Faculty Senate Monthly Packet December 1977

Portland State University Faculty Senate

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MEMORANDUM

Senators and Ex-officio Members of the Senate

DATE November 23, 1977

FROM Earl L. Rees, Secretary to the Faculty

The Senate will hold its regular meeting of the Faculty Senate on December 5, 1977, 3:00 p.m. in 150 Cramer Hall.

A. Roll
*B. Approval of Minutes of November 7, 1977 meeting
C. Announcements and Communications from Floor
D. Question Period
   1. Questions for Administrators - none submitted
   2. Questions from the Floor for the Chair
E. Report from Officers of Administration and Committees
   *1. Curriculum Committee - Hochstettler
   *2. Graduate Council - Jorgensen
   *3. Library Committee - Weikel
   *4. Scholastic Standards - Carl
   5. Interinstitutional Faculty Senate - Waller
F. Unfinished Business
G. New Business
   *1. Curriculum Committee Course Proposals - Hochstettler
   *2. Graduate Council Proposals - Jorgensen
      a. Masters in Public Administration Program
      b. Course Proposals
   *3. Faculty Senate Consideration of Revised Student Conduct Code
H. Adjournment

The following documents are included with this mailing:

Regarding Agenda Items: B - Minutes of November 7, 1977 meeting
E1 - Annual Report of Curriculum Committee**
E2 - Annual Report of Graduate Council**
E3 - Annual Report of Library Committee**
E4 - Annual Report of Scholastic Standards Committee**
G1 - Curriculum Committee Course Proposals**
G2 - Graduate Council Proposals (a and b)**
G3 - Student Conduct Code**

**Included for Senators and Ex-officio members only
Minutes: November 7, 1977
Presiding Officer: Grover W. Rodich
Secretary: Earl L. Rees


Alternates Present: None

Ex-Officio Members: Blumel, Dittmer, Forbes, Heath, Hoffmann, Howard, Petrie, Parker, Ragsdale, Rauch, Rees, Richelle, Rodgers, Ross, Todd, Toulan, Trudeau, Westwood

APPROVAL OF MINUTES:

After the misspelling of "parliamentarian" was noted, the minutes of the October 3, 1977 Senate meeting were approved.

ANNOUNCEMENTS AND COMMUNICATIONS:

None

QUESTION PERIOD:

1. Questions for Administrators - none submitted

2. Questions from the Floor for the Chair - none

REPORTS FROM OFFICERS OF ADMINISTRATION AND COMMITTEES:

1. Progress Report on Project Advance. Vice President Richelle reported that Project Advance, by which Portland State collaborates with certain high schools, is still operating within limits established by the Faculty Senate in 1976. The responsible department reviews courses and instructors. Total enrollment is around 200 students which is well within the original proposed ceiling of 800. A progress report, submitted by Pierson and Heath and included in the mailing to Senators for the November Faculty Senate meeting, outlines the present status of the program.

2. Report on Seminar on Guided Design. Rose reported that last winter and spring, the Committee on Effective Teaching initiated a series of seminars relating to teaching and teaching effectiveness. After a survey of some departments, one topic proposed was concerned with how to increase student participation. In October, there was a Seminar on Guided Design, a teaching technique which
demands much student participation. Of the approximately 75 in attendance, 50 were members of the faculty. Six people have continued with the idea of developing a guided design project for their courses. During the first three weeks of winter quarter, a second workshop will be held on how to measure outcome.

UNFINISHED BUSINESS:

1. Draft Policies Statement on Rights, Freedoms and Responsibilities of Students (Revision of the first six pages of the existing document "PSU Statement on Student Rights and Freedoms"). Westover announced that changes were made in the original 1969 document. At the October 3, 1977 Faculty Senate meeting, the Senate found several problems in the revised document and referred it back to the General Student Affairs Committee for further revision. The revisions are found on page two of a memorandum from the GSAC to the Faculty Senate and ASPSU Senate. The memorandum is included in the mailing to the Senators for the November Faculty Senate meeting. Jones moved that the GSAC revisions of the "Policy Statement on Rights, Freedoms, and Responsibilities of Students," as included in the Senate mailing, be accepted. (Seconded.)

Discussion: none

Action: Passed by voice vote.

NEW BUSINESS

The Presiding Officer requested that items G2 and G3 be dealt with before G1 to insure that state deadlines are met.

1. Curriculum Committee--Curriculum Proposals: New programs and changes in existing programs. Hochstettler, Chairperson of the University Curriculum Committee, noted that there are two requests for new programs, Basic Driver Education Certificate Program and Reading Endorsement Program (Basic and Standard Certificate). There are also requests for changes in existing programs. All proposals have been approved by the University Curriculum Committee. Welker moved for the adoption of the Curriculum Committee program proposals in their entirety. (Seconded.) Discussion on the two new programs followed.

Highlights of Discussion of Basic Driver Education Certificate Program: Brown asked about the arrangement for use of the driving training automobile and simulator. Ragsdale said that arrangements have been made with the Portland Public Schools to use the car. The use of the simulator, located at Lincoln High School, will be paid for by the wage money for hiring Al Grove of the Portland Public Schools. Since all PSU classes will be held at night, there is no time conflict with the public schools. Gard asked if graduate level designation was due to course work or because the course was being offered to graduate students. Ragsdale answered that it is a 400 level course because many students are graduate student teachers and are, or will be, in graduate programs. The driver education courses at OSU and UO are essentially the same. There are no similar existing programs in the Portland area. In the past, Portland State, through DCE, has had OSU hold the class in this area. The class will be 400g in the course proposals. Driver Education is a part of the
safety education curriculum and therefore, has been traditionally offered by Health and Physical Education. The course will be offered during the summer. It will be reviewed by the Graduate Council.

**Highlights on Discussion of Reading Endorsement Program:** Scheans noted that all anthropological linguistics have been left out. There are many foreigners whose problems are not related to English linguistics. Instead of a specific class in English Linguistics, a "suitable" linguistics class should be required. Scheans pointed out that Anderson (Freeman), Nattinger and Wilson are the faculty source people listed in the proposal as qualified to teach linguistics but that only Cogan and Westbrook appear in the teaching schedule even though no credentials are evident. Wilson said that linguistics is not confined to the study of anthropological linguistics. It is true that, in English linguistics, most of the illustrations are drawn from English but not necessarily all. Also, the Department of Foreign Languages offers courses such as Romance Linguistics, Germanic Linguistics, and Slavic Linguistics. The Department of English offers English Linguistics.

**Motion to Amend Main Motion:** Scheans moved that under item 1, section 5a of the Reading Endorsement as included in the Senate mailing, the English 390 English Linguistics requirement, be changed to read "English 390 English Linguistics or any appropriate course in linguistics." (Seconded.)

**Highlights of Discussion of Amendment:** Petrie said that the program must receive final approval from the Teachers Standards and Practices Commission. PSU is the only state institution with the linguistics requirement. Scheans responded that we should not be so Eurocentric and that we should be on the initiative instead of merely reacting to their dicta.

**Actions on Scheans Motion to Amend:** Passed by voice vote.

**Further Discussion on Main Motion:** The program seems designed for remedial reading. The needs of the foreign student do not seem to be met. Hardt said the course is basically for public school teachers who want to increase their market-ability and not for specialists. It is not a remedial program. Richelle pointed out that in English as a Second Language there is a masters program which provides training for teaching English as a second language. This program specifically addresses the needs of the foreign student. Wolk said that it is not clear what is meant by "illiteracy" in Section 11, b, of the Reading Endorsement. Does it mean people who do not read or write? Does it mean total illiteracy?

**Motion to Amend Main Motion:** Wolk moved to amend Section 11, b, of the main motion, as included in the Senate mailing, to read: "Reading disabilities are depriving the United States of an extremely valuable resource, because these millions cannot participate in activities which would enrich not only their lives but also the community as a whole." (Seconded.)

**Discussion:** none

**Action on Wolk Motion to Amend:** Approved by voice vote.
Action on Original Motion as Amended: Approved by voice vote.

2. Graduate Council--Changes in existing graduate programs: Anthropology, Biology, and Economics. Jorgensen, Chairperson of the Graduate Council, noted that the changes in Biology are included in the undergraduate program document. Weikel moved approval of the proposal. (Seconded.)

Discussion: none

Action: Approved by voice vote.

3. Senate Recommendation to College Graduate Committees Concerning Formation of a Graduate Faculty. Moor moved that the Senate request the Graduate Council to prepare for Senate action a recommendation concerning the designation of a graduate faculty. (Seconded.)

Highlights of Discussion: Bowlden expressed concern that the Graduate Council was not authorized to gather certain information such as a list of faculty qualified for graduate instruction. Waller reviewed the constitutional provisions concerning the duties and responsibilities of the Graduate Council as they have been changed over the past year and a half. The relevant constitutional provision in effect until the amendment of June 1976 (paragraph 3) reads as follows: "Review the qualifications of faculty members nominated by the several departments and approved by their divisions for the teaching of graduate courses." In January 1976, there was an amendment which, among other things, was intended to change the membership of the Graduate Council and to bring the duties of the Council into consonance with actual practice. Paragraph 6 of the proposed amendment reads: "Review and make recommendations concerning the qualifications of faculty nominated and approved by instructional units and concerning programs for the teaching of graduate courses, and all other matters as requested by the Dean of Graduate Studies." A second, and finally, a third draft of the amendment was brought to the Senate. Item number 3 of the latter makes a change in the responsibility of the Graduate Council taking away from the review of faculty. The proposed amendment was adopted by the Senate. The amendment was taken to mean what it said. Namely, the Graduate Council did indeed have the authority to review existing graduate programs and courses for quality and emphasis, emphasis having to do primarily with the circumstance that many of our graduate courses are offered at the 400 level but also carry graduate credit. There was concern about the quality of instruction graduate students were getting. The new provision would permit the Graduate Council to check to see if courses were of graduate quality, even to see if the instructors assigned to teach them were qualified to teach courses of graduate quality. The provision did not include the preparation and approval of lists of "special cases" or the assignment of all persons qualified to teach graduate courses in determined "areas of specialization." The amendment adopted in June 1976, which does speak of a review of programs and courses with regard to quality, changed precisely the Graduate Council's authority to review the qualifications of faculty members nominated to teach graduate courses. Another aspect of the issue is whether a graduate faculty will be formed. Moor again requested that the Graduate Council be given a chance to make a policy statement.

Motion to Amend Main Motion: Moseley moved that the Senate should remind Graduate Council of the limitations of its charge as described in the Constitution. (Seconded.)
Highlights of Discussion of Amendment: Halley stressed that the Graduate Council has been given the power to closely monitor graduate programs for quality. The Council should not be deprived of this power. There was a question concerning the appropriateness of memorandum being issued at this time. Richelle said that it is appropriate to again look at the question of forming a graduate faculty and to review graduate programs in general. The Graduate Council has the right to review such programs. Portland State is under scrutiny by outside agencies as well as the State Board of Higher Education which is taking a serious look at graduate education in all state institutions. Programs and faculty must be reviewed. The Graduate Council is not attempting to authorize or not authorize persons to teach courses. The Council simply wants to find out from the departments who is, at this time, teaching which courses and to characterize those teachers.

Action on Amendment: Failed by voice vote.

Further Discussion on Main Motion: Hammond said that the reaction to the July 26, 1977 memorandum from Dean Rauch, which has had very limited circulation, seems indicate that more than just a simple review of the graduate faculty is involved. The memorandum asked what courses graduate faculty could teach, not just what courses they did teach.

Action on Main Motion: Approved by voice vote.

Several senators asked that Dean Rauch's memorandum be circulated to those involved in order to have a more meaningful discussion of this matter.

Dean Heath congratulated the Presiding Officer for the dispatch with which the difficult agenda was handled.

The Presiding Officer adjourned the meeting at 4:20 p.m.
ANNUAL REPORT
December 5, 1977

TO: The Faculty Senate
FROM: The University Curriculum Committee

The Curriculum Committee held eight meetings during 1977. The action of the Committee regarding proposals for new programs and changes in existing programs was reported to the Senate on November 7. On December 5 the Chairperson will present the Committee's recommendations for course additions, changes, and deletions. The Annual Report provides the opportunity for the Committee to present a short summary statement of activities and/or concerns.

The Committee commends the various Departments' and Schools' curriculum committees for the improvement in preparation of submitted materials. Several Committee members who are serving their second and third-year appointments noted the improvement. The Curriculum Committee does wish to encourage Departments and Schools to continue the examination and evaluation of course offerings presently described in the Portland State University Bulletin.

The Curriculum Committee followed the precedent of previous Curriculum Committees in consulting department representatives for information or clarification as needed. The Committee notes its appreciation to the Consultants assigned and for the Secretarial assistance provided through the Office of Dean Heath.

Respectfully submitted,

Phyllis Hochstettler, Chairperson

Committee: Georgia R. Crampton, Marc Feldesman, Paul Hammond, Margaret Heyden, Melbourne Henry, Phyllis Hochstettler, Frank Kuo, Joan Linton, Carl Pollock

Consultants: James Heath, Mary Kinnick, Nancy Stuart
TO: The Faculty Senate

FROM: Harold C. Jorgensen, Chairperson

ANNUAL REPORT OF THE GRADUATE COUNCIL

November 18, 1977

This report summarizes activities of the Graduate Council from January 14, 1977 to the date of this report. The Council met weekly during the academic year with bi-weekly meetings during part of the Fall Quarter. One meeting was held during Summer Session.

The following list summarizes major topics, concerns, and actions taken by the Graduate Council:

1. Reviewed policy on transfer and resident credit
2. Made recommendation related to grading of 501 Research and 503 Research prior to completion of course
3. Reviewed responsibilities of Graduate Council
4. Developed and approved Guidelines for Graduate Studies as published in the Graduate Advisor's Handbook, with an emphasis on:
   a. Graduate Environment
   b. The Graduate-Level Course
   c. Grading Guidelines
   d. Graduate Credit
   e. Graduate Instruction
   f. Graduate Programs
5. Took action on numerous petitions
6. Clarified responsibilities of Graduate Council as related to Academic Requirements Committee and Scholastic Standards Committee
7. Took action on 146 requests for new courses, course changes, and program changes
8. Presently in process of reviewing status of Research Methodology Courses, Academic Probation and Disqualification, and Admission to Graduate Studies.
PORTLAND STATE UNIVERSITY

SCHOLASTIC STANDARDS COMMITTEE: ANNUAL REPORT

Report of the Library Committee to the Faculty Senate December 5, 1977

The Library Committee is a constitutional committee which meets monthly to consider a variety of library matters. The present membership is as follows: Chair: Ann Weikel (History), Faculty: Joyce Anderson Patrie (Education), Robert O'Brien (Chemistry), Gary Perlstein (Administration of Justice), Betty Rankin (Health and Physical Education), Students: Charles Pritchard, David Ellis, Consultant: Frank Rodgers. During the time period from 1 November 1976 to 21 October 1977, as long as enrollments are maintained near the 1976/77 base budget, the committee's budget has remained unchanged.

The work of the committee this year has been concentrated on the library budget and the introduction of the microfiche catalogue. The Library materials budget for 1977-78 totals $585,956.00. The breakdown is as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1976/77 base budget</td>
<td>$526,246.00</td>
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<tr>
<td>1977/78 inflation allowance</td>
<td>$63,150.00</td>
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<tr>
<td>1977/78 replacement of lost items</td>
<td>$12,000.00</td>
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<tr>
<td>1977/78 Title II federal grant</td>
<td>$3,855.00</td>
</tr>
<tr>
<td>1977/78 cut assigned by the administration</td>
<td>$605,251.00</td>
</tr>
<tr>
<td>Total Library materials budget</td>
<td>$585,956.00</td>
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</table>

While the Library realized a dollar increase this has been a no growth year. Although the legislature allocated a 12% inflation factor which is amounted to $63,150.00 at Portland State, the Library had to sacrifice $19,295.00 of that to cover the 1977/78 administrative cut. Further, the increase in the cost of serials consumed most of the remainder of the inflation allowance. Hence, the monograph budget, librarian's funds and the audio-visual materials allocations will remain the same in 1977/78.

The committee discussed the catalogue conversion to microfiche and eventually microfilm in cooperation with Blackwell's North America. The conversion began in July 1977. It will take place in three stages. New books in this will now be on microfiche, our holdings in Blackwell's data base will be incorporated second, and the remaining 25% of the holdings will be converted last. The system will simplify and speed up the cataloguing process and thus pay its own way on time. It would be helpful if the instructor approached by a student having an incomplete to make up would arrive at a reasonable solution.

The current subject of discussion is the Interlibrary loan system.
The number of petitions acted upon by your committee during the past year has continued to decline compared to the preceding three years. Apparently, our registration process continues to improve and perhaps earlier awareness on the part of students of errors in registration permits corrections before deadlines. Even though the number of petitions is declining (446 during the time period from 5 November 1975 to 2 November 1976 and 330 during the time period from 2 November 1976 to 21 October 1977), as long as enrollments are maintained near the present level, petitioning will be with us.

An analysis of the changes in petitioning by area afford some insight as to how the system is working.

1. Reinstatement Petitions: There is a continuing decrease in this category. Most denials have been referred to the ADSF as a vehicle to develop a performance record upon which to base readmission.

2. Admissions Petitions (transfer students): There is some decline in this category. The committee has denied few of these but nearly all of the petitioners have been out of school for some time, have gained experience and maturity, and appear to merit another opportunity.

3. P/NP to Grade and Vice Versa: There has been a dramatic decline in the number of petitions of this type over the past year. (There were 70 during the period from 5 November 1975 to 2 November 1976 and 30 during the period from 2 November 1976 to 21 October 1977). This seems to be due, in part, to improved registration procedures and earlier awareness of deadlines by students. This area is still a difficult one for the committee. The catalog and time schedules are clear about the time limits for making changes; therefore, the committee has denied more petitions than it has approved. Those approved generally represent cases in which change in major requires a letter grade for a class previously taken "P/NP". The option was not designed to afford the student the luxury of changing the "P/NP" to a grade if s/he happens to do well. Advisors and instructors offer useful counsel in this area. "P" is a "C" or better grade; a "D" is equivalent to an "NP".

4. Registration Changes: A continuing decline in this area is probably related to improvements in the registration process. Students are not marking the "Audit" box by mistake as frequently as in the past. Instructors may be checking printout information with students in class in time for changes to be made within the deadline periods.

5. Extension of Incomplete: Petitions have continued to increase in this area and few have been denied. The committee frequently sets short time limits on these requests. A statement of approval from the instructor carries a heavy weight in the committee decisions. Some petitions involve late submission of grades for work that was completed on time. It would be helpful if the instructor approached by a student having an incomplete to make up would arrive at a reasonable date for completion of the work in consultation with the student.
The committee has met on several occasions during the past year and has discussed such issues as audits, students sitting in on classes, and means of combatting the current grade inflation. The committee is currently discussing the use of "+" and "-" grades with a specific grade point assignment. The committee has also determined that it will work closely with the Equal Opportunity Program in acting on petitions from students in the program who have not met the scholastic requirements of the EOP.

Following is a statistical breakdown of the committee's action on petitions for the period from 2 November 1976 to 21 October 1977:

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<th>Reinstatement Petitions</th>
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<tr>
<td>Reinstated</td>
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<td>Admitted</td>
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<td>Denied</td>
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<tr>
<th>Extension of Incomplete</th>
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<tbody>
<tr>
<td>Granted</td>
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</tr>
<tr>
<td>Denied</td>
<td>1</td>
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</tbody>
</table>

<p>| Acceptance of Credits from      |          |</p>
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<tr>
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<tbody>
<tr>
<td>Accepted</td>
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</tbody>
</table>

| TOTAL                           | 330      |
To: Faculty Senate
From: Senate Steering Committee

SUBJECT: Faculty Senate Consideration of Revised Student Conduct Code

On June 6, 1977, the Faculty Senate approved a draft revision of the University Student Conduct Code. At that time President Blumel observed that the Student Senate would review the Code during the fall term of 1977, and that a new revision would be brought before the Faculty Senate if changes were recommended by the students.

The Student Senate reviewed the Code and proposed several revisions. President Blumel has conferred with student leaders and agreed to incorporate certain of the Student Senate recommendations (listed below) into a new revision.

The Faculty Senate is asked, in its December meeting, to review and discuss the new draft and to vote on whether it approves its adoption by the University. Changes from the earlier draft are the following:

Page 5, subsection (d)(A). Composition of the Disciplinary Hearing Committee has been altered from three faculty and two students to three faculty and three students.

Page 5, subsection (d)(B). In selection of a Disciplinary Hearing Committee, there was formerly one challenge permitted the Dean of Students and the student charged, with a maximum of three challenges where more than one student was involved. Those numbers have been changed to three and five challenges, respectively.

Page 5, subsection (d)(C). The chairperson of the Disciplinary Hearing Committee was to be appointed from among its faculty members by the President. In the new draft, the Committee itself elects a chairperson, from among its faculty members.

Page 6, subsection (6). This is a new provision.

Page 7, subsection (3). The maximum period of suspension has been changed from two calendar years to one.

Page 7, subsection (4). The former draft made readmission of a dismissed student subject to "the discretion of the University." The new draft spells out the steps required for readmission.
General Policy

All members of the University community are expected to act in ways which foster the University's primary functions of teaching, research and public service. In recognition of this expectation of responsible behavior on the part of its students, the University has developed educational programs and policies governing student conduct that encourage independence and maturity.

At the same time, the University has the right and the duty to protect its members from conduct which interferes with its a) primary educational responsibility of insuring the opportunity of all its members to attain their educational objectives; and b) subsidiary responsibilities of protecting the health and safety of persons in the University community, maintaining and protecting property, keeping records, providing facilities and services, and sponsoring non-classroom activities.

Students, no less than faculty and staff, are expected to observe national, state and local laws and ordinances, and to refrain from conduct proscribed in Section 31-110 of this Code. Conduct which violates society's laws and ordinances will be reported to proper authorities. Conduct which violates the provisions of this Code will be dealt with as described herein.

This Student Conduct Code applies to any student who is registered for one or more credit hours at the University or who is enrolled in any special program approved by the University.

Proscribed Conduct

The following actions constitute conduct for which students may be subject to disciplinary sanctions as described in Section 31-120 of this Code:

1. Obstruction or disruption of teaching, research, administration, disciplinary procedures or other University activities, including the University's public service functions or other authorized activities on University-owned or -controlled property.
(2) Obstruction or disruption which interferes with the freedom of movement, both pedestrian and vehicular, on University-owned or -controlled property.

(3) Possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on University-owned or -controlled property, in contravention of law or without University authorization.

(4) Detention or physical abuse of any person or conduct which is intended to threaten imminent bodily harm or endanger the health of any person on any University-owned or -controlled property.

(5) Malicious damage or misuse or theft of University property, or the property of any other person where such property is located on University-owned or -controlled property, or, regardless of location, is in the care, custody or control of the University.

(6) Refusal by any student while on University property to comply with an order of the President of the University, or appropriate authorized official or officials, to leave such premises because of conduct proscribed by this code, when such conduct constitutes a danger to personal safety or property, or is disruptive of education or other appropriate University activity.

(7) Unauthorized entry to or use of University facilities, including buildings, grounds, desks, files and equipment.

(8) Illegal use, possession or distribution of drugs on University-owned or -controlled property.

(9) Academic cheating, including plagiarism in any form; or knowingly providing false or misleading information to the University; or forgery, alteration or unauthorized use of University documents, records or identification.

(10) Unauthorized possession of keys to University facilities, including buildings, desks, files and equipment.

(11) Inciting others to engage in any of the conduct or to perform any of the acts prohibited herein. Inciting means that advocacy of proscribed conduct which calls upon the person or persons addressed for imminent action, and is coupled with a reasonable apprehension of imminent danger to the functions and purposes of the University, including the safety of its students, faculty and officials and the protection of its property.
31-115 Procedures

(1) Allegation of Misconduct; Investigation

Any member of the University may present an allegation to the Dean of Students that a student has engaged in conduct prescribed by this Code. The Dean of Students shall investigate the allegation. If the Dean of Students does not find probable cause to believe that the allegation is well-founded, she/he shall dismiss the allegation.

(2) Cases Not Requiring a Contested Case Hearing

(a) If the Dean of Students finds probable cause to believe that the allegation is well-founded, but the circumstances of the case and the nature of the conduct alleged indicate that formal proceedings are not warranted, the Dean of Students shall further investigate the allegation. If she/he finds by clear and convincing evidence (amounting to more than probable cause) that the allegation is well-founded, she/he may take such action as may be indicated which may result in counseling, guidance, written or oral reprimand, or a recommendation to the President that the student be placed on disciplinary probation.

(b) Having informed the student of such intended action, the Dean of Students shall inform the student in writing that she/he has a period of 14 calendar days to appeal the Dean's decision to the President. The student's appeal shall be in writing and shall cite the basis of the appeal, e.g., acts or omissions by the Dean which violate the student's rights or the offering of evidence not available at the time of the Dean's decision. The President shall consider the student's appeal and evidence obtained from the Dean; and, within a reasonable period of time, shall issue a written decision.

(3) Cases Requiring a Contested Case Hearing

(a) If the Dean of Students finds probable cause to believe that the allegation is well-founded; and that the circumstances of the case and the nature of the conduct alleged indicate that formal proceedings are warranted, or that the sanctions of suspension, dismissal or restitution might be imposed, the Dean of Students shall prepare a statement of charges, addressed to the student being charged and stating the following:
(A) The authorization of proceedings by this Code

(B) The matter(s) charged, with reference to the specific proscription(s) involved

(C) The student's right to a formal hearing, and a description of the procedure to be followed therein

(D) The student's option to waive a formal hearing in writing, the time in which such a waiver may be made, and a description of the procedure to be followed if formal hearing is waived.

The Dean of Students shall direct delivery of the statement of charges to the student charged, either by hand delivery (receipted) or by certified mail (return receipt requested).

(b) If the student charged does not waive a formal hearing within the time specified in the statement of charges, the Dean of Students shall refer the matter to the General Student Affairs Committee by transmitting to it five copies of the statement of charges. The General Student Affairs Committee shall thereupon appoint a hearing committee in accordance with the provisions of this Code and transmit a copy of the statement of charges to each member of the hearing committee. Upon receipt of the statement of charges, the hearing committee shall be responsible for the conduct of further proceedings in the matter.

(c) Appointment of Disciplinary Hearing Board; Panels
The Disciplinary Hearing Board shall be composed of two panels appointed by the President of the University during the fall quarter of each academic year. Board members shall serve for one calendar year from the date of appointment or until their successors are appointed.

(A) The first panel shall consist of twenty faculty members eligible for election to the Faculty Senate, no more than three of whom shall come from any one division. For purposes of this Code, division shall mean those units upon which representation in the Faculty Senate is based. Members of this panel shall be nominated to the President by the Advisory Council.

(B) The second panel shall consist of twenty students, currently registered for a minimum of seven credits, no more than three of whom shall be majors in any one
division. Members of this panel shall be chosen by a random selection process by the Computing Services Center from the full list of students registered in the quarter in which they are selected. Only those students who have indicated their willingness to serve will be appointed to this panel.

(d) Appointment of Disciplinary Hearing Committee

(A) The General Student Affairs Committee shall select at random the names of three persons from the first panel and three from the second panel. These six persons shall constitute the Disciplinary Hearing Committee for a particular case. To the best of its knowledge, the General Student Affairs Committee shall select persons having minimum contact with the person(s) charged and the misconduct constituting the offense alleged. No more than two persons shall be appointed to a Disciplinary Hearing Committee from the same division.

(B) The student charged and the Dean of Students may each exercise three peremptory challenges to members of the Hearing Committee. When a hearing involving more than one student has been ordered, the students charged shall be limited to a maximum of five peremptory challenges. Vacancies on a Hearing Committee as a result of challenges shall be filled by the General Student Affairs Committee as soon as they occur and in the same manner as the original members were selected.

(C) The Chairperson of the Disciplinary Hearing Committee shall be elected by the full committee from among its faculty members; shall be responsible for assuring that all subsequent actions of the Committee are in accordance with the requirements of this Code and of any applicable constitutional or statutory provisions; shall make all procedural rulings during the hearing; and shall enjoy all rights of Committee membership, including participation in the Committee's deliberations and decisions. The Hearing Committee shall be provided with counsel who shall assist the Chairperson in deciding procedural matters and other issues of law. Such counsel shall not advise the Hearing Committee on any factual determination nor participate in the Committee's deliberations at the conclusion of the hearing, except as requested by the Chairperson,
and then only for the purpose of clarifying procedural and legal matters.

(D) The Committee may not act unless all members are present. In the event of illness, accident or other incapacity of a member or a member's refusal to participate in a hearing, the General Student Affairs Committee may either appoint a replacement from the appropriate panel or authorize action by the remaining members. Decisions, other than evidentiary and other procedural rulings by the Chairperson of the Committee, shall be controlled by majority vote of the Committee.

(e) Procedure for Formal Hearing
If the student charged does not waive a formal hearing within the time specified in the statement of charges, the Hearing Committee shall set a time and place for a formal hearing of the matter and shall proceed thereafter in accordance with the contested case rules of the University. The Hearing Committee shall act as hearing officer.

(4) Procedure Where Formal Hearing Waived
If the student charged waives a formal hearing, the Dean of Students shall proceed with the case in accordance with the procedure described in Section 31-120 herein. To make such a recommendation, the Dean of Students must conclude, based on clear and convincing evidence (amounting to more than probable cause) that the allegation of misconduct is well-founded.

(5) Pending resolution of the charges against her/him, a student shall be entitled to all the rights and privileges of a student in good standing; provided, that the President of the University may, after finding that a student's presence at the University constitutes a threat to the safety of the University community, suspend a student from the University for a period not to exceed ten days. In any case involving such a temporary suspension, the student shall have the right to a hearing of the charges against her/him, as provided in this code, during or after the period of suspension.

(6) No student tried on a criminal charge and found innocent of it in a state or federal court may later be charged under this code on the same matter.
This sanction may be given orally or in writing and is a warning that further conduct which violates the proscriptions of this Code may result in increasingly severe sanctions.

(2) Disciplinary Probation

This sanction permits the student to remain at the University only upon condition that she/he avoid further conduct which violates the proscriptions of this Code. In appropriate cases additional conditions may be imposed when the circumstances of the student's misconduct do not warrant suspension or dismissal.

(3) Suspension

This sanction suspends for a period of time not to exceed one calendar year from the date of suspension the individual's rights as a student within the University.

At the expiration of the period of suspension, the individual may resume active status as a student at the University, provided only that he/she shall comply with the established admission and registration procedures. Fees will be refunded in accordance with the refund schedule adopted by the State Board of Higher Education.

(4) Dismissal

This sanction terminates, from the date of dismissal, the individual's rights as a student within the University. Fees will be refunded in accordance with the refund schedule adopted by the State Board of Higher Education. The individual may not be readmitted for a period of at least two calendar years. A dismissed individual seeking readmission must meet the University's re-enrollment requirements, and her/his readmission must be approved by a majority vote of the General Student Affairs Committee.

(5) Restitution

This sanction may be imposed in connection with the other sanctions provided in this Code in cases involving damaged, stolen or misappropriated property or stolen or misappropriated money.