

Foothill & District Academic Senate Minutes October 11, 2021

DRAFT Minutes

#'s represent items numbered on the [Agenda](#)

1. Meeting called to order at 2:01 p.m.

2. Roll call

Executive Committee

Officers:

Kathryn Maurer (President)
Paul Starer (Exec VP)
Eric Kuehnl (VP Curriculum)
Robert Cormia (Sec/Treas)

Division Senators:

Alexis Aguilar
Brian Murphy (absent)
David Marasco
Donna Frankel

Ellen Judd
Frank Niccoli
Jeff Bissell
Jordan Fong
Katy Ripp
Kerri Ryer
Mary Thomas
Matthew Litrus
Mayra Palmerin-Aguilera
Milissa Carey
Patricia Creso-Martin
Sara Cooper

Stephanie Chan
Tracee Cunningham
Voltaire Villanueva

Extended Exec Committee

Adrienne Hypolite
Ajani Byrd
Carolyn Holcroft
Fatai Heimuli
John Fox
Kurt Hueg

3. First order of business, [resolution](#) to invoke AB 361 (Governor Newsoms' emergency order affecting the Brown Act, and allowing bodies to continue remote meetings). Motion made by David Marasco to suspend the normal two reads of resolution and allow for voting today, Kerri Ryer seconded. Consensus vote was unanimous with one abstention by advisory voting member Byrd. Mary Thomas (first) and Donna Frankel (second) moved to approve the resolution. A roll call vote was taken, which passed unanimously, with one abstention (Byrd). Results of roll call vote at the end of the document.

4. The agenda was adopted by consensus. Minutes of September 27th were approved by consensus.

5. There was no public comment.

6. Consent calendar for appointments was [updated](#), so pulled from consent calendar. Fox asked to pull item three on faculty prioritization process. Item two was approved by consensus (formation of [College website redesign steering committee](#)). Kathryn walked through appointments, and Paul Starer announced the need to recruit Program Review readers. Each program review has two readers, one "in-house" and one at large. Incentivized with PGA, and a good idea if you will be doing a program review next year. anyone interested in serving as a program review reader, please contact Paul Starer. Senators, please reach out to division faculty for recruitment. Appointments approved by consensus.

The third item on the consent calendar was the faculty prioritization process - John Fox said, on point number one (Dean puts out request to all faculty in the division), he (and Patricia Gibbs) didn't receive something to review. Kurt mentioned this was discussed at the Division meeting. Kurt said we are going into a hiring mode and full time positions are being requested. Debbie

mentioned that the forms are being prepared and the College is accepting requests for faculty. Item three was approved by consensus.

7. Quick review of last year's [meeting norms](#), and there were no additional comments. John mentioned that BACCA called this "community agreements" rather than norms. Consensus was that we will continue to use these meeting norms, until someone would like us to revisit/review.

8. Update on Mediation effort - ten members of the Academic Senate mediation committee are here today. There was an all faculty letter that was sent out by the mediation team. Other supporting materials was [a resolution passed by FA Executive Council](#) (unanimous with one abstention – includes De Anza faculty). Kathryn mentioned it was a very difficult few weeks with "extreme deterioration" of the mediation effort and relationship with President Nguyen. Kathryn mentioned she had been both optimistic and hopeful of the mediation effort, and very disappointed where it has ended up, as we (Academic Senate) did everything in our power to try to make this work. Other members of the mediation team were asked to speak up if they desired to add their perspective. We will have a special meeting of the Senate next week October 18th from 2-4 to discuss this issue, so no action is expected today.

John Fox commented that "it really didn't happen" as far as mediation goes, there was never a joint meeting of the cabinet, mediator, President Nguyen and Academic Senate. It was speculated that President Nguyen was never really interested in the process. It seemed very clear, as the mediator pointed out, that we weren't on the same page with what the problem was.

Voltaire Villanueva mentioned that he approached this with an open mind, but there did not seem to be any sense of urgency by President Nguyen last spring to get this going. Nothing seemed to happen over the summer.

Paul Starer mentioned that the all faculty letter mentioned there were two fundamentally different narratives, where there could really only be one accepted narrative. This is unfortunate, as we live in a time now where adherence to the orthodoxy of the day is all that is acceptable. We haven't made a space or process to acknowledge what the truth is. There is a foment around an inaccurate narrative.

Ellen Judd commented that the Senate did show up with the mediator to discuss issues, but a meeting of this group with the mediator and the President never happened. There seemed to only be a few meetings with the mediator, Kathryn, and President Nguyen.

Rosa Nguyen wanted to speak a little bit about her speaking at the board, and referred to the mediator's comments to be "contagiously positive" or not go forward. The mediator was initially positive, but then even he wasn't able to move us along.

Laura Gamez commented that we only met to discuss the mediation effort, and that the mediation never occurred, and now we are less optimistic about the process. Kathryn asked for senators to get feedback from constituents, to process information, share and contribute, and shape with what we do next Monday.

Adrienne Hypolite commented that over the last weeks and months, she is learning more and more about what happened. She commented that members of the Classified Senate are concerned about what happened going forward. But we cannot have a process of shared governance where all members don't feel we have a working process (engaged and heard).

She asked “if all avenues have been exhausted, what is the path going forward”? Kathryn agreed with the question.

Tracee Cunningham commented that she had been asked by a constituent to see President Nguyen’s goals, objectives, and desired outcomes. Kathryn commented that perhaps we (or Tracy?) should ask Thuy to see that document. Carolyn commented that while she wasn’t part of the mediation group formed, she had heard it hadn’t gone well, but now what is the path forward?

Sara Cooper (also) asked, what’s next? She had heard frustration and uncertainty from some constituents and colleagues as what were the next steps?

If we are open to discussing anything, at what point should we be polling our division faculty about (where they stand) of a vote of no confidence? Some divisions have started that effort. Donna commented that some faculty are not “in the know”, and are asking why aren’t we supporting the President? Kathryn commented that Wally wasn’t ready (comfortable) to share the (results) of the President’s letter (objectives). Paul asked how we can re-engage in mediation when there is continued difficulty with “truth telling” coming for the President.

Melisa shared agreement with David and Paul, “how can we do this without discussing a vote of no confidence?”

Carolyn commented that while it is likely that we’ll have a vote of no confidence, there may not be one big truth, but many small truths, and it could be difficult to arrive at the truth.

Kathryn commented this is really challenging as Academic Senate president, we need to have agreements about what is the evidence, and circumstances that we have developing in these agreements. She further commented how challenging it is to come up with evidence to validate the assertions (accusations) made by the President. When accused of bullying, FHDA-CCD Human Resources (HR) and the Chancellor both commented that there was no evidence for bullying, and that accusation must stop immediately. And yet we are in that position again, she added it twice in the most recent objectives document. Even if she considers that her truth, this should not be an allowable narrative. Everything in our letters with legitimate faculty concerns has been countered with “we have serious issues of power dynamics and issues of race, power and privilege to unpack.” Kathryn hopes that people understand our senate absolutely has a concern for inequitable structures, inherently racist systems, and equity issues, but we are concerned with all of our concerns being countered with this narrative, and we have not yet heard an acknowledgement of our legitimate concerns. By allowing all narratives, how do we make progress?

Katy Ripp asked, what is the process of a vote of no confidence, what is the next step, what is the outcome of that? Does the Board of Trustees have a say in it? There was a comment that a vote of no confidence would put pressure on the Board of Trustees. There was a comment that it would be embarrassing to be operating the College with a President that has had a vote of no confidence, and the Board of Trustees are elected officials.

Stephanie Chan commented about the weight that we bear, and our duty to explain this to our constituents, and now is the time to get people up to speed.

Short break

9. Academic Senate priorities - Kathryn asked if there was anything missing from this list. Alexis Aguilar asked about professional development. Kerri commented about distance education plan, technology plan, and title V updates. COOL would like professional development, specifically work on the summer PD, added to the priority list. Kathryn said she would check with Alexis about what he was thinking should be added in terms of professional development in other areas.

David Marasco commented that there has been messaging to the effect that returning to campus doesn't have a lot of support at the moment, but we need to support faculty and students who are returning to campus. Donna Frankel mentioned Reemployment Preference (REP), which might include input from the Academic Senate. Sara Cooper said her division wanted to see Shared Governance at a much higher priority. Kathryn explained that the lists themselves weren't in any order of priority, looking to make sure nothing is missing (not on the list).

Kathryn suggested that the officers and Kerri meet to organize this information, and come back one more time, and if there are items on the list that anyone can help with, to please come forward with that effort.

10. Shared Governance in fall 2021 and beyond. Kathryn commented that there was a [proposal](#) to form one interim council, the work of this council would be determined by the council itself, by construction of key ideas and initiatives. Additionally, Kathryn asked are we feeling as a group if we should reconvene the shared governance task force we started over summer, but broke down because of the breakdown in the mediation effort. Kathryn showed a [draft of visioning and agreements](#) this group was working on right when we disbanded.

The intention of the single council is to replace all 5 councils that were in operation last year on a temporary basis, while we redesign governance in the task force. Of course one council can't do the work of five, so the topics would have to be prioritized and reduced. The intention of the shared governance task force is to come up with a structure for governance by the end of fall quarter, but realistically this could go longer. Ellen commented that we've heard from our constituents that we do need to have a governance structure, even if the relationship with the administration is rocky. Paul suggested that if we enter into this work, we may be undercutting any leverage we have with respect to our situation.

Kurt commented that he wanted to make sure everyone knew that Thuy/admin had committed to this (interim) structure. Kathryn commented that she is speaking for herself and other faculty, to have spent so many hours in governance work, only to be told that the work of the governance was only an FYI, and all that work was overturned, was a frustrating experience she wants to avoid. If we end up here again, it puts us right back where we were at the end of last spring. Sara commented that many faculty have commented that shared governance is a priority for them, and we shouldn't "burn any bridges" with all the good work that we formed. If we don't work with this effort, then we're sitting on our hands, and not making progress.

There was a motion (approved with two exceptions of senators who couldn't stay) to keep the meeting going for 10 minutes past the scheduled 4 p.m. close

Sara Cooper moved that we fully reengage in the governance task force, Alexis Aguilar seconded. The vote was largely in favor with one red check (no) and Adrienne Hypolite abstained.

11. Quick update on RSLs (Research and Service Leadership Symposium). Allison Hermon talked about the RSLs project that ends with student presentations in May. Students are assigned mentors (faculty, staff, administrators), and there is a mentor workshop coming up at the end of October.

12. Many announcements – see the link. Kathryn wanted to highlight there's money for students ([CARES emergency relief funding](#)). Also doing again the Teacher Corp in Guatemala – great study abroad experience for students.

13. Next meeting is Monday October 18th, a special meeting to discuss next steps (response to mediation efforts, etc.)

Meeting adjourned at 4:05 p.m.

Roll Call votes on passing Resolution Authorizing Remote Meeting Attendance

Kathryn Mauer (only votes in a tie)

Paul Starer Yes

Eric Kuehnl (absent)

Robert Cormia Yes

Brian Murphy (absent)

Alexis Aguilar Yes

Kerri Ryer Yes

Sara Cooper Yes

Frank Niccoli Yes

Tracee Cunningham Yes

Voltaire Villanueva Yes

Mayra Palmerin-Aguilera Yes

Milissa Carey Yes

Jordan Fong Yes

Jeff Bissell Yes

Katy Ripp Yes

Stephanie Chan Yes

Patricia Crespo-Martin Yes

Mary Thomas Yes

Matthew Litrus Yes

David Marasco Yes

Donna Frankel Yes

Ellen Judd Yes

Fatai Heimuli Yes

Adrienne Hypolite Yes

John Fox Yes

Carolyn Holcroft Yes

Ajani Byrd abstain

Kurt Hueg Yes