

6-2-2010

CWU Faculty Senate Minutes - 06/02/10

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CENTRAL WASHINGTON UNIVERSITY
FACULTY SENATE

REGULAR MEETING
Wednesday, June 2, 2010, 3:10 p.m.
BARGE 412
Draft Minutes

Senators: All senators or their alternates were present except: Jason Burroughs, Tom Cottrell, Jonathan Fassett, Boris Kovalerchuk, Mark Lane, Melody Madlem, Nadine Pederson, Robert Pritchett, Paul Sellars, Ronald Tidd and Ryan Zayac

Visitors: Sheryl Grunden, Teresa Sloan, Cynthia Coe, Aaron Montgomery

CHANGES TO AND APPROVAL OF AGENDA - Approved

MOTION NO. 09-43(Approved): APPROVAL OF MINUTES of May 5, 2010

COMMUNICATIONS - None

FACULTY ISSUES: Senator Ditmer gave an example of a student who plagiarized in one of his classes last winter. He referred incident to Student Affairs. The student was told not to do it again and received no other consequences than failing the course. Senator Ditmer asked if the Academic Affairs committee could look at developing a policy to deal with this topic.

Senator Donahoe gave some examples of plagiarism in faculty work. She suggested there should be consequences for faculty plagiarism as well.

PRESIDENT: President Gaudino thanked the Faculty Senate for the work that they have done this year. The Budget review committee has not worked as well as had hoped, but looking at how to make this committee work better. President Gaudino announced he would be starting a national search for Provost/Senior Vice President for Academic Affairs and Vice President for Business Affairs. They hope to have electronic workflows up and running by the end of the summer. The PAFs should be up by August, but will not currently work for Academic Affairs area yet.

PROVOST: Out of town

OLD BUSINESS - None

REPORTS/ACTION ITEMS

SENATE COMMITTEES:

Executive Committee: No report.

General Education: Year-End report

Cynthia Coe, General Education Committee Chair gave a brief report on the status of the general education proposal.

Motion No. 09-47(Approved): Senator Bartlett moved, Senator Ogden seconded the following:

Whereas, a proposed framework for a new General Education program was approved in Spring 2009 after six open campus forums, and

Whereas, over the last year the General Education Committee has solicited feedback on that proposal through open campus forums, through an online discussion board, and from all departments that contribute to the General Education program, and

Whereas, the General Education Committee has refined and added specific learning outcomes to each component of the proposed program, and

Whereas, the proposed program is at a point at which issues surrounding implementation need to be addressed,

Be it *resolved* by the CWU Faculty Senate that in the coming year it will work with relevant members of the administration to develop an implementation plan, and, in consultation with the General Education Committee, to work with members of the faculty to identify the classes that will satisfy each component of the proposed program.

Academic Affairs Committee:

Motion No. 09-44(Approved as amended): “Recommends that section CWUP 5-90-010(3) Academic Appeal Procedures of the Academic Affairs policy manual be amended as outlined in Exhibit A.”

Motion No. 09-44a(Approved): Senator Čuljak moved to amend 2.c. third paragraph. To read: If the dean’s recommendation is not acceptable to either the student or the instructor, either party may petition for a hearing of the grievance before the board of academic appeals. The petition must be filed with the vice president....

Motion No. 09-45(Approved as amended): “Recommends that section CWUP 5-90-010(16) Course Substitutions of the Academic Affairs policy manual be amended as outlined in Exhibit B.”

Motion No. 09-45a(Approved): Senator Čuljak moved to amend Motion No. 09-45 section B to read: “A blanket substitution is used when a required course, or group of courses, is no longer being taught (i.e., placed on reserve, no instructor to teach, etc.) and a replacement course, or group of courses, is needed to fulfill the student program requirement(s) during the academic year.” and to delete the last sentence.

Bylaw and Academic Code Committee: No report.

Curriculum Committee:

Motion No. 09-46(Approved as amended, 1 nay): “Recommends that CWUP section 5-50-110 Rules for Undergraduate and Graduate Degrees be amended as outlined in Exhibit C.”

Motion No. 09-46a(Approved): Senator Ogden moved to amend 1(E) to change the word “counted” to “include”.

Motion No. 09-46b(Approved, 1 nay): Senator Piacsek moved to amend Motion No. 09-46 as follows: 1(A) to read :”All courses (except English 101 and 102) that are required for a degree, including pre requisites, must to be listed as requirements that in the course of study and included in the credit total for a major.” 1(B) changed the word “counted” to “included” and 1(E) change the word “counted” to “include”.

Evaluation and Assessment/SEOI: Evaluation and Assessment Year-End report

SEOI Committee - Senator Snedeker reported that the committee has requested information or input from department chairs on forms A, D, E. They are also exploring the combination of online delivery non-online deliver as well as a way to require students submit SEOIs. The committee will continue to work on the forms and process this fall. Form B seminar will be done away with.

Faculty Legislative Representative: None

Ad Hoc Budget Committee: Loran tanked those who served on these committees. They served quite quickly.

CHAIR: Year –End report. Thank everyone who helped this year.

CHAIR-ELECT: No report

STUDENT REPORT: Megan introduced Paul Stayback. ASCWU is wrapping up the school year. Megan thanked the Senate for working with her this year. .

NEW BUSINESS – Faculty Senate assessment was passed out.

Meeting was adjourned at 4:48 p.m.

Exhibit A

CWUP 5-90-010-03 Academic Appeal Procedures

Policy

Students are responsible for achieving and maintaining the standards of academic performance and excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students may seek the redress of ~~have protection, through orderly procedures, against~~ arbitrary, ~~or~~ capricious actions ~~or decisions~~ by academic offices. No individual student shall be penalized or retaliated against in any way by the university community for his or her participation in this ~~complaint~~ redress procedure.

Purpose

The purpose of the Board of Academic Appeals (Board) and Academic Standing Committee (ASC) is to provide for fair and impartial hearings of academic grievances. ~~The purpose of the board of academic appeals and academic standing is to provide for fair and impartial hearings or academic grievances.~~ The Board serves as the final hearing body for the university in the matter of academic grievances. The Board may direct the university to change an academic decision affecting the student and specify the content of that change. The decision of the Board of Academic Appeals and Academic Standards Committee is final.

Academic Grievances

(A) Academic grievances are defined as the following:

1. A claim by the student that an assigned grade is the result of arbitrary, ~~or~~ capricious application of otherwise valid standards of academic evaluation; or
2. A claim by the student that the standards for evaluation are arbitrary, ~~or~~ capricious; or
3. A claim by the student that the instructor has taken an arbitrary, ~~or~~ capricious action which adversely affects the student's academic progress; or
4. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious, ~~or discriminatory~~ action which adversely affects the student's academic progress.

(B) A student wishing to pursue an academic grievance must ~~take the following steps to try to resolve the grievance prior to the filing of an official academic appeal~~ use the procedures outlined in this document. The emphasis of the procedure is on informal resolution of the grievance.

- ~~1. The student shall first attempt to resolve the matter with the instructor.~~
- ~~2. If resolution is not achieved between the student and instructor, the student shall ask the department chair to resolve the grievance.~~
- ~~3. If resolution is not achieved at the department chair level, the chair shall forward a written summary to the dean of the college in a further effort to achieve resolution.~~
- ~~4. If resolution is not achieved at the dean's level, the student may petition for a hearing before the board of academic appeals and academic standing. (An appointment should be made to meet with the associate or assistant vice president for student affairs and enrollment management to obtain the necessary forms and information relative to filing the position.)~~

(C) Rules Governing the Board of Academic Appeals and Academic Standing for Central Washington University

1. Policy—Students are responsible for achieving and maintaining the standards of academic performance and

excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students have protection, through orderly procedures, against arbitrary or capricious actions or decisions by academic offices. No individual shall be penalized or retaliated against in any way by the university community for his or her participation in this complaint procedure.

~~2. Purpose of the Board of Academic Appeals (and Academic Standing) — The purpose of the board of academic appeals and academic standing is to provide for fair and impartial hearings on academic grievances. The board serves as the final hearing body for the university in the matter of academic grievances.~~

~~3. Academic Grievance — Academic grievances are defined as the following:~~

- ~~a. A claim by the student that an assigned grade is the result of arbitrary and capricious application of otherwise valid standards of academic evaluation; or~~
- ~~b. A claim by the student that the standards for evaluation are arbitrary or capricious; or~~
- ~~c. A claim by the student that the instructor has taken an arbitrary or capricious action which adversely affects the student's academic progress; or~~
- ~~d. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious, or discriminatory action which adversely affects the student's academic progress.~~

~~A student wishing to pursue an academic grievance must use the procedure outlined in this document once having received notice of an action or decision which gives rise to a grievance. The emphasis of the procedure is on informal resolution of the grievance. Grievances which call for a hearing before the board of academic appeals and academic standing should be rare.~~

1. Time Limit on Filing Complaint

- a. The students must ask for a hearing of the grievance before the board of academic appeals ~~and academic standing~~ within one academic quarter after determination of the grade of the course in question, or within one quarter after completion of the incomplete work, or in cases involving administrative actions after the fact, such as removal of incompletes, etc., one academic quarter after the administrative deadline for completion of such actions (in the case of spring quarter, by the end of the following fall quarter). The board may suspend this rule in exceptional circumstances, such as, but not limited to, extended illness, sabbatical leave, etc., of one or both parties to the grievance.
- b. ~~When either any party to the grievance is no longer in residence at the university and does not expect to return, the board will provide reasonable opportunity to complete appeal procedures or reply to the charges before making a decision. chooses not to attend the scheduled hearing, the Board will conduct the hearing with the resources available to it and render a decision resolving the grievance.~~

2. Procedures Preliminary to Petitioning the Board of Academic Appeals ~~(and Academic Standing)~~ for a Hearing ~~(PAC approved 6/26/03)~~

- a. ~~A~~ The student with a grievance shall first attempt to resolve the matter grievance with the instructor. Within fifteen (15) working days of the contact by the student, the instructor and the student shall make a good faith effort to resolve the grievance. Should the instructor be on extended leave or no longer employed by the university, the department chair (or administrative superior administrator in cases not involving academic departments) shall act for the instructor. The board may suspend this timeline in the case of exceptional circumstances, e.g., extended illness, sabbatical leaves, etc., of one or both parties to the grievance.
- b. If resolution is not achieved between the student and instructor, the student ~~may~~ must ask the department chair or administrative superior to resolve the grievance. It is the responsibility of the

chair or administrative superior to ensure that the student has a copy of the Academic Appeal Procedures. Within ~~ten (10)~~ fifteen (15) working days of the contact by the student, the department chair or administrative superior shall meet with both parties to clarify the grievance and attempt to resolve it. If the grievance is not resolved to the satisfaction of both parties, the department chair or administrative superior shall forward a written statement of his or her reasoning in the matter to the dean of the college and to the student within ten (10) working days of that attempted resolution.

- c. If a resolution is not achieved at the department-chair level and the student wishes to continue the grievance process, the student ~~may~~ must present the grievance to the dean of the college or administrative supervisor.

Within ~~ten (10)~~ fifteen (15) working days of contact by the student, the dean or administrative supervisor shall ~~hear the grievance~~ investigate the grievance and attempt to effect a mutually agreeable solution ~~between instructor, or designee, and student~~. If such a solution cannot be reached, the dean shall weigh the facts and any evidence or testimony. The dean will send a written recommendation which states his/her reasoning in the matter to the student and instructor, or designee, within ~~five (5)~~ ten (10) working days of having concluded the hearing. Within ten (10) working days, both instructor, ~~or designee~~, and student must, ~~in writing~~, notify the dean of the college or administrative supervisor in writing of their acceptance or non-acceptance of the dean's recommendation ~~within five (5) working days of receipt of the dean's recommendation~~.

If the dean's recommendation is not acceptable to either the student or the instructor, ~~the student~~ either party may petition for a hearing of the grievance before the board of academic appeals ~~and academic standing~~. The petition must be filed with the Vice President for Student Affairs ~~and enrollment management~~ within ten (10) working days of receipt of the recommendation of the dean or administrative supervisor.

- d. At any point during this procedure, the student may notify the Vice President for Student Affairs or his/her designee of the grievance. The Vice President or designee will direct the student to meet with an appointed faculty advisor within 10 working days.

3. Procedures for Petitioning the Board of Academic Appeals ~~(and Academic Standing)~~ for a Hearing (PAC approved 6/26/03)

- a. A grievance before the board is heard as if the matter has not been heard previously.
- b. A student may withdraw the petition for a hearing at any time by notifying the board in writing through the office of the vice president for student affairs.
- c. The parties to the grievance will be provided with ~~a statement of the rules governing the~~ of the board of academic appeals by the vice president for student affairs ~~and enrollment management~~.
- d. The office of the vice president for student affairs ~~and enrollment management~~ will provide the student with appropriate forms for filing a complaint, assign an advisor to the student, and accept the completed forms from the student after the student has consulted with the advisor. ~~Since forms must be notarized, a list of notaries can be made available.~~
- e. Within ~~five (5)~~ ten (10) working days of the filing of the ~~complaint by the student's~~ petition (after the student's non-acceptance of the dean's recommendation), the office of the vice president for student affairs will ~~the board chair will~~ provide the instructor with a copy of forms and materials prepared by the students and the name of an advisor for the instructor.
- f. Within fifteen (15) working days of their receiving the complaint, the person against whom the complaint has been lodged must acknowledge, in writing, receipt of the complaint and within ten (10) working days, file with the board chair a reply to the complaint. file a written response to the complaint with the board chair and the student through the office of the vice president for student

affairs.

- g. When steps C through F above have been completed, ~~the board chair~~ the office of the vice president for student affairs shall arrange for a hearing panel, ~~place the case on the board calendar,~~ and notify the parties involved of the time and place for the hearing.
- ~~h. When steps C-F above have been completed, the board chair shall arrange for a hearing panel, place the case on the board calendar, and notify the parties involved of the time and place for the hearing.~~
- h. Other interested persons may, upon request of one of the parties to the grievance or upon the request of the hearing panel, submit in writing any observations or relevant information to the instructor, student and hearing panel.
- i. If, without prior notice, either party to the grievance does not appear at the scheduled hearing and does not present evidence that uncontrollable circumstances have prevented an appearance, it will be assumed that the party has nothing to add to the evidence already made available to the board.

4. Board Proceedings

- a. The hearing ~~is~~ shall be closed to all but the members of the hearing panel, ~~the student, the instructor, the student's advisor, the instructor's advisor, witnesses and a representative from the office of the vice president for student affairs,~~ and the participants and their advisors in the hearing.
- b. All records of the hearing proceedings will be maintained.
The records shall include:
 - ~~1. all documents, motions, and intermediate rulings;~~
 - ~~2. evidence received or considered;~~
 - ~~3. a statement of matters officially noticed;~~
 - 4. questions and offers of proof, objections, and rulings thereon;
 - ~~5. proposed findings and exceptions; and~~
 - ~~6. any decisions, opinion, or report by the board chair.~~

The record will be retained for a period of three years, ~~and~~ The material will be regarded as confidential. Oral proceedings will be recorded on audiotape. Copies of the record or any part thereof will be made available to the parties to the grievance by the records request process through the Business Services and Contracts office. The cost will be borne by the party making the request.

- c. The board may:
 - 1. administer oaths and affirmations, examine witnesses, and receive evidence;
 - 2. ~~take or cause depositions to be taken; require witnesses to appear upon the request of any party to the grievance or upon its own motion;~~
 - 3. take or cause depositions to be taken;
 - 4. regulate the course of the hearing;
 - 5. hold conferences for the settlement or simplification of the issues with the consent of the parties;
 - 6. dispose of procedural requests or similar matters;
 - 7. make decisions or proposals for decisions; and
 - 8. take any other action authorized by this policy.
- ~~d. The board may require witnesses to appear upon request of any party to the grievance or upon its own motion.~~
- d. All testimony will be sworn.
- e. Both parties to the grievance will have access to the written statements of the other, ~~prior the hearing or prior to any questioning by members of the board at the time of the hearing.~~ ten (10)

working days prior to the hearing.

- f. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance. Either party may ask for a recess.
- g. Both parties to the grievance have the right to question the other party as well as any witness involved in the hearing. ~~The board chair will rule on such matters.~~
- ~~h. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance.~~
- h. Members of the hearing panel may question both parties and witnesses. Questions must be germane to the issues of the grievance. The board chair will rule on such matters.
- i. The hearing will be held in a physical space that is isolated acoustically from its surroundings and large enough to comfortably accommodate all participants to the hearing. The student and instructor shall be seated across from the hearing panel and separated by the advisors and representative of the office of the vice president for student affairs. The student and the instructor shall not face each other.
- j. The vice president for student affairs, or his/her designee, shall facilitate the hearing, take responsibility for electronically recording the hearing, and oversee the various stipulations contained in this document.

5. Decision of the Board

- a. Decisions of the board are based on a majority vote of the hearing panel appointed for the hearing, and shall be based exclusively on the evidence and on matters officially noted.
- b. The decision and reasons for the decision will be reported in writing to both parties involved in the matter, to the officials who reviewed the appeal, and to appropriate authorities mentioned in the disposition of the decision. Minority opinions may be included in the report.
- c. Parties to the grievance will be notified in writing of the decision of the board no later than ~~one week~~ five (5) working days after conclusion of the hearing.

6. Power of the Board of Academic Appeals ~~and Academic Standing~~

- a. The board may reject the grievance after due consideration.
- b. In cases involving grade changes or change in class status, the board may order a grade changed or a change in class status.
- c. In cases or aspects of cases determined by the board to involve procedural problems, the board may make recommendations for adjustments to any of the parties to the grievance and/or to the appropriate authority.
- d. In cases involving conduct, the board may take one or more of the following actions depending on the seriousness of the case as determined by the board:
 - 1. The board may issue a ~~restraining order~~ no contact or no trespass order to prevent continued or subsequent actions with respect to the specific situation in question.
 - 2. The board may reprimand one or more of the parties to the grievance and/or lodge the reprimand with the appropriate authority.
 - 3. The board may submit to the ~~authority governing the activities involved in the grievance a recommendation or request~~ proper authority a recommendation for disciplinary action for any party to the grievance in accordance with provisions of the ~~faculty code and/or code of student rights and responsibilities~~. Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement and/or the Student Conduct Code (Chapter 106-120 WAC).

7. Procedures for Implementing Grade Changes and Withholding Suspension

- a. ~~In cases~~ If the board decides a grade should be changed, ~~the board chair~~ the vice president for student affairs, or his/her designee, will send to the registrar a copy of the decision authorizing and directing that the grade on the student's official record be changed. The student, the instructor, and the ~~board chair~~ vice president for student affairs, or his/her designee, will be notified by the registrar when the change has been accomplished.
- b. ~~f the grade in question has resulted in the suspension of the student the board chair~~ vice president for student affairs, or his/her designee, will notify the ~~board of academic appeals and academic standing registrar~~ to withhold suspension pending outcome of the hearing. If the board finds in favor of the student such that suspension is no longer a consideration, the ~~board chair~~ vice president for student affairs, or his/her designee, will notify the ~~board of academic appeals and academic standing registrar~~ in writing of the decision and the suspension will be withdrawn. If the board finds against the student, the ~~board chair~~ vice president for student affairs, or his/her designee, will notify the ~~board of academic appeals and academic standing registrar~~ accordingly in writing, and the student will be withdrawn from the university or be subject to such action as the ~~committee~~ board deems appropriate, and the student's fee will be returned according to university fee return policy.
8. ~~Membership of the Board of Academic Appeals and Academic Standing~~
- a. The board shall be made up of fifteen (15) members, seven (7) ~~of whom shall be~~ faculty and eight (8) ~~of whom shall be~~ students.
- b. Faculty members of the board will be chosen by the faculty senate from among faculty who are not members of the university's administration. The definition of "faculty member" will be that which is used in the Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement.
- c. Student members of the board will be chosen by the associated students of CWU Central Washington University Board of Directors (ASCWU BOD) from students who are not members of the ~~ASCWU BOD board of directors~~. The definition of "student" will be ~~that~~ used in determining membership in the associated students of CWU as indicated by the constitution.
- d. The term of office for faculty members will be three years with staggered terms. Faculty members may be appointed to serve ~~a three-year term again after a one-year period of non-membership for subsequent three-year terms~~. Students may serve up to three years at the discretion of the ~~ASCWU board of directors~~ Associated Students of Central Washington University Board of Directors (ASCWU BOD).
- e. The board of academic appeals chair shall be ~~elected by members~~ appointed yearly by the vice president for student affairs or his/her designee. The chair shall preside at all meetings and hearings before the board and be responsible for all business of the board.
- f. Hearings before the board and judgments by the board will be conducted and rendered by the hearing panel made up of the board chair or his/her designee, ~~plus four members of the board to be selected two each by the parties to the grievance two faculty and two student members of the board.~~ Should the chair so request, The board shall can elect a pro-tem chair from among the board members to act as a hearing panel chair. In the event that one or both parties to the grievance desires not to select members of the panel or fails to select members of the panel, the board chair will select members from the board as necessary. The student and instructor shall be notified about the content of the hearing panel five (5) working days before the hearing and may request a change in the panel within one (1) working day after that notification. The board chair shall decide if changes to the hearing panel are warranted and, if so, shall make those changes.
9. ~~Administrative Affairs of the Board of Academic Appeals and Academic Standing~~
- The vice president for student affairs ~~and enrollment management or the vice president's~~ or his/her designee, will be responsible for the administrative affairs of the board of academic appeals ~~and~~

~~academic standing~~. The records of the board will be housed in the office of the vice president for student affairs. All requests for a formal hearing of academic grievances will be filed with the vice president for student affairs ~~and enrollment management~~ or his/her designee, and it will be the vice president's, ~~or his/her designee's~~ responsibility to advise students on the functioning of the board; to verify and insure that required procedures preliminary to, during, incidental to, and following formal hearings are adhered to; and to call the board into session ~~promptly until a board chair is elected~~. After a complaint has been filed and verified, ~~the vice president, or his/her designee, shall to notify promptly, in writing, at the request of the board chair, all parties to the complaint; to call for evidence promptly, in writing, as requested by the parties and to insure safekeeping of said evidence; to keep and maintain the records of board correspondence, transactions, hearings, decisions, etc., and to implement the decisions and directives for the board.~~

10. Advisors for the Parties

- a. The vice president for student affairs ~~and enrollment management~~ or ~~the vice president's~~ his/her designee will appoint upon request advisors to both parties to assist them in filing and responding to a complaint.
- b. The responsibilities of the advisors are exclusively as follows:
 1. To ensure that all informal prerequisites as specified in Section V of rules governing the board of academic appeals ~~and academic standing~~ have been completed by the complaint;
 2. To assist the ~~individual~~ complainant in properly completing or replying to the complaint form; and
 3. To make recommendations concerning presentation of necessary information to the board of academic appeals ~~and academic standing~~ (i.e. Complaint form, letters of correspondence between parties, documents, witnesses, etc.).

11. Enabling and Amending

Operation of the board of academic appeals ~~and academic standing~~ will commence upon final approval of the board of trustees of ~~CWU~~ Central Washington University. The structure and procedures of the board of academic appeals ~~and academic standing~~ may be amended by the faculty senate at any time with the approval of the board of trustees.

Revised 6/82; faculty senate approval 6/2/82; board of trustees approved 6/18/82

Exhibit A (clean copy)

CWUP 5-90-010-03 Academic Appeal Procedures

Policy

Students are responsible for achieving and maintaining the standards of academic performance and excellence which are established by their instructors and for complying with all relevant policies, standards, rules, and requirements which are formulated by the university and the university's academic units. At the same time, students may seek the redress of arbitrary or capricious actions by academic offices. No student shall be penalized or retaliated against in any way by the university community for his or her participation in this redress procedure.

Purpose

The purpose of the Board of Academic Appeals (Board) and Academic Standing Committee (ASC) is to provide for fair and impartial hearings of academic grievances. The Board serves as the final hearing body for the university in the matter of academic grievances. The Board may direct the university to change an academic decision affecting the student and specify the content of that change. The decision of the Board of Academic Appeals and Academic Standards Committee is final.

Academic Grievances

(A) Academic grievances are defined as the following:

1. A claim by the student that an assigned grade is the result of arbitrary or capricious application of otherwise valid standards of academic evaluation; or
2. A claim by the student that the standards for evaluation are arbitrary or capricious; or
3. A claim by the student that the instructor has taken an arbitrary or capricious action which adversely affects the student's academic progress; or
4. A claim by the student that a university department, program, or office has made a decision not in keeping with university policy or taken an arbitrary, capricious action which adversely affects the student's academic progress.

(B) A student wishing to pursue an academic grievance must use the procedures outlined in this document. The emphasis of the procedure is on informal resolution of the grievance.

1. Time Limit on Filing Complaint

- a. The student must ask for a hearing of the grievance before the board of academic appeals within one academic quarter after determination of the grade of the course in question, or within one quarter after completion of the incomplete work, or in cases involving administrative actions after the fact, such as removal of incompletes, etc., one academic quarter after the administrative deadline for completion of such actions (in the case of spring quarter, by the end of the following fall quarter). The board may suspend this rule in exceptional circumstances, such as, but not limited to, extended illness, sabbatical leave, etc., of one or both parties to the grievance.
- b. When any party to the grievance chooses not to attend the scheduled hearing, the Board will conduct the hearing with the resources available to it and render a decision resolving the grievance.

2. Procedures Preliminary to Petitioning the Board of Academic Appeals for a Hearing.

- a. The student shall first attempt to resolve the grievance with the instructor. Within fifteen (15) working days of the contact by the student, the instructor and the student shall make a good faith effort to

resolve the grievance. Should the instructor be on extended leave or no longer employed by the university, the department chair (or administrative superior in cases not involving academic departments) shall act for the instructor. The board may suspend this timeline in the case of exceptional circumstances, e.g., extended illness, sabbatical leaves, etc., of one or both parties to the grievance.

- b. If resolution is not achieved between the student and instructor, the student must ask the department chair or administrative superior to resolve the grievance. It is the responsibility of the chair or administrative superior to ensure that the student has a copy of the Academic Appeal Procedures. Within fifteen (15) working days of the contact by the student, the department chair or administrative superior shall meet with both parties to clarify the grievance and attempt to resolve it. If the grievance is not resolved to the satisfaction of both parties, the department chair or administrative superior shall forward a written statement of his or her reasoning in the matter to the dean of the college and to the student within ten (10) working days of that attempted resolution.
 - c. If a resolution is not achieved at the department-chair level and the student wishes to continue the grievance process, the student must present the grievance to the dean of the college or administrative supervisor.
 1. Within fifteen (15) working days of contact by the student, the dean or administrative supervisor shall investigate the grievance and attempt to affect a mutually agreeable solution. If such a solution cannot be reached, the dean shall weigh the facts and any evidence or testimony. The dean will send a written recommendation which states his/her reasoning in the matter to the student and instructor, or designee, within ten (10) working days of having concluded the hearing. Within ten (10) working days, both instructor and student must, notify the dean of the college or administrative supervisor in writing of their acceptance or non-acceptance of the dean's recommendation.
 2. If the dean's recommendation is not acceptable to either the student or the instructor, either party may petition for a hearing of the grievance before the board of academic appeals. The petition must be filed with the vice president for student affairs within ten (10) working days of receipt of the recommendation of the dean or administrative supervisor.
 - d. At any point during this procedure, the student may notify the vice president for student affairs or his/her designee of the grievance. The vice president or designee will direct the student to meet with an appointed faculty advisor within 10 working days.
3. Procedures for Petitioning the Board of Academic Appeals for a Hearing (PAC approved 6/26/03)
- a. A grievance before the board is heard as if the matter has not been heard previously.
 - b. A student may withdraw the petition for a hearing at any time by notifying the board in writing through the office of the vice president for student affairs.
 - c. The parties to the grievance will be provided with the rules governing the board of academic appeals by the vice president for student affairs.
 - d. The office of the vice president for student affairs will provide the student with appropriate forms for filing a complaint, assign an advisor to the student, and accept the completed forms from the student after the student has consulted with the advisor.
 - e. Within ten (10) working days of the filing of the student's petition (after the student's non-acceptance of the dean's recommendation), the office of the vice president for student affairs will provide the instructor with a copy of forms and materials prepared by the student and the name of an advisor for the instructor.
 - f. Within fifteen (15) working days of their receiving the complaint, the person against whom the complaint has been lodged must file a written response to the complaint with the board chair and the student through the office of the vice president for student affairs.
 - g. When steps C through F above have been completed, the office of the vice president for student affairs shall arrange for a hearing panel, and notify the parties involved of the time and place for the hearing.

- h. Other interested persons may, upon request of one of the parties to the grievance or upon the request of the hearing panel, submit in writing any observations or relevant information to the instructor, student and hearing panel.
- i. If, without prior notice, either party to the grievance does not appear at the scheduled hearing and does not present evidence that uncontrollable circumstances have prevented an appearance, it will be assumed that the party has nothing to add to the evidence already made available to the board.

4. Board Proceedings

- a. The hearing shall be closed to all but the members of the hearing panel, the student, the instructor, the student's advisor, the instructor's advisor, witnesses and a representative from the office of the vice president for student affairs.

- b. All records of the hearing proceedings will be maintained.

The record will be retained for a period of three years. The material will be regarded as confidential. Copies of the record or any part thereof will be made available to the parties to the grievance by the records request process through the Business Services and Contracts office. The cost will be borne by the party making the request.

- c. The board may:
 - 1. administer oaths and affirmations, examine witnesses, and receive evidence;
 - 2. require witnesses to appear upon the request of any party to the grievance or upon its own motion;
 - 3. take or cause depositions to be taken;
 - 4. regulate the course of the hearing;
 - 5. hold conferences for the settlement or simplification of the issues with the consent of the parties;
 - 6. dispose of procedural requests or similar matters;
 - 7. make decisions or proposals for decisions; and
 - 8. take any other action authorized by this policy.

- d. All testimony will be sworn.

- e. Both parties to the grievance will have access to the written statements of the other ten (10) working days prior to the hearing.

- f. Both parties to the grievance have the right to advice from a third party of his or her choosing during the hearing of the grievance. Either party may ask for a recess.

- g. Both parties to the grievance have the right to question the other party as well as any witness involved in the hearing.

- h. Members of the hearing panel may question both parties and witnesses. Questions must be germane to the issues of the grievance. The board chair will rule on such matters.

- i. The hearing will be held in a physical space that is isolated acoustically from its surroundings and large enough to comfortably accommodate all participants to the hearing. The student and instructor shall be seated across from the hearing panel and separated by the advisors and representative of the office of the vice president for student affairs. The student and the instructor shall not face each other.

- j. The vice president for student affairs, or his/her designee, shall facilitate the hearing, take responsibility for electronically recording the hearing, and oversee the various stipulations contained in this document.

5. Decision of the Board

- a. Decisions of the board are based on a majority vote of the hearing panel appointed for the hearing, and shall be based exclusively on the evidence and on matters officially noted.
- b. The decision and reasons for the decision will be reported in writing to both parties involved in the matter, to the officials who reviewed the appeal, and to appropriate authorities mentioned in the disposition of the decision. Minority opinions may be included in the report.
- c. Parties to the grievance will be notified in writing of the decision of the board no later than five (5) working days after conclusion of the hearing.

6. Power of the Board of Academic Appeals

- a. The board may reject the grievance after due consideration.
- b. In cases involving grade changes or change in class status, the board may order a grade changed or a change in class status.
- c. In cases or aspects of cases determined by the board to involve procedural problems, the board may make recommendations for adjustments to any of the parties to the grievance and/or to the appropriate authority.
- d. In cases involving conduct, the board may take one or more of the following actions depending on the seriousness of the case as determined by the board:
 1. The board may issue a no contact or no trespass order to prevent continued or subsequent actions with respect to the specific situation in question.
 2. The board may reprimand one or more of the parties to the grievance and/or lodge the reprimand with the appropriate authority.
 3. The board may submit to the proper authority a recommendation for disciplinary action for any party to the grievance in accordance with provisions of the Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement and/or the Student Conduct Code (Chapter 106-120 WAC).

7. Procedures for Implementing Grade Changes and Withholding Suspension

- a. If the board decides a grade should be changed, the vice president for student affairs, or his/her designee, will send to the registrar a copy of the decision authorizing and directing that the grade on the student's official record be changed. The student, the instructor, and the vice president for student affairs, or his/her designee, will be notified by the registrar when the change has been accomplished.
- b. If the grade in question has resulted in the suspension of the student the vice president for student affairs, or his/her designee, will notify the registrar to withhold suspension pending outcome of the hearing. If the board finds in favor of the student such that suspension is no longer a consideration, the vice president for student affairs, or his/her designee, will notify the registrar in writing of the decision and the suspension will be withdrawn. If the board finds against the student, the vice president for student affairs, or his/her designee, will notify the registrar accordingly in writing, and the student will be withdrawn from the university or be subject to such action as the board deems appropriate, and the student's fee will be returned according to university fee return policy.

8. Membership of the Board of Academic Appeals

- a. The board shall be made up of fifteen (15) members, seven (7) faculty and eight (8) students.
- b. Faculty members of the board will be chosen by the faculty senate from among faculty who are not members of the university's administration. The definition of "faculty member" will be that which is used in the Central Washington University and United Faculty of Central Washington University Collective Bargaining Agreement.
- c. Student members of the board will be chosen by the associated students of Central Washington

University Board of Directors (ASCWU BOD) from students who are not members of the ASCWU BOD. The definition of "student" will be used in determining membership in the associated students of CWU as indicated by the constitution.

- d. The term of office for faculty members will be three years with staggered terms. Faculty members may be appointed to serve for subsequent three-year terms. Students may serve up to three years at the discretion of the Associated Students of Central Washington University Board of Directors (ASCWU BOD).
- e. The board of academic appeals chair shall be appointed yearly by the vice president for student affairs or his/her designee. The chair shall preside at all meetings and hearings before the board and be responsible for all business of the board.
- f. Hearings before the board and judgments by the board will be conducted and rendered by the hearing panel made up of the board chair or his/her designee, plus two faculty and two student members of the board. The board can elect a pro-tem chair from among the board members to act as a hearing panel chair. The student and instructor shall be notified about the content of the hearing panel five (5) working days before the hearing and may request a change in the panel within one (1) working day after that notification. The board chair shall decide if changes to the hearing panel are warranted and, if so, shall make those changes.

9. Administrative Affairs of the Board of Academic Appeals

The vice president for student affairs or his/her designee, will be responsible for the administrative affairs of the board of academic appeals. The records of the board will be housed in the office of the vice president for student affairs. All requests for a formal hearing of academic grievances will be filed with the vice president for student affairs or his/her designee, and it will be the vice president's, or his/her designee's responsibility to advise students on the functioning of the board; to verify and insure that required procedures preliminary to, during, incidental to, and following formal hearings are adhered to; and to call the board into session. After a complaint has been filed and verified, the vice president, or his/her designee, shall notify all parties to the complaint; to call for evidence and insure safekeeping of said evidence; keep and maintain the records of board correspondence, transactions, hearings, decisions, etc., and implement the decisions and directives for the board.

10. Advisors for the Parties

- a. The vice president for student affairs or his/her designee will appoint upon request advisors to both parties to assist them in filing and responding to a complaint.
- b. The responsibilities of the advisors are exclusively as follows:
 1. To ensure that all informal prerequisites as specified in Section V of rules governing the board of academic appeals have been completed by the complaint;
 2. To assist the complainant in properly completing or replying to the complaint form; and
 3. To make recommendations concerning presentation of necessary information to the board of academic appeals (i.e. Complaint form, letters of correspondence between parties, documents, witnesses, etc.).

11. Enabling and Amending

Operation of the board of academic appeals will commence upon final approval of the board of trustees of Central Washington University. The structure and procedures of the board of academic appeals may be amended by the faculty senate at any time with the approval of the board of trustees.

Exhibit B

5-90-010 (16) Course Substitutions

5-90-010 (16)(A)

Students may petition the appropriate department chair if they wish to substitute courses within degree requirements. The course used for substitution must be similar in content to the required course. The substituted course(s) credits may not reduce the total required credits. *Permit to Substitute* form can be obtained from the Office of the Registrar. ~~Course substitutions may not contravene general university policy.~~

5-90-010 (16)(B)

Blanket Substitutions

1. A blanket substitution is used when a required course, or group of courses, is/are no longer being taught (i.e., placed on reserve, no instructor to teach, etc.) and a replacement course, or group of courses, is/are needed to fulfill the students program requirement(s) during the academic year.
2. Blanket substitutions may be determined by the department chair, an academic program director, or college dean, where appropriate, for a course substitution meeting a program requirement. Requests will be submitted to the Registrar on the *Blanket Substitution Request* form. Blanket substitutions may be effective for no more than one academic year and will be deactivated the end of summer term of the requested year. Curriculum change(s) must be made if continuance is required. All changes to program requirements must follow the faculty senate guidelines for submitting appropriate curriculum forms and meet the catalog deadline posted at the beginning of fall quarter.

Rationale:

- (A) Substitutions are used to benefit student success. However, some substitutions are questionable in that courses lack similarity to the required course. Multiple substitutions within one major may alter the integrity of the program and this is not the original intent of the approved program.

- (B) Departments have continued to use blanket substitutions for multiple years. CAPS reports reflect the requirements of each program as listed in the official catalog; coding the blanket substitutions “behind the scene” in CAPS does not follow the catalog. In addition, students with veteran status can only follow the official catalog to receive VA benefits.
- (C) Currently, if a program change is not made within the academic year, the blanket substitution continues to be coded and unchanged. Going forward, Registrar Services will monitor the blanket substitutions to ensure curriculum changes are made.

Exhibit C

CWUP 5-50-110 Rules for Undergraduate and Graduate Degrees

(1) Listing program requirements

(A) All courses (except English 101 and 102) that are prerequisites to any required course are to be listed as requirements in the course of study and counted in the credit total for a major.

(B) All pre-admission course requirements (except English 101 and 102) are to be listed as requirements in the course of study and the credits should be counted in the degree program total.

(C) All majors that require a specific minor or certificate are required to list the number of credits for that minor or certificate in their course of study for the major degree program and include them in the credit total.

(D) Majors that require minors or additional credits that are not specified must include catalog information that informs students of the additional requirements and the possible credit impact on their degrees.

(E) All teaching majors are required to list the Professional Education Program credits in the course of study for the major degree program and counted them in the credit total.

***Rationale:** Since these credits are required to receive the degree, they should be acknowledged as such and counted in the course of study for the major.*

Renumber all other sections.

General Education Report

<http://www.cwu.edu/~fsenate/General%20Education%20proposal%205-27-10.docx>