

1990-91  
ACADEMIC SENATE  
California State University, Sacramento

AGENDA

Thursday, May 9, 1991

2:30 - 4:30 p.m.

Forest Suite, University Union

INFORMATION

1. Spring 1991 Academic Senate Meetings  
Thursdays, 2:30-4:30 p.m.  
Forest Suite, University Union  
May 16  
2:30-2:45, '91-92 Elections  
2:45-4:30, '90-91 Senate
2. Reception, May 9, 4:30 p.m., Library Room 1500 (1st Floor, Library South)
3. President's response to questions raised about Athletics

CONSENT CALENDAR

AS 91-38/AP, Ex. COMPLAINT HEARING PROCEDURES FOR STUDENTS

[Underlined amendments recommended by Executive Committee subsequent to item's removal from Consent Calendar on the April 25 Senate Agenda. See Attachment A.]

The Academic Senate acknowledges the need for adoption of a University policy on "Complaint Hearing Procedures for Students" and supports the intent of PM 91-03 on this subject (**Attachment A, 4/25/91 Senate Agenda**) distributed by the President on January 22, 1991. However, the Academic Senate shares the concerns expressed by the Academic Policies Committee (**Attachment B, 4/25/91 Senate Agenda**) that the procedures specified may seem formidable and intimidating to students and recommends that, if possible, procedures be simplified.

With regard to the proposed scope of the policy, the Academic Senate, based on the recommendations of the Academic Policies Committee (**Attachment B, 4/25/91 Senate Agenda**), recommends that its application be limited to complaints of a nature that are not the subject of other campus policies or State and Federal regulation (e.g., Federal Rehabilitation Act, Section 504). Specifically, the Academic Senate recommends that, in addition to complaints of grade appeals (governed by E.O. 320 and AS 87-47 as amended by AS 88-67) and sexual harassment, complaints of harassment or discrimination on the basis of gender, sexual orientation, race or ethnicity, age and physical

disability be excluded from the scope of the proposed policy. The Academic Senate recommends that the process for harassment/discrimination complaints of the nature specified be similar to the process for dealing with sexual harassment complaints, and that, in the absence of a policy on this subject, procedures delineated in the Sexual Harassment Policy be adopted as the approved interim policy for dealing with harassment/discrimination complaints of the nature specified.

With regard to the particulars of the proposed policy, the Academic Senate urges that the "Complaint Coordinator" or office responsible for administration of the policy be clearly identified in the policy. In addition, since the policy does not provide for participation of legal counsel, the Academic Senate recommends that provision be included to insure that the process, or the results of the process, cannot be used to seriously prejudice the legally protected interests of the parties to the complaint.

Finally, the Academic Senate urges that a strategy be developed to insure that students are informed of the policy and able to access the process without undue impediment.

AS 91-46/CC, GPPC, Ex. COMPUTER PROFICIENCY, CATALOG DEFINITION OF

The Academic Senate recommends approval of the Academic Telecommunications Advisory Committee's resolution regarding computer proficiency:

WHEREAS, Computer-based exercises and services are becoming more prominent in the curriculum; and

WHEREAS, The applications of this technology tend to be disciplined-based; and

WHEREAS, The tools used to implement this technology differ somewhat in the procedures for access; and

WHEREAS, Students need to be aware of the specific expectations involved in classes they take; and

WHEREAS, The CSUS Catalog represents the official description of the classes on this campus; therefore, be it

RESOLVED: That the following language be included in the "Definition of Key Terms" section of the 1992-94 CSUS Catalog:

**Definition of Key Terms** (page 84 of current catalog)**Computer Proficiency.**

Courses using the various forms of computers and labeled as such will include a notice within the catalog description identifying the specific knowledge requirement as listed below:

**MAC-OS** - start-up procedures, icon usage, file management, mouse input, print, backup, formatting and copying.

**PC-DOS** - Start-up procedures, disk formatting and copying, print, directory listing and program access

**UNIX** - Log-in procedures, directory navigation, print, copy, run programs and file management.

**VMS** - Log-in procedures, directory navigation, print, copy, run programs, and file management.

;and, be it further

**RESOLVED:** That departments may request additions or deletions to the above list as changes in curriculums occur; and, be it further

**RESOLVED:** That course descriptions, where appropriate, be revised as shown below:

Proficiency in PC-DOS is recommended (see page ?).

(MAC-OS)

(UNIX )

(VMS )

**AS 91-47/CC, FisA, Ex. PROGRAM CHANGES**

- a. **B.S. in Nursing:** The Academic Senate recommends approval of the revision of the B.S. in Nursing (i.e., move upper division courses Nurs 111, 112, and 140 to lower division courses Nurs 11, 12, and 40 and add three new upper division courses Nurs 111.2, 128 and 150). (FisA: "No fiscal impact.")



- b. **Art Waiver Program:** The Academic Senate recommends approval of the revisions to the Art Waiver Program as summarized in Attachment B. (FisA: "No significant fiscal impact.")
- c. **General Physical Education Option:** The Academic Senate recommends approval of the Department of Health and Physical Education's request to 1) change the existing "General Option" to the "Credential Option," and 2) create a new "General Option" with the requirements specified in Attachment C. (FisA: "The additional .3 faculty position required does not appear significant and, unless funding is not provided for the new building, the equipment necessary to support the program should be available. However, the committee has some concern about the enrollment estimates given and about the real impact that a lower enrollment in the program would have on the department. At a time of restricted funds, multiplying the number of programs in a department reduces this department's ability to respond to decreased funding. The committee also recommends that the department review its decision to classify as C2 a course where the enrollment is limited to 30 students; C4 might be a better choice.")
- d. **Mechanical Engineering Technology:** The Academic Senate recommends approval of the proposed revision of the B.S. in Mechanical Engineering Technology (i.e., replace MET 176 and 177 which are both C4/C16 courses with MET 178 which is a C4 course and MET 179 which is a C4/C16 course). (FisA: "No significant fiscal impact.")

AS 91-48/AP, Ex. INTERNATIONAL PROGRAMS COMMITTEE, ESTABLISH

The Academic Senate amends its committee organization structure as follows:

1. An International Programs Committee with the membership and charge specified below shall be established as a standing committee of the Academic Senate.
2. The International Programs Subcommittee shall be transferred from the Academic Policies Committee to the newly established International Programs Committee.
3. The subcommittee shall be renamed the Study Abroad Programs Subcommittee and its membership and charge revised as specified below.

**INTERNATIONAL PROGRAMS COMMITTEE**Membership

Membership shall be in accordance with the general provision on standing committee membership<sup>1</sup>, except that 1) student membership shall be increased from one to two students, one of whom shall be an international student (defined as having F-1 or J-1 visa status), and 2) the campus designee to the CSU Academic Council on International Programs if not included in the regular membership, shall be added to the membership as an ex-officio non-voting member.

Charge

The International Programs Committee shall review and recommend policies concerning the development of internationally-oriented academic courses and programs, including majors, minors, and certificate programs, for credit study abroad programs, faculty and student exchange programs, and international student and visiting scholars programs. The Committee shall have responsibility for assessing the degree to which international curricular and programmatic proposals advance the goals of internationalizing the University's educational mission. The Committee shall also have responsibility for remaining informed of activities of the CSU Academic Council on International Programs and for reviewing and making recommendations on systemwide programs and proposals pertaining to International Programs.

Committee recommendations shall be forwarded to the Chair of the Academic Senate for placement on the Senate agenda or other appropriate action. In areas where the International Programs Committee does not have final or sole jurisdiction (e.g., program change proposals), the Chair of the Academic Senate shall forward Committee recommendations to other committees or groups, as appropriate.

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<sup>1</sup>The general provision on standing committee membership is as follows:

- 1 Professional School faculty
- 1 Arts and Sciences faculty
- 4 At-large faculty
- 2 Senators
- 1 Staff
- 1 Professional Services (SSP)
- 1 Student appointed by ASI

**STUDY ABROAD PROGRAMS SUBCOMMITTEE**

The Study Abroad Programs Subcommittee (formerly the International Programs Subcommittee of Academic Policies) shall review applications for the CSU study abroad programs and select students for participation. The Subcommittee shall make reports to the International Programs Committee on applications reviewed and students selected. Students may appeal decisions of the Subcommittee to the International Programs Committee.

The membership of the Study Abroad Programs Subcommittee shall be appointed by the International Programs Committee. Members shall serve two-year terms. The Subcommittee shall select its own chair. Membership shall be constituted as follows:

- 5 instructional faculty, at least one of whom must be a member of the International Programs Committee (if possible, the faculty membership shall include faculty who have served as Resident Directors in Study Abroad Programs)
- 1 student support staff member or student service professional with internationally-oriented responsibilities
- 1 Director of International Programs, (ex-officio, voting)

The Academic Senate refers to the newly established International Programs Committee the 1987 Report of the ad hoc Committee on the Internationalization of the Undergraduate Curriculum and requests that the Committee review and make recommendations on the report.

**REGULAR AGENDA**

*Approved*  
AS 91-45/Flr. MINUTES

Approval of Minutes of April 25 (#22), 1991.

AS 91-42/Flr. GENERAL EDUCATION AND OTHER COURSE/PROFICIENCY REQUIREMENTS FOR THE BACCALAUREATE DEGREE, POLICIES PERTAINING TO (Effective Fall 1992)

*Carried* [See May 2 Senate Agenda enclosure (green) and amendments distributed at the May 2 meeting.]

The Academic Senate receives the document titled "Policies Pertaining to General Education Program and Other Course/Proficiency Requirements for Graduation with the Baccalaureate Degree" (GREEN Enclosure with May 2, 1991, Senate Agenda and amendments distributed at the May 2 Senate meeting)



and certifies that the document constitutes an accurate and complete compilation of policy revisions and implementation provisions adopted by the Senate during the course of its review of the General Education Program (initiated in Fall 1989 and ending in May 1991) and unrevised policies that are to remain in effect. The Academic Senate recommends that the document be adopted as the official, comprehensive statement of policies pertaining to general education and other course/proficiency requirements for the baccalaureate degree, that all policies pertaining to the G.E. Program or course/proficiency requirements for the baccalaureate degree contained herein supersede policies on the same subjects adopted previously<sup>a</sup>, and that new policies and policy revisions pertaining to these subjects adopted subsequent to May 1991 be enacted as amendments to the document received and certified by the Academic Senate on this date, May 9, 1991.

<sup>a</sup>While an effort has been made to incorporate into this document all policies relevant to G.E. and other University course/proficiency requirements for the baccalaureate degree, some may have been omitted. Omitted policies, or portions thereof, that are not in conflict with those contained herein, shall remain in effect.

42A  
AS 91-53 Commendatio

AS 91-53 G.E. Administrator

AS 91-56 Funding of Research Assigned Time Program

AS 91-58 Priorities in Athletics

AS 91-49/CODE/AA, Ex. Fk SEXUAL HARASSMENT POLICY [Amends PM 85-17]

Carried  
5/16/91

The Academic Senate recommends amendment of the CSUS "Policy Against Sexual Harassment" [PM 85-17], as follows [strikeover = deletion; underline = addition]: (See Attachment D)

*Further, the Ad...*

In addition, the Academic Senate endorses the following statement from the Committee on Diversity and Equity/AA (CODE) and forwards it to the president for consideration:

"The Committee [CODE] notes that the document includes a 'policy of ensuring that an educational awareness program exists for all supervisors/managers and all faculty, full-time, part-time, temporary and permanent' (p. 2). The Committee's prime concern is that such an educational program be allocated sufficient staff and resources to accomplish its directive. The Committee further notes that present staff and resources should be augmented to meet this directive, thereby establishing education and prevention as priority considerations."

Carried  
5/16/91

AS 91-50/Ex. Fk FACULTY PROFESSIONAL ETHICS, STATEMENT OF (In response to AS 90-9)

WHEREAS, On April 7, 1988, the Chairs of all University academic departments expressed the need for a statement to address ethics issues; and,

- WHEREAS, On February 8, 1990, the Academic Senate passed AS 90-9 (CSUS Policy on Faculty Professional Ethics), which included a recommendation to establish an ad hoc Committee to develop a more specific statement of ethics for the CSUS campus; and,
- WHEREAS, An ad hoc Committee to address Faculty Ethics was created in October of 1990 and has met frequently since that time; and,
- WHEREAS, A document has been prepared to provide guidance to all faculty as to the policy on Faculty Ethics; therefore, be it
- RESOLVED, That the Academic Senate adopt the following policy as the policy on Faculty Professional Ethics at CSUS, with AS 90-9 (Attachment E) as an addendum.

#### STATEMENT ON FACULTY PROFESSIONAL ETHICS

It is the purpose of this document to affirm the tenets of ethical professional conduct for faculty at California State University, Sacramento and to provide guidance to faculty in following those tenets.

The academic community of faculty, students and staff at CSUS shares a dedication to and a responsibility for protecting the right to free inquiry and autonomy, stimulating intellectual growth, and protecting the well-being of all its members. At times, a faculty member may need to make a choice between fulfilling a responsibility to him/herself and fulfilling his/her responsibility to the academic community. The decision made in such a circumstance may cause the faculty member's professional ethics to be called into question.

This statement affirms three main tenets of professional conduct which provide the basis of assessment of an individual's professional ethics. First, a faculty member bases evaluations and judgments regarding students and colleagues on observable evidence and equitable applied standards. Thus, the faculty member avoids exploitation, harassment, or discriminatory treatment of members of the academic community. Second, a faculty member gives priority to the fulfillment of his/her obligation to the academic community over off-campus activities other than those associated with one's ordinary duties and responsibilities. Third, a faculty member honors his/her academic debt to the work of other scholars.



The responsibility for abiding by these tenets lies with the individual faculty member. It is the responsibility of the University to inform the faculty member if the perception has been created that a possible breach of ethics has occurred.

Listed below are some examples of situations in which the choice made by a faculty member could make him/her vulnerable to the accusation that he/she has committed a breach of professional ethics.

1. Making decisions regarding other members of the academic community with whom there is an intimate relationship or when there is unresolved conflict regarding scholarly, pedagogical or other matters between the faculty member and the other individual. Such decisions may include but are not limited to:
  - Evaluating or influencing the evaluation of performance;
  - Assigning or influencing the assignment of work, including faculty teaching loads, schedules, staff responsibilities, and student assignments;
  - Awarding compensating time off to faculty and staff, including "assigned time";
  - Distributing professional development funds, including travel money.
2. Persistently failing to honor obligations of the teaching profession, such as meeting classes, being accessible to students during office hours, providing a course syllabus for students and adhering to it, <sup>or providing students with</sup> timely and relevant feedback. <sup>giving in-class examinations before the final examination week</sup>
3. Undertaking off-campus commitments other than those associated with one's ordinary duties and responsibilities when these commitments conflict with one's obligations to meet classes, hold office hours, and fulfill responsibilities to department and campus committees and projects. <sup>or otherwise violating policy such as giving</sup>
4. Establishing a significant financial or contractual obligation with another member of the academic community when the possibility exists that one member may have influence over the other's evaluation.
5. Choosing whom to credit for significant contributions to one's research/scholarly activity.

- 6. Revealing confidential, sensitive or negative information regarding any member of the academic community.

A member of the faculty who is found, after an investigation, to be in violation of the tenets of professional ethics is subject to the appropriate disciplinary action as described in the Agreement Between the Board of Trustees of the California State University and the California Faculty Association, Unit 3--Faculty.

*Carved  
5/16/91*

AS 91-51/AP, Ex. ASSESSMENT POLICY, CSUS

The Academic Senate recommends adoption of the following Assessment Policy:

**ASSESSMENT POLICY**

Overview

Assessment at CSUS is a University wide unit\* based process to determine how well and in what ways individual units and the University are meeting their individual and collective goals. It was established by the Administration and the Academic Senate in response to a directive and guidelines from WASC. Assessment is an ongoing process, done by all units in the University and done by the members of each unit. This evaluation will become part of the program review process (this includes both Academic Program Review and Support Services Review), and as part of the program review process it will tie into the planning of the unit. The primary goal of assessment is to improve education at CSUS.

Each unit shall define its goals, and then shall evaluate the following:

- i) its goals and progress towards its goals
- ii) the interaction between its academic programs, student services, the campus environment--and how these relate to its goals
- iii) the results/effects of its goals on students.

Assessment is not done to justify funding, the results of assessment shall not be compared with results obtained in other units at CSUS or with units at other universities, and assessment shall be done by and for the unit.

\*Unit is used in a generic sense. This policy applies to departments, Schools, programs (e.g., G.E.), and other units (e.g., Student Services).

Assessment Plan

Each unit at CSUS shall be asked to define its methods of assessment and to explore new methods. This assessment/evaluation must be an ongoing process that is done by the members of the unit and which addresses the results of the programs, policies, and the planning of the unit.

Specifically:

- a. Units shall consider methods for evaluating the results of the programs, policies, and the planning of the unit (these methods should go beyond grades, and should result in giving information to the individual members of the unit, the unit as a whole, and to students). A copy of "Achieving Institutional Effectiveness through Assessment" (from WASC), and copies of the related WASC standards, shall be provided to all units, and the units shall address the guidelines from WASC in their assessment efforts.

This consideration shall include both a review of current evaluation practices, and consideration of alternative approaches - and this shall be done at the level of the unit and at the level of the members of the unit. Furthermore, units shall be encouraged to develop assessment methods that generate qualitative information rather than only quantitative data.

- b. Faculty and Student Services advisors shall assess the interaction between academic programs, student services and the campus environment (based on their relationships with their advisees). Again, this assessment shall generate qualitative information rather than only quantitative data.
- c. The Office of Institutional Studies shall assist units in using data that is currently collected by CSUS. Furthermore, the Office of Institutional Studies shall conduct a "census" to determine the types of data that are already being collected, and to determine the types of assessment models (and the analysis of the models) that are being used, and provide units with this information.
- d. Units shall incorporate assessment efforts in the program review process (this includes both Academic Program Review and Support Services Review), and as part of the program review process, assessment will tie into unit planning. Furthermore, program review shall address the effectiveness of the self-assessment that is done by units.

Some units are not reviewed as part of any review process that is defined by CSUS (e.g., Schools and the University).



For such units, Accrediting agencies (such as WASC, ABET) will be regarded as the means for outside review.

- e. The Dean of each School will have the responsibility of ensuring that each unit in the School develop and implement an assessment plan, and of cataloguing the information that is thereby obtained. Furthermore, the Dean of each School shall determine (through the program review process) if the School's goals are addressed by the units in the School.
- f. The Vice President for Academic Affairs will have the responsibility for ensuring that each University unit (e.g., G.E., Student Services, Hornet Foundation, University Media Center) develop and implement an assessment plan, and of cataloguing the information that is thereby obtained. Furthermore, the Vice President for Academic Affairs shall determine (through the program review process) if the University's goals are addressed by the units in the University.
- g. Units shall submit their assessment plans to an "Assessment Advisory Subcommittee" of the Academic Policies Committee, and this committee shall review these plans to determine if they are consistent with the spirit of this policy. The Assessment Advisory Committee will inform the unit and those involved with the program review of its recommendations.



# California State University, Sacramento

SACRAMENTO, CALIFORNIA 95819-2694

California State University, Sacramento  
6000 J Street  
Sacramento, California 95819

APR 24 1991

Academic Senate Received  
413

M E M O R A N D U M

DATE: April 24, 1991

TO: Juanita Barrena, Chair  
Academic Senate

FROM: *William A. Dillon*  
William Dillon  
Professor, Government Department

SUBJECT: AS 91-38, Complaint Hearing Procedures for Students, on  
the Senate's April 25 Agenda

=====

Review of the materials supporting discussion of the subject agenda item suggest that you have a problem that has been overlooked. Attached is the text of an amendment to the language of the proposed Senate recommendation to solve it. The amendment preserves the decision to exclude lawyers from that part of the process governed by the Complaint Policy but gives no more effect to certain decisions made in the absence of an opportunity for counsel than fairness and the law of due process will allow. When disciplinary action may arise from the determinations of a complaint panel, even though confided to other fora for further consideration, we are not dealing with issues so minor that they can be decided finally in a small claims situation.

If you are not persuaded to arrange the suggested motion to amend from the floor, would you be willing to recommit the matter to the Executive Committee to permit discussion of this amendment there?

WD:j

Attachment

P.S. There are additional problems (e.g., no complaint should be heard by the panel that is not rooted in previously published University regulations).

Proposed amendment underlined:

AS 91-38/AP, Ex. COMPLAINT HEARING PROCEDURES FOR STUDENTS

The Academic Senate acknowledges the need for adoption of a University policy on "Complaint Hearing Procedures for Students" and supports the intent of PM 91-03 on this subject (Attachment A) distributed by the President on January 22, 1991. However, the Academic Senate shares the concerns expressed by the Academic Policies Committee (Attachment B) that the procedures specified may seem formidable and intimidating to students and recommends that, if possible, procedures be simplified.

With regard to the proposed scope of the policy, the Academic Senate, based on the recommendations of the Academic Policies Committee (Attachment B), recommends that its application be limited to complaints of a nature that are not the subject of other campus policies or State and Federal regulation (e.g., Federal Rehabilitation Act, Section 504). Specifically, the Academic Senate recommends that, in addition to complaints of grade appeals (governed by E.O. 320 and AS 87-47 as amended by AS 88-67) and sexual harassment, complaints of harassment or discrimination on the basis of gender, sexual orientation, race or ethnicity, age and physical disability be excluded from the scope of the proposed policy. The Academic Senate recommends that the process for harassment/discrimination complaints of the nature specified be similar to the process for dealing with sexual harassment complaints, and that, in the absence of a policy on this subject, procedures delineated in the Sexual Harassment Policy be adopted as the approved interim policy for dealing with harassment/discrimination complaints of the nature specified.

With regard to the particulars of the proposed policy, the Academic Senate urges that the "Complaint Coordinator" or office responsible for administration of the policy be clearly identified in the policy.

The Senate further urges inclusion in the policy of the following language relative to the participation of counsel:

"In the absence of a provision for legal counsel in these procedures, no finding of fact or ruling of law made by the complaint panel in any matter before it shall determine either preliminarily or finally any issue of fact or law in any proceeding arising out of it."

Generally, fairness and due process do not require the participation of legal counsel at any particular stage in an administrative process leading to a result that may seriously prejudice the legally protected interest of a student, staff member or faculty member to remain in the University. But they do require that the opportunity for the participation of counsel be afforded at some point before the decision materially affecting that legal interest becomes final. By adopting the proposed language the University simply acknowledges that no issue of fact or law material to a final decision affecting the legal interest remaining in the University will be finally determined in that portion of the process governed by a Complaint Policy which specifically excludes the participation of legal counsel.

Finally, the Academic Senate urges that a strategy be developed to insure that students are informed of the policy and able to access the process without undue impediment.





# California State University, Sacramento

SACRAMENTO, CALIFORNIA 95819-2694

SCHOOL OF ARTS AND SCIENCES  
OFFICE OF THE DEAN  
FAX (916) 278-5787

TO: Jolene Koester, Interim Assistant Vice President  
Academic Affairs

FROM: Ann Weldy, Associate Dean  
School of Arts and Sciences *Ann Weldy*

RE: Revision of Art Waiver Program

DATE: March 4, 1991

MAR 1991  
RECEIVED  
ACADEMIC AFFAIRS

I am forwarding a proposal to revise the Art Waiver Program as follows:

1. Delete Journalism 101 from the Related Coursework, reducing the choice from three to two in its grouping (Art 122 and 160);
2. Add Art 102, Aesthetics and Criticism (3), as a required course in the Related Coursework;
3. Move from Basic Core Courses to Related Coursework: Art 121, Advanced Painting (3) and Art 133, Art and the Child (3);
4. Change title of Art 133 from "Art and the Child" to "Understanding and Creating Art, Level I" (3);
5. Art 120, 124, 125 and 145 form one grouping in the Related Coursework section of the program.

The new division of units required in the waiver program is:  
Basic Core Courses: 24 units  
Related Coursework: 24 units  
The total number of units for the Art Waiver Program remains at 48.

The proposal has been approved by all relevant committees in the School of Arts and Sciences and by the University Teacher Education Committee.

I concur with the committees and recommend approval.

AW:ph

Enclosure

NEW "GENERAL OPTION"

A. Required Common Core: 25 Units

BioS 10 Basic Biol Concepts (3)  
OR BioS 20 Biology: A Human Pers (3)  
BioS 22 Intro Human Anatomy (4)  
BioS 31 Intro Human Physiology (4)  
OR BioS 131 Syst Physiology (4)  
Chem 6A Intro to General Chemistry (5)  
PE 151 Kinesiology (3)  
PE 152 Physiology of Exercise (3)  
PE 158 Motor Learning (3)

B. Required Option Core: 30 Units

PE 137 Sociology of Sport (3)  
PE 160 Psychology of Sport (3)  
PE 134 Hist/Phil Found of PE (3)  
HmEc 16 Nutrition & Health (3)  
PE 132 Plan/Disgn/Mgn/Fit Ctr (3)  
PE 139 Princ of Lead/Comm (3)  
PE ? Lifespan Motor Develop (3)  
PE ? Biomechanics (3)  
PE ? Fund of Exercise (3)  
PE ? Inst Styles & Strat (3)

C. Required Analysis Courses: 7 Units

Any seven units of analysis courses (PE 141-149.6)

POLICY AGAINST SEXUAL HARASSMENT

It is the policy of California State University, Sacramento to maintain a working and learning environment free from sexual harassment of students, staff and faculty and those who seek such status. All students, staff and faculty should be aware that this University is concerned and will take action to eliminate sexual harassment. Sexual harassment is not only a unprofessional conduct and a violation of the law, it is also conduct subject to disciplinary action at the campus level.

This policy recognizes the University's commitment to the understanding that the maintenance of ethical standards and the concerns for academic freedom prohibit the exploitation of faculty, staff, and students. The University is required by law and by system policy to take all steps necessary to prevent sexual harassment. These steps include informing individuals of their rights and responsibilities, developing educational programs to sensitize the campus community to the issue, and developing sanctions against harassment. The University is also legally liable for sexual harassment perpetrated by its employees. Additionally, employees may also be held personally liable for acts of discrimination or sexual harassment.

Since sexual harassment is a complex, emotionally charged topic which raises questions about the nature of relationships among and between women and men persons of the same or opposite gender in academic and work environments, the University establishes a will continue its policy of ensuring the development of that an educational awareness program in which all exists for all supervisors-managers and all faculty, full-time and part-time,

temporary and permanent. ~~will be required to participate, beginning with mandatory participation in educational awareness workshops.~~ With education and strict enforcement, the University expects that incidents of sexual harassment will be reduced and that there will be a change in the attitudes and expectations that perpetuate it. The Affirmative Action Officer is responsible for leading this University effort. The ~~Associate Vice-President for~~ Dean of Faculty and Staff Affairs is the President's designee for purposes of this policy.

DEFINITION (of Sexual Harassment)

An individual's behavior constitutes sexual harassment when it is sexual in nature and unwanted by the person toward whom it is directed. A finding of sexual harassment will be made when one or more of the following circumstances are present:

1. Submission to or toleration of the conduct is an explicit or implicit term or condition of appointment, employment, admission, or academic evaluation;
2. Submission to or rejection of such conduct is used as a basis for a personnel decision or an academic evaluation affecting an individual;
3. The conduct has the purpose or effect of interfering with the work performance of faculty or staff or creating an intimidating, hostile, offensive or otherwise adverse working environment; or
4. The conduct has the purpose or effect of interfering with a student's academic performance, creating an intimidating,



hostile, offensive or otherwise adverse learning environment, or adversely affecting any student.

Examples of sexual harassment might include: inappropriate personal attention (including comments on personal appearance) by an instructor or person with power or authority over another, inappropriate touching, personal questions or comments of a sexual nature, pressure for dates or sexual activity, attempted sexual relations, sexual relations, sexual cartoons or posters and sexual jokes or comments.

#### AMOROUS RELATIONSHIPS IN THE INSTRUCTIONAL AND SUPERVISORIAL CONTEXT

No person who has instructional responsibilities (faculty, instructor, graduate assistant, adjunct, undergraduate assistant, tutor) shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course taught by the person with instructional responsibilities whose academic work (including work as a teaching assistant, internship supervision, etc.) is being supervised by the person with instructional responsibilities.

No person (faculty, student, staff and/or administrator) who has supervisorial or evaluative responsibilities shall have an amorous relationship (consensual or otherwise) with anyone with whom they have supervisorial responsibility.

Persons in pre-existing close personal relationships (including spousal) need to be aware of perceived or real conflicts of interest and should withdraw from participation in activities or decisions that may reward or

penalize anyone with whom they have instructional or supervisorial responsibility.

#### AMOROUS RELATIONSHIPS OUTSIDE THE INSTRUCTIONAL AND SUPERVISORIAL CONTEXT

Amorous relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that are parties view as consensual may appear to others to be exploitive. Further, in such situations (and others that cannot be anticipated), the faculty member may face serious conflicts of interest and should be careful to distance himself or herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

The above guidelines also apply to consensual relationships outside the supervisorial context for all faculty, students, staff and administrators.

#### COMPLAINT PROCEDURE

Prevention is the best tool for the elimination of sexual harassment. The University will take all steps necessary to prevent sexual harassment from occurring, by affirmatively raising the subject, expressing strong disapproval, applying appropriate sanctions, informing employees and

student of their rights and how to raise the issue of harassment under Titles VII and IX, raising the consciousness of would-be victims, and developing methods to sensitize all concerned. It is the legal responsibility of department heads, deans, supervisors, and managers to take all necessary and appropriate steps to prevent and correct sexual harassment problems. The first corrective step should be informal. If informal steps are unsuccessful, the matter will be pursued via the formal corrective action or complaint process.

A determination of sexual harassment must consider two (2) factors:

1. The conduct itself; and
2. The context in which it occurred.

#### Informal Process

As stated above, whenever possible, complaints should be resolved informally. Students may receive informal advice and assistance by contacting advisors in the offices of the campus Affirmative Action Office, the AFI, the Counseling Staff, Sierra Hall, Student Health Center, the Student Service Center, any of the schools Deans, the Women's Resource Center, or the Office of the Dean of Students. ~~or from a trained sexual harassment resource person. The sexual harassment resource persons will be members of the academic community appointed by the President or his/her designee. Names of such resource persons will be published periodically.~~ Faculty and employees may receive advice and assistance by contacting the offices of their immediate supervisors, Faculty and Staff Affairs, or the campus Affirmative Action Office Union representatives, ~~or any one of the sexual harassment resource persons.~~

#### Formal Process - Internal

If informal discussion does not resolve the problem, then a formal written complaint procedure may be initiated. The Affirmative Action Officer is responsible for maintaining the files on all reported cases and will act as a consultant on all investigations, thus providing support for this policy.

1. Employees covered by discrimination complaint procedures in their Memorandum of Understanding (i.e. Units 2, 5, 7, 9) will follow their contract procedures;
2. All other CSUS employees (permanent, probationary and temporary) will follow the procedures as outlined in Executive Order 419;
3. Students and non-CSUS employees will use the following procedures when they are charging a faculty or staff member with sexual harassment. Other issues of sexual harassment between students will be handled through the ~~office of the vice-provost for Student Affairs~~ Office of the Dean of Students.

#### a. The Filing of a Written Complaint

The written signed complaint must include the following:

- 1) The specific act(s) or circumstances that are the basis of the complaint, including the time and place of the alleged action, and

2) The remedy or action requested.

Each complainant is entitled to only one formal written complaint for review arising out of a single set of facts.

b. Time Limits for the Complaint

A formal complaint will be considered if it is filed with the Affirmative Action Office within ninety (90) calendar days of the alleged act. If the act(s) are continuous, then the time for filing may be within 90 calendar days of the most recent occurrence of the act.

If circumstances arise which might deter the victim from timely filing, the time may be extended by the President or his/her designee or the Affirmative Action Officer. Any time limit that expires on a day observed as a day off by the University shall be extended to the next regular work day. Once the formal complaint has been filed, the President's designee or the Affirmative Action Officer may extend any other time limits; however, a written reason for the extension must be given. The President's designee for this policy will be the ~~Associate Vice-President~~ for Dean of Faculty and Staff Affairs.

c. Acceptance of Complaint

The complaint shall be reviewed by the Affirmative Action Officer to determine whether the alleged act(s) are within the scope of this procedure. If the complaint meets the above criteria and is acceptable, it shall receive an

administrative review. A copy of the complaint shall be forwarded to the accused and to his/her supervisor(s) (department chair, dean, or administrator of the accused).

d. Administrative Review

The Affirmative Action Officer shall review the complaint and, if appropriate, institute an investigation. After the investigation, the Affirmative Action Officer shall make a written recommendation to the President, or his/her designee, as to any action to be taken.

If disciplinary action is recommended against a faculty or staff member by the Affirmative Action Officer, procedures outlined in the appropriate M.O.U. or other CSU policy shall be followed.

If disciplinary action is recommended against a student, procedures as outlined in the Students Rights Handbook shall be followed.

e. Representation

The complainant and/or the University may be self-represented or represented by another person at any stage of the formal process.

f. Written Response to the Complaint

Following the Affirmative Action Officer's review, a written response to the complaint shall be sent by the Affirmative Action Officer to all persons involved. This shall be done no later than thirty (30) calendar days



receipt of the written complaint by the administrator. The time may be extended by the President's designee.

If the complainant is not satisfied with the written response by the President/designee and/or Affirmative Action Officer, she/he may initiate formal external procedures.

#### REGULATIONS AND LIABILITY

Sexual harassment has been defined for faculty and staff by the Equal Employment Opportunity Commission as a violation of Sec 703 of Title VII of the Civil Rights Act of 1964, as amended.

1. Under Title VII, the University is responsible for its acts and those of its agents and supervisory employees with respect to sexual harassment. This responsibility is imposed on the University regardless of whether the specific acts complained of were authorized or even forbidden by the University and regardless of whether the University knew or should have known of their occurrence. The University will examine the circumstances of the particular employment relationship and the job functions performed by the individual in determining whether an individual acts in either a supervisory or agency capacity.

2. With respect to persons other than those mentioned in subsection (1) above, the University is responsible for acts of sexual harassment in the workplace where the University, or its agents or supervisory employees, knew or should have known of the conduct. The University may rebut apparent liability for such acts by

showing that it took immediate and appropriate corrective action.

3. Individuals are also liable for their acts. Such liability may include tort or criminal liability for assault and battery.

#### Students

Students' complaints against a faculty member or staff are covered under Title IX of the Civil Rights Act of 1964. Title IX prohibits discrimination based on sex in all federally assisted educational programs. Title IX requires the institution to adopt and publish a procedure for prompt and equitable resolution of the students' complaints. (The impact of sexual harassment on students has great potential for harm. They may fear academic reprisals such as lower grades or denial of recommendations.)

#### FORMAL EXTERNAL REVIEW

A formal external review\* may be done by any of the following:

Fair Employment and Housing Commission  
- - 365 days from last incident

Equal Employment Opportunity Commission  
- 300 days (10 months) from last incident

Office of Federal Contract Compliance

- Compliance must be met on a day-to-day basis in accordance with Executive Order 11246

U. S. Department of Education

- 180 days from last incident or outcome of grievance

Civil Courts

- One year from date of discovery

Criminal Courts

- Misdemeanor, 1 year
- Felony, 3 years

\*Procedures and time limits are subject to change and the complainant is responsible to determine his/her rights and the agencies' procedures.

\*AS 90-9/FA, Ex. FACULTY PROFESSIONAL ETHICS, CSUS POLICY STATEMENT ON

The Academic Senate in recognition of the importance of education as a public service and a public trust, ~~supports~~ adopts the tenets articulated in the "1987 American Association of University Professors Statement on Professional Ethics," (AAUP) and recommends that copies of this statement be distributed to the faculty as the CSUS Policy Statement on Professional Ethics.

1987 American Association of University Professors Statement on Professional Ethics

- I. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- II. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
- III. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic



debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

- IV. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
  
- V. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Excerpted from AS-1779-88/FA, Statewide Academic Senate resolution endorsing the AAUP Statement.

In addition to adopting the above policy statement, the Senate directs the Executive Committee to establish an ad hoc committee whose composition shall include department chairs (as less than half the membership) to develop for the Academic Senate's consideration a statement of faculty rights and responsibilities that relates to the above policy statement.

Carried 2/8/90.  
President approved 3/2/90.