

ACADEMIC SENATE

APPROVED MINUTES for November 14, 2013
Cypress College Complex Room 419

DIVISION SENATORS		PRESENT
Jesse Saldana	BUSINESS/COMPUTER INFORMATION SYS.	X
Kathleen Reiland	CAREER TECHNICAL EDUCATION DIVISION	X
Renee Ssensalo	COUNSELING/STUDENT DEVELOPMENT DIV.	X
Jim Hormel	FINE ARTS DIVISION	Absent
Jane Walker	HEALTH SCIENCE DIVISION	X
Sarah Jones	LANGUAGE ARTS/LIBRARY DIVISION	X
Bill Pinkham	PHYSICAL EDUCATION DIVISION	X
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: Jocelyn Zaragoza, Kelsey Bleu Vargas, Claudia Pena, Tina Johannsen, Susan Klein, Dr. Santanu Bandyopadhyay, Dale Craig		
ALTERNATES IN ATTENDANCE: Robert Mercer for James Hormel, Randa Wahbe for Will Heusser @ 4:40 pm.		

- I. **Call to Order:** After establishing a quorum, President Gary Zager called the meeting to order at 3:02 pm. President Zager recognized the following alternates: Robert Mercer for James Hormel and Randa Wahbe for Will Heusser at 4:40 pm.
- II. **Adoption of the Agenda:** On motions duly made, seconded and carried, the Agenda was adopted as presented (Llanos/Grande)
- III. **Approval of Minutes from October 24, 2013** On motions duly, made and seconded ((Deutsch/Saldana)), the minutes were approved with the following correction in italics to correctly reflect negotiation proposals:

Reword of the UF Faculty Report: *Ms. Wahbe reported negotiations are in process. UF proposals include eliminating bond requirement for sabbaticals, resolving differences in Blackboard between Cypress and Fullerton, creating intersessions in the 16 week calendar, adding Flex 125, and increasing fringe benefit dollars. The District proposals include examining time lines in the grievance article and changing "collaboration" to "consult" in Article IV Scheduling. UF is exploring negotiating overload pay for multiple sections for full time faculty (Adfac Contract Article 10.3.5). Senator Heusser reported the District rejected United Faculty's salary proposal of 3.56% on schedule. The Board of Trustees rejected this offer proposing 2% on schedule and 1.56% (COLA) off schedule. Negotiations are ongoing. Interested parties can monitor United Faculty activities on <http://www.ufncccd.org/>*

Several Senators expressed dissatisfaction when the Cypress College Academic Senate's Resolution in opposition to the Vice-Chancellor for Education Services and Technology position had not been read at the Board of Trustees meeting on October 22, 2013. The Academic Senate President wanted assurance the Resolution was accurate and after consultation with the other Academic Senate Presidents elected to wait till after the minutes were approved to read the Resolution at the Board of Trustees. The President reported he never intended to go against the will of the Senate but rather to accurately represent the Senate's actions and apologized for the disappointed feelings caused by his taking what he thought was the correct action in not reading the resolution. President Zager will e-mail the resolution to every member of the Board of Trustees and the Chancellor immediately after the meeting and read the resolution at the next Board of Trustees Meeting.

Senator Seiling iterated that approval of the minutes serves only to sanction the historical record of the meeting. Actions become effective immediately.

IV. **Public Commentary:**

Senator Mosqueda-Ponce, reported that the wife of Paul De Dios, Dean of Counseling suffered a brain aneurysm and is in critical condition. The Senate invoked a moment of silence for her. .

Cypress College Student Trustee Claudia Pena read a letter from the Cypress College Associated Students addressed to the NOCCCD Board of Trustees which alleges violation of Board Policy 4025 Philosophy and Criteria for Associate Degree

and General Education with specific reference to fulfillment of the reading proficiency requirement for the Associate Degree at Cypress College.

V. **Special Reports**

A. **Associated Students**

Jocelyn Zaragoza reported Associated Students' plans to celebrate Native American Heritage Month on November 27. Students are participating in the Thanksgiving food drive.

B. **United Faculty**

United Faculty President Dale Craig reported United Faculty is not accepting the NOCCCD offer of 2% increase on schedule and 1.56% COLA off schedule and is marshalling faculty support and encouraging faculty attendance at the Board meeting to speak in support of United Faculty negotiations. Faculty is encouraged to wear black. Signs along with talking points will be provided. President Craig reported the Union is investigating a potential grievance alleging a violation of Article 4.4.2 of the contract where a campus Administrator directed Senate members to leave the Curriculum Committee.

The Chair ruled the motion (Saldana/Seiling) that a Senate faculty representative not be appointed to the Vice-Chancellor Educational Services and Technology Hiring Committee was not necessary. An appeal of this ruling by Senator Seiling was over-ruled by the Chair. The sense of the Academic Senate was to not appoint faculty representatives to the Hiring Committee for the Vice-Chancellor Educational Services and Technology position. The United Faculty will hold off appointing a representative to the Hiring Committee for Vice-Chancellor Educational Services and Technology. President Craig felt the Board would have to explain why it would proceed with the Hiring Committee without faculty participation.

C. **Staff Development**

The District Staff Development Committee will offer workshops on the federal compliance requirements of Americans with Disabilities Act (ADA section 508) facilitated by Terry Gleason, Manager, Distance Education at Fullerton College. Workshops are on Monday, November 18, 2013 and Thursday, November 21, 2013 at the Anaheim Campus. Learn more about your own style and how to communicate effectively with others through a "Real Colors Workshop" scheduled for November 20 at Fullerton College. Register for upcoming workshops at the District Wide Staff Development calendar. Complete conference funding requests are due November 15 at 12:00 pm.

D. **Curriculum Committee:** Mark Majarian

Curriculum Committee continues to pass curriculum and programs pursuant to Title V requirements.

E. **Campus Technology Committee:** No report

F. Academic Senate Treasurer's Report: No report

G. Cypress College Foundation:

Senator Majid reported "Pull for Cypress" campaign is underway. Everyone was encouraged to contribute. Designation of one's donation to Title V endowment results in a 100% match. For every \$100 donation to the Title V endowment, the federal government matches \$100. Those with questions were directed to contact Raul Alvarez, Foundation Director.

H. Basic Skills Committee

Senator Dickey reported several committee members have had the opportunity to learn about academic and student support programs at various colleges and will share key components of these and discuss which aspects might be of value to pilot at Cypress. Title V Committee members will be asked to join Basic Skills to collaborate on which activities might be funded through the Basic Skills Initiative and which through Title V. The Committee plans to discuss key items at their next meeting that include revisions to the composition of the BSI/ESL Committee membership, terms of membership, and vision/mission statements. Senator Dickey indicated results will be shared at the next meeting.

I. Student Learning Outcomes Assessment: No report

J. Program Review and Department Planning:

Senator Reiland indicated she and the Chair of Student Learning Outcomes Assessment would be attending the others' Committee so that both could gain an understanding of the other committee's work to foster collaboration of activities.

K. District Council on Budget and Facilities: No report

VI. President's Report

The **District Coordinating Council met on October 28, 2013** and discussed the District Technology Advisory Committee recommendations for computer replacements which mirror the Cypress College Campus Technology Plan. Attached to the minutes is a PowerPoint on Effective Constituent Training received at the DCC (Attachment #3). The Innovation Fund will be available once more.

Both the President and President-elect attended the **ASCCC Fall Plenary Session on November 7 – 9, 2013**. The state-wide Academic Senate is concerned about the behavior of the Accrediting Commission for Community and Junior Colleges. In response to the Curriculum Chair, President Zager reported he did not recall any notable curriculum-related resolutions coming from the State-wide Academic Senate with regard to curriculum issues but encourage review of the approved resolutions once they are posted. The link to approved resolutions will be shared with Senators as soon as it becomes available.

[link to Fall Plenary Resolutions <http://www.asccc.org/fall2013/resolutions>]

At the **November 11, 2013** meeting of the **Board of Trustees**, the Cypress College President shared the College's Annual Report and Institutional Effectiveness Report. *[President Zager shared copies of both reports with Senators.]* After lengthy discussion, different classified positions were approved. Noteworthy was Board action to eliminate a faculty position to create a management position.

Planning and Budget Committee (November 7, 2013) approved three special requests for Physical Education: \$2000 for laser leveling of the baseball fields to prevent injuries; \$722 to replace the sound system for the Women's softball field; and \$13,000 for transportation of the Men's and Women's Swim teams. The Committee also approved replacement of a vacancy in Financial Aid needed to process critical documentation for receipt of federal funds in conjunction with Financial Aid. The NOCCCD Board would be approving disciplinary action to be taken against a number of the Custodial Staff at Cypress College. Because there is no Supervisor on the night shift, Planning and Budget approved the job description and hiring of a Custodial Supervisor through reclassification of existing staff.

At the **President's Advisory Committee** (November 7, 2013), the Vice-President of Instructional Services presented the 2013-2014 **Faculty Prioritization** of 25 positions at Cypress College. Cypress College will hire five. Fullerton College will hire ten and School of Continuing Education will hire three full time faculty. Because Cypress College Student Success Funds will be used to subsidize the #2 Counselor position, Cypress will be able to replace the following six full time positions: Dental Hygiene, Counseling (Business and Health Science), Nursing, Head Coach Men's Basketball, EOPS Counselor; and Management/Marketing. President-elect Grande reported an inability to garner support for higher prioritization of the Instructional Librarian.

District Information Services is planning a Banner/WebStar downtime for December 20 which might interfere with submission of grades. While the Spring 2014 Schedule is similar to Spring 2013, there are 10 fewer sections. Senator Llanos presented the Academic Senate's Vice-Chancellor of Educational Services and Technology Resolution. In other Senate news, Senator Majid explained certificate and graduation applications would be extended to the third week of each semester and that the Dean of Admissions and Records is gathering data to provide faculty more time to submit final grades. Dr. Simpson commended the faculty and the Curriculum Committee in achieving an 89% compliance rate for the development of Associate Degrees for Transfer. Cypress College approved 19 Associate Degrees for Transfer (ADT) in Fall 2014. 17 have been approved at the Chancellor's Office and the remaining two are in process. At 89%, Cypress College is significantly ahead of other California community colleges.

Committee Appointments: President Zager appointed Joe Gallo to the Comprehensive Evaluation Committee for Mike Kavanaugh.

VII. Faculty Issues – Unfinished Business

A. **Commencement Speaker:** Suggestions for commencement speakers include:

1. Dr. Richard Pimentel: disability rights activist who developed significant training materials aimed to help employers integrate persons with disabilities into the workplace, and strong advocate for passage of the Americans with Disabilities Act
2. Angela Davis: American political activist, scholar, and author
3. Mike Kasler: former Cypress College President
4. Sharon Quirk-Silva: California State Assemblywoman
5. Dr. Patch Adams: American physician, social activist, clown and author.

Student Trustee Claudia Pena suggested choosing a speaker with a student perspective in mind. Senator Armale cautioned everyone to make certain suggested candidates were in fact good speakers. Contact information should be sent to President Zager so that he can make the initial calls to determine availability. He will bring this information for the Senate to take action at the next meeting.

B. Academic Senate Constitution Amendments:

Senator Diep distributed the recommended changes to the Senate Constitution and the Bylaws for their first reading. She noted that much research was conducted to ascertain practices at other campuses. The Constitution will need to be approved by the entire faculty; the bylaws by the Academic Senate. The guiding principles on which the Constitution Sub-Committee operated included the following: (a) update the out-of-date; (b) clarify the duties of Senators; (c) increase transparency and openness; and (d) increase faculty participation. Senator Seiling reviewed the “Cliff Notes for the Proposed Constitutional Changes” (Attachment #1) which is a synopsis of the amendments that (a) identified what was updated; (b) clarified duties and inform process; (c) incorporated term limits; and (d) restructured the Senate to reflect proportional representation.

Mr. Majarian applauded the efforts of sub-committee especially with regard to inclusion of the Curriculum Committee Chair on the Academic Senate Executive Committee. Proposed recommendation that the Curriculum Committee Chair replace the elected fifth wheel on the Executive Committee would not only provide an objective fifth member but also allow for vetting of time-sensitive, important curriculum issues.

Senator Diep will send both an electronic copy to the Secretary who will distribute to Senators for sharing with their constituents and another hard copy printed in color to highlight changes to the Senators. Feedback will be discussed at future meetings. Projections of the Sub-Committee call for the approval process to be accomplished by April 2014 prior to the next Senate elections. President Zager complimented and thanked the Sub-committee for their hard work – Christie Diep, Bryan Seiling, Billy Pashaie, Renee Ssensalo, and Tina Johannsen. Senators can direct specific questions as to the source or other background information to Senator Diep.

C. Academic Senate Committee Handbook: Christie Diep

Senator Diep reported the development of the Academic Senate Handbook was well underway. On motions duly made, seconded and carried (Diep/Roberts), the Senate approved the following motion:

*Whereas, Representation on campus and District governance committees is a responsibility and a right of all faculty; and
Whereas, The need for a clear understanding of the campus and District committees that include faculty representation is a vital component of the shared governance process; and
Whereas, The Academic Senate appoints many of the faculty positions on campus and District governance committees;*

Senator Diep moved that a committee be appointed to review the committees that report to the Academic Senate and create a Senate Committees Handbook which will provide a transparent understanding of the committees, including their various functions, structure, and composition.

Senator Diep reported the objective would be to have both the Academic Senate Handbook and the Senate Committees Handbook completed by the end of Spring 2014 semester for use by the 2014-2015 Academic Senate. Members of the Senate Committees Handbook Committee are Tina Johannsen, Mark Majarian, Christie Diep (Chair), Billy Pashaie, Renee Ssensalo, and Bryan Seiling.

D. Submission of Final Grades Policy

Dr. Bandyopadhyay reported that Admission and Records had agreed to the following policy: “Final grades for fall semester will be due January 5; spring semester grades will be due June 5; and summer grades will be due five days after the end of the summer session.” Faculty cannot expect any compensation if they choose to submit grades after their last official duty day. President Zager encouraged Senators to discuss these guidelines with their constituents.

VIII. Faculty Issues – New Business

A. Common Core, Student Success Summit, and Collaboration with High Schools:

Dr. Santanu Bandyopadhyay, Executive Vice-President of Instruction, reported that the State of California is building a continuum for high school students’ successful transition to College. There is over \$1 million in funding for high schools to collaborate with community colleges for alignment of curriculum to assure an understanding of expectations at all levels. Anaheim Union High School District is interested in collaboration with Cypress College. Common Core is a nation-wide initiative which espouses that learning and assessment of learning needs to be deeper. How does this affect Cypress College? As a follow-up to the Sacramento Student Success Summit, the Office of Instruction is seeking the support of the Academic Senate in his Office’s plans to invite representatives of Pasadena City College to share best practices as well as Savanna High School to visit and engage in faculty to faculty discussion that

focuses on what is taught at the high school level and what skills are expected upon entering college. At the request of Senator Morvan, Dr. Bandyopadhyay will provide President Zager a summary that describes the Common Core, Student Success and Cypress College follow-up activities with Anaheim Union High School District and Savanna High School. This summary will be shared with the Senators.

B. The Brown Act and the Curriculum Committee:

Three Senators, guests, the Student Trustee, and a Dean were at the Curriculum Committee on November 5, 2013. After a short presentation by the English and Reading Departments, the Executive Vice-President of Instruction told the guest presenters from English, the Dean of Language Arts, a librarian, and the Student Trustee to leave the meeting in order for the Curriculum Committee to discuss the reading proficiency curriculum issues in private. The librarian pointed out that the attendees were not disruptive, that four of them were Senators, and that the Curriculum Committee was a committee of the Senate. The Executive Vice-President of Instruction continued to insist that the guests leave. The librarian stated the public had every right to remain pursuant to California law, namely the Ralph M. Brown Act. The Executive Vice-President responded the Curriculum Committee meeting was not subject to the Brown Act. A suggestion was made from the floor to call Campus Safety to remove the guests.

The Curriculum Committee Chair asked the librarian to show the Committee the Brown Act on the projector. Documentation to this effect was projected for everyone to view. However, the Executive Vice-President of Instruction continued to insist that the Curriculum Committee was not subject to the Brown Act and that guests must leave. The guests did not leave the room and the Committee proceeded to discuss the reading proficiency curriculum.

In light of the events that transpired at the Curriculum meeting, the following motion was submitted for approval:

1. WHEREAS, The Brown Act is the law of California government,
2. WHEREAS, The Cypress College Academic Senate and all of its constituent parts are subject to the Brown Act,
3. WHEREAS, The Cypress College Curriculum Committee is under the supervision of the Cypress College Academic Senate,
4. WHEREAS, California government law specifically states that Curriculum Committees are subject to the Brown Act,
5. WHEREAS, At the Cypress College Curriculum Committee meeting on November 5, 2013, the Cypress College Executive Vice President of Instruction knowingly and willingly used his position of administrative power to discriminate against, intimidate, and coerce guests whom he wanted excluded from the meeting,
6. Senator Pashaie MOVED that the Cypress College Academic Senate officially censures the actions of the Executive Vice-President of Instruction, Santanu Bandyopadhyay. (seconded by Senator Diep)

On motions duly made, seconded and carried (Saldana/Reiland) Line 5 of the original motion was amended to read (10 Yeas, 6 Nays, 2 Abstentions)

5. *WHEREAS at the Cypress College Curriculum Committee meeting on November 5, 2013, the Cypress College Executive Vice President of Instruction ~~knowingly and willingly~~ used his position of administrative power to ~~discriminate against, intimidate, and coerce guests whom he wanted excluded from the meeting,~~ to attempt to exclude guests from the meeting,*

The motion to amend Line 4 to read as follows failed: (Reiland/ Pashaie)
4. *WHEREAS California Government ~~law specifically states that~~ Code Section 54952 (a) (b) states that Curriculum Committees are subject to the Brown Act,*

On motions duly made, seconded and carried (Reiland/Wahbe), Line 4 was amended to read as follows:

4. *WHEREAS California Government ~~law specifically states that~~ Code Section 54952 (a) (b) specifically states that Curriculum Committees are subject to the Brown Act,*

The motion (Grande/Armale) to postpone to the next meeting failed. (8 Yeas, 10 Nays, 0 Abstentions)

The Senate approved the following motion to censure as amended. (11 Yeas, 5 Nays, 2 Abstentions).

Whereas the Brown Act is the law of California government,
Whereas the Cypress College Academic Senate and all of its constituent parts are subject to the Brown Act,
Whereas the Cypress College Curriculum Committee is under the supervision of the Cypress College Academic Senate,
Whereas California Government Code Section 54952 (a) (b) specifically states that Committees are subject to the Brown Act,
Whereas at the Cypress College Curriculum Committee meeting on November 5, 2013, the Cypress College Executive Vice-President of Instruction used his position of administrative power to attempt to exclude guests from the meeting,
Moved that the Cypress College Academic Senate officially censures the actions of the Executive Vice-President of Instruction, Santanu Bandyopadhyay.

Senator Seiling raised a point of order to reiterate that minutes are a record of action taken and that approved motions are effectively immediately. President Zager will deliver the motion to the Executive Vice-President.

IX. **Adjournment of Meeting.** On motions duly made, seconded and carried, the meeting was adjourned at 6:10 pm. (Ponce/Seiling)

Respectfully Submitted,
Rosalie Majid
Secretary, Academic Senate

ATTACHEMENT #1

**SENATE CONSTITUTIONAL CONVENTION
Cliff Notes for the Proposed Constitutional Changes**

I. Introduction -Amendment Process

- A. Constitutional Changes: 1/3 of Senate; 2/3 of Faculty
- B. By-Law Changes
 - 1. Contingent on Constitutional Changes
 - 2. 2/3 of Senate Vote

II. General Agreement ---- Guiding Principles of the Committee

- A. Update the Out-of-Date
- B. Clarify duties of Senators
- C. Increase transparency & openness
- D. Increase faculty participation

III. Synopsis of the Amendments -The Bottom Line on the Changes

A. What was updated?

- 1. Deleted Standing Committee Requirements (struck from original document)
- 2. Brow ACt Language (pg. 9, Art. 7, Sec. 8)
- 3. Brown Act Forbids Secret Ballot in Meetings (pg. 6, Article. 6, Section. 3)

B. Clarified Duties and Inform Process:

- 1. Institutionalize the Senate Seminar and Handbook (pg.7, Art. 6. Sec. 7c.)
- 2. Maintain Senate Website (pg. 8. Art. 6, Sec. 8c.)
- 3. Strengthen references to 10+ 1 (pg 1, Art. 3, Sec. 1b. and pg. 4, Art. 5, Sec. 3a)
- 4. Consult/Inform Constituents (pg. 5, Art. 5. Sec. 3b and strikes the old Art. 5. Sec 3c)
- 5. Defining/Choosing an Alternate (pg. 6, Art. 5, Sec. 3c)
- 6. Clarify Proxy Rule (pg. 9, Art. 7, Sec. 7)

C. Term Limits:

- 1. No more than 3 consecutive 2-year terms (pg. 4. Art. 5, Sec. 2g)
- 2. No more than 8 consecutive years of any combination of positions (senator/ president/liaison) (pg. 4, Art. 5, Sec. 2g)

D. Restructure of Senate Proportional Representation

- 1. Library Senator (pg. 3, Art. 5, Sec. 2a.)
- 2. Curriculum Chair becomes a voting member (pg 4, Art.5, Sec. 2e)
- 3. Curriculum Chair replaces fifth Wheel" on Executive Committee (pg. 6. Art. 6, Sec.2)
- 4. Divisions with 20 or more Full-Time Faculty get an extra Senator. (pg. 3, Ali. 5. Sec. 2b.)
- 5. Senators must teach 6 units or have equivalent student contact hours. (pg. 3. Art. 5, 2bc)
- 6. At-Large Senators reduced to 6. (pg. 3. Art. 5, Sec. 2c)
- 7. Adjunct Faculty will an extra Senator (2 Senators total) (pg. 4, Art. 5, Sec. 2d)
- 8. Election of Replacement Past-President (pg. 6. Art. 6, Sec A)