Minutes of
5.5.98
meeting
of the
Academic
Senate
Tuesday, May 5, 1998
UU220, 3:00-5:00pm

I. Minutes: none.

II. Communication(s) and announcement(s):
   A. Nominations for the positions of Academic Senate Chair, Vice Chair, and Secretary for the 1998-1999 year are being received. If you are interested in applying for one of these positions, please contact the Academic Senate office for an application.
   B. In order to complete second readings on all agenda items, two additional Senate meetings have been scheduled. Please calendar May 19 and June 2 as additional Senate meetings.

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:
   Resolution on Placing Department Chairs/Heads in the Administrative Unit: Executive Committee (to be distributed).

V. Business item(s):
   (Revised versions of the resolutions in this agenda may be distributed at the meeting.)
   A. Resolution on Faculty Input for Academic Administrator Selection: Harris, Chair of the Faculty Affairs Committee, first reading (p. 2).
   B. Resolution on Difference-in-Pay Leaves: Harris, Chair of the Faculty Affairs Committee, first reading (p. 3).
   C. Resolution on Student Grievance Process: Greenwald, for the Ethics Task Force, first reading (pp. 4-6).
   D. Resolution on Faculty Dispute Process: Greenwald, for the Ethics Task Force, first reading (pp. 7-18).
   E. Resolution on Program Efficiency and Flexibility: Keesey, Chair of the Curriculum Committee, first reading (p. 19).
   F. Resolution on Experimental Courses: Keesey, Chair of the Curriculum Committee, first reading (pp. 20-21).
   G. Resolution on Departure from University Grading Policy: Keesey, Chair of the Curriculum Committee, first reading (p. 22).
   H. Resolution on Information Competence: Lant, Chair of the Information Competence Committee, second reading (pp. 23-25).

VI. Discussion item(s):

VII. Adjournment:
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 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 Academic Senate 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.

Proposed by: The Ethics Task Force and the Faculty Affairs Committee
Date: April 21, 1998
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 question 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 reflects 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 members 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 that 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 Ethics 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 witnessed 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.
RESOLUTION ON
PROGRAM EFFICIENCY AND FLEXIBILITY

WHEREAS, Programs have the responsibility to eliminate any required units that are not a necessary part of the degree, and to increase flexibility within the major where this can be done without compromising the quality of the program; and

WHEREAS, The Program Review and Improvement Committee, with the Provost's endorsement, has strongly recommended that programs reduce any unjustified required units and "move away from the entrenched but outdated idea that more required courses and more units will translate into greater resources" (10/16/96); and

WHEREAS, The Program Review and Improvement Committee, with the Provost's endorsement, has strongly recommended that programs "open up their courses of study where possible, increase the number of free electives, reduce the rigidity, and increase flexibility" because "Excessive use of restricted electives and concentrations is widespread, and the resulting rigidity is surely a contributing factor to low graduate rates" (10/16/96); and

WHEREAS, Changes in mode-and-level regulations mean that some courses currently offered at the upper-division level due to old regulations may now be moved to the lower division; be it therefore

RESOLVED, That all undergraduate programs that require units in excess of the CSU-designated minimum review their curricula to determine if those excess units are justified and provide evidence of this justification to the Senate (or to a Senate-appointed committee); and be it further

RESOLVED, That all undergraduate programs attempt to increase the number of units of free electives permitted within the major and provide evidence to the Senate (or to a Senate-appointed committee) that they have increased this number to the maximum justifiable within that major; and be it further

RESOLVED, That all undergraduate programs review their curricula to determine if they are currently offering courses at the upper-division level that could more easily be offered at the lower division, thus facilitating articulation for transfer students.

Proposed by the Academic Senate
Curriculum Committee
April 10, 1998
BACKGROUND ON EXPERIMENTAL COURSES

The number of experimental courses has increased significantly over the years. A report prepared in October 1997 indicates over 400 experimental courses valid with ending dates of Summer 1996 through Summer 1999.

Experimental courses were originally designed to provide "an opportunity for experimentation in education without delays that are necessary before new courses and programs can be reviewed for inclusion in the University Catalog." However, many of our current experimental courses involve changes made to existing courses and do not fit the definition of "experimentation in education." A number of these changed courses were submitted as experimental courses due to the three-year (1994-97) catalog, which created a long lag time before new courses could appear in a catalog. Furthermore, some departments are still under the impression that new courses should first be tried out as experimental courses, but this is not the case and does not fit the "without delays that are necessary..." part of the definition of experimental courses. Finally, some departments have experimental courses as required courses within their major programs. Not only does this create the problem of a need for numerous blanket curriculum substitutions, but such courses clearly do not fit the definition of "experimental" if they are a required part of the major.

In addition to the above-outlined deviations from the original definition and purpose of "experimental courses," many of our current experimental courses have created further serious problems, as explained in the WHEREAS clauses of the Resolution on Experimental Courses. To expand on just one of these clauses, the fact that experimental courses circumvent the peer-review process is not only a problem in itself, this lack of peer review has also led to course duplication and disputes between departments. Without peer review, other departments and colleges are given no opportunity to check for possible course duplication until after the course has already been scheduled and taught.
RESOLUTION ON EXPERIMENTAL COURSES

WHEREAS, Courses currently offered as “experimental” circumvent the peer-review process in that they are not often reviewed by department, college, or university curriculum committees; and

WHEREAS, Courses not listed in the catalog lead to many serious problems with communication of course content to students, transfer credit calculation, automated degree audit, graduate-school or employer evaluation of transcripts, etc.; be it therefore

RESOLVED, That all new courses, even those that may be offered on an experimental basis, be proposed as new courses, receive peer review, and be listed in the catalog, unless there is a compelling reason not to do so; and be it further

RESOLVED, That in cases where such a compelling reason exists (e.g., a faculty member from another university suddenly becomes available to teach a new course in his/her specialty, but the deadline for catalog proposals has passed), a course may be proposed as a 270, 370, 470, or 570 (a one-time-only special-topics course), and that this course receive as many different levels of peer review as time permits, with the minimum being that it is at least reviewed by the Senate Curriculum Committee; and be it further

RESOLVED, That the designation currently known as “X” or “experimental” be eliminated as redundant under the new system outlined above, whereby regular new courses or 270/370/470/570s take the place of X courses.

Recommended effective date: Fall 2000.

Proposed by the Academic Senate Curriculum Committee
April 10, 1998
RESOLUTION ON
DEPARTURE FROM UNIVERSITY GRADING POLICY

WHEREAS, The university has a standard grading policy published in the catalog, which serves as a contract with the students that should not be broken; and

WHEREAS, That grading policy follows CSU and Title V regulations which state that an F is failing but a D is a passing grade, and that a 2.0 grade point average in all higher education units, in Cal Poly units, and in major units is sufficient for graduation; and

WHEREAS, Academic programs that establish their own grading criteria for advancement from course to course (such as a C- minimum) violate existing university policy and create a chaotic situation of divergent grading criteria likely to confuse and frustrate students, faculty, and staff; and

WHEREAS, Receiving a grade of D or below in a course should be sufficient warning to students that they should not take the next course in a sequence without doing significant additional preparation or retaking the original course; be it therefore

RESOLVED, That academic programs adhere to the university’s standard grading policy as published in the catalog.

Proposed by the Academic Senate
Curriculum Committee
April 10, 1998
ACADEMIC SENATE
CALIFORNIA POLYTECHNIC
STATE UNIVERSITY
SAN LUIS OBISPO, CALIFORNIA
AS-98/RESOLUTION ON INFORMATION COMPETENCE

WHEREAS "information competence" is the ability to find, evaluate, use, and communicate information in all its various formats, representing the integration of library literacy, computer literacy, media literacy, technological literacy, and communication skills;

WHEREAS the Strategic Plan of the CSU Council of Library Directors identifies information competence as a critical skill for all students;

WHEREAS the Information Competence Committee has been charged by President Baker and the Academic Senate with recommending appropriate information competence skill levels for entering students, means for assuring mastery of information competence skills for continuing and graduating students, and methods of assessing information competence skill levels for all students;

WHEREAS the Information Competence Committee has been charged as well with encouraging each major to develop and forward a list of skills and knowledge relating to appropriate information competence skills for their students;

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 model AS-478-97, 03/17/97);

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 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. Transfer students may receive credit for meeting Cal Poly information competence requirements by completing work at other institutions.

Courses approved for information competence credit must be major, minor, support, or GE courses, and each department will be required to specify at least one course or sequence of courses by means of which its majors can be certified as having completed the information competence component. Each degree program is encouraged to integrate information competence components into its existing major or core courses.

Academic departments and programs may require their students to take courses in their major which meet the information competence criteria or recommend GE, minor, or support 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.

Students will be encouraged to complete information competence courses before beginning their upper division work, but the information competence requirement will be implemented as a graduation requirement.

BE IT RESOLVED that, with respect to graduating students,

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.
ADOPTED:

ACADEMIC SENATE
Of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA

AS--___-98/
RESOLUTION ON
THE ROLE OF DEPARTMENT CHAIRS/HEADS IN THE CSU

WHEREAS, The California State University, in the collective bargaining process for a new Memorandum of Understanding, has taken the position that department chairs/heads in the CSU should be moved from Bargaining Unit 3 into a new administrative category; and

WHEREAS, Section 3561(b) of the Higher Education Employer-Employee Relations Act (HEERA) states: "The Legislature recognizes that joint decisionmaking [sic] and consultation between administration and faculty or academic employees is the long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions of such institutions"; and

WHEREAS, Such a provision would transform department chairs/heads in the CSU from collegiate leaders and representatives into extensions of the administrative apparatus; and

WHEREAS, Such a condition would compromise the flow of representation between the disciplines and the administration resulting in the weakening of authentic discourse and collegiality; and

WHEREAS, The resulting state would seriously affect the integrity of collegial governance which underlies the academic enterprise; and

WHEREAS, The proposal represents a significant retrograde move in the established tradition of academic governance; and

WHEREAS, Some of the provisions advanced in the separation of the department chairs/heads from their colleagues would terminate abruptly the cooperative means currently devised by which departments share administrative tasks; and
WHEREAS, The consequences of such a radical departure extend beyond the limits established by HEERA as the proper field of bargaining and intrude adversely into the purview of the Academic Senate; and

WHEREAS, The Academic Senate of California Polytechnic State University is anxious and disturbed by the possibility that a situation with such academic repercussions could result from the outcome of a power struggle instead of reasoned persuasion and a thorough investigation and analysis of its ramifications; therefore be it

RESOLVED: That the Academic Senate of California Polytechnic State University press the CSU to withdraw the issue of the change in status of department chairs/heads from the bargaining table to a more congruous venue; and, be it further

RESOLVED: That the Academic Senate of California Polytechnic State University remind the CFA and CSU to direct their attention to matters which fall strictly and exclusively under the scope of bargaining; and, be it further

RESOLVED: That the Academic Senate of California Polytechnic State University forward this resolution to the President of the University, the Chancellor of The California State University, the President of the California Faculty Association, the Board of Trustees of The California State University, the Academic Senate of The California State University, and each campus Senate within The California State University.

Proposed by: Academic Senate Executive Committee
Date: April 21, 1998
RESOLUTION ON STUDENT GRIEVANCE PROCESS

Background

The Fairness Board of the Academic Senate deals with formal grade appeals concerning student grievances involving faculty. In addition, the campus currently has policies and procedures to deal with the formal resolution of issues involving sexual harassment, amorous relations, and disputes involving students with disabilities. All other student grievances involving faculty can only be dealt with informally and are addressed with the aid of the Office of Campus Student Relations and Judicial Affairs (CSR/JA). These grievances, which do not involve 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 grievances would enable Faculty to have a significant role in addressing these types of grievances. Many other universities have similar student grievance procedures. In fact, the student grievance processes at other universities influenced the enclosed process.

WHEREAS, The Fairness Board of the Academic Senate 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 only dealt with through informal means, with the help of the Office of Campus Student Relations and Judicial Affairs; and
WHEREAS, There is a need to create a formal 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 be charged with creating procedures to implement a Student Grievance Process consistent with the enclosed document.

Proposed by the Academic Senate
Ethics Task Force
Date:__________
Margaret Camuso /cpslo,employee1  5/4/98 11:07

MESSAGE
Subject: Revision
Sender: Margaret Camuso /cpslo,employee1

Item 1
TO: DISTRIBUTION (Title: Revision)

Item 2
TO: Academic Senators

Attached is a revised copy of the Resolution on Information Competence to be deliberated at tomorrow's Academic Senate meeting.

Item 3
MESSAGE
Subject: Revision
Creator: klant@polymail.cpunix.calpoly.edu

Item 3.1
FROM: klant@polymail.cpunix.calpoly.edu
TO: Margaret R. Camuso /cpslo,employee1
CC: enginfo@polymail.cpunix.calpoly.edu

Item 3.2

ARPA MESSAGE HEADER

Item 3.3

Margie,

Here is the revision of our resolution.

I have copied the Information Competence Committee on this memo.

peggy

"If the scatman can do it, so can you."

Scatman John

# Kathleen Margaret Lant/English Department
# California Polytechnic State University
# San Luis Obispo, CA 93407
# klant@calpoly.edu
# http://www.calpoly.edu/~klant

ACADEMIC SENATE
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
SAN LUIS OBISPO, CALIFORNIA
AS--98/RESOLUTION ON INFORMATION COMPETENCE

REVISION AS OF 1 May 1998

WHEREAS "information competence" is the ability to find, evaluate, use, and communicate information in all its various formats, representing the integration of library literacy, computer literacy, media literacy, technological literacy, and communication skills;

WHEREAS the Strategic Plan of the CSU Council of Library Directors identifies information competence as a critical skill for all students;

WHEREAS the Information Competence Committee has been charged by President Baker and the Academic Senate with recommending
appropriate information competence skill levels for entering students, means for assuring mastery of information competence skills for continuing and graduating students, and methods of assessing information competence skill levels for all students;

WHEREAS the Information Competence Committee has been charged as well with encouraging each major to develop and forward a list of skills and knowledge relating to appropriate information competence skills for their students;

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 model AS-478-97, 03/17/97.);

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 all students will be required to be certified as information competent in a manner determined by their college curriculum committee. Working with the Information Competence Committee, each college curriculum committee will draft guidelines for information competence appropriate for its students. Colleges are encouraged to integrate information competence components into their existing major or support courses, to select courses which already provide instruction in information competence, or to choose other appropriate required courses (such as GE courses covering research techniques or critical thinking) to meet the information competence guidelines they establish.

BE IT RESOLVED that each college curriculum committee will prepare an annual year-end report for the Academic Senate Curriculum Committee and the Information Competence Committee on its information competence guidelines and on the implementation of these guidelines.