



CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California 93407
ACADEMIC SENATE

MEETING OF THE ACADEMIC SENATE EXECUTIVE COMMITTEE
Tuesday, October 12 2010
01-409, 3:10 to 5:00pm

- I. Minutes: none.
- II. Communication(s) and Announcement(s):
- III. Reports:
 - A. Academic Senate Chair:
 - B. President's Office:
 - C. Provost:
 - D. Statewide Senate:
 - E. CFA Campus President:
 - F. ASI Representative:
 - G. Caucus Chairs:
 - H. Other:
- IV. Consent Agenda:
- V. Business Item(s):
 - A. **Academic Senate and University committee vacancies for 2010-2012:** (p. 2).
 - B. **Resolution on Initiatives in Conflict with Cal Poly Mission Statement:** Executive Committee (p. 3).
 - C. **Resolution on Academic Senate Fairness Board Description and Procedures:** Executive Committee (pp. 4- 9).
 - D. **Resolution on Cheating and Plagiarism Policy:** Executive Committee (pp. 10-12).
- VI. Discussion Item(s):
 - A. **Sustainability project**
 - B. **Cal Poly home page**
- VII. Adjournment:

ACADEMIC SENATE COMMITTEE VACANCIES

College of Agriculture, Food and Environmental Science

BUDGET & LONG RANGE PLANNING COMMITTEE – 2010-2011

GRANTS REVIEW COMMITTEE – 2010-2012

College of Architecture and Environmental Design

GRANTS REVIEW COMMITTEE – 2010-2011

INSTRUCTION COMMITTEE – 2010-2011

WASC-Senate STRATEGIC PLAN TASK FORCE – Fall Quarter 2010-2011

MARC NEVEU

KAREN LANGE

College of Science and Mathematics

INSTRUCTION COMMITTEE – 2010-2011

RESEARCH AND PROFESSIONAL DEVELOPMENT COMMITTEE – 2010-2012

WASC-Senate STRATEGIC PLAN TASK FORCE – Fall Quarter 2010-2011

UNIVERSITY COMMITTEE VACANCIES

CAL POLY HOUSING CORPORATION BOARD - one vacancy

CAL POLY PLAN STEERING COMMITTEE – one vacancy

COORDINATING COMMITTEE ON AIDS AND HIV INFECTION – one vacancy

INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE (IACUC) – one vacancy

INTELLECTUAL PROPERTY REVIEW COMMITTEE – one **CSM vacancy** for 2010-2011

UNIVERSITY UNION ADVISORY BOARD – one vacancy

Adopted:

**ACADEMIC SENATE
of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA**

AS-__-10

**RESOLUTION ON INITIATIVES IN CONFLICT WITH
CAL POLY MISSION STATEMENT**

- WHEREAS, In 2008, the Cal Poly College of Engineering entered into contract negotiations with Jubail University College (JUC) in Saudi Arabia to develop four engineering degree programs at JUC; and
- WHEREAS, Some Cal Poly faculty members felt such a partnership was in conflict with the Cal Poly Mission Statement due to possible discriminatory policies held by JUC; and
- WHEREAS, The 2007-2008 Academic Senate Chair gave an interim charge to the Research & Professional Development Committee to "hear complaints from faculty about initiatives that are perceived to be in conflict with Cal Poly's Mission Statement"; and
- WHEREAS, In spring, 2010, the Research & Professional Development Committee reported in its committee procedures that the Academic Senate needs "to find a more permanent way to resolve such concerns" due to the increased workload this would place on the committee; and
- WHEREAS, Perceived conflicts with the Cal Poly Mission Statement could cover a range of issues, including, but not limited to, curriculum, faculty affairs, instruction, research; and
- WHEREAS, A broad-based committee would provide a more inclusive perspective to deliberations of perceived conflicts; therefore be it
- RESOLVED: That that the following procedure be adopted by the Academic Senate for Cal Poly:

When a proposed initiative is perceived to be in conflict with the Cal Poly Mission Statement, the matter will be brought to the Academic Senate Executive Committee for its consideration. If it is determined that the matter is deserving of serious consideration, then the Executive Committee will form an ad hoc committee, comprised of all the Academic Senate committee chairs, to deliberate the matter. The ad hoc committee will report its findings to the Executive Committee, and the Executive Committee will determine if such findings should be forwarded to the Academic Senate, in the form of a resolution, for further deliberation. If the resolution is adopted by the Academic Senate, it shall be forwarded to the University President for her/his approval in keeping with the *Bylaws of the Academic Senate*.

Proposed by: Academic Senate Executive Committee
Date: October 12 2010

Adopted:

**ACADEMIC SENATE
of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA**

AS-____-10

**RESOLUTION ON ACADEMIC SENATE
FAIRNESS BOARD DESCRIPTION AND PROCEDURES**

- 1 RESOLVED: That the Academic Senate of Cal Poly endorse the attached *Fairness Board*
2 *Description and Procedures.*

Proposed by: Academic Senate Executive Committee
Date: October 5 2010

FAIRNESS BOARD DESCRIPTION AND PROCEDURES

Description

The Fairness Board (hereafter called the "Board") is one of the primary campus groups concerned with providing "due process" of academically related matters for students and instructors at California Polytechnic State University, San Luis Obispo, particularly in terms of student/faculty grading relationships. The Board hears grade appeals based on the grievant's belief that the instructor has made a mistake, shown bad faith or incompetence, or been unfair. Issues of cheating, dishonesty, and plagiarism are addressed by the Office of Student Rights and Responsibilities (OSRR). Grades received due to cheating, dishonesty, and/or plagiarism cannot be appealed to the Board.

In grade appeals, the Board operates under the presumption that the grade assigned was correct. The grievant must prove otherwise by a preponderance of the evidence; in other words, the grievant must show that her/his version of the events is more likely than not (equal to or greater than 51 percent probability) to have occurred. Should the Board's members find in favor of the grievant, the chair will recommend to the Provost that the grade be changed. In all cases, the Board's authority is limited to actions consistent with campus and system policy.

A student who submits a grievance cannot receive a grade lower than the one originally assigned.

In addition to grade grievances, the Board may hear grievances that do not involve grade appeals and are not covered by existing policies administered by other University offices.

Procedures

- A. The first and most often successful opportunity for resolving a grade dispute occurs at the department level. Before initiating a grievance with the Board, the student should first make an informal request for redress to the course instructor. If a resolution cannot be reached, such request can then be made to the instructor's department chair/head. If resolution cannot be made at these levels, then later involvement by the Dean of Students may occur.

Any student who still feels aggrieved after requesting relief from both the instructor and instructor's department chair/head may initiate an appeal for redress by writing to the chair of the Board. The Board chair may counsel a student as to the relative merit of the case but must accept all written complaints which are ultimately submitted. The written request shall be in letter form. A copy of *Fairness Board Description and Procedures* can be

obtained from the Board website at <http://academicsenate.calpoly.edu> or the student may request a copy from the Board chair.

The student's letter should contain all pertinent details of the situation, including the name of the course, section, instructor, term in question, any witnesses to be called, and the redress sought. All relevant documents should be included as attachments, including items such as a course grade determination handout, exams, papers, letters of support, etc. The student has the responsibility of identifying evidence to overcome the Board's presumption that the instructor's action was correct. As a resource, the Board may request any pertinent documentation (historic or current) from the OSRR. It is noted that decisions of the OSRR are informational and nonbinding.

Within two weeks of receiving a written request, the Board chair will convene a meeting of the Board to determine if the case may have merit. If the Board decides that the case lacks merit, then the Board chair will forward to the student, within two working days, notice that no further action will be taken unless the student rebuts with new evidence. If the Board decides that the case may have merit, then the following actions will take place:

1. Within two working days, the Board chair will forward a copy of the student grievance letter to the challenged party and request her/his written reply to the Board chair within one week. The Board chair will share a copy of any reply with the student grievant. The Board chair will also send a copy of *Fairness Board Description and Procedures* to the challenged party.
2. The Board chair will coordinate with the Academic Senate office to make scheduling arrangements for the hearing which will take place within two weeks of the Board's deciding that the case may have merit, and will be conducted informally. At least six Board members must be present before a hearing may begin, and the same six members must be present for the full hearing.
3. When a hearing is scheduled, the Board chair will immediately notify (through the Academic Senate office) the Board members and the two principal parties.
4. Board members will recuse themselves from participation in any case if they are a principal party in the grievance or if they feel they cannot be impartial.
5. The Board will allow each principal party to be accompanied to the hearing by a supportive advocate (a supportive advocate is not to be an attorney or legal advisor, per Academic Senate resolution AS-655-07), call and question witnesses, and present exhibits. The Board may ask for copies of any material it believes relevant to the hearing. The student grievant will usually appear first. Each Board member may ask questions of either party or any witness. The Board itself may call or recall witnesses. The Board will handle all

- proceedings without undue delay, will keep a summary file of each case, and will record the hearing. The Board will close the hearing when satisfied that both sides have been fully heard.
6. In the event the student fails to appear at the scheduled hearing, the Board may dismiss the case.
 7. Within two weeks after the hearing has been closed, the Board will deliberate in private and will make a written summarization of the facts of the case and of the Board's reasoning in its recommendation to the Provost and the Chair of the Academic Senate.
 8. The Board chair will send a copy of its recommendation to each principal party, to the instructor's department, and to each Board member.
 9. Should any Board member(s) desire to file a minority recommendation, it will be attached to the Board's majority recommendation.
 10. Within two weeks after receiving the Board's recommendation, the Provost will inform the Board and each principal party what action, if any, has been taken. The Provost shall have final authority regarding any change of grade with the provision, however, that no grade change will be made unless it is recommended by the Board. If the recommendation of the Board is not accepted, the Provost shall indicate the reason(s) why in writing to the Board.
- B. The hearings are closed to all persons except the Board and the two principal parties and advisors. Witnesses, if any, shall be present only when testifying. No testimony shall be taken outside the hearing room, but written statements from persons unable to attend are admissible.
- C. Students should ideally initiate any grade complaint within one quarter as instructors are obligated to retain evaluation instruments (other than those for which there was an announced opportunity for students to retrieve) for only one quarter (Academic Senate resolution AS-247-87). However, the Board will accept grievances for two quarters after an evaluation. If special circumstances exist, such as when an instructor is on leave and not available to the student, the Board may choose to entertain grievances involving grades issued more than two quarters earlier.
- D. In the event a situation arises wherein the Board unanimously deems the above rules inappropriate, the Board will modify its procedures to ensure that fairness prevails. Furthermore, exceptions to these rules are possible if the Board and both principal parties have no objections.
- E. In accordance with Executive Order 1037, at the end of every academic year, the Board chair shall report, in writing, to the Academic Senate Chair and the President the number of cases heard during that academic year and the disposition of each such case. A copy of this report shall also be

filed annually with the University Registrar so that it is available for review during the student records and registration audit.

Membership

One tenured or probationary faculty member from each college shall be appointed to the Board by the Academic Senate Chair for two-year terms. Ex officio members are the Vice President for Student Affairs or designee, and two student members selected by ASI, with no less than junior standing and three consecutive quarters of attendance at Cal Poly preceding appointment. The Board chair shall be a member of the General Faculty and shall be appointed in accordance with Article VIII.C of the *Bylaws of the Academic Senate*.

FAIRNESS BOARD DESCRIPTION AND PROCEDURES

ACADEMIC SENATE FAIRNESS BOARD PROCESS

Unresolved problem exists between student and University



Student makes informal request for redress of problem with instructor of record; if unresolved:



Student makes informal request for redress of problem with instructor's department chair/head and possible involvement of Dean of Students; if unresolved:



Student may consult with chair of the Fairness Board on relative merit of case; if unresolved:



Student initiates appeal for redress by submission of written letter to Board chair. The letter should:

- (a) Identify the course name, section, term, and instructor
- (b) State complaint and redress sought
- (c) Indicate witnesses that may be called
- (d) Summarize the efforts to resolve the problem with instructor and department
- (e) Include copies of relevant documents such as course grade determination handout, exams, papers, statements of support made by others, etc.



Within two weeks of Board chair's receipt of student's letter, Fairness Board reviews complaint and determines if case:

<u>MAY HAVE MERIT</u>	<u>LACKS MERIT</u>
Board requests written response from instructor (within a week) and schedules a hearing (within two weeks). If a resolution to the problem presents itself, the hearing may be terminated. If no resolution seems satisfactory to the Board and the principal parties, the hearing will lead to the Board making a recommendation to the Provost (within two weeks).	Within two working days of determination, Board chair notifies student no further action will be taken unless: Student rebuts with new evidence
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	MERIT NO MERIT

Adopted:

**ACADEMIC SENATE
of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA**

AS-__-10

**RESOLUTION ON
CHEATING AND PLAGIARISM POLICY**

- 1 RESOLVED: That the Academic Senate of Cal Poly endorse the attached *Academic Dishonesty:*
2 *Cheating and Plagiarism* policy.

Proposed by: Academic Senate Executive Committee
Date: October 5 2010

ACADEMIC DISHONESTY: CHEATING AND PLAGIARISM

684 Academic Dishonesty: Cheating and Plagiarism

The University does not condone academic cheating or plagiarism in any form. The faculty is expected to uphold and support the highest academic standards in this matter. Instructors should be diligent in reducing potential opportunities for academic cheating and plagiarism to occur. Students' rights shall be ensured through attention to due process, as detailed below.

684.1 Definition of Cheating

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

684.2 Procedure for Addressing Cheating

- a) Instructors should be confident that cheating has occurred; if there is any doubt, the student should be consulted and/or additional information sought prior to taking action for cheating.
- b) The student should be notified by memorandum of the instructor's determination that cheating has occurred and the intended punishment. Said memorandum should notify the student that if s/he denies cheating: (1) the department head of the course of record will be given an opportunity to resolve the situation to the satisfaction of both parties; and (2) if the situation remains unresolved, an appeal of the finding of cheating (though not of the punishment, if the finding of cheating is upheld) is available through the Office of Student Rights and Responsibilities (OSRR).
- c) Cheating requires, at a minimum, an "F" assigned to the assignment, exam, or task, and this "F" must be reflected in the course grade. The instructor may assign an "F" course grade for an incidence of cheating.
- d) Irrespective of whether an appeal is made, the instructor is obligated to submit to the OSSR director a Confidential Faculty Report of Academic Dishonesty. Physical evidence, circumstantial evidence, and testimony of observation may be attached.
- e) If an appeal is made, the grade assigned for cheating and the associated course grade cannot be appealed to the Fairness Board should the OSRR confirm the incidence of cheating.
- f) The OSSR director shall determine if any disciplinary action is required in addition to the assignment of a failing grade. Disciplinary actions which are possible include, but are not limited to: required special counseling, special paper or research assignments, loss of student teaching or research appointments,

removal from a course, loss of membership in organizations, suspension or dismissal from individual programs or from the University. The most severe of the possible actions shall be reserved for grievous cheating offenses or more than one offense by an individual.

684.3 Definition of Plagiarism

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

684.4 Procedure for Addressing Plagiarism

- a) Instructors should be confident that plagiarism has occurred; if there is any doubt, the student should be consulted and/or additional information sought prior to taking action for plagiarism.
- b) Plagiarism may be considered a form of cheating and therefore subject to the same procedure which requires notification to the OSSR director and, at a minimum, an "F" assigned to the assignment, exam, or task (See Section 684.2). However, plagiarism may be the result of poor learning or poor attention to format, and may occur without any intent to deceive; consequently, some instructor discretion is appropriate. Provided that there was no obvious intent to deceive, an instructor may choose to counsel the student and offer a remedy (within his/her authority) which is less severe than that required for cheating. (If in doubt about his/her authority to offer a particular remedy, the instructor should consult OSSR.) Even under these circumstances, the instructor must submit to the OSSR director a Confidential Faculty Report of Academic Dishonesty.
- c) An instructor may not penalize a student for plagiarism in any way without advising the student by memorandum that a penalty is being imposed. The instructor should further advise the student in said memorandum that if s/he denies committing plagiarism: (1) the department head of the course of record will be given an opportunity to resolve the situation to the satisfaction of both parties; and (2) if the situation remains unresolved, an appeal of the finding of plagiarism (though not of the punishment, if the finding of plagiarism is upheld) is possible through OSRR.