therefore, be it

RESOLVED, That a college-equivalent Difference-In Pay Leaves Committee composed of tenured faculty unit employees be established to review annual Difference-In-Leave requests and to make recommendations; and be it further

RESOLVED, That the college-equivalent Difference-In Pay Committee be composed of duly elected representative of each the departments or equivalent units in the college; and be it further

RESOLVED, The recommendations ensuing from such a review shall be submitted to Dean/Director; and be it further

RESOLVED, That appropriate university document(s) be altered to reflect this resolution.
Resolution: Dean Evaluation Form from Faculty Affairs Committee, 3/12/1998

WHEREAS, The office of Academic Dean has an important influence on University faculty; and

WHEREAS, A major portion of an Academic Dean's responsibilities involve faculty matters; and

WHEREAS, The existing evaluation form used to evaluate an Academic Dean is often not completed by specific college faculty; and

WHEREAS, The information provided to the Provost through the existing evaluation instrument for Academic Deans is viewed by the Provost to be minimally useful; and

WHEREAS, The administrative side of the evaluation of the Academic Dean involves goals and objectives that often take more than one year to evaluate; and

RESOLVED, That the attached form be utilized to Evaluate the Departmental Equivalent Faculty's Perception of Academic Deans; and be it further

RESOLVED, That this evaluation take place minimally every two years; and be it further

RESOLVED, That the evaluation be done in a spirit of improvement of the performance of the Academic Dean.
Departmental Faculty Evaluation of the Academic Dean

Instructions
Please take the time to evaluate your academic dean based on the following six topics. In your narrative, please indicate the strengths/weaknesses for each of the topics.

This should be a department faculty document. Tenure track faculty will formally approve the final evaluation document with input from non-tenure track faculty expected. If it is perceived that your knowledge of a topic concerning your dean is insufficient to address the topic, please indicate so in the evaluation. The department may produce the evaluation document as a subcommittee or as a committee of the whole. The specific procedure is to be decided by the department. Majority and minority reports from the departmental faculty are permitted. Efforts should be made to achieve a consensus departmental evaluation document. The person whom the departmental faculty is evaluating should be clearly noted. The department and those faculty concurring should also be noted on the document and forwarded to the Provost. Individual faculty members will remain anonymous when information is shared with the academic dean. The six topics of evaluation are:

1. Faculty development
   • Demonstrates a personal interest in the recruitment of the best faculty possible
   • Undertakes personal efforts to retain and develop professionally the faculty of the department

2. Promotion of the college
   • Has positive relations with alumni, parents, advisory councils, gift prospects, foundations, leaders, legislators, et al.
   • Articulates well the college's "story" and generates interest and enthusiasm for others (industry/corporations) to join and help the vision to happen.
   • Ascertains that the college story is consistent and compatible with the distinct mission of the University.

3. Management of resources
   • Establishes and articulates clearly the priorities of the college
   • Assesses fairly and clearly the strengths and weaknesses within the college.
Clearly and consistently communicates the criteria for evaluating program viability.

- Clearly and consistently communicates how college resources are managed and allocated and, particularly how his/her management facilitates strengths or improves weaknesses.
- Seeks out new resources for the college.

4. Personal/professional status
- Knowledgeable of issues affecting the college within and without the University.
- Knowledgeable of the larger contexts affecting university planning.
- Standing in his/her professional area of expertise.
- Undertakes specific efforts to be active in his/her area of professional expertise.

5. University participant
- Recognizes the importance of the college as part of the university and is a team-player in this regard.
- Visible participant in university functions.
- Supports fellow deans and seeks cooperative relations among colleges.
- Supportive of University-wide leaders and directions/initiatives.

- Inspires trust.
- Acts fairly.
- Communicates effectively.
- Handle adversity calmly and effectively.
- Makes tough decisions.
- Open and handles suggestions/criticism well.
- Seeks input and listens well.
- Takes seriously evaluations of him/herself.
- Strives to make the University better.

For each of the six topics described above, please provide a narrative of strengths/weaknesses with suggestions for improvement. Also indicate those topics where lack of information is present.

Use the following scale for an overall evaluation for each topic:
0=unacceptable, 1=low, 2=average, 3=above average, 4=high, 5=exceptional; N not knowledgeable of.
This information will be used by the Provost and Vice President for Academic Affairs along with the agreed upon goals of the dean in the final evaluation process. Thus, you are contributing significantly to one half of your dean's evaluation. In your efforts to evaluate your dean, please remember that the purpose of this process is to improve the performance of the dean.
RESOLUTION ON STUDENT GRIEVANCE PROCESS

Background

The Fairness Board of the Academic Senate deals with grade appeals concerning student grievances involving faculty. In addition, the campus currently has policies dealing with sexual harassment, amorous relations, and disputes involving students with disabilities. All other student grievances involving faculty that are not resolved informally are dealt with through the Office of Campus Student Relations and Judicial Affairs. These grievances are not involving grade appeals are at least as common as those grievances that do involve grade appeals. As a result, it would not be possible for the Fairness Board to deal with both types of grievances. The creation of a board to deal with these non-grade appeals would enable the Office of Student Relations and Judicial Affairs to concentrate on providing advice, mediation, and conciliation services. Many other universities have similar student grievance procedures. In fact, the student grievance processes at other universities influence the enclosed process.

WHEREAS, The Fairness Board of the AcademicSenate deals with grade appeals; and

WHEREAS, There are a number of student grievances concerning faculty that do not involve grade appeals and are not covered by existing policies; and

WHEREAS, These student grievances concerning faculty that do not involve grade appeals and are not covered by existing policies are currently dealt with through the Office of Student Relations and Judicial Affairs; and

WHEREAS, There is a need to create a process involving faculty and students to deal with these student grievances concerning faculty that do not involve grade appeals and are not covered by existing policies; therefore, be it

RESOLVED: That a Student Grievance Process be established consistent with the enclosed document; and, be it further

RESOLVED: That a Grievance Board be established consistent with the enclosed document; and, be it further

RESOLVED: That the Grievance Board is charged with creating procedures to implement a Student Grievance Process consistent with the enclosed document.

Proposed by the Academic Senate Ethics Task Force
Date:_______
Student Grievance Process

1. **Scope:** The Student Grievance Process applies to student grievances involving faculty members that do not involve grade appeals and are not covered by existing policies. Grievances involving grade appeals should be submitted to the Fairness Board of the Academic Senate. For the purpose of this policy, faculty shall include part-time faculty as well as teaching assistants. The following matters do not constitute the basis of a grievance under this policy:
   a. Policies, regulations, decisions, resolutions, directives, and other acts of the Board of Trustees and the Office of the Chancellor;
   b. Any statute, regulations, directive, or order of any department or agency of the United States or State of California;
   c. Any matter outside the control of Cal Poly;
   d. Course offerings;
   e. The staffing and structure of any academic department or unit;
   f. The fiscal management and allocation of resources by the CSU and Cal Poly;
   g. Any issue(s) or act(s) which does (do) not affect the complaining party directly.

2. **Informal Resolution Process:** A student should attempt to resolve the matter with the individual faculty member. If unable to reach a resolution, the student and faculty member may request assistance from the faculty member's department chair. There is no requirement that a complainant utilize this informal process before filing a formal complaint. The Office of Campus Student Relations and Judicial Affairs is available to provide advisory, mediation, and conciliation services to students raising such complaints.

3. **Formal Process:** To initiate the formal resolution process, a written complaint must be filed with the Office of Campus Student Relations and Judicial Affairs within two quarters of the time the complainant could reasonably be expected to have knowledge of the injury allegedly caused by the discriminatory action. If special circumstances exist, such as when a faculty member is on leave and not readily available to the student, the Grievance Board may elect to waive the two-quarter requirement. Complaints must include the following information:
   a. The complainant’s name, address, and phone number;
   b. The specific act(s), or circumstances alleged to constitute the discriminatory actions that are the basis of the complaint including the time and place of the alleged discriminatory action; and
   c. The remedy requested, if any (the grievant may choose to file a complaint for historical reasons).
4. **Grievance Board**: The Grievance Board shall include one tenured faculty member from each college and the Professional Consultative Services appointed by the Academic Senate for two-year terms, and two student members appointed by the ASI. The student members shall serve one-year terms and shall have at least junior standing and three consecutive quarters of attendance at Cal Poly preceding appointment. The Grievance Board chair shall be elected by the members of the Board.

a. The Grievance Board shall be a committee of the Academic Senate.

b. A quorum shall consist of six members (2/3) of the Grievance Board.

c. Grievance Board members will disqualify themselves from participation in any case in which they are a principal or they feel that they cannot be impartial.

d. The Grievance Board shall conduct hearings as appropriate and forward its recommendations to the Provost, to each principal party, and to the faculty member's department chair and dean.

e. Each principal party shall have the right to appeal the decision of the Grievance Board to the Provost.

f. The Provost shall inform the Grievance Board, each principal party, and the faculty member's department chair and dean of the action, if any, that has been taken.

g. The Grievance Board shall provide a yearly report of its activities to the Provost with copies to the Director of Judicial Affairs and to the Vice Provost for Academic Programs and Undergraduate Education.

h. The Director of Judicial Affairs shall be responsible for providing appropriate training for the Grievance Board.

i. The Grievance Board shall ensure that confidentiality is maintained.
Resolution on Faculty Dispute Process

Background

Faculty members have agreed to be civil in their interaction with other faculty as noted in the Cal Poly Faculty Handbook based on the Association of University Professor’s Code of Ethics. At the present time there is no process to mediate such disputes of civility. Civility matters have adversely affected departmental functioning, personnel decisions, improper labeling of colleagues, E-mail dialog and the copying of remarks, grant application awards, and others.

Whereas University faculty have agreed to act in a collegial manner to one another; and

Whereas There have been a number of faculty disputes where the process is perceived as either absent or may be viewed by faculty as either unfair, unacceptable or ineffective; therefore, be it

Resolved: That a Faculty Dispute Process be established consistent with the enclosed document; and, be it further

Resolved: That the Faculty Ethics Committee be established consistent with the enclosed document; and, be it further

Resolved: That the Faculty Ethics Committee be charged with creating procedures to implement a Faculty Dispute Process consistent with the enclosed document.
FACULTY DISPUTE PROCESS

FACULTY CONDUCT

California Polytechnic State University at San Luis Obispo expects high ethical standards of all faculty. In particular, the university endorses the principles set forth in the following Statement on Professional Ethics by the American Association of University Professors (April, 1966)

Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to the professor in his utterances as a citizen, in the exercise of his responsibilities to students, and his conduct when undertaking research. The Statement on Professional Ethics that follows, necessarily presented in terms of the ideal, sets forth those general standards that serve as a reminder of the variety of obligations assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to assure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provide this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group.

Civility between faculty members is a matter of faculty responsibility.

The Statement

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise
critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for the student as an individual and adhere to their proper roles as intellectual guide and counselor. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors accept their share of faculty responsibilities for the governance of their institution.

4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as a private persons they avoids creating the
impression that they speak or act for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

California Polytechnic State University at San Luis Obispo's Academic Senate shall create a Faculty Ethics Committee. The purpose of this committee is to investigate and resolve disputes brought by members of the University faculty against colleagues. The Ethics Committee shall consist of 7 tenured persons appointed by the Executive Committee of the Academic Senate for a two year representing each of the colleges and the Professional Consultative Services. The Faculty Ethics Committee chair shall be elected by members of the Committee. The Committee shall develop procedures appropriate to its functions, and shall make periodic reports of its activities to the Academic Senate and to the Provost and Vice President for Academic Affairs.

**Authority of Faculty Ethics Committee**

1. Investigation and Resolution of Disputes

For all disputes that fall within its jurisdiction, the Faculty Ethics Committee shall have the authority to conduct an investigation of the dispute, and to make recommendations to the Provost. The Faculty Ethics Committee shall have to authority to determine whether the dispute should be resolved by a formal hearing. The Committee may, at its discretion, mediate disputes in cases where the mediation appears likely to provide a resolution or to refer to appropriate dispute resolution resources available in the University(e.g. Employee Assistance Program)

2. Jurisdiction

A. Matters Within the Faculty Ethic Committee's Jurisdiction

(1) Violations of AAUP Code of Conduct
(2) Enforcement by the University of regulations or statutes governing the conduct of faculty members not overseen by other jurisdictions.
(3) Other disputes that may arise between faculty members that seriously impairs faculty members' ability to function effectively as a member(s) of the University.

B. Matters Excluded from the Faculty Ethics Committee's Jurisdiction

(1) Disputes in which the relief requested is beyond the power of the University to grant
(2) Disputes being considered by another dispute resolution entity or procedure within the University (e.g. sexual harassment, amorous relationships, etc.)
(3) Disputes being heard or litigated before agencies or courts outside the University.

The University shall provide training appropriate to the authority of the Faculty Ethics Committee.

Conduct of Faculty Ethics Committee Investigations

1. Request for Investigation

Disputes between faculty members are encouraged to be resolved between the parties wherever possible. Assistance to mediate the dispute is encouraged. Where personal resolution is found to be unsuccessful and consultation with the department chair has not resolved the matter, a request for investigation may proceed. There is not requirement that a complainant utilize this informal process before filing a formal complaint.

Investigations by the Faculty Ethics Committee shall be initiated by the submission of a written complaint to the Chair of the Committee. The complaint must contain:

(i) a concise statement of the conduct complained of;
(ii) the person or persons involved;
(iii) the relief requested;
(iv) the efforts already made by the complaining party to resolve the dispute;
(v) and an affirmation that the dispute is not pending in some other forum in or outside the University.

Complaints may contain more than one claim of wrongful action and seek more that one form of relief. Claims should be preferably
presented one quarter after occurrence. The claim must be raised within 12 months of the perceived wrongful action. The complaint may not exceed 5 pages.

Along with the complaint, the complaining party may submit supporting or clarifying documentation. These may include written argument by, or on behalf, the complaining party and may mention earlier events alleged to be related to the claim(s). Such argument may not exceed 20 pages. The Committee also may request a complaining party to submit further documentation where doing so might be vital to the Committee's decision.

A quorum shall consist of five member of the Faculty Ethics Committee.

The Faculty Ethics Committee may reject complaints that do not meet its criteria, without prejudice to the complaining party's ability to correct the defects and submit a new complaint. The Committee also may reject complaints that are excessive, are too vague or disorganized to provide the basis for effective inquiry.

Should the committee decide the complaint does not fall within its jurisdiction, the Committee shall dismiss the complaint. If the complaint falls within the Committee's jurisdiction, the Committee shall notify the complaining party who then shall be required to send to the person or persons whose alleged conduct is the basis for the complaint (hereafter, the other side) a copy of all materials submitted earlier to the Committee.

2. Authority to Reject Insubstantial Complaints

After considering the complaint and accompanying materials, the Committee may reject the complaint if, in its judgment, the complaint is insubstantial or the dispute is not sufficiently related to the concerns of the academic community to justify further investigation. In making this determination, the Committee may take into account whether the complaining party has made baseless or insubstantial complaints in the past. The Committee also may reject complaints if, as evidenced by the complaint and accompanying documentation, the complaining party has not made adequate efforts to resolve the dispute prior to invoking these procedures.

3. Response to Request for Investigation
If the complaint is suitable for investigation, the Committee shall request and expect a written response from the other side. The response must meet the same standards specified for complaints: its position stated concisely in no more than 5 pages, with a limit of up to 20 pages of supporting or clarifying documentation. The Committee also may request the other side to submit further documentation where this might be vital to the Committee’s endeavors. The Committee may set reasonable time requirements for the submission of materials in response to a complaint. If no response is made, the Committee may take such inaction into consideration in its resolution of the dispute.

4. Scope and Conduct of the Investigation

Upon determining that a particular complaint is substantial and within its jurisdiction, the Committee shall investigate the complaint. The nature and means employed in pursuing the investigation, including the interviewing of relevant parties and gathering of relevant information, shall be at the discretion of the Committee but the investigation shall be as extensive as necessary to resolve the dispute fairly. The Committee may conduct its own interviews, request additional evidence from the parties, consult with individuals it considers potentially to be helpful, and review the written materials already before it. At any stage of the investigation, the Committee may exercise its ability and discretion to resolve the dispute through mediation and reconciliation between the parties or referred to appropriate dispute resolution resources available in the University.

5. Concluding the Investigation

The investigation shall be concluded when any of the following occur:

(a) the dispute is resolved with the consent of the parties;
(b) the Committee rejects the complaint for reasons;
(c) the Committee issues its report and recommendation to the Provost;
(d) the Committee determines that a formal hearing should be held.
In its report to the Provost, the Committee shall indicate in writing the results of its investigation, including its view of the merits of the claims(s) made in the complaint, the resolution of any factual disputes essential to the Committee’s conclusion, and the Committee’s judgment about what actions, if any, should be taken by the University. The report need be no more detailed than necessary to summarize the Committee’s findings.

Within 30 days after receipt of a report from the Committee, the Provost shall in writing either affirm or modify the report or refer it back to the committee with objections. The Provost’s response shall be delivered to the chair of the Committee and to the parties involved. Failure to act within the 30-day time period shall constitute an affirmation of the Committee’s decision.

If the report is referred back, the Committee shall reconsider the case and, taking into account the objections or suggestions of the Provost, the Committee shall resubmit the report, with any modifications, to the Provost, who may affirm, modify, or reject it. The Provost’s decision shall be final and conclusive, and the matter in question shall be deemed closed, unless either party requests an appeal to the President within 30 days after receipt of a written copy of the provost’s decision.

If at any point in its investigation the Committee determines that a formal hearing must be held, the dispute may proceed directly to the formal hearing. In such instances, the Committee shall prepare a brief report setting forth the reason(s) for moving directly to a formal hearing.

**Formal Hearings**

1. Disputes for which Formal Hearing are Appropriate

Formal hearings shall be held in the following categories of disputes: (a) disputes in which formal hearings are mandated by law, and (b) disputes in which the Committee determines that a hearing is appropriate because the issues are so serious and the facts so unclear that live testimony and quasi-judicial procedures are appropriate to resolve the dispute fairly. Formal hearings should be the exception, not the rule, in faculty dispute resolution. No formal hearing shall be held if the complaining party expresses the desire, in writing, not to have such a hearing.
2. Preliminary Procedures

A. Hearing Panel

There shall be a Hearing Panel consisting of the Faculty Ethic’s Committee. The Panel members shall have no conflict of interest with the dispute in question. Members will disqualify themselves from participation in any case in which they are a principal for they feel that they cannot be impartial. The Hearing Panel shall decide all cases properly brought before it under the procedure specified in this document.

B. Statement of Charges

After submission to the Committee, the complaining party shall, within 30 days, send a statement of Charges to: the other side; and the chair of the Committee. The Statement of Charges shall contain the following: (a) a statement, not to exceed 5 pages, of the charges or charges and the relief requested; (b) a copy of any supporting of clarifying documentation, not to exceed 20 pages (c) a copy of any further documentation that might be requested by the Hearing Panel; (d) an initial list of witnesses to be called, accompanied by a brief description of why their testimony would be relevant to the Panel (the names of additional witnesses to be communicated when they become known); a copy of any pertinent University policies or procedures, state statutes, contractual agreements, or other documents upon which the complaining party relies; and (f) a formal invitation to the other side to attend the hearing. Both parties may be accompanied by counsel of their choice. If the complaining party does not submit materials previously listed within the 30-day time limit, the Hearing Panel may take such inaction into consideration in its resolution of the dispute.

C. Answer

Within 30 days of receipt of the Statement of Charges, the other side shall send an Answer to: the complaining party; the chair of the Faculty Ethics Committee. The answer shall respond to the claims made in the Statement of Charges. It may not exceed 5 pages in length, and any accompanying or clarifying documentation may not exceed 20 pages. The Answer also shall include an initial list of witnesses to be called, accompanied by a brief description of why
their testimony would be relevant to the Panel (the names of other witnesses to be communicated when they become known). The Hearing Panel may request the submission of further documentation from an answering party where the Panel believes this may be of assistance to it.

The Answer also may contain a challenge to the complaining party's entitlement to a formal hearing, in which case the Hearing Panel will consider the decision to grant a formal hearing. In such a case the Hearing Panel shall indicate in writing its reasons for concluding that a hearing is not warranted. Reasons may include the insufficient importance of the dispute or the degree to which the dispute can be resolved fairly based on the paper submissions of the parties.

D. Procedure Where No Answer or Hearing Waived

The Committee shall expect an answer from the other side. If no answer is filed or the other side states that no hearing is desired, the Hearing Panel shall resolve the dispute as it deems fair, based on the information submitted by the complaining party and independent investigation the Hearing Panel chooses to conduct. In such a case the Hearing Panel shall prepare a written report of its findings. This report shall be submitted to the parties and to the Provost.

E. Time and Place of Hearing

Upon receipt of the Statement of Charges and the Answer, if the Hearing Panel concludes that a formal hearing should take place, the hearing Panel shall set a time and place for the hearing. The Time ordinarily should be at least 30 days after submission of the Answer, but there should be no unreasonable delay beyond that point.

3. Procedures for Formal Hearings

A. The hearing is to be in private.

B. The responsibility for producing evidence, and the ultimate burden of proving by a preponderance of the evidence that the complaining party's allegations are true and a remedy is warranted, rest on the complaining party. The Hearing Panel may prescribe the order in which evidence is presented, and the way in which arguments are made, in order to facilitate resolving the dispute. Both sides shall be permitted to introduce evidence and make
arguments to the Hearing Panel, but the Hearing Panel may place reasonable restrictions on the time allotted for questioning, or argument, or on the number of witnesses, in order to facilitate a fair and efficient resolution of the dispute. The Hearing Panel also may determine whether any evidence or argument offered is relevant to the dispute, and may exclude irrelevant evidence. The rules of evidence of law courts shall not be binding at the hearing, by may be consulted by the Hearing panel in its discretion.

C. The Hearing Panel may, if it so desires, proceed independently to secure the presentation of evidence at the hearing, and it may request the parties to produce evidence on specific issues the Panel deems significant. The Hearing panel also may call its own witnesses, if it chooses, and may question witnesses called by the parties.

D. Parties on either side may elect to have their positions and evidence presented in whole or in part by the legal counsel or they may elect to have legal counsel available to them only for consultation. The Hearing Panel shall facilitate full examination of the evidence, including the cross-examination of witnesses where appropriate.

E. A verbatim record of the proceedings shall be kept and a full transcript shall be made available to the Hearing Panel at its option. The cost of the reporter and the transcript shall be paid by the University. The complainant has a right to review the transcript.

F. The Hearing Panel, may, at its discretion, adjourn the hearing to permit the parties to obtain further evidence, or for other legitimate reasons.

G. The Hearing Panel may request written briefs from the parties, either before the hearing or upon its completion.

4. Decision of the Hearing Panel

After the conclusion of the hearing, the Hearing Panel shall consider the evidence and the written submissions of the parties. The Hearing Panel then shall prepare findings of fact and a decision regarding the merits of the dispute, and a recommendation of the action, if any, that should be taken by the Provost.
At the same time, a copy of this final report form the Committee also shall be provided to each of the parties.

5. Decision of the Provost

Within 30 business days after receipt of the report, the Provost shall, in writing, either affirm or modify the report or refer it back to the Committee with objections. The Provost’s response shall be provided to each of the parties and the Chair of the Committee. Failure to act within the 30-day time period shall constitute an affirmation of the Committee’s decision. If the report is referred back, the Committee shall reconsider the case and, taking into account the objections or suggestions of the Provost, the Committee then shall resubmit the report, with any modifications, to the Provost, who may affirm, modify, or reject it.

6. Decision of the President

The President will be the final appeal body. The President’s decision shall be final and conclusive. A copy of the President’s decision will be given to the parties and to the Chair of the Faculty Ethics Committee.
ACADEMIC SENATE
RESOLUTION

Department Chairs as MPP

WHEREAS. The CSU is proposing that Department Chairs be removed from the Unit 3 Bargaining Unit; and

WHEREAS. Department Chairs should continue to be defined as faculty. Many faculty members are willing to serve a term as Chair and forego many other desirable professional development activities as long as they can return as teaching faculty. To make Department Chairs management personnel members negates generally accepted practices and principles in academe; and

WHEREAS. Many faculty and current Department Chairs are opposed to this proposal; and

WHEREAS. This contradicts and complicates many policies and procedures in place throughout the University, such as tenure requirements, return teaching rights, recruitment issues, etc.; and

WHEREAS. This would eliminate Department Chairs from serving on Academic Senates and would hamper the work of these Academic Senates; and

WHEREAS. Current Department Chairs serve in many cases as faculty leaders and the faculty would lose this valuable resource; and

WHEREAS. Department Chairs traditionally have represented the interests of the faculty to the administration; and

WHEREAS. Department Chairs have traditionally participated in the teaching learning process by teaching classes themselves and functioning in the role of faculty members. Eliminating that role would negatively impact our woefully inadequate budgets; therefore be it

RESOLVED. That the Academic Senate of California State Polytechnic University, Pomona be on record as strenuously opposing the CSU initiative to exclude Department Chairs from Unit 3, and be it further

RESOLVED. That the Academic Senate of California State Polytechnic University, Pomona forward this resolution to the President of the University; Chair, CSU Academic Senate; Chancellor Charles Reed; CFA president; CSU Board of Trustees; and the CSU Campus Senates

Unanimously Adopted by the Academic Senate of California State Polytechnic University, Pomona on February 15, 1998

[Signature]
Rochelle Kellner, Chair
Presidents:

I am pleased to inform you that the industry partners have negotiated an agreement to form the California State University Technology Infrastructure Initiative (CETI) partnership. This agreement will provide the technology infrastructure necessary to make CSU a viable and competitive institution as we approach the new century. Further, the agreement reflects the principles of the Systemwide Internal Partnership.

In keeping with previous commitments, we now embark on a 30 day review process. I am asking each of you to take responsibility for determining the appropriate consultation process for your campus and I would encourage you to ensure participation from all constituencies. On or before May 8, I would like each of you to forward to me your conclusions. Maynard Robinson, Chair of the Systemwide Internal Partnership, and Roger Robinson, Manager of the Technology Infrastructure Initiative, a single comprehensive response, reflective of the thinking of the entire campus-community, which reflects the following four questions:

1. How does your campus CETI partnership could be improved?

2. What suggestions does your campus have for your specific implementation?

3. What will your campus do to enhance the overall success of the CETI partnership?

4. What are the campus concerns regarding the CETI partnership, as negotiated, that could be issues not already addressed in the response or constituency and legislative questions.

To assist in your campus review, the following documents are enclosed:

- The Integrated Technology Infrastructure Initiative Plan. This document is in two parts. Part 1 is a historical
overview of the ITS-TII context and process. Part 2 summarizes the major components of the CETI agreement and details the technology plan.

- The Guidelines for Construction
- A matrix which maps the alignment of external Partnership principles to places in the various agreements to address them.

On May 15, we will present a synthesis of campus suggestions and concerns to the Board of Trustees.

The CETI agreements are the culmination of more than two years of concerted effort on the part of the presidents and others whom are to be commended for seeking alternative and creative ways to provide critical services to our students and faculty.

CBR:pmc
Enclosures

cc: Dr. James Highsmith, Chair, Academic Senate
Dr. Terry Jones, Chair, California State Employees Association
Mr. Tevan Laxar, Senior Representative, California State Employees Association
Ms. Celinda Vasquez, Chair, California State Student Association
CONSULTATION GUIDELINES

OBJECTIVES

The objectives of the CETI review period are to provide:

1. CSU campuses with an opportunity to evaluate whether the Systemwide Internal Partnership principles have been adhered to in the CETI agreements.

2. CSU campuses an opportunity to comment on and makes suggestions to improve implementation plans.

ASSESSMENT CRITERIA

The assessment criteria will be the principles which have guided development of the CETI partnership:

1. CSU information technology staff will be retained by the CSU.

2. The initial buildout of the CSU's information technology infrastructure (media, pathways, spaces, terminal equipment with required software) will be accomplished at no net cost to the CSU and with current levels of technology.

3. The partnership organization will be responsive to campus and systemwide needs and priorities.

4. The partnership will allow flexibility for the campuses to acquire technologies which are out of scope, albeit at campus cost.

5. CSU will have a majority role in the governance structure.

6. The corporate partners will promote and utilize the CSU's education and training programs and services.

7. All parties will honor the intellectual property rights of the creators of that property.

8. Partnership revenue generating programs which are CSU related must be approved by the CSU.
9. The partnership governance structure will provide a means for the CSU to review and validate partnership price/performance for in-scope services and products.

10. The partnership's success will be evaluated by its:
   - Ability to maintain and sustain the currency of the technological infrastructure.
   - Contribution to personal productivity.
   - Creation of new tools and opportunities for faculty, staff and students.
   - Contribution to new modes of learning and delivery of education.
   - Creation of new revenues to advance the CSU mission.
   - Ability to maintain and sustain the financial health of the partnership.

PROCESS

1. Each campus will have 30 days in which to review the draft implementation plans.

2. The process for conducting the reviews will be determined by the individual campus presidents.

3. Campus presidents will submit a campus Summary Evaluation Worksheet (attached) together with any supporting documents to the Systemwide Internal Partnership committee.

4. The SIP team will review the implementation plans based on the campus input and, within 15 days, submit recommendations to the Technology Steering Committee.

5. The Technology Steering Committee will forward its recommendation to the Chancellor and the Executive Council.