I. The meeting was called to order by Chairman Robert Alberti at 3:15 p.m.

II. The minutes of the February 12 meeting were approved as submitted.

III. Those in attendance were:

- Alberti, Robert
- Amato, Joseph
- Bailey, Roger
- Bauman, Sarah
- Burton, Robert
- Clarkes, Ed
- Coley, Frank
- Demsey, James
- Fierstein, Harry
- Flores, Robert
- Gold, Marcus
- Graham, Priscilla
- Grimm, R. J.
- Harden, Sheldon
- Hooks, Robert
- Johnson, Corwin
- Jorgensen, Nancy
- Kourakis, Joseph
- Krupp, William
- Labhard, Leslie
- Lau, James
- Lowry, John
- McGormie, Weston
- Meel, Paul
- Nelson, Linda
- Nielson, Keith
- O'Leary, Michael
- Phillips, Howard
- Rogalia, John
- Rosen, Arthur
- Sandlin, Doral
- Sawker, David
- Scales, Harry
- Sennett, Robert
- Sorenson, Robert
- Sullivan, Gerald
- Weatherby, Joseph
- Wills, Max

EX-OFFICIO MEMBERS:
- Fisher, Clyde

IV. Committee Reports

A. Vice President for Academic Affairs Selection/Consultative Committee - Frank Coyes, Member

Out of the original 109 applications submitted, the Committee has selected between 30 and 40 applicants who will be considered for the final list of 5 to 6 names to be submitted to the President.

B. Budget Committee - Ed Clarkes, Chairman

Feedback has been received concerning the questions asked in reference to 60/40, and this will be reported at the next Senate meeting.

C. Curriculum Committee - Joe Weatherby, Chairman

The Committee has completed review of the School of Science and Mathematics package, and presented the following report to the Senate:

"Pursuant to the Senate Executive Committee's Fall request, this year's Curriculum Committee recommendations are presented in summary form by School.

The Curriculum Committee of the Academic Senate supports the proposals and amendments submitted by the School of Science and Mathematics provided the following committee recommendations are also included:

Bot 324 Orontamental and Forest Pathology - defer action until we consider the School of Agriculture's package

Bot 313 Radiation Biology - defer action until course unit change is justified

Ent 126 General Entomology - defer action until number and prerequisite change is justified

Chem 398 Internship - approve technical internship but disapprove academic (teaching) internship

CBE 455 Computer Systems Principles (new course) - defer action pending receipt of changed course description (No. 15)"

It was moved and seconded (Weatherby, Anderson) to endorse and forward to the President the Curriculum Committee's recommendations for the School of Science and Mathematics. The motion passed.

D. Constitution and Bylaws Committee - Corwin Johnson, Chairman

The following interpretation of the Bylaws was presented to the Senate to assist the Elections Committee in the upcoming elections:

"The Senate interprets Bylaws Section VII.B.1 of the present Bylaws to mean that one member shall be elected from each school and from the Professional Consultative Services each year. To accomplish this and still maintain the integrity of past elections:

1. The election procedure for 1974 and 1975 for the Personnel Review Committee member elections will be held in those schools and Professional Consultative Services where members have completed their terms.

2. Voting members shall be elected for a two-year term.

3. The member receiving the most votes will be the senior member and will serve a two-year term (1974-1976).

4. The member receiving the next highest number of votes will be the junior member and will serve a one-year term (1975-1976).

5. In 1975, there will be an election for members in all schools and Professional Consultative Services.

6. In those schools that have elections in 1975 (Architecture and Environmental Design, Business and Social Sciences, Communications Arts and Humanities, Human Development and Education), only one member will be elected (in 1975), and that member will be elected for two years (1975-1977).

7. Each year after 1975, one member will be elected to the Personnel Review Committee each year by each school and Professional Consultative Services for a two-year term."

It was moved and seconded (Johnson, Hooks) to endorse this recommendation of interpretation of the Senate Bylaws Section VII.B.1. The motion passed unanimously.

The Constitution and Bylaws Committee introduced as a first reading item an amendment to Section VIII.B.1 of the Senate Bylaws. The amendment reads as follows:

"8. Elected Committees and Other Committees

1. Personnel Review Committee

a. The Personnel Review Committee shall be comprised of a senior member and at least one junior member elected by and from each school from the tenured members and a senior member and at least one junior member selected by and from the Professional Consultative Services from the tenured members. The senior members and junior members from each school must be from different departments, where applicable. The senior members and junior members shall serve a two-year staggered term, with a maximum of two consecutive terms, with junior members becoming senior member at the start of the second year of the term and the newly elected member from that school becoming the junior member. Administrators and department heads are not eligible for membership. The chairmen shall be elected from and by the committee. A functional committee is dependent upon a quorum of two members, one of whom must be a member from each school and Professional Consultative Services."
A. CSUC Interlibrary Cooperation

The Faculty Library Committee presented the following "Resolution from the Faculty Library Committee Concerning Sharing of Resources among the Libraries of the CSUC System."

"The library committee of the Academic Senate seeks the endorsement of the following resolution by members of the Academic Senate at California Polytechnic State University and asks that it then be forwarded to the Chancellor's Office for the attention of the University Library Development Advisory Committee.

Whereas, we at California Polytechnic State University, San Luis Obispo, are interested in maintaining and improving the service of our local library, and

Whereas, planning concerning greater sharing of resources among the libraries of the CSUC system is occurring currently, and

Whereas, the library at California Polytechnic State University, San Luis Obispo, because of its considerable distance from any other major library will not receive as fast a courier service for interlibrary loans as will be possible for those libraries situated more closely to one another and since this distance also will prohibit or discourage students from individually visiting other libraries, and
VIII. The meeting was adjourned at 5:00 p.m.
FINAL EXAMINATION POLICY

Academic Council agenda, February 25, 1974:

"After considerable discussion, a motion was made and seconded to recommend adoption of attachment 6-2 including the substitution of section 484,1 of attachment 6-2. Following additional discussion, the motion passed (9 yes, 2 no)."

Academic Council agenda, Attachment 6-2:

484.1 Final Examinations

A. Lecture Courses

The University's schedule for final examinations for lecture courses will be included in each issue of the quarterly class schedule. The schedule as drafted by the Associate Dean, Educational Services, and approved by the Academic Vice President, will designate an examination time for each time block in which lecture sections are normally scheduled. Examinations will be held at the time designated in the schedule and unless previously notified of a change, the examination will be held at the location in which the class was assigned to meet during the quarter.

The maximum time for which a facility will be allotted for a lecture section final examination is as follows:

- One hour = section meeting one or two hours per week
- Two hours = section meeting three hours per week
- Three hours = section meeting four or more hours per week

B. Non-Lecture Courses

Non-Lecture courses will hold the final examination during the last class meeting in the regularly assigned meeting location.

484.2 Final Examinations - Exempt Courses

A. Lecture Courses

All sections of lecture courses will hold a final examination in accordance with the policy established in CAN Section 484.1A, unless the course has been predetermined to be exempt from the University's final examination policy. Examination exceptions may be granted for a variety of reasons, such as unique course content, method of instruction, and/or a more appropriate procedure for establishing a final evaluation of the student's performance in the course. Courses must be predetermined to be exempt from the regularly scheduled final examination. This determination will ordinarily be established at the time the course is proposed by the department to be included in the University's catalog. Courses exempt from the final examination will be so footnoted in the class schedule.

B. Non-Lecture Courses

All sections of non-lecture courses will hold a final examination in accordance with the policy established in CAN Section 484.1B, unless the course has been predetermined to be exempt from the University's final examination policy. Examination exceptions may be granted for a variety of reasons, such as unique course content, method of instruction, and/or a more appropriate procedure for establishing a final evaluation of the student's performance in the course. Courses must be predetermined to be exempt from the regularly scheduled final examination. This determination will ordinarily be established at the time the course is proposed by the department to be included in the University's catalog. Courses exempt from the final examination will be so footnoted in the class schedule.

484.3 (replaced by new language in attachment 6-2 - see below)

Implementation Procedures

The procedures for designating those current catalog courses which are exempt from the final examination requirement are as follows:

1. Each department will review its courses which are in the 1973-75 catalog and recommend those courses which should be exempt from the final examination requirement to their school dean. Each course so designated must have a full justification submitted to have such exemption approved.

2. The department recommendations, as endorsed by the school dean, will be forwarded to the Academic Vice President for final approval. A list of the approved courses will be sent to the computer center director with instructions that the master catalog be expanded to designate those courses not requiring a final examination.

3. As soon as practical, the computer center will develop program capability to enable the printing in the class schedule of a footnote symbol for each class not requiring a final examination. Class exemption for final examinations will become effective as soon as this information can be publicized in the schedule.

Academic Council agenda, Attachment 6-2:

484.3 Final Examinations - Re scheduling

Under exceptional and unusual circumstances, it may be deemed advisable to reschedule a final examination to be held at a time and/or location other than when regularly scheduled. The instructor, anticipating making such a request, will first establish a new tentative time and location with the Associate Dean, Educational Services. If a suitable new time and location can be established, the instructor will then, in writing, submit the request through his department head to the dean of his school. The request will indicate the course and section to be changed, the reason for the request, the new time and place for the examination, an indication that at least two-thirds of the class are in agreement with the change, and a statement that an alternate examination will be held at the regularly scheduled time and place for those students who are unable or unwilling to attend the final examination at the rescheduled hour.
Memorandum

Robert Alberti
Academic Senate

From: Instruction Committee
Harry L. Fierstine, Chairman

Subject: Report on Recommendation on Final Examination Policy

I. Report

A. Background

At the February meeting the Instruction Committee was directed to study the University's final examination policy. It seems that for some time many of the faculty have been in violation of CAM 484 which specifically states that faculty will give a final examination in all courses (see attachment). The Academic Council has been studying the final examination problem and has recently endorsed a new statement that revises CAM (see attached revision). The committee felt that our duties were to review the new revision and either agree with the revision or develop our own statement.

In order to learn what the faculty felt on this issue an open hearing was held on March 5, 1974, from 1210-1430 in Ag. 241. Comments were solicited from those who could not attend. The hearing was advertised in the Feb. 26, 1974, issue of the Cal Poly Report. Specifically the hearing asked for comments on the idea of abolishing the final examination period and in its place extending the period of instruction.

B. Faculty Comments

Written and oral comments were received from at least 10 individual faculty members (one which represented the thinking of the Counseling Center) and from the Biological Sciences Department (approximately 50 faculty). Except for the counseling center group, all stated that faculty should have the option of how to use the scheduled four day examination period. The Biological Sciences Department specifically felt that regulation of the final examination week was no different than regulation of teaching methods. The Counseling Center response suggested that extending the period of instruction was a good and innovative idea.

At least 15 faculty attended the open hearing and most favored the retention of final week. All recognized that current procedures were too rigid. A few were concerned with the regulation of the irresponsible
faculty member who would skip "final examination week" in order to pursue non-academic things. The faculty members in attendance as guests were from the Architecture, Agricultural Business Management, Crops, Electrical Engineering, English, Ornamental Horticulture, Mathematics, and Speech Departments.

C. Committee Rationale

After some deliberation, the Instruction Committee decided that there should be an interim proposal to revise CAM and that there should be a long-term study of the problem. Specifically, the Committee would pursue the issue of abolishing final examination week, but extending the period of instruction (Chico State now has such a policy). The recommended revision was made as flexible as possible.

II. Recommendation

Interim CAM Proposal

484 Evaluations

Evaluations may take many forms and the exact form and number are the sole responsibility of each instructor. They should be consistent with the expanded course outline (unless special permission is granted by the department head).

484.1 Final Evaluations

Scheduled periods for evaluation will be provided by the Associate Dean, Educational Services, for the last four days of the quarter to be used at the discretion of each faculty member.
MEMORANDUM

Office of The Chairman

DATE: March 13, 1974

TO: Chairs, Local Senates/Councils CSUC

FROM: Charles C. Adams, Chairman

SUBJ: Grievance Procedures for Academic Personnel

Attached is a line-in, line-out version of the proposed new grievance procedures embodying changes recommended by the Academic Senate at our meeting last week. We appreciate the excellent analyses and suggestions which came to us from the local faculty senates/councils and individual faculty members. We would now welcome any suggestions you may have, especially identification of critical points on which you think faculty should insist with good-natured inflexibility. Any support which you can give directly or indirectly on such issues will be most welcome. We expect some official Chancellor's Office action within the next few weeks.

CCA:s
1.0 Definitions

1.1 "Campus working day" means any day during the college year which does not fall between regular sessions, and which is not a Saturday, Sunday, or campus academic holiday as that term is used in 5 California Administrative Code (Title 5), Section 42800.

1.2 "Grievant" means one who utilizes Step Two of these procedures.

1.3 "Shall" is mandatory and "may" is permissive.

1.4 Unless differently defined in these Rules, terms used in these Rules which are defined in Title 5, Section 40000 and 42700 shall have the meanings given in those definitions.

1.5 The verb "file" means effecting actual receipt by the addressee.

1.6 "Arbitrary action" means under the circumstances, reasonable, unbiased persons faced with the same facts would not have taken the action as to which complaint is made.

1.7 "Ignoring of substantial evidence favorable to the academic employee" means that there was a failure to take notice of evidence, timely submitted, of a type customarily utilized at the university or college in personnel transactions such as the one being disputed.

1.8 "Official Administrative Representative" means one designated by the president or the president's designee to carry out the duties specified for the position in Step One.

1.9 "Academic employee" means an employee engaged either (1) primarily in instruction who is employed and compensated on the basis of class and rank or (2) in any closely related professional activities such as those carried on by professional librarians in a state college as hereafter defined. The classes of positions whose incumbents may be eligible for inclusion in the closely related area (as above) will be determined by the Trustees after appropriate job studies, consultation with employees and administrators and subsequent classification plan readjustment. Specific decisions on individual incumbents will be made in light of these guidelines.

2.0 Coverage and Application

2.1 These rules may be utilized by all full-time, all tenured, and all probationary academic employees of the California State University and Colleges, including those on leave of absence with or without pay.

2.2 These Rules may be utilized only when a substantial evidence of a substantial departure from required procedures and the ignoring of substantial evidence favorable to the academic employee, or any or all of these, provided, however, that such action, departure, or ignoring of evidence was substantially prejudicial to the academic employee and is not alleged to have occurred in a prior separate utilization of these Rules.

2.3 All persons involved in Step One of these Rules shall treat the matter as confidential until such time as it may proceed to Step Two. In the event matters which should properly belong under the jurisdiction of the Academic Senate as stated in Section 2.2 of these Rules, and state the reasons why he or she believes the grounds identified are applicable, and attempt to resolve the dispute. The academic employee may be accompanied at that meeting by an advisor of his or her choice. At the meeting, the academic employee shall:

3.0 Step One. Informal Resolution and Fact Finding Investigation

3.1 Notification of an unfavorable personnel decision to a potential grievant should include a statement of the basis for the decision. Prior to taking any action, the academic employee may inspect the personnel file and all other relevant materials. Any material not presented to the academic employee at this time shall not be introduced at any later point in the proceedings. An academic employee who wishes to contest the personnel file and all other relevant materials shall be entitled to receive a copy of the personnel file and all other relevant materials within 30 calendar days after the Administrative Representative has received a written request for such materials. An academic employee may request at the time of notification thereof (which, if mailed, shall be presumed to be effective as of the date the written request is filed) a pre-appointment conference with the president or his designee. Such pre-appointment conference shall be held within 30 calendar days of the date of the request.

3.1.1 Identify the personnel transaction of which he or she complains.

3.1.2 Identify the grounds for believing that he has been discriminated against because of an action or failure to act.

3.1.3 State the relief requested.
3.2 The academic employee and the person designated by the president, with such advice as he or she may deem necessary, shall attempt to resolve the matter.

3.3 Each campus shall create a fact finding panel composed of full-time academic employees and members of the faculty senate or council elected by the faculty senate or council. The size of the panel shall be one member for each 2 O FTE faculty at the campus, except that the panel shall always consist of at least 10 members, and may, with the concurrence of the faculty senate or council, be increased.

3.4 Each Fact Finding Panel shall promptly elect a Chairperson.

3.5 If a resolution satisfactory to the academic employee is not received by him or her within 10 campus working days (which time may be extended by mutual agreement between the academic employee and the president or the president's designee) of the first meeting with the person designated by the president, pursuant to Section 3.1, of a second written request for fact finding (Request) with the Panel Chairperson, with a copy to the person designated by the president pursuant to Section 3.1, not later than 15 campus working days from such first meeting. The request shall:

3.5.1 State whether the transaction about which the academic employee complained still is not resolved.

3.5.2 State the date of the first meeting under Step One.

3.5.3 Identify the grounds for complaint in the terms used in Section 2.2.

3.5.4 State facts known to the academic employee and identify the person to whom facts support.

3.5.5 Be signed and dated by the academic employee.

3.6 Within 3 campus working days of receipt of the Request, the Panel Chairperson shall select by lot 3 members of a Fact Finding Committee (Committee) and one Alternate from among the members of the Panel.

The academic employee, members of his or her department or equivalent administrative unit, persons who made recommendations as to the selection of the Fact Finding Committee, and members of the Panel shall constitute the Fact Finding Committee by lot. The academic employee may not be a member of the Fact Finding Committee, may not be a member of the Fact Finding Committee by lot, and may not be a member of the Panel.

3.6.1 If no suitable Administrative Representative has heretofore been designated by the president, one shall be designated at this time.

3.6.2 All the members of the Committee shall be equal in rank and status, the academic employee and the President of the University or the President's designee shall designate a chairperson to act in the absence of the chairperson. Each member of the Committee shall receive equal compensation as to which complaint is being made, persons related to any of the above, and, at the Chairperson's discretion, the Chairperson shall be excluded from service on the Panel after such determination.

All challenges must be exercised during the meeting at which the Committee is empanelled. Challenges for cause may be exercised by either party without limit as to number. The Panel Chairperson shall rule on each challenge for cause, and this ruling shall be final. The academic employee and the Administrative Representative may each exercise two peremptory challenges.
3.6.3 The Alternate shall participate in all fact finding activities of the Committee, but shall only participate in the Report of Facts Found if a member of the Committee is unable to so participate. An Alternate who does participate in the Report shall thereafter be considered a member of the Committee, and the replaced member shall become the Alternate. In event of inability to proceed of more than one member of the Committee, if the Committee has not yet filed its Report, then the Committee shall be restored to full strength utilizing the process in Section 3.6.2, and shall recommence its investigative function as described in Section 3.10.

3.7 Promptly upon being constituted, the Committee shall elect a Chairperson and the Chairperson shall promptly notify the academic employee and the EdFith Administrative Representative of the names of the members of the Committee and the name, office address and telephone number of its Chairperson.

3.8 Within 5 campus working days of receipt of the Request, the EdFith Administrative Representative shall file with the Committee's Chairperson the personnel file and all other material upon which the EdFith transaction in question was based and any Answer (Answer) the campus wishes to make to the Request.

The academic employee may inspect the personnel file and all other material and the Answer to his Request, and within 5 campus working days may file an addendum to his Request in light of new information received.

3.9 Initial Determination

3.9.1 Considering only the Request, the Answer, the academic employee's personnel file, and relevant laws and policy which was, the Committee, by majority vote, shall first determine whether the matter should proceed further. An affirmative determination may be made only if:

3.9.1.1 It reasonably appears that there may be sufficient facts to support at least one ground for grievance asserted.

3.9.1.2 All criteria and procedural requirements stated in Section 2.0 and 3.5 of these Rules have been satisfied by the academic employee, who has also complied with all applicable time limits stated in these Rules.

3.9.2 A FACTUAL BACKGROUND PRECEDES THE FOLLOWING FACTS AND環 PROCEED ASSESS THE PRECEDED FACTS BASED THEREON

3.9.3 If the determination pursuant to Section 3.9.1 is negative, reasons for that shall be given in writing. Such a determination shall conclude Step 1. The employee may still proceed to arbitration in Step 2. Such arbitration shall differ from arbitration following fact finding and a determination of a ground for grievance by the Fact Finding Committee in that: (1) the arbitrator may assess the costs of arbitration to either party; and (2) the employee shall post bond to guarantee payment of costs assessed to him or her.

3.10 The Committee shall have jurisdiction and authority to find and report facts and shall exercise this investigative function as follows:

3.10.1 The object of the Committee is to informally investigate the matter as to which complaint has been made. Thus, the members of the Committee and the Alternate shall all four together and with all other persons excluded informally interview witnesses involved in the matter, including the academic employee and the EdFith Administrative Representative. The Committee shall collect relevant written records as may be required by the specific grievance. It shall not, in any way, function as an appellate personnel committee.

3.10.2 The Committee shall put in writing all of the facts upon which its members agree. If the members of the Committee cannot agree on certain facts, each member's view of each disputed facts shall be placed in the written Report of Facts Found (Report).

3.10.3 As to each of the grounds for complaint specified in the Request, the Report shall state whether or not the Committee, by majority vote, finds that ground to be supported by the facts. As to any ground found to be so supported, the facts supporting it shall be specified.

3.10.3.1 The forest of the Report shall be: "Do the majority of the Committee find that the facts support the grounds of (for example: 'arbitrary action that was substantially prejudicial') asserted by the academic employee?" ("Yes" or "No") (If yes) "The facts supporting that ground are ____________

3.10.3.2 A FACTUAL BACKGROUND PRECEDES THE FOLLOWING FACTS AND環 PROCEED ASSESS THE PRECEDED FACTS BASED THEREON
3.10.4 Within 15 campus working days of the receipt of the Report with the president's designee or the filing of the Report, the Committee shall complete a tentative draft Report. This shall be shown to the academic employee and the administrative representative, either of whom may discuss it with the Committee. Such discussions shall take place not more than 5 working days after the tentative draft Report has been shown to the academic employee and the administrative representative. Within 5 days of the completion of such discussions, the Committee shall file its Report with the president or his designee.

3.10.4.1 Concurrently, a copy of the Report shall be filed with the academic employee.

3.10.4.2 Within 10 days after the Committee's filing of the Report, the academic employee and his or her representative may discuss the matter with the Committee. Within 5 working days after such discussion, the Committee shall file a written recommendation with the president.

3.10.5 Within 5 campus working days of the filing of the Report with the academic employee, the president's designee, or the filing of the academic employee's response, if any, pursuant to Step One, the Dean shall forward the President's Designee's written report to the Committee and the Academic Employee, if any, and the Academic Employee's response, if any, respectively.

3.11 The person receiving the Report pursuant to Section 3.10.4 shall review the Report, and the academic employee's response, if any, and, with this fresh perspective on the problem and in consultation with the Academic Employee's designee, reconsider the academic employee's written report and decide upon the action, if any, to be taken in the matter.

3.11.1 The person reviewing the Report shall file with the Academic Employee's designee a copy of the decision of the Academic Employee's designee and the Academic Employee, if any, and the Academic Employee's response, if any, regarding the academic employee's written report to the Academic Employee's designee. The person reviewing the Report shall also forward a copy of the decision to the Committee.

3.11.2 The person reviewing the Report shall make a strong effort to resolve the matter.

### 4.0 Step Two: Grievance and Hearing De Novo

4.1 If a substantial presidential action acceptable to the academic employee in not received by him or her within 10 campus working days of the filing of the Report with the president or the president's designee, or the filing of the academic employee's response, if any, pursuant to Step One, the Committee shall file its decision with the president or his designee. The decision shall be issued to the academic employee and the academic employee's response, if any, respectively.

4.2 The Dean shall promptly submit any matter properly filed pursuant to Section 4.1, with such explanatory material including information as to case priority as the Dean deems necessary, to the Los Angeles regional office of the American Arbitration Association (AAA). The Dean shall be entitled to request, in writing, that such action, departure, or ignoring of evidence was substantially prejudicial to the grievant. As to these matters, the grievant shall have the burden of proof. If the arbitrator so finds, then he or she shall either (a) render the decision to the academic employee, his or her representative, or the Committee on the disposition of the matter, or (b) the academic employee shall seek review of the academic employee's response, if any, respectively.

4.3 The arbitrator shall have jurisdiction to order the parties to present evidence and to conduct such other proceedings as he or she deems necessary to determine the matters in controversy.

4.4 The arbitrator shall render his or her decision in writing within 60 days of the date the case is submitted to him or her. The arbitrator's decision is final, except as to case priority as the Dean deems necessary.
The president or the president's designee may submit an answering statement pursuant to AAA Rule 8 (see Section 4.4 respecting such Rules).

4.4 The arbitration, which shall include a de novo hearing, shall be conducted under the Arbitration Rules of the AAA in effect as of the date of this Executive Order, a copy of which is attached, except as they may vary from the provisions of these Rules, in which case the rules in this Executive Order govern, and except that all of AAA Rule 7 except the last sentence shall not apply, and that AAA Rules 1, 9, 10, 13, 14, 25, 39, and 44 shall not apply. In the event any applicable AAA rule is changed, the Chancellor may authorize the matter to proceed under the rule as changed, or may make other provision as respects such rule as appropriate. If, at the hearing, the grievant or the campus will be represented by an attorney admitted to practice law before any state or federal court, the Grievant shall file a written notification of such representation shall be filed with the Dean not fewer than 10 calendar days prior to hearing. Failure to so notify shall entitle the other party to at least a 10-day continuance which shall be at the economical sole expense of the party which did not comply with the notification requirement. Expenses of arbitration, other than the cost of the stenographic record (as to which see AAA Rule 21) shall be paid by the campus, except as the arbitrator may assess otherwise pursuant to Sections 3.9.2 or 4.1. The travel expenses of witnesses for either side employed by the Trustees shall be paid by the campus subject to Board of Control rules. The expenses of all other witnesses for either side shall be paid by the party producing such witnesses. The cost to grievant of counsel or other representative shall be paid by grievant. There shall be at least 7 names on the list of names submitted pursuant to AAA Rule 12. Prior arbitration awards shall not be used as a precedent for any subsequent case. The arbitrator's decision as to matters properly before him, insofar as consonant with the laws of California and the United States and insofar as consonant with policy directives of the Chancellor's Office and of the campus which predates the grievance and to which the arbitrator's attention was directed in the course of arbitration, shall be final and binding upon the campus and the grievant. Under the Rules of Evidence of the AAA, an arbitrator shall not have any authority to add to, detract from, or in any way alter the provisions of these Rules, any California statute or regulation, or any policy directive of the Chancellor's Office or of the campus.