Academic Senate - Agenda

April 14, 1970

Time - 3:10, Staff Dining Hall

I. Call to Order

II. Approval of the minutes of March 10, 1970

III. Announcements and Information Items

A. Pay Warrants - Don Nelson

B. Ad hoc Committee on Structure & Organization

C. Student Disciplinary Action Procedures - Attachment A (To members only)

D. Committee Reports
   1. Personnel Policy - A. Rosen
   2. Personnel Review - R. Frost
   3. Student Affairs - R. Pautz
   4. Instruction Committee - T. Johnston
   5. Elections - J. Stuart
   6. Others

E. Statewide Academic Senate Report - R. Anderson

IV. Business Items

A. Policy and Procedures Concerning Indirect Costs - Research and Development Projects (Attachment F of February 10 Agenda) - H. Cota

B. Second reading of proposed amendments to the Bylaws (cf. pages 7 & 8 of March 10 Academic Senate Minutes) - J. Stuart

C. Reconsideration of Proposed Guidelines for Recognition of Sororities and Fraternities (Attachment B Academic Senate Agenda, January 13, 1970) - R. Barrett

D. Report of Curriculum Committee - J. Price
   1. General Education - Attachment B
   2. School of Agriculture - Attachment C

V. Adjournment
STUDENT DISCIPLINE

Educating students to their responsibilities as good citizens of the College and of the community is a college-wide responsibility requiring the cooperation and understanding of the entire College. Title 5 of the California Administrative Code assigns to the College President responsibility for enforcement of student disciplinary regulations. The College President has delegated to the Dean of Students the responsibility and commensurate authority to administer student disciplinary regulations but has retained decision-making authority on final appeals at the college level. The Dean of Students may delegate to Residence Hall Hearing Committees (CAM 670.2) or to the Student Judiciary (CAM 670.3) authority to hear student disciplinary cases.

When the conduct or behavior of a student is such that he is alleged to be in violation of applicable laws or college regulations, the case is referred to the Office of Student Affairs. A preliminary investigation of the facts leading to the allegation is made by the Dean of Students or his designee. If the preliminary investigation reveals that there is reason to believe that an infraction has been committed by a student of the College, disciplinary procedures as described in this subchapter (CAM 670) will be initiated.

The proceedings of hearing boards or hearing officers are administrative hearings and will take place regardless of pending civil or criminal action. Sanctions may be considered without reference to other pending off-campus action. While the hearings are not required to be conducted in the same legalistic manner as proceedings in civil or criminal courts, the constitutional rights of students (as interpreted by the courts to be applicable to administrative disciplinary hearings in a college setting) will be upheld. Every reasonable effort will be made by the hearing body to obtain sufficient information in disputed cases so they may base their decision on clear and convincing evidence.

670.1 Causes for Disciplinary Action

Causes for disciplinary action are cited in Section 41301 of Title 5 of the California Administrative Code:

"Expulsion, Suspension and Probation of Students. Following procedures consonant with due process established for the state college of which he is a student, any student of a state college may be expelled, suspended, placed on probation or given a lesser sanction for one or more of the following causes which must be state college related:

(a) Cheating or plagiarism in connection with an academic program at a state college.
(b) Forgery, alteration or misuse of state college documents, records, or identification or knowingly furnishing false information to a state college.
(c) Misrepresentation of oneself or of an organization to be an agent of a state college.
(d) Obstruction or disruption, on or off college property, of the state college educational process, administrative process, or other college function."
(e) Physical abuse on or off college property of the person or property of any member of the college community or of members of his family or the threat of such physical abuse.

(f) Theft of, or non-accidental damage to, state college property, or property in the possession of, or owned by, a member of the college community.

(g) Unauthorized entry into, unauthorized use of, or misuse of state college property.

(h) On state college property, the sale or knowing possession of dangerous drugs, restricted dangerous drugs, or narcotics as those terms are used in California statutes, except when lawfully prescribed pursuant to medical or dental care, or when lawfully permitted for the purpose of research, instruction or analysis.

(i) Knowing possession or use of explosives, dangerous chemicals or deadly weapons on state college property or at a state college function without prior authorization of the state college president.

(j) Engaging in lewd, indecent, or obscene behavior on state college property or at a state college function.

(k) Abusive behavior directed toward a member of the college community.

(l) Violation of any order of a state college president, notice of which had been given prior to such violation and during the academic term in which the violation occurs, either by publication in the campus newspaper, or by posting on an official bulletin board designated for this purpose, and which order is not inconsistent with any of the other provisions of this Section.

(m) Soliciting or assisting another to do any act which would subject a student to expulsion, suspension or probation pursuant to this Section.

(n) For purposes of this Article, the following terms are defined:

(1) The term 'member of the college community' is defined as meaning state college Trustees, academic, non-academic and administrative personnel, students, and other persons while such other persons are on state college property or at a state college function.

(2) The term 'state college property' includes:
   (A) real or personal property in the possession of, or under the control of, the Board of Trustees of the California State Colleges, and
   (B) all state college feeding, retail, or residence facilities whether operated by a college or by a state college auxiliary organization.

(3) The term 'deadly weapons' includes any instrument or weapon of the kind commonly known as a blackjack, slug shot, billy, sandclub, sandbag, metal knuckles, any dirk, dagger, switchblade knife, pistol, revolver, or any other firearm, any knife having a blade longer than five inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club.

(4) The term 'behavior' includes conduct and expression.
(o) This Section is not adopted pursuant to Education Code Section 23604.1.

(p) The provisions of this Section as hereinabove set forth shall only apply to acts and omissions occurring subsequent to its effective date. Notwithstanding any amendment or repeal pursuant to the resolution by which any provision of this Article is amended, all acts and omissions occurring prior to that effective date shall be subject to the provisions of this Article as in effect immediately prior to such effective date."

Additional causes for disciplinary action are violations of those rules and regulations which have been approved and promulgated by the College President or his designee.

670.2 Residence Hall Hearing Committees

Infractions of residence hall rules are processed in accordance with procedural guidelines authorized by the Dean of Students for this purpose. Residence hall rules are defined as rules pertinent to residence hall living; they may be established through being initiated and recommended by recognized residence hall organizations (or other appropriate advisory or consultative bodies) and approved and promulgated by the College President or his designee.

A decision of a Residence Hall Hearing Committee on a student discipline case is a recommendation to the Residence Hall Hearing Officer for that case. The Residence Hall Hearing Officer shall be a designee of the Dean of Students appointed from among the administrative staff members of the Student Affairs Division, and shall have responsibility and commensurate authority to act for the Dean of Students on the student disciplinary action case to which he is assigned.

A decision of the Residence Hall Hearing Officer may at the option of the student be appealed to the Dean of Students who may hear the appeal himself or, if either the Dean of Students or the student prefers, will refer it to the Student Judiciary for hearing (see also CAM 670.3). For cases so referred by the Dean of Students, the Student Judiciary will serve as an Appeal Board; its decisions on appeals are forwarded as recommendations to the Dean of Students.

Proceedings of Residence Hall Hearing Committees will be conducted in accordance with procedural due process as described in section 670.7 below.

670.3 Student Judiciary

The Student Judiciary is the judicial branch of student government. Its composition and responsibilities are described in the bylaws of the Associated Students, Incorporated, and in the Student Judiciary Operational Code.

The Dean of Students may, with the concurrence of the Chief Justice of the Student Judiciary, refer cases of alleged infractions of regulations applicable to all students to the Student Judiciary for hearing and recommendation of sanctions, if any. Decisions
of the Student Judiciary on such cases are recommendations to
the Dean of Students. Disciplinary hearings will be conducted
by the Student Judiciary in accordance with procedural due process
as described in CAM section 670.7, and shall be processed by the
Student Judiciary in accordance with procedural guidelines authorized
by the Dean of Students for this purpose.

670.4 College Hearing Board

Student disciplinary cases which are deemed by the Dean of Students
to be so heard may be assigned by him to a College Hearing Board
for hearing and recommendation.

A College Hearing Board is appointed by the Dean of Students. The
presiding officer shall be the Dean of Students or his designee.
College Hearing Board voting membership shall include: two students,
one to be appointed from a panel of six student names to be submitted
by the President of the Associated Students, Incorporated, the other
from a panel of six student names submitted by the Chief Justice of
the ASI; one College administrator; and two faculty members chosen
from a panel of twelve names submitted by the Executive Committee
of the Academic Senate.

Evidence related to the charges against the student shall be
presented by the Dean of Students, or by his designee if the Dean
of Students is the presiding officer.

Hearings of the College Hearing Board will be conducted in accordance
with procedural due process as described in CAM section 670.7.
Decisions of the College Hearing Board are recommendations to the
Dean of Students.

Decisions of the Dean of Students may at the option of the student
be appealed to the College President. The College President may
hear the appeal himself or may at his discretion refer it to a
College Appeal Board for recommendation (see CAM 670.6).

670.5 Emergency Hearing Procedures and Emergency Hearing Boards

Alleged infractions which involve many students may require a
system of emergency hearing boards. Such boards may be convened
by the Dean of Students when deemed by him to be necessary to
facilitate prompt hearings.

In addition to the emergency procedures described herein, the
President, or his designee the Dean of Students, may immediately
suspend a student temporarily pending a disciplinary hearing.
Authority for such temporary suspension is included in 5 Cal.
Adm. Code 41302:

"Expulsion, Suspension or Probation of Students; Fees and
Notification. The President of the state college may place
on probation, suspend, or expel a student for one or more of the
causes enumerated in Section 41301. No fees or tuition paid by
or for such student for the semester, quarter, or summer session in which he is suspended or expelled shall be refunded. If the student is readmitted before the close of the semester, quarter, or summer session in which he is suspended, no additional tuition or fees shall be required of the student on account of his suspension. In the event that a student who has not reached his twenty-first birthday is suspended or expelled, the president shall immediately notify his parent or guardian of the action by registered mail to the last known address, return receipt requested.

"During periods of campus emergency, as determined by the President of the individual campus, the President may, after consultation with the Chancellor, place into immediate effect any emergency regulations, procedures, and other measures deemed necessary or appropriate to meet the emergency, safeguard persons and property, and maintain educational activities.

"The President may immediately impose an interim suspension in all cases in which there is reasonable cause to believe that during a campus disturbance a student has interfered with the peaceful conduct of the campus by an act which is a cause for disciplinary action pursuant to Section 41301 and that, unless placed on interim suspension, such student would commit further acts of the same or a similar character. A student so placed on interim suspension shall be given prompt notice of charges and the opportunity for a hearing within not to exceed one week of the imposition of interim suspension. During the period of interim suspension, the student shall not, without prior written permission of the President or his designated representative, enter any campus of the California State Colleges other than to attend the hearing. Violation of any condition of interim suspension shall be grounds for expulsion."

Each Emergency Hearing Board will be composed of three individuals: a student, an administrator, and a faculty member. Emergency Hearing Board members will be appointed by the Dean of Students or his designee from the panels from which College Hearing Boards are selected (CAM section 670.4). Additional panels, if needed, will be submitted to the Dean of Students on his request.

Decisions of Emergency Hearing Boards are recommendations to the Dean of Students. Decisions of the Dean of Students may at the option of the student be appealed to the College President, who may hear the appeal himself or may at his discretion refer it to an Emergency College Appeal Board for recommendation, as described in CAM section 670.6.

College Appeal Boards and Emergency College Appeal Boards

The final level of appeal on campus for disciplinary cases is the College President. Decisions of the Dean of Students may be appealed, at the option of the student, to the College President. The College President may either hear the appeal himself or may at his discretion refer the case to a College Appeal Board for review and recommendation.

A College Appeal Board shall be appointed by the College President for each case as needed and shall be composed of two students, two
faculty members, and one administrator as voting members. The two student and two faculty members shall be appointed from the panels from which College Hearing Board members are chosen (CAM 670.4). The College President will appoint a nonvoting chairman of the College Appeal Board. No person who has served on the College Hearing Board, Student Judiciary, Residence Hall Hearing Committee, or who was in any other way directly involved in the case may serve on an Appeal Board for that case.

Appeals from decisions of the Dean of Students must be communicated in writing to the College President within five days of announcement to the student concerned of the Dean's decision, and should include a full statement of the basis for the appeal. The student will advise the Dean of Students when the appeal is filed in order that the imposition of sanctions may be suspended pending the College President's decision on the appeal.

Appeals from decisions based on hearings by Emergency Hearing Boards may at the discretion of the College President be referred to Emergency College Appeal Boards.

Emergency College Appeal Boards will be composed of one student member, one faculty member, and one administrator; all other guidelines applying to College Appeal Boards apply to Emergency College Appeal Boards.

**Procedural Due Process**

All student disciplinary hearings shall observe a procedural due process pattern including the following:

1. The student shall be issued a written notice advising him that he is allegedly in violation of college regulations. This shall be issued at least five class days in advance of a hearing. The notice shall include the charge and specifications, when applicable; the date, time and place of the hearing; possible sanctions; his right to counsel and to present witnesses in his behalf; and the content of relevant sections of Title 5 of the California Administrative Code or of any other rule or regulation of which he is allegedly in violation.

   The student may request in writing an earlier hearing and thus waive the required five-day waiting period.

2. A hearing shall be held at the time and place indicated. The student may request that the hearing be either open or closed.

   If a closed hearing is requested, only the following additional persons may be present during the hearing: members of the academic community (students, administration, faculty, staff) who have been determined by the chairman of the Hearing Board to have a significant role in the proceedings; the counsel and witnesses of the student, if any; and the counsel and witnesses for the College, if any.

   If an open hearing is requested, any interested person may attend.
During the hearing, rules of evidence shall be interpreted by the hearing body within an underlying philosophy of ascertaining the truth; hearing and appeal boards and committees will not be bound tightly in judicial process. Student disciplinary hearings are administrative hearings and are not expected to be or required to be conducted as trials as they would be conducted in courts of law.

3. If more than one student is involved in an alleged violation, each student shall have the right to be heard separately. If the student elects to be heard as part of a group, he must sign a waiver of his right to be heard separately. At its option the hearing body may hear each student separately.

4. Normally, the student will present his own case. However, at his option the student may be represented by counsel of his own choice during any hearing but not during the preliminary investigation. Any cost incurred by the student for such counsel must be borne by the student. If counsel for the student is an attorney at law and the hearing body is not already acting on legal advice from the Chancellor's legal staff, the chairman of the hearing committee shall recess the hearing and so advise the Dean of Students, who will consult with the Chancellor's legal staff before authorizing continuation of the case.

If at any point during a hearing the proceedings become so legalistic that the hearing body (or hearing officer) feels compelled to seek legal advice, the chairman of the hearing body (or hearing officer) may recess the hearing until such advice has been received.

5. In the hearing, evidence supporting the charges against the student shall be presented first, following which the student shall be given the opportunity to testify and to present evidence and/or witnesses in his behalf. He shall have an opportunity to hear and question adverse witnesses. The hearing committee shall not consider written statements against the student unless he has been advised prior to the hearing of their content and given the opportunity within a reasonable time prior to the hearing to make a copy thereof.

6. All matters upon which the decision may be based must be introduced into evidence at the hearing. The decision shall be based solely upon such evidence. Improperly or illegally acquired evidence shall not be considered.

7. A record of the proceedings shall be kept in summary notes by a recorder appointed by the chairman of the hearing committee or board. Prior to the start of a hearing the student may request that a tape recording of the hearing be made; the student may, at his own expense, obtain a copy of the tape recording, but must make such a request within one year after the hearing. Tape recordings of disciplinary hearings, when made, will be retained under control of the Dean of Students for one year before being erased.
8. A student need not testify against himself; if he chooses not to testify, this fact cannot be held against him.

9. The burden of proof shall rest upon the body or person bringing the charges. The hearing body must be convinced that the information presented at the hearing has established clear and convincing evidence that the student did perform the alleged act or omission and that such performance or omission is in violation of a duly promulgated rule or regulation applicable to him.

10. After hearing the evidence, the voting members of the hearing body shall meet in closed session to reach their decision. The hearing body shall find one of the following: either,

- a. That the student is not guilty as charged; or,
- b. That the student's conduct was in violation of college regulations and/or Title 5 of the California Administrative Code and that the committee recommends one of the following sanctions:
  - i. A warning, verbal or written, plus additional sanctions such as revocation of residence hall license, restitution for repair of damages to State or auxiliary organization property or to personal property of others, ban of on-campus parking and driving, or other lesser sanctions, if any, as deemed appropriate.
  - ii. Disciplinary probation plus other lesser sanctions, if deemed appropriate, as are included in i. above.
  - iii. Disciplinary suspension plus other lesser sanctions, if deemed appropriate, as are included in i. above.
  - iv. Disciplinary expulsion plus other lesser sanctions, if deemed appropriate, as are included in i. above.

11. The hearing body may indicate to the student what recommendation is being made to the Dean of Students regarding his case. The student shall be notified by the Dean of Students of his decision thereon within five class days of his receipt of the hearing board recommendation and he will advise the student of his appeal rights.

12. Appeals, if any, must be submitted within five class days of the notification to the student of the decision, and will be heard within five class days of submission or as soon thereafter as the appeal officer is able to process the appeal. When an appeal is submitted, the imposition of sanctions will be held in abeyance pending the outcome of the appeal. At the determination of the College President, interim suspension as provided by 5 Cal. Adm. Code 41302 may be continued pending the decision on any appeal. The severity of the sanctions may not be increased as a result of an appeal hearing, but may be reduced.
13. The student has a right to be heard by an impartial hearing body. No member of the hearing committee who is otherwise interested in the particular case shall sit in judgment during the proceedings. The student may challenge for cause the impartiality of any member of the hearing body; the Dean of Students will replace any challenged member of a College Hearing Board or Emergency College Hearing Board when in his judgment the challenge is justified. Procedures for replacement of challenged members will be provided for in the procedural guidelines of the Student Judiciary and the Residence Hall Hearing Committees.

The student may challenge for cause the impartiality of any member of his appeal board; the College President will replace any challenged member of a College Appeal Board when in his judgment the challenge is justified.
MEMORANDUM

To: Dr. D. Grant  
Chairman Academic Senate

From: D. J. Price  
Curriculum Committee

Subject: General Education Requirements

Date: March 23, 1970

The Curriculum Committee recommends the General Education Requirement of 65 quarter units currently in effect at Cal Poly be brought into line with the State minimum requirement of 60 quarter units effective with the 1972-73 catalog.

1969-70 CATALOG

GENERAL EDUCATION

Candidates from the School of Architecture must present a minimum of 255 units for the bachelor of architecture degree, 210 units for the bachelor of science degree in Architectural Engineering and 198 units for the bachelor of science in City and Regional Planning.

GENERAL EDUCATION BREADTH REQUIREMENT

All candidates for the bachelor's degree must complete a minimum of 65 quarter units of general education as specified below. The curriculum for each major published in this catalog is designed to satisfy the general education breadth requirement. The requirement is met in different ways depending on the particular major. The student planning to transfer from another college should therefore consult the published curriculum for his major and plan his course work accordingly.

No course shall be used for this purpose if it has a prerequisite unless such prerequisite is also counted as general education. Only degree credit courses in the 100, 200, and 300 series may be counted as general education. No more than six units in the major academic discipline of the student may be counted as fulfilling the general education requirement.

NATURAL SCIENCES

At least 15 units chosen from course in Bact, Bio, Chem, Cons, Ent, PSc, Phys, Zoo, with no more than three courses having the same prefix and with at least one course in life science and at least one course in physical science. Maximum 24 units.

SOCIAL SCIENCES

At least 15 units chosen from course in Ant, Ec, Geog, Hist, Pol Sc, Psy, Soc Sc, Soc. All students must take Hist 304, Hist 305 and Pol Sc 301. No more than two courses having the same prefix may be counted in this category. Maximum 21 units.

HUMANITIES

At least 9 units chosen from Art, Dr., Literature (Eng), Mu, and Phil, including at least two courses in literature and philosophy, but no more than 3 units in Art, Drams and Mu. Maximum 18 units.

Attachment B
Ac. Senate - Agenda, April 14, 1970
BASIC SUBJECTS

Mathematical sciences (CSc, Math, Stat) (at least a 3-unit course), written communication (Eng) (one course), oral (Sp) communication or written communication (at least one course). Minimum 12 units, maximum 16 units.

OTHER SUBJECTS

Physical education (5 units, including at least 2 units of health education and 3 units of physical education activity).

Any course outside the student's major with no more than 3 units in one department. Minimum 5 units, maximum 11 units.

1972-73 COLLEGE CATALOG PROPOSAL

GENERAL EDUCATION

Candidates from the School of Architecture must present a minimum of 255 units for the bachelor of architecture degree, 210 units for the bachelor of science degree in Architectural Engineering and 198 units for the bachelor of science in City and Regional Planning.

GENERAL EDUCATION BREADTH REQUIREMENT

All candidates for the bachelor's degree must complete a minimum of 60 quarter units of general education as specified below. The curriculum for each major published in this catalog is designed to satisfy the general education breadth requirement. The requirement is met in different ways depending on the particular major. The student planning to transfer from another college should therefore consult the published curriculum for his major and plan his course work accordingly.

No course shall be used for this purpose if it has a prerequisite unless such prerequisite is also counted as general education. Only degree credit courses in the 100, 200, and 300 series may be counted as general education. No more than four units in the student's school may be counted as fulfilling the general education requirement.

NATURAL SCIENCES

At least 15 units chosen from course in Bact, Bio, Bot, Chem, Cons, Ent, PSc, Phys, Zoo, with no more than three courses having the same prefix and with at least one course in life science and at least one course in physical science. Maximum 19 units.

SOCIAL SCIENCES

At least 15 units chosen from courses in Ant, Ec, Geog, Hist, Pol Sc, Psy, Soc Sc, Soc. All students must take Hist 304, Hist 305 and Pol Sc 301. No more than two courses having the same prefix may be counted in this category. Maximum 19 units.

Attachment B
Academic Senate - Agenda
April 14, 1970
HUMANITIES

At least 9 units chosen from Art, Dr, Literature (Eng), Mu, and Phil, including at least two courses in literature and philosophy, but no more than 3 units each in Art, Drama and Mu. Maximum 13 units.

BASIC SUBJECTS

Mathematical sciences (CSc, Math, Stat) (at least a 3-unit course), written communication (Eng) (one course), oral (Sp) communication (one course). Minimum 12 units, maximum 16 units.

OTHER SUBJECTS

Physical education (5 units, including at least 2 units of health education and 3 units of physical education activity).

Any course outside the student's school with not more than 4 units in one school. Minimum 5 units, maximum 9 units.

A majority of the committee recommended these changes. The PE requirement was studied and a majority of the committee voted to leave it unchanged.

NOTE: (1) The wording in the Basic Subjects Statement has been changed by deleting the words, or written, from the 1969-70 statement.

(2) The last paragraph of the "Other Subjects" Statement changed to read; "Any course outside the student's school with not more than 4 units in one school."

A comparison of the 1969-70 requirement and the proposed 1972-73 requirement, together with Title 5 statement is shown below.

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Plus X units from above 56 -- 56 --

TOTAL 65 -- 60 --

This total 48 units

12

60 units

Attachment B
Academic Senate - Agenda
April 14, 1970
MEMORANDUM

To: Dr. D. Grant, Chairman
   Academic Senate

From: D. J. Price, Chairman
      Academic Senate Curriculum Committee

Subject: School of Agriculture 1971-2 Curriculum Proposals.

Attached please find a summary of the Agricultural School's curriculum proposals together with the committee's action.

Certain courses in the NRM proposals seem to be overlapping some existing Bio. Sci. courses. These courses have been referred to a committee composed of NRM & Bio. Sci. faculty. Consequently the Curriculum Committee will take action on the NRM proposals some time in the near future.

Attachment C
Academic Senate - Agenda
April 14, 1970
## DEPARTMENT COURSES UNITS TYPE OF CHANGE COMMITTEE ACTION

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<tr>
<th>DEPARTMENT</th>
<th>COURSES</th>
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Attachment C
Ac. Sen. - Agenda
April 14, 1970
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