



ACADEMIC SENATE

APPROVED MINUTES

February 23, 2012

DIVISION SENATORS: BUSINESS DIVISION, Jesse Saldana;  
CAREER TECHNICAL EDUCATION DIVISION, Carlos Urquidi;  
COUNSELING DIVISION, Deborah Michelle;  
FINE ARTS DIVISION, Molly Schulps  
HEALTH SCIENCE DIVISION, Judy Swytak;  
LANGUAGE ARTS DIVISION & LIBRARY, Michael Brydges;  
PHYSICAL EDUCATION DIVISION, Bill Pinkham;  
SCIENCE/ENGINEERING/MATH DIVISION, Fumio Ogoshi;  
SOCIAL SCIENCE DIVISION, Bryan Seiling;

2010-2012

SENATORS-AT-LARGE: Ron Armale, John Alexander, Vicki Castle, Nancy Deutsch, Joe Gallo,  
Jolena Grande, Kathy Llanos, Rosalie Majid, Gary Zager;

ADJUNCT SENATOR: Kari Pike

LIAISONS: ASSOCIATED STUDENTS: Jasmine Lee;

BASIC SKILLS: Cherie Dickey

CAMPUS DIVERSITY:

CAMPUS TECHNOLOGY COMMITTEE: Rosalie Majid;

CURRICULUM COMMITTEE: Mark Majarian;

FOUNDATION: Beth Piburn;

PROGRAM REVIEW COMMITTEE: Jolena Grande;

STAFF DEVELOPMENT: Rebecca Gomez;

UNITED FACULTY: Vacant

ACADEMIC SENATE PRESIDENT: Pat Ganer

ACADEMIC SENATE PRESIDENT-ELECT: Gary Zager

Senators and Officers Absent: John Alexander, Michael Brydges, and Carlos Urquidi

Alternates in Attendance: Cherie Dickey for Michael Brydges

Liaisons in Attendance: Cherie Dickey, Rebecca Gomez, Jolena Grande, Jasmine Lee, Rosalie Majid, and Mark Majarian.

Guests: David Nusbaum, SEM Faculty; Robert Mercer, Fine Arts Faculty; Christie Diep, Randa Wahbe, Kathy Wada, and Sarah Jones, Language Arts Faculty, and Catherine Whitsett, Language Arts Adjunct Faculty

The meeting was called to order by President Pat Ganer at 3:01 PM.

I. Approval of Minutes

The motion to approve the minutes of February 9, 2012, was tabled until the minutes could be revised to include faculty comments regarding the three documents previously submitted. M/S/P (Zager/Seiling).

II. Public Commentary

Senator Bryan Seiling informed the Senate that he is in the early stages of commissioning a survey regarding shared governance and the role of the Academic Senate. He mentioned that this semester he has received visits from no less than 10 faculty, seven of whom are not from his division, to discuss faculty issues. He found that some faculty do not feel comfortable approaching their own division representative. He is disturbed by the fact that faculty are not comfortable going to their Senator. His hope is to find that the rank and file have trust in the Senate as much as we have trust in the administration.

III. Special Reports

A. Associated Students – Jasmine Lee

- The Associated Students Blood Drive with the American Red Cross (ARC) is going well, but AS is considering using a different organization next year. There are concerns about the attitudes of ARC workers and the process taking too long.
- March 5 – Associated Students are going to Sacramento, along with their advisor, Gilbert Contreras, to protest budget cuts. While there, they are making appointments to speak with the legislators. They have received 120 letters from students regarding budget cuts and will deliver these letters to legislators.
- Associated Students bought a table for the Executive Board to attend the Americana Banquet. AS officers and AS office secretary, Becky Rojas, who has never gone, will attend.

B. United Faculty – Vacant

No report.

C. Staff Development – Rebecca Gomez

- The deadline for conference funding was last week. The committee received several requests, which will be reviewed next week. The requests will be forwarded to the President's Office and those folks selected for funding will be notified.
- The Opening Day evaluation will be sent out with a link to complete the survey developed by the Research Office. Staff Development has decided not to use Survey Monkey or some other tool. The link will go out within the next couple of days.

- D. Curriculum Committee – Mark Majarian
  - There are curriculum submissions going before the Board on the 13<sup>th</sup> of March. There is some concern about continued funding of apportionment for seminars (issues at the state level possibly). Bob Simpson and Mark are working on it.
  - Mark also asks that program review be coordinated with the division curriculum representative. Department coordinators should work with their division curriculum rep to determine what courses absolutely must go through and what can go through in another year to avoid a tsunami of course submissions. Only courses that need to be reviewed should be submitted.
  
- E. Campus Technology Committee – Rosalie Majid
  - No report.
  
- F. Academic Senate Treasurer’s Report – Ron Armale
  - No report.
  
- G. Foundation Report – Beth Piburn
  - No report.
  
- H. Basic Skills Committee – Cherie Dickey
  - The committee met for the first time this semester and had a thorough discussion of the language included in the District Master Plan related to basic skills and ESL. They will be bringing a resolution item forward on the agenda.
  
- I. Student Learning Outcomes Assessment – Nancy Deutsch
  - Deferred report until later in the meeting. Nancy expressed her desire for the Senate to get to the agenda item at this meeting.
  
- IV. President’s Report – *Pat Ganer*  
 President Ganer provided the following report to Senators:
  - A. Board of Trustees
    - English and Biology department faculty addressed the Board regarding the Middle College proposal. The Board item had been pulled from the agenda
    - Dr. Kasler paid tribute to Karen Watson, our Cypress College faculty member who recently passed away.
    - 2012/2013 budget – the Board adopted a proposal regarding redistricting of trustees’ areas. The item needs to be sent to the County Registrar of Voters for approval, and if approved, in the next election, will have redistricted trustees’ areas. Boundaries are being changed, and people will only be voting within their own trustee area and not district wide. Civil Rights legislation was the primary motivation for the redistricting action taken.
    - Board Policies and AP for Educational Program Discontinuance Policy was approved.

- B. District Planning Council/Chancellor's Cabinet – February 13, 2012
- There was a budget update from Fred Williams. The situation still remains dire.
  - The proposed tax initiative from the Governor will possibly be on the ballot for November along with other possible initiatives. If the initiative fails, it may lead to mid-year cuts for 2012-2013DPC accepted the three manuals and handbooks previously discussed; Senators were reminded that all are living documents and can be changed later. This is the new framework adopted for how things will run.
  - There was a great deal of discussion regarding the Fullerton Senate proposal to study the reassignment of NCE non-credit courses to the colleges. With the exception of Fullerton Senate Representatives, there was no voiced support for the study to be conducted. The proposal seems to have died at this point, but may come up again.
  - DPC approved policies regarding wording to clarify nominations versus appointments. The language has been changed to “appointments by” rather than “nominations.” which reflects the actual process used wherein the entities make the appointments.
  - Senator Saldana asked President Ganer for more information about the budget deficit. President Ganer told the Senate that \$149 million needs to be cut from the community colleges system-wide. For this year, NOCCCD still has money in reserves to cover any additional mid-year budget cuts. Next year, things look difficult and our reserve is shrinking. Depending on what happens in the November election, there may be some change with this. How severe is still up in the air. The concerns that have come up in the budget include a 3% cut overall. The state fell short of \$107 million in fee revenue. As fees were raised, more students became eligible for BOGG waivers and the money that came in was reduced accordingly. There was also \$41 million less in property taxes, \$30 million in tier 1 trigger reductions, and another \$1 million in other adjustments.
- C. Chancellor and Senate Presidents Meeting  
No meeting was scheduled.
- D. Planning and Budget Committee
- Gary Zager attended both PAC and PBC because President Ganer was out of town at a conference. President-Elect Zager reported that the budget was discussed at both meetings.
  - There will be coding budget expenditures in a new way to link expenses with district strategic goals starting in the next academic year. There was some question about whether each item could be coded since not all items can be coded to the district strategic directions. President Ganer will check on this and get clarification. Nancy Deutsch questioned if every entity is coding expenditures to district strategic directions, adding that this is a departure from the current way things are done.

- Gary Zager also reported that the district will not decide how to move students from non-credit to credit, but rather that the individual campuses will decide. Gary believes that the district will not make the determination, but that it will be a campus decision on how to move students from non-credit and credit. President Ganer will check on this issue as well and report any further information.
- It was announced that Cypress Basic Skills students performed better than the other 20 colleges in our area.
- In terms of FTEs, Cypress got extremely close to meeting the target, with 195 FTEs over projected, which is as close as can be expected without falling under target.
- Cherie Dickey also reported that at PBC, special funding requests from Health Science, asking for continuing support of an additional 10 nursing students (original grant ran out) beyond the program's normal set number, as well as requests for Health Information Technology related courses and Dental Assisting labs. With the serious financial situation, it was decided not to fund any of the requests. The nursing program remains at 40. It was unanimous at PBC to manage the program at originally set numbers.

E. President's Advisory Cabinet

- Several of the items were repeats from the PBC meeting (see report above).

F. General

- The Graduation committee met, and everything is moving along for graduation. Commencement will be held on Tuesday, May 29, 2012. Although a little odd in timing, it is how the calendar falls in respect to the Memorial Day holiday on Monday.

V. Faculty Issues – Old Business

A. Middle College – *Pat Ganer*

- President Ganer reminded the Senate about the item being removed from the Board meeting. The English and Biology Department faculty presented resolutions at the last Senate meeting.
- President Ganer met with Dr. Kasler and Dr. Simpson to discuss items of concern. She distributed the draft memorandum of understanding (MOU) between Cypress College and Jim Coombs, Principal of Buena Park High School. It was largely built on the SEM resolution but also included other elements regarding concerns of the Senate. Principal Coombs is fully supportive of what is included in the MOU.
- The MOU has not been signed and is only a draft. Dr. Simpson indicated he is fully open to suggested changes. Bryan Seiling asked why the MOU was not distributed before January 2011. Why was this document not created at the beginning of the program?

- Christie Diep presented Senators with a handout that outlined some of the statutory code provisions, along with the Board Policies, that she believes the Middle College may be violating. It was pointed out that BPHS is currently teaching classes, has access to syllabi, and course curriculum. Christie stated that she has spoken with the superintendent and verified that there are no contracts with Cypress College, though BPHS is using the Cypress College name and logo. She believes that we should start over with a new program.
- Randa Wahbe spoke with the high school instructor teaching English 100, who indicated she has been assured by the high school administration that the students will get credit at Cypress College.
- The English Department faculty has spoken with Dr. Simpson about using the term Middle College and what the program entails under Education Code. Bryan Seiling pointed out that going forward, the change in terminology from “Middle College” to “Collaboration” may solve the problem with the Education Code. He believes that what has been done in the past cannot be sanctioned post hoc by Cypress College.
- Gary Zager pointed out possible problems with the MOU. At least three items may already be violated, #2, #5, and #6. The MOU may be in violation of itself. President Ganer mentioned that the MOU was designed from a forward-looking perspective to address the issues brought up at the previous senate meeting. Randa Wahbe also questioned some of the items included in the MOU, but also pointed out that it doesn’t speak to some of the issues senators have brought forward regarding classes currently being taught at Buena Park High School.
- Mark Majarian is concerned with the possible violations with the Education Code, and he questioned who ultimately owns the curriculum. There is co-ownership with the faculty and district of the curriculum, but faculty doesn’t have complete ownership. He also suggested we need clarification of our potential liability for what has happened so far. He also suggested that maybe a subcommittee of the senate could deal with the issue of ironing out the mechanics of the MOU. He is interested in serving on that subcommittee. He would like some direction from the district/chancellor. He would like to have someone from the district address the Senate about potential liabilities stemming from what has already occurred.
- Other faculty members questioned whether there are legal problems resulting from what has already happened. Some believe the advertisements using the Cypress College logo and name may have created a liability. The Biology Department might change their opinion about moving forward depending on legal issues. It will be further discussed in their department.
- Bryan Seiling warned that faculty should be cautious in moving forward. There needs to be a systematic approach to this, including a legal review of the MOU to make certain we can comply. Senator Llanos mentioned that there appears to be a lack of transparency and communication between the administration and faculty and suggested that, if possible, the chancellor address the senate on the collaboration. President Ganer will see if the chancellor might come to senate during the next meeting.

- There was some question about whether the Senate approved the concept of the collaboration. Senator Majid mentioned that the pilot program was presented to the Senate in March 2011, but never was approved through the Senate processes. Several senators expressed concern for giving retroactive credit and are not in favor of awarding credit for courses previously completed in the fall 2011 semester.
- There were several questions regarding parliamentary procedure in voting on the resolutions. There are 3 items that require voting. If the English Department resolution is addressed first and passed, the other 2 would be moot because the English proposal would stop the entire program.

B. English Department Resolution

Randa Wahbe distributed the revised English Department resolution, which specifies that the English Department opposes the program and asks for Cypress to stop the program. There was a motion to accept the English Department Resolution (Armale /Castle). Then there was a motion (Llanos/Seiling) to amend by dividing the final “therefore be it resolved” with respect to the opposition to the collaboration as it exists and to the granting of retroactive credit. M/S/P, 2 abstentions, (Saldana/Grande) moved to amend the resolution so that Middle College be placed in quotations wherever Middle College or Middle School is used in the resolution. M/S/P.

There was a motion (Dickey/Michelle) to delete the second “therefore be it resolved” clause, which failed to pass (MSF). (Michelle/Grande) moved to table the English Department resolution (MSF).

The resolution was passed (8 ayes/1 nay/2 abstentions) with the following revisions:

*Therefore, be it resolved that the Cypress College Academic Senate supports the English Department’s opposition to the “Middle College” collaboration with BPHS as it currently exists and*

*Therefore, be it further resolved that the Cypress College Academic Senate oppose granting Cypress College credit retroactively to any past or current courses that have been taught as part of the BPHS/Cypress “Middle College” Program.*

Senator Gallo (Gallo/Seiling) moved that the NOCCCD Board of Trustees district be asked to send a cease and desist letter to BPHS and the FJUHSD Board of Trustees and Superintendent to stop using the Cypress College logo or any reference to Cypress College course credit until vetted through appropriate procedures (MSF). It was mentioned that there are History, Biology, Psychology, and Mathematics courses in the credit pipeline. Some faculty believe that each department be able to determine credit issues. Bryan Seiling mentioned that the History Department is opposed to giving retroactive credit.

C. Biology Department Resolution

Fumio Ogoshi distributed the revised SEM resolution, which included:

*Therefore let it be resolved that the Cypress College Academic Senate supports the conditions and expectations outlined below by the Cypress College Mathematics and Biology departments as a prerequisite for 1) further continuation of the collaboration between BPHS and Cypress Mathematics and Biology departments, and 2) any agreement granting BPHS students Cypress College credit for Mathematics and Biology courses.*

The motion to accept the Math and Biology resolution (Deutsch/Michelle) was tabled (Llanos/Seiling), M/S/P. The Math and Biology resolution will be rewritten in the future. Senator Llanos informally suggested that the Math and Biology departments consider changing the tense to the future. Other senators suggest that a proposal be presented to the Senate before the Senate moves further on the future of the collaboration.

D. Memorandum of Understanding

President Ganer sent out to all senators the draft of the Memorandum of Understanding (MOU) Between Cypress College and Buena Park High School, February 23, 2012, from Bob Simpson, based upon discussions between Dr. Kasler, Pat Ganer, and Dr. Simpson regarding concerns that have been raised in the Senate. After much discussion it was decided that the MOU needed to be executed before the program is approved. Nancy Deutsch suggested that a subcommittee be formed to work on the SEM resolution draft and the MOU draft because some Senators had suggested revisions to the document. The revised MOU approved by the Senate would then set the parameters under which any program would be drawn.

There was a motion to create a subcommittee to explore the viability of a collaboration and, if so, develop the parameters for establishing the collaboration using the drafts of the Math/Biology resolution and the MOU, and develop a model for what the program might look like (Zager/Armale) M/S/P. Senator Seiling suggested that Christie Diep serve on the subcommittee, along with David Nusbaum and Fumio Ogoshi. Senator Llanos suggested that Christie Diep, Nancy Deutsch, Fumio Ogoshi, and David Nusbaum serve on the subcommittee, as well as with David Halahmy since he worked with a Buena Park High School teacher on this collaboration last fall. It was moved to accept those listed above to serve on the subcommittee. (Zager/Llanos) M/S/P. A preliminary report will be submitted by the day before the next Senate meeting. Senator Llanos further asked that the original MOU to be amended by the subcommittee with tracked changes in the document.

- E. Other  
None.

VI. Faculty Issues – New Business

- A. Grade Submission – Michael Brydges  
Hold for next meeting.
- B. Honorary Degrees – *Pat Ganer*  
Item will be held for next meeting.
- C. Access to SLO Assessment Completion – *Nancy Deutsch*  
Hold for next meeting.
- D. Resolution: District Direction 3 Language Clarification – *Kathy Llanos*  
Hold for next meeting.
- E. Council on Budget and Finance representative – *Pat Ganer*  
President Ganer reviewed the charge of the committee for the Senators, and mentioned that it replaces the former DPC. This is a smaller group with some level of expertise on the budget. Each Senate will have a faculty representative for the committee. The committee will meet on the second Monday of each month at 2 PM, the current time for DPC. It was suggested that Rob Johnson be considered for the appointment since he had sat on DPC for 4 years. Cherie Dickey would be willing to be Rob's alternate when he is unavailable. It is the sense of the senate to ask Rob Johnson to serve and have Cherie act as his alternate. The Senate appointment needs to report to the senate at least once a month.
- F. Other  
Funding for Academic Senate Plenary Session – hold for next meeting.

VII. Announcements

- None.

VIII. Motion to adjourn the meeting at 6:23 PM.

Respectfully submitted,  
Jolena Grande, Secretary