



College of the Canyons Academic Senate

October 31, 2024

3:00 p.m. to 4:50 p.m.

Hybrid Format, via Zoom & in-person in BONH 330

Join Zoom Meeting

<https://canyonsonline.zoom.us/j/83788078102?pwd=B3bKUsRrA4wOCQggKayblQ9r7Hqa63.1>

Meeting ID: 837 8807 8102; Passcode: 834823

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Additional Teleconferencing locations can be found on page 2 of this agenda.

AGENDA

Notification: *The meetings may be audio recorded for note taking purposes. These recordings are deleted once the meeting summary is approved by the Academic Senate.*

ADA statement: If you need a disability-related modification or accommodation (including auxiliary aids or services) to participate in the public meeting, or if you need an agenda in an alternate form, please contact the Academic Senate Office at academicsenateinfo@canyons.edu College of the Canyons

A. Routine Matters

1. Call to order
2. Public Comment
 - *This portion of the meeting is reserved for persons desiring to address the Academic Senate on any matter not on the agenda. No action will be taken. Speakers are limited to three minutes. Public questions or comments can be submitted via email at academicsenateinfo@canyons.edu or asked via zoom chat feature.*
3. Approval of the Agenda
4. Committee Appointments:
 - Hiring Committee list (pg. 3)
5. Sub-Committee Summaries: none
6. Approval of the Consent Calendar

Academic Senate Summary, October 17, 2024 (pg. 4-7)	Curriculum Committee Summary , October 24, 2024
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B. Reports

These are informational items no discussion or action will be taken. However, clarification questions are welcomed.

1. Academic Integrity Committee Annual Chair Report, Shane Ramey (pg. 8-10)
2. Academic Senate Presidents Report, Lisa Hooper
3. Vice Presidents Report, Garrett Rieck

C. Action Items

Below is a list of items that the Senate will take action on. Discussion is welcomed by all attendees.

none

D. Discussion

Below are items that the Senate will discuss and no action will be taken. Discussion is welcomed by all attendees.

1. Academic Freedom Committee Report-Grading, Karyl Kicenski (pg. 11-17)

2. Curriculum Local GE Pattern, Tricia George & Jesse Vera

E. Unfinished Business

Below is a list of items that can be discussed for a future date.

1. Web Design/Server Update
2. Artificial Intelligence Resolution

F. New Future Business

Request to place an item for a future agenda is welcomed. Below is a list of topics that will be discussed at a future business date.

1. Tenure Committee Training Workshops
2. Department Chair Training Schedule
3. Back up training for administrative support staff
4. Department Chair Election Procedures
5. Pre-requisite Satisfaction
6. Open Class Status
7. CANVAS/Turnitin Integration
8. Academic Freedom & Course Outline of Record

G. Announcements

1. Next Academic Senate Meeting Dates Fall 2024: Nov. 14th & Dec. 5th. Spring 2025: Feb. 13th, Feb. 27th, March 13th, March 27th, April 17th, May 1st & May 15th
2. 2024 ASCCC Fall Plenary Session: Nov. 7th – 9th, Visalia Convention Center, Visalia, CA.
3. 2025 ASCCC Spring Plenary: April 24 – 26th, Hyatt Regency, Irvine, CA.
4. 2025 ASCCC Fall Plenary Session: Nov. 6th – 8th, Regency La Jolla, San Diego, CA.
5. 2025 ASCCC Curriculum Institute: July 9th- 12th, Ontario Convention Center, Ontario, CA.
6. 2025 ASCCC Faculty Leadership Institute: June 12th – 14th, Hyatt Regency, San Francisco Airport, CA.

H. Adjournment

The teleconference is accessible through the following link:

<https://canyonsonline.zoom.us/j/83788078102?pwd=B3bKUsRrA4wOCQggKayblQ9r7Hqa63.1>

Please note:

This meeting will be broadcasted at the following locations via zoom

none

Hiring Committee
Faculty Appointments

First Name	Last Name	Full-Time or Part-Time
Charlie	Johnson	Full-Time
David	Thrasher	Full-Time
Justin	Hunt	Full-Time
Regina	Blasberg	Full-Time
Tim	Baber	Full-Time

Academic Senate Meeting Summary for October 17, 2024

Voting Members					
Senate President	Lisa Hooper	X	Business Senator	Gary Quire	X
Vice President	Erica Seubert proxy for Garrett Rieck	X	Learning Resources Senator	Jennifer Thompson	X
Curriculum Chair	Tricia George	X	Personal & Professional Learning Senator	Garrett Rieck	X
Policy Review Chair	Nicole Faudree	X	Public Safety	VACANT	
Communications Officer	Erica Seubert	X	At Large Senator	Sab Matsumoto	X
AT Senator	Regina Blasberg	X	At Large Senator	Michelle LaBrie	X
MSHP-MSE Senator	Thomas Gisel	X	At Large Senator	Rebecca Shepherd	X
MSHP-HPPS Senator	Lak Dhillon	X	At Large Senator	Tom Gisel proxy for Shane Ramey	X
VAPA Senator	David Brill	X	At Large Senator	Rebecca Shepherd proxy for Nadia Monosov	X
Student Services Senator	Graciela Martinez proxy for Jesse Vera	X	Adjunct Senator	Todd Fatta	X
Humanities Senator	Mike Harutunian	X	Adjunct Senator	Lauren Rome	X
Kinesiology/Athletics Senator	Ticia George proxy for Leora Gabay	X	Adjunct Senator	Linda Beauregard-Vasquez	X
SBS Senator	Jennifer Paris	X	X= Present	A= Absent	

Non-voting Members			
Dr. Omar Torres (via Zoom)	X	Paul Wickline	X
Marilyn Jimenez	X	Jason Burgdorfer (COCFA President)	A
Dan Portillo (AFT President) (via Zoom)	X	ASG Student Representative- Jesus Martinez (via Zoom)	X

Guest							
Alexa Dimakos	X	Daylene Meuschke	X	Michael Felix	X	Sanjana Sudhir	X
Ana Palmer	X	Dianna Avery	X	Nadia Cotti	X	Sara Breshears	X
Carol Johnston	X	Jennifer Brezina	X	Roxanna Padilla	X	Sonja Jones	X

A. Routine Matters

1. Call to order: 3:04 pm.
2. Public Comment:
 - I. Special thanks to the IT Department for the ability to catch phishing scams and people attempting to impersonate college employees.
3. Approval of the Agenda
 - I. Motion to approve the agenda by Linda Beauregard-Vasquez, seconded by Mike Harutunian. Tricia George proxy for Leora Gabay (yes, vote); Rebecca Shepherd proxy for Nada Monosov (yes, vote); Tom Gisel proxy for Shane Ramey (yes, vote); Erica Seubert proxy for Garrett Rieck (yes, vote) & Graciela Martinez proxy for Jesse Vera (yes, vote). Unanimous. Approved
4. Committee Appointments: none
5. Sub-Committee Summaries
 - I. Senate Executive Committee meeting summary, September 30, 2024 (pg. 7-9).
 - II. There are some typos in the summary. Regina Blasberg will forward corrections to Marilyn Jimenez.

- II. Motion to approve the by Regina Blasberg, seconded Gary Quire. Tricia George proxy for Leora Gabay (yes, vote); Rebecca Shepherd proxy for Nada Monosov (yes, vote); Tom Gisel proxy for Shane Ramey (yes, vote); Erica Seubert proxy for Garrett Rieck (yes, vote) & Graciela Martinez proxy for Jesse Vera (yes, vote). Unanimous. Approved
6. Approval of the Consent Calendar
 - III. Motion to approve the consent calendar by Lauren Rome, seconded by Michelle LaBrie. Tricia George proxy for Leora Gabay (yes, vote); Rebecca Shepherd proxy for Nada Monosov (yes, vote); Tom Gisel proxy for Shane Ramey (yes, vote); Erica Seubert proxy for Garrett Rieck (yes, vote) & Graciela Martinez proxy for Jesse Vera (yes, vote). Unanimous. Approved

Academic Senate Summary, October 3, 2024 (pg. 3-6)	<u>Curriculum Committee Summary</u> , October 10, 2024
Lead Adjunct Senator, Linda Beauregard-Vasquez (Term: 7/1/24-6/30/25)	

B. Reports

These are informational items no discussion or action will be taken. However, clarification questions are welcomed.

1. Policy Review Committee, Gary Collis & Nicole Faudree]
 - I. Gary Collis outlined the process the committee uses for reviewing policies when they get outdated or when new laws come through Sacramento that require changes. A suggestion is to utilize the searchable Board Docs system for storing policies. The CCLC provides models for policies which are drafted by attorneys. Some language is mandated by law and cannot be changed. The committee has been reviewing student discipline and academic honesty policies. The policies will return in the spring 25 semester.
2. Academic Senate Presidents Report, Lisa Hooper
 - I. **GREAT SHAKEOUT:** The drill took place today, Thursday, Oct. 19th and the evening drill will take place during the homecoming. People will not be evacuated from the stadium. A survey will go out to collect feedback.
 - II. **Common Course Numbering (CNN):** Tricia George sent an email to faculty to see who wants to join statewide faculty group committee. The group includes 6 CCC, 2 UC, 2 CSU, 1 HBCU and one independent/private university representative to inform the common course outlines.
 - III. **Joy Shoemate presentation on integration of CANVAS and Turnitin:** Joy will be presenting at the December 5th meeting. Standing updates on the new features of CANVAS may be scheduled.
 - IV. **Adjunct Earning FLEX:** Adjuncts can earn FLEX, but they must have a teaching assignment in the term.
 - V. **Payroll Director, Roy Castillo Update:** There are no electronic paystubs. Payroll has an interest in moving into an electronic system but not until 2026. There is no common coding on paystubs. Anyone with questions can contact Roy Castillo at Payroll.
 - VI. **ASG Meeting:** ASG wanted to learn about how Senate works and how they can inform their processes. Lisa met with 3 ASG representatives, the Student Trustee, Executive VP and the Policy representative. ASG will contribute when needed.
 - VII. **ASCCC Area C Meeting Update:** Lisa will attend virtually as there is a pre meeting to the plenary.
 - VIII. **Faculty Center Grand Opening on Nov 14th:** There will be a Grant Opening to celebrate the renovations to BONH 330.
 - IX. **Opening Day Panel:** reconvened at the request of the president to answer any question the panel was unable to address because of time constraints. We reviewed the remaining questions and noted that many of the themes were repeated. The groups felt the largest/biggest pictures items had been adequately addressed.
 - X. **Template Committee procedures:** Lisa is working to provide an updated template for senate committee procedures.
 - XI. **ASCCC South Region Curriculum Meeting at COC:** The event will be at the COC University Center on October 24th. All interested faculty are welcome to attend this free event.
 - XII. **Homecoming today:** The event will be in the Cougar Den & stadium – come join the festivities!
 - XIII. **Adjunct offices:** Offices at BONH are being outfitted with the necessary equipment for conducting Zoom session headphones will also be added. The UCEN offices will have at least one adjunct station with Zoom capability.

C. Action Items

Below is a list of items that the Senate will take action on. Discussion is welcomed by all attendees.

1. Curriculum Approval Local Control, Dr. Omar Torres & Lisa Hooper (pg. 10-13)
 - I. The intent is for the college to be able to chapter and approve all courses. Some programs such as those for transfer must go to the state. For BA degrees there is no local control. There is also an annual Curriculum and PV Committee training required as they contribute to the curriculum. The non-credit curriculum committee is also invited. The BA degree is on a different cycle, there is a BDP handbook, and the district needs to keep BA courses on the 5-year revision cycle. The Ed code requires 6 years, but COC does 5 years.
 - II. Motion to approve the Curriculum Approval for Local Control by Mike Harutunian, seconded by Rebecca Shepherd. Tricia George proxy for Leora Gabay (yes, vote); Rebecca Shepherd proxy for Nada Monosov (yes, vote); Tom Gisel proxy for Shane Ramey (yes, vote); Erica Seubert proxy for Garrett Rieck (yes, vote) & Graciela Martinez proxy for Jesse Vera (yes, vote). Nicole Faudree was absent. Unanimous. Approved

D. Discussion

Below are items that the Senate will discuss, and no action will be taken. Discussion is welcomed by all attendees.

1. Institution Set Standards for ACCJC Annual Report 2025 (DRAFT), Dr. Omar Torres (pg. 14-15)
 - I. The district is required to submit an annual report to ACCJC every spring and needs to report certain data elements. There is a midterm report, and the draft will be written in spring and will be edited in the summer. The draft will go to the Academic Senate, Classified Senate and ASG in the fall before submitting to the commission next Dec. 2025. The district is asked to evaluate the institution's set standards and aspirational goals. The commission wants to see the institution engaged in continuous quality improvement, that set standards have been established and that the institution is working on achieving those goals. The district is putting forth a recommendation for a slight adjustment as applicable to the institution set standard and stretch goals.
2. Honorary Degrees (AP 4110), Lisa Hooper (pg. 15-16)
 - I. There was discussion regarding what the process and criteria would look like for conferring honorary degrees. Some are uncomfortable that the president and the board can select who can get an honorary degree. It was suggested to award posthumous degrees for students who pass away to not appear too elitist. There are many adjuncts who serve and don't receive recognition. What is the process to rescind a degree if the recipient is not worthy? There is a need to make the AP stronger. This item will be returned to the policy committee and administration for further discussion.
3. Syllabi & Orientation Letters-Best Practices, Lisa Hooper
 - I. Are we ready to update our best practices for syllabi and add best practices for Orientation letters? CELT has been discussing the syllabus. The suggestion is to create a sub-group to the CETL committee to discuss the best practices for a syllabus. The preference is to present thematic "best practices" versus template language. Syllabi in Canvas look very different from the physical paper syllabus. What are the best practices for syllabi for classes that meet in-person versus online? This item requires further discussion.

E. Unfinished Business

Below is a list of items that can be discussed for a future date.

1. Web Design/Server Update
2. Artificial Intelligence Resolution

F. New Future Business

Request to place an item for a future agenda is welcomed. Below is a list of topics that will be discussed at a future business date.

1. Tenure Committee Training Workshops
2. Department Chair Training Schedule
3. Back up training for administrative support staff
4. Department Chair Election Procedures
5. Pre-requisite Satisfaction
6. Open Class Status
7. CANVAS/Turnitin Integration

8. Academic Freedom & Course Outline of Record

G. Announcements

1. Next Academic Senate Meeting Dates Fall 2024: Oct. 31st, Nov. 14th & Dec. 5th.
2. 2024 ASCCC Fall Curriculum South Regional Meeting: Oct. 26th, **College of Canyons, University Center, Room 258**
3. 2024 ASCCC Fall Plenary Session: Nov. 7th – 9th, Visalia Convention Center, Visalia, CA.
4. 2025 ASCCC Spring Plenary: April 24 – 26th, Hyatt Regency, Irvine, CA.
5. 2025 ASCCC Fall Plenary Session: Nov. 6th – 8th, Regency La Jolla, San Diego, CA.
6. 2025 ASCCC Curriculum Institute: July 9th- 12th, Ontario Convention Center, Ontario, CA.
7. 2025 ASCCC Faculty Leadership Institute: June 12th – 14th, Hyatt Regency, San Francisco Airport, CA.

H. Adjournment: 5:01 pm.

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Please note:

This meeting will be broadcasted at the following locations via zoom

none

Academic Integrity Committee (AIC) Annual Report Prepared

by: Dr. Shane Ramey

Date: October 31, 2024

A. Committee & Committee Chair Name and Meeting Times/Location

- **Committee Name:** Academic Integrity Committee (AIC)
 - **Committee Chair:** Dr. Shane Ramey
 - **Meeting Times:** Last Tuesday of each month, 1:30-3:00 PM
 - **Location:** BONH-330
-

B. Committee Membership Composition List

- **Chair:** Dr. Shane Ramey - Mathematics, Science & Engineering
 - **Members:**
 - Regina Blasberg - Applied Technologies
 - Sara Breshears - Learning Resources
 - Sylvia Duncan - Health Professions
 - Adam Kaiserman - Humanities
 - Michelle LaBrie - Social & Behavioral Sciences
 - Scott McAfee - Social & Behavioral Sciences (Adjunct)
 - Ruth Rassool - Humanities (Adjunct)
-

C. Time Stamp on Report

October 31, 2024

D. Committee Background, Purpose, Objectives, or Goals

The Academic Integrity Committee (AIC) is a sub-committee of the Academic Senate that plays a key advisory role in promoting and maintaining academic integrity across the College. The Committee's primary function is to provide guidance, recommendations, and practical strategies to faculty, administration, and other campus groups in addressing academic integrity concerns comprehensively and collaboratively. These concerns are not limited to preventing academic dishonesty; instead, they encompass a broader commitment to fostering values like honesty, responsibility, and ethical behavior throughout all academic activities. We encourage a more holistic approach that empowers students to develop meaningful principles, such as integrity, accountability, and respect for the work of others, in all their academic pursuits. By fostering a collegial and inclusive environment, the AIC aims to influence policy and practice in a meaningful and impactful way. The AIC is not responsible for handling individual student conduct violations; instead, it focuses on proactive measures, such as developing white papers, resolutions, and best practices that address a range of academic integrity issues. These efforts include examining the impact of emerging technologies, such as artificial intelligence (AI), which presents new challenges and opportunities in maintaining academic standards. The Committee's proactive measures are designed to not only mitigate academic dishonesty but also to support a culture of integrity through education.

E. Summary of Committee Work

The AIC (formerly the Academic Integrity Taskforce) has made progress on several ongoing projects, collaborating with other campus groups to support and strengthen academic integrity:

1. **Statement on Academic Integrity:** The Academic Integrity Taskforce updated the College of the Canyons' Statement on Academic Integrity, which was approved by the Academic Senate on May 25, 2023. This updated statement outlines the ethical responsibilities of students and faculty,

defines various forms of academic dishonesty (including the unauthorized use of AI-generated materials) and stresses the importance of academic integrity within the College's academic community.

2. **Development of AIC Procedures:** A key focus has been formalizing the committee's procedures. The committee is finalizing its operating procedures, with emphasis on the mission statement and committee duties and functions, which will be submitted to the Academic Senate shortly. This formalization ensures clarity in how the AIC operates within the shared governance structure of the College.
 3. **Addressing Emerging Technologies:** The AIC has been actively exploring the role of artificial intelligence (*e.g.* generative AI and large language models) in academic integrity. This includes discussions on how AI-generated content can be used ethically in academic work and developing guidelines to prevent its misuse. The committee anticipates that this work will be ongoing as AI becomes more pervasive in academia. It is therefore likely that the committee will be tasked with the creation of multiple documents over the coming semesters on the subject, starting with an initial report to the Academic Senate this academic year.
 4. **Collaboration with Policy Review Committee:** The AIC has collaborated with the Policy Review Committee on revising existing policies and developing new policies related to academic integrity. Specifically, the AIC provided input regarding updates to AP 5520 (Student Conduct Procedures) and proposed AP 5521 (Grade Penalty Procedures).
 5. **Meetings with Student Conduct:** The AIC Chair has met with the 'Student Conduct' office to discuss issues related to the reporting and handling of student cases of academic dishonesty, including providing input regarding the new Maxient reporting platform.
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F. Main Objectives, Goals, or Projects for the Current Year

- **Finalizing and Submitting AIC Procedures:** The committee is in the final stages of finalizing its procedures. Feedback has been solicited from committee members, particularly regarding the mission statement and duties. These procedures will be submitted to the Academic Senate for approval within the academic year.
 - **Artificial Intelligence in Academic Integrity:** The committee's primary project for the current academic year is to develop a substantive document to assist faculty in developing guidelines/parameters addressing the use of AI in their classes. This will serve as a foundation for further exploration of the topic in subsequent semesters.
 - **Promoting Best Practices in Academic Integrity:** The committee continues to focus on proactive measures to reduce academic dishonesty. This includes promoting improvements in course design and creating educational resources for faculty and students regarding academic integrity.
 - **Cooperation with CETL, Ed.Tech, and Academic Freedom:** The AIC recognizes the mutual concerns of the Center for Excellence in Teaching, and the Education Technology and Academic Freedom committees. The committee welcomes continued discussions and presentations with these constituent groups that inform our recommendations.
-

G. Challenges the Committee Has Faced

A significant challenge this year has been navigating the differences in how our respective schools define and approach academic integrity, as well as what it means to the individuals within those schools. For example, faculty have differing perspectives on what constitutes academic dishonesty, as well as varying opinions on which violations should be officially reported to Student Conduct versus those that should be handled independently. Based on the results of a survey conducted in 2023, there is a need for an interim step in cases of academic dishonesty that faculty prefer to handle one-on-one with students.

Collecting information on such cases could help identify patterns of behavior, including both

improvements and recurring issues. Faculty decision-making would be greatly aided if they were aware of repeated instances of student misconduct. Additionally, the rise of AI technologies and their potential for misuse in academic work has posed challenges that we are actively addressing. While the risks associated with AI are significant, there are also opportunities to leverage these technologies to enhance the learning experience. Balancing the potential benefits with the opportunities for misuse will be challenging.

H. Support Needed from the Academic Senate or Other Campus Groups

The AIC would greatly benefit from support to attend conferences and relevant training opportunities to further enhance the committee's capacity to address academic integrity challenges effectively. Additionally, the committee may request Senate assistance in disseminating information about AI-related guidelines and best practices once the initial report is finalized.

I. Upcoming Senate Agenda Items or New Future Senate Business from this Committee

- **Presentation of AIC Procedures:** The finalized AIC procedures will be presented to the Academic Senate for approval.
- **Report on AI in Academic Integrity:** The committee plans to present its first document on AI in academic settings by the end of the current academic year.

**Committee on Academic Freedom
Conditional Report:**

**Faculty and Grading: Grade Penalties
& Due Process in the Era of Generative AI**

October 2024

Karyl Kicenski
Chair

Chris Blakey
Member

Tricia George
Member

Garrett Hooper
Member

Urvashi Juneja
Member

Collette Salvatierra
Member

Prepared for College of the Canyons Academic Senate

I. Introduction and Context

There has been a recent explosion of cheating and plagiarism amongst the student population at the College of the Canyons (and presumably at other colleges and universities, as well). This problem has been exacerbated by the combination of larger numbers of online course offerings, and the development of large-language models of generative artificial intelligence (GAI) available to the student population. Hence, it is no longer a rarity for a faculty member to find that a student has used GAI to complete some particular assignment or prompt on an exam.¹ The nature of plagiarism and cheating has changed significantly with the advent of GAI. An instructor typically sees less blatant, word-for-word plagiarism lifted out of an online site or written source. This “old style” plagiarism is rather easily detected and does not require expertise in subject matter. However, today, instructors see prose that has been produced by GAI. The GAI content will often be reasonably accurate about what it is describing, but will also display a conspicuous absence of conceptual details emphasized by the instructor in their particular class or speak in a “voice” unlike the student’s. In other words, the content of the submission demonstrates a significant disconnect from the specific content of the class, yet is reasonably “on target” as general information. This is a problem, and the type of problem that someone who has not taught the class (e.g., administrators or staff) could reasonably notice and identify. Further, one of the signs of GAI plagiarism is the use of relatively sophisticated phrasing that typical college students, still in lower-division courses, have not yet developed. This is especially true in a course whose content is a student’s initial exposure to the subject. This, again, is not easily detectable by someone who is not an expert in the field. Such concerns underscore the value and necessity of faculty responsibility for grading and assessment.

In light of the above, the question has arisen as to whether a faculty member has the right to assign a score of zero on a particular assignment if they have found the student to have

¹It is acknowledged that in some disciplines, use of Chat-GPT may be appropriate for some student work. The problem we are concerned with here is any kind of student academic use of Chat-GPT that has been specifically prohibited by the instructor. These would be cases where it is important for students to learn to be able to think and put ideas together for themselves, as opposed to depending on some other entity to do so for them.

cheated or committed plagiarism.² There is disagreement within our institution on this question. The reason for the disagreement centers on tensions existing between legal requirements, the current Santa Clarita Community College District's administrative policy surrounding academic dishonesty, and academic freedom on the part of faculty. In this Conditional Report we shall explain the relevant legal requirements, the Academic Policy at COC being used currently, and principles of academic freedom of faculty to assign grades³ communicated by American Association of University Professors (AAUP).

II. The Legal Requirement

The US Supreme Court has declared that public institutions must provide at least minimal due process in connection with many forms of student discipline.⁴ A number of cases have held that students are entitled to due process when discipline is imposed for academic dishonesty. Accordingly, policies at public institutions of higher education commonly provide for due process when associated with "grade penalties" for academic dishonesty.⁵

The term "grade penalty" may be used to mean a grade assigned in order to register some form of student misconduct in connection to a course assignment. In other words, if a student is caught plagiarizing content, a decreased grade may be given on the assignment in question. In such cases, a "grade penalty" has been invoked. The law requires some minimal form of due process for students in this case. Students receiving a "grade penalty" on a particular assignment must be made aware of the reason for the penalty, and must be provided an opportunity to challenge the appropriateness of the assigned grade.

Nowhere in the above stated legal requirement is there detailed specification of the exact form such due process must take. Hence, the door is open for a number of options an institution might choose to fulfill the legally required due process.

² We are using the following definition of plagiarism: the use of ideas other than one's own in writing, speaking, or artistic-content without acknowledging their proper source.

³ The Committee seeks to make clear what has been written by the most authoritative entity for academic freedom in the US – the American Association of University Professors – concerning faculty responsibility in assessment and grading.

⁴ *Goss v. Lopez*, 419 U.S. 565 (1975); Fourteenth Amendment.

⁵ Gary Collis is acknowledged for his assistance with this legal analysis.

III. The College of the Canyons Student Conduct Code Provisions

The current policy for alleged misconduct of students for academic violations such as plagiarism is to bring the matter to the attention of the Office of the Dean of Students (or designee).⁶ The Student Conduct Code⁷ (SCC) states, “the Dean of Students *in consultation with the Academic Senate* [italics ours] will develop specific procedures to address alleged violations of academic and/or classroom misconduct” (26).

There are two issues with the current SCC policies (or lack thereof) in relationship to student plagiarism and academic freedom. First, the procedure to be followed to ensure due process, specifically related to a grade penalty, is not addressed within the SCC. While the text outlining the policies provides broad outlines of procedures the Dean of Students may take in a case of academic misconduct, it does not adequately address how the college should deal with plagiarism cases, and particularly those assisted by GAI.⁸ Indeed, much of the SCC discussion of due process seems to focus predominantly upon misconduct relating to sexual assault and/or harassment, as opposed to academic violations. Finally, while the text of the SCC states that consultation with the Academic Senate will take place to develop a process to “address alleged violations of academic and/or classroom misconduct,” no such process has seemingly been established that would ensure due process. The first issue, therefore, is that the SCC does not present a clear policy directing how due process will take place.

Second, the content which does appear in the SCC potentially challenges the academic freedom of faculty to assign grades on academic work submitted by students. This is due to the unilateral power afforded the Dean of Students (or designee) in cases where a student has been

⁶ The COC Policy Committee is presently working on a new policy regarding cases where grade penalties are assigned. To the Committee’s credit, it is attempting to formulate a policy that is practical and functional in light of the plethora of cases of cheating and plagiarism at the College. However, at this point, it appears that administrative personnel will have a decision-making role in the due process procedure, possibly undermining faculty judgment in such cases.

⁷ Student Conduct Code, Santa Clarita College District: Board of Trustees Policies 5529, 5530, 5531 (Revised June 2018) <https://www.canyons.edu/studentservices/conduct/>

⁸ The Committee recognizes that the issues surrounding plagiarism facilitated by GAI have arisen more recently. Yet, while this omission is understandable, we believe it ought to be addressed.

accused of academic misconduct and may have received a “grade penalty.” For example, the SCC states that the Dean may, without limit or consultation, determine that there is no violation of a given student, and accordingly close the case:

In cases in which the Dean (or designee) determines that there is not cause to believe that a violation may have occurred, the Dean (or designee) may decide that the case will not be pursued further. If the allegation concerned academic and/or classroom misconduct, the Dean (or designee) will contact the complainant to explain his or her reasoning. The complainant may appeal the decision to not pursue discipline, within 10 working days, to the Vice President of Instruction (28).⁹

The term “complainant,” above refers to a faculty-member bringing a case against a student (for example, in the event of plagiarism, cheating, or inappropriate use of GAI). In academic misconduct cases, a close reading of the SCC text explains that if the Dean of Students believes there is no evidence to substantiate the case being brought by a faculty-member, it may simply be closed unilaterally. The faculty-member is thus left without recourse, unless he or she appeals the case to the Vice President of Instruction.

The Dean of Students (or designee) may also choose to “refer the matter to other campus and/or community resources” (28). If the Dean makes this choice, it is also a unilateral decision, as the text of the SCC makes clear. Faculty-members are not a part of that decision-making process.

Finally, the Dean of Students may call for an interview with the student-respondent for the purpose of an “initial hearing” (29). The procedures for this hearing do not stipulate that faculty be included. However, at this hearing, an “Informal Agreement of Resolution” may be determined wherein the student conceivably agrees to an arrangement to resolve the case (for example, the student may be disciplined or perhaps a grade penalty is assigned). To be clear, none of the options outlined by the SCC clearly guide a process of adjudicating academic grade penalties with due process *which include faculty*. While a “Student Conduct Committee” is mentioned in the SCC, it is the Dean of Students (or designee) who decides whether or not a

⁹ Student Conduct Code, Santa Clarita College District: Board of Trustees Policies 5529, 5530, 5531 (Revised June 2018) <https://www.canyons.edu/studentservices/conduct/>.

case will be forwarded to this Committee. There is only one exception: that is when a student makes a request that the Dean do so. Careful examination demonstrates that faculty are not involved in the current policies and procedures governing academic misconduct and due process. As we make clear below, the omission of faculty from this process—particularly where a grade penalty has been given, is a violation of academic freedom, because faculty must be the source for academic assessment and grading.

IV. The AAUP and Faculty Responsibility in Grading and Assessment

The AAUP clearly states that faculty, and only faculty, have the responsibility to assign grades on academic work submitted by students.¹⁰ The AAUP goes on to say “. . .[t]he review of a student complaint over a grade should be by faculty, under procedures adopted by faculty, and any resulting change in a grade should be by faculty authorization.”¹¹ Clearly, the policy indicates that supplementing the judgement of faculty in the assignment of grades is a breach of academic freedom. Moreover, the AAUP writes in *The Freedom to Teach*, faculty have the right to “assess student academic performance in teaching activities for which faculty members are individually responsible, without having their decisions subject to the veto of a department chair, dean, or other administrative officer.”¹² Not only are faculty assigned the sole responsibility for grading students, but according to the AAUP, “Under no circumstances should administrative officers on their own authority substitute their judgment for that of the faculty concerning the assignment of a grade.”¹³ In short, the current policies in the College’s SCC open the door for an administrator (or a designee of that administrator) to make decisions about academic violations—specifically grade penalties—that may override faculty control of assessment of student work, thus limiting the academic freedom of faculty.

¹⁰“The Assignment of Course Grades and Student Appeals,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 29-30.

¹¹“The Assignment of Course Grades and Student Appeals,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 29.

¹²“The Freedom to Teach,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

¹³ “The Assignment of Course Grades and Student Appeals,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 29-30.

V. Recommendations

Students have the right to appeal a grade and this appeal process should respect the prerogatives of instructors and the rights of students.¹⁴ The current policies and procedures outlined in the SCC ought to be revised to accommodate the new realities of GAI, and a consideration of academic freedom of faculty in assessment and grading matters. The AAUP recommends an initial discussion between the course instructor and the student in cases wherein a grievance arises over the assignment of a grade.¹⁵ If that discussion does not resolve the issue, then another member of the faculty should be brought into the process (perhaps the department chair). If the issue is still not resolved, the matter should be referred to an *ad hoc* committee.¹⁶ However, there are some caveats to consider in the creation of such a committee. Any group tasked with hearing student grade challenges will need to make choices about how it is comprised, the processes that might be followed, and the chronological steps to be taken. The AAUP's position is that the process and decision-making regarding grades should ultimately rest with faculty. And while such an ad hoc committee might include administrators, staff, and/or students, there are restrictions upon how those individuals contribute to the work of the committee and its ultimate decision making. An administrator may be able to helpfully connect students with needed services available on campus that may come to light during a conversation about a grade on an assignment, for example. A student's voice on the committee may help an instructor understand another student's situation in ways that may be significant in the case. In this way, others on a college campus may assist in a dispute and provide feedback in discussions of a disputed grade assignment. However, academic freedom requires that the procedures for an ad hoc committee must be faculty driven, and furthermore, that the ultimate judgment of student work must be made by faculty ensuring that any change in a grade be made by faculty authorization

¹⁴ American Association of University Professors, "The Assignment of Course Grades and Student Appeals," Policy Documents and Reports (Washington D.C., 2015) 29.

¹⁵ Unfortunately, because of the significant disconnect between students and faculty due to the dynamics of distance learning (relative to in-person education), the importance of this initial discussion between instructor and student is often all but forgotten.

¹⁶ "The Assignment of Course Grades and Student Appeals," 30.