Academic Senate Agenda  
Tuesday, November 10, 1987  
UU 220  3:00-5:00 p.m.

I. Minutes:  
Approval of the October 27, 1987 Minutes (pp. 3-6).

II. Communications:  
Materials available for reading in the Academic Senate office (p. 2).

III. Reports:  
A. President  
B. Academic Affairs Office  
C. Statewide Senators

IV. Consent Agenda:

V. Business Items:  
A. Resolution on Proposal for Specialist to Guide the Applied Research and Development Facility—Jamieson, Chair of the Research Committee, Second Reading (pp. 7-10).  
B. Resolution on Affirmative Action Facilitator—Stallard, Chair of the Status of Women Committee, First Reading (pp. 11-12).  
C. Resolution on Research and Professional Development: CAM 452—Jamieson, Chair of the Research Committee, First Reading (pp. 13-21).  
D. Resolution on Conflict of Interest in Personnel Decisions: CAM 311.5—Murphy, Chair of the Personnel Policies Committee, First Reading (pp. 22-23).

VI. Discussion Items:

VII. Adjournment:
June 1987  Documents/statistics/reports/etc. provided at the Student Retention Conference in June 1987

6/10/87  Correspondence from Eric Seastrand re allocation of lottery funds to the CSU and Board of Trustees' Committee on Finance Report on the Lottery Revenue Budget Process

6/22/87  Publications from the Office of the Chancellor re Teacher Education

7/14/87  CSU Committee of the Whole: New Priority Topics for 1987-88


8/3/87  Quarterly Internal Report on Enrollment-Summer 1987

9/4/87  Capital Outlay Program 1988-89

9/15/87  Board of Trustees' Agenda. September 15/16, 1987

9/23/87  1986/87 Discretionary Fund Reports

10/12/87  Executive Review Policies and Procedures

10/20/87  Funding Excellence in Higher Education (CPEC)
The State's Interest in Student Outcomes Assessment (CPEC)
State Incentive Funding Approaches for Promoting Quality in California Higher Education: A Prospectus (CPEC)
Assembly Bill #2016 - Higher Education Talent Development

RESOLUTION ON

APPLIED RESEARCH AND DEVELOPMENT FACILITY

Whereas the Applied Research and Development Facility has been established on campus, but not funded; and,

Whereas a number of strategies for funding have been attempted and failed; and,

Whereas the university has a unique opportunity to contract with a knowledgeable person to help with funding on a fee contingency basis; and,

Whereas this attached proposal offers a way to get outside support gifts to remodel the building at minimal cost to Cal Poly; therefore be it and,

Whereas contracting with an outside consultant to seek applied research projects is a departure from current practice; therefore be it

Resolved that the Academic Senate endorse the one-year pilot period discussed in the attached proposal to contract a specialist who will solicit private industry for applied research awards for the faculty and gifts to remodel the facility.

Proposed by: Academic Senate Research Committee
On: October 7, 1987
Revised on: October 30, 1987
PROPOSAL FOR A SPECIALIST
TO GUIDE THE
APPLIED RESEARCH AND DEVELOPMENT FACILITY

Robert A. Lucas
Associate Vice President for
Graduate Studies, Research, and Faculty Development

This is a proposal to contract for a research and consulting development specialist for the Applied Research and Development Facility (Building 04), who will help raise funds to remodel the building. It has been developed in consultation with the Facility Board comprising Ed Carnegie, Harry Fierstine, Ray Gordon, and Dick Zweifel.

Background: The Applied Research and Development Facility was established over two years ago, but its progress has been slowed by a lack of staffing and resources to develop it. When the plan for converting Building 04 to a research center was approved, no budget was provided for remodeling, equipping it, or day-to-day operation. Other attempts to secure funding, including direct cost line items in project budgets, were not successful.

In May of 1986, a second proposal was drafted that outlined a plan to raise private funds to remodel the building to house a selected number of activities. Funding of the plan depended upon private corporate support, approximately $350,000 to be primed by a seed grant from the University. This proposal outlines a way to take action on that proposal.

Problem: The University has limited resources to put into the development of its applied research facility. Building 04 has 1,300 square feet with significant possibilities, but for these to be realized, considerable capital expense for extensive remodeling is required. Once the building is refurbished, it will need a steady flow of applied research contracts of sufficient scale and instructional relevance so that the facility can support itself. If grants and contracts are maintained at a sufficient level, the facility's operating expense can be handled through the indirect costs earned on research projects.

A catalyst is necessary to begin the process.

Opportunity: Wes Witten, a person with wide industrial experience, a supporter of Cal Poly, Chair of the President's Cabinet for four years, and a distinguished alumnus of the School of Engineering has indicated that he is interested in assisting the University in developing the possibilities of the facility. Through his work in industry and his past role as Chair of the President's Cabinet, he has developed numerous industrial contacts and the background necessary to be an effective entrepreneur for the facility.
Witten has offered to work as an independent contractor to develop the facility, subject to the following mutually agreeable conditions:

- That the first call on his energies will be to identify faculty research interest and to locate industries interested in supporting that research, rather than to bring industry problems here in search of a solution,

- That once the initial contact has been completed and the link between faculty member and contact at the industry has been established, the principal investigator will be responsible for writing the proposal and shepherding it through university review,

- That he will take responsibility for pursuing, at no cost to the university for his services, the corporate matching gifts which will make the facility operational by refurbishing and equipping it,

- That the source of remuneration will be an add-on percentage to the indirect costs recovered on industry grants and contracts obtained through his direct agency,

- That he will be reimbursed by the University during the pilot phase for out-of-pocket expenses for travel to develop research contracts and facility development gifts, and that he receive office clerical support, and

- That he have no responsibility for the day-to-day operation of the facility.

**Operational Plan:** Witten will enter into an independent consultant agreement with Cal Poly for a one-year pilot period, beginning with the fall quarter of 1987, to seek applied research and development contracts for faculty to pursue activities related to their interests and funded by California industry. That one-year pilot agreement will include work on the capital campaign to locate corporate funds to convert the facility into a working laboratory. The agreement will be signed with Cal Poly Foundation.

Fee for his services will be derived from the overhead on those contracts executed as a direct result of his activity. These contracts will be clearly identifiable from their indirect cost rates. Each will be two percent above normal indirect costs, using a total direct cost base for their calculation. The difference between the normal indirect cost rate and the augmented indirect cost rate will be Witten's fee, payable to him when the contract is executed.

Because some projects will require specialized equipment that is not in the facility, they will be conducted at other sites on campus. Witten will also receive a fee for these projects if he was responsible for their award. Again, his role in their award will be clearly identifiable through the higher indirect cost rate.
Character of Applied Research: The May, 1986, proposal identified a number of research directions the facility could pursue as private funding came in. Such identification may have been premature. This proposal suggests that it is better to focus on projects that have a number of characteristics important to Cal Poly's educational mission. Applied research projects for the facility should be:

- RELATED TO INSTRUCTIONAL DISCIPLINES: Applied research activities will provide learning opportunities for undergraduate and graduate students in their disciplines.

- RELATED TO FACULTY EXPERTISE: Projects should build on current research momentum possessed by one or more faculty. Projects to solve industry problems that are of little interest to our faculty are not desirable.

- VISIBLE: Visible projects will help the facility make a name for itself in applied research and will further assist the development of the facility.

- INTERDISCIPLINARY: Projects that cut across departmental lines offer an excellent opportunity for faculty to learn about and work with others of like interest in different departments.

- DIVISIBLE: Projects that have tasks that can be parcelled out have the virtue of involving more than one faculty member and of expanding the base of activity so that more Cal Poly faculty can become involved in research.

- CURRENT: Projects which pursue current topics and which are useful to society have the chance of being more readily funded and will highlight the applied nature of the facility and of the instructional program.

Once a number of projects have been funded, new directions will emerge that may suggest an identifiable focus for applied research in the facility. As this occurs, it may be appropriate for us to redefine the facility as a building with a more specific applied research mission.

The capital campaign effort will be coordinated with the Office of the Vice President for University Relations. At the end of nine months, the success of the overall activity will be evaluated by the Facility Board, and a recommendation will be made to the Associate Vice President for Graduate Studies, Research, and Faculty Development in consultation with the Academic Senate Research Committee concerning its continuation.
Background statement: The Affirmative Action Facilitator helps coordinate departmental efforts with those of the Affirmative Action office to hire and retain underrepresented groups. The Affirmative Action Facilitator is appointed by the program manager. The Affirmative Action office and the Equal Opportunity Advisory Council have held training sessions for facilitators. Their responsibilities are listed below:

1. The facilitator takes an active role as a member of the hiring or selection committee.
2. The facilitator identifies recruitment problems and assesses recruitment efforts.
3. The facilitator recommends strategies to the selection committee for attracting qualified underrepresented groups to apply for the vacant position (e.g., identify sources for generating underrepresented applicants).
4. The facilitator briefs the selection committee on the department's Affirmative Action goals and timetables.
5. The facilitator ensures that Equal Opportunity and Affirmative Action are being addressed according to valid job-related criteria and degree of compliance to employment procedures.
6. The facilitator monitors the selection procedures and advises the committee of any potential adverse impact on underrepresented groups.
7. The facilitator documents Affirmative Action efforts for recruitment.
8. The facilitator informs employees that a policy for accommodating religious observances and practices exists.

AS--87/SWC

RESOLUTION ON
AFFIRMATIVE ACTION FACILITATOR

WHEREAS, The Academic Senate is in support of mechanisms for the enhancement of Affirmative Action programs at Cal Poly; and

WHEREAS, There is no formal document that describes the role of the Affirmative Action Facilitator; and

WHEREAS, In an effort to strengthen the University's commitment to Affirmative Action and to promote campus awareness to the role of the Affirmative Action Facilitator; and
WHEREAS, The University would benefit by having an official document that outlined the responsibilities of the Affirmative Action Facilitator; therefore, be it

RESOLVED: That the responsibilities listed in the background statement be adopted for the Affirmative Action Facilitator; and be it further

RESOLVED: That the Affirmative Action Facilitator also encourage collegiality and mentorship between current faculty and new faculty to promote retention of Affirmative Action faculty; and be it further

RESOLVED: That the Affirmative Action officer provide a report on the Affirmative Action Facilitator to the Academic Senate through its Status of Women Committee.

Proposed By:
Status of Women Committee
November 3, 1987
Background statement: In September 1981, Cal Poly adopted Administrative Bulletin 81-2 which identified research as an important form of professional development at Cal Poly. In February of 1985, the President issued Administrative Bulletin 85-2 which defined professional development and asserted its integral role in the educational mission of the university.

The 400 section of CAM is being reviewed and revised throughout the university. It is appropriate therefore, that the parts in the academic section governing research be updated to reflect the new policies. The update proposed generally involves no new information or policy; it incorporates the essence of the administrative bulletins already reviewed and approved by the Academic Senate; it deletes a section now covered in more detail in another section of CAM; and it incorporates recent directives from the Chancellor's Office concerning conflict of interest on proposing a flexible policy on proprietary research to enhance collaborative efforts with private industry.

AS-___-87/RC

RESOLUTION ON
RESEARCH AND PROFESSIONAL DEVELOPMENT: CAM 452

WHEREAS. The Campus Administration Bulletin section 452 has not had a major revision since the adoption of the administrative bulletin on research; and

WHEREAS. The reasons and benefits for pursuing research should be articulated in the body of the Campus Administrative Manual (CAM); and

WHEREAS. CAM 452.5, which details the condition governing additional compensation, is now covered in CAM 324.2 and therefore redundant in this section; and

WHEREAS. A policy on conflict of interest, which has been mandated by the Fair Political Practices Commission, is now in effect in the California State University and should be reflected in CAM; and

WHEREAS. The policy on proprietary research will profit from more flexibility to encourage collaborative efforts with private industry; therefore, be it

RESOLVED: That the Academic Senate adopt the attached revision of CAM 452.

Proposed By: Academic Senate Research Committee
November 3, 1987
It is university policy that the professional growth of faculty plays an important role in maintaining the vitality of the educational program. The university, therefore, treats professional growth as essential second only in priority to its teaching mission. Insofar as research is an important form of professional development, it is to be encouraged and supported at all levels.

Title 5 of the California Administrative Code prescribes that university research should complement the primary function of the California State University which is to provide undergraduate and graduate instruction through the master's degree. Within this context, research can produce several benefits: 1) increased instructional effectiveness and relevance of the curriculum; 2) enhanced placement potential for Cal Poly graduates; 3) improved opportunities for accreditation of academic and professional programs; 4) augmented institutional resources through grants and contracts; and 5) greater appeal of the university to qualified faculty.
Research-Activities—(See-also-GAM-543-and-547)

The Faculty research activities of-the-university are actively encouraged and guided by the administration of the university and by the Academic Senate. To give direction to this effort, the University Academic Senate Research Committee was established as-a committee-of-the-Academic-Senate. The Research Committee directs its recommendations affecting university-wide policies and procedures both-the-to-the President via the Academic Senate, and-the-Vice President-for-Academic-Affairs.—The-Director—for-Research Development,—is-responsible-to-the-Vice-President-for Academic-Affairs—and-is-permanent-secretary-to-the University-Research-Committee.

Research-projects-may-include-the-following-types-of activities—community-service-research,—institutional research,—research-in-The-California-State-University graduate-programs,—and-individual-faculty-research.

Although the definition of the term "research" varies with each discipline, it includes the following basic and applied activities: the creation of fundamental knowledge; the creation of generalizable solutions to the immediate problems of the classroom, discipline, business, industry, or government through investigative
or development activities; and the pursuit of new art forms and expressions.

452.62 Research projects should not interfere with the normal use of laboratory, classroom, or other space furnished by the State for the instructional program of the university.

Projects supported by outside agencies normally pay the full costs of research, both direct and indirect, including facilities usage fees, etc., unless provisions for cost sharing have been made explicit in advance and approved by the university on the proposal approval form.

452.24 Administration of research projects activities must be compatible with appropriate rules and regulations of the sponsoring agency, the State of California, the Trustees of the California State University, the Office of the Chancellor, and the university administration.

452.25 The university will not approve participation in only those sponsored research projects for government agencies-or-private-industry-which-are-"classified"-or "secret"-in-nature.--While-there-are-many-different interpretations-and-definitions-of-these-two-words,-the basic-underlying-principle-of-this-policy-is-that
unless the university is free to make public in which there is assurance that results can be made public within a reasonable length of time. During the conduct of the project, the university must be able to disclose in general terms the purpose and scope of a proposed research project it will not be approved or endorsed by the university, the project. This provision is not intended to jeopardize proprietary rights which may result from research activity (see CAM 544 regarding patent policy and procedures).

Research-activities should increase the effectiveness of instructional assignments.

Faculty members employed full-time by the university during the academic year shall not undertake research projects for extra compensation during the same period of more than the equivalent of 1/4 the full-time load.

(See CAM 324.2)

Research Compensation Rates

A. A faculty member normally employed on an academic year basis who becomes employed full-time on an authorized research project may be compensated at a rate up to 1/3 of the "annual salary" per quarter, or proportionate share thereof for lesser
time-periods:--(i.e.,-1/9-per-month,-1/35-per
week,-1/175-per-day,-or-1/480-per-hour)--as-used
in-this-section;--"annual-salary"-is-defined-as-the
faculty-member's-regular-salary-based-on-the-class
code,-rank,-salary-step,-and-the-current
California-State-University-salary-schedule.

B. A full-time-faculty-member-regularly-employed-on
an-academic-year-basis-who-has-been-authorized
under-CHM-324-to-be-additionally-employed-part
time-on-an-authorized-research-project-may-be
additionally-compensated-up-to-the-rate
proportional-to-the-"annual-salary"-as-defined-in
Ar-above-(See-CHM-452.4)

C. Faculty-or-staff-members-regularly-employed-on-a
12-month-basis-who-have-been-authorized-to
participate-in-research-projects-may-be
compensated-as-in-Ar-or-Br-above-except-that-the
rate-of-compensation-may-be-up-to-1/240-of-their
"annual-salary"-per-day,-or-proportionate-share
thereof-for-other-time-periods.

D. Faculty-member-employed-on-an-academic-year-basis
may-be-additionally-employed-full-time-on-research
projects-for-not-more-than-15-weeks-in-any-one
calendar-year.
Faculty working on sponsored research projects may be released from teaching responsibilities for research reimbursed through a grant or contract. Faculty may work for additional compensation following guidelines laid out for additional employment in CAM 324.2 and in the Memorandum of Agreement.

Materials, supplies, and equipment of $25 or more in value purchased or given for research projects carried on in university facilities will become the property of the university or the Foundation unless prohibited by the funding contract; upon termination of the project unless otherwise specified in the sponsoring agreement.

It is the responsibility of the project director—who may be the staff member so designated by mutual consent of the group wishing to conduct the research activity; to develop the proposal. Sponsored research project requests, to be supported by the university budget or other sources, should must be prepared in accordance with established administrative procedures, and must be reviewed at all appropriate levels and approved by the Coordinator, Research Development. Projects and an interdisciplinary nature should be reviewed by the several subject areas involved.
Signatures are required from the department head, school dean, Director of Business Affairs, Foundation Executive Director, Director of Research Development, and, for projects with a total budget of more than $10,000, from the appropriate Vice President or Dean of Students. Information on sources of funding and program application forms may be obtained from the Office of Research Development. All units of the university and its auxiliaries likely to be affected by a project should review a proposal prior to its submission to a sponsor. A proposal approval form, available in the Grants Development Office, is used to secure internal approval for proposals.

Conflict of Interest: The California Fair Political Practices Commission requires that the California State University ensure that no conflict of interest exists when the research of principal investigators is supported by non-governmental sponsors. For proposals to all such sponsors, the principal investigator must file a Statement of Economic Interest (Form 730-U) with the Grants Development Office prior to submitting a research proposal, or with the academic dean's office
prior to accepting a gift for research. Financial interest, if it exists, is reviewed by an Independent Review Committee, and recommendations are made to the Vice President for Academic Affairs concerning any potential conflict of interest.
Adopted: ____________

ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

Background statement: CAM 311.5 deals with the employment of close relatives. While it does address the matter of favoritism, it also included provisions which are not compatible with the concept of equal opportunity in employment. The key idea in this section is that conflict of interest must be avoided in personnel decisions. This idea is obvious, but the committee feels that it should be made explicit.

AS--___-87/PPC
RESOLUTION ON
CONFLICT OF INTEREST IN PERSONNEL DECISIONS: CAM 311.5

WHEREAS, CAM 311.5 is in conflict with the concept of equal opportunity in employment; and

WHEREAS, The mere appearance of conflict of interest in personnel decisions should be avoided; therefore, be it

RESOLVED: That the current section 311.5 of the Campus Administrative Manual (CAM) be replaced by the following:

311.5 CONFLICT OF INTEREST

No university employee shall vote, make recommendations, or in any way participate in personnel decisions if such participation constitutes a conflict of interest. This prohibition includes but is not limited to personnel decisions that directly affect the employment status, work assignment, or financial interest of any relative.

Proposed By:
Academic Senate Personnel Policies Committee
November 3, 1987
Employment of Close Relatives

The term "close relative" as used in this section (CAM 311.5) is defined as the son, daughter, brother, sister, mother, father, husband, or wife of an employee of the university or one of the official auxiliary organizations thereof.

While "close relative" relationship of an applicant is not of itself a bar to employment by the university or its official auxiliary organizations, it is recognized that concurrent employment of close relatives can create problems which would not otherwise exist. For example, the equity of an action in which a close relative participates becomes controversial when the action involves a direct benefit to a member of his or her immediate family.

To protect the university and its employees from accusations of favoritism based on family relationship while simultaneously preserving the rights of applicants against discrimination on any basis, including discrimination on the basis of sex, the following guidelines governing employment of close relatives are established.

A. Regular full-time or part-time employees

1. Prior approval of the President's designee, in the appointee's service area, is required for initial appointment or reappointment of a close relative.
   a. Academic Affairs area - Vice President for Academic Affairs
   b. Administrative Affairs area - Executive Vice President
   c. Student Affairs area - Dean of Students

   An annual summary report of such appointments should be made available to the president's office by the Director of Personnel Relations.

2. When a close relative is being considered for employment, the individual's application must be reviewed in accordance with all appropriate procedures customary for the type of position involved. Normal recruitment procedures must be followed in order to generate multiple applications for the vacant position. A close relative may be employed only if determined to be the best available applicant.

3. It is inappropriate for employees to initiate or participate in institutional decisions involving a direct benefit to their close relatives. "Direct benefits" include, but are not limited to, initial appointment, reappointment, promotion, tenure, leaves, working conditions, and other personnel actions.

4. Close relatives will not be placed or retained in positions in which one is:
   a. under the direct supervision of another,
   b. in a position of direct fiscal responsibility or accountability with regard to the employment of another, or
   c. on a committee or in any other position in which one would be expected to initiate recommendations that could change the personnel status of the other.

5. Employees who become close relatives subsequent to their initial appointments are subject to the limitations and conditions of CAM 311.5.A.

B. Student Employees

CAM Section 311.5.A. notwithstanding, any full-time enrolled student of this university (12 or more units undergraduate or 8 or more units graduate) who is closely related to an employee of the university or its official auxiliary organizations may be employed as a student assistant or as hourly help subject to the conditions of CAM 311.5.A.4.

When special circumstances exist which warrant consideration of employment of part-time students enrolled for 6 or more units, prior approval by the appropriate vice president of the university or the Dean of Students is required. In reaching a decision, the Vice President or Dean of Students will consider the special circumstances in the light of the university's obligation to encourage diligence on the part of all students in the pursuit of their course of study and the need to conserve quota space for students who will make best use of the State's facilities and services. (See also CAM 662.)