

**ACADEMIC SENATE
APPROVED MINUTES for December 12, 2013
Cypress College Complex Room 419**

DIVISION SENATORS		PRESENT
Jesse Saldana	BUSINESS/COMPUTER INFORMATION SYS.	Absent
Kathleen Reiland	CAREER TECHNICAL EDUCATION DIVISION	X
Renee Ssensalo	COUNSELING/STUDENT DEVELOPMENT DIV.	X
Jim Hormel	FINE ARTS DIVISION	X
Jane Walker	HEALTH SCIENCE DIVISION	X
Sarah Jones	LANGUAGE ARTS/LIBRARY DIVISION	X
Bill Pinkham	PHYSICAL EDUCATION DIVISION	Absent
Laurie Morvan	SCIENCE/ENGINEERING/MATH DIVISION	X
Bryan Seiling	SOCIAL SCIENCE DIVISION	X
2012-2014 AT LARGE SENATORS		
	Ron Armale	X
	Nancy Deutsch	X
	Cherie Dickey	X
	Christie Diep	X
	Will Heusser	X
	Kathy Llanos	X
	Therese Mosqueda-Ponce	X
	Billy Pashaie	X
ADJUNCT SENATOR	Elayne Roberts	X
LIAISONS		
Frida Lugo	ASSOCIATED STUDENTS	X
Cherie Dickey	BASIC SKILLS COMMITTEE	X
	CAMPUS DIVERSITY COMMITTEE	
	CAMPUS TECHNOLOGY COMMITTEE	
Mark Majarian	CURRICULUM COMMITTEE	X
Rosalie Majid	CYPRESS COLLEGE FOUNDATION	X
Sarah Jones	STUDENT LEARNING OUTCOMES	X
Kathleen Reiland	PROGRAM REVIEW COMMITTEE	X
	STAFF DEVELOPMENT	
Randa Wahbe	UNITED FACULTY	X
ACADEMIC SENATE OFFICERS		
Gary Zager	President	X
Jolena Grande	President-Elect	X
Rosalie Majid	Secretary	X
Ron Armale	Treasurer	X
GUESTS: Paul Macalino, Claudia Pena, Jocelyn Zaragoza, Tina Johannsen, Daniel Guerrero, Jr., Stacey Howard, Debra McPherson, Pat Ganer, Susan Klein, Dr. Santanu Bandyopadhyay, Dale Craig, Ruth Gutierrez, Cathy Franklin, Kathy Wada, Samantha Simmons, Mary Forman, Barbara Marshall, Dr. Robert Simpson, Daniel Lind, Liana Koeppel; from <u>The Cypress Chronicle</u> : Gerard Avenlino, Managing Editor, Victoria Cardenas, Editor in Chief, Carlos Carmona, Video Editor, Jeffrey Lopez, Executive Producer, Jacob Alacron, Sound, Robert Mercer, Adviser		
ALTERNATES IN ATTENDANCE: None		

- I. **Call to Order:** After establishing a quorum, President Gary Zager called the meeting to order at 3:02 pm. No alternates were recognized.
- II. **Adoption of the Agenda:** On motions duly made, seconded and carried, Special reports were moved to the end of this meeting. On motions duly made, seconded and carried New Business Agenda Item “A” Professor Emeritus Designation was moved before Unfinished Business.

On motions duly made, seconded and carried, New Business Item “I” Rescind 11/14/13 Censure of Executive Vice-President was moved after Item “A” after Professor Emeritus Designation (7 yes, 7, no, President Zager yes) (Llanos/Dickey)

On motions duly made and seconded, New Business Agenda Item “E” Replacement of Research Analyst was moved after Item “I” Rescind Censure. (Grande/Dickey)

On motions duly, made, seconded and carried, the Agenda was adopted as revised, (Llanos/Grande)’

- III. **Approval of Minutes from November 12, 2013:** On motions duly, made and seconded, the minutes were approved with the following correction: insertion of phrase “from the floor” in the following sentence on page 8: ***A suggestion was made from the floor to call Campus Safety to remove the guests.***

IV. **Public Commentary**

Dr. Santanu Bandyopadhyay made the following statement in reference to Curriculum Committee meeting on November 05, 2013 and the subsequent action taken by the Senate and directed toward him. “Without going into the details of the Brown Act and if various meetings of the College are or are not covered by the Brown Act, I would like to clarify that my position in the aforementioned Curriculum Committee meeting was in support of and in accord with the past practice of the Curriculum Committee. Additionally, I believe that I expressed my position in a professional and respectful manner. It was certainly my intention to do so. If my statements or position were interpreted by those in attendance as other than supportive of the Curriculum Committee or respectful of those present, it was not intentional and I regret that such was the case.”

Dr. Simpson spoke to issues of fairness, Brown Act and adherence to College practices. When important actions of significance are considered and directed to an individual of the College, it is only a matter of fairness that the individual be given an opportunity to respond before definitive action. This was not done with regard to the censure motion. With regard to the Brown Act, basic premise is that Agenda items have to contain enough information on which a member of the public would know what is being specifically acted upon. The Academic Senate Agenda item with regard to the censure item did not contain sufficient information to indicate its specific intent. He asked the Senate address the fairness and clarity of Senate Agenda items. All issues we deal with are important. The Reading Proficiency item is very important. He reminded us that it is important that we adhere to established practices and encouraged everyone to work together with respect and collegiality.

Jocelyn Zaragoza, Cypress College Student, read a letter directed to the Academic Senate from an anonymous student in response to President Simpson's speech at the Associated Student meeting on 11/20/13. The student felt the President's response was not supportive of student concerns but rather was intended to "put her in her place."

Kathy Wada, ESL Department Coordinator, reminded the Senate that last year Liana Koepfel, Randa Wahbe, Bryan Seiling, Sarah Jones and herself worked together to draft the Decision Making Protocol which was adopted by the Senate on 2/28/13. The spirit of the protocol is to insure that relevant faculty is involved early in decision making. She wanted to remind the Senate of this approved Decision Making Protocol.

Kathy Franklin, Reading Department faculty, reported the Reading Department consistently followed established protocol in efforts to deal with proposed changes to Reading Proficiency requirements. Dean Eldon Young reported meeting as the entire Language Arts Division to solve the reading proficiency matter. He asked the Reading Department be allowed time to investigate to expand and/or change the requirements. Stakeholders will meet on opening day. He asked the Senate and other concerned parties respect this process and the timeline set by the Curriculum Committee which is March 2014. Susan Klein distributed the Reading Proficiency Investigation Stakeholders flow chart.

V. Faculty Issues – New Business

A. Professor Emeritus Designation: *By acclimation, Professor Emeritus Status was designated for Helena DeCoro, a long time faculty member in the Fine Arts Division who is retiring in December, 2013. (Deutsch/Seiling)*

B. Rescind 11/14/13 Censure of Executive Vice-President

Senator Llanos (seconded by Senator Dickey) moved to rescind the censure of the Executive Vice-President taken by the Senate on November 14, 2013. Senator Llanos felt the Senate conducted a trial without representation. Senator Armale's contention was the Senate acted adversarial instead of cooperatively. Senator Pashaie posited the Executive Vice-President had more than sufficient time to apologize both during and after the meeting. Senator Seiling noted this was not a condemnation of a person but condemnation of an act. Senator Morvan would rather have worked the situation out by having a conversation with the person instead of turning it into a public matter. Senator Walker directed Senators to look at the professional side as the Executive Vice-President was in a position of authority and at that moment engaged in an action that was illegal. Senator Mosqueda-Ponce would have like to have afforded the Executive Vice-President an opportunity to submit an explanation of his action. Senator Diep commented that the Senate made a statement that it would not allow practices that are wrong, e.g. a top level administrator violating the Brown Act. The Senate exercised its right to take action. Curriculum Committee Representative Tina Johannsen felt the Executive Vice-President did have ample opportunity not only to respond at the Curriculum Committee but also could have attended the Senate meeting but chose to not do so. Senator Seiling said this was not a crime of collegiality but a violation of state statute. None of us can deny that it is untoward. The Senate did not go to the extreme to remove anyone, but strongly admonished the individual making a statement that incidents of this nature should not ever recur.

In response to Senator Seiling's Point of Order for a ruling as to whether the President believed the Censure motion was rescindable, the President ruled that while the censure

could be withdrawn since it had already been delivered in person and in writing, the Senate could rescind the motion to Censure as an action of record. Putting on record the motion was rescinded is appropriate. Senator Seiling appealed the ruling of the chair.

Senator Llanos read a statement from Robert's Rules (page 137) "that motions to rescind and amend something previously adopted by the Assembly are very similar. These are considered incidental main motions. They need a second and are debatable. They are not in order if the action has already been carried out and are impossible to undo."

President Zager reversed his earlier ruling and determined the motion to rescind the censure of the Executive Vice-President is not a motion that can be considered by the Senate at this time.

- C. Replacement of Research Analyst: *On motions duly made, seconded and carried, the Senate directed the President and President-elect to support hiring the Research Analyst at Planning and Budget (Deutsch/Dickey).*** While the Senate realized that the work done by the Research Analyst in support of Title V Grant, Perkins Grant, STEM Grant, Program Review, and Financial Aid Program is critical, Senators wanted to be assured the need for full time faculty is not lost.

VI. President's Report:

President Zager reported he had not had a chance to **meet with the President of the College** since the last meeting of the Academic Senate. The **District Coordinating Council meeting on November 25, 2013** was cancelled.

President Zager read the Senate Resolution on the Vice-Chancellor of Educational Services and Technology Position at the **November 26, 2013** meeting of the **Board of Trustees**. There was a huge turn-out of faculty supporting United Faculty salary negotiations. The Fullerton College President presented its Annual Report and Institutional Effectiveness Profile which was followed by extensive questioning from the Trustees. The Cypress College President spoke on the Reading Proficiency conflict.

At the **December 10, 2013** meeting of the **Board of Trustees**, Jeff Brown was elected as President; Manny Ontiveros, Vice-President; and Michael Masuda, Secretary. The SCE Provost presented its Annual Report and Institutional Effectiveness Profile. An independent auditing firm announced the results of this past year's financial audit. The Academic Senates of Fullerton College, Cypress College and the School of Continuing Education along with United Faculty announced each would not appoint a faculty representative to the Vice Chancellor of Educational Services and Technology Hiring Committee. Toward the end of the meeting, Trustee Brown condescendingly addressed the Resource Table reprimanding the Faculty for not appointing representatives to the Vice-Chancellor Hiring Committee.

Institutional Effectiveness Council met on November 18, 2013 and reported the District Wide Institutional Effectiveness Report is complete and will be posted online shortly for review.

Planning and Budget Committee met on December 5, 2013. The College plans to install a decorative fence around Lot 9 to help generate additional funds for the Swap Meet. Plans for a new marquee are in the research stage. Energy Conservation remains a major focus and the College is meeting with the water company to lower the water bill. There are no substantive changes in the overall budget expected until the Governor releases the new Statewide Budget on January 10, 2014. The number of proposals allowed for One-Time Funding was increased to five for Divisions and seven for Special Programs. \$5,000 was authorized for the Puente Program's trip to northern California in the Spring. Dr. Philip Dykstra's promotion to Director of Research & Planning has resulted in a critical gap in the department for a Research Analyst. Karen Cant has asked for approval to fill the Research Analyst position. Because of the sensitivity of hiring before salary negotiations are settled, President Zager and President-elect Grande will seek the sense of the Senate before voting in support of filling this position, Vice-President Karen Cant needs the Senate's decision by December 13, 2013.

At the **President's Advisory Committee** (December 5, 2013), it was reported the process of scribing the College Catalog into Degree Works is difficult and time consuming requiring attention to minute detail in order to ensure the program interprets degree information correctly.

Committee Appointments: President Zager appointed Stuart Rosenberg and himself to the Custodial Manager Hiring Committee that will begin deliberations over the winter break.

VII. Faculty Issues – Unfinished Business

- A. **Commencement Speaker:** *On motions duly made seconded and carried, Sharon Quirk-Silva, California State Assembly was selected to be the keynote speaker at the May 24, 2014 Commencement Ceremonies. (Dickey/Seiling)*
- B. Vice Chancellor of Educational Service/Technology Hiring Committee Appointment: *By unanimous consent, the Senate directed President Zager to not submit a faculty representative to the Vice-Chancellor of Educational Services and Technology Hiring Committee. (Seiling/Llanos)*
- C. **Academic Senate Constitution Amendments:** Senator Diep sought feedback on specific articles for the purpose of determining how to organize future debate on proposed changes. Senator Roberts spoke in support of more Adjunct Senator Representation. Adjunct faculty is very vulnerable going from term to term and often does not have the courage to speak for fear of not being asked to return. There are 400 adjunct faculty and 196 full time faculty. There could be at least three or four adjunct representatives – one adjunct for every one hundred on a rotation basis. Many adjuncts do not feel connected as they work at three or four different colleges. Unfortunately, Senator Roberts will not be returning as a Senator in Spring 2014 as she does not have a teaching assignment.

Senator Llanos asked that Division comments be forwarded to all Senators in advance of meetings to facilitate discussion. At the next meeting in February the "Constitution Committee" will return with feedback for discussion.

- D. **Robert's Rules Seminar Follow-Up:** Senator Seiling distributed Santa Roberts's gift of Robert's Rules of Order, Newly Revised in Brief for each Senator and urged everyone to read it and become familiar with its contents. There must be continued and periodic monitoring to assure that our processes are consistent with Robert's Rules.

VIII. Faculty Issues – New Business

- A. **Accreditation Midterm Report:** Senator Dickey reported the Midterm report must be submitted to ACCJC by March 15, 2014. The draft report will be on the Senate Agenda for approval the first meeting in February. The draft of new standards for ACCJC will be available for feedback and comment in late January.
- B. **Reading Proficiency Issue:** Senator Seiling summarized that both Counseling and Students recognized there is a discrepancy between the Reading Proficiency requirements at Cypress and Fullerton Colleges. Once that discrepancy was brought to light, things have become controversial. Senator Seiling posited that we failed the students at every turn and the first step going forward was to apologize to the students, second to determine the path forward, and third determine how to interpret BP/AP 4025.

The motion for unanimous consent for the Academic Senate to formally apologize for any offense that students have taken over the Reading Proficiency issue and absolve them of any responsibility failed. (Seiling/Diep). Continued debate of the motion revealed Senators did not clearly understand for what actions they were apologizing and did not want blame placed on any party or individual. Senators were dismayed that blame was being placed on the Cypress College Student Trustee for the unfortunate series of events that have transpired. The Curriculum Committee Chair wanted to assure students that the Academic Senate supports their ongoing concerns and is committed to timely resolution of those concerns and furthermore, regrets students' perception that they have been ignored. Because the Curriculum Committee deliberations take time, there might be a perception that action was not taken when in fact the issue will be resolved within established Curriculum Committee timelines. ***Senator Seiling withdrew the motion for formal apology.***

Senator Pashaie moved that the Academic Senate apologize for any offense that students have taken over the Reading Proficiency Issue. (Pashaie/Diep)

Senator Seiling called the question which passed.

The Academic Senate approved the motion to apologize for any offense that students have taken over the Reading Proficiency Issue. President Zager will work with Senator Pashaie on the process for implementation of this action.

Senator Dickey made a motion to adjourn at 5:20 (Dickey/Hormel). Because the Academic Senate position on BP/AP 4025 was critical for the Curriculum Committee and the Articulation Officer to move forward, Senator Dickey withdrew her motion for adjournment.

- C. **Senate Position on AP/BP 4025:** At the request of the Chairman of the Curriculum Committee and the Cypress College Articulation Officer, Senator Seiling initiated the discussion of reinterpretation of AP/BP 4025. Stacey Howard, Articulation Officer reported both Cypress and Fullerton College counselors and evaluation units have been interpreting BP/AP 4025 to only include "reciprocity" between both Colleges for general education coursework and not local graduation requirements. Examples of local graduation requirements are the Reading Proficiency, Cultural Diversity, and Physical Education requirements. For degree evaluation

purposes, the Colleges have honored general education taken at both Colleges, but not local graduation requirements.

The motion was made for Cypress College to re-interpret AP 4025 General Education Requirements – Associate Degree policy to be more inclusive rather than less and allow students to use coursework completed at both campuses to meet local graduation requirements. (Seiling/Diep) Senators and faculty guests both expressed concern about carte-blanche reciprocity as philosophical approaches toward general education and local graduation requirements differ between the two campuses. Daniel Lind, Ethnic Studies faculty, informed the Senate the multi-cultural requirement at Fullerton College is defined differently than Cypress College’s Cultural Diversity requirement. Resolution of this incredibly complex issue demands understanding the many nuances surrounding curriculum, individual College practices and District policies.

Student Trustee Claudia Pena restated the conversation at hand was not to change Board Policy but rather weigh in how the policy is interpreted. The dilemma arises when a student in good faith takes a course at one College that meets one College’s requirement but no longer meets graduation requirements when they move and apply for graduation at the other College. Senators Dickey and Jones felt it would be premature of the Senate to take action now and furthermore resolution of the interpretation of AP 4025 necessitates additional conversations with Fullerton College Academic Senate to reconcile and reach mutual agreement on graduation requirements and uniform interpretation of policy to mitigate confusion and ensure fairness for students in the application of policy. Liana Koeppel, Communication Studies faculty, felt that philosophical differences are what make the two campuses unique, a uniqueness which Cypress College faculty would want to preserve.

On motions duly made, seconded and carried the motion to set aside until a later date action on the motion to reinterpret AP 4025 was approved. (Mosqueda-Ponce/Seiling) (Yes—7, No –4, Abstain -1)

(Senator Hormel left the meeting at 5:30 pm.)

- IX. Adjournment of Meeting.** On motions duly made, seconded and carried, the meeting was adjourned at 6:15 pm. (Dickey/Deutsch)

Respectfully Submitted,

Rosalie Majid
Secretary, Academic Senate