

ORANGE COAST COLLEGE

Academic Senate Meeting | 3/3/20 | 11:30 am - 12:30 pm | Faculty House

Academic Senator Attendance

Carol Barnes, Counseling	Present	Kelly Holt, at-Large	Present
Jamie Blair, at-Large, Vice President	Present	Darryl Isaac, Consumer & Health Sciences	Present
Cameron Brown, Athletics & Kinesiology	Present	Marilyn Kennedy, Lit & Lang, Secretary, PDI Chair	Present
Sean Connor, at-Large	Present	Doug Lloyd, Math & Sciences	Present
Eric Cuellar, at-Large	Absent	Leland Means, Visual & Performing Arts	Absent
Jodi Della Marna, Library	Present	Jeanne Neil, Business & Computing	Absent
Matt Denney, Technology	Present	Max Pena, at-Large	Absent
Rendell Drew, at-Large	Present	Clyde Phillips, Student Services	Absent
Cyndee Ely, Part-Time Faculty	Present	Loren Sachs, at-Large, President	Present
Diogba G'bye, Part-Time Faculty	Present	Jordan Stanton, Social & Behavioral Sciences	Absent
Lee Gordon, at-Large, Parliamentarian	Present	Michelle Muxi, ASOCC Representative	Present
Anna Hanlon, Curriculum Chair	Present		

Guests (Optional & Voluntary Sign-In):

Kevin Ballinger, Jaki Kamphuis, Kate McCarroll, Rich Pagel

1. Preliminary Matters

A. Call to Order:

President Loren Sachs called the meeting to order at 11:35 a.m.

B. Approval of the Minutes

Motion 1: Parliamentarian Gordon moved to approve the 2/25/20 minutes; motion seconded; motion approved unanimously.

C. Opportunity for Public Comment:

Dr. Eduardo Jesus Arismendi-Pardi

D. For the Good of the Order Announcements: None.

2. Consent Agenda

Motion 2: Secretary Kennedy moved to approve the consent agenda; motion seconded; motion approved unanimously:

- A. Academic Freedom Committees Bylaws

3. Officer, Senator, & Committee Reports

A. Academic Senate President – Loren Sachs:

President Sachs thanked all those who sent their condolences.

Board of Trustees Meeting and AB 705, Math and English: President Sachs reported that the meeting two weeks ago showed preliminary information regarding the success of AB705. We put about 1200 students into transfer-level math and had the same percentage of students passing as we did the year before: 60% of first-time takers were successful in passing. The English Composition numbers showed an almost similar passing number as before AB705, with a half-point percentage drop. The two departments worked well at addressing the issues relating to AB 705 and the results show this. VPI Ballinger has the numbers of the different types of math classes and we can look into those more specifically at another time.

A senator noted that there need to be more data for the first three weeks of classes as those are not included; VPSS Niroumand was informed of that. Did we lose those students that were overwhelmed? They're overwhelmed those first three weeks; those are people who shouldn't have taken the jump to college-level; did they drop out of school because of it? I am concerned that these changes are going to hurt that one group of students who need us the most. I would like to advocate that VPI Ballinger get that kind of data.

Another senator noted that he was grateful for the support his department received across campus, from the dean and VPI, and from Institutional effectiveness collecting data. They had the freedom to design the programs they wanted to design to help serve their students.

Another senator noted that he phoned some of his students who didn't show and some of them were lost on campus; he directed them to the classroom. It's just a phone call or an email through Canvas saying you missed a class today, come back, and everything is good. They feel that if you missed a class the first time, you will drop them.

President Sachs noted that if they don't show up the first day of class, we have to drop them, but we can send them a message that we can re-enroll them with an add slip.

VPI Ballinger reported on data on math and English that aggregates it by ethnic groups, disproportionate impact groups, and breaks it down on different levels. There were some surprising things in the English department. Initially our math department was criticized for requiring a co-requisite for the lowest level of multiple measures, but they did an amazing job. Overall, though, we'll need a year or two years' worth of data to really understand because all we're looking at now is a snapshot. It's not going to give you all of the information you need but you probably should be able to figure out the first three weeks' drop rate compared to last year. The math and English departments are just now getting into that data. They'll need some time to digest it all. The true numbers of fall over fall were impressive. And just by numbers that many more people are launched in transfer level math and English and can take care of other things. There were no equity groups that really stood out as being affected. Some ethnic groups had exactly the same profile as they did before and some did much better.

President Sachs noted that our first effort is really impressive and does speak to the quality, campus-wide. It also speaks to the student services side of the house, making sure that students are picking the right classes.

Coronavirus Information: President Sachs reported that he and the other Academic Senate presidents (including Coastline's Dr. Deborah Henry, who is also a surgeon) are part of a weekly district-wide task force on ways to address the issue, formulate a

response, and get guidelines in place by the end of the week. The District wants to get some guidelines in place by the end of the week. One concern is how we deal with instructor attendance policies, positive attendance, clinical work, and quarantine. There have to be a mechanisms in place to address those concerns.

A senator asked about policies that address the presence of sick students in the classroom.

VPI Ballinger stated that Dr. Suarez and Kelly Daly in our health center have been having many meetings on the Corona Virus issue and we are expecting targeted messages this week to managers, faculty, and students.

For faculty, look at possible ways of encouraging sick students to go home and get help, but also remember not to discriminate as some people have allergies or an asthmatic cough, so you can't make an assumption. If you look at the CDC site and look at the effects of the flu, the transmission of this virus is similar to the flu. We need to monitor this particular virus because it seems to be very strong, especially with the elderly. We're trying to send out that message of telling students not to come in when they're sick. You need to figure out how you do make-up test days, putting study materials on Canvas. There's a lot of things we can do to help our students out.

A senator noted that she is going to open her attendance and make-up policy because of this.

President Sachs noted that it is important to get district-wide consistency and yet not have anything coming from across the street that is stepping on our rights to run our classrooms. Chancellor Weispenning stated that "everyone can use their Canvas shell." Not everyone has a Canvas shell. For those who don't have Canvas shells, this might be an opportunity to think about putting something up there, if nothing else you can PDF the assignment. It's a great way to message your students.

B. Guided Pathways – Jaki Kamphuis

GP Intervention Coordinator Kamphuis provided a brief report of the first meeting last Friday. They are now moving into what might be possible action or recommendation items and their vetting processes. To work on those ideas, they broke up their team into work groups.

The work groups are still open to anyone who is interested in joining one of them: retention and completion, communication, student support (academic and non-academic), Counseling (special services or special programs), and the idea of a faculty center for learning. Rendell Drew, Kate McCarroll, and Jaki Kamphuis are in that group and are going to explore an idea of a faculty center and what that might look like, maybe do some field trips to other colleges.

C. Statewide Guided Pathways Representative/Liaison – Jamie Blair

Liaison/Representative Blair announced that she would be on a half sabbatical next year and is looking for someone to take her place during that time frame. The ASCCC is really pushing for one or more senate liaisons to go to their committee meetings to bring back information on what is working and what is not working. It's more of a faculty to faculty thing.

D. Academic Freedom Committee – Dr. Eduardo Jesus Arismendi-Pardi

Dr. Arismendi-Pardi reported out that the Academic Freedom Committee met and he wanted to personally bring something to the Senate's attention. When he was Senate President years ago, under his servant-leadership style, there were mechanisms created and left in place for efficacious and collegial cooperation. Senate Resolution #F08-7, "Relationship between Academic Senate, Coast Federation of Educators Local 1911, and Coast Community College Association Local 1152," was passed by the Senate in the fall of 2008. That resolution has to do with collegial consultation between our labor representatives, the Academic Senate, and the Administration in addressing business matters.

The resolution has to do with issues in the purview of the Senate that intersect the purview of labor or vice versa. One of those particular issues is the concept of *academic freedom* which is defined as the pursuit of the truth under the guidelines and the norms of academic and scholarly investigation, no matter where the truth might lead you, even if it is controversial. That applies whether you are in the classroom or not, as long as you do not say the following: "This is the college's opinion" or "This is the district's opinion." You need to substitute that with these phrases: "This is my opinion as an expert in this area." In an ideal world, the union should talk to the Senate, the Senate should talk to the Union.

Right now, there is a Union MOU addressing part-timers and class assignments with a new clause added that talks about *consistently demonstrating civility*. Clauses on civility have been condemned by the American Association of University Professors, the National Association of Scholars, the Center of Constitutional Rights, and the Foundation for Individual Rights in Education, among other groups. They use the word *condemn* because when you're talking about academic freedom and you're in the classroom, if you're discussing issues that might make somebody upset, this language is very vague and could lead to misinterpretation and unintended, negative consequences.

What happens now, as this falls under the 10+1, under section 53200 of the Code of Regulations? When you read a regulation, you have to employ analytical approaches such as a hermeneutical approach, to be able to inter-textualize what the language is saying, what is the intent of the language. It requires a conversation, so ideally, because academic freedom is the purview of the Senate and it is also part of working conditions, this resolution was created to address those collaborative purviews. The reason we did that, and many of my cabinet who helped work on it are still in the Senate, is because we talked to the Senate and the Union and said we have items that are of common interest for both of our purviews and we want to be able to respect your purview, but we also would like you to respect our purview. Let's have a conversation and try to seek understanding and then work collegially on these items of common interest.

I found this Union MOU [signed and dated by both CFE President and the Vice Chancellor of HR] and had to dig to find it. In the spirit of transparency, collegiality and consultation, something like this should be available to for everyone to see, especially if you're a union member and a faculty member, because it does affect our professional purview.

When you have this civility clause inserted, what does that mean? How do you define that? I'll give you a campus example: a professor was explaining a costs concept on health care and used a Scandinavian analogy, and that analogy offended a student who inferred that the professor was teaching communism and reported the "offense" to the professor's dean; that professor underwent an investigation. There are other

examples, too, of investigations for exercising academic freedom because someone who was offended and filed a report.

It's a win/win thing to have these collegial Senate/Union conversations instead of working in a silo. The resolution #F08-7 includes mechanisms to have those collegial conversations.

A senator noted that as a member of the Academic Freedom Committee, she could not locate the MOU at the CFE website or at the District "Resources" page along with other MOUs. There are a few print copies of the MOUs, but the union should be disseminating this to inform all who may be affected: part-timers and all union members.

A senator noted that she was informed that the MOU was pulled from the BOT agenda by the Union because some of the language in the original MOU was too vague. She received an email that the union is now working on an MOU providing an opportunity for part-time faculty to request a meeting with their dean to discuss concerns if they receive an unsatisfactory evaluation and it has much clearer definitions of what an unsatisfactory is and does not use the word *civil* at all; it also has more points in the process.

A senator asked if the MOU is just for part-timers or both part-timers and full-timers.

The senator who received the email noted it is just for part-timers.

Dr. Eduardo Jesus Arismendi-Pardi wanted to clarify that he is not advocating that people should be uncivil or unprofessional. It's important that everyone should be civil and professional, and if you put out good, you will be the recipient of that joy. I highly suggest that you put out good; however, when you have this kind of contract language it has a probability of moving to the language for full-time faculty.

The thing is, this is not a very effective way. You should be able to work out these types of problems in a progressive way and allow the person an opportunity to change; I'm going to correct my conduct. Give people the chance to demonstrate that they're really working hard. That really is a positive way to handle these situations instead of some restrictive language. I'm glad that they pulled it.

A senator noted that at the Senate table where he sits there is about a decade of experienced leadership and we were aware that there were times when there was an overlap between the jurisdiction of this body and the jurisdiction of the Union. Everybody at this table when in a position of leadership tried to work collegially with the union in the interest of those we represent.

I would ask of the union going forward that if this language is being revised, before the union signs something, that they would collegially consult this organization, even informally, so there's not a feeling that a vital right has been given away without consultation.

I wanted to thank my friend, colleague, and mentor, President Emeritus, Dr. AP, for bringing this to the Senate because there is a cancel culture today in which individuals, one individual or a small number of individuals, who feel that it is their right to take down someone with whom they disagree. I think we saw this here on this campus three years ago. We have to make sure that before anything is put down on paper, let's solidify the situation as we're aware of it.

President Sachs suggested that we might have a standing item monthly where we have the CFE Executive Director or President come over and give us a recap. There are those

opportunities for overlap and maybe it's with the E-Board or the regular Senate; that might be one way to reinstate the relationship. I would advocate for something like that as way to facilitate some of these discussions.

Dr. Eduardo Jesus Arismendi-Pardi stated that occurred when he was Senate President, a standard in the meeting/agenda, and it was always one or two minutes just for a report and it helped out because people could ask the Union.

A senator stated that she wanted to reinforce what was stated a bit earlier: It's really important that our freedom, our academic freedom, that touches everything that we do here, is protected and revered. There is no civility clause in the First Amendment and these clauses are struck down in courts over and over again. Having them in the contract puts us at risk for lawsuits. I think we must have more dialogue that's clearer when there's potential overlap.

E. District Consultation Council's Board Policies and Administrative Procedures Committee (BPAP)– Marilyn Kennedy

Secretary Kennedy reported that at the last BPAP meeting there was mention and a brief discussion of a newly forming policy that is being proposed that may restrict or remove the ability of an individual faculty member to decide if a student can bring a child into the classroom, with the instructor's permission, in a situation where the parent's childcare fell through. There were a couple of situations in the District which precipitated the District to consider this type of policy. At the meeting there was also some talk of prohibiting children on campus in general, but those in attendance at the meeting stated the difficulty of enforcement due to this being a public college and high students coming on our campus from across the street and other places, or employees having their children on campus occasionally, or the absence of emergency day care here.

Secretary Kennedy stated that at the initial vetting she sought her division's feedback and there were several emails strongly urging this not to happen, that the District was becoming more family unfriendly, and that many faculty allowed or brought children in the past, either as a professor or as a student, without any problems.

President Sachs noted that with the CHS classrooms there is more risk due to welding or X-Ray equipment.

F. Curriculum Chair Report – Anna Hanlon

Curriculum Chair Hanlon reported out on the Curriculum Committee's work and that it has looked at and reviewed 975 courses this year: 52 new courses, 6 enhanced non-credit courses, 6 regular non-credit courses, 6 courses where they added DE addendums, 4 new honors addendums to courses, 4 new honors courses, and 51 courses that the committee is in the process of doing a pre-requisite reaffirmation on. The committee also retired 300 courses; these were courses that were suspended. The senate approved a process where once a course has been suspended for three years the committee reaches out to the department and asks if the course can be retired. The committee also had 76 programs reviewed including 6 new programs, 3 that were CTE and 2 that were non-credit.

With regard to AB705 alignment, this is something to celebrate. The ESL faculty here have worked very hard because this was their year to get within compliance. AB705 requires that we provide a pathway for students to get through English Composition within six primary terms or three years, six semesters. They have nine courses and their sequence is

five ESL courses in terms of grammar, reading, and writing. They did decide to keep two courses and not consider them within their sequence.

Within these new courses, one that they submitted is ESL 100. They worked with English faculty and basically took the COR for English 100 and mirrored it and submitted it as an ESL course and we approved it. The minimum qualifications for this course will be both English and ESL. We made it degree applicable and we submitted it to the CSUs for articulation as area A2, equivalent to English Composition for the ESL students.

They also submitted a course which is one level below [ESL 100] with cultural components added and then they submitted it [to the Curriculum Committee] as a degree applicable course. It has been approved and submitted it to the CSUs for potential articulation to fulfill the C2 area which is foreign languages.

They evaluated and revised the sequence to meet the AB 705 and I wanted to commend them for their hard work.

They also aligned the ESL credit courses with the ELL non-credit courses. You probably know we have a large non-credit ELL, English language learners. These courses are free and are very popular.

Our current projects to close out this year include some low-unit certificates, as the state changed the minimum threshold for certificates of achievement from 18 units to 16 units. We had some that were 16 and 17 units so we're still working on that, the pre-requisite reaffirmations, and the code alignment.

We're looking at our GE course placements and creating a form and process to shore that up. We're looking at the GE units and institutional SLOs. We're also looking at the single-term code impacts GE.

I will come back later on in the semester to talk about this and let you know what it all means if you haven't heard of the single-term code and its implications for curriculum.

4. Unfinished Business

A. Replacement of a Full-Time Faculty Member: Action – VPI Kevin Ballinger

VPI Ballinger noted that the Senate E-Board placed this item on the agenda following his announced recommendation to Dr. Suarez last week that we replace the baseball head coach position with a regular tenure-track faculty hire [due to the death of Coach Altobelli]. The IPC sub-committee unanimously recommended this already.

Motion 3: Senator Brown moved to approve the recommendation; motion seconded; motion approved unanimously.

5. New Business

A. Moved to the following week.

6. Adjournment of the Regular Meeting

President Loren Sachs adjourned the meeting at 12:32 p.m.

Approval of the Minutes: April 14, 2020

MINUTES: First draft written by Michelle Ozuna, Administrative Assistant II, Human Resources. Revision of first draft and Senate-approved drafts written by Senate Secretary, Marilyn Kennedy, who also distributes the final Senate-approved version to the Chancellor, Board of Trustees members and secretary, union presidents, GWC and Coastline Academic Senate presidents, OCC College President and faculty as per OCC Senate bylaws.

Voting Tallies Chart

Mot. 1	Mot. 2	Mot. 3	Senate Membership
Minutes 2/11/20	Consent	Tenure Replacement	
Aye	Aye	Aye	Barnes, Carol: Counseling Senator (2018-2021)
Aye	Aye	Aye	Blair, Jamie: Senator-at-Large (2018-2021)
Absent	Absent	Aye	Brown, Cameron: Athletics & Kinesiology Senator (2017-2020) 11:55 arrival
Aye	Aye	Aye	Connor, Sean: Senator-at-Large (2017-2020)
Absent	Absent	Absent	Cuellar, Eric: Senator-at-Large (2018-2021)
Aye	Aye	Aye	Della Marna, Jodi: Library & Learning Support Senator (2017-2020)
Absent	Aye	Aye	Denney, Matt: Technology Senator (2017-2020) 11:38 arrival
Aye	Aye	Aye	Drew, Rendell: Senator-at-Large (2017-2020)
Aye	Aye	Aye	Ely, Cynthia: Part-Time Senator (2019-2020)
Aye	Aye	Aye	Diogba G'bye: Part-Time Senator (2019-2020)
Aye	Aye	Aye	Gordon, Lee: Senator-at-Large (2019-2022)
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Aye	Aye	Aye	Holt, Kelly: Senator-at-Large (2017-2020)
Aye	Aye	Aye	Isaac, Darryl: Con. & Health Sciences Senator (2017-2020)
Aye	Aye	Aye	Kennedy, Marilyn: Lit & Lang Senator, PDI Chair (2019-2022)
Aye	Aye	Aye	Lloyd, Douglas Math & Sciences Senator (2017-2020)
Absent	Absent	Absent	Means, Leland Visual & Performing Art Senator (2018-2021)
Absent	Absent	Absent	Neil, Jeanne: Business & Computing Senator (2019-2022)
Absent	Absent	Absent	Pena, Max: Senator-at-Large (2019-2022)
Absent	Absent	Absent	Phillips, Clyde: Student Services Senator (2017-2020)
Aye	Aye	Aye	Sachs, Loren: Senator-at-Large (2019-2022)
Absent	Absent	Absent	Stanton, Jordan: Social & Behavioral Sciences Senator (2019-2022)