

Academic Senate Minutes

November 28, 2011

Meeting Called to Order at 4:02 p.m.

Members present: Dolores Davison (President), Carolyn Holcroft (Vice-President/CCC Chair), Robert Cormia (Secretary/Treasurer), Katherine Schaefer (Adjunct Faculty), Teresa Ong (ADL), Karl Peter (BHS), Eta Lin (BSS), Sam Connell (BSS), Tobias Nava (CNSL), Fatima Jinnah (CNSL), Bruce McLeod (FA), Richard Morasci (LA), Pam Wilkes (LRC), Don MacNeil (PE), Dixie Macias (PE), Patrick Morriss (PSME), Debbie Lee (PSME), Darya Gilani (Classified Liaison), Meredith Heiser (FA Liaison)

Members Absent: Janis Stevenson (FA), Russell Wong (ADL)

Guests: Judy Miner, Ron Levine, Kevin McIlroy, Matais Pouncil, Denise Swett, Rosemary Arca, Kim Wolterbeek, Lesley Dauer, Natalia Menendez, Robert Garcia, Julie Brown, Tess Hansen, Nicole Gray, Mary Thomas, Susie Huerta, Phuong Lam, Jennifer Sinclair, John Sawka, Lori Silverman, Brian Stanley, Sarah de los Santos, Jordanna Finnegan, Isabel Sperry

Agenda Approved by consensus

Announcements:

Approval of Minutes from November 14:

Consent Calendar: Approved with amendment to include adaptive learning hiring committee (Bea Cashmore, Teresa Ong).

Item 1: Chief Ron Levine talked about how campus police would respond in an event similar to other 'occupy' protests across the country. In the event of a large protest (perhaps 100 or more students and other persons on campus) our small force of only 11 sworn officers would need to ask for assistance from other agencies, most likely the Santa Clara Sheriff's Department. When two or more police forces are on site there is a 'command presence', where coordination between the outside agency and FHDA police is communicated and managed. Ron reviewed the plan for what would happen on a campus, where there is some type of civil disobedience. There might be a situation of 'civil disobedience' when there are no laws being violated. Ron described the context of 'law enforcement issues' as separate from general campus security, meaning a situation with elevated risk of misdemeanor or more serious infractions. Monitoring the campus situation, if the activity were to escalate, then the police force makes a determination jointly (between the police force and management) of a dispersal order first, then having an arrest warrant. We'd probably call in an outside law enforcement agency (if needed) and they would take orders from Ron Levine. Ron mentioned that he has served with many Santa Clara officers in the past, hence coordination between FHDA and Santa Clara Sheriff

should be straightforward.

Nowhere would there be a use of chemical agents. Ron read the situation of using chemical (OC spray) can only be used if a person exhibits violent behavior or intent to commit violence, and if OC spray is used, it must be stopped once the person no longer exhibits violence.

Judy Miner then talked about other issues around having a demonstration on campus. Judy said that as our College president she would want to be on campus and working with people who were organizing or participating in the demonstration on campus. We have faced that type of problem before at the Flint Center when prominent speakers including Colin Powell and Condoleezza Rice. The goal of any required police intervention would be to use a minimal amount of force. Vice chancellor Kevin Mc Elroy spoke about protocols and conversations with Chief Ron Levine, and perspective about community policing, and specifically the police department is working with the District to ensure that protocol is followed.

Ron Levine described further details regarding where additional assistance is needed and how we go to a unified command. You would have a leader of both (assuming two) law enforcement agencies who would coordinate, and in a mutual aid situation agencies do coordinate. But if a crime occurs (or a situation like a riot) agencies have to go into action to protect people (security). A question was asked: have we tested the command situation, such as with Santa Clara? Ron responded that we are familiar with partnering with Santa Clara sheriff. Specifically, we have a memorandum of understanding that between midnight and 6 a.m. the Santa Clara Sheriff has authority over the campus.

There was a plan for an Occupy movement event starting at De Anza in January, with the focus on student tuition and other costs in California. Our police chief has met (or tried to) meet with these students. We are not as concerned about students as with the riffraff (and hooligans) that might also appear at De Anza. Kevin McElroy shared that there was a strong mutual interest on the part of De Anza students to have a safe experience, and an offer by DASB to help share in the cost of overtime paid to officers, until they realized that that it would be very expensive.

A question was asked about access to our administrative procedures regarding security. Ron replied that for security reasons these administrative procedures might not be releasable under the California Public Records Act. Judy Miner commented that Ron is part of the admin council at Foothill, where these issues might also be discussed. A senator commented that many international students have a different opinion of police from their home country, and it is good to bring an officer in to a classroom to talk with students so that they have a better understanding about how our police force works.

Item 2: Pass the Torch. Natalia Menendez, lead English faculty in the Pass the Torch program, presented about the basics of the program. Math and English tutors meet once a week. Pass the Torch faculty monitor the curriculum and meet with staff. There are 90 teams of tutors. Tutors in math and English serve to train the trainers in mostly transfer level courses. A number of PTT and other faculty came to talk to the Senate about the Pass the Torch program, and

specifically about moving PTT faculty to a new location as early as spring 2012. As the 5600 building was being redesigned, PTT faculty were involved in redesign of the space. New construction in the 8200 building appears to be inadequate for the program. In 5999 the room is larger and facilitates group work. Form and function need to be aligned in the design. This is not simply an issue of space, but that faculty involvement was part of the development of new working space. PTT is not just about a student service; faculty are involved in the design and instruction of the program itself.

A question was asked 'how did the PTT program design that PTT faculty worked on get scrapped'? There was a time last year that the space had been approved (on track for the next relocation of PTT to building 5600). PTT has never been part of student services; it has always been under an instructional VP. PTT is being moved to student services (near EOPS) and they have a concern that PTH might end up part of student services and not tightly integrated with faculty. This would be an instructional effort to teach trainers about teaching and learning (to assist and become tutors) to understand teaching and learning.

Clarifying question to ask how the program involvement (facility planning was undone). And why would faculty feel vulnerable (is this a program for learning, or is it student services). There was a resolution that was circulated as a first read. There were faculty here to support the role of PTT. A faculty commented that PTT needs to have an appropriately designed facility where they continue to do their good work. English faculty individually recommend student tutors because of the vital service they provide.

A question was asked "how do student services feel about PTT"? Director of EOPS suggested that PTT could 'relocate' to the second floor of 8200. EOPS suggested that similarity of student foundation (student makeup) for both EOPS and PTT students. Comment that the new space could be 'reimagined' to accommodate the mission of PTT and provide students with essential services. As financial aid departs there could be a redesign. PTT reports to student services already. Historically PTT has reported to VP (student services) but Denise asked that PTT report to Mathias (for logistical reasons).

This was a conversation that regarded the design at 5600. Judy Miner commented that last spring when the College was looking at decreasing FTES - and downsizing of the performing arts - we needed to look to other buildings for hosting additional classrooms. The 5600 building was seen as logical, as building 5999 will be needed for District people to move into. The other use for 5999 was to additionally house space for classrooms. There was a question about when the administration decided not to involve PTT in the relocation. Judy Miner commented that the College is out of options in relocating the Performing Arts Alliance.

Discussion then moved to a conversation 'about the 8200 building planning and decision-making process'. Conversation went to the point of shared governance, and how a lack of conversation (between administration and faculty) is actually a lack of respect. There was a challenge about how to involve faculty in these conversations. President Miner commented that the change of plan was a result from the significant financial situation facing the College last

spring. The cabinet had viewed the new plan as a positive change (when it appeared that two student programs were combined) and didn't mean any disrespect by not asking for faculty input. She indicated that in retrospect the decision making process perhaps didn't go as well as it could have. Comments were made from PTT faculty that they were given very little notice about a potential move in winter 2012 that was then moved into spring 2012. Need to have a conversation with a focus on student success and PTT. There was a comment that student success (our future measure as decided by LAO etc.) is very much reliant on student support programs like PTT. It was suggested that the conversation should be focused on 'student success' matters. Comment that although no disrespect was intended by cabinet, disregarding faculty opinion is 'implicitly disrespectful' and indicative of a continuous pattern of lack of shared governance. This is the third time in recent past that major decisions were made outside shared governance procedures and then afterwards when it's too late to change decisions, administration says oops, that didn't go according to plan. Given this pattern some faculty don't feel that shared governance is a reality at Foothill.

Suggestion that there should be a second resolution brought forward (or current resolution revised to include math and language arts). One senator clarified that there are two different issues, one being the immediate conflict regarding PTT and the other being the larger issue of breakdown of shared governance. Davison confirmed this and reminded that rather than starting from scratch with a new resolution perhaps it would be best to reexamine the previous Bill of Particulars first. Since we are not making a 'move' (literally) until next spring we can bring forward a resolution in winter (in time for spring). Matais asked if this is a conflict about supervisory issues or relocation? Comment was made that programs that fall between models of instruction and student services are more easily changed without consent.

Item 3: report out on program discontinuance. Carolyn Holcroft/APM developed the district program discontinuance policy and procedure through a number of meetings over summer. After vetted by Foothill Academic Senate, went to IP&B where staff had comments/concerns about the inclusion of staff (as distinct from faculty) in discontinuing programs. Holcroft clarified that district policy specifies communication mechanisms and has goal of communication and transparency, so faculty on IP&B felt comfortable adding "and staff," and adding CAC as a body that would be informed of program discontinuance actions (discussions). There was a question about the role of APM, which includes Foothill and De Anza. APM addresses academic and professional matters and does not include bargaining units. There is still an ongoing question of 'how do we define a program'?

Item 4: Hybrid hours Kimberlee Messina spoke about a conversation regarding 'hybrid' that has occurred in other venues (recent audit by state in particular). Hybrid as an official term has not been implemented at Foothill. The broader issue of hybrid and TBA came up during a prolonged audit (that started last spring). Each college has to pay the auditors who report to the chancellor's office. Foothill's audit began with TBA hours but then moved into hybrid because we report hybrid hours as TBA hours for purposes of apportionment. There was an issue where if contact hours are claimed they need to have a documented method (delivery, instruction,

etc.). We need to document that hours have occurred in a similar manner each way. Need to put in the syllabus that 'faculty are available' and 'on the clock' at that time and that would be 'audit proof'. You need to have a consistent specified time that the faculty is available online.

Confusion/discrepancy about whether hybrid hours could receive apportionment using "Alternative Attendance Accounting Procedure." Messina/auditor indicated hybrids cannot use this method but Holcroft noted that the DE Guidelines from the state specifically say that they can. Most hybrid courses will use the previous method of accounting. Foothill has been using an incorrect method of accounting for hybrid hours. Auditor indicated that activities that are conducted during hybrid hours have to be accounted for in a method that meets the guidelines for measurement.

Students have to do an intensive or legitimate activity, not just 'doing research' or 'doing homework', to be legitimately counted as TBA time. A student 'attending an activity' is not doing instructional work. A comment that we need to have a conversation with an auditor as what an auditor would find as reasonable was made, so we can understand if an activity is instructional, or is it learning, in a TBA hour. The auditors' only job is to interpret title 5. Auditors may not understand what goes on in a TBA hour. There is an auditor's interpretation about what is 'audit proof'. Much of what we were doing with hybrid was not really legitimate definitions under Title 5, so we have some work to do as the modality of hybrid continues to emerge. Hybrid issues are 'curricular' and the scheduling of hybrid is curricular. Hybrid will be agendized for discussion in academic senate this for winter.

Item 5: Committee report out: PaRC - program discontinuance list will be voted on at the 7 December meeting. The list contains only programs that were first listed last spring.

Script was developed by FA to go with the J2 instructions. Please distribute the script to your faculty.

FA is looking for a faculty member who could come and serve on the PAC for FA, anyone who could attend one meeting a quarter. PAC is the Political Action Committee.

For the Good of the Order: Final schedule changed after block scheduling, Scheduling committee may need to be reconvened. Dolores will talk with Shirley about that. We have December 12th as a potential meeting date should an emergency topic come up.

Meeting Adjourned at 4:02 p.m.