

ORANGE COAST COLLEGE

Academic Senate Meeting | 10/8/19 | 11:30 am - 12:20 pm | Faculty House

Academic Senator Attendance

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

Guests (Optional & Voluntary Sign-In):

Kevin Ballinger, Nathan Jensen, Kate McCarroll, Charlene Reed, John Taylor.

1. Preliminary Matters

A. Call to Order:

President Loren Sachs called the meeting to order at 11:30 a.m.

B. Approval of the Minutes – October 1, 2019:

Motion 1: Secretary Kennedy moved to approve the October 1, 2019, minutes; motion seconded; motion approved unanimously.

C. Opportunity for Public Comment:

Eric Cuellar.

D. For the Good of the Order Announcements:

Senator Cuellar: The CLEO opening event last week was a success, with a full house. Look for an upcoming event on Nov. 25, 11-12:30, in the Robert B. Moore theater.

Senator Drew: Thanked President Suarez for attending. There will be many more events this year.

Senator Gordon: Was very impressed at the caliber of universities out in the OCC Quad for the Transfer Center event. He attended the Children's Book Fair on Sunday, and it was very well done.

Senator Lloyd: STEM Night is October 25 at 5:30 p.m., and it is good for families and small children to attend.

2. Consent Agenda

Motion 2: Senator Means moved to approve the committees on the consent agenda; motion seconded; motion approved unanimously.

- a) **Curriculum Committee:** Nathan Wensko
- b) **Institutional Effectiveness Committee:** Stephen Gilbert
- c) **Flex Committee:** Jill Parsell
- d) **Ad-Hoc Committee to Explore Establishing OCC Educational Partnerships with NIC in Japan:** Two faculty from Social Sciences Division: Tina DeShano, Brent Rudman; Two Senators: Lee Gordon, Carol Barnes

3. Officer, Senator, & Committee Reports

A. Academic Senate President – Loren Sachs:

Last week the District brought in a group from IEPI to facilitate a dialogue between CCCD and the three colleges regarding the budget and the new funding formula changes. The percentages for funding have been based on the old historical model, FTES, and that is not the sole component of the new model. What would be equitable? This workshop was designed to lessen the divisions between the colleges competing for funding, but that outcome did not occur. President Sachs asked the District to create and maintain a sustainable model regardless of the momentary changes at the State level. That sustainable model should be based on how the campuses function.

Senator Ely noted that she attended this workshop, too, as part of the Budget Committee, and she concurred with President Sachs' remarks. Each school is unique and has special qualities and needs. The money should come in to the District and then we decide locally, including the District office, how that money is spent. Senator Ely noted that the District's plan to localize three-college services at the District level in order to roll up costs has created less effectiveness in services at the campus site levels, in particular with IT problems at the colleges.

B. Guided Pathways:

GP Coordinator Jessica Ayo-Alabi stated that they have recruited six students as Guided Pathways Student ambassadors representing a variety of diverse aspects of the community college student, and these students will be rotating through all the design teams, but they will look at data and ideas to transform into recommendations along with others to provide recommendations to the Senate.

President Sachs noted that the CTE program deadline for mapping is two weeks away.

C. Statewide Guided Pathways – Jessica Ayo-Alabi:

Professor Ayo-Alabi noted that President Sachs will be a special guest on a Guided Pathways webinar tomorrow discussing Guided Pathways and governance that works. He will focus on how the OCC Senate worked with the college to put Guided Pathways into implementation.

Professor Ayo-Alabi is attending the Regional at Victorville, along with design teams. She co-authored an article for the *Senate Rostrum*, "Guided Pathways in Student Engagement and Student Centeredness as Equity in Practice." She is sponsoring a resolution at the Plenary about replacing the ASCCC inclusivity statement with the new one that was adopted by the Board of Governors over this past summer.

D. District Consultation Council Board Policy and Administrative Procedure Subcommittee- Marilyn Kennedy:

Senator Kennedy reported that AP/BP 6700 Civic Center and Other Facilities Use, moved forward after our review to the BOT. What was proposed by the CDMA was to charge potential fees for some facilities use at OCC, but that has to be checked on legalities and policies, as those usually have to be Districtwide fees, not different at each site.

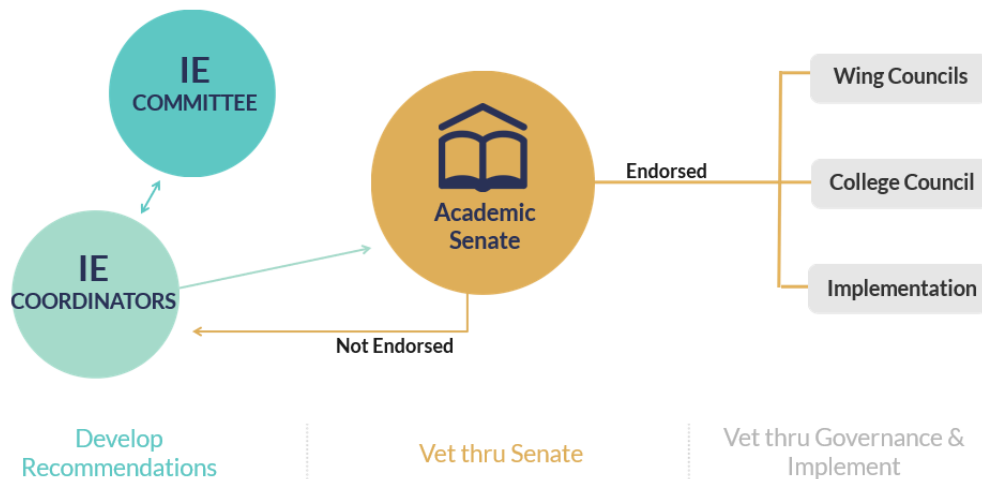
AP/BP Delegation of Authority has some proposed changes that were objected to by CDMA regarding moving authority for from the Chancellor down to the Vice Chancellor of Human Resources. We don't know all the repercussions of this yet, and will discuss this at next week's Senate meeting.

4. Unfinished Business

A. Institutional Effectiveness Committee Update - Sheri Sterner and Kelly Holt:

Kelly Holt and Sheri Sterner shared their [presentation regarding an Institutional Effectiveness update](#), completing their presentation from last week. They provided a brief review of the history of the redesign of the roles of the Faculty Coordinators and their selection, noting that the Institutional Effectiveness Coordinators are faculty and provide a faculty voice. They explained and provided a graphic depicting how they route 10+1 items through the governance process:

ROUTING 10+1 ITEMS THRU GOVERNANCE



As an IE team, the three IE Coordinators discuss ideas and potential changes together, and if an idea or proposed change is a campus wide issue then they might take it to the Institutional Effectiveness committee first, then to the Senate, or if the issue is an instructional or faculty issue, that would go to the Senate first for endorsement or not, then to the appropriate planning councils and committees, then be brought back to the Senate.

A senator asked for examples of the types of things they would bring for recommendations.

One example would be the survey of faculty regarding the last comprehensive program review which was used to determine what is workable and what needs to be improved;

that survey showed that faculty had concerns that the program review timeline was too short, so the comprehensive program review cycle was lengthened from every third year to every sixth to seventh year to give more time to implement action plans, and to receive resources, if necessary, before having to start a new review. These changes to the program review were endorsed by the Senate first then moved to the campus wings.

A senator asked "Can you give an example as to how you as faculty advocates have changed something that the administration was going to do?"

The team works very collaboratively and will discuss ideas as there is not an adversarial type of environment on their team. They ask for our ideas first. But we have had to make sure that the timelines on due dates are scheduled when faculty are on campus, as sometimes they forget that faculty have a ten-month contract, so those dates are scheduled when faculty are available. Another item where there is pushback is the way that some data is presented, especially if it appears to be negative and as data can overwhelm, so we want to make sure that all the explanations and contexts are provided in order for it all to be clear and understandable.

Sheri Sterner talked about the IE Committee plans and priorities for 2019-2020, as they work collaboratively with Institutional Effectiveness and its administrative functions. We work as a team on all of the IE processes, so we wanted to give you an overview for 2019-2020, which we do yearly:

- **Fall 2019:** CSLO/AUO 4th Cycle; clean up overdue PSLO, Midterm PR, & Planning; Interim Continuous Improvement processes evaluation (and spring 2020); and ISLO data analysis and will bring to Senate for feedback about process and plans
- **Spring 2020:** Annual Planning Updates for 2020-21; CCSSE (Community College Student Survey of Engagement); review college-wide indicators (e.g., *Vision for Success*); and ISLO HEIghten data collection with Senate participation and feedback

Dates to Know:

- **9/20/19** - Complete planning strategies for 2019-2022 (overdue departments)
- **9/27/19** - Curriculum Committee deadline to change titles/units for existing programs
- **10/1/19** - Enter SLO results & closing the loop on spring 2019 assessment (4th cycle)
- **11 /1/19** - Complete PSLO Mapping/Midterm Program Review (overdue departments)
- **12/15/19** - Finish fall 2019 SLO data collection
- **2/2020** (date TBD) - Annual planning updates/ARRs for 2020-21 begin
- **2/28/20** - Curriculum Committee deadline to submit CSLO & PSLO changes for 2020-21
- **3/15/20** - Enter SLO results & closing the loop on spring 2019 assessment (4th cycle)
- **4/2020** (date TBD) - Deadline to submit annual planning updates/ARRs for 2020-21
- **5/15/20** – Finish spring 2020 SLO data collection

Coordinator Holt noted that there is a new faculty member on the IE Committee.

B. AP/BP 7310 [Anti] Nepotism - Marilyn Kennedy:

Senator Kennedy presented the current file copy of the AP 7310 [Anti] Nepotism policy, noting it is no longer posted at the District website. The District Consultation Council Board Policy and Administrative Procedure Subcommittee was reviewing it last year and had slated it for summer 2019 review, but it was pulled from the committee and moved to private meetings with the administration and at least one union (CFCE); it is not clear if

CFE is also involved [neither the CFE President or Executive Director were in attendance during this discussion].

Faculty hiring, which is included in the Nepotism policy, is Senate purview and the Board of Trustees. District policy AP 2510 Participation in Local Decision Making, states that "Faculty hiring criteria, policies, and procedures are to be agreed up by the Board or designee and the Academic Senate"—no other constituencies are mentioned, and this follows state Ed. Code.

California Education Code 87630(b) states that "Hiring criteria, policies, and procedures for new faculty members shall be developed and agreed upon jointly by the representatives of the governing board, and the academic senate, and approved by the governing," and as per 87630 (a): they are required to develop criteria that include "a sensitivity to the understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students." Consequently, our nepotism policy includes hiring (which is union purview) plus discipline and transfers (which is union purview). These have been mixed together into one policy.

Our District policy acknowledges nepotism policies and procedures as part of hiring policies and procedures; AP 7120 Employee Recruitment and Selection, refers directly to the Nepotism policy stating that hiring procedures will be in compliance with it and that "members of the immediate family of employees may be employed subject to the District's Nepotism Policy (See BP/AP 7310 titled Nepotism)."

In 2005, Irvine Valley College's Academic Senate sued its Board of Trustees in an issue relating to Senate purview, standing, and hiring policies, and the court decided in favor of the Academic Senate. "87360 explicitly states academic senates have a key role in developing and adopting faculty hiring procedures, and this is a special right sufficient to confer a beneficial interest." [link: <https://caselaw.findlaw.com/ca-court-of-appeal/1068365.html>].

As per our current AP 7310, Anti-Nepotism, Senator Kennedy noted that its reference to Government Code 1090 refers to financial conflict of interests and that the 12940 reference states that there shall be no discrimination in hiring as per marital status, but that an employer may "reasonably regulate, for reasons of supervision, safety, security, or morale, the working of spouses in the same department, division, or facility." She noted that the word "potential" as per issues is not part of the language, but has been added to our policy.

The Senate went over the current AP 7310 Anti-Nepotism policy:

Page 1:

- The word "indirect" should be removed so that only "direct supervisory relationships are prohibited, not indirect ones
- The word "potential" should be removed as it is not in code and causes too much undue speculation that is often baseless with consequential District investigations
- The word "past" in reference to spouses or domestic partners should be removed—this is not standard practice and too personally invasive
- The last three bullet points listing relationships on page 1 are not in other policies of the template and should be removed: "nephews and nieces," "first cousins," "current or past cohabitation"

Page 2:

- Only applicants for positions should be included for reporting relationships in hiring—removed any reference to current employees

- Remove requirements for reporting to the Vice-Chancellor if an employee has “a change in their relationship or co-habitation statuses”—this is too personally invasive

President Sachs noted that when this was discussed in the Senate before, several faculty members shared personal experiences of relatives, mostly children or students, who couldn't be hired and so this has been a longstanding problem. There is a need to figure this out and get it carefully articulated. Currently the district is focusing one group at a time so we cannot really work together and we or others might be pushed into accepting something that is never fully functional. President Sachs state that he has been talking to the others senates and they are as dissatisfied as we are. The current appeals process is not working, and it must include due process in a timely manner so as not to interfere with applying for a job.

Senators made these comments:

- The past Vice Chancellor of HR came to the Senate and noted that much of her time is dealing with issues because of nepotism. The senator replied to her that those types of issues should be dealt with proactively via discipline; you can't make a policy that needs to be taken care of in another policy.
- Also, what happens to faculty if we don't report our living and relationship statuses?
- A small group of relatives in one part of the District should not rule/distort the entire district's nepotism policy.
- Another senator thanked President Sachs, VP Blair, and Secretary Kennedy for their active leadership on this.

Senator Kennedy noted that If a union signs an MOU, that supersedes a Board Policy and we lose the rights of shared governance on that issue. We don't want to have to challenge legally and would prefer to work collegially together.

- A senator noted that you don't lose your Constitutional rights because you are an employee, and there is a right called a “zone of privacy,” and this may be in conflict with faculty having to report personal relationships.
- A senator stated that to an applicant this policy looks as it takes so long to review and appeal, they lose the job application and competition opportunities.
- The District should be concerned with faculty onboarding, like GP student onboarding, so that faculty feel that they are heard and included and the campus and District are not harmed by these policies.
- There should be a cronyism policy
- There are discriminatory aspects of having a policy that punishes those who don't have economic means to have their own, independent home.
- How will this policy be affected by the dorms?

President Sachs noted that the E-Board will work on a resolution and this issue will be agendized next week.

C. ISLO Review – Kelly Holt:

IE Coordinator Holt noted that the Senate had agreed that the Curriculum Committee would review the ISLO statements as first reviewers and include at least one IE Coordinator in that process, then they will come to the Senate for review and approval of their recommendations.

D. Discussion of Non-Verbal as it Relates to ISLOs – Kelly Holt:

IE Coordinator Holt displayed the [non-verbal section currently listed in the catalog and](#) a discussion ensued regarding why “non-verbal” was removed. She stated that this type of communication is used in kinesiology or allied health assessment—it will not be removed completely but moved or edited to fit more naturally in another place.

Senators suggested the removal of the non-verbal piece in the speaking section of SLOs, as the non-verbal is addressed below that item. Other options are to consider that *communicate* and *interpret* are two different things, and those should be clearly indicated. “Communicate” could be added to the non-verbal section and the visual reference should be made clearer. Maybe some from non-verbal disciplines can work with the Curriculum Committee or send their ideas to Curriculum Chair Hanlon.

IE Coordinator said that we need to review this and make sure they are all clear and all work together clearly.

5. New Business

A. Canvas Tool: ReadSpeaker – Charlene Reed:

This item will be added to the next meeting agenda.

B. Constitution; Bylaws – Revisions and Additions Discussion:

This item will be added to the next meeting agenda.

6. Adjournment of the Regular Meeting

President Loren Sachs adjourned the meeting at 12:29 p.m.

Approval of the Minutes: October 22, 2019

MINUTES: First draft written by Ricky Goetz, Senate Administrative Secretary. 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

Motion 1	Motion 2	Senate Membership
10/1/19 Minutes	Consent	
Aye	Aye	Barnes, Carol: Counseling Senator (2018-2021)
Aye	Aye	Blair, Jamie: Senator-at-Large (2018-2021)
Aye	Aye	Brown, Cameron: Athletics & Kinesiology Senator (2017-2020)
Aye	Aye	Connor, Sean: Senator-at-Large (2017-2020)
Aye	Aye	Cuellar, Eric: Senator-at-Large (2018-2021)
Aye	Aye	Della Marna, Jodi: Library & Learning Support Senator (2017-2020)
Aye	Aye	Denney, Matt: Technology Senator (2017-2020)
Aye	Aye	Drew, Rendell: Senator-at-Large (2017-2020)
Aye	Aye	Ely, Cynthia: Part-Time Senator (2019-2020)
Aye	Aye	Diogba G'bye: Part-Time Senator (2019-2020)
Aye	Aye	Gordon, Lee: Senator-at-Large (2019-2022)
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Aye	Aye	Holt, Kelly: Senator-at-Large (2017-2020)
Aye	Aye	Isaac, Darryl: Con. & Health Sciences Senator (2017-2020)
Aye	Aye	Kennedy, Marilyn: Lit & Lang Senator, PDI Chair (2019-2022)
Aye	Aye	Lloyd, Douglas Math & Sciences Senator (2017-2020)
Aye	Aye	Means, Leland Visual & Performing Art Senator (2018-2021)
Aye	Aye	Neil, Jeanne: Business & Computing Senator (2019-2022)
Aye	Aye	Pena, Max: Senator-at-Large (2019-2022)
Aye	Aye	Phillips, Clyde: Student Services Senator (2017-2020)
Aye	Aye	Sachs, Loren: Senator-at-Large (2019-2022)
Aye	Aye	Stanton, Jordan: Social & Behavioral Sciences Senator (2019-2022)