

ACADEMIC SENATE ATTENDANCE & MINUTES  
6<sup>th</sup> September 2011

**Adjunct Faculty**

Sue Ellen Warren X  
Leah Pate X

**Behavioral & Social Sciences**

Firestone, Randy  
Gold, Christina X  
Moen, Michelle X  
Widman, Lance X  
Wynne, Michael X

**Business**

Siddiqui, Junaid X  
Lau, Philip S X  
VACANT

**Counseling**

Jackson, Brenda  
Pajo, Christina X  
Sabio, Sabra X  
Vaughn, Dexter X  
Key, Ken

**Fine Arts**

Ahmadpour, Ali X  
Bloomberg, Randall X  
Crossman, Mark X  
Schultz, Patrick X  
Wells, Chris X

**Health Sciences & Athletics**

Hazell, Tom X  
Colunga, Mina X  
VACANT  
VACANT  
VACANT

**Humanities**

Isaacs, Brent X  
Marcoux, Pete X  
McLaughlin, Kate X  
Halonen, Briita X  
Simon, Jenny X

**Industry & Technology**

Gebert, Pat X

Hofmann, Ed X  
MacPherson, Lee X  
Winfree, Merriel X  
Marston, Doug

**Learning Resources Unit**

Striepe, Claudia X  
Ichinaga, Moon X

**Mathematical Sciences**

Bateman, Michael X  
Hamza Hamza X  
Sheynshteyn, Arkadiy X  
Taylor, Susan X  
VACANT

**Natural Sciences**

Doucette, Pete  
Herzig, Chuck  
Jimenez, Miguel X  
Palos Teresa X  
VACANT

**Academic Affairs & SCA**

Arce, Francisco X  
Nishime, Jeanie X  
Lee, Claudia  
Lam, Karen

**ECC CEC Members**

Evans, Jerome  
Norton, Tom X  
Panski, Saul X  
Pratt, Estina X  
Halligan, Chris  
Odanaka, Michael X

**Assoc. Students Org.**

Asher, Rebekka  
VACANT

**Ex- Officio Positions**

Shadish, Elizabeth X

**Guests, Dean's Rep, Visitors:**  
Jean Shenkweiler (Dean's Rep),  
Carolyn Pineda, Irene Graff,

Unless noted otherwise, all page numbers refer to the packet used during the meeting, not the current packet you are reading now.

The first Academic Senate meeting of the Fall 2011 semester was called to order by Academic Senate President Gold at 12:35pm

Dr. Gold asked for quick introductions due to the presence of many new Senators.

#### Approval of last Minutes:

[See pp 5-10 of packet] Mr. Widman, seconded by Mr. Wells, called to approve the minutes of the 7<sup>th</sup> June Academic Senate meeting. The minutes were approved. Dr. Gold asked that, if there were no objections, we would approve the minutes at each meeting after discussion and with (or without) amendments, but would forgo a vote unless there is an objection. If there is an objection, we would have a vote. Dr. Gold will say, "If there is no objection we will approve the minutes/approve the minutes as amended." This was agreed to.

### **REPORTS OF OFFICERS**

#### **Academic Senate President's report – Christina Gold** (henceforth CG)

[See pp 12 - 15 of packet]

- CG noted that there are quite a few Senate vacancies.
  - 1 in Business
  - 3 in Health Sciences and Athletics / Nursing
  - 1 in Math
  - 2 in Natural Sciences

Senators are elected to three year terms, and senior senators take charge of elections for new senators in their Divisions. CG reminded all that the By Laws had been amended to allow for on-line elections, and that she could help interested parties set up a Survey Monkey election.

- CG also noted vacancies on college committees, as below.
  - Enrollment Management
  - Sustainability Committee

The full Committees list is available on pg. 4 of packet, please email CG with inaccuracies and changes. Please email CG if interested in serving on the committees.

- There are no minutes from the last College Council meeting, but CG reported that the Council talked over the Board agenda and discussed the budget.
- Board meetings were held over the summer and CG presented a chart of the actions and accomplishments of the Academic Senate [see pg 11 of packet] CG also sent an informational letter to the Board re: the Study Abroad program [see pg 15 of packet] Dr. Shadish thanked CG for drafting the letter.

#### **VP Compton Center - Saul Panski (SP)**

SP reported that we had all seen the 10 new (5 + 5) Compton faculty presented at Flex Day, and that Compton classes were full, so that things seem well, but then mentioned the disagreement at high levels concerning the MOU and budget issues - -the details of which SP is not privy to.

SP noted that the Academic Senate at Compton feel a commitment to the ECC/CEC partnership and want to see it continue and have communicated this sentiment to as many people as possible. The Compton Academic Senate has asked Special Trustee Dr. Genethia Hudley-Hayes to address the Compton faculty on Thursday, and has asked her to address the matter of ECC's concerns re: the budget. SP noted that the announcement of "the disagreement" announced by Dr. Fallo on Flex Day was as much of a surprise to CEC as ECC, as no-one knew anything was amiss. Compton faculty is confused and worried as to the issues and consequences. Compton faculty have also asked

Chancellor Scott to come and meet with them to explain what the State would do in no agreement between the parties can be reached, and he has agreed to appear on September 27<sup>th</sup>.

**Curriculum Committee – Jenny Simon (JS)**

No report

**VP Educational Policies Committee – Merriel Winfree (MW)**

No report

**VP Faculty Development – Briita Halonen (BH) (Co-VP) and Moon Ichinaga (MI) (Co-VP)**

No report.

**VP Legal – Chris Wells (CW)**

No report.

**VP Finance and Special Projects – Lance Widman (LW)**

[see pp 16-33 of packet] LW reported on the last few Planning and Budgeting Committee meetings.

- pp. 16-18, June 14 PBC Minutes: 2011-2012 Tentative Budget review.
- pp. 19-21, July 7 PBC Minutes: 2011-2012 The Tentative Budget review continued, including discussion of several concerns raised by LW email as part of that review. The concerns include listing of savings in the Blue Book which is to go to the Trustees this Thursday. LW feels the PBC is not the venue for negotiable items, and thus the list of savings items does not belong in the Blue Book. LW also raised the issue of the unexplained discrepancy between quoted Reserves/Ending Balance and the actual figures. LW asked for an explanation of the very significant difference in numbers.
- pp. 22-24, August 4 PBC Minutes: 2011-2012 Tentative Budget review, and a report presentation of a 2-year comparison of FTES and class sections offered, which delivered some good information..
- pp. 25-27, Written response by VP Higdon to 4 recommendations made by PBC to Pres. Fallo:
  - 1. Reduce the General Fund contribution to the Workers' Comp. Fund by \$200,000. Rejected.
  - 2. Reduce the General Fund contribution to the Dental Fund by \$500,000. Accepted, but instead of going into the contingency fund as recommended, all \$500,000 was dedicated to the Child Development Center, Language Academy, and the Parking funds. Net "savings"? Zero.
  - 3. Any unexpended Fund 15 monies should not be transferred to GASB. Rejected.
  - 4. The \$900,000 in the 2011-2012 Tentative Budget for GASB to be moved into contingency fund. Rejected.
- pp. 28-31, August 18 PBC Minutes: LW suggested that these are THE Minutes to focus on, as they feature Pres. Fallo's presentation/discussion of the proposed 2011-2012 Final Budget.
- pp. 32-33, AS statement concerning budget ending balances (reserves) over several years, still under discussion by PBC.

LW reminded the Senate that the budget drives everything we do.

Mr. Wells asked if the Blue Book was going to the Board on Thursday. LW said yes, and said all were welcome to come to the meeting to express concerns.

Mr. wells had a further query regarding pg 17 of packet #12 mention of the Academic Senate.

LW answered that the statement had been inaccurate and thus was removed, but the issue may be revisited later.

LW then referred the Senators to the handout headed Fund14, noting that ECC receives \$4 million from the Sate. \$1million goes to Fund 14, dedicated to covering ECC costs related to

administering the partnership [see pg. 75 of the Blue Book]. \$3million goes to Fund 15, a “no strings attached” fund [see pg 12 of packets or pg 76 of Blue Book] and has been used to backfill categorical programs cut by the State.

LW amended the \$4million figure to \$4 and ½ million, noting that the Compton Educational Center also gives ECC an additional ½ million. No accounting on these sums is available as that is not required by the partnership and thus no one has details on how the monies are being spent. If the partnership were not to continue ECC would be facing an economic hit.

Ms. Taylor asked if it would be appropriate to send a resolution to the Board on the matter. LW felt it would be better to await further developments, noting that the PBC had tried to get details on the issue.

Mr. Ahmadapour asked to have Ms. Shadish speak as he felt there is a correlation between negotiations and the budget.

## **SPECIAL COMMITTEE AND OTHER REPORTS**

### **ECC FEDERATION OF TEACHERS – Elizabeth Shadish (ES)**

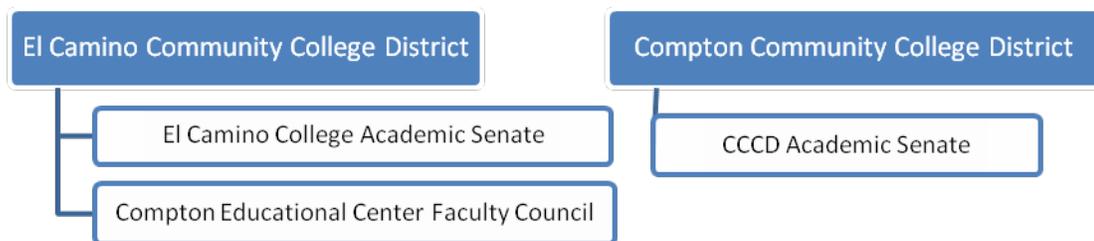
ES agreed that financial issues are a large sticking point in the negotiations. The negotiations have experienced a lot of refusals of proposals, especially in the health benefits area where the District seems to want some take-aways. ES reported that negotiations are at impasse, mediation has failed and the process is now in the fact-finding stage. The negotiating team is using the help of the CFT (California Federation of Teachers). There is to be a meeting on October 5<sup>th</sup> and ES and Mr. D. Brown will be presenting the issues. ES mentioned that the Federation would like to formalize its relationship with the Academic Senate. Mr. Widman and Mr. D’Amico had crafted the original agreement but it needs updating.

ES mentioned that Mr. Firestone had wanted to make an announcement, but was not present to do so.

Mr. Ahmadapour asked whether a general meeting could be called to discuss issues as he feels we are not hearing enough about the negotiations. ES said she would try and set up such a meeting.

## **SPECIAL BUSINESS**

### **ECC/CEC PARTNERSHIP**



CG asked that the discussion be limited as Irene Graf of Institutional Research had an informational item to address.

CG noted as background that the El Camino Community College District has an Academic Senate and that the Compton Educational Center has a CEC Faculty Council that attends the ECC Academic Senate meetings. The Compton Community College District also has an Academic Senate for that District. [See slide above]

### **Timeline of the Current Situation:**

[See packet]

p. 34 CCCD Academic Senate Resolution calling for careful planning and budgeting processes and transparency / collegial consultation.

p. 35-36 CCCD Senate draft letter to the Chancellor - -Mr. Panski reported that this draft was never sent.

p. 37-38 CCCD finalized letter to the Chancellor - -this letter was sent.

p. 39 Letter from Fallo to CEC faculty describing developments. Mr. Panski said that this letter was given to CEC faculty on the Fall semester Flex Day.

- p. 40 Draft letter from ECC Academic Senate to President Fallo and Special Trustee Hudley-Hayes detailing all the work already done and calling for the perpetuation of the partnership.

Handout – Funds 14 & 15 from proposed 2011-12 Budget

CG noted that the Compton Senate had acted proactively in this matter and felt the ECC Academic Senate should follow suit.

Ann Garten was present to speak on behalf of Dr. Fallo, and shared Dr. Fallo's regrets that he could not be at the meeting. Ms. Garten drew attention to the letter [see pg. 39 of packet] from President Fallo to the Compton Educational Center faculty of August 25<sup>th</sup>, noting that the agreement mentioned in the 2<sup>nd</sup> paragraph of the letter refers to the agreement that is available on the College web page. Ms. Garten mentioned meetings and discussions with Mr. Thomas Henry who had authored AB 318 as a possible participant in future negotiations. Dr. Fallo raised objections based on certain budget issues, and these have been expanded to include some structural issues. It was felt that with the benefit of time and experience AB 318 could need some updating. President Fallo asked that the faculty continue to focus on student success.

CG opened the floor to discussion and questions.

Mr. Wells asked why the accreditation report had made no mention of these issues. Mr. Panski replied that the Accreditation report had recently been edited to add these concerns. Dr. Nishime noted that the accreditation report had at first been written on the conservative side to safeguard ECC accreditation, but Dr. Fallo had now advised to be more open about issues.

Ms. Taylor asked about the clause "remain until the transfer is successfully completed". Mr. Panski said there was a discrepancy between AB318 and the MOU. The MOU had included an "escape clause" that would allow ECC to walk away. AB 318 did not have this provision included, and states that a partner must be found. This would be legally binding. CEC finds this comforting, but is not sure in another partner can easily be found and so is in favour of the existing partners working it out and coming to an amicable resolution. A new MOU is being worked on, but no one has seen any details as yet.

Ms. Garten assured all that no students would be left hanging, and the President Fallo felt the situation was optimistic.

Mr. Wells asked about the timeline. Mr. Marcoux noted it would be 90 days as stipulated. Ms. Garten clarified that the Chancellor would have 90 days to come to a resolution, and then any processes would begin.

Ms. Colunga noted that some letters were dated from June and asked why we had to wait until Flex Day in August to hear about the issue. Ms. Garten replied that there had been hopes that the Chancellor could resolve the problems early.

Ms. Bailey felt that the Senate could not respond meaningfully as we did not clearly know what the issues were.

Mr. Widman agreed, noting however the last paragraph of the Draft letter [see pg.35 of packet] implied that it was largely budget issues, but that there was no real listing of the issues. Mr. Panski mentioned that the increased fees and the failure of the budget to meet the 50% law might be issues as well. The Compton PBC also had concerns with these issues.

Mr. Odanaka noted that the Draft letter was, in the opinion of many, better than the letter that was eventually sent, and felt it would be helpful for the ECC Academic Senate to send a letter of concern and support to Chancellor Scott. Mr. Scott is a key person to bridge the gap.

Ms. Taylor asked if 50% is not spent on the classes, what is the amount?

Mr. Panski noted it was closer to 46%, but these were figures for 2011-2012. No figures for 2010-2011 were available as yet. Mr. Panski said that Compton consistently failed to make the 50% law, always claiming extenuating circumstances.

Mr. Crossman noted that President Fallo had not come to the Academic Senate and run these issues by us nor asked for our support. Mr. Crossman felt it important to keep this history in mind as being part of a consistent lack of transparency. Mr. Crossman noted that as we are only working from conjecture, there seemed little point in drafting a Resolution.

Mr. Marcoux had a question about legal fees. Mr. Panski noted that these would be reduced this year, noting that the current Special Trustee had used certain of the funds.

Mr. Ahmadapour said he heard a lack of shared governance and asked why we did not share funds for legal fees, or get a clear reckoning of how much money is spent on legal fees. He asked if he was the only angry senate member to feel this way?

Mr. Wells said that Compton was a true community college with active local support, and asked if these outside groups and influences were impacting the decisions.

Mr. Panski said that the concerned Citizens activists were critical of the current Special Trustee and were expected to be voicing their opinions soon, but that the Special Trustee also had powerful political connections and could be expected to use them.

Dr. Arce noted that personnel matters are confidential and that is why President Fallo has been so cautious. He noted that the Administration must move carefully and cautioned against moving too quickly. Dr. Arce noted that the Administration has hopes of a resolution and asked for patience.

Mr. Widman made a move to approve the letter as an emergency item.

Dr. Nishime said that she felt a letter might undermine President Fallo's leverage, so she advised against it.

Ms. Taylor said that if Dr. Fallo were more transparent we might be persuaded to take a different strategy, but we were not in the know.

Ms. Garten noted that the issues were not ones of personality, but rather budget and structural issues, and that a new agreement was needed. It was hoped Mr. Henry would be an objective third party to structure a new agreement. Ms. Taylor agreed with that analysis, but felt a letter would not undermine President Fallo's position.

CG said that she had written the letter, and noted she had been thinking of President Fallo's advice to focus on student success and felt the purview of the Academic Senate was exactly that - -Academics., and noted we have seen progress in that area. CG continued to say that a lot of professional effort has been put into the partnership and that the partnership was showing some gains. The letter supports these gains.

Mr. Wells felt that the matter was deserving of more attention than the time allowed. He felt we should call a special meeting and not rush matters. Mr. Ahmadapour and Mr. Crossman agreed that more talk was needed.

Mr. Widman said that the purview of the Academic Senate is academics, and that he felt there were no problems in urging reconciliation.

Ms. Taylor asked of the possible consequences of delaying sending the letter. It was noted we would then miss the September 13<sup>th</sup> deadline. Ms. Colunga asked how much more information on the issues we would get if we delayed?

Dr. Arce noted that negotiations are delicate at State level and repeated that president Fallo was being careful. Dr. Arce noted that President Fallo would be appreciative of the verbalized support given by the Academic Senate, and he believed we are on the right path to resolve the issue.

A motion was made to approve the letter as written. A vote was taken and the ayes took the majority. Senate president Gold thanked Ann Garten and Dr. Arce for their contributions.

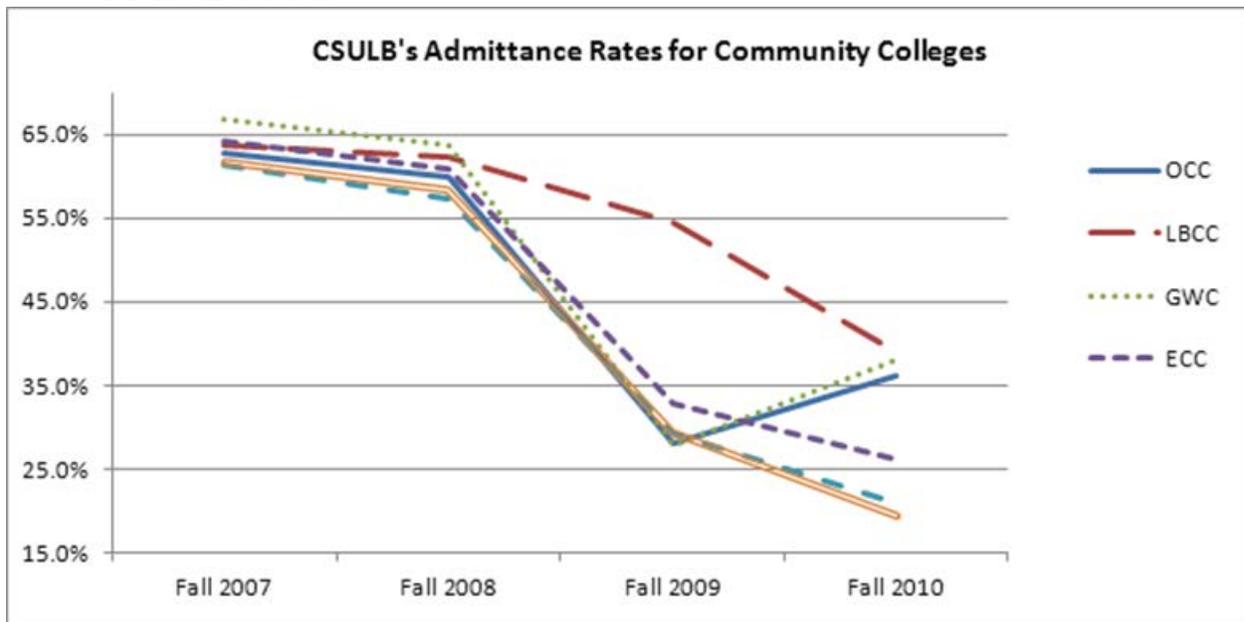
### **INFORMATIONAL ITEMS FOR FUTURE MEETINGS**

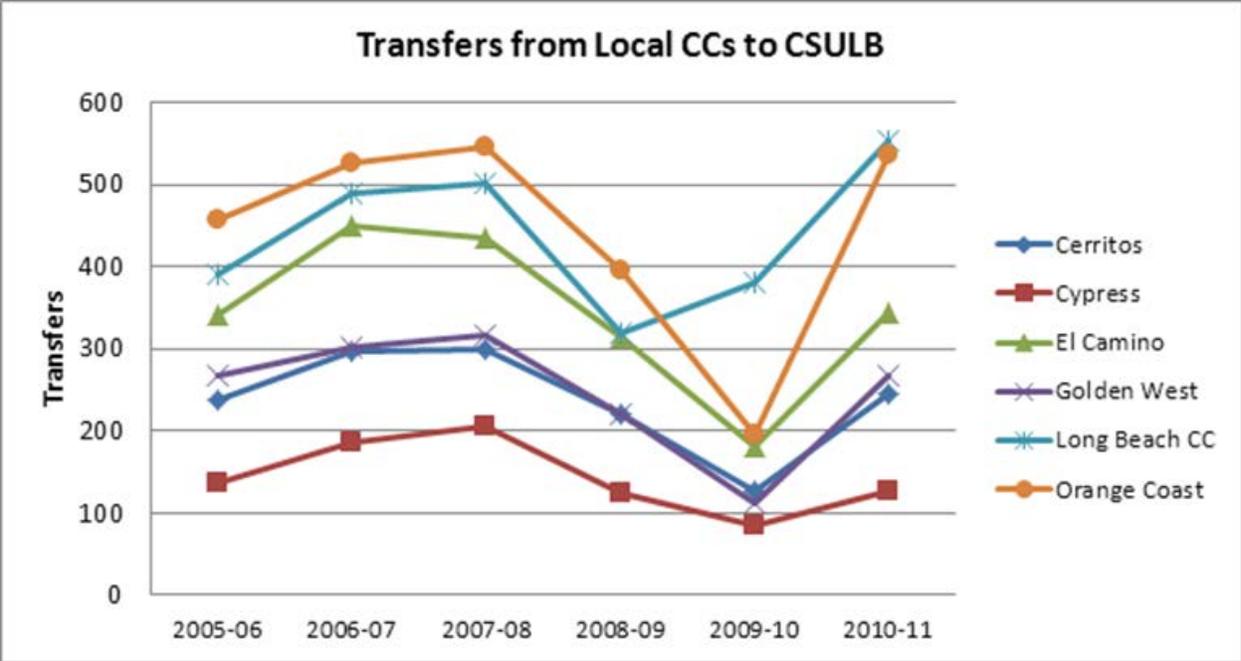
Irene Graff was scheduled to speak, but time did not permit and she graciously agreed to return at Dr. Gold's request. Attached for future information are the slides Ms. Graff will address.

#### **CSULB Local Service Areas**

##### **Impact on ECC Transfers**

- p. 41 Updated comparison of local transfers to CSULB
- p. 42-43 Listing of ECC transfers to CSU and UCs (note the increase of transfers to UCs at ECC)
- p. 44-50 Letters to and from CSU Chancellor Reed asking for and denying ECC local service area status.





**PUBLIC COMMENT**

None

**ADJOURN**

The meeting adjourned at 2:01pm.

Cs/ecc2011