

Minutes – Miramar College Academic Senate
3:30-5:00pm **Dec 04, 2018** Location: M-110

Senators Present: Marie McMahon, Laura Murphy, Alex Mata, Josh Alley, Alex Sanchez, Lisa Clarke, Adrian Arancibia, Gina Bochicchio, Kandice Brandt, Barbara Clark, Mark Dinger, Otto Dobre, Darrel Harrison, Mary Hart, Patricia Hunter, Shawn Hurley, Dan Igou, Mary Kjartanson, April Koch, Andrew Lowe, Ryan Moore, Wheeler North, Jordan Omens, Patty Parker, Nam Sinkaset, Valerie Chau, Liz Hubert, Laura Louie, Gabriela Mansfield, Melissa Martinez, Kyleb Wild

Absent: Sabrina Menchaca (proxy: L. Clarke), Kevin Gallagher, David Halttunen, Kevin Petti, Shayne Vargo

Other Attendees: Constance Carroll, Patricia Hsieh, George Beitey, Donnie Tran, Wayne Sherman, Isabelle Martin, Lou Ascione, Darren Hall, David Wilhelm, Jesse Lopez, Rex Heftmann, Paulette Hopkins, Melissa Wolfson, Pablo Martin, Juli Bartolomei

Meeting called to order at 3:34pm.

A. Approval of Agenda and Previous Minutes

The agenda was unanimously approved unchanged. (Harrison/Sanchez)

The previous minutes were unanimously approved unchanged. (North/Kjartanson)

B. Public Presentations

i. Hiring of Ethnically Diverse Faculty – P. Hsieh

- Hsieh indicated that she wants students to complete when they attend and, to do that, we need to continuously reexamine processes and encourage students. Asked the Senate to help support diversity and stated that we need to look at this in regard to equity and inclusion in the classroom. Stated that our goal is not only to have diverse faculty, but to have a diverse curriculum. Hsieh mentioned that, at a CEC meeting, Harrison put forward a proposal that outlined strategies to increase diversity. The current proposal is to include four people: three faculty and one classified. Hsieh asked what the timeline for this taskforce is and also encouraged Harrison to present this to the various constituencies. Hsieh indicated that hiring diverse faculty is only one of the criteria for hiring.
- A senator suggested that the success of this message is impacted by how it is being rolled out by leadership/the College President. In talking about hiring two positions and looking for ethnically diverse faculty, that may discount half the room where adjunct faculty are present; thus, how it is presented needs careful consideration. McMahon added the reminder that it is illegal to select applicants based on protected categories such as race, ethnicity, age, gender, sexual orientation, etc., and cautioned that it is not appropriate to indicate that we are looking for ‘ethnic’ or any other qualities in our applicants as, again, it is contrary to the law.

ii. Response from SDCCD Chancellor on Situation at Miramar College – C. Carroll

- Chancellor Carroll briefed the Senate on what has been happening since the Chancellor’s last visit: Carroll has had many conversations since our last meeting with President Hsieh, AS President and Vice President, and some faculty members. An important note to remind the faculty of is that anything that is a personnel matter cannot be discussed in public, as it is a violation of privacy policies.
- One concern being addressed is the disproportionate faculty vacancies at Miramar. The State will have somewhere between 12 and 18 full-time faculty positions to allocate in the next cycle. The Chancellor has spoken to all of the District colleges’ AS Presidents, who are all in favor of allocating a disproportionate amount of positions in favor of Miramar College so we can catch up.
- Chancellor Carroll is also investigating, with the help of Vice Chancellor Stephanie Bulger, concerns about online classes. Bulger will be talking to faculty, staff and classified members in her investigation. Quality of instruction and course rigor should be in line with articulation agreements and minimum standards.
- Concerns regarding interactions with classified staff are currently being investigated by Vice Chancellor Will Surbrook. He is already scheduling interviews to look into it.
- With regard to an issue concerning student leadership, Chancellor Carroll has had a brief conversation with Alana Bermodes, President of ASG. Vice Chancellor Lynn Neault is also looking into this, as of now.
- In regard to the appointment of faculty serving on management committees, it is an issue the Chancellor feels very strongly about. The other colleges in the district seem to have a protocol that works that involves the faculty being appointed by the Academic Senate. Miramar used to have such a process, which the Chancellor has discussed with President Hsieh. Chancellor Carroll would like to encourage common procedures among all three campuses. A classified staff member asks the clarifying question: “Classified staff used to be appointed by the Classified body as well. Is the Chancellor encouraging this to be the protocol for Miramar?” Chancellor Carroll confirms this. Chancellor Carroll clarifies that Board Policy does not include this rule specifically, but all other District colleges currently follow this protocol. A faculty member comments that perhaps top-down changes need to be made for the hiring process at all levels, to ensure fairness and that protocols in place for scoring in regard to equity are followed. The concern was that some faculty members on hiring committees have been coerced into changing their scores by managers during the

process to promote one hire over another. Chancellor Carroll states that irregularities in the hiring process like that will not be tolerated. She also states that the group working with the constituencies is working to help us form more solid protocols and is hopeful this will help here.

- President Hsieh indicated that EEO on hiring committees are there to ensure processes are being followed. If a faculty member has a concern, they can contact the EEO on the committee.
- Senator asked for the outlook for hiring more classified positions. Carroll mentioned that faculty positions are included in a special line item from the State's budget, but classified positions are different because they must be added from the general fund. The challenge is that Miramar has been growing at a faster rate than the other District colleges since the 1960s and, unlike the other colleges who are replacing classified positions year after year, Miramar is in need of new positions. The college growth has not been accompanied by classified staff growth to help manage the workload. When the new budget is being created, there will be an effort to hire more classified staff, but it won't be included as a line item from the State. Senator asked for clarification and Chancellor confirms that the line item from the State cannot be used for non-classroom positions, even if Miramar advocated for that. Chancellor serves on a workgroup at the State that is chaired by Bonnie Dowd. In this workgroup, union, faculty and administrative reps have all agreed that we should not make distinctions between classroom and non-classroom faculty, including counselors, librarians and teaching faculty. With agreement across constituencies, the Chancellor is hoping to get that report approved in the next few months.
- McMahan stated for the record that the Academic Senate is the legal body that represents all of faculty in matters that are Academic and Professional, in order to maintain our primacy over the 10+1. Therefore, it is crucial that we (Senate) reestablish a functional relationship between the Academic Senate and the College President. The Academic Senate is trying to maintain its role in representing faculty in the appropriate venues.
- Senator asked Chancellor Carroll what the next step will be if we cannot come to an agreement between the two bodies; do we continue to elevate and communicate all problems to the Chancellor? Chancellor Carroll says that Collegiality in Action is her focus as of right now. Clarification of roles is important, including Academic Senate, College President, Classified and Student Government. Also, finding common ground between all parties is necessary. That is the goal; however, Miramar College is not there yet. We will continue to work on Collegiality in Action; however, if problems cannot get solved at the college level, then the problem will go to the Chancellor.
- A senator stated that one of the primary issues that has been brought forth from faculty and classified staff is fear of retaliation and retribution. Carroll confirms she is, with the assistance of the Vice Chancellors, attending to these personnel concerns.
- Another senator asked about the timeline. What are the specifics for the timeline, should all parties not be able to function effectively after the Collegiality in Action consultation? Chancellor Carroll states that, between February and prior to Spring Break, we will have a resolution.

C. Old Business

- i. Academic Senate Position on Continuing Concerns Regarding Collegial Consultation – M. McMahan and L. Murphy
 - As stated in Title 5 § 51023.5. Staff: “(a) The governing board of a community college district shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance.”
 - Failure to meet Minimum Conditions as described in Title 5 Section 51023.5, requiring effective participatory governance, including that the AS must be the body to appoint faculty to committees, task forces or groups.
 - To Date, no response from the College President to the extensive and detailed list of concerns and violations presented to her, the Chancellor and the Board by the Academic Senate.
 - Continued examples of Bad Faith Practices (lack of honesty, abrupt changes in practices without consultation, retaliation against employees – all actions that completely undermine trust). There is no confidence in the fiduciary duties of this College President.
 - There is a failure to meet Accreditation Standards by allowing Distance Ed (DE) courses to operate with essentially no substantive instructor/student contact and no effective course content.
 - Academic Senate is working to reestablish its effective role in participatory governance and its primacy in Academic and Professional matters (10+1).
 - Another significant violation occurred last week: McMahan added an item to CEC agenda concerning abrupt changes in Administration's practices with students and classified staff. This item was removed from the agenda in the custodianship of the College President and sent to the Miramar College DL without it. Senators asked clarifying questions and McMahan noted that she requested the item be added back but did not receive any message from the College President. Therefore, McMahan added the item and reposted the agenda on Saturday with a follow-up email to the Chancellor due to lack of response from the College President. Ultimately, the item was included on the agenda and the College President responded that the error was an oversight on behalf of her secretary. A senator commented

that this instance is very similar to the error made during the submission of the Guided Pathways Self-Assessment in Dec 2017 and, therefore, this is not an isolated incident in terms of suspect behavior by the College President.

- Title 5 Section 53203 (f) and the SDCCD AP-2510 “Local Academic Senate Decision Making” contain identical language with regard to faculty appointments to committees: "The appointment of faculty members to serve on college or district committees, task forces, or other groups dealing with academic and professional matters, shall be made, after consultation with the Chief Executive Officer or his or her designee, by the Academic Senate." Recent examples of violations in the administrative removal/appointment of faculty:
 - District International Education Committee
 - Administrative attempts to appoint faculty to the Faculty Nurse screening committee
 - Administrative appointment of faculty to the Assoc. Dean of Academic Success screening committee
 - Preparations for continued appointment of faculty by Administration to upcoming Manager screening committees
- ii. College Mission and Vision Statement (PIEC) (**2nd Reading**) – N. Grisham
 - Senators gave more feedback. Grisham will make changes and bring back for another reading.

D. New Business

- i. Holiday Ball (December 16) DJ Donation: Suggestion of \$300 from AS – T. Hubbard and M. McMahon
 - The Holiday Ball will be at Royal India. Hubbard requests a \$300 donation from the AS to help pay for the DJ. Request was unanimously approved. (Martinez-Parker/Igou)
- ii. Spring 2019 Convocation – M. McMahon
 - Senator interest was solicited for this idea. Tim Weiss was suggested as a speaker. Murphy suggests we change the name to a faculty-run and faculty-focused event, as opposed to “Convocation” – perhaps “Spring Fling?” If we piggyback our event date with the date that Mesa and City hope to bring Tim Weiss, we can save on travel costs.
- iii. Local Goals Alignment Process – D. Miramontez and N. Grisham
 - Grisham clarifies that AS is not being asked to approve content of document, just of the process. Miramontez passes out form sent by the Chancellor’s Office for review.
 - Feb-Apr timeline. BOT in April; Chancellor by May 31st.
 - Murphy asks if we are being asked to align our strategic goals. Miramontez clarifies that we are aligning our priorities, not our goals. Murphy reiterates that the form we were provided explicitly states “goals”, so she wants to clarify that we are only approving the process and not our goals. Miramontez confirms, we are not approving content or goals, but process. Document will be sent to Senators for further reading.
- iv. Minimum Conditions Complaint – M. McMahon
 - Murphy and North share how we are not currently meeting Minimum Conditions as outlined in Title 5, because we have had numerous instances where faculty have not been appointed by the Academic Senate.
 - Funding of “open access” institutions is dependent on meeting minimum conditions set, and failure to do so could jeopardize funding.
 - 51000-51027 Minimum Conditions: The provisions of this chapter are adopted under the authority of Education Code section 70901(b)(6) and comprise the rules and regulations fixing and affirming the minimum conditions, satisfaction of which entitles a district maintaining community colleges to receive state aid, including state general apportionment, for the support of its community colleges.
 - 51023 Faculty (b) adopt procedures which are consistent with the provisions of sections 53200-53206, regarding the role of academic senates and faculty councils;
 - 53203 Powers, (f) The appointment of faculty members to serve on college or district committees, task forces, or other groups dealing with academic and professional matters, shall be made, after consultation with the chief executive officer or his or her designee, by the academic senate. Notwithstanding this Subsection, the collective bargaining representative may seek to appoint faculty members to committees, task forces, or other groups.
 - Options for action include a “Letter of Complaint” to State Chancellor’s Office if District does not comply.
- v. Report on Accreditation Compliance to ACCJC – M. McMahon
 - Murphy and North share that we are not in compliance with our Accreditation Policy. The Commissions Policy for Distance Ed. courses is not being met.
 - Faculty has tried to resolve these issues but, after much work, issues have not been solved or even adequately addressed and, thus, have been brought forward to Chancellor Carroll.
 - Specific Compliance issues with Accreditation:
 - Compliance with Commission Policy on Distance Education: DE courses without substantive instructor contact and/or content.
 - Standard I.C Institutional Integrity: Lack of accuracy and clarity of information presented via the college website. Practices that do not follow Board Policy and Administrative Procedures.
 - Standard II.A Instructional Programs: DE courses without substantive instructor contact and/or content.

- Standard II.C Student Support Services: Lack of comprehensive and accessible tutoring services and circumvention of Academic Senate role in developing tutoring services.
- Standard IV.A Decision-Making Roles and Processes: Circumvention of Title V and District Board Policies and Administrative Procedures with regard to decision-making and the role of faculty via the Academic Senate, role of students via the Associated Student Government, and the appropriate involvement of classified professionals via the Classified Senate.

E. Committee Reports, Senate Updates and Information

- i. Collegiality in Action Update – M. McMahon and L. Murphy
 - Third visit was Nov. 29th. McMahon presented the detailed agenda. The Tentative Timeline and Activities for Governance Review Process was presented and will be emailed to Senators. The steering committee (five people from each constituency group, for a total of 20) will meet on Feb 1st to:
 - develop strengths, weaknesses, opportunities and threats of conducting a review of the governance structure;
 - review college governance and related documents to determine changes to be made;
 - agreement on survey to be administered to employees to gain input on changes to governance process.
 - Steering Committee members review governance processes of other colleges.
 - Steering Committee discusses information obtained from review of governance processes of other colleges, determines additional strengths and weaknesses of current governance process and changes that would improve the Miramar governance process in light of research.
 - Dates still to be determined for other actions (campus surveys, governance structure forums, recommendations, etc).
- ii. Guided Pathways Update – M. McMahon and L. Murphy
 - In contrast to claims by administrators that “process is loose,” that is inaccurate; it is just is not being followed.
 - The Inquiry Phase will include: Definitions, Visions & Introduction. Essential that we have buy-in from the entire college – this is a fundamental condition (genuine collaboration).
 - Genuine involvement of the campus and sharing knowledge of this is the purpose of the informational campaign.
 - The “process” for Approval of Action or Commitments to be undertaken by the Miramar College Guided Pathways Steering Committee (GPSC) was reviewed at the last GPSC meeting (Nov 26th).
 - Brief History of our GPSC Approval Process:
 - Inquiry Group Summer Work – There was no CEC approval; therefore, it did not occur.
 - ASCCC Faculty Leadership Academy – Informational, urgent timeline and GPSC members attended.
 - SOI Program Mapper Pilot – Commitment of District/our college to this program. Needs to go through our governance process and CEC.
 - Leading from the Middle Academy – Commitment of a “College Team” for GP and 10 +1 issues. Again, needs to go through our governance process and CEC prior to taking action as a college.
 - A request to format the GPSC Agendas with directions for those who want a clear ‘earmark’ or sign of when an issue is a “10 + 1” issue.

F. Senate Reports

- i. Adjunct – S. Menchaca had no report.
- ii. Treasurer – J. Alley reported a balance of \$1795.97.
- iii. President’s Report – M. McMahon reported on:
 - a) Gathering with classified employees at On the Border after AS meeting on Dec 11th.
- iv. President-Elect – L. Murphy expressed appreciation for all leaders (AS, ASG and Classified).

G. Announcements

- i. ASCCC Hayward Award: “Excellence in Education.” Nomination due Mon, Dec. 17th at 5:00pm.
- ii. AFT Negotiated 3.0 FTEF reassigned time for each SDCCD Academic Senate, Spring 2020: Pending money in RAF.
- iii. Diversity Summit: Feb 8th and 9th. Can we combine AS and Classified?

The meeting was adjourned at 5:00pm. The next meeting will be on Dec 11th. Please submit agenda items to both Marie McMahon and Juli Bartolomei.

Respectfully submitted,
Alex Mata and Juli Bartolomei