

ORANGE COAST COLLEGE

Academic Senate Meeting | 11/12/19 | 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	Present	Leland Means, Visual & Performing Arts	Present
Jodi Della Marna, Library	Present	Jeanne Neil, Business & Computing	Present
Matt Denney, Technology	Present	Max Pena, at-Large	Present
Rendell Drew, at-Large	Absent	Clyde Phillips, Student Services	Present
Cyndee Ely, Part-Time Faculty	Present	Loren Sachs, at-Large, President	Present
Diogba G'bye, Part-Time Faculty	Present	Jordan Stanton, Social & Behavioral Sciences	Present
Lee Gordon, at-Large, Parliamentarian	Present	Raymond Tu, ASOCC Representative	Present
Anna Hanlon, Curriculum	Present		

Guests (Optional & Voluntary Sign-In):

Kevin Ballinger, Kate McCarroll, Felipe Salazar, John Taylor

1. Preliminary Matters

A. Call to Order:

President Loren Sachs called the meeting to order at 11:31 a.m.

B. Approval of the Minutes – November 5, 2019:

Per a senator request, minutes will be reviewed and brought back next week.

C. Opportunity for Public Comment:

Jessica Alabi, Jamie Blair, Cyndee Ely on behalf of Doug Johnson, Cyndee Ely, Lee Gordon, Darryl Isaac, John Taylor.

President Sachs stated that he will contact food services and bring campus food services issues back to the Senate as an agenda item.

D. For the Good of the Order Announcements:

- **Senator Gordon:** Last week there was an agenda item for Sandy Whiteside and we request flexibility in this meeting to accommodate her.
- **President Sachs:** Academic rank petitions closed yesterday (11/11/19). Class Climate is undergoing a software update today and the reporting is a bit off. We hope to have a list next week.

2. Consent Agenda

Motion 1: Senator Gordon moved to approve the consent agenda; motion seconded; motion approved unanimously.

Student Success and Enrollment Committee (SSEC): Tri-Chair: Jennifer Hill

3. Officer, Senator, & Committee Reports

A. Academic Senate President – Loren Sachs:

Coast Colleague of the Year: Nominations are open. There have been email communications, so if you have anyone in mind, follow the links. We will be looking for readers to review the applications. If that would interest you, please reach out to Ricky Goetz or Michelle Ozuna to volunteer.

Senate Fall Plenary: Attended Plenary with Parliamentarian Gordon. It was one the best plenaries with many improved sessions. Jessica Alabi was co-author of two resolutions. There was a lot of discussion about Guided Pathways and integration when funding ceases, and how will colleges will institutionalize.

- **Resolution, Stand Hold Harmless:** President Sachs voted no, but this passed for an additional two years and stated that it will hurt us badly as a district. The resolution goes against the spirit of the funding formula. Budget Committee Representative Ely noted that it's not just the fact that other school are being held harmless, it's the fact that the district is facing a bill to make up the difference of potentially \$9 million for the entire district we will have to pay back.
- **Baccalaureate Degree Program at Community Colleges:** There is massive support for the elimination of the pilot term from the baccalaureate program and the look to expand Allied Health. We are starting to see the 2018 first graduates of the community colleges of the Baccalaureate program. The one reigning success is Rio Hondo College and their Dental Hygiene program. If this BA program does expand, this will be an interesting experience for a lot of campuses.
- **Guided Pathways:** A senator asked if there were any resolutions regarding the integrating and institutionalizing of Pathways? The senator also noted that In reading the documents that are coming in, departments will have to change, positions have to change. There's a resistance to this change. This will involve union negotiations and moving people around. President Sachs noted that academic senates at the local level have to be working with their administration to create the structures that will sustain it. There was one resolution that was written where it's obvious that some colleges do not have the level of cooperation that we do.

Guided Pathways and Buckets: The buckets for Guided Pathways do not necessarily fit the existing divisions. Do the buckets become the new divisions or sub-divisions? Or do we have associate deans because there's a large bucket underneath them? We can develop ideas but then create an action plan for those ideas. Things have to change at the structural level. This is why it's important to stay on the timeline because if we have to get things re-negotiated through the union and then come back through the vetting process, board approved, these are things that take time. The sooner we identify these areas that need interventions the more fluid this process will be. We are doing a really good job of where we're at. We're moving along well in this process.

B. Guided Pathways – GP Curricular Coordinator Charles Otwell

GP Curricular Coordinator Otwell reviewed the Career and Academic Pathways document and noted that the pathways and descriptions are not finalized. He advised the Consumer, Health, and Science faculty in attendance to look at Southwestern College's catalog to see the way they divide their careers; they have some sub-division "buckets." He also stated that work needs to be done on the short descriptions of the buckets, that discipline faculty of each of the areas work on that language. and once

those are done, then, they might be placed on a chyron (text-based graphic overlay or banner) with words that say “I’m interested in…” that when hovered over, bring up a list of careers.

CAREER & ACADEMIC PATHWAYS

PATHWAY	DESCRIPTION “I am interested in…”
Find Your Pathway	<ul style="list-style-type: none"> • exploring career options • finding my major or interest area
Math, Science & Engineering	<ul style="list-style-type: none"> • understanding the natural world to problem-solve and design
Business, Management & Entrepreneurship	<ul style="list-style-type: none"> • understanding business organization and operation • starting and sustaining new enterprises
Performing Arts, Visual Arts & Design	<ul style="list-style-type: none"> • creating and performing to inspire and entertain
Computer Sciences	<ul style="list-style-type: none"> • working with computers, networks, and software
Industrial Technologies	<ul style="list-style-type: none"> • building, operating and maintaining technology and infrastructure
Language & Communication	<ul style="list-style-type: none"> • connecting with others through language
Kinesiology, Athletics & Public Health	<ul style="list-style-type: none"> • understanding human movement, health, and well-being
Social Sciences & Humanities	<ul style="list-style-type: none"> • investigating humankind in its cultural, societal, political, historical, geographical and behavioral contexts
Health-Care Careers, Culinary Arts, Hospitality, & Teaching	<ul style="list-style-type: none"> • helping others and serving our communities

In response to a question, Coordinator Otwell noted that the buckets and descriptions were not based on current divisions or their descriptions.

A senator mentioned that students might be led by career interests first. Another senator requested that students should be included to get more feedback on how they select majors or careers.

A senator noted that on the design team the goal was to direct students to their ultimate career and that the design team sent our surveys but another survey wouldn't hurt. The student representative noted that they have been sending out surveys, but that they can add this question to a new survey; in addition, the faculty or staff sends out a student-wide survey in the spring.

President Sachs noted that GP Coordinator Alabi has invited a lot of student participation in the Guided Pathway decisions being made. There is a student voice in these meetings.

As per program placement in the mapping, Coordinator Otwell stated that they do want to be talking to faculty about where programs fit once the titles are finalized. There are some programs that are probably going to fit in more than one pathway, and President Suarez has approved placing programs in more than one. Division representatives should contact their faculty about where their programs might fit.

The other document is showing the progress we're making in the program maps, as a lot of the mapping is done. The counselors are updating the Google doc as the maps get submitted and finished. We're pretty happy with the progress we've made. If you have any problems mapping a program, please contact Coordinator Otwell. We hope that

part of the benefit of all this is that faculty learn more about what the counselors do and what the general education patterns look like, and on the other hand, counselors learn more about the various programs and become more helpful advisors. You may be able to work with a counselor or talk with Renee De Long for a specific person to assist with mapping. We're hoping for more synergy between the departments.

4. Unfinished Business

A. Board Policy and Administrative Policy Anti-Nepotism 7310 – Marilyn Kennedy

Senator Kennedy reviewed the newest draft with updated change and explained the draft's legend. She noted that she downloaded almost all of the California community college multi-college districts' nepotism policies and reviewed them, then added or changed language based on those models. This language was added in the first paragraph: "The district prohibits the practice of nepotism. However, the district will not discriminate in favor of or against anyone because of a family member's employment of the District." This was in several policies and adds a needed balance because it seems we were leaning to one side with just prohibition language.

Coast Community College District

BOARD POLICY

Chapter 7

Human Resources

OCC Senate Recommendations in Blue/Proposed Changes in Red (Draft #2: 11-12-2019)

Areas with questions are in yellow

BP 7310 Nepotism

References: Government Code Sections 1090 et seq.

See BP 7120 and APs 7120 A-E

The District prohibits the practice of nepotism. **However, the District will not discriminate in favor of or against anyone because of a family member's employment in the District. Generally, an employee should not be the immediate supervisor of a family member.**

For the purpose of this Policy, nepotism is broadly defined as the practice of an employee or Trustee using his/her personal power or influence to aid or hinder another in the employment setting where there is a current **or past** relationship by blood, adoption, marriage, **cohabitation**, or domestic partnership (as defined in Section 297 of the California Family Code). Examples of **family** relationships covered by this Policy **are limited to include, but are not limited to**, the following:

- spouses
- registered domestic partners
- parents and grandparents
- siblings
- children and grandchildren
- in-laws
- **any person living in the same home**

This Policy is established to ensure that no employee or Trustee uses his or her position or authority to influence hirings, compensation, tenure, retention, transfers, promotions, performance evaluations, disciplinary actions, supervision, work assignments, or any other aspect of the District's day-to-day operations based on relationships defined in this Policy. Employment actions shall be conducted in a manner which prevents partiality, preferential treatment, improper influence, **or** conflict of interest, **or the appearance thereof**. This Policy applies to all types of employment, including but not limited to full-time, part-time, temporary, student assistants, professional experts, and independent contractors.

Except as otherwise noted herein, this Policy does not prohibit the employment of relatives or registered domestic partners within the District **or at any of the colleges or satellite campuses**. However, District employees shall not participate in making recommendations or decisions affecting any aspect of employment based on relationships as defined above.

~~Additionally, as a matter of best practice and to avoid the appearance of impropriety, this Policy prohibits the hiring, promotion, or transfer of individuals who have a current or past relationship by blood, adoption, marriage, cohabitation, or domestic partnership, with a current District employee or independent contractor at the District site, or one of the three Colleges, where the relative or cohabitant is already employed.~~

Board Members, Chancellor, Vice Chancellors, Presidents, Vice Presidents, and Human Resources employees bear a higher responsibility to avoid the appearance of a conflict of interest. Therefore, the District shall not hire any person with whom a current or past relationship by blood, adoption, marriage, cohabitation, or domestic partnership exists with a Board Member, Chancellor, Vice Chancellor, President, Vice President, or Human Resources employee anywhere within the District.

~~The employee application will have an area for an applicant to indicate if a spouse, registered domestic partner, parent, grandparent, sibling, child, grandchild, or in law would be in a direct supervisory position if the applicant were hired. If any relationship covered by this Policy develops subsequent to being hired, the employees are required to notify Human Resources in a timely manner of the change in their relationship or co-habitation status. At the recommendation of the Vice Chancellor of Human Resources, the Board of Trustees may allow exceptions to this Policy under the following circumstances:~~

- ~~• The relationship is not or will not create an adverse impact on work productivity or performance of themselves or others in the workplace;~~**
- ~~• The relationship does not or will not create a conflict of interest, or a perceived conflict of interest, that has a negative impact on the work environment;~~**
- ~~• The relationship is between two faculty members, and there is no indication of a conflict of interest or a negative impact on the work environment.~~**

Adopted February 5, 2003
Revised August 18, 2010
Renumbered from CCCD Policy 050-1-1.9, Spring 2011
Revised July 13, 2016

Senator Kennedy noted that the term "cohabitation" is highlighted in yellow because it is listed in the paragraph highlighted but not in the bullets below it. Do we want it in and if so, do we want it in both places? The term adjective "family" was added to "relationships" so the policy won't be construed to mean a roommate or boarder.

The last sentence in the first paragraph was changed to be more specific, "examples of family relationships covered by this policy are limited to the following," so that there cannot be any other interpretation.

Senator Kennedy noted that the third paragraph where it says "this policy is established..." It's very broad because it says no employee or trustee can use their position to effect things..." which might result in the continuation of the current investigative process. We should consider other language.

Most BP policies have language that allows the District to regulate in some way due to supervision, safety, security, morale or conflicts of interest based on state regulations and language.

The portion added last week on the second page about applications was removed so that this is not an administrative procedure or hiring policy, but a stand-alone board policy.

A senator asked what the next step is to get the Board of Trustee's consideration.

President Sachs noted that VC of HR Baeza will be attending next week to see what our suggestions regarding this policy are. There will also be a Q & A segment.

Another senator noted that the concern is more with the administrative policy than the board policy. There is pretty much a consensus on the board policy. What really counts is the details. He would like to make sure we try to get a response from the Vice Chancellor with respect to our fundamental request that the faculty be de-coupled from the classified. This should not be one of many things we talk about, this should be "where do you sir, stand on this?" We have asked for two different administrative policies, one for faculty and one for classified. To my knowledge they have not given us feedback on where they stand on this.

Senator Kennedy stated that the process is that the Senate approves a version, and as the committee representative I take it back to the committee where I am one of many voices on the committee, so we need others from the E-Board to attend. Then it goes to the Board. We need to be prepared for pushback in regards to objections and be prepared to be certain they have validity other than a surface or supervision objection. We need to do our own follow-up on any objections presented to us.

A senator noted that when you look at the guidelines and contracts for managers, classified, and faculty, we all have different guidelines, different contracts, and different everything that we do. There is nothing different that we're doing here by making a separate board policy because contracts and everything else already separate our groups. The senator noted that she had spoken to her homeowner's association attorney who made it clear that there is nothing out of the ordinary with this.

President Sachs stated that we have a plan of action. The consensus is that the board policy is maybe not ideal but it's functional and the administrative policy is where the hang-up is. The big part of it is that all three groups of employees are being put into a large bucket and in actuality the three groups of employees are hired in different manners as per board policies[[APs 7120 A-E](#)]. There is also a problem with the way "supervision" is identified and interpreted in the administrative policy. We have a different reporting mechanism than what is clarified or interpreted in the current draft of

the AP. Homework for the next week is to think about that section. Some of the language within the current administrative policy would certainly be able to be carried over. But there are some issues in that middle body of it.

President Sachs noted that Golden West Senate is on board with us to the extent that they are unsatisfied with the existing administrative policy. Neither of the other two Academic Senates are satisfied with the way it is. But no one else has done nearly the amount of work we have in terms of trying to craft an administrative policy to the extent that the board policy is acceptable. We may request that someone from their E-boards attend our meeting. As per senators' request, President Sachs also noted that he could request a draft of their positions.

President Sachs announced that this will be brought back next week, in particular, for the parts we had some questions about. We still need to work on the administrative policy because that's hanging us up to the greatest extent. People need to think about it and if you have some language that you think might be appropriate, I suggest emailing it to the E-Board and we can incorporate it into our rolling document so we have a stepping-off point.

B. Constitution; Bylaws – Revisions and Additions Discussion

President Sachs stated that he looked at the minutes from last week and saw that there was some discussion about the Constitution. There was some question and discussion as to if we incorporated part-time faculty into the teaching faculty that it would imply an extension of opportunity that may be an unintended consequence.

A senator noted that in the Senate in 2010 there were concerns with the language of the Constitution and the by-laws regarding this issue, and around that time language was changed in then section 5 of the by-laws. This is what the by-laws said in 2010 before that change: "Not later than the first week of March, the President of the Senate shall call an election of the adjunct members of the faculty to determine the Senators at-large." The change to the language directs that the representative full-time faculty [the electorate] selects the part-timers directly, so they are evaluated and chosen by the representative group noted in the Constitution. The part-timers here are selected by full-timers: "All interested nominees shall attend the designated meeting in February to present themselves to be endorsed by the Senate for one-year term of office."

There are two colleges who did change their Constitution and by-laws to include part-timers and they have had interesting issues. Saddleback only gave each part-timer half a vote, and I don't know how many part-timers there are. Think about this, the English department [Literature and Languages Division] there are sixty part-timers. If we put them in as electorate or as officially recognized teaching faculty to be represented, that means that the Literature and Languages division and probably Math and Sciences will have a huge amount of power in making decisions. Saddleback ultimately dealt with that by giving them half a vote each. Even so, at OCC that would not lessen the disparate impact per division.

Golden West College also did this and their part-timers can vote in all Senate issues just as full-timers but they had to re-adjust their bylaws to limit the votes for

department chairs: "All qualified adjunct faculty members shall have voting rights except for the right to vote in elections for department chair." And that is what will kick in if our Constitution is changed; every part-timer will be able to vote in department, division, and campus issues the same as a full-time faculty. Although some part-timers have been here a long time, many part-timers have been here one semester and teach one class as well as at other colleges, and many leave and do not return. Ultimately, we don't need this change in language because of the changes noted in 2010 above.

Another senator noted that just before 2010 in her division, they used to have part timers come to the department meetings and vote, and they all voted against the type of honors program we wanted and a couple of other changes desired by full-time faculty. Then they were gone the next semester. Everything was uprooted and turned over. The department said since they don't have to live with the consequences, we don't mind their opinion but sometimes they're not here for the historical and they're not here for the outcome. That could have been part of the motivation to make that change. It delayed our whole honors program for quite some time.

Another senator noted that he would like to ask the body to take a look at the college bylaws and also Article I of the Constitution; it says in Section 2 of the by-laws regarding the composition of the Senate that there are part-timers but if you go back to the constitution it has no place for part-timers.

President Sachs noted that we can create bylaws that address the issue of the extent of part-timer voter rights which are fearful but we can be more inclusive with the way the constitution is crafted.

5. New Business

New business moved to next week's agenda.

6. Adjournment of the Regular Meeting

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

Approval of the Minutes: November 26, 2019

MINUTES: First draft written by Michelle Ozuna, Administrative Assistant, HR. 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	Senate Membership
Consent	
Aye	Barnes, Carol: Counseling Senator (2018-2021)
Aye	Blair, Jamie: Senator-at-Large (2018-2021)
Aye	Brown, Cameron: Athletics & Kinesiology Senator (2017-2020)
Aye	Connor, Sean: Senator-at-Large (2017-2020)
Aye	Cuellar, Eric: Senator-at-Large (2018-2021)
Aye	Della Marna, Jodi: Library & Learning Support Senator (2017-2020)
Aye	Denney, Matt: Technology Senator (2017-2020)
Absent	Drew, Rendell: Senator-at-Large (2017-2020)
Aye	Ely, Cynthia: Part-Time Senator (2019-2020)
Aye	Diogba G'bye: Part-Time Senator (2019-2020)
Aye	Gordon, Lee: Senator-at-Large (2019-2022)
---	Hanlon, Anna: Curriculum Chair (Non-Voting)
Aye	Holt, Kelly: Senator-at-Large (2017-2020) 11:40 arrival
Aye	Isaac, Darryl: Con. & Health Sciences Senator (2017-2020)
Aye	Kennedy, Marilyn: Lit & Lang Senator, PDI Chair (2019-2022) 11:39 arrival
Aye	Lloyd, Douglas Math & Sciences Senator (2017-2020)
Aye	Means, Leland Visual & Performing Art Senator (2018-2021)
Aye	Neil, Jeanne: Business & Computing Senator (2019-2022)
Aye	Pena, Max: Senator-at-Large (2019-2022)
Aye	Phillips, Clyde: Student Services Senator (2017-2020)
Aye	Sachs, Loren: Senator-at-Large (2019-2022)
Aye	Stanton, Jordan: Social & Behavioral Sciences Senator (2019-2022)