

ORANGE COAST COLLEGE

Academic Senate Meeting | Oct. 3, 2023 | 11:30 am - 12:30 pm | Student Union
214/Zoom Link: <https://cccd-edu.zoom.us/j/89711704637>

Academic Senator Attendance

Jason Ball, <i>Part Time Faculty</i>	Present	Lee Gordon, <i>at-Large, President</i>	Present
Karen Baker, <i>Math & Sciences</i>	Present	Kelly Holt, <i>at-Large</i>	Present
Carol Barnes, <i>Counseling</i>	Present	Marilyn Kennedy, <i>Lit & Lang, PDI Chair, Secretary</i>	Present
Tyler Boogar, <i>at-Large</i>	Present	Jodie Legaspi-Kiaha, <i>Athletics & Kin</i>	Present
Eric Budwig, <i>Technology</i>	Present	Irene Naesse, <i>at-Large</i>	Present
Irving Chavez Jimenez, <i>at-Large</i>	Present	Jeanne Neil, <i>Business & Computing</i>	Absent
Eric Cohen, <i>Consumer & Health Science</i>	Present	Lori Pullman, <i>Curriculum Chair</i>	Present
Sean Connor, <i>at-Large</i>	Present	Sara Qubbaj, <i>Part Time Faculty</i>	Present
Eric Cuellar, <i>at-Large</i>	Present	Loren Sachs, <i>at-Large</i>	Present
Jodie Della Marna, <i>Library</i>	Present	Katherine Sheehan, <i>Visual & Performing Arts</i>	Present
Rendell Drew, <i>at-Large, Vice President</i>	Present	Jordan Stanton, <i>Social & Beh. Sciences</i>	Present
Cyndee Ely, <i>Part Time Faculty, Parliamentarian</i>	Present	Rina Yamauchi, <i>ASOCC Student Presentative</i>	Present

Please see the Voting Tally Chart after these minutes for individual members' votes.

Guests (Optional & Voluntary Sign-In): Sue Harlan, Eric Wilson, Angelo Esposito, Sheri Sterner, Rupa Saran, Bob Fey, Nathan Palomares, Sydney Field.

1. Preliminary Matters

- A. **Call to Order:** President Gordon called the meeting to order at 11:30 A.M.
- B. **Opportunity for Public Comments:** None.
- C. **Approval of the Minutes:** Motion 1: Senator Kennedy moved to approve the September 26, 2023, with minor corrections and no changes to the content; motion approved.
- D. **For the Good of the Order:**

Senator Cuellar: Shared three upcoming CLEEO Project events. On Wednesday, October 11, from 9-10:30 am, at the OCC Multicultural Center, they will have a "Latinidad Heritage Social Hour." There will be coffee and pan dulce, and an opportunity to socialize. That same day in the afternoon, they will screen the movie *Stand and Deliver* at 5:30 pm, in the CLEEO Project Center. The following Monday, on October 16, from 4-5 pm, at the CLEEO Project Center, they will be hosting Dr. Gloria Itzel Montiel. She will be doing a presentation titled "Dreams & Belonging"—Pathways and Undocumented Students in a Post-DACA Era. Dr. Montiel was the first student in the history of Santa Ana High School to be admitted to Harvard University, where she completed her undergraduate work. She is one of the first DACA students in the United States to earn a Ph.D.

Senator Kennedy: Read a message she received from a computer professor about Pope Accessibility Checker. He wrote that he ran it against his current course, and he had one error, but no matter how many times he tried, the code that it showed did not match the code in his class. He ran it against all of his classes and had almost 500 errors. Almost all of them were for contrast and the code for those was automatically written by the Design Tools plugin we're supposed to use to create our content. All 500 of them were also links, which we have no control over. He said "I think fall is going to be a nightmare" for those who get checked. "She wanted to let faculty know that those of who were "randomly selected" for this check, that these earlier concerns and analysis were written by somebody *who writes code*.

2. Consent Agenda

A. Committee Representatives:

1. College Council: **Chris Berg**
2. College Budget Committee: **Heather Coddling**
3. Facilities Planning Committee: **David McMahan & Andrew Koines**
4. Technology Committee: **Sam Yip and Yilin Wang**
5. Accreditation Coordinating Council: **Charles Otwell**
6. Institutional Effectiveness Committee: **Sean Cook**
7. OCC Appeal Hearing Committee: **Eric Cohen, Glynis Hoffman, Alexandria Rojas, Laurie Campbell, Chris Berg, Michael Monge, Jeanne Neil**

Motion 2: Senator Drew moved to approve the consent agenda; seconded; approved.

3. Officer, Senator, & Committee Reports

A. President and Vice President Reports:

1. President Lee Gordon's Report: Transparency Committee: About fifteen years ago, ACCJC, the accrediting agency for community colleges in California, put Orange Coast College on accreditation warning status. At the time ACCJC was sanctioning colleges at a much higher rate than other accrediting bodies in the United States. Most of the issues cited at the time by ACCJC related to practices by the Coast District, but one issue was from Orange Coast College, and that was the lack of transparency by management. The response by the Academic Senate, then led by Dr. Arismendi-Pardi, was the creation of the Transparency Committee. One benefit of the Transparency Committee is the efficiency of the Senate meetings. The Academic Senate only meets for one hour. We cannot have the regular Senate meetings get bogged down in hearing faculty management disputes, otherwise we would not be able to address the business of the Senate. By acting as the oversight arm of the Senate, the Transparency Committee investigates disputes between faculty and management, bringing efficiency to the regular Senate meetings.

2. Vice-President Rendell Drew's Report: The Academic Senate President received a notification from ASCCC about accepting nominations for its Exemplary Program Award. It is sponsored by the foundation for California Community Colleges. This program was established by the Board of Governors in 1991 to recognize community college programs. The 2023-2024 theme is excellence in promotion and advancement of ethnic studies. Each college or district may nominate only one program. Up to two California community college programs will receive cash awards of \$4,000 and up to four California community college programs will receive honorable mention plaques. The nomination application is due November 5, 2023.

B. Union/Bargaining Unit Report – CFE President Schneiderman:

Accessibility Review: Reported that this was approved by the Senate and the Union will negotiate the impact and effects of the software check. He one-hundred percent agrees with Senator Kennedy [statement in For the Good of the Order]. He tried to run the Pope Accessibility check on his class and same thing happened. There were links that would give him errors and they still remain that there were errors with them. It will be problematic. He spoke with Human Resources and negotiated some of the issues. They extended the date until the end of November. They clarified that there would be zero discipline associated to this. So, if someone actually doesn't do it, they're not held responsible for that. There will be money compensation for part-time faculty who have not already been trained if they obtain training on accessibility. Unfortunately, he reported that there have been unintended consequences that a faculty member has brought to the union. Some faculty are just going to remove items from their Canvas shell because they keep receiving error messages after fixing them. So, this harms many students. **Senator Kennedy:** Reported that she did remove something from Canvas because Pope Tech kept saying it was wrong; it was an announcement from the school ARC for a notetaker. Additionally, she went through the Senate records, and there is no record the Senate ever approved Pope Tech. The person who represents us never came to us and asked us for a vote. There was no vote on it. She didn't find anything that said the Senate ever approved it. **CFE Schneiderman:** Thanked Senator Kennedy and concurred that that was correct. **Senator Boogar:** He has the same concerns, as he knows faculty members who stated that if they get selected for this Accessibility Check, they will just move their things off Canvas onto a different resource. That's very problematic. That's not what we want. It's not good for students. He'd like to see us agendaize this topic on a future date to talk about how we might solve this, and how the District is currently choosing to handle this. Then, maybe we can talk about what we might want to do, the issues we see with it, so we can brainstorm a possible better way to ensure that we are able to have accessible material in a reasonable way.

ARC Video Recording: **CFE President Schneiderman** reported that the ARC Video Recording accommodations is something that affects both curriculum and working conditions. The District is not required to provide unreasonable accommodations. An example of that could be allowing people to record in a class where there's a lot of personal disclosure and that would jeopardize the curriculum in the class or potentially harm other students. The other thing is that certain accommodations have an impact on working conditions. The union is concerned that if accommodations include additional days for students for assignments that are on the syllabus, which is a bit of a concern that if every student who has a disability has a different number of days to get their assignment completed, that would be chaos and really impact the working conditions of the members. He is talking about assignments that are already on the syllabus. That is more of a time management issue. That is not a disability issue. It does impact the working conditions. He hopes the ARC addresses some of those issues.

C. Guided Pathways Reports- Kelly Holt:

Reported that Laura Reese volunteered to be on the Guided Pathways Task Force. Senator Holt asked if Professor Reese would be a voting member. President Gordon started that will be a conversation for the upcoming executive board meeting.

D. Budget Committee Report – President Gordon:

President Gordon stated that there are two budget committees, an OCC Budget Committee and a District Budget Committee. The Campus Budget Committee will host the Vice Chancellor of Finance Marlene Drinkwine in SU211 next Wednesday, October

11. If anybody has any questions or areas of interest with respect to the District budget, which OCC represents at least half, you might want to attend that meeting at 2 pm.

4. New Business

A. **OCC Safety Plan – Campus Safety Chief Jim Rudy: The Campus Safety Plan was sent out to every member of the Senate.**

Vice-President Drew: Stated that over the summer on July 28 he and President Gordon met with Chief Rudy to offer recommendations to the plan, and they have been incorporated.

Campus Safety Chief Jim Rudy: Thanked the members for their input. A lot of the recommendations received from faculty were already added to the plan. If adopted, it will be placed on the Campus Safety portal for everyone to view. He highlighted the priorities on page 6. There is a list of six items that stated the actions that they have done to improve safety at OCC:

1. Purchased and replaced existing security surveillance systems with updated Avigilon video software and hardware.
2. Provided First Aid and Active shooter training for the Orange Coast College community. There was a Flex session on this, as well.
3. Purchased additional Stryker evacuation chairs.
4. Installed additional Public Address system at Main Campus
5. Purchased new radios for Campus Public Safety Officers w/PA system capability.
6. Increased staffing- dispatch personnel and weekend officer. If necessary, they will conduct a lockdown. They have installed panic buttons on some areas.

Campus safety is working with IT to create a solution where you can use your cell phone and call either campus safety or 911.

Motion 3: Vice President Drew moved to extend the time on this agenda item for three additional minutes; motion seconded; motion approved.

Vice-President Drew: Asked where in the Plan is the Active Shooter plan being addressed. **Campus Safety Chief Jim Rudy:** Stated that it is addressed on page 5. There is a [YouTube link](#) on what to do. He encouraged faculty to show it to their students. They go into detail in what action to take. If a faculty member wanted a demonstration or presentation, he or a staff member could do an evaluation of their classroom or work area, and they could go over "what if" scenarios. They could be taught things like barricading a door, tactics, etc., not just for their classroom but also public places or at home.

B. **Transparency Committee – TC Committee Chair Irene Naesse:**

History: Provided a detailed presentation on the history and purpose of the Transparency Committee. In 2008, Orange Coast College was put on warning by the ACCJC. The accreditation team determined that the campus needed increased transparency between management and faculty. The Transparency Committee was formed in 2008 in response to this recommendation. The committee was a unique response that generated quite a bit of skepticism at the time. She was one of the skeptics. She is now the committee chair. The fact that it was cited as evidence in the midterm report in 2010 demonstrates its important role here on campus.

Evolution and 10 +1: Since that time the Transparency Committee has evolved. The Academic Senate delegated the oversight of the 10+1 to the Transparency Committee. Therefore, any management violations of faculty purview are reported to the Transparency Committee. The Committee will review the evidence presented, and then complete a report which is forwarded to the Academic Senate. The Transparency Committee documentation and reports are submitted to the Accreditation Committee for Inclusion in the college's self-study.

It is important to note that it is the responsibility of administration to ensure that management respects and follows faculty purview, as it relates to 10+1. The 10+1 refers to the items in the education code specifically designated as faculty purview. In some cases, it requires the campus to rely primarily on faculty, and in other cases it requires management and faculty to mutually agree. As you look at the 10+1 items, we can categorize them into content, such as curriculum and grading policies, and also processes such as accreditation and program review. The 10 +1 or item 11 are all other areas that management and the faculty have agreed on that may not be specifically designated in the 10+1. For example, the Campus Safety Report, faculty participating on facilities, committees, graduation committees, and other committees as outlined in our decision making document or by state mandated initiatives such as Guided Pathways.

Transparency and 10+1 are important because while the Education Code recognizes that faculty have expertise in matters of instruction to dismiss or to disregard faculty expertise ultimately negatively impacts student learning. Recognizing faculty purview is about more than just meeting the requirements in the Ed Code. It also affects our campus climate and our working environment. When faculty are included in discussions and decision making, it leads to a better working environment, and increased faculty morale; it minimizes conflicts and achieves better outcomes. It increases collaboration and collegiality; it increases productivity and participation across the campus, and it increases student success.

Student success is what everyone should be striving to achieve. It is not a big ask for faculty to be included in discussions related to campus life. In this case everybody wins. If you suspect a 10+1 violation is occurring, you should contact a committee member. This will include an informal conversation to establish if there is a 10+1 violation. If it does not meet that criterion, you will be advised as to whom you should bring the issue to. If it is a 10+1 violation, you will be asked to collect evidence and document the violation. In addition to emails, document conversations that are related to the incident and also document when you receive no response, because receiving no response, is, in fact, a response. The goal of the TC committee is to resolve these issues between management and faculty before it is submitted for a formal review.

Often, once management understands that there has been a violation, they will work to reverse course. If that is not the case, then the Transparency Committee will open an official review. This includes allowing management an opportunity to provide their position. After the review, an official vote among the members will take place, and a report is authored and submitted to the Academic Senate. The report will include recommendations on how to avoid these situations in the future. Now a second violation is forwarded on to the Board of Trustees.

If you are a manager that has violated the 10+1, the committee generally assumes that this was an honest mistake on your part. Remember, the goal is to resolve these issues, so no formal report is necessary. Also remember that respecting faculty purview in 10 + 1 issues helps to create a positive working environment, which she assumes all managers are interested in achieving. In this case she recommends that the manager recognize a

mistake and take action to cure and correct the situation, and this might mean starting the process from the beginning with the faculty members included.

The Transparency Committee is always happy to submit reports of good news of resolution of 10+1 issues to the Academic Senate. Currently they have two issues pending, and they seemed to be resolving themselves outside of the committee. That is really good news. The Transparency Committee is unique in that when we do not meet, that means there are no issues to resolve, which is good news. When we do meet, it is at 10:30 am on Wednesdays via Zoom. She included a chart showing the representatives by division. There are no requirements in the bylaws that every division is represented on the committee. Some divisions have more than one representative, such as counseling. It would be nice if each division had a representative so that faculty have a person to contact within their division in case they have questions about 10+1 violations. It also provides the committee diverse perspectives from across the campus. If anyone has any questions, they can send her an email. She gave her daughter a shout out for helping her create a QR code.

Senator Qubbaj: Asked if Senator Naesse could provide some examples to better understand what type of issues could be reported. **Transparency Committee Chair Irene Naesse** stated that some issues are related to curriculum where it may be that a manager has overstepped their bounds into authoring or submitting curriculum or pulling curriculum. It might be related to grade policies with students, etc. **President Gordon** added that very often faculty are not familiar with the 10+1 and with faculty purview because that is really unique to California. Faculty in other states do not have this legal protection. Sometimes faculty are unaware that faculty are the lead in curriculum, grading issues, etc. The Transparency Committee tries to inform the faculty of the unique and special powers and purview that faculty have here in California and that they are in the form of the 10+1.

Motion 4: Vice President Drew moved to extend the time on this agenda item for two additional minutes; seconded; approved.

VPI Grimes-Hillman: Stated that in the spirit of collegiality and transparency, she wanted to thank the Senate for its deep belief and support of the 10 + 1, and to encourage the people to have a deeper understanding on what mutually agree means, and it is in our board policy, possibly 2510. That may be a useful review in the context of the 10+1.

- C. **Flex Coordinator MOU Review:** **President Gordon** stated that the Academic Senate solicits and collects feedback on the content of an expiring MOU to be submitted to the Office of Instruction by October 15. The language of this expiring MOU went out to the members of the Senate for today's meeting.

Senator Kennedy: Stated that she had received feedback from a constituent who works with Flex and is on the committee and that person supports the 6 LHEs currently proposed as the Flex Coordinator, as she knows that much of the work is during summer and off contract time. Senator Kennedy asked who the administrator is who oversees Flex and whom the faculty answer to, for this position. [No one was identified.] She also noticed that the eligibility is for a tenure-track faculty member. That is an excellent recommendation but wondered why.

CFE President Schneiderman: Noted that the MOU posted was the older one, not the current proposed one. He was not aware of the tenure-track faculty eligibility. The newer MOU states that a tenure-track faculty can apply. He mentioned that the Union prefers six LHEs per semester. **President Gordon:** Stated that this position does not indicate a term limit, and that there is a variance in that some coordinator positions have a term limit, and some do not. This one does not. **Senator Sachs:** Asked if the question is

about the tenure-track versus the fully tenured, when they had this discussion a few years ago; it was definitely considered to be a full-time faculty position just because the sheer amount of work that the position entailed. Regarding tenure or tenure-track, the assumption would be that somebody maybe in year four would be applying, because of the sheer volume of work, it would not be advisable for someone prior to their fourth year of tenure to take on that big of a role. **Senator Kennedy** supported Senator Sachs on those comments. **Senator Boogar**: Expressed his concern on a newly tenure-track person serving in this position when they are supposed to be evaluated, and they need to be teaching classes to be evaluated. **Senator Ely**: Suggested to add the language of tenure-track faculty member no earlier than in their final year. **CFE President Schneiderman**: Stated that he will propose to management 6 LHEs per semester.

President Gordon asked to reorganize the last two items on the agenda and go directly to Waterfront Campus Planning Session in the interest of time.

- D. **Waterfront Campus Planning Session**: **VP Drew** stated that the Senate would like to hold a planning session retreat at the Waterfront campus. President Gordon and VP Drew are asking for ideas. Some of the ideas he has received so far include review of the 10+1, DEIA grant, etc. The Senate has been approved for Thursday, January 25, 2024, 9 am-1:30 pm.

E. **Academic Senate Bylaws (Articles III-VI)**:

VP Drew reviewed Article III of the Bylaws which describes Meeting and Senate Procedures. Article IV talks about the Executive Board.

Parliamentarian Ely: Reviewed Article V which describes Amendments of the Bylaws and Article VI which describes the election procedures. She said they have noted through their review with the Statewide Academic Senate that their constitution and their bylaws that there are some significant changes that have been made at the Statewide level. She will be bringing back those to consider as to whether they should be included in the Senate bylaws. She asked senators to also review the Bylaws and provide feedback.

Senator Kennedy: Pointed out that the State Academic Senate does not need to follow the Brown Act, so the Senate needs to be aware of that.

President Gordon adjourned the meeting at 12:26 p.m.

5. Approval of the Minutes: October 10, 2023

MINUTES: First draft written by Beatriz Rodriguez Vaca, Administrative Assistant to the Senates. Revision of first draft and Senate-approved drafts written by Senate Secretary, Marilyn Kennedy, who also distributes the final Senate-approved version to the Chancellor, Board of Trustees members and secretary, union presidents, GWC and Coastline Academic Senate presidents, OCC College President, and faculty as per OCC Senate bylaws.

Senate Membership & Voting Tally Chart	Motion 1	Motion 2	Motion 3	Motion 4
	Minutes 09/26/23	Consent Agenda	Motion to extend the time	Motion to extend the time
<i>The President Officer's vote will be counted as an abstention, unless breaking a tie vote.</i>				
Ball, Jason: Part-Time Senator (2023-2024); 11:36 am	Absent	Absent	Aye	Aye
Baker, Karen: Math and Sciences Senator (2023-2026)	Aye	Aye	Aye	Aye
Barnes, Carol: Counseling Senator (2021-2024)	Aye	Aye	Aye	Aye
Boogar, Tyler: Senator-at-Large (2023-2026)	Aye	Aye	Aye	Aye
Budwig, Eric: Technology Senator (2020-2023)	Aye	Aye	Aye	Aye
Chavez Jimenez, Irving: Senator-at-Large (2021-2024)	Aye	Aye	Aye	Aye
Cohen, Eric: Consumer Health Sciences Senator (2023-2026)	Aye	Aye	Aye	Aye
Connor, Sean: Senator-at-Large (2023-2024)	Aye	Aye	Aye	Aye
Cuellar, Eric: Senator-at-Large (2021-2024)	Aye	Aye	Aye	Aye
Della Marna, Jodi: Library & Learning Senator (2023-2026)	Aye	Aye	Aye	Aye
Drew, Rendell: Vice President, Senator-at-Large (2023-2026)	Aye	Aye	Aye	Aye
Ely, Cyndee: Parliamentarian, Part-Time Senator (2023-2024)	Aye	Aye	Aye	Aye
Gordon, Lee: President, Senator-at-Large (2022-2025)	Abstain	Abstain	Abstain	Abstain
Holt, Kelly: Senator-at-Large (2023-2026)	Aye	Aye	Aye	Aye
Kennedy, Marilyn: Secretary, Lit. & Lang. Senator (2022-2025)	Aye	Aye	Aye	Aye
Legaspi, Jodie: Athletics and Kinesiology Senator (2020-2023)	Aye	Aye	Aye	Aye
Naesse, Irene: Senator-at-Large (2023-2026)	Aye	Aye	Aye	Aye
Neil, Jeanne: Business and Computing Senator (2022-2025)	Absent	Absent	Absent	Absent
Qubbaj, Sara, Part-Time Senator (2023-2024)	Aye	Aye	Aye	Aye
Sachs, Loren: Senator-at-Large (2022-2025)	Aye	Aye	Aye	Aye
Sheehan, Katherine: Visual & Performing Arts (2021-2024); 11:48am	Absent	Absent	Aye	Aye
Stanton, Jordan: Social & Beh. Sciences Senator (2022-2025)	Aye	Aye	Aye	Aye