

**CAL POLY**

**Academic Senate**

805.756.1258

<http://academicsenate.calpoly.edu/>

**Meeting of the Academic Senate Executive Committee**

**Tuesday, September 22, 2015**

**01-409, 3:10 to 5:00pm**

- I. **Minutes:** none.
- II. **Communication(s) and Announcement(s):** none.
- III. **Reports:**
  - A. Academic Senate Chair:
  - B. President's Office:
  - C. Provost:
  - D. Statewide Senate:
  - E. CFA:
  - F. ASI:
- IV. **Business Item(s):**
  - A. **Appointment to Academic Senate committees for 2015-2017:** (pp. 2-3).
  - B. **Approval of Academic Senate committee charges for 2015-2016:** (pp. 4-5).
  - C. **[TIME CERTAIN 3:30 P.M.] Resolution on Revising the Criteria for the Distinguished Scholarship Awards:** Don Choi, Distinguished Scholarship Awards Committee chair (pp. 6-9).
  - D. **Resolution to Add the Function of Task Forces:** Gary Laver, Academic Senate chair (p. 10).
  - E. **[TIME CERTAIN 3:45 P.M.] Resolution on Action to Promote Timely Completion of the Graduate Writing Requirement:** Dawn Janke, GWR Academic Senate Task Force chair (pp. 11-17).
  - F. **[TIME CERTAIN 4:00 P.M.] Resolution on a Revised Cal Poly Statement on Diversity:** Annie Holmes, Executive Director for the Diversity and Inclusivity Office (pp. 18-19).
  - G. **Resolution to Amend the Definition of Membership of the General Faculty on the *Constitution of the Faculty*:** Manzar Foroohar, Statewide Senator (distributed at the meeting).
- V. **Discussion Item(s):**
  - A. **Possible Response to Chancellor White's Response to Resolution Requesting that Chancellor Tim White Undertake Prompt Review of Cal Poly, SLO Governance** (pp. 20-23).
  - B. **Review of CAP 420: removal of section 420.4 – amorous relations and resolution AS-471-96/SWC . Resolution on Amorous Relationships** (pp. 24-34).
- VI. **Adjournment:**

## 2015-2017 Academic Senate Vacancies

### **College of Agriculture, Food and Environmental Sciences**

Curriculum Committee (2015-2016)  
 Distinguished Scholarship Awards Committee  
 Distinguished Teaching Awards Committee (2015-2016)  
 Instruction Committee (2015-2016)  
 Research, Scholarship & Creative Activities Committee  
 Sustainability Committee

### **Orfalea College of Business**

Distinguished Teaching Awards Committee

### **College of Engineering**

Curriculum Committee

#### **John Pan, Industrial & Manufacturing Engineering (12 years at Cal Poly) Tenured**

I am interested in serving in the Academic Senate Curriculum Committee as the College of Engineering representative and chairing the CENG curriculum committee. I served as chair of IME department Curriculum Committee and a member of CENG Curriculum Committee in 2013 – 2015 and 2005 – 2007. Thus, I am familiar with the curriculum review process. I also served as a member of IME ABET committee in the last 10 years. I am IME graduate programs coordinator and have involved in graduate programs review process. I was academic senator in 2011 – 2013. I will do my best to make sure the 2017 – 2019 catalog review get done smoothly.

Distinguished Scholarship Awards Committee  
 Grants Review Committee

### **College of Liberal Arts**

Distinguished Teaching Awards Committee  
 Grants Review Committee

### **College of Science and Math**

Fairness Board

#### **Eric Brussel, Mathematics (3 years at Cal Poly) Tenure Track**

This assignment was recommended to me by Jonathan Shapiro, who served recently. It just sounds like a very interesting committee, and as a relatively new member of the Cal Poly community, I am eager to get involved in governance at the university level. Though I am new to Cal Poly I have taught at the university level for 17 years, and while at Emory University I received a university-wide teaching award. I am known to be an effective teacher who runs a challenging course, and I have a lot of experience with students' grade expectations. I tend to side with faculty on grade disputes, and believe that some students focus too much on their grades and not enough on learning objectives. That being said, I believe that a student who has been unable to resolve his/her dispute with the course instructor and a student ombudsman, has a right to be heard at the university level. I have served on the Education Policy Committee at Emory University, and for many years I have served on the Math Department Graduate Committee as well. I will be a well-informed and engaged committee member, and one who knows how to keep his comments short and to the point. I am open to chairing the committee in the future (once I am familiar with how it operates) should the opportunity arise.

### **Professional Consultative Services**

Budget & Long-Range Planning Committee

Curriculum Committee

#### **Rachel Johnson, CAFES Advising (4 years at Cal Poly)**

The field of student and academic affairs has been my professional pursuit because I truly enjoy working with students. I recognize that students need supportive and well-informed assistance to help them navigate their academic experiences. I currently serve as a Professional Academic Advisor in the CAFES College. I have been employed at Cal Poly for four years, and previously worked at the University of Oregon.

I have established a strong record of collaboration and team work with a wide variety of people associated with the campus community. In previous and current roles, campus constituents have recruited me to serve on committees, facilitate student groups, and create proposals to change policies and initiate programming. Throughout my career, I have displayed commitment to serving a diverse community, and maintained cooperative working relationships with various campus colleagues. I have served on numerous planning and scholarship committees focused on diversity and global learning, including participation on the Campus Climate Survey sub-committee. We confidentially reviewed data and survey results, and identified and assessed areas of campus disparity.

One of my current projects is assisting three CAFES Academic Departments with their curriculum changes. They consistently solicit my feedback regarding student needs, university policies, and potential long-term effects. I have been able to quickly produce written documents of suggestions and orally present the suggestions to the faculty. These instances have impacted the logic behind suggested curricular changes. I find curriculum issues to be like a complicated puzzle. It is intriguing to assess possible solutions or options, in an effort to assist academic departments in meeting learning objectives, and helping students navigate their degree progress efforts. This is the main reason for my interest in serving on the curriculum committee. I believe my previous experience and current advisor role will lend an outside-the-box insight to campus curriculum issues. I have not had the opportunity to serve on the Senate thus far, and hope to give back to the campus in this capacity.

Distinguished Scholarship Awards Committee

Distinguished Teaching Awards Committee

## **2015-2016 University Vacancies**

Academic Assessment Council – vacancy for CAFES only 2015-2018

Academic Council for International Programs (ACIP) 2015-2018

Accommodation Review Board – 2015-2017

Athletics Advisory Board – 2 vacancies - 2015-2016 and 2015-2017

Campus Safety and Risk Management Committee – 2015-2017

Institutional Animal Care and Use Committee – 2015-2016

Intellectual Property Review Committee – 2 vacancies – CAFES and PCS – 2015-2017

University Union Advisory Board – 2015-2016

## Charges for 2015-2016 Academic Senate Committees

### Budget and Long-Range Planning Committee

- Better understanding of the budget allocation – meet with Provost/VP AFD.
- Look at KPI and suggest criteria for evaluating targeted growth options. Executive Committee clarification as needed. **Winter 2016.**
- Review best practices in strategic plans and associated action plans (vis-à-vis Vision 2022).
- BLRP involvement in revisitations of campus-wide allocation models.
- Participate in Master Plan activities.
- 0515-Write a resolution asking the President to develop an official written strategic plan that has at its core measurable objectives and metrics
- 0615-Work with administration to develop a set of meaningful metrics that can be tracked (Committee report 061715. Work with Kimi Ikeda and Victor Brancart)
- Examine advancement activities

### Curriculum Committee

- Explore the development of undergraduate certificate programs.
- Explore “course renewal” cycle (in tandem with GEGB). **Spring 2016**
- Examine impact of Quarter Plus courses (in tandem with GEGB). **Spring 2016**
- Curriculum refresh proposal (at least a best-practices report). **Spring 2016**
- Distinction between units/departments.
- Ongoing review of curriculum proposals.

### Faculty Affairs Committee

- First full draft of University Faculty Personnel Action by January 1, 2016; Faculty Affairs Committee approval in Winter 2016; to Executive Committee thereafter.
- Modification of exceptional service assigned time application
- Narrative evaluations: A) task force with administration and ASI on ASI’s proposal of regular dissemination to student body; B) input on move to electronic collection
- Input on response to Chancellor’s letter
- Review of CAP-project leftovers as needed

### Fairness Board

- Revision of campus cheating policy. **End of Winter 2016**

### GE Governance Board

- Ongoing review of curriculum proposals: catalog cycle proposals and continuous course review proposal. **August 2015.**
- GE program review. **Report due in August 2015.**
- Explore “course renewal” cycle (in tandem with ASCC). **Spring 2016**
- Examine impact of Quarter Plus courses (in tandem with ASCC). **Spring 2016**
- “Pathways” discussion.
- Library representative on GE Governance Board?



### Instruction Committee

- Discuss ways to raise faculty and students awareness about academic dishonesty/plagiarism.
- Possible charge: grading and returning exam/homework to students, progress report on grades, and/or standing before finals.
- Narrative evaluations: A) task force with administration and ASI on ASI's proposal of regular dissemination to student body; B) input on move to electronic collection
- Field trip policy review
- Revision of campus cheating policy. **End of Winter 2016**
- Office hours update for a report (not a resolution) **End of Winter 2016**
- Review of CAP-project leftovers as needed
- 0315-Work with Risk Management and any other appropriate group to develop university-wide forms for the colleges to adopt for internships (AS-804-15)
- 0315-Review AS-804-15 policy and implementation during spring 2016 (AS-804-15)
- 0315-Feedback on the statement on competency-based assessment of student learning (S. Walker email 031915)
- 0415-Review and revise office hour policy (as discussed with FACT – G. Stegner email 042715)

### Research, Scholarship and Creative Activities Committee

- Fact finding on efficient methods that ensure the concept of Research, Scholarship and Creative Activities become an incentive for faculty.
  - Continuation of the discussion of support mechanisms for the Teacher-Scholar Model, including a review of relevant documents from the past.
  - Work towards a regular status report on scholarship at Cal Poly.
  - Teacher-Scholar Model, flexibility for junior faculty – continue discussion with Provost.
- Identify examples of positive and negative practices relating to motivating and developing research, scholarly and creative activities as part of professional development.
- Possible discussion of consulting practices across departments - currently no university-wide policy on reporting of consulting activities and guidelines for review committees on how to evaluate such activities in the tenure process.
- Ad Hoc Committee for establishing published bylaws and mechanism of action by faculty members in the Human Subjects and Research Policies. **Winter 2016**
- 0515-Discuss the proliferation of MPS programs (Committee report spring 2015)

### Sustainability Committee

- Continue assessing SLOs. Prepare and deliver report. **Fall 2014**
- Work with students to better integrate approaches to sustainability inside and outside the classroom/curriculum.
- Work with GEGB to develop sustainable pathways in GE.

Adopted:

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

**AS-\_\_-15**

**RESOLUTION ON REVISING THE CRITERIA FOR THE DISTINGUISHED SCHOLARSHIP  
AWARDS**

Background: In 2003, the Academic Senate passed AS-602-03/RP&D, Resolution on Establishing a Faculty Award to Recognize Distinguished Research, Creative Activity, and Professional Development at Cal Poly. The Award was administered by the Academic Senate Research and Professional Development Committee. In 2005, the Academic Senate passed AS-638-05, renaming the Award as the Distinguished Scholarship Award and renaming the committee the Distinguished Scholarship Awards Committee. Committee membership parameters currently adhere to revisions found in AS-671-08, Resolution on Changes to the Bylaws of the Academic Senate.

- 1 WHEREAS, Cal Poly is an institution known for its high quality of undergraduate  
2 education, and  
3
- 4 WHEREAS, The Academic Senate defines scholarship in broad terms as the scholarships  
5 of discovery, application, integration and teaching/learning (AS-725-11);  
6 and  
7
- 8 WHEREAS, The Academic Senate of Cal Poly has established a "Distinguished Research,  
9 Creative Activity and Professional Development Award" (AS-602-03/RP&D);  
10 and  
11
- 12 WHEREAS, The Academic Senate resolved to establish a "Distinguished Research,  
13 Creative Activity and Professional Development Awards Committee" to  
14 conduct the selection process and determine on an ongoing basis the  
15 policies and criteria to be used for selecting recipients of the award; and  
16
- 17 WHEREAS, The Academic Senate resolved to rename the "Distinguished Research,  
18 Creative Activity and Professional Development Award" the "The  
19 Distinguished Scholarship Award" (AS-638-05); and  
20
- 21 WHEREAS, The criteria for the Award have not been revised since the award's original  
22 incarnation as the "Distinguished Research, Creative Activity and  
23 Professional Development Award;" and  
24
- 25 WHEREAS, The Award is designed to honor work of faculty conducted primarily at Cal  
26 Poly and celebrate both exemplary specific accomplishments and  
27 outstanding bodies of achievement; and
- 28 WHEREAS, The aforementioned "General Guidelines" and "Selection Criteria" of the  
29 document will benefit from revision in light of AS-725-11, and can be more

30 succinctly stated in a streamlined revision titled "Award Description and  
31 Criteria"; therefore, be it  
32

33 RESOLVED: That the "General Guidelines" and "Selection Criteria" document appended  
34 to AS-602-03/RP&D be revised in light of AS-725-11 with other updates in  
35 the form of the attached streamlined document titled "Award Description  
36 and Criteria"

Proposed by: Distinguished Scholarship Awards  
Committee

Date: April 28, 2015

## **Distinguished Scholarship Awards Committee**

*Revised award description and criteria*

*Approved by the Academic Senate on June 2, 2015*

### **Award Description:**

The Academic Senate Distinguished Scholarship Awards Committee invites nominations for the Distinguished Scholarship Award. Each year, three awards are presented, each accompanied by a cash prize of \$2,000.

These awards recognize achievement in scholarship and creative activity across the entire range of disciplines represented at Cal Poly. They honor work conducted primarily at Cal Poly and celebrate both exemplary specific accomplishments and outstanding bodies of achievement.

Faculty, students, staff, and alumni may submit nominations. Faculty members may nominate themselves. All nominations must be submitted using the online nomination form.

### **Eligibility:**

All nominees must be current members of the Cal Poly faculty (i.e. members of collective bargaining unit 3) and must be active at Cal Poly for at least one quarter during the academic year in which they are nominated (for example, faculty who are on leave for an entire academic year will not be eligible for that year). Faculty members at all ranks are eligible as long as they have completed at least three years of full-time service or its equivalent at Cal Poly.

### **Selection Criteria:**

Because this award is intended to recognize the full range of scholarship and creative activity possible at Cal Poly, the criteria listed below are necessarily incomplete. Moreover, it is expected that the work of any given nominee will meet some, but not necessarily all, of these criteria.

#### **1. Quality of the creative or scholarly work as evidenced by any of the following:**

- Extensive peer recognition of the work as substantial, seminal, and scholarly
- Contributions to improvements in the human condition and quality of life
- Use of the ideas, techniques, and creative work by industry, practitioners, and others

#### **2. Importance of the scholarly work to students as evidenced by any of the following:**

- Influence of the nominee's scholarly and creative work on student learning
- Effectiveness in furthering scholarship and creative activity among students
- Quality and significance of related senior projects, theses, and other student work
- Influence of the work on curriculum improvement and enhanced student learning experiences

#### **3. Importance of the scholarly work to Cal Poly as evidenced by any of the following:**

- Enhancement of the reputation of Cal Poly or its academic units

- Significance of grants and contracts received
- Mentoring and facilitating the professional development of other faculty and staff
- Recognition from industry, professional and academic organizations, and other institutions

**Distinguished Scholarship Awards Committee:**

The Distinguished Scholarship Awards Committee includes at least one voting General Faculty from each College and from Professional Consultative Services. General Faculty representatives should include former recipients of the Distinguished Scholarship Award. *Ex officio* members consist of a representative appointed by the Provost from the Office of Research and two ASI representatives – one undergraduate and one graduate student. The *ex officio* members are voting members, as per VIII.B. of the Bylaws of the Academic Senate.

Adopted:

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

**AS-\_\_\_-15**

**RESOLUTION TO ADD THE FUNCTION OF TASK FORCES**

1 RESOLVED: That the *Bylaws of the Academic Senate* be amended as follows:

2  
3 VIII. COMMITTEES

4 A. GENERAL

5 The functional integrity of the Academic Senate shall be maintained by the  
6 committee process. The committee structure shall include standing committees  
7 staffed by appointment or ex officio status, elected committees staffed by  
8 election, and ad hoc committees or task forces staffed either by appointment or  
9 election as directed by the Academic Senate Executive Committee. The  
10 Executive Committee may create ad hoc committees or task forces as it deems  
11 necessary for specific purposes, which, in the judgment of the Academic Senate  
12 Chair, cannot be handled adequately by the standing committees. Only the  
13 Executive Committee is authorized to create ad hoc committees or task forces,  
14 and these shall report to the Academic Senate by way of the Executive  
15 Committee.

Proposed by: Academic Senate Executive Committee

Date: March 11, 2015

Revised: May 27, 2015

Adopted:

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

**AS-\_\_-15**

**RESOLUTION ON ACTION TO PROMOTE TIMELY COMPLETION  
OF THE GRADUATE WRITING REQUIREMENT**

- 1 WHEREAS, Cal Poly has established the Graduation Writing Requirement (GWR) to comply with CSU  
2 Executive Order 665 (EO 665) which requires that “Certification of writing competence shall be  
3 made available to students as they enter the junior year”; and  
4
- 5 WHEREAS, EO 665 further states, “Students should complete the requirement before the senior year”; and  
6
- 7 WHEREAS, In its most recent review of Cal Poly, WASC recommended the university have its  
8 undergraduate students “satisfy the GWR as juniors, i.e., as soon as possible after completing  
9 ninety units, so that they can receive additional writing instruction if necessary”; and  
10
- 11 WHEREAS, Cal Poly’s Academic Senate adopted a Resolution on the Graduate Writing Requirement in  
12 October 2000 to “encourage students to attempt the GWR early in their junior year”; and  
13
- 14 WHEREAS, The Academic Senate of the CSU adopted a similar resolution in January 2004 stating that  
15 “Each campus should develop a process that ensures students attempt the assessment in their  
16 junior year”; and  
17
- 18 WHEREAS, Despite all of the above rhetoric, a GWR Task Force established by Cal Poly’s Academic  
19 Senate during the 2014–2015 academic year found that currently 84% of test-takers are seniors,  
20 approximately 100 of whom anxiously attempt to pass during their last *week* at Cal Poly; and  
21
- 22 WHEREAS, The Task Force’s *Report* shows generally that current GWR campus practices meet neither the  
23 requirement of EO 665 nor the recommendation of our most recent WASC review nor the goals  
24 expressed in the Cal Poly and CSU Academic Senate resolutions concerning the timely  
25 completion of the GWR; therefore be it  
26
- 27 RESOLVED: That the Academic Senate accept the GWR Task Force’s *Report*, which addresses the current,  
28 unsatisfactory situation as well as the actions Cal Poly can take to correct it; and be it further  
29
- 30 RESOLVED: That the Writing & Rhetoric Center, the Office of the Registrar, and the English Department  
31 now begin implementation of the six action items listed in the *Report*’s recommendation; and be  
32 it further  
33
- 34 RESOLVED: That the third in the Task Force’s list of three additional recommendations also be implemented:  
35 “...by the curriculum cycle for the 2017–2019 catalog programs/departments develop a

concrete action plan so that their students take the GWR during junior year...”; and be it further

RESOLVED: That the Office of the Registrar incorporate requirements for the development of the above action plan in its instructions to campus academic programs leading up to revision of the 2017–2019 *Cal Poly Catalog*; and be it further

RESOLVED: That the Writing & Rhetoric Center oversee completion of these action plans and serve as a contact for this effort and that the Writing & Rhetoric Center report to the Academic Senate in Spring 2016 on the progress of these efforts.

Proposed by: Academic Senate Executive Committee  
Date: September 22, 2015



**Report on the Timing During which Students Attempt to Complete the GWR  
Prepared by the GWR Academic Senate Task Force**

**Members:**

*Helen Bailey:* Associate Registrar, Office of the Registrar  
*Clare Battista:* Lecturer, Economics, OCOB  
*Leanne Berning:* Professor, Dairy Science, CAFES  
*Kaila Bussert:* Foundational Experiences Librarian, Robert E. Kennedy Library  
*Don Choi:* Associate Professor, Architecture, CAED  
*Bruno Giberti:* Faculty Coordinator, Office of Academic Programs and Planning  
*Brenda Helmbrecht:* Director of Writing and GE Chair, CLA  
*Dawn Janke:* GWR Coordinator and Writing & Rhetoric Center Director, Task Force Chair  
*Elena Keeling:* Professor, Biological Sciences, CSM  
*Matt Luskey:* Writing Instruction Specialist, Center for Teaching, Learning & Technology  
*Kathryn Rummell:* Chair, Department of English, CLA  
*Debra Valencia-Laver:* Associate Dean, CLA

**Charge:**

To ensure that students satisfy the Graduation Writing Requirement (GWR) in order to comply with CSU Executive Order 665, which states: "Certification of writing competence shall be made available to students as they enter the junior year. Students should complete the requirement before the senior year." The most recent Cal Poly WASC report also recommends that the university, "Require Cal Poly undergraduates to satisfy the GWR as juniors, i.e., as soon as possible after completing ninety units, so that they can receive additional writing instruction if necessary before attempting the senior project."

**Current Practice:**

Students can attempt to fulfill the GWR after completing ninety units; students must complete the GWR in order to graduate. Students may select one of two pathways to fulfill the requirement:

- 1) Earn a passing score on a Writing Proficiency Exam (WPE);
- 2) Earn a passing grade on an in-class, timed essay exam and earn a C or better in a GWR-approved upper-division English course.

If students fail to satisfy the GWR after two or more attempts, they may opt to fulfill the requirement via a third pathway:

- 3) Earn a passing score on a GWR Portfolio submitted upon completion of ENGL 150.

**Background:**

- More than 1,000 students take the WPE on the second Saturday of fall, winter, and spring quarters.
- 84% of test-takers are seniors.
- 76% of test-takers pass upon the first attempt.
- The pass rate increases to 97% after the second attempt.

- About 100 or more students take (or re-take) the WPE during finals week of their final quarter on campus.

**Problem:**

The group of students that waits until their senior year to attempt completion of the GWR through the WPE is clearly anxious. Some test-takers are so nervous during the exam that they freeze: they write one or two lines, close the exam booklet, and give up. The majority, nonetheless nervous, manages to complete the exam, yet many are not relieved of stress until they learn of their passing score. Those who take the exam during their final quarter and have jobs pending particularly fear that they will not be employed if they do not pass the exam. Of those that do not pass, some come into the Writing & Rhetoric Center office in tears or enraged because they must re-take the exam during final exam week.

In order to accommodate these students, the Writing & Rhetoric Center office coordinator counsels them, sets them up with one-to-one feedback from a tutor and/or offers consultation with the WPE coordinator, and works with each of them individually to provide support to pass the exam. In addition, the office coordinator schedules as many as four different exam times and locations during finals week, scrambles to hire exam proctors with the three hours available in their schedule to sit with the exam-takers (because we allow graduating seniors an extra hour to take the exam in hopes of decreasing their test anxiety), and tasks WPE faculty readers with additional assessment needs during their already full grading schedules. During the assessment of the final exam batch of WPEs, readers may feel pressure to pass student essays because they are fully aware that students' degree completion is riding upon doing so.

About 10 to 12 students each year are denied graduation because they do not satisfy the GWR through the WPE. Although these are small numbers, these students move on from Cal Poly without their degree, with some contacting the Writing & Rhetoric Center office years later with a request to return to take the exam. After being away from school for an extended period of time, these former students struggle to meet the requirement and often opt to complete the quarter-long GWR Portfolio Program. They must then hire and pay for a personal tutor instead of having the benefit of working with the Cal Poly tutors and resources to meet the requirement.

In all, when students choose to take the exam during their last year on campus, and especially during the quarter they hope to graduate, the university is not afforded an opportunity to utilize the GWR as a pedagogical tool, one that helps students determine whether they would benefit from additional writing instruction to meet the level of expected writing proficiency for successful completion of senior-level capstone coursework.

Rather than being viewed as a hoop that students must jump through in order to earn their degree or as a barrier to graduation for those who wait to the last minute to attempt to satisfy the requirement but do not, the GWR should be viewed more accurately as a diagnostic exam for the higher-level writing to be encountered in capstone courses. The task force members believe that this perspective on the GWR more closely mirrors the intention behind EO 665.

**Considerations:**

Two senate resolutions were passed in the early 2000s that address the timing of GWR completion on campuses:

- 1) Cal Poly's AS-550-00/CC Resolution on the Graduation Writing Requirement, adopted on October 24, 2000, resolved the following: to "encourage students to attempt the GWR early in their junior year;"
- 2) AS-2627-03/AA of the CSU Senate, adopted January 22-23, 2004, accepted the recommendations of a 2002 CSU report of campus GWR policies that states, "Each campus should develop a process that ensures student attempt the assessment in their junior year."

To ensure assessment in the junior year, a number of CSU campuses institute registration holds for students that do not fulfill the GWR by the end of their junior year, including CSULA, CSULB, Cal Poly Pomona, Sac State, Northridge, and Dominguez Hills. As a for instance, at Dominguez Hills students receive a letter from advising, which indicates that they have not met the requirement; they receive a hold on their registration; and they must meet with an advisor and sign a contract that states that they will register for the next exam before the hold is released.

The task force considered the option of placing a hold on registration but believes that students will view a hold as a punitive measure, and the task force would like to avoid "mini crises" that may result from such an approach. The task force also understands that a registration hold will be cumbersome to enforce. Finally, a hold on registration may become a barrier to graduation, which the task force determined to be an unproductive approach to this issue.

As well, the task force considered recommending that the senate resolve that all departments require students to complete the GWR as a prerequisite for senior project/capstone work and that the Office of the Registrar builds the prerequisite into the system to block students from enrolling in senior project coursework until the requirement is fulfilled. The task force believes that this type of prerequisite might be difficult to enforce and may become cumbersome, especially if departments simply decide to override the requirement by providing students with permission numbers. And, the task force understands that this solution has already been attempted, i.e. that there were several departments that built this into their programs but removed it from the "hard" prerequisites once the Registrar's Office more strictly enforced prerequisites.

**Task Force Recommendation:**

In an effort to comply with EO 665 and subsequent senate resolutions, the GWR Academic Senate Task Force recommends that the following actions be implemented to incentivize students to attempt to fulfill the GWR during their junior year:

1. The Writing & Rhetoric Center will coordinate with the Office of the Registrar to revise the catalog language to reflect the recommendation that students complete the requirement during the junior year (90-135 units in a 180-unit program).

2. The Writing & Rhetoric Center will collaborate with the Office of the Registrar to revise the language on curriculum flow charts to reflect the recommendation that students complete the requirement during the junior year.
3. The Writing & Rhetoric Center will partner with constituents across campus to improve outreach to students who have earned ninety units and encourage them to complete the requirement during their junior year.
4. The Office of the Registrar will update PASS so students can search for GWR-approved English classes. (Students can currently search PASS for USCP classes, but they cannot search for GWR classes.)
5. The English Department will reserve for juniors some seats and/or sections in GWR-approved English classes. The number of seats/sections will be determined by the department in collaboration with the Writing & Rhetoric Center and the College of Liberal Arts.
6. The Writing & Rhetoric Center will coordinate with the Office of the Registrar to attempt to program the Milestone Effective Date in PeopleSoft so that students earn their graduating senior registration rotation for their final quarter by completing the GWR two or more quarters prior to their graduation quarter.

Further, the task force considered the following three approaches to addressing this issue:

1. Require that by the curriculum cycle for the 2017-2019 catalog programs/departments identify at least one upper-level capstone course (such as a senior project course or another course that involves senior-level writing) for which the prerequisite would be completion of the GWR and are thereby compliant with the Executive Order.
2. Encourage that by the curriculum cycle for the 2017-2019 catalog programs/departments identify at least one upper-level capstone course (such as a senior project course or another course that involves senior-level writing) for which the prerequisite would be completion of the GWR and are thereby compliant with the Executive Order.
3. Require that by the curriculum cycle for the 2017-2019 catalog programs/departments develop a concrete action plan so that their students take the GWR during junior year and are thereby compliant with the Executive Order. Programs/departments may design a plan that works best for their students. The GWR Academic Senate Task Force recommends that the action plan consist of identifying at least one upper-level capstone course (such as a senior project course or another course that involves senior-level writing) for which the prerequisite would be completion of the GWR. Other options include: increased advising, department holds on registration, and/or revised flow charts.

As well as recommending that action items 1-6 be implemented in order to address this issue,

on April 2, 2015, the task force voted, and the majority of members supports promoting option three as an additional approach to regulating a change to the time during which students attempt to complete the GWR on campus.

The task force also recommended that the Writing & Rhetoric Center in collaboration with the Office of the Registrar be granted oversight over monitoring completion of the above once the senate determines the best approach(es) to attending to the charge.

We recognize the challenges of shifting the WPE to junior year, but we believe that doing so is imperative in order to comply with EO 665 and avoid unnecessary stress to both the students that take the exam at the last minute and the faculty and staff that support them.

Adopted:

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

**AS-\_\_\_-15**

**RESOLUTION ON CAL POLY STATEMENT ON DIVERSITY AND INCLUSIVITY**

1 WHEREAS, The Academic Senate has approved several resolutions since 1987 regarding the  
2 importance of diversity and educational equity; and  
3

4 WHEREAS, Among these resolutions includes the "Cal Poly Statement on Diversity," which  
5 was approved in 1998; and  
6

7 WHEREAS, In the ensuing years since the Cal Poly Statement on Diversity was approved  
8 faculty, staff, and students have worked to gain a deeper understanding of the  
9 importance of diversity and educational equity through a myriad of approaches  
10 including the adoption of the Inclusive Excellence in 2009; and  
11

12 WHEREAS, Today at Cal Poly we continue to strive to increase diversity, but in addition, we  
13 attend more closely than ever to fostering a culture of inclusivity for every  
14 faculty, staff, and student member on this campus; therefore, be it  
15

16 RESOLVED: That the Inclusive Excellence Council has developed a new statement on diversity  
17 to reflect the inclusivity aspect of our university; and be it further  
18

19 RESOLVED: That the Academic Senate approves the attached Cal Poly Statement on Diversity  
20 and Inclusivity.  
21

Proposed by: Inclusive Excellence Council  
Date: September 15, 2015

**Cal Poly Statement on Diversity and Inclusivity**  
**September 15, 2015**

At Cal Poly our primary mission is to educate. We believe that academic freedom, a cornerstone value, is exercised best when there is understanding and respect for our diversity of experiences, identities, and worldviews. Consequently, we create learning environments that allow for meaningful development of self-awareness, knowledge, and skills alongside attention to others who may have experiences, worldviews, and values that are different from our own. In so doing, we encourage our students, faculty, and staff to seek out opportunities to engage with others who are both similar and different from them, thereby increasing their capacity for knowledge, empathy, and conscious participation in local and global communities.

In the spirit of educational equity, and in acknowledgement of the significant ways in which a university education can transform the lives of individuals and communities, we strive to increase the diversity at Cal Poly. As an institution that serves the state of California within a global context, we support the recruitment, retention, and success of talented students, faculty, and staff from across all societies, especially people who are from historically and societally marginalized and underrepresented groups.

Cal Poly is an inclusive community that embraces differences in people and thoughts. By being open to new ideas and showing respect for diverse points of view, we support a climate that allows all students, faculty, and staff to feel nurtured, which in turn facilitates the recruitment and retention of a diverse campus population. We are a culturally invested university whose members take personal responsibility for fostering excellence in our own and others' endeavors. To this end, we support an increased awareness and understanding of how one's own identity facets (such as race, ethnicity, gender, sexual orientation, religion, age, disability, social class, and nation of origin) and the combinations of these identities and experiences that may accompany them can affect our different worldviews.

# THE CALIFORNIA STATE UNIVERSITY

## OFFICE OF THE CHANCELLOR

BAKERSFIELD

June 8, 2015

CHANNEL ISLANDS

Dr. Gary Laver, Academic Senate Chair  
Academic Senate Executive Committee Members  
California Polytechnic State University  
San Luis Obispo, California 93407

CHICO

DOMINGUEZ HILLS

EAST BAY

Dear Professor Laver and Colleagues:

FRESNO

I reviewed your June 2, 2015 'Resolution AS-799-15' that requests my prompt review of Cal Poly San Luis Obispo governance. I have reflected on the resolution, and discussed it with President Armstrong. It is noteworthy that the Senate, President and the senior leadership team care deeply about the future of Cal Poly SLO, as do I. I also commend your passion for and commitment to student success, and faculty and staff success, through shared governance.

FULLERTON

HUMBOLDT

LONG BEACH

LOS ANGELES

Your voice has been heard and the concerns are acknowledged. My understanding has been informed in multiple ways, including:

MARITIME ACADEMY

- Resolution AS-799-15
- Conversations that I and other new members of my senior leadership have benefited from when visiting campus
- The recent 360 degree review of President Armstrong that I conducted for the Board of Trustees; this review benefited by letters from 87 respondents (Cal Poly SLO faculty, staff, students, alumni, community and business leaders)

MONTEREY BAY

NORTHRIDGE

POMONA

SACRAMENTO

SAN BERNARDINO

SAN DIEGO

SAN FRANCISCO

SAN JOSÉ

SAN LUIS OBISPO

President Armstrong began his service as president in 2011, the time when the national recession was continuing to take its toll on the CSU. For several years now it has not been an easy time in public higher education in California, and we still have not recovered the resources we had before the recession. This new environment has changed the way in which we go about designing and executing our future. I acknowledge, understand and appreciate this new reality creates stress within a community of scholars, and I surmise it is part of the reason the resolution was drafted.

SAN MARCOS

SONOMA

STANISLAUS

The aforementioned receipt of 87 letters came from an open invitation for letters and feedback on the president's performance. I received a high volume of unsolicited letters regarding President Armstrong, which is unusual and remarkable, and reflective of a robust and healthy engagement and attention by the



Dr. Gary Laver  
June 8, 2015  
Page 2

Cal Poly community to the energy and direction of campus leadership. The letters expressed optimism and appreciation along with some concerns from campus (but not external constituents). The concerns articulated were primarily related to pace of change, timely communication, transparency, and the desire to see results from planning.

In late January 2015, the CSU Board of Trustees and I discussed with President Armstrong the vision and plan for Cal Poly, as well as the concerns noted through the review process. We had a thorough, frank and honest discussion. President Armstrong has been responsive to this input, as evidenced in part by the formation of a new Campus Advisory Council on Planning Process and Budget. We discussed several goals going forward, including increasing diversity of the student body and faculty/staff, enhancing the learning and research environment, improving campus climate and student success, and enhancing revenue acquisition through innovative partnerships and strategies.

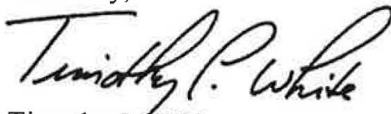
The trustees and I concluded that President Armstrong has demonstrated strong leadership and management skills at Cal Poly. We understood the challenges he has faced, especially in the recent budget environment, and are pleased with the progress to date. The board and I concur that President Armstrong is an energetic, engaged and caring leader, and that he is providing leadership through a necessary period of priority-setting and change that will ensure the success of this great campus well into the future. He has our unequivocal support.

Indeed, the path forward at Cal Poly will be best served in a shared governance environment (shared leadership as you may know I prefer to describe the concept). Together you can make progress as you focus on student success and the future of Cal Poly. You have *Vision 2020* to help guide the path forward. I know your Academic Senate is committed to these goals, and I know President Armstrong is committed to these goals.

I feel strongly about the merits of shared governance, and I concur with the importance of working together as a campus community to address the issues raised. Such conversations are best done by the campus community, particularly one as accomplished as Cal Poly SLO, and not by an intervention from me.

I wish you well as you wind down this academic year, and I look forward to learning from you next year of the further progress made on these matters.

Sincerely,



Timothy P. White  
Chancellor

c: President Jeffrey D. Armstrong

Adopted: June 2, 2015

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

**AS-799-15**

**RESOLUTION REQUESTING THAT CHANCELLOR TIM WHITE UNDERTAKE A  
PROMPT REVIEW OF CAL POLY, SLO GOVERNANCE**

- 1 WHEREAS, The Academic Senate has the right to present to the Chancellor or the Board of  
2 Trustees of the CSU any matter pertaining to the conduct and welfare of the  
3 University; and  
4
- 5 WHEREAS, The Academic Senate of Cal Poly, San Luis Obispo has received widespread  
6 expressions of concern from faculty and staff about the efficacy and responsiveness  
7 of governance on campus; and  
8
- 9 WHEREAS, A series of conflicts over the last few years has highlighted issues related to  
10 communication, transparency and shared governance, has opened serious rifts in  
11 our shared sense of community, and has contributed to extremely low morale; and  
12
- 13 WHEREAS, Cal Poly, San Luis Obispo needs to refocus its attention on its core mission to serve  
14 our students and community through teaching, research and service; and  
15
- 16 WHEREAS, A fresh look at the Cal Poly, San Luis Obispo situation from outside the campus  
17 could help diagnose problems and identify solutions, therefore be it  
18
- 19 RESOLVED: That the Academic Senate of Cal Poly, San Luis Obispo requests that Chancellor  
20 Tim White undertake a review of the governance at Cal Poly, San Luis Obispo, and  
21 that this review begin fall quarter 2015. We recommend that the review should  
22 broadly and confidentially consult with all relevant campus leaders and groups –  
23 including faculty, staff, students and all levels of administration. We urge that the  
24 Chancellor use the findings of the review to implement any measures needed to  
25 improve the meaningful communication and transparency of management and to  
26 help restore a strong sense of shared governance to our campus; and be it further  
27
- 28 RESOLVED: That the Academic Senate of Cal Poly, San Luis Obispo make this request  
29 respectfully, with a desire for a constructive outcome, and with no preconceived  
30 vision.

Proposed by: Wyatt Brown, CAFES Senator  
Date: May 13, 2015  
Revised: May 15, 2015  
Revised: May 27, 2015

State of California  
**Memorandum**

-23-

**CAL POLY**  
SAN LUIS OBISPO

**To:** Gary Laver  
Chair, Academic Senate

**Date:** June 30, 2015

**From:** Jeffrey D. Armstrong  
President



**Copies:** K. Enz Finken

**Subject:** Response to Academic Senate Resolution AS-799-15  
Resolution Requesting that Chancellor Tim White Undertake a Prompt Review of Cal Poly,  
SLO Governance

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This memo formally acknowledges receipt of the above-entitled Academic Senate resolution. I appreciate and share the Senate's commitment to shared governance. Additionally, I appreciate Chancellor White's response and look forward to working together with the Senate to enhance transparency and shared governance.

Adopted: November 26, 1996

**ACADEMIC SENATE  
OF  
CALIFORNIA POLYTECHNIC STATE UNIVERSITY  
San Luis Obispo, California**

**AS-471-96/SWC  
RESOLUTION ON  
AMOROUS RELATIONSHIPS**

- WHEREAS, Faculty or instructional staff hold positions of authority that involve the legitimate exercise of power over others; and
- WHEREAS, Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power; and
- WHEREAS, The issue of appropriate and inappropriate relationships between students and faculty or instructional staff is very complex; and
- WHEREAS, It is the responsibility of Cal Poly faculty to maintain the highest standards of professional ethics; and
- WHEREAS, Cal Poly's Faculty Code of Ethics and the AAUP's Statement on Professional Ethics affirm that (1) professors adhere to their proper roles as intellectual guides and counselors, (2) they make every reasonable effort to assure that their evaluations of students reflect each student's true merit, and (3) they avoid any exploitation of students; therefore, be it
- RESOLVED: That Cal Poly adopt the attached *Policy on Amorous Relationships Between Students and Faculty or Instructional Staff Who Evaluate or Supervise Them*.

Proposed by the Status of Women Committee  
May 13, 1996  
Revised October 29, 1996  
Revised November 12, 1996

## **POLICY ON AMOROUS RELATIONSHIPS BETWEEN STUDENTS AND FACULTY OR INSTRUCTIONAL STAFF WHO EVALUATE OR SUPERVISE THEM**

California Polytechnic State University, San Luis Obispo

May 10, 1996

### **I. POLICY STATEMENT: AMOROUS RELATIONSHIPS IN THE INSTRUCTIONAL CONTEXT**

**It is the policy of California Polytechnic State University, San Luis Obispo that faculty members or other instructional staff shall not initiate, pursue, or be involved in any amorous or sexual relationships (hereinafter referred to as amorous relationships) with any student whom they evaluate or supervise by virtue of their teaching, research, or administrative responsibilities.**

Friendships or mentoring relationships between faculty or instructional staff and students are not proscribed by this Policy, nor is it the intent of this Policy that such non-amorous relationships be discouraged or limited in any way.

### **II. RATIONALE FOR POLICY**

The University's educational mission is promoted by professionalism in faculty-student relationships, and professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty or other members of the instructional staff that undermine this professionalism jeopardize the University's ability to fulfill its educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power.

Faculty members and other instructional personnel exercise power over students, whether in giving them praise and criticism, evaluating their work, making recommendations for their further studies or future employment, or conferring other benefits on them. Because it may easily involve or appear to involve a conflict of interest, an amorous or sexual relationship between a faculty member or other member of the instructional staff and a student entails serious ethical concerns when the faculty or instructional staff member has professional responsibility for the student.

Voluntary consent by the student in such a relationship is difficult to determine with certainty, given the fundamentally asymmetric nature of the relationship. Because of the complex and subtle effects of that power differential, relationships may well be less consensual than the individual whose position confers power believes, and the faculty or instructional staff member bears a special burden of accountability in any such involvement.

Further, amorous or sexual relationships in which one person is in a position to review the work or influence the career of another may provide grounds for complaint by others outside the relationship when that relationship appears to give undue access or advantage to the individual involved in the relationship, or to restrict opportunities, or create a hostile and unacceptable environment for those outside the relationship. Other students and faculty may be affected by behavior that makes or appears to make obtaining benefits (such as advancing one student over others) contingent on amorous or sexual favors.

### III. DEFINITIONS

As used in this Policy, the term "faculty member" or "instructional staff" means any member of the university community who engages in instructional or evaluative activities of any student who is enrolled in a course being taught by that individual or whose academic work, including work as a teaching or research assistant, is being supervised or evaluated by that individual. Graduate or undergraduate students, when performing official University academic supervisory or evaluative roles with respect to other students, are considered instructional staff for the purposes of this Policy.

As used in this Policy, an amorous relationship exists when, without the benefit of marriage, two persons as ~~consenting~~ partners (a) have a sexual union or (b) engage in a romantic partnering or courtship that may or may not have been consummated sexually.

As used in this Policy, to "evaluate or supervise" means:

- a. To assess, determine or influence (1) one's academic performance, progress or potential or (2) one's entitlement to or eligibility for any instructionally conferred right, benefit or opportunity, or
- b. To oversee, manage or direct one's academic or other institutionally prescribed activities.

### IV. AMOROUS RELATIONSHIPS OUTSIDE THE INSTRUCTIONAL CONTEXT

Amorous relationships between faculty members or other members of the instructional staff and students occurring outside the instructional context may also lead to difficulties. Particularly when the individual and the student are in the same academic unit or in units that are academically allied, relationships that the involved parties view as consensual may be disruptive to unit activities and appear to others to be exploitative. Further, in these and other situations, the faculty or instructional staff member may face serious conflicts of interest. In any such situation, therefore, faculty or instructional staff members should be most careful to remove themselves from involvement with any decisions that may reward or penalize the student.

### V. PROCESS AND SANCTIONS

Because of the sensitive nature of such relationships, every reasonable effort should be made

to resolve alleged Policy violations on an informal basis if possible. Concerns about problems related to this Policy may be taken to the administrative official most directly involved, excluding the person alleged to have violated this Policy, or to one of the individuals listed below in Section VIII.

Any remedial actions taken through informal procedures by the administrative official most directly concerned, assuming s/he is not the person alleged to have violated this Policy, will depend on the totality of the circumstances. Efforts should be made to be constructively educational and to be corrective rather than punitive if a Policy violation is found: an acknowledgment of the violation and a commitment not to violate the Policy in the future, along with a warning or other appropriate action directed toward the faculty or other instructional staff member, may be sufficient resolution. In cases where further action is deemed appropriate, sanctions may range from a letter of reprimand to dismissal of faculty, all in accordance with applicable University procedures as identified in Articles 18 and 19 of the Collective Bargaining Agreement.

## VI. APPEALS

If not satisfied with the administrative official's decision, the faculty member or other member of the instructional staff accused of a Policy violation may proceed, in accordance with established procedures, to the grievance or hearings committees to which he or she otherwise has access.

## VII. ABUSE OF THIS POLICY

Complaints found to have been intentionally dishonest or made in willful disregard of the truth may subject the complainant to disciplinary action, with possible sanctions ranging from a letter of reprimand to dismissal.

## VIII. RESOURCES FOR ASSISTANCE AND INFORMATION

Questions concerning this Policy may be addressed to the University's Director of Affirmative Action (756-2062), Women's Program/Student Life and Activities (756-2476), the Sexual Harassment Advisors (names and numbers are available from Director of Affirmative Action), the Vice President of Student Affairs (756-1521), and the Vice President of Academic Affairs (756-2186).

Copies of the Policy are available from Department Chairs and from the offices listed above. These offices are also prepared to help people understand what the Policy means and what options for resolution are available if they believe they have experienced a problem related to this Policy in connection with their academic study or work at the University.

## CHAPTER FOUR

### OFFICE OF THE PRESIDENT

#### 420 EQUAL OPPORTUNITY

##### 420.1 Administration

Under the general direction of the director of University Diversity and Inclusivity, the director of Equal Opportunity is responsible for implementing and maintaining employment policies and procedures that comply with applicable state and federal non-discrimination and Affirmative Action obligations, laws, and regulations.

##### 420.2 Mission

The mission of the Office of Equal Opportunity is to expand, strengthen, and support inclusive excellence, and to increase respect for differences, multiculturalism, and collaboration within Cal Poly's work and educational communities. In support of the Cal Poly mission, the Equal Opportunity staff members are committed to promoting a culture that values individual and organizational integrity, civility, and diversity.

In order to accomplish this mission, we:

- Ensure University adherence to Equal Employment Opportunity (EEO) laws and regulations;
- Serve as campus Americans with Disabilities Act (ADA) and Section 504 compliance officer, supporting the efforts of Cal Poly to comply with all relevant disability laws;
- Serve as campus Title IX Coordinator, overseeing Cal Poly's handling of Title IX complaints, education and compliance efforts;
- Conduct investigations of alleged CSU or Cal Poly policy violations related to protected class status, whistleblowing, and/or other Equal Opportunity issues;
- Participate in campuswide efforts to increase inclusivity, assess and enhance campus climate;
- Provide direction on the implementation of the California Child Abuse and Neglect Reporting Act ("CANRA"), the requirement for mandatory reporting of child abuse and neglect; and
- Facilitate Conflict of Interest training, and assist with employee filings of the annual Form 700.

##### 420.3 Sexual Harassment



Cal Poly is committed to creating and maintaining an environment in which faculty, staff, and students work together in an atmosphere of mutual respect and unconstrained academic interchange. In the University environment, all individuals are entitled to benefit from University programs and activities without having to tolerate inappropriate behavior because of their gender.

This policy applies to all members of the University community and everyone is expected to give the subject the serious attention it requires. Sexual harassment violates University policy, seriously threatens the academic environment, is contrary to law, and will not be tolerated. The University also will not tolerate sexually harassing conduct by a non-employee toward any member of the University community where the non-employee and the member of the University community are participating in University activities. Independent contractors, vendors, and others who do business with the University or on University premises are expected to comply with this policy, and the University will take appropriate action if they fail to do so.

420.4      Amorous Relationships between Students and Faculty or Instructional Staff Who Evaluate or Supervise

420.4.1    Positions of Authority

It is recognized that faculty or instructional staff hold positions of authority that involve the legitimate exercise of power over others. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. The issue of appropriate and inappropriate relationships between students and faculty or instructional staff is very complex. It is the responsibility of Cal Poly faculty to maintain the highest standards of professional ethics. Cal Poly's Faculty Code of Ethics and the American Association of University Professors Statement on Professional Ethics affirm that: "professors adhere to their proper roles as intellectual guides and counselors; they make every reasonable effort to assure that their evaluations of students reflect each student's true merit; and they avoid any exploitation of students."

420.4.2    Academic Senate Resolution AS-471-96

On November 26, 1996, the Cal Poly Academic Senate adopted Academic Senate Resolution AS-471-96/SWC, Resolution on Amorous Relationships. On March 24, 1997, the resolution was approved by the President with a minor modification. This Policy was originally issued via Administrative Bulletin 98-1 to promulgate the policy, effective as of March 24, 1997.

## References for CAP 420:

1. Date approved by the President: March 7, 2014
2. Effective Date: March 7, 2014
3. Responsible Department/Office: Equal Opportunity
4. Revision History: May 22, 2014 editorial name change, February 10, 2015 references updated.
5. Related University Policies, Procedures, Manuals and/or Documents:
  - a. Equal Opportunity website.
  - b. Campus Administrative Bulletin 98-1: Cal Poly Policy on Amorous Relationships Between Students and Faculty or Instructional Staff Who Evaluate or Supervise Them.
  - c. CSU Executive Order 926, California State University Board of Trustees Policy on Disability Support and Accommodations and its successors.
  - d. CSU Executive Order 929, Reporting Procedures for Protected Disclosure of Improper Governmental Activities and/or Significant Threats to Health or Safety (Whistleblower Complaints) and its successors.
  - e. CSU Executive Order 1058, Complaint procedure for CSU employees, former employees and applicants for specific CSU employment who believe they have been retaliated against for making a protected disclosure (Whistleblower Retaliation) and its successors.
  - f. CSU Executive Order 1095, Implementation of Title IX, VAWA/Campus SaVE Act, and Related Sex Discrimination, Sexual Harassment and Sexual Violence Legislation and its successors.
  - g. CSU Executive Order 1098, Student Conduct Procedures and its successors.
  - h. CSU Executive Order 1097, Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students and its successors.
  - i. Executive Order 1083, Systemwide policy which provides direction on the implementation of the California Child Abuse and Neglect Reporting Act ("CANRA") (Penal Code 11164-11174.3), the requirement for mandatory reporting of child abuse and neglect and its successors.
  - j. Executive Order 1088, Reaffirms California State University's commitment to maintaining and implementing employment policies and procedures that comply with applicable affirmative action laws and regulations and its successors. Previously, the Systemwide affirmative action policy was combined with the nondiscrimination policy in one executive order. For clarity, the two policies are now articulated in two separate executive orders. This executive order supersedes Executive Order 883 and articulates the Systemwide affirmative action policy.
  - k. Executive Order 1096, Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedures for Handling Discrimination, Harassment and Retaliation Allegations by Employees and Third Parties and its successors.

- l. The Federal Genetic Information Nondiscrimination Act (GINA): The CSU, in its HR Technical Letter HR/EEO 2011-02, Summary of the mandates of the law provides a copy of the Federal Register, Part III, EEOC 29 CFR Part 1635, "Regulations Under the Genetic Information Nondiscrimination Act of 2008; Final Rule."
  - m. The CSU Systemwide Employment Discrimination Complaint Procedure, Outlines by unit/employee group which employment discrimination complaint policy (if any) applies to their group and the appropriate procedures.
  - n. The California Political Reform Act of 1974, Requires the University to adopt and communicate Conflict of Interest (COI) codes. In addition, the code requires employees in designated positions to file a Statement of Economic Interest (Form 700) annually, and complete Ethics Training within 6 months of assuming office and every two years thereafter.
6. Laws, Regulations and/or Codes of practice referred to herein or related to this policy:
- a. Title VII of the Federal 1964 Civil Rights Act: Title 42 U.S.C. Section 2000 et seq.
  - b. Title IX of the Federal Education Amendments of 1972: Title 20 U.S.C. Section 1681 et seq.
  - c. The Federal Genetic Information Nondiscrimination Act of 2008: Title 42, U.S.C. Section 2000ff.
  - d. The Federal Age Discrimination in Employment Act of 1967, Title 29 U.S.C. Section 633a(c).
  - e. The Federal Rehabilitation Act, Sections 501, 502, 503, 504 and 508: 29 U.S.C. Section 791.
  - f. The Federal Americans with Disabilities Act of 1990, Titles I, II, III, and IV, and the ADA Amendments Act of 2008: 42 U.S.C. Section 12101 et seq.
  - g. The Federal Family and Medical Leave Act of 1993: Title 29 U.S.C. Sections 2611 – 2615.
  - h. The Federal Pregnancy Discrimination Act: Title 42 U.S.C. Section 2000e(k).
  - i. The Federal statute prohibiting discrimination in employment against military service members and veterans, Title 38 U.S.C. Section 4311.
  - j. The California Fair Employment and Housing Act (FEHA): California Government Code Section 12940 et seq.
  - k. The California Whistleblower Protection Act: California Government Code Section 8547.
  - l. The California Political Reform Act of 1974: California Code of Regulations Section 81000 et seq.
  - m. California Government Code Section 12950.1.

## CSU Policy on Consensual Relationships

A CSU Employee shall not enter into a consensual relationship with a Student or Employee over whom s/he exercises or influences direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. In the event such a relationship already exists, each Campus shall develop a procedure to reassign such authority to avoid violations of this policy.

Consensual relationship means a sexual or romantic relationship between two persons who voluntarily enter into such a relationship. While sexual and/or romantic relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking subject to this policy.

The Campus Policy on Consensual Relationships can be found here: [Executive Order 1096 \(pdf\)](#). Questions concerning the policy may be addressed to the Office of Equal Opportunity (756-6770).

## Non-Discrimination Policy

It is the policy of the CSU to prohibit discrimination against faculty members on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, marital status, pregnancy, age, disability, or veteran status. Cal Poly will not tolerate acts of racism or discrimination of any type. The University is committed to being a community enriched by individual differences, in which diversity is valued and respected and in which all members live and work free from harassment, abuse, mockery, and discrimination.

## Drug-Free Environment

Cal Poly is fully committed to achieving an alcohol and drug-free environment for its students and employees. Federal law requires that Cal Poly create and maintain a drug-free environment and implement a prevention program for students and employees.

The University recognizes that alcohol and other drug dependencies are treatable conditions. Employees who suffer from a substance abuse problem are encouraged to get help immediately. Employee health insurance plans often defray part of the cost of rehabilitation programs. Cal Poly will also accommodate employees by allowing the use of sick leave or unpaid time off to participate in such programs.

A list of organizations which provide alcohol and other drug dependency treatment services may be obtained through the Employee Assistance Program anytime by visiting [www.liveandworkwell.com](http://www.liveandworkwell.com). You will be asked to either create a confidential personal login

## **Executive Order 1096 Procedure Timeline**

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Executive Order 1096 provides a systemwide procedure for handling allegations of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking by certain individuals (see Article III C. 1. Filing a Complaint.) Below is a summary of the Executive Order 1096 procedure timeline. For a full understanding and complete text, please consult Executive Order 1096.

- **Immediately following an act/action/incident that falls under Executive Order 1096** or as soon as possible thereafter, Complainants who believe they are or may have been victims of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence or Stalking, may initiate the **Article III. Campus Procedure for Responding to Complaints** to receive information about the procedures that exist for resolving such matters. All incidents should be reported even if a significant amount of time has passed. However, delaying a report or Complaint may impede the ability to conduct an investigation or take appropriate remedial actions.

**For the purpose of this Executive Order, Working Days** are defined as Monday through Friday, excluding all official holidays or Campus closures at the Campus where the Complaint originated or at the Chancellor's Office (CO) where the Complaint Appeal is reviewed.

- **Within ten (10) Working Days after receipt of a Complaint**, an intake interview shall be conducted with the Complainant.
- **Within ten (10) Working Days** after reviewing all written Complaints and the information received during the intake interview, the Discrimination/Harassment/Retaliation (DHR) Administrator or Title IX Coordinator will notify the Complainant that the Complaint has been accepted for investigation and the timeline for completion of the investigation. If the DHR Administrator or Title IX Coordinator determines the Complainant has failed to state a Complaint within the scope of this Executive Order, s/he will provide the Complainant with written notice of this determination within **ten (10) Working Days**. The DHR Administrator or Title IX Coordinator will also inform the Complainant that if additional information is provided, the Complaint will be reviewed again.
- **Within sixty (60) Working Days after the intake interview**, the Investigator shall complete the investigation, write and submit an investigation report to the campus designated DHR Administrator or Title IX Coordinator. If this timeline is extended pursuant to Article V. E, it shall not be extended for a period longer than an additional **thirty (30) Working Days** from the original due date.
- **Within ten (10) Working Days of receiving the investigation report**, the DHR Administrator or Title IX Coordinator shall review the investigation report and notify the Parties in writing of the investigation outcome. If the DHR Administrator or Title IX Coordinator performed the investigation, s/he shall notify the Parties in writing of the investigation outcome within **ten (10) Working Days** of completing the investigation report. The Notice shall indicate whether or not this Executive Order was violated and the Complainant's and Respondent's right to file an Appeal under this policy.

### **Executive Order 1096 Procedure Timeline**

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- **Within ten (10) Working Days after the date of the Notice of Investigation Outcome**, the Complainant may file a written appeal with the CO.
- **Within thirty (30) Working Days after receipt of the written Appeal**, the CO designee shall respond to the appealing party, unless the timeline has been extended pursuant to Article IV. G or Article V. E. A separate notification shall be provided to the non-appealing party, indicating whether or not the allegations were substantiated on Appeal by a Preponderance of the Evidence.
- **Closure.** The CO Appeal Response is final and concludes the Complaint and Appeal process under this Executive Order.

**Pursuant to EO 1096, Article V. E, the timelines noted above may be extended as follows:**

The timeline for the procedures contained within this Executive Order may be extended for any reason deemed to be legitimate by the Campus investigator/CO Appeal reviewer or by mutual agreement of the Parties. The timelines stated within this Executive Order will be automatically adjusted for a reasonable time period that should not exceed an additional **thirty (30) Working Days** for a Campus investigation or an additional **thirty (30) Working Days** for a reopened Campus investigation under Article IV. The Complainant and Respondent shall receive written notification of any period of extension.