Executive Committee Agenda
Tuesday, May 3, 1988
UU220 3:00-5:00 p.m.

I. Minutes:
   Approval of the April 19, 1988 Executive Committee Minutes (pp. 2-4).

II. Communications:
   Memo from Geigle to Chairs dated 4/18/88 re Nominees for Faculty Trustee (pp. 5-11).

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

IV. Consent Agenda:

V. Business Items:
   A. Resolution on Sexual Harassment Policy-Duerk, Chair of the Status of Women Committee (pp. 12-23).
   B. Revised Resolution on Cheating and Plagiarism-Beardsley, Chair of the Fairness Board Committee (pp. 24-27).
   C. Resolution on Modification of "Application for Leave of Absence With Pay" Form-Adalian, Chair of the University Professional Leave Committee (p. 28).
   D. Resolution on Criteria for Approval of Leave of Absence With Pay Proposals-Adalian, Chair of the University Professional Leave Committee (p. 29).
   E. Resolution on Membership Requirements for School-wide/Library Professional Leave Committees-Adalian, Chair of the University Professional Leave Committee (p. 30).
   F. Resolution on Initial Appointments of Tenure Track Faculty-Murphy, Chair of the Personnel Policies Committee (p. 31).
   G. Resolution on the Distribution of Resumes During the Peer Review Process-Murphy, Chair of the Personnel Policies Committee (p. 32).
   H. Resolution on Consolidated Recommendations of Peer Review Committees-Murphy, Chair of the Personnel Policies Committee (p. 33).
   I. Resolution on the Assessment Process at Cal Poly-Lewis, Chair of the General Education and Breadth Committee (pp. 34-36).
   J. Resolution on Library Acquisition Funds-Colvin, Chair of the Library Committee (pp. 37-46).
   K. Selection of Nominees to the Foundation Board of Directors (copies of submitted applications to be distributed at the meeting).

VI. Discussion Item:

VII. Adjournment:
MEMORANDUM

TO: Chairs, Campus Academic Senates

FROM: Ray Geigle, Chair
Academic Senate CSU

SUBJECT: Nominees for Faculty Trustee

Pursuant to the enclosed regulations, I hereby request that you begin the process for developing a list of nominees for Faculty Trustee. The Academic Senate will be reviewing its nominations to submit to the Governor at its January 5-6, 1989 meeting. Because it is necessary to have all of our Senators review the material, timing is of the essence.

Please note that the attached guidelines, "Criteria and Procedures for the Nomination of the Faculty Trustee," were revised. The copy of the guidelines enclosed reflect any newly-added text by underlining; deleted text is reflected with a "/" through each sentence or section so removed.

The guidelines provide specific criteria and procedures to aid you in the process of submitting your nomination(s). Should you have any questions regarding the enclosed document, please feel free to contact this office.

NOTE: All materials must be submitted to the Academic Senate CSU office at 400 Golden Shore, Suite 134, Long Beach, CA 90802-4275, no later than 5:00 p.m., Monday, December 5, 1988.

Please note that we request four copies of each nominee's supportive material.

RG/dh

cc: Faculty Trustee Recommending Committee (to be selected at the Senate's September 7-8, 1988 meeting)
INFORMATION REQUIRED FOR FACULTY TRUSTEE NOMINATION

Each candidate for the position of faculty trustee must submit a statement:

- that he/she is a tenured, teaching faculty member with no administrative position other than department chair or equivalent;
- of intent to serve the full two-year term if appointed by the Governor;
- of one page length concerning her/his view of the position of faculty trustee;
- of experience in academic governance; (may cross-reference with item 11 below to avoid duplication).

Each candidate shall submit the names, addresses and telephone numbers of five references.

Candidates must submit vitae or resumes which shall include, as a minimum, the information requested on the guide below.

See Criteria, AS-1773-87/EX, March 4, 1988

Information submitted shall include the following:

1. Name
2. Department/Campus
3. Campus address (including office).
4. Campus telephone number (include ATSS and/or area code)
5. Home address.
6. Home telephone number (including area code)
7. Academic training (please list all Colleges/Universities, degrees and years received)
8. Academic honors, grants and awards (include dates)
10. Professional activities

11. Service
   a. Department
   b. School or equivalent
   c. College/University level
   d. Other university service (including systemwide)
   e. Community (both immediate and extended)

12. Evidence of teaching excellence (Note: The criteria require that candidates have demonstrated records of excellence in teaching, professional achievement, and university service.)

NOTE:

PLEASE SEND FOUR (4) COPIES OF ALL MATERIALS TO:

Academic Senate CSU
400 Golden Shore
Suite 134
Long Beach, CA 90802-4275

ALL MATERIALS MUST BE RECEIVED BY THE ACADEMIC SENATE CSU NO LATER THAN 5:00 p.m., MONDAY, December 5, 1988.

Materials received after this time cannot be considered.

Thank You.

RG/a
ACADEMIC SENATE
of
THE CALIFORNIA STATE UNIVERSITY

AS-1713-87/EX
November 5-6, 1987

CRITERIA AND PROCEDURES FOR THE NOMINATION OF THE FACULTY TRUSTEE

RESOLVED: That the Academic Senate of the California State University modify the "Criteria and Procedures for the Nomination of the Faculty Trustee" as proposed in the attached document.

APPROVED UNANIMOUSLY March 4, 1988
CRITERIA FOR NOMINEES FOR FACULTY TRUSTEE

1. Candidates must be faculty members who are tenured at the California State University at which they teach and currently shall not hold any administrative positions other than department chair or equivalent.

2. Candidates shall have demonstrated records of excellence in teaching, professional achievement and university service.

3. Candidates shall possess experience in academic governance in the California State University.

4. The appointed faculty trustee shall not be a member of the Academic Senate of the California State University. Should the faculty trustee be a member of the Academic Senate CSU at the time of appointment, that person shall resign from the Senate.

5. Questions as to definitions and eligibility shall be resolved by the Academic Senate CSU.

PROCEDURES FOR SELECTING TRUSTEE NOMINEES

1. These procedures shall be initiated at least one full academic term in advance of the time that Faculty Trustee nominations are to be made.

2. Each campus senate shall develop procedures for selecting eligible nominees. As at least one option, the procedures shall allow for nominations by petition. Each such nomination shall require the signed concurrence of at least 10% of the full time teaching faculty or 50 such faculty members, whichever is less. The campus senate or council shall forward the names of all eligible nominees to the Academic Senate of The California State University by a date to be determined by the Academic Senate CSU.

3. The local senate chair shall forward for each nominee the completed Faculty Trustee nomination form and a current vita structured to the eligibility criteria, a one page statement from the nominee expressing his or her views of the position, and a statement of commitment to serve. Names, addresses, and telephone numbers of five references shall be provided by the nominee.

4. The Academic Senate CSU Faculty Trustee Recommending Committee shall be composed of seven non-candidate faculty members. Five members shall be elected by and from the Academic Senate CSU in the manner of election to the at-large Executive Committee positions. No campus shall have more than one representative. Two additional members shall be selected by their local senates from two campuses chosen by lot from those not represented by the first five. The qualifications for these two faculty members shall be the same as eligibility for election to the Academic Senate according to its constitution and bylaws.
The Academic Senate of the California State University shall elect these five members of the nominating committee at the September meeting of the Academic Senate CSU in the academic year in which the term of the present faculty trustee is to expire. The two additional members shall be selected in time to permit the committee to have its full composition by the succeeding (November) meeting of the Academic Senate CSU. The first member elected shall serve as chair of the committee.

The committee shall determine its own procedures for selecting candidates for nomination.

5. The Faculty Trustee Recommending Committee shall screen the original list of nominees and develop recommendations with supporting information. The Academic Senate CSU shall consider the recommendations and announce those selected at its meeting in December. The committee shall present four candidates for nomination to the Senate. The nominee recommendations of the committee shall be made available to the Academic Senate CSU at the January plenary session. The confidential files of these candidates shall be made available for review in the Senate office to members of the Academic Senate CSU at that time and at the plenary session in which the determination of the nominees is made. Unless otherwise determined by vote of the Academic Senate CSU, selection of nominees for the post of faculty trustee shall be made at the March meeting of the Academic Senate CSU immediately preceding the end of the tenure of the incumbent faculty trustee.

6. All academic senators of the Academic Senate CSU are eligible to vote.

7. The Academic Senate CSU, acting in executive session, chaired by the Chair, Faculty Trustee Recommending Committee, shall designate the final (2 or more) nominees by secret ballot in the following manner, conducting as many votes as necessary:
The Senate shall be provided with ballots containing the names of all the forwarded candidates in alphabetical order.

Each senator may vote for as many candidates as he or she wishes in each voting round. Candidates become nominees in the voting round in which he or she obtains approval of at least two-thirds of the ballots of eligible voters. At the close of each voting round the names of nominated candidates shall be eliminated from further voting consideration.

Voting shall be continued by the procedures indicated above until at least a sufficient number of candidates (two) has been nominated to meet the legal requirements.

When that condition obtains, the Senate shall determine by majority vote whether it wishes to continue balloting. If the Senate chooses to continue, one further round of voting, one time, shall take place. Any candidate not nominated by these regular procedures is again eligible for nomination at this time. Any candidate receiving two-thirds of the votes of eligible voters in this round of voting is declared a nominee.

8. The Chair of the Academic Senate CSU shall forward the names of the designated nominees to the Governor.
RESOLUTION ON
SEXUAL HARASSMENT POLICY

RESOLVED: That the Academic Senate endorse the attached Interim Sexual Harassment Policy as revised.

Proposed By:
Status of Women Committee
April 5, 1988
California Polytechnic State University, San Luis Obispo, is committed to creating and maintaining an environment in which faculty, staff, and students work together in an atmosphere of mutual respect and unconstrained academic interchange. In the University environment, all faculty, staff, and students are entitled to be treated on the basis of their qualifications, competence, and accomplishments without regard to gender. Individuals are entitled to benefit from University programs and activities without being discriminated against on the basis of their sex.

Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where either (1) submission to or toleration of such conduct is made an explicit or implicit term or condition of appointment, employment, admission, or academic evaluation; (2) submission to or rejection of such conduct by an individual is used as a basis for a personnel decision or an academic evaluation affecting an individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile, offensive or otherwise adverse working or academic environment, or adversely affecting any employee or student.

The Chancellor's Executive Order No. 345 requires each campus of the California State University to maintain a working and learning environment free from sexual harassment for its students, and employees, and those who apply for student or employee status.

Sexual harassment is not simply inappropriate behavior, it is illegal. Discrimination on the basis of sex is prohibited by State and Federal Law. 1

Sexual harassment violates University policy, seriously threatens the academic environment, and is contrary to law. Program Managers and Department Heads/Chairs are urged to take appropriate steps to disseminate this policy statement to students and employees. All faculty, staff, and administrators will be held accountable for compliance with this policy. 1

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1 Title VII of the Civil Rights Act of 1964 (as amended); Title IX of the Education Amendments of 1972; Government Code Section 12940; and Education Code Section 200 et. seq.
The policy of the campus is to eliminate sexual harassment and to provide prompt and equitable relief to the extent possible.

Because of the wide range of acts that constitute sexual harassment, appropriate remedies will vary considerably depending on the case. In some cases the situation may be dealt with informally and without formal disciplinary action. In other cases a disciplinary action is clearly called for. The University may independently investigate a matter and initiate appropriate action, including discipline based on an informal complaint and without a formal complaint. The remedy will take into account the severity of the actions alleged as well as the responsibility of the parties involved. The University may pursue remedies such as an apology; removal of an individual from the environment; an educational program; reprimand; or disciplinary action which could result in dismissal, demotion, or suspension without pay. Remedies for substantiated allegations of sexual harassment will be determined by the University.

The University will also determine remedies available to those individuals who are the subject of malicious, false allegations of sexual harassment.

I/ PURPOSE AND SCOPE

The purposes of this policy are to:

- implement Executive Order 345 and comply with other governmental regulations prohibiting sexual harassment;
- promote a positive working and learning environment on campus;
- provide Cal Poly faculty, staff, and students with a specific procedure and policy to address sexual harassment;
- provide due process for all parties involved.

This policy applies to cases of alleged sexual harassment brought by, or on behalf of an applicant, student, or employee against an employee or student of the University. Utilization of these procedures does not preclude initiation of complaints with the Fair Employment and Housing Commission or the Equal Employment Opportunity Commission.

II/ DEFINITIONS

A. Sexual Harassment

In accordance with the Chancellor's Executive Order No. 345, "sexual harassment" includes such behavior as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature directed towards an employee, student, or applicant when one or more of the following circumstances are present:

-- Submission to or tolerance of the conduct is an explicit or implicit term or condition of appointment, employment, admission, or academic evaluation;
Submission to or rejection of such conduct is used as a basis for a personnel decision or an academic evaluation affecting an individual;

The conduct has the purpose or effect of interfering with an employee's individual's work or academic performance, or creating an intimidating, hostile, offensive, or otherwise adverse working or academic environment or adversely affecting any employee or student;

In determining whether conduct constitutes sexual harassment the circumstances surrounding the conduct should be considered.

Advisor

Advisor means the Sexual Harassment Advisor or employee(s) designated by a Program Manager to receive complaints; to help complainants evaluate their complaints; to inform them of campus policies, procedures and resources; to attempt informal resolution if desired; and to assist the parties with formal complaint procedures, if necessary. The role of the Advisor is one of mediator between parties rather than the complainant's advocate. The complainant may seek an advocate from other sources.

It is suggested that Program Managers appoint tenured employees as Advisors.

Complainant

"Complainant" means a Cal Poly student or employee or an applicant for student or employee status, who files a complaint under this Policy.

Program Manager

Program Manager means positions designated by the President, normally at dean/division head level or above. In addition, the Director of the Health Center and Director of Counseling and Testing would be considered Program Managers for administering the Policy only.
D/ E. Respondent

"Respondent" means the student or employee of Cal Poly alleged to have engaged in sexual harassment.

F. Sexual Harassment Compliance Coordinator

1. For complaints filed by students, the Sexual Harassment Compliance Coordinator is the Associate Dean of Student Affairs responsible for Title IX compliance, or designee.

2. For complaints filed by employees, the Sexual Harassment Compliance Coordinator is the Director of Personnel and Employee Relations, or designee.

G. Student

"Student" means a person enrolled as a student, or an applicant for student status at Cal Poly at the time the alleged act of sexual harassment occurred. For the purpose of this Policy, Extended Education students are included.

H. Authorized Representative

"Authorized Representative" means anyone designated in writing by the Complainant.

I. Applicant

"Applicant" means a person who is applying for either student or employee status.

III. EXAMPLES OF SEXUAL HARASSMENT

The issue of appropriate and inappropriate relationships between students and faculty, or between staff and supervisors is very complex. Some members of the University hold positions of authority that involve the legitimate exercise of power over others, and it is their responsibility to be sensitive to that power so as to avoid actions that are abusive or unprofessional. Faculty and supervisors in particular, in their relationships with students and supervisees, need to be aware of potential conflicts of interest, abuses of power and the possible compromise of their evaluative capacity. Because there is an inherent power difference in these relationships, the potential exists for the less powerful/person to perceive/detect/notice element/s suggestions regarding activities outside those appropriate to the/professional relationship.

Faculty should be aware that any text/interaction/relationship with a student, they risk a claim of sexual harassment/unprofessional/behavior that their words or actions cannot reasonably be perceived as being sexually harassing.
The following examples are intended to be illustrative and educational rather than exhaustive.

Faculty and Staff

-- A senior colleague or supervisor directly or indirectly offers to influence a personnel decision (i.e., appointment, reappointment, promotion, tenure, permanency) in return for sexual favors, and/or suggests action against the employee for refusal;

-- An committee member employee offers to support another employee's endeavors in return for sexual attention;

-- A male employee, in the presence of a female employee, makes repeated/ offensive comments about women in general or the female employee in particular.

-- An employee, in the presence of another employee of the opposite sex, makes repeated offensive comments of a sexual nature.

Students

-- An instructor offers a better grade, extra help, or academic opportunity in return for sexual favors, and/or threatens action against the student for refusal;

-- A person supervising a student's job or academic assignment makes repeated sexual comments that interfere with work or the learning experience;

-- An advisor or counselor asks offensive questions of a sexual nature inappropriate to the topic at hand;

-- An unwelcomed touch of a sexual nature from a staff or faculty employee.

-- A staff member hangs up a poster or uses slides or a derogatory cartoon in a lecture that displays women or men in an offensive manner.

VII. CONFIDENTIALITY

All procedures taken under this Policy and all reports filed shall be confidential to the extent permitted by law. They may be made public only with the agreement of both the Complainant(s) and the Respondent(s).

All findings taken under this Policy and all reports filed shall be confidential and every effort will be made to preserve confidentiality.
PAGE 18

XII. Y. INFORMAL RESOLUTION PROCEDURE

A. Employee Complainants

1. Complainants who are employees covered by collective bargaining agreements which have complaint procedures are required to utilize those procedures. (Currently, the following employee agreements have complaint procedures: Unit 2, Health Care Support; Unit 5, Operations Support Services; Unit 7, Clerical/Administrative Support Services; and Unit 9, Technical Support Services.)

2. Complainants who are employees which are (a) not covered by collective bargaining agreements, or (b) are not covered by a collective bargaining agreement which does not contain a complaint procedure, must utilize Executive Order 419.

B. Student or Applicant Complainants

Complainants who are students or applicants for either student or employee status are encouraged to attempt informal resolution of complaints of sexual harassment by utilizing procedures described in this document. However, Complainants are not required to do so, and a formal written complaint may be filed at any time until the deadline (Sixty (60) working days from the first report of an incident of harassment) for filing a formal complaint has passed.

In seeking informal resolution, a Complainant may obtain assistance from any of the designated Advisors. The Sexual Harassment Coordinator shall maintain and distribute the list of Advisors, upon request.

Advisors will be available to discuss the complaint with the Complainant, inform the Complainant of the informal and formal procedures available for seeking resolution of the complaint, advise the Complainant of applicable deadlines, provide the Complainant with a list of other campus resources available and provide assistance in preparing or resolving complaints of sexual harassment. If the Complainant desires to proceed, the Advisor will assist the Complainant in attempting informal resolution as appropriate.

C. Confidentiality of Informal Complaints

The identity of the Complainant and the details of the informal complaint shall be received in confidence by the Advisor, where no records shall be kept except the date the complaint was filed. The Advisor shall advise the office of the appropriate Sexual Harassment Coordinator of the general nature of the complaint without identifying any of the parties involved.
D. Informal Procedures for Student or Applicant Complainants

1. After consulting with an Advisor, a Complainant may, but need not, attempt to resolve the complaint directly with the person alleged to have engaged in the sexual harassment.

2. If the Complainant is unsuccessful in the attempt to gain an acceptable remedy or does not wish to make direct contact with the alleged person to have committed the harassment, the Complainant may, but need not, attempt to resolve the complaint with the Respondent's Department Head/Chair who is required to notify the Program Manager within three (3) working days of any sexual harassment complaint. If the Program Manager is the person alleged to have engaged in the sexual harassment, the Complainant may, but need not, attempt to resolve the complaint with the Director of Personnel and Employee Relations.

3. If the Complainant is unsuccessful in the attempt to gain an acceptable remedy or does not wish to pursue steps 1 or 2 above, a Complainant may bring the complaint directly to the attention of the Sexual Harassment Coordinator who shall counsel the Complainant about any additional attempt, if any, that might be made to resolve the matter before filing a written complaint.

VIII. VI. FORMAL RESOLUTION PROCEDURES

A. Employee Complainant Formal Procedure

Employees not covered by collective bargaining agreements shall utilize Executive Order 419.

B. Student and Applicant Complainants

1. Filing a Formal Complaint

Student and applicant Complainants should utilize the following procedure. Formal complaints shall be filed by a Complainant or his or her authorized representative with the appropriate Sexual Harassment Coordinator. A formal complaint shall be in writing and must include:

a. The name(s), address(es), and telephone number(s) of the Complainant(s) filing the complaint, and his or her Representative(s), if any.

b. The name(s) of the Respondent(s), University title, and department.

c. A specific statement of the acts or practices alleged to constitute sexual harassment, including the dates on which and the locations in which such acts and practices are alleged to have occurred.
d. The remedy requested.

e. The date the formal complaint was filed with the Sexual Harassment Coordinator.

2. Review of Filed Complaint

a. On receipt of a formal complaint, the Sexual Harassment Coordinator shall provide a copy to the Respondent and, within 10 working days, review the complaint to determine whether it meets the requirements covered under this policy. The matter shall be investigated unless the complaint fails to establish a prima facie case as determined by the Sexual Harassment Coordinator.

c. If there are deficiencies in the complaint, the Sexual Harassment Coordinator shall inform the person who filed the complaint of those deficiencies and provide the opportunity to amend the complaint. If the Complainant fails to remedy the deficiencies, or if the complaint is not filed within the statutory deadline ten (10) working days, the Sexual Harassment Coordinator will dismiss the complaint and inform the Complainant of the reasons.

d. The Complainant may appeal such dismissal to the Vice President for Academic Affairs by filing a notice of appeal including a statement of the grounds for dismissal made by the Sexual Harassment Coordinator.

e. The Vice President for Academic Affairs shall decide the appeal within twenty (20) working days and shall either affirm the dismissal or shall direct the Sexual Harassment Coordinator to proceed with processing the complaint.
3. Administrative Reviews

a. Once it is determined to process the complaint, the Sexual Harassment Complainant Coordinator shall provide copies of the complaint to the Respondent's Program Manager, Department Head/Chair, and Vice President for Academic Affairs, and the Respondent will be notified of the decision to proceed with the investigation.

b. The Respondent shall file with the Sexual Harassment Compliance Coordinator a response to the complaint within ten (10) working days of receiving notice.

c. The Sexual Harassment Compliance Coordinator or designee shall be responsible for conducting an administrative review of the case. The Sexual Harassment Compliance Coordinator should endeavor to complete the investigation within thirty (30) working days; extensions to continue an investigation beyond thirty (30) working days must be approved by the President or designee. After a thorough investigation of the case, the Sexual Harassment Compliance Coordinator shall provide a preliminary report to the Complainant and Respondent. Both parties shall have no more than ten (10) working days to submit any written response to the preliminary report.

d. After the Sexual Harassment Compliance Coordinator has considered the response of the Complainant and Respondent to the preliminary report, he/she shall submit a final report to the President which shall include a recommended remedy with copies to the Complainant and the Respondent.

e. After reviewing the report, the President shall send a written response to the Complainant and Respondent, with copies to Respondent's Program Manager and Department Head/Chair, and the Sexual Harassment Compliance Coordinator. Normally this shall be done no later than thirty calendar twenty (20) working days from receipt of the final report from the Sexual Harassment Compliance Coordinator. If the President does not dismiss the case, then a copy of the written complaint and the President's decision will be sent to the State University Dean, Affirmative Action, pursuant to CSU policy. If the decision is to invoke disciplinary action, then the appropriate disciplinary action procedure shall be followed.

1. If the Respondent is a faculty unit employee, then the Disciplinary Action Procedure contained in the Unit 3 collective bargaining agreement will be followed.
2. If the Respondent is a nonacademic employee, the discipline will be handled according to statutory State Personnel Board procedures.

3. If the Respondent is a student, the Student Disciplinary Procedures will be followed.

IX. VII. RETALIATION PROHIBITED

No Respondent or other University personnel shall retaliate against or threaten to retaliate against any Complainant, or other person who has made an allegation of sexual harassment. Nor shall any person operating under the jurisdiction of this Policy, attempt to or actually intimidate, threaten, coerce, or discriminate against any person for the purpose of preventing that person from exercising any rights protected by this Policy or from participating in any step of the complaint resolution process under this Policy. In situations where retaliation is alleged, the Sexual Harassment Compliance Coordinator will investigate and recommend to the President appropriate sanctions.
Harassment Incident

Informal complaint

Deadline = 60 days from first report of incident

Informal complaint

Not Report

Program Manager

Sexual Harassment Coordinator

If deficiencies, back to complainant. 10 days to remedy

10 days

10 days

Appeal to Vice Pres Acad Affairs: Affirms or dismisses 20 days

SHC determines prima facie case, Sends copies to PM, VPAA, Respondent, Claimant.

10 days

Respondant makes response to case

30 days


10 days

Claimant & Respondant respond to report

10 days

President responds to C & R to affirm with remedies or dismiss. Report copies to PM & SHC

SHC submits final report to President w/suggested remedies.

Maximum time period is 170 days (unless extensions granted)
Adopted: March 10, 1987
Revision Adopted: 

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

AS-246-87/SA&FBC

Revised RESOLUTION ON
CHEATING AND PLAGIARISM

Background: On January 22, 1986, the Academic Senate Chair asked the Fairness Board and Student Affairs Committees to review campus policies on cheating and plagiarism. The Fairness Board of 1985-86 and 1986-87 worked on a proposal which was brought forth jointly with the Student Affairs Committee and which was passed by the Academic Senate in Spring 1987. The President returned the proposal (unsigned) on June 15, 1987 with comments prepared by G. Irvin. After additional deliberations by the current Fairness Board, a meeting between Board representatives and G. Irvin took place (January 1988) in preparation of a new policy proposal. The new proposal incorporates that which is important to the administration within a policy which is supported by the Fairness Board and is similar to the policy approved by the Academic Senate last year.

WHEREAS, The present CAM policy on cheating is extremely short and lacks definition; and

WHEREAS, It would be desirable to add further language regarding plagiarism to the CAM policy; therefore, be it

RESOLVED: That the present guidelines on cheating (CAM 674) be replaced with the following:

674 ACADEMIC DISHONESTY: CHEATING AND PLAGIARISM

The University will not condone academic cheating or plagiarism in any form. The faculty is expected to uphold and support the highest academic standards in this matter. Instructors should be diligent in reducing potential opportunities for academic cheating and plagiarism to occur.

674.1 Definition of Cheating

Cheating is defined as obtaining or attempting to obtain, or aiding another to obtain credit for work, or any improvement in evaluation of performance, by any dishonest or deceptive means. Cheating includes, but is not limited to: lying; copying from another's test or examination; discussion of answers or ideas relating to the answers questions on an examination or test, unless such discussion is specifically authorized by the instructor; taking or receiving copies of an
exam without the permission of the instructor; using or displaying notes, "cheat sheets," or other information devices inappropriate to the prescribed test conditions; allowing someone other than the officially enrolled student to represent same.

Policy on Cheating

Cheating requires an "F" course grade and further attendance in the course is prohibited. The instructor is obligated to place evidence of the cheating in writing before the Dean of Students with copies to the department head of the course involved, to the student, and to the department head of the student's major. Physical evidence, circumstantial evidence, and testimony of observation may be included. Said memorandum should notify the student that if he or she denies cheating an appeal is possible through the Fairness Board once the department head of the course of record has been consulted regarding the appeal. Instructors should be confident that cheating has occurred; if there is any doubt, the student should be consulted and/or additional information sought prior to taking action for cheating. Students' rights shall be ensured through attention to due process.

The Dean of Student Affairs shall determine if any disciplinary action is required in addition to the assignment of a failing grade. Disciplinary actions which are possible include, but are not limited to: required special counseling, special paper or research assignments, loss of student teaching or research appointments, loss of membership in organizations, suspension or dismissal from individual programs or from the University. The most severe of these possible actions shall be reserved for grievous cheating offenses or more than one offense by an individual.

Definition of Plagiarism

Plagiarism is defined as the act of using the ideas or work of another person or persons as if they were one's own, without giving proper credit to the source. Such an act is not plagiarism if it is ascertained that the ideas were arrived at through independent reasoning or logic or where the thought or idea is common knowledge.
Acknowledgement of an original author or source must be made through appropriate references; i.e., quotation marks, footnotes, or commentary. Examples of plagiarism include, but are not limited to, the following: the submission of a work, either in part or in whole, completed by another; failure to give credit for ideas, statements, facts or conclusions which rightfully belong to another; failure to use quotation marks when quoting directly from another, whether it be a paragraph, a sentence, or even a part thereof; close and lengthy paraphrasing of another’s writing without credit or originality; use of another’s project or program or part thereof without giving credit.

Policy on Plagiarism. Plagiarism may be considered a form of cheating and therefore subject to the same policy described in Section 674.3/4/5/6 which requires notification of the Dean of Student Affairs and includes possible disciplinary action (See 674.2). However, as there may be plagiarism or any other violation of academic honesty which is the result of poor learning or poor attention to format and may occur without any intent to deceive, some instructor discretion is appropriate. Under such circumstances, notification of the Dean of Student Affairs is not required. In the event of plagiarism, an instructor may choose to counsel the student and offer a remedy (within his authority) which is less severe than that required for cheating, providing there was no obvious intent to deceive. However, an instructor may not penalize a student for plagiarism in any way without advising the student that a penalty has been imposed, and further advising that an appeal is possible through the Fairness Board, once the department head has been consulted regarding the appeal. Instructors should be confident that plagiarism has occurred; if there is any doubt, the student should be consulted and/or additional information sought prior to taking action for plagiarism. Students’ rights shall be ensured through attention to due process.

Proposed By:
Student Affairs Committee/
Fairness Board Committee
February 17, 1987
Revised May 3, 1988
The existing CAM section on cheating and plagiarism reads as follows:

674  Cheating

674.1 First offense for cheating is an "F" course grade, and further attendance in that class is prohibited. A report in writing including evidence must be made by the instructor to the department head. The department head will notify the Dean of Students of the action taken.

674.2 Second reported offense is considered sufficient cause for the initiation of disciplinary action in accordance with the current Student Disciplinary Procedures of The California State University and Colleges.

674.3 A student wishing to challenge the course instructor's decision that a cheating offense has been committed may appeal to the head of the department in which the course is offered, the dean of the school, and ultimately to the Fairness Board for a hearing in accordance with procedural due process. This is a committee of the Academic Senate; see Appendix XI for details of procedures.
Background statement: Over the past two years, the University Professional Leave Committee (UPLC) has seen an increase in the number of sabbatical and difference-in-pay leave requests where the proposal is dependent, in all or in part, upon outside funding with an award being announced after the committee’s review deadline.

**RESOLUTION ON MODIFICATION OF "APPLICATION FOR LEAVE OF ABSENCE WITH PAY" FORM**

WHEREAS, A number of faculty proposals for sabbatical or difference-in-pay leaves depend all, or in part, on outside funding; and

WHEREAS, The University Professional Leave Committee (UPLC) must evaluate and/or rank the sabbaticals and difference-in-pay leave proposals within a time line that may be before an award is made known to the applicant; and

WHEREAS, The UPLC Chair must call both the chairs of the School-wide Professional Leave Committee (SPLC) or Library Professional Leave Committee (LPLC) and the applicant to inquire about the effect on the proposal if funding is not awarded; and

WHEREAS, It would be convenient for the SPLC, LPLC, and the UPLC to know the effect on the proposal when reviewing the application; therefore, be it

RESOLVED: That a question "8" be added to the Personnel Form 112, "Application for Leave of Absence With Pay," pertaining to outside funding for sabbatical and difference-in-pay leaves which reads as follows:

8. Have you applied for a grant or other financial assistance for your proposal? __ YES __ NO

a. If yes, describe how funds will be used.
b. Has the grant or other assistance been awarded? __ YES __ NO

(1) If no, when will an award be announced?
(2) How will your proposal be affected if an award is not forthcoming?

Proposed By:
University Professional Leave Committee
May 3, 1988
Background statement: Over the past two years, the University Professional Leave Committee (UPLC) has reviewed a number of sabbatical and difference-in-pay proposals that were poorly written and/or weak when compared to school or library criteria. Although school and/or library committees have ranked these proposals low, they have approved them. The UPLC recommends that if a proposal is weak or poorly written, it should still be forwarded by the school or library committees, but given a negative recommendation.

AS--___-88/___

RESOLUTION ON CRITERIA FOR APPROVAL OF LEAVE OF ABSENCE WITH PAY PROPOSALS

WHEREAS, There are a number of poorly written applications for sabbaticals and difference-in-pay leaves submitted each year; and

WHEREAS, These proposals are ranked low by the School-wide Professional Leave Committee (SPLC) or Library Professional Leave Committee (LPLC) but recommended for approval; and

WHEREAS, Some of these poor proposals will eventually be funded due to low numbers of applications within a school or when approved leaves are subsequently declined due to personal reasons resulting in the poorly written proposals receiving a higher priority ranking than originally intended; and

WHEREAS, Poor proposals should not be funded; therefore, be it

RESOLVED: That the SPLC and LPLC give a negative recommendation to weak applications before being forwarded to the UPLC; and, be it further

RESOLVED: That the "Leave With Pay Guidelines" be modified as follows:

School-wide Professional Leave Committees (SPLC)

C.

3. Reject sabbatical and difference-in-pay applications that do not meet established University and school guidelines.

Library Professional Leave Committee (LPLC)

C.

3. Reject sabbatical and difference-in-pay applications that do not meet established University and school guidelines.

Proposed By:
University Professional Leave Committee
May 3, 1988
ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

Background statement: Currently, membership on all School Professional Leave Committees (SPLC) and the Library Professional Leave Committee (LPLC) is not uniform throughout the University. The University Professional Leave Committee (UPLC) recommends that uniform membership requirements with staggered terms will provide consistency and continuity of membership in deliberating on sabbatical and difference-in-pay leave proposals.

RESOLUTION ON
MEMBERSHIP REQUIREMENTS FOR SCHOOL-WIDE/LIBRARY PROFESSIONAL LEAVE COMMITTEES

WHEREAS, Continuity of membership on all School-wide Professional Leave Committees (SPLC) and the Library Professional Leave Committee (LPLC) is not uniform throughout the University; and

WHEREAS, Membership on all SPLC and the LPLC is not uniform throughout the University; therefore, be it

RESOLVED: That all SPLC and the LPLC have committee membership of two years with one-half of the members being elected in even years and the other half in odd years; and be it further

RESOLVED: That the "Leave With Pay Guidelines" be modified as follows:

School-wide Professional Leave Committees (SPLC)

A. Membership
   (First paragraph remains the same)
   (Add second paragraph as follows:) Once elected, members of the committee serve two-year terms with one-half of the members being elected in even years and the other half in odd years.

Library Professional Leave Committee (LPLC)

A. Membership
   (First paragraph remains the same)
   (Add second paragraph as follows:) Once elected, members of the committee serve two-year terms with one-half of the members being elected in even years and the other half in odd years.

Proposed By:
University Professional Leave Committee
May 3, 1988
ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

AS—___-88/___

RESOLUTION ON
INITIAL APPOINTMENTS OF TENURE TRACK FACULTY

WHEREAS, The screening process for the appointment of tenure-track faculty is thorough and comprehensive; and

WHEREAS, The department peer review process for the retention of first year tenure-track faculty must be completed in November of the first year; and

WHEREAS, The peer review of first year tenure-track faculty provides little or no information not known during the appointment process; therefore, be it

RESOLVED: That initial appointments of tenure-track faculty be made for two years.

Proposed By:
Personnel Policies Committee
May 3, 1988
Background statement:

On September 15, 1987, the Vice President for Academic Affairs sent a memo to the deans with the subject heading "Retention, Tenure and Promotion Cycle--1987-88." The Personnel Policies Committee has reviewed this memo (and attachments) and submits the following resolution.

The September 15, 1987 memo addresses the issue of confidentiality in the following paragraph:

Custodians of the files and PRC chairs are to ensure the confidentiality of those files. There should be no duplication of file materials except for copies made for the candidate or appropriate administrator, or for distribution at PRC meetings. At the conclusion of each meeting, the file custodian (or PRC chair) is responsible to collect any duplicated materials. Duplicated materials must be destroyed by the time PRC deliberations are concluded.

The Personnel Policies Committee recommends that this paragraph should not apply to candidate resumes. The resume is essential for Peer Review Committee members when they are formulating recommendations, and the material contained in the resume is information available to the public. Therefore, we recommend that copies of a candidate's resume may be made available to Peer Review Committee members for use in their offices or at home, etc.

AS---88/___

RESOLUTION ON THE DISTRIBUTION OF RESUMES DURING THE PEER REVIEW PROCESS

WHEREAS, Effective peer review requires reasonable access to reliable information; and

WHEREAS, A faculty member's resume consists of information available to the public (e.g., papers presented, courses taught, etc.); therefore, be it

RESOLVED: That copies of resumes of retention, tenure or promotion candidates may be distributed to Peer Review Committee members for use at times other than Peer Review Committee meetings.

Approved: ____________________

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

Proposed By:
Personnel Policies Committee
May 3, 1988
ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

Background statement:

On September 15, 1987, the Vice President for Academic Affairs sent a memo to the deans with the subject heading "Retention, Tenure and Promotion Cycle--1987-88." The Personnel Policies Committee has reviewed this memo (and attachments) and submits the following resolution.

The September 15, 1987 memo addresses the issue of consolidated Peer Review Committee recommendations in the following paragraph:

Departmental peer review committee members must be elected by the probationary and tenured faculty of the department. Each school peer review committee must be elected according to school procedures. With respect to the peer review committee’s vote, each peer review committee evaluation report and recommendation shall be approved by a simple majority of the membership of that committee. If peer review committee members choose to submit individual recommendations instead of a consolidated recommendation, then the individual recommendations must be signed. Consolidated recommendations must be signed by every member of the committee supporting that recommendation; those disagreeing with a consolidated recommendation should file a signed minority report which includes written reasons.

This paragraph has been the subject of some debate, and the Personnel Policies Committee has proposed new wording to replace the last two sentences of this paragraph.

AS--88/____

RESOLUTION ON CONSOLIDATED RECOMMENDATIONS OF PEER REVIEW COMMITTEES

WHEREAS, There is uncertainty with respect to the use of consolidated recommendations; therefore, be it

RESOLVED: That each Peer Review Committee recommendation must be accompanied by one of the following:

1. A majority report and a minority report. Both reports must include substantiating reasons and each report must be signed by those Peer Review Committee members who support the report and the substantiating reasons.

2. Individual recommendations from each member of the Peer Review Committee. These recommendations must include substantiating reasons and must be signed.

3. A combination of 1 and 2 above: A majority report, a minority report, and individual recommendations from those members of the Peer Review Committee who support neither the majority nor the minority report.

Proposed By:
Personnel Policies Committee
May 3, 1988
RESOLUTION ON
THE ASSESSMENT PROCESS AT CAL. POLY

RESOLVED: That the Academic Senate of Cal Poly endorse the attached "Response of the GE&B (General Education and Breadth) Committee on the Issue of Assessment."

Proposed By:
General Education and Breadth Committee
May 3, 1988
The GE&B Committee supports the system of assessment as it has been implemented at Cal Poly. Assessment is comprehensive, overlapping, and an ongoing process at Cal Poly. These assessments allow, (1) faculty to employ a variety of techniques to measure student performance in the classroom throughout the student's academic career, (2) faculty to make adjustments to their approaches to the classroom as a result of peer and student evaluations, (3) faculty to ensure that the appropriate level of teaching and professional growth is being maintained before retention/promotion considerations, (4) independent accrediting agencies, boards and evaluation teams to verify the professional integrity of various programs and (5) those inside and outside of the academic structure to have confidence that the university as a whole has a program consistent with superior educational and professional standards.

In general, assessment of the educational function at Cal Poly can be categorized into four separate but interrelated components: the University, its academic disciplines and degree granting programs, the faculty, and the students.

The University: the institution is evaluated regularly according to the established standards of the Western Association of Schools and Colleges.

Degree-Granting Programs: specific degree granting programs at the institution undergo periodic evaluation to continue their professional accreditation. For example, the Accrediting Board for Engineering and Technology, National Architectural Accrediting Board, American Council for Construction Education, the American Society of Landscape Architects, and the American Planning Association are involved in assessing and maintaining professional standards with the five departments in the School of Architecture; the 13 accredited programs in the School of Engineering are regularly evaluated according to the standards of the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, and, the Technology Accreditation Commission of the Accreditation Board for Engineering and Technology. A number of other degree granting programs are evaluated by their specific accrediting societies. Some disciplines do not have professional accrediting boards; it is common for these disciplines to have an outside evaluation team review their programs every 3-5 years.

The Faculty: all rank and class faculty at Cal Poly are expected to have the terminal degree appropriate to their discipline. Probationary faculty are subject to annual review which includes assessment by peers and student evaluations. Faculty who are to be promoted from Assistant Professor to Associate Professor, or Associate Professor to Professor are also evaluated by peers and student evaluations prior to a recommendation. Full professors are subject to post-tenure review according to an established schedule. In order to qualify for retention or promotion, faculty have to demonstrate satisfactory classroom performance and related professional activity which includes evidence of professional growth and development.

Students: all incoming students must meet not only the minimum qualifications to enroll in the CSU, but stricter standards for a number of impacted programs on campus. The grades students receive in their courses are based on a number of assessments: exams, laboratory reports, short papers, term papers, homework, oral presentations, and group projects where applicable. Additionally, all students must
successfully pass the Entry Level Mathematics Test and Junior Writing Exam prior to graduation. Moreover, all students must complete a senior project before the baccalaureate degree is awarded. While senior projects vary considerably depending upon the student's major, their intent is to demonstrate a student's research and writing capabilities.

Some have suggested that examinations at the time of graduation would enable us to better assess our educational programs. Such a testing program would be redundant to the extensive student examination program already in place. Our students currently average around forty examinations each academic year.

There is one important aspect of higher education that is extremely difficult to evaluate. All of our programs, and particularly GE&B, prepare our students to begin a lifelong individual educational process. How well that process is implanted in our students is a key to their success, including the contribution they make to our society, many years after graduation. There is no known method for evaluating this process, primarily because of the length of time involved before it has an impact. In addition, the process is strongly affected by many other factors in the graduate's environment besides their undergraduate education.

The GE&B Committee believes that the current assessment tools used at Cal Poly are more than adequate. The development of more assessment tools would simply increase the cost of operating the institution without enhancing the evaluation of its performance.
WHEREAS, Cal Poly's mission as a polytechnical university within the California State University system precipitates the need for more expensive technical and science-oriented publications; and

WHEREAS, Periodical and book prices continue to rise at inflation rates higher than the rise in the Consumer Price Index; and

WHEREAS, The inflation rate for books will have increased 18 percent from 1985/86 to 1988/89; and

WHEREAS, The inflation rate for periodicals will have increased 30 percent from 1985/86 to 1988/89; and

WHEREAS, The acquisition budgets for both books and periodicals will have increased only 1.99 percent from 1985/86 to 1988/89; and

WHEREAS, The resulting loss of purchasing power has seriously reduced the number of new book and periodical titles that can be acquired by the Library; and

WHEREAS, The continuous depletion of book and periodical buying power will have a direct negative impact on the entire student/faculty body; and

WHEREAS, Faculty members from all schools within the University have expressed concern about their increasing inability to secure new journals; and

WHEREAS, The need to retain core periodical and serial subscriptions has substantially reduced the funds available for books; and

WHEREAS, The diminution of book funds does not allow the Library to adequately maintain current levels of curricular support or sustain new course requirements; therefore, be it

RESOLVED: That the Academic Senate support restoration of book and periodical inflationary adjustments to the annual Library materials budget formula and send a copy of this resolution to the statewide Academic Senate and the Chancellor's Office.

Proposed By:
Library Committee
May 3, 1988
There has not been a time in the recent history of the Library when the budget shortfall has been as critical as it now is. No longer does the Library have the ability to procure books, periodicals, and serials that will adequately support the instructional and research needs of the University community. The acquisition budget has simply not kept pace with inflation. The impact of this is illustrated as follows:

**Point 1: Flat Budget**

During the past three years the budget has increased less than 1% per year.

**Library Acquisitions Budget**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Library Acquisitions Budget (in Dollars)</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985/86</td>
<td>1,189,918</td>
<td></td>
</tr>
<tr>
<td>1986/87</td>
<td>1,194,265</td>
<td>0.37</td>
</tr>
<tr>
<td>1987/88</td>
<td>1,207,838</td>
<td>1.11</td>
</tr>
<tr>
<td>1988/89</td>
<td>1,214,018</td>
<td>0.51</td>
</tr>
</tbody>
</table>
Point 2: Inflation

While the budget increase has averaged less than 1% per year over the past three years, the inflation rate for books, periodicals, and serials has been substantial.
Point 3: A Dilemma

--This dilemma, i.e. a flat acquisitions budget vs. a precipitous inflation rate of books and periodicals has had and will have a devastating impact.

--If no further cuts are made in either periodicals or serials and if the budget does not receive a substantial augmentation, then the 1988/89 scenario will be:

1. $573,000 will be required to maintain the current periodical subscription base of 3,030 titles compared to the $459,000 spent for 3,230 titles just three years ago.

2. $323,400 will be required to maintain the current serials subscription base of 2,180 titles compared to the $298,000 spent for 2,680 titles just three years ago.

3. Only $317,000 will be left to purchase only 6,890 volumes as compared to the $433,000 spent for 11,560 volumes just three years ago.

--Though 200 periodical titles have been cut, their costs have absorbed an increasing portion of the budget causing fewer book and serials purchases.

--The Library has received over 230 requests for new periodical subscriptions -- present funding makes it impossible to procure any of these without cuts in the current subscription base.
Point 4: What if ...

--If the same budget/inflation rate scenario extends into the next three years, the procurement of periodicals will compare as follows:

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Periodical Dollars Spent/Estimated</td>
<td>459,000</td>
<td>573,000</td>
<td>727,715</td>
</tr>
<tr>
<td>Periodical Titles Acquired</td>
<td>3,230</td>
<td>3,030</td>
<td>3,030</td>
</tr>
</tbody>
</table>
Point 4: What if ... (continued)

--If the same budget/inflation rate scenario extends into the next three years, the procurement of serials will compare as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Serial Dollars Spent/Estimated</td>
<td>298,131</td>
<td>278,000</td>
<td>439,847</td>
</tr>
<tr>
<td>Serial Titles Acquired</td>
<td>2,700</td>
<td>2,150</td>
<td>2,150</td>
</tr>
</tbody>
</table>
Point 4: What if ... (continued)

--If the same budget/inflation rate scenario extends into the next three years, the procurement of books will compare as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Book Dollars Spent/Estimated</td>
<td>432,790</td>
<td>317,300</td>
<td>70,253</td>
</tr>
<tr>
<td>Book Volumes Acquired</td>
<td>11,560</td>
<td>6,890</td>
<td>1,246</td>
</tr>
</tbody>
</table>
Point 5: Misery Has Company

--Cornell University cut its 1987 purchases by 60,000 volumes.

--Stanford University would have faced a $600,000 deficit for library materials if it had not cut acquisitions.

--UCLA had to make "drastic entrenchments".

--40,000 volumes were not purchased in CSU libraries because of insufficient funds.

--1,550 periodical titles were cancelled or deferred in CSU libraries because of insufficient funds.

--Acquisition of phono discs, music scores, micro forms, micro software, and videos have been curtailed throughout CSU libraries.

Point 6: The Solution

--Obviously an infusion of dollars at least sufficient to keep pace with inflation would retain a status-quo collection.

--Improvement of the dollar value abroad (foreign journals anticipate a 30% inflation rate next year) and curtailment of discriminatory pricing policies.

--Supplementary fund raising via "adopt-a-journal", Library Associates (contributed approximately $8,000 to Library this past year), and other programs.

--A recognition by budget-making authorities of the critical nature of the problem. (A resolution is being prepared by Cal Poly's Academic Senate and the state-wide Academic Senate.)

--Without the infusion of funds continued entrenchment of periodical and serial titles will be necessary.

--A concerted effort by academic librarians to inform certain publishers that their unreasonable profit ratios and price escalation will precipitate united action that will in the long range erode their profitability.
Projection of Titles/Volumes Acquired

- 1985/1986
- 1988/1989
- 1991/1992

- Book Volumes
- Periodical Titles
- Serial Titles
Projection of Proportionate Spending

- Book Dollars
- Periodical Dollars
- Serial Dollars