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   B. Sponsorship of Events (Cruikshanks & Cichowski)(Att.)

VI. Discussion Items
Constitution and Bylaws Change

WHEREAS, There were alleged irregularities in election procedures for the selection of Senate Representatives, as well as Senate Officers, for the 1976-1977 academic year, be it

RESOLVED: that Item "I" would read: "all members of the Election Committee will be duly elected Senators."

The old Item "I" (adhere to the following timetable) will become Item "J".
Background of Academic Senate Resolution Regarding Sponsorship of Events

Following the "Nuclear Energy Forum" held here on the campus on 17 and 18 October, 1975, numerous questions were raised as to the adequacy of certain University rules and regulations governing the programming of such events as well as the actual role of university administration and academic personnel during the planning and implementation of the forum. The Executive Committee of the Academic Senate, at its meeting of 6 January, 1976, voted to establish an Ad Hoc Committee on Faculty Sponsorship of Events with a charge to address five specific aspects of the forum with emphasis on trying to avoid such embarrassing misadventures in the future rather than reexamining the details and individuals involved with the first.

The Ad Hoc Committee met periodically in 1976 and did draft revisions to CAM Sections 232.3, 772 and 773 after extensive study of existing written and non-written procedures and guidelines, only parts of which succeeded in gaining Academic Senate approval at its last regular meeting of the 1975-76 academic year. The Ad Hoc Committee reconvened in the Fall of 1977 and, thereafter, deliberated with interested parties within the University for the purpose of drafting a more suitable set of proposed revisions. This done, the full Academic Senate passed the Resolution Regarding Sponsorship of Events at its regular meeting of 12 April 1977 and forwarded it to President Robert Kennedy. Stated briefly, the thrust of these revisions was to clarify the approval process, keep it within a well defined chain of command for relevant sectors of the University Community (i.e., faculty, staff and students) and simplify the process whenever possible.

Unbeknownst to key members of the Ad Hoc Committee, a Staff Task Force was appointed by the Executive Vice President on 28 January 1976 with a charge very similar to that of the Ad Hoc Committee when it was received in the Office of
the Academic Senate on 21 June as a component of President Kennedy's "Interim Policy on Use of Facilities and Sponsorship of Events," having been adopted at the President's Council meeting of 13 June.

While the "Interim Policy..." is an improvement, it is not completely consistent in letter or spirit with the Academic Senate Resolution Regarding Sponsorship of Events. For example, chains of command, notably academic, are not adhered to. Accordingly, members of the Ad Hoc Committee met in response to President Kennedy's invitation for any comments or recommendations (paragraph 2, cover memo for "Interim Policy...") to reconcile differences between the Senate passed resolution and the Task Force Report/Interim Policy. The attached recommendations of the Ad Hoc Committee were presented to the Executive Committee of the Academic Senate at its meeting of 25 October and are attached herewith for your information and consideration.
Memorandum

To: Robert E. Kennedy
Via: Dale W. Andrews

Date: May 24, 1977
File No.: 
Copies: Chandler Jones Wolf

From: Lachlan P. MacDonald (Chair), John D. Lawson, Malcolm W. Wilson

Subject: Report on Sponsorship of Events

The attached report is submitted according to your instructions of May 6. It reflects thorough studies of the Campus Administrative Manual sections concerned with faculty/university sponsorship of certain kinds of on-campus activities. The task force has also carefully reviewed the two Academic Senate resolutions (AS-26-77 and AS-27-77 Ad Hoc) regarding these activities. We believe that the Academic Senate has performed a valuable service in pointing up the need for clearer definitions and a closer review of procedures involved in the sponsorship of these events. The attached report provides in strike-out, underlined form a suggested revision of the appropriate CAM sections, including an entirely new section which makes a distinction between endorsement and cosponsorship. We believe that all of the Academic Senate concerns are reflected in the attached materials. In addition, the task force has made provision for charge back to the cosponsoring department or university area of costs associated with such activity, when appropriate. The current practice with student-sponsored events is to charge for personnel service (projectionists, special maintenance, and sound technician, etc.) in all cases and to charge a reduced (50%) facility fee only if admission is charged. It is the task force's feeling that the same practice should apply to faculty or staff cosponsored events.

The task force has also carefully reviewed CAM Sections 772 and 773. We are convinced that provisions for prior notification before controversial figures are invited to campus is a sound procedure and that the advisory committee provided for in the Academic Senate resolution, with the addition of the Dean of Students, is an appropriate means of making recommendations to the President. Similarly, the task force feels that advance notification to Public Affairs for speaker publicity is essential for proper coordination. Thus, it is our recommendation that CAM Sections 772.2 and 773 remain as they currently are. We recommend that 772.3, as recommended by the Academic Senate, be adopted with the addition mentioned above and that a new section, 774, be added as attached.

Attachment
RESOLUTION REGARDING SPONSORSHIP OF EVENTS

Background Rationale: Because of the extensive controversy surrounding the sponsorship of the nuclear forum, the Ad Hoc Committee on Faculty Sponsorship of Events was formed. The charge to the committee appeared in the Executive Committee minutes of January 6, 1976. After study of existing written and non-written procedures and guidelines, the following resolution is presented for Senate approval and recommendation to the President.

RESOLVED: That CAM 232.3, 772, and 773 be changed as follows:

232.3 Facility Requests by Cosponsoring University and Non-University Groups

A. Cosponsorship is defined as agreement by non-university and university groups to share the program's responsibility at the time a cosigned application is made for the use of campus facilities.

B. Information and forms for facility use shall be obtained either from the Activities Planning Center (Student cosponsored program) or the Office of Special Programs (Faculty or Staff cosponsored program). The properly approved facility request forms should be submitted to either the Activities Planning Center or the Office of Special Programs in advance of the program.

C. For student cosponsored programs, approvals, outlined on Form 81, are necessary. Generally, final approval rests with the Director of the Activities Planning Center unless the program involves "Prominent or Controversial Speakers" (CAM 772). In this case, additional approval is required from the Dean of Students in consultation with the President.

D. For faculty or staff cosponsored programs final approval rests with the Dean of the School, or division head, to which the sponsoring faculty or staff belong unless the program involves "Prominent or Controversial Speakers" (CAM 772). In this case, additional approval rests with the Vice President of Academic Affairs in consultation with the President.

(Continued)
772. Prominent or Controversial Speakers

The President's Office will be consulted and kept informed of preparation for the program.

772.2 Prior to any invitation of a speaker, the President, Academic Senate, or Academic Senate Committee for Student Affairs shall be advised. The President's Office shall be informed of the name and background of any speaker, and all preparations shall be reviewed and approved in advance by the President before the program is advertised.

The speaker's biographical background must be available prior to approval being granted.

772.3 An ad hoc advisory committee will be formed at the direction of the University President consisting of the Vice-President for Academic Affairs, the Chair of the Academic Senate, the Director of Business Affairs, the President of the Associated Students, Inc., and a representative of the group which is seeking to invite the speaker or sponsor the event. The ad hoc committee will make a recommendation to the President concerning the appropriateness of the proposed program, and in certain circumstances, whether specific rules can or should be relaxed due to the shortness of notification.

773 Speaker Publicity

All speakers invited to the campus shall be reported to the Director of Information Services through channels to the Director of Information Services so that appropriate publicity may be released.

This will not imply exclusive possession of or rights to transcriptions or proceedings of such events.
RESOLUTION ON ADMINISTRATION OF CAM 232.3, 772 AND 773

WHEREAS, Adoption of CAM 232.3, 772 and 773 will require new administrative procedures, now, be it therefore

RESOLVED: That the President instruct the office of Special Programs to prepare a written set of guidelines to be given to persons inquiring as to the use of campus facilities which would include:

a. A list of alternatives to groups desiring to use campus facilities,

b. A modified "Form 81" to include approval signatures as indicated by the CAM revisions,

c. The deadlines to be met, and

d. The responsibilities of sponsoring or co-sponsoring.

RESOLVED: That CAM 232.2 (Requests by Non-University Groups) be rewritten to match more closely the approval structure of the University (as was done with 232.3).
SPONSORSHIP OF EVENTS - CAM REVISION - CHRONOLOGY

1-6-76  Academic Senate Executive Committee established ad hoc committee to study existing provisions on sponsorship of events and to recommend changes and/or additions as appropriate.

1-28-76  Staff task force appointed by Executive Vice President to explore the issue and develop guidelines for sponsorship of events.

2-4-76  President notified Association of California State University Professors and California Faculty Association that a meet and confer session was scheduled with United Professors of California on sponsorship issue and invited them to request a similar session on the subject if interested.

2-5-76  Meet and confer session held with UPC.

3-4-76  President responded to UPC's concerns and recommendations and suggested that additional input be submitted to Academic Senate ad hoc Committee on Faculty Sponsorship of Events.

4-14-77  Academic Senate Chairman forwarded to President two resolutions on sponsorship of events as adopted by Academic Senate on 4-12-77. (Copies attached.)

5-6-77  Senate resolutions referred to staff task force for review and incorporation with proposed changes to CAM.

5-24-77  Report from staff task force forwarded to President with recommended changes to CAM. (Copy attached.)
230 USE AND ALLOCATION OF UNIVERSITY FACILITIES

230.1 Policy on Appropriate Use of University Facilities

Use of university facilities is limited to the following purposes and is normally granted in the following order of precedence: (See also "President's Directive Regarding Use of CSUC Buildings and Grounds," Appendix IV.)

A. The Regular University Instructional Program

Actual classes and scheduled meetings during the days and evenings of the week.

B. The Broad University Instructional Program

Discussions, programs such as music, drama, forensics, journalism, intercollegiate athletics; special programs; activities, that are a part of normal academic university life class-associated or academic programs.

C. Cocurricular Activities Sponsored by Student, Faculty, and/or Staff Individuals and Groups

Events such as conferences, meetings, lectures, musicals, concerts, films, productions, contests, concerned with the professional, cultural, recreational, or entertainment phases of university life. Participants and guests may include students, faculty, and staff of other educational institutions and the general public when such participants or guests are appropriate to the function to be served.

D. Organizations Sponsored by or Directly Related to the University

Meetings such as of the Cal Poly Women's Club and Cal Poly University Club.

E. Broadly Educational Meetings of Groups in Which Faculty, Students, or Staff Hold Significant Group Membership

Meetings called by State agencies; by professional organizations of faculty, students, or staff; or by university-related organizations.

F. County and City School District Sponsored Meetings, Meetings of Federal, State, and Local Government Organizations

Meetings which cannot be accommodated within their own facilities.

G. Other Uses, As Outlined in CAM 232.3

Costs (other than normal routine maintenance) incurred by users listed in C, D, E, F, and G above and other nonuniversity groups as identified in CAM 232.3 are to be reimbursed to the university and/or the University Union. Persons or groups granted the use of facilities assume responsibility for all damage caused by negligence. Persons or groups misusing facilities may be denied future use.
Camping on university property or living in privately owned, temporary lodging parked or erected on university property is prohibited. In general, the use of university facilities or property for personal or private events is not authorized. The category "personal or private events" includes, but is not limited to, weddings, funerals, and memorial services. The scheduling of these or similar events on university property may be authorized only in unusual circumstances and requires prior approval of the University President. (See also CAM 232.3 and CAM 772.)

Classification and Allocation of Facilities

For purposes of administration and scheduling, all university facilities are classified into two groups: general purpose and special purpose.

General purpose facilities are defined as those facilities such as general lecture classrooms and general conference rooms which are open to usage for a variety of activities and are not assigned to particular instructional or administrative units.

Special purpose facilities are defined as those which because of their specific use and/or specialized equipment are assigned to an administrative unit for security and responsibility. Such responsibility may be delegated to a department or other subfunction of the administrative unit at the discretion of the administrative head of the unit.

The determination as to the classification, either general purpose or special purpose, shall be made annually at the time of the Space Allocation Report review (see CAM 234).
Use of facilities for programs consistent with the objectives of the university (as listed in CAM 230.1) may be granted to faculty or staff groups. Such groups who wish to make use of campus facilities should make application through the office of the Coordinator of Special Programs. When related to the university's instructional program, such use must have the approval of the appropriate dean or designated department head. Application should be made at least three weeks in advance of the date of the program. If a question arises as to whether a group is eligible to use campus facilities for a particular program, the question will be referred by the Coordinator of Special Programs to the chairperson of the Facilities Use Committee, who will also receive appeals from negative decisions.

Use of facilities consistent with the objectives of the university by individual faculty members and by informal groups of faculty members may be granted by the Vice President of Academic Affairs or designee.

Use of facilities consistent with the objectives of the university by individual staff members and by informal groups of staff members may be granted by the Executive Vice President or designee.

Guidelines on "Prominent or Controversial Speakers" (CAM 772) apply to faculty/staff individuals or groups when using campus facilities.

Guidelines on "Prominent or Controversial Speakers" (CAM 772) apply to faculty/staff individuals or groups when using campus facilities.
Use of facilities for programs consistent with the objectives of the university (as listed in CAM 230.1) may be granted to student organizations and ASI agencies in keeping with the procedures established by the Activities Planning Center. Such organizations should make application through the Activities Planning Center on the form adopted (Form 81) for that purpose, and such procedures prescribed by the Activities Planning Center must be followed. If a question arises as to whether a student organization is eligible to use campus facilities for a particular program, the question will be referred by the Director, Activities Planning, to the chairperson of the Facilities Use Committee, who will also receive appeals from negative decisions. Use of facilities by individual students and informal groups of students may be granted by the Dean of Students.

Guidelines on "Prominent or Controversial Speakers" (CAM 772) apply to such groups or individuals.

Use of facilities for programs consistent with the objectives of the university may be granted to those agencies and organizations with whom the university is authorized to make lease agreements, specifically: government agencies, nonprofit, charitable, educational or character-building organizations; or groups for educational or noncommercial purposes.

Exceptions to use by agencies with whom the university is authorized to make lease agreements are as follows:

A. Use that conflicts with or adversely affects the regular university use of the facilities or otherwise interferes with regular university instructional, broad university instructional, and cocurricular activities programs.

B. Use by school systems, other colleges, or universities, for purposes of offering night school, extension, summer session or other courses for which they collect fees, receive State reimbursement or give academic post-high school credit.

C. Use essentially to result in financial gain to a person, persons or organizations as differentiated from gain for charitable, educational or community purposes.

D. Use by elementary or secondary school students who would not have close adult supervision throughout their stay on campus.

E. Frequent regular use by local off-campus groups.

F. Any use by a religious, political or ideological group which would imply university and/or State endorsement.

G. Any use by religious groups for the purpose of promulgation of the religious creed of that group.

H. Use by any organization on the Attorney General's list of subversive groups.
Nonuniversity related groups that wish to use campus facilities for educational or noncommercial purposes shall make application through the office of the Coordinator of Special Programs. All such programs shall be in accordance with the policy of use of nonuniversity groups (CAM 772). When related to the university's instructional program, such use must have the approval of the appropriate dean or designated department head. Application should be made at least three weeks in advance of the date of the program. Utilizing a nonuniversity related group, such as a student organization, requires the approval of the Coordinator of Special Programs. In the event a lease is required, lease provisions and charges shall be established by the Director of Business Affairs. If a question arises as to whether an organization is eligible to use campus facilities for a particular program, the question will be referred by the Coordinator of Special Programs to the Executive Vice President, who will also receive appeals from negative decisions.

If the proposed event would charge admission or use the Cal Poly Theatre, Physical Education Building, Crandall Gymnasium, Mustang Stadium, or Chumash Auditorium, the Coordinator of Special Programs will consult with the Director, Activities Planning, before final approval is granted, in order that priorities may be established.

Guidelines on "Prominent or Controversial Speakers" (CAM 772) also apply to outside groups when using campus facilities. It is the responsibility of the University to advise outside groups on campus speaker policies.

* Task Force used Chairman of the Facilities Use Committee
A distinction is made between the concepts of endorsement and cosponsorship of events or programs by groups or individuals.

A. Endorsement implies simply that a program has received the approval or encouragement of a group or individual. The involvement of the group or individual is limited in scope and need not involve official participation in the planning, development or production of the program. This should not be construed as limiting, in any way, the participation of an individual in a program which he or she supports. Endorsement does not imply liability or cost assumption by the university. Approval for endorsement by groups or individuals in their formal university capacity will be granted through the dean or designated department head for faculty and staff groups and individuals, and by the Director, Activities Planning, in the case of student groups. Approved endorsement must be consistent with regulations on use of the university's name (CAM 789); policies discrimination (CAM 788 B); and with the objectives of the university (CAM 110, 120). Individuals acting in a private capacity are not subject to procedures for approval for endorsement. The Director, Public Affairs, should be notified of all approved endorsements by the office granting approval.
B. Cosponsorship is a concept which involves several factors including approval, encouragement, and participation. These factors operate simultaneously and will be considered both individually and together in arriving at a decision as to whether a proposed cosponsorship is legitimate and appropriate.

1. The balanced participation of all cosponsors in the planning, development, implementation, and production of the event from its beginning to its completion is essential.

2. The absence of what is generally termed "fronting" is essential. Fronting is the use of cosponsorship principally to avoid costs, procedures, or regulations which would otherwise be applied in the development of an event.

3. The event must be of a nature appropriate to and consistent with the objectives of the university and the cosponsor.

If these criteria for cosponsorship are met, approval to cosponsor will be granted by: 1) the dean or designated department head in the case of faculty and staff groups; 2) by the Director, Activities Planning, in the case of student groups; and/or 3) by the Coordinator of Special Programs in the case of nonuniversity groups. If cosponsorship is approved, all pertinent university regulations (such as govern publicity, security, and posting) must be observed. Any request which is not approved may be appealed to the chairperson of the Facilities Use Committee.

B. Cosponsored events involve several factors including approval, encouragement and participation. These factors operate simultaneously and will be considered both individually and together in arriving at a decision as to whether a proposed cosponsorship is legitimate and appropriate. The event must be of a nature appropriate to and consistent with the objectives of the university and the cosponsor.

If these criteria for cosponsorship are met, approval to cosponsor will be granted by: 1) the dean or designated department head and the Coordinator of Special Programs in the case of faculty and staff; 2) by the Director, Activities Planning, and the Coordinator of Special Programs in the case of nonuniversity groups. If cosponsorship is approved, all pertinent university regulations (such as govern publicity, security, and posting) must be observed. Any request which is not approved may be appealed to: 1) the Vice President of Academic Affairs in the case of faculty cosponsorship; 2) the Executive Vice President in the case of staff cosponsorship; and 3) the Dean of Students in the case of student cosponsorship.
772 Prominent or Controversial Speakers (Task Force Recommendations)

772.1 The President's Office must be notified prior to the extension of invitations to speakers of national or statewide prominence, such as present or former Governors, Senators, Cabinet members, heads of major bureaus and departments, and other university or college presidents and chancellors.

772.2 Prior to any invitation or publicity concerning controversial figures, such as political and social extremists speaking on campus, the speaker's name and background must be presented to the President's Office through the Dean of Students.

772 Prominent or Controversial Speakers (Senate Committee Revision)

772.1 The written approval of the Vice-President of Academic Affairs or the Dean of Students of the Executive Vice President, as appropriate, is required for programs involving speakers of national or statewide prominence, such as present or former governors, cabinet members, heads of major bureaus and departments, and other university or college presidents and chancellors. The President's Office will be consulted and kept informed of preparation for the program.

772.2 The speaker's biographical background must be available prior to approval being granted.

Whenever disputes arise concerning a proposed program, an ad hoc advisory committee will be formed at the direction of the University President consisting of the Vice-President for Academic Affairs, the Dean of Students, the Chair of the Academic Senate, an instructional dean, the Director of Business Affairs, the President of the Associated Students, Inc., and a representative of the group which is seeking to invite the speaker or sponsor the event. The ad hoc committee will make a recommendation to the President concerning the appropriateness of the proposed program, and in certain circumstances, whether specific rules can or should be relaxed due to the shortness of notification.

773 Speaker Publicity

All speakers invited to the campus shall be reported in advance of public announcement through channels to the Director of Public Affairs so that appropriate advance publicity may be released.

774 Proceedings and Recordings

The making, printing, keeping, and distributing of sound, videotape, or printed records of the presentations of speaker(s) shall be approved by the speaker(s) in advance. The custodianship of and rights to such records shall be determined by negotiation well in advance of the program.