



**ACADEMIC SENATE
APPROVED MINUTES
September 26, 2013 -- Place: CCC – 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	X
Joe Franks	HEALTH SCIENCE DIVISION	X
Sarah Jones	LANGUAGE ARTS 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
	Rosalie Majid,	X
	Therese Mosqueda-Ponce	ABSENT
ADJUNCT SENATOR	Elayne Roberts	X
LIAISONS		
Gyu Choi	ASSOCIATED STUDENTS	X
Cherie Dickey	BASIC SKILLS COMMITTEE	X
Michael Brydges	CAMPUS DIVERSITY	ABSENT
Michael Johnson	CAMPUS TECHNOLOGY COMMITTEE	ABSENT
Mark Majarian	CURRICULUM COMMITTEE	X
Rosalie Majid	CYPRESS COLLEGE FOUNDATION	X
Sarah Jones	STUDENT LEARNING OUTCOMES	X
Kathleen Reiland	PROGRAM REVIEW COMMITTEE	X
Rebecca Gomez	STAFF DEVELOPMENT	ABSENT
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: Billie Pashaie, Dr. Santanu Bandyopadhyay, Dr. Eldon Young, Claudia Pena		
ALTERNATES IN ATTENDANCE: Mark Majarian for Therese Mosqueda-Ponce and Randa Wahbe for Will Heusser @ 4:30 pm.		

- I. President Gary Zager called the meeting to order at 3:02 pm. A quorum was established.

II. Faculty Issues – Unfinished Business

A. Proposed Dean of Library Learning Resource Center (LLRC)– Kathy Llanos

At Senator Llanos' invitation, Eldon Young, Dean of LLRC and Fine Arts presented information in support of hiring a Dean for the Library and Learning Resource Center. The Language Arts Division has the largest number of faculty and serves the most students on campus. While Dr. Young has been able to manage the two responsibilities exceptionally well since he was appointed as interim Dean of LLRC in 2009, he is concerned this will no longer be possible in the near future and long term. There is no longer a Special Projects Manager. Coordinators for Supplemental Instruction and Tutoring can no longer be funded through professional expert contracts. Hence, there is no one to whom lesser responsibilities such as hiring of tutors and budgeting issues can be delegated. There are 65 supplemental instruction leaders and tutors with high transition rates and constant hiring and training of tutors. In addition, the English Success and Math Learning Centers have expanded functions greatly because of the Title V grants. The Title V faculty mentors and tutor activities will eventually be institutionalized. There are two Title V Coordinators working 60 hours per week with backup managers. This level of supervision will not continue after the Title V Grant ends in two years. The College will be held accountable to demonstrate through data that participation in supplemental instruction and directed learning has a positive impact on student learning outcomes, e.g. track the impact of tutoring on basic skills development. Senator Jones reported that during the previous week she spoke with several LLRC faculty and staff members. The majority supported the new position. Dean Young concurred with Senator Jones' findings and added that 100% of the staff on the first floor of the LLRC supported the position.

One ongoing concern of the LLRC staff is no manager is on site to help with student problems. Given the expansion of operations in the LLRC resulting from Title V, the possible expansion with the proposed bond measure, and the magnitude of the supplemental instruction and tutoring, a dedicated dean with commensurate experience is needed to determine what is necessary and advocate for the LLRC needs.

While he agreed that Dean Young has done an excellent job, Mr. Pashaie felt that the money would be better spent directly on students through additional hours, more tutors, and staff.

Mr. Majarian suggested perhaps a needs assessment by constituent groups should have been done before announcing the new position. From the needs assessment, a possible recommendation might have indeed been the hiring of a new Dean.

While Senator Morvan feels the LLRC Dean is an important position, SEM faculty is struggling to justify additional leadership on campus when SEM does not have enough full time instructors to meet student and Division needs. Ten years ago there were eighteen full time math instructors; currently there are only twelve full time math positions. Eighteen was insufficient. Twelve is seriously understaffed.

Senator Saldana felt the focus should not be on hiring a new dean but spreading functions to another dean with fewer responsibilities which would make possible the hiring of Library faculty and staff who work directly with students.

In response to Senator Armale's inquiry as to the Senate's charge, President Zager noted the Senate will direct the Academic Senate President and President-elect on how to vote in Planning and Budget Committee (PBC) and President's Advisory

Council (PAC) when the LLRC Dean position is discussed. Since PAC is a consensus meeting, the final decision is made by the College President.

On motions duly made, seconded and carried, the Senate put aside discussion on the LLRC Dean position to its regular position on the Agenda. (Diep/Ssensalo)

III. Public Commentary

Claudia Pena, Student Trustee for Cypress College, presented information on the Student’s Advocating for Change Task Force which meets on Mondays at 11:00 am in the Student Activities Center. Everyone is invited to participate in the sessions. Ms. Pena reported Associated Students were advocating for expanded hours for the Library Learning Resource Center rather than the hiring of a Dean.

IV. Senate Seminar -- Christie Diep

Senator Diep distributed folders that will be the starting point for the Cypress College Academic Senate Handbook. Attachment #1 is the Table of Contents for the Handbook. Senator Diep provided Senators with an orientation to the sections of the Title V Education Code affecting the Academic Senate and its obligations to make recommendations with respect to academic and professional matters in 10+1 specifically defined areas:

1. Curriculum, including establishing prerequisites
2. Degree and certificate requirements
3. Grading policies
4. Educational program development
5. Standards or policies regarding student preparation and success
6. College governance structures, as related to faculty roles
7. Faculty roles and involvement in accreditation processes
8. Policies for faculty professional development activities
9. Processes for program review
10. Processes for instructional planning and budget development
11. Other academic and professional matters as mutually agreed upon

Orientation included review of “Participating Effectively in District and College Governance” from the Academic Senate of the California Community Colleges; NOCCCD Board Policy and Administrative Procedures 2510 Participation in Local Decision Making and ground rules for Conduct of Senators.

Mr. Pashaie presented a basic overview of the Brown Act. The purpose of the Brown Act is to provide the people of California with an open government, access to information and the ability to participate in government decisions. As a local agency empowered by state law, Academic Senates are subject to the Brown Act. Attachment #2 is the “Basic Overview of the Brown Act”.

Mr. Pashaie stressed the following sentence in the Brown Act: *“The people, in delegating authority, do not give their public servants the right to decide what is*

good for the people to know and what is not good for them to know” and read the following statement: “As educators, the words in the preceding statement should already be our mission. We should not even need laws to compel us to disclose information. Last semester, Senator Diep read a statement imploring the Senate to follow its own rules.” Mr. Pashaie reminded everyone that the Senate must follow its own rules, but also make it a mission to inform the faculty of everything that it thinks, knows and plans. He cautioned that “secret, backroom deals or tricky manipulation of rules” is against the law. Mr. Pashaie summarized by stating that being on the Academic Senate is not about wielding power or conducting turf wars, but as elected public servants it is to represent their constituency.

On motions duly made, seconded and carried, the Senate authorized reimbursement from the appropriate account, the costs for preparation of the materials for the Senate Seminar Orientation. (Dickey/Llanos)

The topic of the next Senate Seminar will be “I am Just a Motion” presented by Senator Seiling.

Senator Jim Hormel left the meeting at 4:20 pm. No alternate was designated.

- V. **Adoption of the Agenda:** Under New Business, Senator Seiling requested addition of “Resolution for Vice Chancellor of Educational Services and Technology” and “Election of At-Large Senator.” Under New Business, Senator Diep requested tabling “Fullerton Faculty Senate Library Resolution.” On motions duly made, second, and carried, the Senate adopted the Agenda as revised. (Diep/Llanos)
- VI. **Approval of Minutes:** On motions duly made, seconded and carried the minutes of the September 12, 2013 meeting were approved with the correction that Sarah Jones was present as the Liaison for Student Learning Outcomes. (Dickey/Armale) Abstention – Bill Pinkham
- VII. **Special Reports**
- A. **Associated Students:** Gyu Choi
The Blood Drive is on October 2 and 3. Honors Club and Associated Students are sponsoring “Donate a Day of Service” on October 2.
- B. **United Faculty:** Randa Wahbe
The UF Faculty met at Cypress College on September 25. The next UF Meeting on October 9 is at Fullerton. UF and CSEA have both spoken out against the hiring of the Vice-Chancellor of Instructional Services and Technology position until negotiations are completed

Senator Will Heusser left the meeting at 4:35 pm. Rande Wahbe will serve as alternate.

- C. **Staff Development:**
 President Zager read a report from the Staff Development Coordinator that the deadline for the first call for Conference Funding is Friday September 27, 2013 at noon.

- D. **Curriculum Committee:** Mark Majarian
 Mr. Majarian plans to work toward better integration between Program Discontinuance recommendations and guidelines and processes of the Curriculum Committee. The Program Discontinuance and Revitalization Committee needs to be cognizant of and work more effectively with timelines and work-flows of the Curriculum Committee.

- E. **Campus Technology Committee:** No Report

- F. **Academic Senate Treasurer’s Report:** No Report

- G. **Cypress College Foundation:** Rosalie Majid
 Senator Majid reported two teams were needed for the Golf Classic on October 7. The Golf Classic theme is “Salute to Student Success” showcasing Cypress College’s award winning Forensic Team who will be speaking at the Awards Banquet. Southern California Edison has for the second year donated \$21,000 ear-marked for grants for Science, Technology, Engineering and Math.

- H. **Basic Skills Committee:** No Report

- I. **Student Learning Outcomes Assessment:** No Report

- J. **Program Review and Department Planning:** Kathleen Reiland
 Senator Reiland reported they had their initial meeting in September and are awaiting Program reports for reading in November.

- K. **District Council on Budget and Facilities:** No Report

- VIII. **President’s Report:** Gary Zager
 President Zager discussed with Dr. Simpson the following items with regard to the proposed Dean of the Library, Learning Resource Center:
- **Should we first address hiring faculty and classified staff?** Dr. Simpson stated that this is not favoritism but instead the hiring of the dean and faculty will run parallel courses over the next six months. Classified staff will be hired far sooner, probably before semester break.
 - **Is there enough work for a dedicated LLRC dean?** Dr. Simpson felt the work load was sufficient and with its own dean, the LLRC would get the opportunity to grow and develop more fully. There would also be additional assignments such as Study Abroad Program or Distance Education.
 - **Should open LLRC positions be filled first as there is a tremendous sense of over work of LLRC staff?** Dr. Simpson stated staff might experience a sense of relief having a dedicated Dean to help shoulder the load and fight for LLRC positions.
 - **Would money be better spent extending the hours of the LLRC?** His

response was that one-time money is available now that can be used to experiment with extended hours, such as later on Fridays and on Saturdays. He is in favor of such an experiment.

District Coordinating Council (DCC) met on September 26, 2013 and received a budget update. Discrepancies in the full time faculty obligation number (FON) have been worked out with the State. The District will hire a minimum of 6 new faculty as well as replace retirements between April 1, 2013 and prior to March, 2014. No decision has been made as to the allotment per campus.

Board of Trustees met on September 24, 2013. The Board unanimously approved the position and job description for the Vice-Chancellor of Educational Services and Technology. Both UF and CSEA objected because they felt no new money should be allocated until contract negotiations are finalized. President Zager attempted unsuccessfully to have the job description amended as he felt it encroached on the Faculty's 10+1 responsibilities. Two adjunct professors from Cypress and Fullerton Colleges spoke for a second time during Public Commentary on the unfairness of the three pay scale levels for adjunct faculty as compared to the 23 for full time faculty.

Institutional Effectiveness Council met on September 16, 2013 and examined the first draft of the District's Institutional Effectiveness Report and the results of the District-wide Satisfaction Survey.

Planning and Budget Committee (PBC) met on September 19, 2013; reviewed ideas for the new marquee and examined the 6-year facilities improvement list. The initial improvements might include phasing in the Simplex Fire Alarm/Notification System beginning with Humanities Building the later part of 2013 or early 2014. Cypress College FTEs (full time equivalent student) ratio is a bit elevated which will necessitate a reduction of 14 sections in spring 2014 to reach District and State goals.

Close Captioning: In response to an inquiry for the continuing need for closed captioning, senators felt that input should be sought from resource staff in the Library and the Distance Education Program. Since faculty record lectures, there is a continuing need for close captioning. Distinctions were made between close captioning (where all noises are noted) and subtitles (text only). Several Senators noted they had worked with Court Reporting to close caption videos and DVDs at no cost. Senators are to check with their constituents to determine if there is a need to contract with a vendor to close caption materials. Mr. Pashaie will check with the Librarians.

President's Advisory Committee met on September 19, 2013. Plans for remodeling of SEM and Fine Arts buildings will be synchronized with State and local bond measures to fund necessary improvements. Karen Cant raised a concern about bicycles and skateboards on campus as a staff member was knocked down last week suffering minor injuries. Dr. Simpson was clear this is not a battle to be fought but instead encouraged safety without any new rules or regulations restricting bicycles and skateboards.

Vice Chancellor for Human Resources Hiring Committee met on September 20, 2013 for the first time to identify a time table in order that the new Vice Chancellor is on board by January, 2014.

Committee Appointments: President Zager has sent out calls for volunteers for the Accreditation Steering Committee, Campus Diversity Committee, District EEOAC Committee, and the Professional Growth and Development Committee. Senator Dickey expressed interest in the Accreditation Steering Committee.

IX. **Faculty Issues – Unfinished Business**

A. **Proposed LLRC Dean:**

Senator Diep reiterated that faculty members are concerned about the criticality of needs in the College, e.g., vacant faculty and classified staff positions, addition of services, computers for students to bridge the achievement gap, etc. Faculty would like more discussion about these important items instead of immediately hiring a new dean. Faculty would have liked to have been involved in the decision-making process in the initial needs assessments.

Senator Llanos reported the gist of two discussions with Dr. Simpson in which he stated the first priority has always been students as evidenced by the addition of 40 new sections in the summer and 80 for the fall. Hiring classified and full time is always the priority.

Senator Deutsch had attended the forum and suggested Dr. Simpson or the Vice-President of Financial Services, Karen Cant, be invited to a Senate meeting to explain how the budget works so that Senators can better understand their responsibilities. Alternate Senator Wahbe reaffirmed United Faculty could not support any new hires until contract negotiations are settled.

The motion for the Academic Senate to support the hiring of a LLRC dean with the understanding that classified and faculty positions also need to be filled was seconded. (Llanos/Armale)

Senator Seiling moved to postpone the motion until the next meeting. (Seiling/Diep) The motion to postpone discussion until the next meeting passed with 12 yays, 0 nays.

B. **Certificate Application Deadline:** President Zager reported that the Dean of Admissions, Paul de Dios, could not attend today's meeting but would come to another meeting.

C. **Five-Calendar Day Grade Deadline in 16 Week Calendar:** President Zager reported the Registrar, Regina Ford, could not attend today's meeting but would be able to attend another meeting.

D. **Commencement Speaker:** President Zager will send a note to Faculty and directed each Senator to bring a name to the next meeting. Senator Majid will follow up with Raul Alvarez of the Foundation.

X. **Faculty Issues – New Business**

A. **Vice Chancellor, Educational Services and Technology Position:** Senator Seiling presented the following resolution for first reading.

- ***Whereas, The North Orange County Community College District has stressed the importance of shared governance;***
- ***Whereas, Students have suffered from cuts in hundreds of classes over the past several years as a result of budget cuts;***
- ***Whereas, Faculty have lost numerous courses over the past several years to budget cuts;***
- ***Whereas, The retiree health benefits reserves have been declared to be underfunded by the District;***
- ***Whereas, Faculty pay schedule compensation has not increased for five years;***
- ***Whereas, Cypress College has passed Accreditation standards the past several years without an additional permanent position of a Vice Chancellor, Educational Services and Technology;***

Therefore, be it resolved that the Cypress College Academic Senate is against the District adding a new permanent position of Vice Chancellor, Educational Services and Technology.

Senators Seiling and Heusser were asked to distribute an electronic copy of the resolution for distribution to constituencies.

Because Senators were concerned that the perception throughout the District is that the Cypress College Academic Senate supports the new Vice Chancellor position, everyone needs to work toward dispelling these rumors. Alternate Senator Wahbe reported that if the three Senates did not put representatives on the hiring committee, the District could not move forward on hiring the new Vice-Chancellor.

On motions duly made, seconded, and carried, the Academic Senate directed President Zager read a statement at the next Board of Trustees meeting that the Cypress College Academic Senate is concerned about the Vice Chancellor, Educational Services and Technology position and that a resolution is forthcoming affirming the Cypress College Academic Senate’s position. (Saldana/Seiling)

Senator Kathy Llanos and Alternate Senator Mark Majarian left the meeting at 5:30 pm

B. Election of At Large Senator:

In response to Senator Seiling's concern about the election of the At Large Senator, President-elect Grande reaffirmed that all candidates on the ballot had submitted information within the timeframes, and deadlines had not been extended. He was also concerned about the process as the ballot did not appear to be uniform and ballots were laying unattended in the Division. President-elect Grande reported ballots were distributed to each division based on the number of full time faculty with a list of faculty in that division. Senator Ssensalo reported that Counselors on the second floor did not get ballots. Adjunct Faculty Senator Roberts expressed concern about the one week deadline to return ballots since some adjunct faculty only visit their mail boxes one day per week. Senator Diep assured the Senate that the process for balloting would be documented in the Cypress College Academic Senate Handbook.

The motion to maintain the slate of candidates in the At Large and Adjunct Faculty elections and revote using the two envelope method was seconded. (Deutsch/Dickey) The motion failed.

On motions duly made, seconded and carried, the Senate directed President-elect Grande to send an e-mail before the expiration of the initial deadline to all faculty (adjunct and at large) extending the deadline to submit ballots to 5:00 pm, October 4, 2013 to allow for the disenfranchised to vote. (Seiling/Wahbe)

- XI. **Adjournment of Meeting.** On motions duly made, seconded and carried, the meeting was adjourned at 6:05 pm. (Seiling/Wahbe)

Respectfully Submitted,

Rosalie Majid

Secretary, Academic Senate

Attachment #1

Academic Senate Handbook Cypress College

Table of Contents

- I. The Cypress College Academic Senate
- II. "Participating Effectively in District and College Governance" (ASCCC and CCLC)
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 - A. Education Codes
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 - C. NOCCCD and 10+1
 - D. Senate/Union Relations
 - E. "Participation in Local Decision Making" (NOCCCD BP & AP 2510)
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- IV. Conduct
 - A. Some Basic Ground Rules
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 - C. A Brief Guide to Senate Meetings
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Basic Overview of the Brown Act

The purpose of the Brown Act is to provide the people of California with an open government, access to information, and the ability to participate in government decisions. As a local agency empowered by state law, Academic Senates are subject to the Brown Act. Below are its key provisions. In an effort to be concise, the sections most relevant to an Academic Senate are included.

Open Meetings

Meetings of the Academic Senate must be open and public. All persons shall be allowed to attend meetings. This applies to all standing committees and appointed bodies of the legislative body.

Exception: a temporary, advisory committee of the legislative body composed solely of members of the legislative body and less than a quorum of members is not considered a legislative body and acts outside of the Brown Act.

Closed meetings are allowed in some circumstances: to discuss pending litigation or personnel issues, for example.

Communication using electronic technology--e-mails, chat rooms, blogs--can lead to a violation of the Brown Act as a serial meeting ("daisy chain" is when member A contacts member B, member B contacts member C, and so on or "hub and spoke" is when member C contacts member A, then member C contacts member B, and so on).

Meetings include: regular meetings (agenda posted 72 hours in advance), special meetings (called by the presiding officer or a majority of the members, agenda posted 24 hours in advance. Note: our by-laws require that notice of "two regular school days" shall be given in the case of special meetings of the Senate).

Exceptions to a meeting: individual contacts between a member of the legislative body and any other person (except serial meetings); conferences; community meetings; meetings of other legislative bodies; meetings of standing committees; social gatherings or ceremonial events. Note: Senators are not allowed to discuss Senate business at these events even though their presence does not constitute a violation of the Brown Act.

Public Rights

The public has a right to attend meetings, record meetings, and broadcast those meetings. The public has a right to review documents used in decision-making by the legislative body. If the legislative body makes a recording, the public has a right to inspect it without charge. The legislative body may charge for copies of the recording.

The public has testimony rights at meetings, but reasonable regulations may be adopted (time limits, prohibiting disruptive conduct and/or irrelevant speech). At regular meetings, the public may speak to issues beyond those on the agenda as long as they are relevant to the Senate. At special meetings, the public may speak only to issues on the agenda.

Meeting Notices

Agendas for regular meetings must be posted 72 hours in advance in an area that is accessible to the public. Posting on a website alone is insufficient.

The agenda must state the meeting time and place and must provide a brief description (twenty words are sufficient) of each item of business to be discussed or transacted at the meeting.

The Senate may act on an item not on the agenda in the following special circumstances: upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the posting of the agenda OR when an item appeared on the agenda of a meeting held fewer than five days earlier and the item was continued from the previous meeting.

Agendas for special meetings must be posted 24 hours in advance. A brief description of the items to be discussed or transacted must be included on the agenda.

Members of the legislative body may briefly respond to comments or questions from the public, may ask for more information, place an item on a future agenda, make a brief announcement, ask a question for clarification, briefly report on his/her own activities.

Violations

A violation of the Brown Act is a misdemeanor if the violation was intentional. This is uncommon. More commonly, a violation of the Brown Act could prompt a civil action against the legislative body.

A member of the public has the right to demand that the legislative body cure or correct the violation. The law does not specify how to cure or correct. Guides to the law recommend rescinding the action and starting over in compliance with the law.

Additional Resources

The following resources provide more detailed information on the Brown Act:

<http://codes.lp.findlaw.com/cacode/GOV/1/5/d2/1/9/s54950>

http://www.ag.ca.gov/publications/2003_Intro_BrownAct.pdf

<http://www.asccc.org/Publications/Papers/ImplicationsBrownAct.htm#1>

This summary of the Brown Act does not constitute a legal opinion. It serves as a quick reference for Senators and should not be seen as a substitute for consulting with a lawyer should a problem arise.