

1                   **Executive Committee Resolution to Endorse the Provost's**  
2                   **Recommendation for the Dean of Graduate Studies & Associate VP for**  
3                   **Research and International Programs**  
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5 The Academic Senate of California State University San Marcos by this resolution  
6 conveys its endorsement of the Provost's Recommendation for the Dean of Graduate  
7 Studies & Associate VP for Research and International Programs. The CSUSM  
8 Academic Senate recognizes the unusual circumstances relating to this appointment and  
9 acknowledges the Provost's agreement to refrain from future administrative appointments  
10 without an appropriate search. Furthermore, the Senate requests that the Provost urge the  
11 President to commit to the same agreement for administrative appointments.  
12

13   **Rationale**

14 The incumbent has been serving as the Dean of Graduate Studies & Associate VP for  
15 Research and International Programs for two years and has been instrumental in  
16 developing the job description for the position. Reports indicate that the incumbent is  
17 performing above expectations in the position. Members of the Executive Committee of  
18 the Senate acknowledged the past performance of the incumbent but expressed grave  
19 reservations about establishing a practice of MPP administrative appointments without an  
20 appropriate search. The EC unanimously opposed the occasional past practice of MPP  
21 appointments without a search.  
22

23 The Provost requested that, as a matter of record, this rationale reflect that his unusual  
24 request to appoint without a search was based on a combination of factors. The factors  
25 that entered into the Provost's decision included the exceptional performance of the  
26 incumbent, the numerous other searches currently active on campus which stretch  
27 existing scarce resources, and the impact of the current fiscal crisis on the campus.  
28

29 The Provost voluntarily agreed to treat this as an exception that would not set precedent.  
30 Furthermore, he stated that he would encourage the President to adhere to the same  
31 agreement. It is the understanding of the EC that this agreement extends to MPP positions  
32 across the campus for which it is accepted practice in the CSU to conduct searches.  
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3 **ACADEMIC SENATE**  
4 **of**  
5 **THE CALIFORNIA STATE UNIVERSITY**

6 AS-2623-03/AA/TEKR  
7 September 4-5, 2003

8 **Articulation Agreements for Multiple Subject Integrated Teacher**  
9 **Preparation Programs: Principles for Formation of Regions**

- 10  
11 **RESOLVED:** That the Academic Senate of the California State University (CSU)  
12 endorse the following principles for the formation of regions for  
13 articulation of coursework with California Community Colleges (CCC)  
14 in relation to Multiple Subject Integrated Teacher Preparation Programs:  
15 1. The Task Force on Integrated Teacher Preparation Programs will  
16 recommend a regional structure.  
17 2. *Region* is defined as a CSU campus or campuses and the CCCs  
18 which provide significant numbers of transfer students to that  
19 campus or campuses.  
20 3. The formation of regions will be data driven, based on three-year  
21 trend data of CCC to CSU total transfer including the number and  
22 percentage of student transfers from each CCC to each CSU.  
23 4. A proposed regional structure and the transfer trend data will be  
24 distributed to all CSU campuses, the Academic Senates, community  
25 colleges, and other appropriate faculty members for their response  
26 before the task force recommends a regional structure.

27 **RATIONALE:** The implementation of Integrated Teacher Preparation  
28 programs as recommended in AS-2611-03/AA/TEKR and AS-xxxx-  
29 03/AA/TEKR and mandated in recent changes to Title 5, requires  
30 substantial, collaborative work among the CSUs and CCCs to determine  
31 a maximum of 60 semester (90 quarter) transferable units with 30  
32 semester (45 quarter) units transferable systemwide and at least 15  
33 semester (23 quarter) units transferable within a region. Using regions as  
34 an mandatory part of the framework makes the determination of  
35 regional structure an important consideration. Regions may be  
36 determined in different ways: the system has used a “north/south” or  
37 “north/central/south” model for other initiatives, CPEC uses 14 regions  
38 based on educational and demographic data, and the CCCs are divided  
39 into 10 regions. After deliberation, the Task Force on Integrated Teacher  
40 Preparation Programs felt that both the definition and structure of  
41 regions should derive from actual transfer data and that such a regional  
42 structure would be the most be the most efficient, especially given the  
43 significant work that the identification of and agreement on transferable  
44 units will require. Additionally, the Task Force noted that some factors  
45 which might affect the appropriateness of a proposed region might only  
46 be known at a more local level; i.e., extensive consultation and attention  
47 to response is crucial to the best regional structure.

**STUDENT GRIEVANCE POLICY**

Implementation Date: 04/15/03 Revised: 04/15/03

**Definition:** Provides a means for students to seek redress of complaints regarding matters other than grade appeals, that are outside the scope of human resources such as sexual harassment, discrimination, and racism. Grade appeals can be filed by following the Student Grade Appeal Policy.

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**Authority:** The Cal State San Marcos Interim Student Rights and Responsibilities Policy as expressed in Executive Order 320.

**Scope:** The purpose of the Student Grievance Policy shall be to enable a student to resolve a complaint arising out of any alleged unauthorized or unjustified act or decision, other than a grade appeal, by a member of the faculty, administration, or staff that in any way adversely affects the status, rights, or privileges of a member of the student body. The burden of proof shall lie with the complainant.

Policy approved by President McTarnaghan on \_\_\_\_\_

\_\_\_\_\_  
Roy McTarnaghan, President

\_\_\_\_\_  
Approval Date

**STUDENT GRIEVANCE**

**PROCEDURE**

Implementation Date: 04/15/03

Revised 11/04/03

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**I. GENERAL GUIDELINES**

The Student Grievance Committee shall hear and seek redress of student grievances, other than grade appeal, concerning members of the faculty, administration, or staff, and shall recommend corrective action/s.

**II. MEMBERSHIP**

The voting members of the Student Grievance Committee shall be:

1. Two students and two alternate students named by the Associated Students Inc. Undergraduate students serving on this committee shall be a student in good standing. Graduate students shall have been admitted to an authorized advanced degree or credential program.
2. Three, full-time tenure line faculty members and two alternate faculty named by the Academic Senate.
3. One full-time staff member from the Division of Academic and Student Affairs, and one alternate named by the President.
5. One Chair, who shall be appointed by the president.

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- Deleted: 3. One full-time member of the administration and one alternate administrator named by the President. This representative may not be a staff member from the Office of the Dean of Students. .

**III. COMMITTEE STRUCTURE AND RESPONSIBILITY**

Four voting members shall constitute a quorum. Decisions shall be reached by a majority of those present and voting, except where otherwise indicated (see Section IV – Judgment, #3). Each student member shall be appointed for two years on staggered terms. Non-student member shall be appointed for three years on staggered terms. No member shall serve more than two terms consecutively. A Chair (who cannot be a student) shall be appointed for two years by the President of the University. A Vice Chair shall be selected by the Associated Students Inc. No member shall serve as Chair more than two consecutive terms. The Chair shall be the Committee's administrative officer whose duties shall include the following:

1. Arranging for appropriate times and places for meetings and hearings, informing members of the times and places of meetings and hearings, informing

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**STUDENT GRIEVANCE**

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in writing all interested parties of the times and places of meetings or hearings that they are requested to attend and supplying them with a statement of alleged grievances, and informing all other interested parties that a grievance is pending and of the final disposition of the grievance.

- 2. Securing and distributing written material appropriate for its consideration.
- 3. Maintaining records and informing in writing the immediate supervisor, department chair, or college dean of the Committee's recommendations.

*Responsibilities of Committee Members*

- 1. Should any member of the Committee be unable to complete an appointed term, a replacement shall be appointed to fill the balance of the term by the original appointing officer or agency. Resignations shall be submitted in writing to the Chair of the Committee. The Chair shall inform in writing the appropriate officer or agency of the vacancy and shall request the prompt appointment of a replacement.
- 2. Should a Committee member be unable to hear a case, an alternate shall be appointed for the course of the grievance. If a member of the Committee is granted an official leave for less time than remaining in a term, or if because of illness or other reasons a member is judged unwilling or unable to participate in the work of the Committee, the Chair shall inform the administrator or agency of the appointee and shall request the prompt appointment of a temporary replacement.
- 3. When the services of a temporary appointee are no longer required, the Chair shall promptly inform the temporary appointee and the appointing administrator or agency.
- 4. Should the Committee be involved in a specific case when an absent member returns, the replacement member shall continue as a member of the committee in all sessions dealing with that specific case until it is concluded. The returning member shall resume membership on the Committee for subsequent cases.
- 5. When a member of the Committee has more than three consecutive absences, the Committee may vote to remove that member and may request a replacement from the appointing administrator or agency.
- 6. A member of the Committee may be reappointed upon the expiration of term if duly recommended by the designated persons, but the member may be appointed for a third term only after a break in service of not less than two years.

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- 7. If the Committee is involved in a case when a member's term expires, the member shall continue on the Committee only in its consideration of the case. A newly appointed member shall not be considered a member of the Committee for a prior

- 139 continuing case. The new Committee member shall, however, serve for all other  
 140 matters.
- 141 8. A member of the Committee may choose to resign from the Committee, in which  
 142 event a replacement for the balance of the term shall be appointed by the original  
 143 appointing officer or agency.
- 144 9. A member of the Committee may choose to be disqualified from  
 145 consideration of any case for which there may be a conflict of interest, in which event  
 146 a replacement shall be appointed  
 147 by the Chair of the Committee from the list of alternates of the member's  
 148 constituency.
- 149 See #12 below.
- 150 10. If a member is a principal in a preliminary investigation or hearing by the  
 151 Committee, the member shall be excluded from considering that case.
- 152 11. Upon the conclusion of a hearing in which a Committee member was a  
 153 principal, the Committee shall determine the member's fitness to continue on the  
 154 Committee. The decision shall be conveyed by the Chair to the appointing officer or  
 155 agency, either informing of the continuation of membership or requesting a  
 156 replacement.
- 157 12. Either party to a hearing may request of the Chair that a Committee member(s)  
 158 be excluded from considering the case. The request shall be for cause and shall be  
 159 brought to the Chair's attention as the first item in the hearing. If a member is  
 160 disqualified by the Chair from consideration, a replacement shall be appointed by the  
 161 Chair from the list of alternates of the member's constituency.

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Deleted: 10. Either party to a hearing before the committee may request of the committee chair that any member of members of the committee be excluded from consideration of that case. Such a request must be for tated cause and must be brought to the chair's attention as the first step in the hearing. If a member is disqualified by the chair, a replacement shall be appointed for the case.

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 163 **IV. STEPS FOR SEEKING REDRESS**

164 Steps toward redress should begin with informal discussions with the appropriate administrator  
 165 attempting to resolve the matter at the lowest level possible. If a satisfactory solution is not  
 166 reached, the grievance should then be taken to the Student Grievance Committee for hearing and  
 167 appropriate action.

168  
 169 *Informal Discussion*

- 170 1. Informal discussion between persons directly involved in a grievance shall be essential in  
 171 the early stages of the dispute and should be encouraged at all stages. An equitable  
 172 solution to a problem should be sought before the persons directly involved in the case  
 173 have assumed official or public positions that might polarize the dispute and render a  
 174 solution more difficult. Neither persons directly involved  
 175  
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179 **STUDENT GRIEVANCE**

**PROCEDURE**

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180 Implementation Date: 04/15/03

Revised: 04/15/02

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 182 in a case nor any other persons shall use the informal discussion, the filing of a grievance,  
 183 or the character of the informal discussions to strengthen the case for or against persons  
 184 directly involved in the dispute or for a purpose other than to resolve the grievance.

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- 2 A grievance can be brought as a result of an unauthorized or unjustified act or decision by a member of the faculty or staff or an administrative officer which in any way adversely affects the status, rights or privileges of a student.
- The student should consult with the counseling staff, the Dean of Students, the appropriate College Dean, or the Dean of Graduate Studies to evaluate the situation and to determine which of the following steps might best apply:
- a. The student should bring the complaint to the attention of one or more of the proper college committees where such grievance provision exists or to the chair, dean, administrator, or staff supervisor; or
  - b. The student should bring a complaint against an administrator or staff member to that person’s supervisor.

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Inserted: affectcs the status, rights or privileges of a student.

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*Procedures for the Formal Hearing*

1. No student grievance shall be filed with the Committee later than the last day of the semester (excluding summer session) after the semester during which the student was allegedly aggrieved.
2. When informal recourse fails, the student may file in writing to the Committee an appeal accompanied by available documentary evidence. The documentation will include 1) what alleged transgression transpired, 2) when the transgression took place, 3) what redress the student is seeking. Simultaneously a copy of the complaint shall be given to the respondent.
3. The Committee shall establish and publish its own procedures in accordance with provisions for academic due process and in accordance with the stipulations below. Present at these meetings shall be only Committee members, parties to the action and their representatives, and testifying witnesses. The burden of proof rests with the complainant.
4. The Committee, before sitting as a whole to arrive at judgment, shall arrange for an expeditious and comprehensive investigation of the matter. From written statements presented by the complainant and from preliminary discussions with the aggrieved it shall decide whether there are sufficient grounds to hear a case and whether it will accept written statements in lieu of personal appearances by witnesses. The Committee shall review and consider documentary records of department, or college grievance organizations relating to the case. If the Committee closes the case, having decided that there are not sufficient grounds for a hearing, it shall notify in writing the complainant and respondent as to the reasons for its actions.
5. If the Committee determines that the case merits further consideration, the parties involved (a) shall be informed in writing, (b) shall be consulted as to the possibility of correcting the situation, and (c) if a hearing is still required, shall be advised in writing of the scheduled time, place, and alleged grievance.

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*Student Affairs*

**STUDENT GRIEVANCE** **PROCEDURE**  
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- 230 6. At the hearing the complainant, persons directly involved, and witnesses may testify and  
 231 be questioned by the opposite party and Committee members. Written evidence presented  
 232 by either party may be subject to refutation and consideration by the opposite party and  
 233 Committee members. Only evidence presented in the hearings shall be considered in the  
 234 final judgment.  
 235 7. Proceedings shall be conducted in accordance with the American Association of  
 236 University Professors' Joint Statement on Rights and Freedoms of Students (1967).  
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239 *Confidentiality*

- 240 1. To protect all parties involved, all participants shall maintain confidentiality to the  
 241 maximum extent possible at every level of the grievance process. A breach of  
 242 confidentiality is a breach of ethics and/or code of conduct and [The Family and](#)  
 243 [Educational Right to Privacy Act \(FERPA\)](#).  
 244  
 245 2. No member of the committee shall discuss personal and/or pertinent information relating  
 246 to a specific grievance with any persons who are non-committee members except at the  
 247 request of the committee or as part of the hearing processes defined in this document.  
 248 This shall not preclude notification of proper authorities by the Student Grievance  
 249 Committee in the event that the committee perceives the safety of any person or property  
 250 to be in jeopardy.  
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 252 3. No member of the committee shall discuss personal and/or pertinent information relating  
 253 to a specific grievance with any of the principals throughout the course of the  
 254 investigation and following the recommendation of the committee except at the request of  
 255 the committee and/or at a hearing.  
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 257 4. Communication Guidelines: All written documentation and recommendations relating to  
 258 individual grievances shall be marked and handled "confidential," and is only available to  
 259 those directly involved in the grievance (interested parties). All documents relative to an  
 260 individual grievance shall be appropriately maintained for three years in locked file  
 261 drawers located in the Academic Senate Office and shredded at that time. No members  
 262 of the committee will discuss the facts of any grievance through electronic mail.

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267 **STUDENT GRIEVANCE** **PROCEDURE**  
 268 Implementation Date: 04/15/03 Revised: 04/15/02

270 *Judgment*

- 271 1. Committee members shall arrive at a judgment in consultation among themselves. Only  
 272 those entitled to vote on the case, their alternates, the chair, and a clerk secretary shall be  
 273 present during consultation and voting. Only members of the Committee who have heard  
 274 all testimony during the hearing relating to the alleged grievance shall vote on the case.



- 275 2. The Committee shall transmit its recommendation in each case to a person or agency  
 276 whom the Committee judges appropriate to effect the decision regarding the grievance. A  
 277 copy of recommendations shall be forwarded to the President and to other appropriate  
 278 parties. If the person or agency involved decides not to carry out the recommendation of  
 279 the Committee, that decision shall be submitted promptly to the Committee. If within a  
 280 reasonable time remedial action has not been taken, the Student Grievance Committee  
 281 may request the President or the appropriate administrator to expedite resolution of the  
 282 situation.
- 283 3. When in the opinion of the Committee disciplinary action may be appropriate, the  
 284 Committee may recommend further action to the President if the person charged is an  
 285 administrative officer, a faculty or staff member. 4. The decisions reached by this  
 286 Committee shall take precedence over decisions reached by student grievance committee  
 287 within departments, schools, or colleges.
- 288 6. If redress requires a policy change or if a policy change appears advisable or necessary,  
 289 the Committee shall refer its recommendations to the Senate Executive Committee or to  
 290 the President as appropriate.
- 291 7. Should any person, whether or not directly involved in a complaint, allegedly suffer some  
 292 disadvantage, discrimination, or reprisal as the result of a complaint, testimony, or  
 293 statement in connection with Committee action, the Student Grievance Committee shall,  
 294 upon request or upon its own motion, exercise original jurisdiction and take the necessary  
 295 steps to verify the facts and remedy the injustice.

**Deleted:** or a member of the staff, or the Committee may refer the matter directly to the Office of the

**Deleted:** Assistant

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**Deleted:** for Academic Resources if the person charged is a member of the faculty.¶

**SAMPLE RESOLUTION FOR HIGHER EDUCATION  
IN SUPPORT OF THE KINDERGARTEN-UNIVERSITY PUBLIC  
EDUCATION FACILITIES BOND ACT OF 2004**

**Whereas**, the Kindergarten-University Public Education Facilities Bond Act of 2004 (2004 Statewide School Bond) provides \$12.3 billion in bonds to relieve overcrowding, reduce class size and repair and upgrade California's elementary, middle and high schools, community colleges and universities; and

**Whereas**, the 2004 Statewide School Bond measure is the second half of a two-part statewide education bond package to repair, upgrade and build new school facilities, and the first half of the package (proposition 47) was overwhelmingly approved by California voters in 2002, and passage of the second half of the package is equally as important to improve student achievement and better prepare students for the modern workforce; and

**Whereas**, California schools and colleges are severely overcrowded, with more than 700,000 new students expected to seek enrollment at a California college or university by 2010; and

**Whereas**, the California Postsecondary Education Commission estimates the state will need to spend approximately \$1.5 billion per year through 2010 to maintain existing higher education facilities and to provide for expected enrollment increases and the 2004 bond will provide \$1.15 billion a year for two years;

**Whereas**, the 2004 Statewide School Bond will allow our public colleges and universities to make seismic and other safety improvements to older buildings as well as build new labs, classrooms and research facilities; and

**Whereas**, the 2004 Statewide School Bond will give students more access to the technology and computers they need to meet academic standards and compete in the modern workforce; and

**Whereas**, the 2004 Statewide School Bond provides a much needed boost to our state's economy and putting Californians back to work building a better learning environment for our children is a wise investment in these difficult economic times; and

**Whereas**, the 2004 Statewide School Bond funds must be spent on school construction, not on overhead, and projects must comply with strict accountability requirements, including mandatory audits, to safeguard against waste and mismanagement.

**Therefore be it resolved**, \_\_\_\_\_ supports the Kindergarten-University Public Education Facilities Bond Act of 2004.

Authorized Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Please return completed resolutions to Ted Green by fax at 310/996-2673 or email: tgreen@woodwardmcdowell.com. If you have any questions, please call Ted Green at 310/996-2671.

Academic Senate  
Of  
California Polytechnic State University  
San Luis Obispo, Ca

**Resolution on Endorsement of 2003-04 Supplemental Report Language**

- WHEREAS, The budget cuts could result in a rapid deterioration of quality education in the CSU; and
- WHEREAS, Transparency and accountability in budgetary process is an imperative element in mitigating the impact of the budget cuts; and
- WHEREAS, The CSU has accepted the commitment to follow the budgetary principles and reporting processes set by the legislature; and
- WHEREAS, Campus administrators have an essential role in implementing these principles and meeting reporting requirements, be it
- RESOLVED: That the Academic Senate Executive Committee of Cal Poly endorse the attached *2003-04 Supplemental Report Language* stating the intent of the legislature; and be it further
- RESOLVED: That the Academic Senate Executive Committee of Cal Poly encourage President Baker to follow the principles stated in this document, and direct other Cal Poly administrators, deans and department chairs to implement these principles in their units.

Excerpt from an email sent 9/25/03 by a faculty member to the chair of SAC:

“There is a serious problem with students signing up faculty members of various departments for listserv and web ads, etc. This is becoming worse each semester.

“It is very difficult for IITS to control this since students often use their home computers to do so. Before this gets out of hand, I have been requested by my department chair to bring this issue to the committee to see if we can create a new policy on harassment via email. In addition, given the anti-spam law that the governor has just passed, it seems to be good timing to do this.”