

**Adjunct (1 Year)**

- Josh Casper  
 Karl Striepe

**Behavioral & Social Sciences**

- Stacey Allen  
 John Baranski  
 Kristie Daniel-DiGregorio  
 Renee Galbavy  
 Michael Wynne

**Business**

- Kurt Hull  
 Phillip Lau  
 Josh Troesh

**Compton College**

- Amber Gillis  
 Jesse Mills

**Counseling**

- Seranda Bray  
 Anna Brochet  
 Rocio Diaz

**Fine Arts**

- Ali Ahmadpour  
 Joseph Evans  
 Joe Hardesty  
 Russell McMillin  
 Chris Wells

**Health Sciences & Athletics**

- Andrew Alvillar  
 Traci Granger  
 Yuko Kawasaki  
 Colleen McFaul  
 Russell Serr

**Humanities**

- Sean Donnell  
 Ashley Gallagher  
 Pete Marcoux  
 Anna Mavromati  
 Christina Nagao

**Industry & Technology**

- Charlene Brewer-Smith  
 Ross Durand  
 Dylan Meek  
 Renee Newell  
 Jack Selph

**Library Learning Resources**

- Analu Josephides  
 Mary McMillan  
 Claudia Striepe

**Mathematical Sciences**

- Dominic Fanelli  
 Lars Kjeseth  
 Le Gui  
 Catherine Schult-Roman  
 Oscar Villareal

**Natural Sciences**

- Darcie Descalzo  
 Sara Di Fiori  
 Troy Moore  
 Shanna Potter  
 Ann Valle

**President/Superintendent**

- Dena Maloney

**Academic Affairs & SCA**

- Linda Clowers  
 Ross Miyashiro  
 Jean Shankweiler

**Assoc. Students Org.**

- Wiley Wilson

**ECC Federation**

- Carolee Vakil-Jessop

**Curriculum Chair**

- Janet Young

**Institutional Research**

- Carolyn Pineda

**Dean's Reps/Guests/Other Officers:**

- Debra Breckheimer

**Excused:** J. Casper, R. Galbavy, J. Mills, C. Wells,  
 D. Meek, L. Kjeseth

November 20, 2018

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

## **A. CALL TO ORDER**

Senate President Kristie Daniel-DiGregorio called the sixth Academic Senate meeting of the fall 2018 semester to order on November 20, 2018 at 12:30 p.m.

## **B. APPROVAL OF MINUTES**

See pgs. 6-16 of the packet for minutes from the November 6 meeting. D. McClelland moved, Y. Kawasaki seconded, and there was unanimous approval of minutes.

This brings us to the portion of our program where we introduce our division personnel. Today we are fortunate to have Debra Breckheimer, our Dean of Humanities. We are inviting her to come up and say a little bit about herself. D. Breckheimer: I think most of you know, I am Deb Breckheimer, I have been here since the 90's. I taught composition for many years. I was hired as the Dean of Humanities in July after a yearlong stint as the interim Dean. Exciting times in the Humanities division for all kinds of reasons. Mainly, as most of you have already heard the scuttle, we are changing a lot of the curriculum because of AB 705. Which is affecting our basic skills courses. Hopefully, it will help our students get through El Camino at a much higher and faster rate. We hope to increase success levels. We have all sorts of curriculum changes. We are super proud of the faculty development. It is led by faculty, which is exciting. It is culturally responsive teaching. It is getting the Math and English folks to work together. Counseling is also involved and we just had a Saturday event. I have been here for a very long time and one of the really positive things I am proud to be a part of is that all the different areas on campus are getting to work together. Which is a really good thing for our students. Thank you.

## **C. OFFICER REPORTS**

### **a. President – Kristie Daniel-DiGregorio (pgs. 17-21)**

Just a reminder, our December 11<sup>th</sup> senate meeting has been confirmed. In the interest of time, one of the things I do occasionally is provide you with the President's Report that starts on page 17 of your packet. Just trying to hit some of the highlights. In the President's Report you have a link from our Fall Plenary resolutions from the statewide senate. You have a list of approved positions for hiring for Fall 2019. You may remember last meeting I let you know that we are going to be evaluating the collegial consultation process. That is the Making Decisions document which we reviewed at our orientation which is also in our Senate handbook. It guides decision making on our campus. Pages 19 & 20 is where I have given you the evaluation tool which was used last time. If you have any suggestions for changes that we should make to that tool, send me an email. College Council is helping oversee this evaluation process. I have given you a summary or overview of our other news on campus. News from Facilities, thanks to Claudia Striepe for being our Senate representative to the Facilities committee. News from Compton, including information about the housing and food scarcities conference that is coming up. And just a thank you to all of our colleagues for serving and those who have agreed to serve on committees on our campus. Thanks to Rocio Diaz, page 21 gives her FACCC corner. Occasionally she is going to give us information to make sure folks are staying informed of what's happening with FACCC. Thanks to Rocio for her representation and communication, we appreciate that!

Also as part of my report I want to say thank you and recognize our campus leaders and the Foundation for stepping in so quickly to help support our colleagues who were affected by the wildfire. I wanted to be sure that this body knew that one of our senators lost everything. She and her husband, Renee Galbavy, one of our senators from Behavioral &

Social Sciences. If you have a look at the email from the Foundation, you will see the before and after pictures, which are staggering! It is unfathomable what they are going through. They are really strong and have a great attitude. They are so grateful for the help. If you have social networks please post this information to just to get the word out. It is so appreciated because in the fire areas some families can't get insurance to cover their costs. So every bit helps. Thank you to the community for coming together so quickly!

**b. VP Compton College – Amber Gillis**

I will submit a table that will have a summary because there is a lot of information.

**c. Chair, Curriculum – Janet Young**

KDD: Janet had a conflict for today's meeting, she may be joining us later. The curriculum minutes are posted online.

**d. VP Educational Policies –Darcie McClelland**

KDD: We will hear more from her later. Ed Policy minutes are available online.

**e. VP Faculty Development – Stacey Allen (pgs. 22-23)**

I have 3 quick announcements. Number 1, you have one more chance to attend an Informed and Inspired session at the end of this month. Next Thursday, *Learning Across the Curriculum: Diverse and Inclusive Cross-Curricular Course Content and Student Engagement*. Our presenter is Elice Hennessee. We hope you will join us for that. Second, next Friday is our *Getting the Job Workshop: Part 1, The Job Application Process*. We hope you will encourage our adjunct faculty members in your department or division to attend. We have a fantastic panel lined up with some great resources. Just a really great opportunity for our adjuncts to learn the in's and out's of how to secure a full time position. The third announcement is that at our next Senate meeting we will be recognizing our Outstanding Adjunct Faculty Award. One of our fellow senators, Ali Ahmadpour, and his colleagues in the Art department nominated Elizabeth Russell. So she was selected as the Outstanding Adjunct Faculty for this year. So that is on Tuesday, December 4<sup>th</sup> here, at our Senate meeting.

**f. VP Finance – Josh Troesh**

J. Troesh: The last couple of meetings have been things that will come to the Senate anyway. Just different parts of the consultation process.

**g. VP Academic Technology – Pete Marcoux (pgs. 24-28)**

KDD: Pete won't be able to join us. But there are the minutes in the packet on pages 24-28. He has been keeping us informed about the many things going on with the Academic Technology Committee.

**h. VP Instructional Effectiveness/ALC/SLO's Update – R. Serr (pgs. 29-30)**

Not much this time, just a couple of workshops coming up. There are flyers in the packet. One is December 5<sup>th</sup>, for entering your SLO assessments. If you bring your data to that workshop, it is a working workshop. Also if there are some new faculty that want to see how Nuventive works, they are more than welcome to come also. The other workshop is for people who have completed their Program Review this year. Next Tuesday, that is also a working workshop. You can put portions of your Program Review into Nuventive. IR will have a little session on how it works with program planning. The flyers are in the packet.

**D. SPECIAL COMMITTEE REPORTS**

### **Dr. Jean Shankweiler - VP of Academic Affairs**

I think I am doing the same things I did at the last meeting, AB 705, Guided Pathways, Faculty hiring, and Curriculum. Janet just walked in so I will take her thunder. I went to the Regional Curriculum Institute that is put on by the statewide Academic Senate on Saturday. So Janet, I, Lavonne, Jenny Simon, and Linda Clowers were all there. A lot of things from the Chancellor's Office. Compton had five people there as well. I got confirmation that El Camino can continue to offer a Chemistry placement test. And I am ready for the end of the semester.

### **Ross Miyashiro – VP of Student Services**

I will yield my time until later.

## **E. UNFINISHED BUSINESS**

### **Proposed Change to Astronomy Minimum Qualifications: 2<sup>nd</sup> Reading – Shimonee Kadakia (pg. 31)**

KDD: I need a motion to approve because we are going to vote on this today. J. Young motioned, C. Striepe seconded. This is the second time to see this. Last time we heard from Shimonee from Astronomy, some of the justifications for why they want to make these changes. For a quick review, it has come through the Astronomy department. That is what you have here on page 31. Just confirmation that any department that may be affected, whether it is Physics or Astronomy. They are all on board with this particular change. Essentially what we are doing is moving from the local minimum qualifications, which set the bar a little bit higher than the state MQs, evidently a little too high. Because of the scarcity of Astronomy degrees, the department wants to change the MQ's so that it reflects what is in the Chancellor's Office MQ's. Remember, every department has that opportunity. At the very least, we have to adopt MQ's that have been adopted by the Chancellors Office through the collegial consultation process. We can set our MQ's higher, we just can't set them lower than the Chancellors Office. If you have a look at the bottom of that page, the only changes here are that we are saying we are adding a Masters in Physics, Astronomy or Astrophysics. Physics should be underlined. Or a Bachelors in Physics or Astronomy. And a Masters in Math, Geophysics, Engineering or Meteorology. That was another addition, we didn't have Meteorology called out in the local MQ's. Just some minor changes so we can have a more robust search for part time faculty. Any questions or feedback for Shimonee? M. McMillan: One of the students wrote an article in the student union. I think it is going to be important to communicate with students that we aren't lowering the qualifications. We are adding two options. I read the article and I know it was written by students. But it said they were lowering the requirements for the program. We need to say we are broadening the requirements. S. Kadikia: I didn't know what was going in the newspaper. C. Brewer-Smith: I want to clarify this. You said any department can do this? KDD: I didn't describe the whole process. It starts at the department. It goes through Ed Policies. Then it comes to the Senate for two readings. I am ready to call for the question. All those in favor of approving the changes in the MQ's for Astronomy. All were in agreement, the changes pass. Thank you Shimonee for your time and giving us the background. Just a reminder, the link to our MQ's for the Chancellors Office and our local MQ's are available on the Academic Affairs website.

### **BP/AP 4226 Multiple and Overlapping Enrollments: 2<sup>nd</sup> Reading – Darcie McClelland (pgs. 32-34)**

KDD: These pages reflect changes that were discussed last meeting. Darcie is going to walk us through this. Because we are going to vote on this, I need a motion to approve. R. Diaz motioned, S. Di Fiori seconded. D. McClelland: I think the one major change that was made since our last reading was that it was pointed out to us, if you look at the CCLC template, it says that there has to be a policy for students to get exceptions for this written into the AP. If you look at the AP, which is on page 33 of the packet, it says that "Students may request an exception to this procedure only if the following conditions are met. The student provides a valid justification, other than scheduling convenience, of the need for an overlapping schedule. AND The registrar approves the schedule. AND The student makes up the overlapping

hours at some other time during the same week under the supervision of the instructor of the course.” That was the one major change. KDD: Can we put the ands after the bullets? Maybe on the same line? Maybe a comma and semicolon? Feel free to correct me, English faculty. D. McClelland: Got it. Any questions or concerns? KDD: Those exceptions are only going to happen under extreme circumstances. Obviously, a student has to meet all 3 conditions. We are assuming the registrar is going to address concerns about part-timers. This is an equity issue and we can’t require part-time faculty to make up time for the student missing. R. Miyashiro: The registrar will do this unilaterally. The registrar looks to see if the class is offered at any other time. If the class is offered at any other time, it is automatically denied. If the faculty member is a part-timer, it is automatically denied. Those are things that the registrar already knows. KDD: In the instances where we do have people in the major who need that one last class, the deans have the discretion to move time frames for classes to be able to accommodate that student. That is another potential out. R. Miyashiro: They also have the authority to substitute appropriate coursework. I am making some assumptions. If it is like every other place where I have worked. KDD: Would that affect articulation? R. Miyashiro: No. A. Brochet: That is true for local degrees. But AST’s are much harder to get substitutions. KDD: Then the major requirements would also be pretty inflexible for transfer. The articulation, even if it’s not for a degree, right? R. Miyashiro: The ADT would not be flexible. A. Brochet: The major requirements for local degrees; there is actually a form that deans can fill it out for substitutions to be approved. Some of the classes haven’t been offered on this campus for many semesters, for local degrees. KDD: Local degrees requirements only. But for major prep for Associate degrees for transfer, those are going to be less flexible. Any other questions or comments? We are hoping this goes through this time. Ready to call for the question? All those in favor of approving? This is great, it has passed!

#### **AP 3050 Institutional Code of Ethics: 2<sup>nd</sup> Reading – K. Daniel-DiGregorio & Darcie McClelland (pgs. 35-39)**

KDD: This is our second reading. I need a motion to approve. D. McClelland motioned, S. Bray seconded. We can now discuss. In just a minute I am going to have Darcie walk you through this. Thanks to all of you who provided some feedback at our last meeting. Our conversation continued on after folks had to leave. We are going to review those changes in just a minute. You also have at your table, pages 129 and 130 from our contract. The ECCFT agreement. In particular what is relevant is Section 14. That is the portion of our contract that would come into play when we get to consequences in AP 3050. I just wanted you to have this for reference. I meant to include it in the packet, my apologies. Just a little bit of background, I know we were missing some of our senators at the last meeting. I want to review the background on what brought us to this particular point. Accreditation requires a written Ethics Policy, specifically we have to have a written code of professional ethics for all personnel, including consequences for violation. The thing is, the CCLC Template leaves it pretty broad as to what we do as an institution. So essentially the guidance that we receive from the CCLC template, that usually guides us frame our language for BP’s and AP’s says, “local practice may be inserted here.” In terms of the consultation process, you may remember if you were on Senate in the spring, BP 3050 came to the Senate. The Senate asked the task force to go back to revise the BP. The task force decided that the AP was more appropriate and that is what is legally required, not a BP. So the task force developed a new AP 3050. This semester it has been reviewed and approved by our Ed Policies Committee which is a subcommittee of the Senate. And also the Council of Deans. We have some members of the task force here today. In particular I am interested in faculty members’ perspectives. I would like for them to give us a little bit of information about how this AP was developed and what the process was. You can see the members of the Ethics Task Force. I have bolded the folks who are current senators. There are a total of 5 of the 12 task force members who are faculty who were working on this. Is there someone from the task force who would like to tell us a little bit about the process of developing? How the task force worked on this? Randy Firestone, a former senator, from Philosophy.

R. Firestone: I was in what you could call the first go-around. I was asked to be on the committee. There were quite a few people on the committee. I thought the committee did great and everything went smoothly. First we were supplied a bunch of ethics codes from other schools that they already have. We looked at all those on our own, then we

came back and discussed it. We found the one that we thought was the best one and used it as our model. We went line-by-line and said what we did like and what didn't we like and wanted to change. Most people seemed to speak because it was a big committee and I was impressed by the quality of comments. People were thoughtful and had a lot to say. Is Troy here right now? KDD: No. R. Firestone: I had never met Troy before. But I understand that he was the one who wasn't happy with it. I was a little bit shocked to find out that Troy was unhappy for a few reasons. It seemed like everyone agreed, and I didn't know that anyone was unhappy. With a big group we had a lot of ideas. You know I am also an attorney, as well as a Philosophy professor. I always look at things from an attorney viewpoint. They didn't always agree with me, but I didn't take it personally. I thought it was a good group and had a lot of feedback. I thought Troy spoke the most of anybody in the group and he had a lot of good things to say. If you had asked me afterwards, who had the most input to our final product, I would actually say Troy. I thought we accepted a lot of what he had to say. I was very surprised. We did a first reading and we didn't finish everything, so we had to come back so we could finish. We had to come back it was several weeks later to finish up. Troy did not come to the second meeting and say he was unhappy with what we had done at the first. Nor did he propose any alternative. I personally find it a little puzzling that someone would after the fact, after we had all agreed to it. It seemed to be all agreeable.

I want to make a couple of other observations for what it is worth. I think the concern with this is much ado about nothing, to be very honest. We have to come up with some ethics code, and what we came up with is a bunch of general statements. Personally, I don't think it does much, but we have to do it. If you actually look at the code, it basically says don't lie, don't deceive, do not discriminate. It seems like any ethics code you say those things. If you look at paragraph 3 on page 36, it says, "Address issues and work with people without prejudice and therefore refrain from discriminating unjustly against or in favor of any student or employee." (That means don't discriminate). "Accurately represent college goals, services, programs, and policies." (That means don't lie) "Accurately represent their experience and credentials, competencies, and limitations to all concerned." (Don't lie) "Avoid knowingly making false or malicious statements about colleagues." (Don't lie) You shouldn't be doing these things. If you look at what we do to enforce it, it could not be more vague. Look at Consequences of Violations at the end. It says, "Conduct that is in direct violation of this procedure may be subject to disciplinary action in accordance with applicable regulations, board policies, administrative procedures, working conditions, manuals, and collective bargaining agreements." Basically what its saying is refer to something else. I don't know how this can be controversial. I want to make a point. Our job when we come up with an ethics code, is not to make it impossible to find fault with the teacher. That is not our job. It does a disservice to have teachers that can't do their job. Troy represented the Union. I like a lot of what he had to say. It seemed to me the Union's position is not to say that no one can ever be terminated from their job, it is to represent all of us. It doesn't help your department to have people who aren't doing their job. I want to say 2 more comments if I could. The first comment is that I read a couple of the emails he sent and personally I was a little concerned. His emails seems to acknowledge the union contract takes precedent. Second of all, he said that we came up with something that spells of no consequences. So that is true, why are you worried about it? That didn't make any sense to me. Then there was a very disturbing letter from Sara that basically said "Troy I am very disturbed that we are violating the mandate." I was trying to see how we could violate the mandate. By the way, we have the same code that a bunch of other schools already have. A bunch of general claims about don't lie or deceit. How does that violate any mandate? I am shocked that there is any disagreement with any issue. We had many opportunities to voice our opinions. He made some good points, but you don't get your way in everything. That is the way a big group is, we don't always get our way. I felt great about the process and the integrity. I will say that Vice President Shankweiler did a great a wonderful job of letting everyone have their opinions and really only moving on when we had agreed to something. That is my feel for everything.

KDD: Thank you for your input about the process. Does anyone else from the task force want to add to that process? A. Brocket: When we first read this in the Senate in the Spring I think the main concern that I can remember was that it was too broad. So that was problematic. What we were tasked with over the summer was to try to be a little more

specific without being too specific. I think we looked at examples to start with. I think we felt pretty good about the one that we picked. We tailored it to our campus. I didn't hear any objections, we were collegial, and we respected each other's input. I agree that it was a good working group. I wanted to echo the feeling that Professor Firestone mentioned. If we weren't in agreement, we wouldn't have sent it to the Senate to hash out here. After we met twice, Dr. Shankweiler provided us with a copy over email for any more edits. To confirm we were OK and then we pushed it forward. KDD: Thank you for your comment. In terms of writing this document, that is not the job of the Senate. The task force advanced it thinking that this was a document that would be able to go through the collegial consultation process. To be clear, this body is going to take a vote today. We are not here to substantially re-write AP 3050, that is not our role. We would be undermining the collegial consultation process. We do have the option to reject this and send it back to the task force. But that seriously undermines the collegial consultation process. I will leave it at that. S. Di Fiori: I appreciate the explanation. I don't understand the tone. I didn't realize my personal emails were shared. I don't think we were fully understood. This doesn't necessarily mean he is a villain. My concern with the mandate is the tone. This is an emotional thing. I have never seen everyone turn on each other. That is my concern with the ethics policy. It's not aspirational, it feels punitive. Rio Hondo uses the ethics policy to aspire. J. Shankweiler: The first one we brought was very aspirational and general and that was rejected. So this is what we came back with. KDD: It seemed to be too broad. Anna's comments made me think about Goldilocks, this is too hard, this is too soft. We are trying to get it just right. (Laughter.) S. Di Fiori: That is the beauty of being in consultation. Sometimes it takes more back and forth to get the content right. I read this, and the last time it came back I wondered if I was in violation of that? Half joking. How many people looked at this, thinking, "Wow, if hypothetically you worked for someone who enjoyed tattle-tailing to people above you, would this happen?" Would you want to give this kind of document to those 1 or 2 people? It seems like there is a lot of room for attacking each other. I thought the ethics policy was what we believed in, and contributed to being excited about working here. Not how to get ourselves in trouble.

T. Moore: I am Troy, I didn't try to start a fight, I promise. I don't think the policy is terrible, I think it has some problems. The first thing to understand is that I have two very different roles. On the committee I was part of the Union delegation representing all faculty. I very much do agree, we reached a compromise. I was comfortable with that. If we passed it as is, it would be perfectly functional. I don't think it would be unfair. My obligations as a senator are a bit different. I have to balance the desires of Natural Science constituents a bit more. If you think of me as two people, it makes a lot more sense. The input I was getting from my department is a lot of what has been expressed in this room. I have narrowed my focus on one part of it, the consequences portion. This was discussed, I did bring it up in the committee and we compromised it down to what it is now. Right now we are backed by the faculty contract. Mine is a small but very technical issue. There are some ethical standards in this policy that would not naturally fit under the umbrella of the faculty contract. You end up with a grievance process. Reasonable people can disagree, that is the point. Both positions are OK. I don't have a strong personal attachment to this. I do believe in this policy as a whole. I don't think it was created in an unfair way. My concerns are valid and need to be discussed. My concern at this point is narrowing that consequences section down such that it explicitly states, "faculty consequences are going to be under the umbrella of the contract." Because disciplinary procedures should be negotiated. So we don't want to write a bad policy that creates a conflict. If you think that is too technical, I get that, it's fair. I didn't mean to start a fight over it. I apologize. I don't hold any ill-will. Just so we are clear on that point, I have had a lot of feedback from my department and division. Please do what you think is right. I think there are easier paths. We do need to get somewhere and it is going to be uncomfortable for everyone. I think that modifying the consequences just to make the laser focus more implicit. It will be following this protocol in the contract, outlining what those consequences are, and making sure they are innocuous enough so that if you were to be slapped with them you would be OK with it. This is not a punitive policy. This is a check box for accreditation and it is a statement of our values. Personally, I have other issues. I think if we focus on consequences, we can preserve faculty protections and it would be agreeable to everyone. KDD: Thank you Troy. We didn't get to the other message I wanted to convey today. We want to make sure that we are following how we have said as a college that we are going to make decisions. That includes inclusiveness and communication. Troy,

you and I have had several conversations and I appreciate your perspective. I appreciate the thought that you have put into your perspective. I want to say that I hope the Senate is a place where we can agree to disagree. People shouldn't feel like they are attacked. That is not the intent. I do appreciate the energy that you are putting into this. Thank you.

R. Firestone: I agree Troy, with what you have said. I guess what I am missing here is in consequences with violations it says in accordance with. It implies to everyone, not just teachers. It does say collective bargaining agreements. We have to keep in mind this is a general policy. The union contracts are going to change each time it gets negotiated. We don't know how it is going to change. We can't parallel this, we can say consequences will be in accordance with the collective bargaining agreement. Your concern, it seems to me, is already answered. The consequences say we are going to follow the collective bargaining agreement. I am missing what your concern is. T. Moore: Some of the standards we have outlined would not be enforceable under a collective bargaining agreement. That would violate the spirit of accreditation. This is a policy that is supposed to have consequences. The second issue is that we completely sidestep this whole issue of what's in the contract, what's going to conflict whatever. If this falls under the existing disciplinary structure in the contract, that would allay a lot of fears of irrationally asking, "Can I get fired for this?" There is another gray area. This has to obey the contracts. What if a faculty member is being evaluated and the dean is of an opinion that they violated this ethical policy and wrote that into their evaluation. That would immediately trigger a grievance. J. Troesh: Most of this is don't be an "A-Hole", that is the summary. The comment I had last time is to make sure we have an out, if we are forced to do things, etc. etc. But other one I still have concern with is item #6, avoiding conflicts of interest. It says strive for, page 36, E6. The concepts of conflicts of interest are so broad. Attorneys take conflicts of interest very seriously. Conflicts checks are ridiculously important. We have numerous conflicts of interest as faculty. I'm not sure we want to eliminate them. If you get paid to review a textbook, then you recommend that textbook, there is a financial conflict of interest. We don't want to assert something where no faculty can ever review a textbook. That one area is my one concern. KDD: Do you have a suggestion in terms of language? J. Troesh: Strive to minimize unreasonable conflicts of interest. KDD: Unreasonable is so subjective. This whole thing is subjective. T. Moore: That is exactly why the consequences portion is important. If you are very aware of what the consequences are, and they do not extend beyond what you are currently subjected to, I think that would make everyone in this room comfortable. We could make an ethical standard that if you showed up to work in mismatched socks, but if the worst thing that can happen is the dean after investigation writes a letter of reprimand for your prohibited behavior, that doesn't change your life. That's why I look at this the way I do. We can argue all day.... KDD: Please let's not. T. Moore: We effectively cut that off at the knees that we say the consequences will not be beyond what they are in the contract. KDD: I don't want to overcomplicate this. I do want to be really transparent. Troy and I talked about the fact that I would entertain a secondary motion for how we might change the language. Remember I said this body cannot make substantive changes to this document. What I think he is proposing is not a substantive change, it is clarification. I would like this group to decide because it involves fairly significant word change. How did I do Troy in summarizing? T. Moore: Great! KDD: Would you like to talk us through these proposed changes? Troy: It is more or less the changes I have proposed, I have softened the language so that you are not automatically presumed guilty. KDD: Wait, I need a motion. The secondary motion from Troy is that we consider making changes to the consequences. He has made the motion and Charlene is seconding it. T. Moore: This just spells out the current consequence in the contract which limits the potential consequences going forward. If we tie this to the current faculty contract in general, it creates a revision problem. This just spells out the prohibitive behavior part. If you behave in ways – Kristie knows this better. KDD: That are "demeaning, offensive, intimidating, or physically threatening." T. Moore: Ways you shouldn't be behaving anyway. These are consequences that are already afforded to you at the discretion of your dean or designee. This just stipulates the minimum and maximum consequence you could end up with if your violation already falls under the purview of our contract. That is a complicated way of me saying your life doesn't change with this policy. I think this is fair and the intent is not to expand the disciplinary scope. It is supposed to codify our ethical disciplinary scope. KDD: To recap, this is clarifying what is implied in the contract. Under the consequences section. You were replying to Josh. Saying



that this would address your concern about unfair imposition of the ethics standard. Franklin White: I wanted to talk about this in the committee. We were trying to make this so generic that it's not enforced. Troy doesn't want this to be used as an enforcement tool. If we make it much more specific to codify the enforcement, it will be more likely to be an enforcement tool. Troy, you already argued about this in the committee. To come here and reargue it in the second committee seems a little.....you already had your chance to vote it down. T. Moore: I very much appreciate that. In the appearance of bad faith, or whatever you want to call it, I try to keep my two jobs very separate. I was on that committee not as an academic senator. My obligations and my responsibilities as an academic senator put me in a really tough spot. I am aware of that. Your feelings are understandable, I get that. I also have to be responsible for people in my division. If they tell me they have these problems, it is my responsibility to voice them. F. White: Thank you for letting me know.

Nina Bailey: My name is Nina Bailey and I sat on the committee as a classified rep. I think one of the things we were looking at in this document is there is more than 1 group being looked at here. There is also classified. Keep that in mind. S. Donnell: I would recommend making these changes to Troy's language primarily because the two elements that you look at are just cause and due process. I think this addresses both of them. There is going to be some sort of process involved if there is an allegation made. I would vote in favor. M. McMillan: I have more of a question. When I read it, it makes it sound as if those who are faculty are not required to follow board policies. It makes it sound like it is the classified staff that has to follow board policies. Faculty are only required to be covered by the bargaining agreement. That is how I am reading it. Is that true and is that what we are saying? T. Moore: That was not my intent. Originally, in committee I posed that we come up with some innocuous consequence that was a catch-all for everyone. It is improper of me to negotiate on behalf of classified. I did originally make the change, but I think it is improper of me to make it fair for all groups. Was it my intention? Yes. Was it my preference? No. KDD: So that is your belief that regulations and board policies, AP's, working conditions don't apply to faculty? T. Moore: No, sorry, I am answering the wrong question. Those policies still apply to faculty, but they will not shape the consequences for faculty according to this policy. The text I've written is for faculty, but I don't think that is the best idea for everybody. KDD: Does everyone see what he is saying? Appropriate disciplinary action. R. McMillan: Classified have their own collective bargaining agreement. If we want to go with what Troy is doing, just eliminate regulations, board policies, administrative procedures, working conditions. So it says in accordance with collective bargaining agreements. C. Jeffries: Administrators don't have bargaining agreements. R. Miyashiro: A good point of information on page 35, under limitations. The limitations themselves says this cannot supersede the contract. That protection is already there. C. Brewer-Smith: Just for clarification, the consequences of the violations for faculty have to tie in with the collective bargaining agreement. Is that correct? T. Moore: The principle here is the entire document states that all of this is superseded by state law and the collective bargaining agreement. This is just limiting the scope in which the collective bargaining agreement may be used to avoid issues down the line. D. McClelland: I wanted to add that this exact discussion came up in Ed Policies when we discussed this. We felt strongly in Ed Policies that we needed to leave in language about the board policies, applicable regulations, administrative procedures, things that are outside the collective bargaining agreement to protect faculty because there are people on this campus who have a large say in how faculty are disciplined that are not governed by a collective bargaining agreement. Specifically, administrators. If we want this policy to also apply to administrators, we cannot just say you just have to follow the collective bargaining agreement. They are not under a collective bargaining agreement. They are responsible to the BP's, AP's, and other laws. Our Ed Policies Committee actually discussed and felt like it was protective to faculty to make sure that the language stayed so that our administrators were also being held responsible. I know there are others on Ed Policies who are here, but I feel like that was the spirit of the committee. N. Bailey: Representing a different group and coming in a little late on the committee, you always have to be careful when you set policy that becomes so specific that you get into trouble. You don't want to be so vague. You have to remember that this document is written and was looking at all groups on campus, not just faculty. Ryan Turner: It seems like a lot of this needs to be broken up into individual sections. KDD: Jean? Is there a reason why we have an umbrella ethics policy? Rather than individual ones for each

group? J. Shankweiler: We have different responsibilities. But this is written so that it can apply to all. Randy's analysis of don't discriminate, don't lie, be honest, avoid financial conflicts of interest, should be across the board. KDD: I have looked at several others. This is kind of the standard practice. N. Bailey: It is already addressed in the preamble. It says although employees work in various settings and positions, they are committed to protecting human rights and pursuing academic excellence. I think that is where you can see that it is addressing all groups. A. Ahmadpour: I have 2 questions. One, you initiated this exclusively because we have to for accreditation. Who has that authority? Do we have to do anything they ask us to do? KDD: Only if we want to keep accreditation and our jobs. (Lots of laughter.) A. Ahmadpour: Do all campuses have them? KDD: It is a regional accreditation body. It isn't the state. Sorry, you may have missed the preamble. The ACCJC says that for us to have accreditation, we must have a policy that also outlines consequences. Our CCLC template which is usually what we look to or details of how to do that just says "local practice may be inserted here." So we really haven't been given a lot of guidance. That is why we went to other models that have been in place for many years. A. Ahmadpour: My specific question is for G3: "Foster a culture where students have access to accurate and diverse points of view." I am teaching my subject. Do I have the responsibility to expose them to white supremacists? No, I don't. Who decides if what I do is diverse enough? KDD: I think what it is saying is you want students to have access to diverse points of view. That doesn't necessarily mean it has to come from you. But hopefully, you are teaching your students to think critically. A. Ahmadpour: It is my responsibility to the students. This is overriding all the laws. You are overriding my academic freedom. To basically do something that I don't have to necessarily do. Do I have to do something for every perspective? This law will make me limited with what I can communicate with my students in the classroom. KDD: Can we call for the question on the secondary motion. It was to change the language. S. Donnell: I really like the due process in the first part. If this gets voted down is it possible to ask for that as a substitute motion? KDD: Alleged to have been? S. Donnell: Yes. KDD: Yes. We are calling for the question. You are voting in favor, against, or abstaining. Making the changes that appear on the screen. All those in favor of amending AP 3050 so that it reflects what is on the screen. "Conduct that is alleged to have been in direct violation of this procedure may be subject to further investigation. If such a process finds the allegation to be credible, the supervisor of that employee may invoke disciplinary measures outlined in the current faculty contract should the requirements be met. For non-faculty employees appropriate disciplinary action may be taken in accordance with applicable regulations, board policies, administrative procedures, working conditions manuals and collective bargaining agreements." I think we need a show of hands. Those in favor, Darcie and I will count: 17. Those opposed, 9. So the yes's have it. We had a couple of abstentions. We need the names of those opposed: D. McClelland, C. McFaul, S. Bray, R. Serr, S. Allen, M. Wynne, A. Josephides, S. Donnell, and O. Villareal. Abstentions: A. Brochet, R. Diaz, C. Nagao. I am going to ask for another motion. Here it is. We have covered a lot of territory. I want to bring this back for a third reading at our next meeting. Then you can see in the packet these changes that we are putting together. I am not comfortable with this, I want to make sure people know what they are voting on. I am looking for a motion to bring this back for a third reading. A. Josephides, T. Moore. All were in favor. KDD: Great, I guess. (Laughter.) Nobody wants this to be over more than yours truly. Thank you for your contributions, thought and care. This is serious stuff.

## **F. NEW BUSINESS**

### **Student Fees: Proposal to move funding oversight from ASB to ASO (pgs. 40-41)**

KDD: This is out of Senate purview, so I am not going to ask for a motion. These folks are here as part of the consultation process. To provide information to the Senate. I am turning this over to Ross Miyashiro and Wiley Wilson. R. Miyashiro: This is about the student activity fee we are proposing to move the Associated Student optional fee over to students. The fee is \$15 right now. It is for co-curricular programming and for Associated Student Organization. It is in an administrative procedure. The AP delineates the student paid fees to students as 35% goes to students, 65% of these fees collected goes to an administrative auxiliary board, 5% goes to reserve. The auxiliary board is mostly made up non-students. It is people made up of other constituency groups. These are the programs that are funded now;

athletics, fine arts, journalism, forensics, and to a smaller extent other programs. This is the real money we are talking about. The revenue of \$480,000 is what we are protecting. It has been over \$300,000 for some years. This is the only money we are talking about in this proposal. We are not talking about any of the other funding here. These are derived from other sources. These are the expenses. Actually students only get 35% back of what they pay to students. It's like CA paying Federal income tax. You can see here are the other expenditures. This is basically how it is doled out. W. Wilson: Students get 35% of the ASB budget. After the 2014/2015 year, it basically doubled and tripled how much we got each year. This is only for Fall semester. Below this is the fee we use for our conferences. R. Miyashiro: This is not optional. Student representation fees when they are voted in, are compulsory fees. W. Wilson: What has ASO/ICC done with this? We have done a number of different initiatives; address food, transportation and housing insecurities; created Flow Water; Warrior pantry; U-Pass subsidies. We have also created a sense of belonging by; increasing the number of student clubs and increasing events like movie night, empowerment dialogues, and homecoming. We have hosted over 80 events. What will we do with a larger budget? Assisting others, addressing food transportation and housing insecurities, food pantry, more Flow Water machines, and more Metro U-Pass subsidies. Multiple clothing drives. We have done a lot of research on other colleges in our area and we went to Long Beach, Southwest, Harbor, and West. We wanted to see if they had Auxiliary Services Board, there have been none. This Fall, we went to our General Assembly Conferences, and we conversed with a number of different schools. Out of the 63 Community Colleges throughout California, none had Auxiliary Services Board control the student activities fees. The proposal that we have is to fully shift control of student activities revenue for Auxiliary Service Board to ASO. The district revenue will stay with the district programs. For example, athletics has ticket sales. Whatever money they make will go right back to those programs. We want this because other community colleges let their student governments have control of this student revenue fees. This creates better leadership skills, better budgeting management, more responsibility, better etiquette, we will be taught better professionalism. R. Miyashiro: There is a reason why other 63 community colleges don't do it like we do. That is because it is against the law. Funds shall be expended subject to procedures that may be established by the student body organization. All that means is that student government has the option of establishing a procedure or it goes directly back to the 3 people who must certify the expenditures. (Someone from accounting, someone from the governing board or a designated advisor which could be Greg Toya, and someone from the student body) This is straight from the CA education code. That is why we are the only college out of 114, who does this. Because somewhere, somehow, we wrote an administrative procedure that is in direct conflict with the CA Ed Code. W. Wilson: ECC will still provide support for ASO to succeed, we will still have our advisors. We will make it easy for programs to make a request. R. Miyashiro: The auxiliary board, we don't know what is going to happen to it. We will be revising BP/AP 5032 to be in congruency with state law. How many of you have been in student government? Just so you know, when I was in student government at Palomar College, we funded these same things when I was a student. W. Wilson: How much money am I going to get next year? Depends on if it benefits students, student success rate, is it related to the Mission, how many of your students have the ASO sticker? R. Miyashiro: All of you in this room have a student senator attached to your discipline. Those students now become a more integral part of the ECC campus community. They are going to meet with the deans and faculty to find out what they want. This will give our own students a better educational experience at knowing what it is like to operate in an Associated Student Organization. W. Wilson: Our projected budget process, this is what it will look like. 18-19 funding: \$153,000. 18-19 projected revenue: \$10,000. 19-20 potential funding: \$143,000. R. Miyashiro: This is the consultation time line. We are going to talk to every constituency group. By December 17, we will be presenting at the Board of Trustees. KDD: This is also on page 41 of your packet. S. Bray: I am a former executive vice president of student government and I support you guys. I think that is your right in student government. R. McMillin: This is the biggest no brainer I have ever seen. A. Ahmadpour: Can we change this? KDD: No we do not, this is not in our purview. They want feedback and comments. This does impact faculty. We have academic programs that have been receiving money from ASO. Any other comments? Thank you.

We will table this and come back at some point.

#### **G. INFORMATION ITEMS –DISCUSSION**

#### **H. FUTURE AGENDA ITEMS**

Ed Policies: AP 7160 Professional Development, BP/AP 5500 Standards of Student Conduct, AP 5520 Student Discipline Procedures

Institutional Research and Planning: Governance Review Process

AB 705

Guided Pathways

South Bay Public Safety Center

#### **I. PUBLIC COMMENT**

#### **J. ADJOURN**

The meeting adjourned at 2:05 pm

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