

El Camino College
2005-2006 ACADEMIC SENATE
OFFICERS & EXECUTIVE COMMITTEE – Oct. 3, 2006

Susan Dever , President	Evelyn Uyemura , VP Educational Policies
Peter Marcoux , President-Elect, VP Legislative Action & Academic Technology Committee Liaison	David Vakil , Secretary
Lisa Raufman , VP Faculty Development	Lance Widman , VP Finance and Special Projects
	Janet Young , Curriculum Chair

Senate Mailing List

Behavioral & Social Sciences – Miranda 3735

Elaine Cannon (06-07) Sociology 3574
 Christina Gold (06-07)
 Lance Widman (05-06) Political Sciences 3746
 Michael Wynne (07-08) Psychology 3562
 Janet Young Curriculum Chair 3613 (ex-officio)

Business – Rapp 3442

Jacquie Thompson (06-07) CIS 3206
 Tim Miller () Accounting
 Dagmar Halamka () Law

Counseling – Smith 3442

Kate Beley (05-06) Counselor 3251
 Ken Gaines (07-08) Counselor 3690
 Lisa Raufman (07-08) Counselor 3435
 Ken Key

Fine Arts – Blackburn, 3715

Ali Ahmadour (08-09) Art 3539
 Daniel Berney (06-07) Dance 3657
 Jason Davidson (08-09) Speech 3725
 William Georges (06-07) Theatre 6770
 Chris Wells (08-09) Speech 3723

Health Sciences & Athletics – Haslam 3550

Nick Van Lue (05-06) HSA 3681
 Kathy Morgan (05-06) Nursing 3285
 Mary Moon (06-07) 3283 (sharing)
 Louis Sinopoli (05-06) Respiratory Care 3248
 Corey Stanbury (06-07) PE 3639

Adjunct Faculty – at large

Carolyn Almos
 Gary Robertson

Humanities – Lew 3316

Debra Breckheimer (06-07) English 3182
 Lyman Hong (06-07) English 6046
 Karen Warrenner (07-08) English 3689
 Peter Marcoux (07-08) 6046
 Evelyn Uyemura (07-08) ESL 3166

Industry & Technology – Way 3600

Vic Cafarchia (06-07) Air Conditioning & Refrigeration 3306
 Ed Hofmann (06-07) Machine Tool Technology 3292
 Walt Kahan (06-07) Electronics 3620
 Douglas Marston (07) Electronics 3621, 3611
 George Rodriguez (06-07) Welding 3308

Learning Resources Unit – Grigsby 3526

Susan Dever (08-09) Learning Resources Center 3254, 3514
 Claudia Striepe (07-08) Library 6482

Mathematical Sciences – Goldberg 3200

Susan Tummers (07-08) Math 6390
 Lijun Wang (06-07) Math 3211
 Greg Scott (08-09) Math
 Ralph Taylor (05-06) Math 6390
 Massoud Ghyam (07-08) Math 3900

Natural Sciences – Perez 3343

Chas Cowell (05-06) Chemistry 6152
 Teresa Palos (07-08) Biology 3354
 Kamran Golestaneh (06-09) Chemistry 3243
 David Vakil (07-08) Astronomy & Physics 3134

Note: Year after Senator's name indicates the last academic year of elected service.

Accreditation – Linda Arroyo & Arvid Spor

Academic Affairs – Ann Collette

Union – Editor

Associated Students President – David Nordel

Public Information – Ann Garten

Campus Police – Mike D'Amico, Chief

Federation Office – Don Brown, & Nina Velasquez

Health Center – Debbie Conover

Admissions & Records – Bill Mulrooney

Human Resources – Marcy Wade

President/Superintendent – Thomas Fallo

VP Academic Affairs – Francisco Arce

VP Administrative Services – Jeff Marsee

VP Student & Community Advancement – John Baker

Board of Trustees

Ms. Combs Miss O'Donnell Dr. Jackson

Mr. Beverly Dr. Gen Mr. Peters

Academic Senate Website

www.elcamino.edu/academics/academicsenate/

A REMINDER OF SENATE'S REASON FOR EXISTENCE

California Code of Regulations § 53200

Academic Senate means an organization whose primary function is to make recommendations with respect to academic and professional matters. Academic and professional matters means the following policy development matters:

1. Curriculum, including establishing prerequisites.
2. Degree and certificate requirements.
3. Grading policies.
4. Educational program development.
5. Standards or policies regarding student preparation and success.
6. College governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation processes.
8. Policies for faculty professional development activities.
9. Processes for program review.
10. Processes for institutional planning and budget development.
11. Other academic and professional matters as mutually agreed upon.

These academic and professional matters are often called the 10 + 1 items over which the senate faculty have primacy. The intent of the law is to assure effective participation of all relevant parties, and to ensure that the local governing board engages in *collegial consultation* with the Academic Senate on matters that are academic and professional in nature. Consult collegially means that the district governing board shall develop policies on academic and professional matters through either or both of the following:

1. Rely primarily upon the advice and judgment of the Academic Senate.
2. The governing board, or its designees, and the Academic Senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations. (El Camino's selection)

Education Code §87360 (b) requires that

Hiring criteria, policies and procedures for new faculty members shall be developed and agreed upon jointly by representatives of the governing board, and the academic senate, and approved by the governing board.¹

**El Camino College
ACADEMIC SENATE
AGENDA**

Oct. 3, 2006

1. <u>CALL TO ORDER</u>		12:30
2. <u>APPROVAL OF MINUTES: Sept. 19, 2006</u>		
3. <u>PRESIDENT'S REPORT AND/OR ANNOUNCEMENTS</u>		
<ul style="list-style-type: none"> • Please note that some copies of the last packet were mis-dated. It should have said Sept. 19. • Faculty hiring procedures update • CEC Faculty Council meeting schedule • Revised email policy update • Legal Advisory on Public Records Act Requests for Disclosure of Faculty Aggregate Grades • 2nd 8-week session open sections • Admissions & Records 2007 Sessions calendar 		
4. <u>UNFINISHED BUSINESS</u>		
<ul style="list-style-type: none"> • Board Policy 2510 & Procedures – Participation in Local Decision Making – first reading • Revision to CCC by-laws – second reading • Resolution – Compliance with Title 5 Regulations, Section 70902 – first reading 		
5. <u>NEW BUSINESS</u>		
<ul style="list-style-type: none"> • New College-wide Academic Senate voting procedures 		
6. <u>PRESENTATION</u>		
7. <u>VICE PRESIDENTS' & OTHER REPORTS</u>		
<ul style="list-style-type: none"> a. EDUCATIONAL POLICIES (Evelyn Uyemura) b. FACULTY DEVELOPMENT (Lisa Raufman) c. FINANCE & SPECIAL PROJECTS (Lance Widman) d. DEANS' COUNCIL REPORT (Lance Widman) e. LEGISLATIVE ACTION (Pete Marcoux) f. CURRICULUM (Janet Young) g. STUDENT LEARNING OUTCOMES (Lars Kjeseth, Jenny Simon) h. CALENDAR COMMITTEE (Lyman Hong) i. ACADEMIC TECHNOLOGY COMMITTEE (Pete Marcoux, Michael Wynne) j. ACCREDITATION (Arvid Spor, Linda Arroyo) k. ENROLLMENT MANAGEMENT (Vice Presidents) 		
8. <u>ANNOUNCEMENTS</u>		
9. <u>GENERAL DISCUSSION – Topics not on agenda</u>		
10. <u>ADJOURN</u>		2:00

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ACADEMIC SENATE
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Academic Senate Meeting Schedule – 2006-07
1st & 3rd Tuesdays, 12:30pm-2pm, Alondra Room

Fall	Spring
September 19	February 20
October 3, October 17	March 6, March 20
November 7, November 21	April 3, April 17
December 5	May 1, May 15, and May 29 (optional)

El Camino College
ACADEMIC SENATE
Committee Memberships

2005-2006 Academic Year

EDUCATION POLICIES: Chair, Evelyn Uyemura

Sep. 22nd, followed by – 1st & 3rd Thur 12:45-1:45 Chem 134

Chris Jeffries	Vince Robles
Chas Cowell	Jacquie Thompson
Kate Beley	Julie Stewart
Chris Wells	

FINANCE & SPECIAL PROJECTS: Chair, Lance Widman (3746)

1st & 3rd Thursdays 1 – 2:30 Usually Alondra Room

Dave Vakil	Ken Keys
Teresa Palos	

FACULTY DEVELOPMENT: Chair, Lisa Raufman (3435)

2nd & 4th Tuesdays 12:45 - 2 ADM 127

Margaret Steinberg	John Ruggirello
Elaine Cannon	Moon Ichinaga
Mercedes Thompson	Ruth Banda-Ralph
Kristie Digregorio	Donna Manno (Dir, Staff Development)

LEGISLATIVE ACTION: Chair, Pete Marcoux (6046)

1st Thursday 12:45 – 1:30

Doug Marston	Walter Kahan

CALENDAR COMMITTEE

ELECTION SUB COMMITTEE

Lyman Hong	Karen Warrenner, chair
Kelly Clark	Lijun Wang
	Susan Tummers

ACADEMIC SENATE MINUTES

September 19, 2006

Attendance (X indicates present, exc = excused, pre-arranged, absence)

Behavioral & Social Sciences

Cannon, Elaine
Gold, Christina X
Widman, Lance X
Wynne, Michael X

Business

Halamka, Dagmar X
Miller, Tim X
Thompson, Jacquie X

Counseling

Beley, Kate X
Gaines, Ken exc
Raufman, Lisa

Fine Arts

Ahmadour, Ali
Berney, Dan X
Davidson, Jason X
Georges, William X
Wells, Chris X

Health Sciences & Athletics

Van Lue, Nick
Morgan, Kathy (sharing)
Moon, Mary (sharing)
Sinopoli, Louis
Stanbury, Corey X

Humanities

Breckheimer, Debra X
Hong, Lyman X
Marcoux, Pete X
Uyemura, Evelyn X
Warrener, Karen X

Industry & Technology

Cafarchia, Vic X
Hofmann, Ed X
Kahan, Walt
Marston, Doug X
Rodriguez, George

Learning Resources Unit

Dever, Susan X
Striepe, Claudia X

Mathematical Sciences

Ghyam, Massoud
Scott, Greg X
Taylor, Ralph
Tummers, Susan X
Wang, Lijun X

Natural Sciences

Cowell, Chas X
Golestaneh, Kamran
Palos, Teresa X
Vakil, David X

Adjunct Faculty

Almos, Carolyn X
Robertson, Gary X

Ex Officio Attendees: Janet Young, Francisco Arce, John Baker
 Guests: Ann Collette, Linda Arroyo, Ken Key, Estina Pratt, Ian Haslam.

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

Summary of events during meeting

1. There are many tasks facing senate this year. See the President's report.
2. There have been many (5 or 6) policies that have been Board approved recently.
3. It is possible that senate VP reports will be staggered into alternate meetings.
4. Motions on Catalog Rights & Course Repetition passed.
5. The senate structure on page 32 passed in concept.
6. The Curriculum committee revised its bylaws to include Compton. Senate approved.

President's report – Susan Dever (henceforth SD)

This year will be busy. SD will be calling on people to help with the many jobs, such as

1. Accreditation. Accreditation will require a lot of faculty input.
2. Student Learning Outcomes (SLOs) is another focus, and will be worked on throughout the year. Lars Kjeseth and Jenny Simon are the SLO co-chairs, and are enthusiastic leaders in this area. SLOs are a faculty-driven process.
3. Program Review is spreading to many other academic areas. If you think your program would be a good candidate for a Program Review, let SD know.
4. Student Equity plan: this is in draft form and is circulating. SD could use another pair of eyes to help examine it. The Student Equity Plan examines how students work through the system and checks to see if they are treated equitably. The report is not very long, and requires attention this week.
5. Calendar issues are being examined, such as whether or not to keep a winter session and/or have a differently configured set of summer sessions, etc.
6. Faculty Hiring Procedures are also coming up. It has been several years since we've had an "agreed upon" set of procedures.
7. Compton issues include how the two faculty work together, how the curricula are tied together, how the 75% rule for Compton students will be handled, and many other things that will come up as the partnership continues. The 75% rule concerns the need to accommodate students who completed 75+% of their coursework at Compton Community College before it lost accreditation.

There have been many (5 or 6) policies that have been Board approved recently. Evelyn Uyemura will be developing a schedule of future Board Policies for Senate to update or create. The senate's executive council met and discussed the agenda. It is possible that VP reports will be staggered into alternate meetings, rather than giving a report at each senate meeting.

There was a motion to shift the VP reports to the end of the meeting. Motion approved.

Unfinished Business

Two Board Policies passed over the summer: 1) Catalog Rights and 2) Course Repetition

At the end of the last academic year, there were 2 policies that the senate did not complete. However, the pressing need for these policies was recognized and with the consent of senate VP Uyemura and President Dever, these were forwarded to the Board of Trustees without first being approved by the full senate. This happened despite the fact that one of these policies was voted down at the end of the last academic year. This policy (course repetition) has been returned for your approval today, with no substantial changes but with a few extra examples and clarifications. SD told College Council and the Board of Trustees that if these motions are not approved by senate, then senate reserves the right to de-activate the board-approved policies.

Catalog Rights

The first policy is about catalog rights. This policy essentially means students will be allowed to graduate under the catalog they came in under or the catalog in current use, whichever is better for the students. There were no substantive changes to this policy, but clarifications were made (e.g. general education vs. major vs. total unit requirements, defining "continuous enrollment").

David Vakil noted the policy says continuous enrollment must include a “full length” semester. He asked if 12 week and Fall/Spring 8 week classes would meet that need. All of these count towards continuous enrollment but the summer 8-week classes don’t. Summer & winter classes aren’t counted because there is not a full complement of classes offered during those terms. The consensus was not to change the policy as written. Motion to approve the catalog rights policy passed with one abstention.

Course Repetition

The second policy is about course repetition. This prevents students from repeating a class, in general, if they have already passed it. The “W” policy is also included in this new policy. The W policy, generally, is that you are permitted to take a class a total of 3 times, including W’s. If you repeat the class at another institution, you can petition to have that grade count. Exceptions to the 3-time repeatability rule:

1. If you get 2 D’s and/or F’s, you need written permission to take the course a 3rd time.
2. If you get a C under extenuating circumstances, you can repeat the course, but the C grade stays on the transcript.
3. If a significant amount of time has lapsed since you previously took the course, you may be able to repeat the course, according to the program as decided by the dean.
4. If courses are legally mandated (e.g. lifeguards, CPR), these repeated courses would count towards GPA.

Courses that have small letters (e.g. Journalism 11abcd) don’t count as repetitions and all grades are counted. A grade of “W” does not count as a course being repeated. See the policy and procedures for more detail, exceptions, etc.

Journalism 11abcd can have a total of 3 W’s plus four letter grades (as opposed to 3 W’s per lower-case letter) because Journalism 11 is one course, not 4 courses. Note that there is no course that **MUST** be repeated some number of times to fulfill a prerequisite for another class. These are the same rules currently in force, and the two relevant policies have been combined into one. Example: if you are taking Journalism 11 and get the following marks on your transcript in this order: A, W, B, W, W, then you can’t take Journalism 11 again.

This is a problem in the performing arts area, particularly for programs that require the long-standing participation of community members. Hundreds of people participate in this type of fine-arts program. Audits are possible. The Fine Arts division is examining this issue. According to Dean Ian Haslam, there is a similar problem in Health Science & Athletics, and they have moved to an audit policy this semester. Volunteer status is another way to handle this issue.

The second paragraph of the procedure is misleading. Janet Young suggested an amendment to clean up the language by inserting “in computing the GPA” after “will be disregarded.” Will Information Technology Services program the computers to match this policy?

The amended Policy passed with one abstention. The Procedures were approved as amended with 3 opposed.

New Business

ECC/CEC (Compton Education Center) Senate Structure

On page 32 is a proposed draft of an organizational structure for the senates of ECC & Compton. San Diego has a college system with multiple colleges and centers. San Diego's colleges have senates and the centers have "faculty councils." Part of our senate would be the Compton Faculty Council. Compton's concerns, as presented by Saul Pansky, were that they needed a senate for Compton district purposes, as shown for your information on page 33. At the same time, most of the tasks done as a center will be ECC processes that will not endanger ECC or its accreditation. This also gives representation to the Compton faculty and students. As such, the Faculty Council would be subservient to the ECC senate. The Compton faculty have approved this model.

Pete Marcoux: there are implications for our senate's constitution, such as representation and voting rights. There are many pieces that will need to fall into place as we delve into the processes more.

SD asked the body to approve the proposed structure in principal. This required an emergency motion to be passed. Doug Marston & Pete Marcoux so moved on the emergency which passed. Lance Widman and Pete Marcoux moved that the structure on page 32 be approved in concept. This motion also passed.

Revisions of the CCC by-laws

In keeping with the same spirit, the College Curriculum Committee revised its bylaws to include Compton. The voting membership will include one full-time faculty from each academic division, one voting counselor, and one voting librarian, and (the new part) one full-time Compton faculty member, as seen on page 17, section 1.1.

There is no research on how similar schools have handled this situation (since there have been no similar situations). Most centers begin under a college. That wasn't the case here.

The need for Compton's representation on the curriculum committee stems from how the partnership has affected them. Their curriculum was decimated and now that they are using our curriculum, there are areas with specific, essential, immediate needs.

There will continue to be division curriculum meetings and the process for approving new curriculum (even those that meet Compton's needs) will be the same as it is now. New proposals will start in division curriculum committees before coming to the College Curriculum Committee. Newly created curriculum may or may not be offered at the ECC campus, according to the needs and wishes of the ECC campus. Similarly, newly created curriculum may or may not be offered at the Compton Center, according to the needs and wishes of the Center.

Pete Marcoux & Evelyn Uyemura moved that the bylaws be treated as an emergency. Motion passed. Lance Widman & Doug Marston moved that the bylaws be amended as proposed, and this motion also passed.

There was no time for VP reports.

Announcements

Zuk & Associates CalSTRS retirement forum still has spots open. Contact Lance Widman.

Meeting was adjourned at 1:55 pm.

EL CAMINO COLLEGE
Office of the President
Minutes of the College Council Meeting of September 25, 2006

Present: Dr. Arce, Dr. Baker, Mr. Brown, Dr. Dever, Dr. Fallo, Mr. Marsee, Mr. Middleton, Mr. Robertson, Ms. Smith, Dr. Spor, and Ms. Pickens.

1. Evaluation Instrument – It was decided to list the 2005-2006 Goals on the evaluation form to evaluate if we feel we have met those goals. The updated evaluation will be sent out via e-mail today. The completed evaluations should be returned by Friday.
2. Discussion Board – David Vakil is working on getting a monitor this week. This should be up and running next week.
3. El Camino College Committee – A report of all committees listed on MyECC will be distributed to College Council members. We need to determine which committees are still active, that committee membership is current, and minute posting is up to date.
4. Student Equity Plan – This plan follows the format from the Chancellor's Office. We have been granted an extension to October 2006. This plan needs to go to the Board on October 16th. Leo requests input on content. There was a request that all pages be formatted in portrait. It was noted that this report does not include the Nursing program success rate which is not required by the Chancellor's Office. There was some question about the accuracy of data presented on pages 19, 20, and 21. Leo will check the data with Mike Wilson in Institutional Research. The inclusion of W's in the report should be accompanied by an explanation. Leo will bring this back next week. A brief summary of our last plan would be beneficial.
5. Accreditation Self-Study Workshop- September 21, 2006 at Rio Hondo College was attended by Co-Chairs, Arvid Spor and Linda Arroyo, along with Dr. Fallo and Co-Chairs for each standard. The Accreditation Team will be trained on new standards. An Accreditation update will be included in each President's Newsletter to keep campus informed on progress.
6. El Camino College Communications Update – was sent out today. Dr. Givens will publish a Friday Newsletter every two weeks for El Camino College Compton Center. Each college will receive both newsletters.
7. Compton Center – Our ITS department is working on integrating the e-mail systems so each college will have access to both list-serves. Until this is worked out, e-mail to be sent to Compton Center employees will go through the ITS Director.
8. Memorandums of Understanding – with ECCE and ECCFT have been negotiated regarding compensation for work towards the El Camino College Compton Center.

Agenda for the October 1, 2006 Meeting:

1. Minutes of September 25, 2006
2. Team Reports
3. College Council Evaluation
4. 2006-2007 College Council Goals
5. Student Equity Plan
6. State and Federal Legislative Program - Call for Proposals

COLLEGE CURRICULUM COMMITTEE BYLAWS

1. CCC STRUCTURE

1.1 Voting Representatives

There Voting Representatives shall be one full-time faculty member voting representative from each academic division, one full-time faculty counselor, and one full-time faculty librarian, and one full-time Compton Community Education Center full-time faculty member. ~~voting representative.~~ The Vice President of Academic Affairs (VPAA) shall be a voting representative and the Council of Academic Deans and Directors shall also have a voting representative.

1.2 Term of Faculty Representatives

The term of a faculty CCC representative shall be three years. The elections will be staggered so that one third of the representatives are elected each year.

1.3 Election of Faculty Representatives

The election process shall be initiated in each individual Academic Division, the Counseling Division, and the Library, and the Compton Community Education Center in compliance with the Academic Senate Constitution. CCC elections for full terms shall take place in the fall semester of the last year of a term. Only full-time faculty are eligible to vote for a faculty representative.

1.3.1 Should a CCC representative not complete his or her term, the replacement shall be elected for the remainder of the term.

1.3.2 Should a CCC representative be required to take a leave exceeding one month, an interim representative must be appointed by the division dean, or if appropriate, the area director, and the senior Academic Senate representative for the period of the leave.

1.4 Vice President of Academic Affairs Representative

If for any reason the VPAA is unable to meet the attendant responsibilities of a CCC representative, then he or she shall appoint a designee from the Council of Academic Deans and Directors to fulfill the responsibilities on an interim basis.

1.5 Council of Academic Deans and Directors Representative

The Council of Academic Deans and Directors CCC representative will be appointed for a three-year term by the VPAA or the designee.

1.5.1 Should a Council of Deans and Directors CCC representative not complete his or her term, the VPAA or the designee shall appoint a replacement for the remainder of the term.

1.5.2 Should the Council of Deans and Directors CCC representative be

required to take a leave exceeding one month, an interim representative shall be appointed by the VPAA or the designee.

1.6 Ex-Officio Representatives

The Ex-Officio representatives of the CCC, who are non-voting members, shall include but are not limited to:

1. Articulation Officer
2. Chair-Elect (when not serving as a division representative)
3. Curriculum Advisor
4. Dean of Enrollment Services
5. Director of Workforce and Community Education
6. Immediate Past Chair (when not serving as a division representative) shall serve for one year following completion of his or her term as CCC Chair
7. Member of the Associated Students (selected by President of Associated Students)
8. Student Services Advisor, Evaluations Unit

1.7 Responsibilities of All Representatives

These shall include:

1. Regular and punctual attendance at all meetings
2. Attend at least one in-service training session each academic year
3. Knowledge of current curriculum procedures and policies
4. Careful study and review of all curriculum proposals in advance of meetings
5. Assistance to faculty with curriculum issues and proposal preparation

2. CCC CHAIR

2.1 Term of Office for CCC Chair

The term of office is two years.

2.2 Qualifications of CCC Chair

A candidate for Chair must have two years of CCC experience and either be a current CCC faculty representative or present Chair or immediate past Chair.

2.3 Election of CCC Chair

2.3.1 Election Process

The election will be coordinated by the Curriculum Advisor and an Election Committee appointed by the CCC Chair.

The Election Committee will consist of two voting CCC members.

2.3.2 Election Timeline

2.3.2.1 Regular Election: The election will occur no later than the 12th week of the spring semester during the seated Chair's first year of office.

2.3.2.2 Special Election: In the event that a vacancy will exceed a period of six months, a special election will be held to fill the position for the remainder of the term. The CCC will determine the special election timeline.

2.3.3 Chair Elect

2.3.3.1 If the seated Chair is not re-elected, the person elected will serve as Chair-Elect for one academic year before taking office. The Chair-Elect may attend the weekly meetings with the Chair, VPAA or designee, and Curriculum Advisor throughout the year prior to taking office. The Chair-Elect shall serve as Acting Chair at the CCC meetings when the Chair cannot be present or needs to relinquish the chair. The Chair-Elect will also serve as either the division representative or as an ex-officio representative.

2.3.3.2 If the seated Chair cannot serve, then the Chair-Elect assumes the office of Chair for an interim period not to exceed 6 months.

2.3.4 Chair Pro Tempore

A Chair Pro Tempore shall be designated by the CCC Chair at the beginning of an academic year when there is no Chair-Elect. The Chair Pro Tempore shall serve as Acting Chair at the CCC meetings when the Chair cannot be present or needs to relinquish the chair.

2.4 Appointment of CCC Chair

In the event that neither the Chair nor Chair-Elect can serve, then the Academic Senate President shall appoint, in mutual agreement with the CCC, a Chair who shall serve for an interim period not to exceed 6 months.

2.5 Duties of CCC Chair

The Chair shall:

1. Preside at CCC meetings
2. Report at the regular Academic Senate meetings on actions of the CCC and curriculum issues
3. Attend weekly meetings with the VPAA or designee and the Curriculum Advisor and others as appropriate
4. Function as a liaison with the Distance Education Advisory Committee and other committees as appropriate
5. Attend the State Academic Senate meetings and

- appropriate breakout sessions
- 6. Attend curriculum workshops at the local, regional, and state levels
- 7. Participate in developing the annual curriculum calendar
- 8. Serve as CCC liaison with the Academic Senate, Council of Academic Deans and Directors, Division Curriculum Committees, Faculty, Cabinet, and Board of Trustees as appropriate
- 9. Notify division deans, or if appropriate, the area director, and senior Academic Senate representatives of CCC vacancies and timeline for elections of division representatives
- 10. Consult with the CCC prior to seeking action from non-CCC bodies
- 11. Share with the CCC copies of all written communication in a timely manner
- 12. Perform additional duties as mutually agreed upon by the CCC and VPAA or designee

2.6 Reassigned Time for CCC Chair
The reassigned time for the CCC Chair shall be no less than 30%.

3. OPERATIONAL PROCEDURES

3.1 Quorum for Meetings
The quorum for conducting business at CCC meetings shall be 50% of the faculty representatives.

3.2 Attendance Requirements
Members unable to attend a meeting should notify the Curriculum Office for an excused absence. When a CCC faculty representative has more than two consecutive, unexcused absences, the Chair shall notify the division's dean, or if appropriate, the area director, Academic Senate representatives, and faculty that the division's and/or the College's interests and concerns are not being adequately represented. In order to ensure the participation of ex-officio members of the CCC, when any of those members have more than two consecutive unexcused absences, the Chair and VPAA or the designee shall notify the appropriate administrator that the College's curriculum may be compromised by the ex-officio member's lack of involvement and representation.

3.3 Meeting Times
The regular meetings of the CCC shall take place during the Fall and Spring semesters on the second and fourth Tuesdays of the month from 2:30 p.m. to 4:30 p.m. Adjustments to the regularly scheduled meeting dates may be made by a majority vote of the CCC. Adjustments to the meeting times may be

requested by the CCC Chair. Meeting times may be extended as long as a quorum exists. Special meetings may be called by the CCC Chair as necessary.

4. RESPONSIBILITIES OF FACULTY REPRESENTATIVES

- 4.1 CCC Division Representative
The Division's/Compton Community Education Center's CCC Representative serves as a liaison and resource person for the Division/Compton Community Education Center faculty in matters of curriculum review, curriculum development, and College and State curriculum practices and procedures. The representative is responsible for thorough study and review of all curriculum proposals.
- 4.2 CCC Librarian Representative
The CCC Librarian Representative serves as a liaison between the CCC and the Library. The library representative also serves as a resource person for divisions and faculty in matters of curriculum review, curriculum development, and College and State curriculum practices and procedures. The representative is responsible for thorough study and review of all curriculum proposals. In addition, the librarian serves as a liaison between the CCC and Learning Resources regarding curriculum-related matters.

5. DIVISION CURRICULUM/TECHNICAL REVIEW COMMITTEE (DCC) COMPOSITION AND RESPONSIBILITIES

- 5.1 Division Dean
The Dean is responsible for coordinating the development of all division curriculum and informing the Council of Academic Deans and Directors of curriculum developments that may affect other divisions. The Dean is a resource person for regulatory guidelines, faculty load, WSCH, lecture/lab ratios, fiscal implications, and related matters regarding curriculum proposals.
- 5.2 CCC Division Representative
The Division's CCC representative serves as a liaison and resource person for the division.
- 5.3 Division Representatives
Division representation will include a minimum of four faculty members who provide appropriate discipline expertise. Division representatives are responsible for the thorough review and approval of all division curriculum proposals.
- 5.4 Division Counselor
The Division Counselor(s) serves as a resource person(s) for the division in such matters as transfer, articulation, associate degrees, certificates, and student needs.

- 5.5 Clerical Support
A member of the division's clerical staff, under the direction of the Division Dean and with the assistance of the CCC representative, is responsible for providing to the CCC, clean, error-free proposals prepared on proper forms.
- 5.6 The DCC conducts technical review for all proposals. Technical review ensures that Title 5 regulations have been met, that local procedures are adhered to, and that course specifications have been appropriately addressed. The DCC should refer to the guidelines for curriculum preparation/review found in the Curriculum Handbook for El Camino College.

6. DIVISION CURRICULUM/TECHNICAL REVIEW COMMITTEE PROCEDURES

- 6.1 DCC Meetings
At least two regularly scheduled DCC meetings will be held in each division per semester. Meeting dates are to be forwarded to the CCC Chair no later than the first day of the Fall semester. All division faculty members and the Counseling Division are to be notified of DCC meeting dates. Minutes of the meetings are to be kept on file in the division office. Names of DCC members and meeting dates should be established at the end of the Spring term preceding the upcoming academic year and forwarded to the CCC Chair prior to the beginning of the academic year.
- 6.2 In-Service Training
All DCC members will attend at least one in-service training session each academic year. These in-service training sessions will be presented by members of the CCC and, when appropriate, by DCC members.
- 6.3 Curriculum Review
DCC members will review curriculum in accordance with the Curriculum Handbook for El Camino College, the California Community Colleges Program and Course Approval Handbook, Title 5 of the California Code of Regulations, and District policies.

7. REVIEW OF CURRICULUM DECISIONS

- 7.1 Refer to the current Curriculum Appeals Process Flow Charts which are located in the Curriculum Handbook for El Camino College.

8. OTHER CONSIDERATIONS

- 8.1 CCC Subcommittees

The Chair shall form subcommittees to address curricular issues. All CCC representatives are expected to serve on subcommittee assignments, and faculty at large may be appointed to serve.

Adopted: 10-13-98

Revised/Approved by Academic Senate: 1-26-99

Revised/Approved by Academic Senate: 9-14-99

Revised/Approved by Academic Senate: 9-25-01

Revised/Approved by Academic Senate: 3-25-03

Revised/Approved by Academic Senate: 9-23-03

Revised/Approved by Academic Senate: 11-15-05



PLANNING & BUDGETING COMMITTEE
September 28, 2006
1:00 – 2:30pm
Location: Library 202

Facilitator: David Vakil & Arvid Spor

Note Taker: Ruth Sanchez

STATEMENT OF PURPOSE

The Planning and Budgeting Committee serves as the steering committee for campus-wide planning and budgeting. The PBC assures that the planning and budgeting are interlinked and that the process is driven by the institutional priorities set forth in the Educational Master Plan and other plans adopted by the college. The PBC makes recommendations to the President on all planning and budgeting issues and reports all committee activities to the campus community.

Members

- | | |
|--|--|
| <input type="checkbox"/> David Vakil – Co-chair | <input type="checkbox"/> Susan Taylor, ECCFT |
| <input type="checkbox"/> Arvid Spor – Co-chair | <input type="checkbox"/> Cheryl Shenefield, Adm. Service |
| <input type="checkbox"/> Miriam Alario, ECCE | <input type="checkbox"/> Harold Tyler, Mgmt/Supervisors |
| <input type="checkbox"/> Thomas Jackson, Ac. Affairs | <input type="checkbox"/> Lance Widman, Ac. Senate |
| <input type="checkbox"/> Dawn Reid, Student Services | <input type="checkbox"/> Kelvin Lee, ASO representative |
-

Attendees

- | | |
|---|--|
| <input type="checkbox"/> VP John Baker – Staff Support | <input type="checkbox"/> VP Jeff Marsee – Staff Support |
| <input type="checkbox"/> Luis Mancia – Alternate, ECCE | <input type="checkbox"/> VP Francisco Arce – Staff Support |
| <input type="checkbox"/> Ken Key – Alternate, ECCFT | <input type="checkbox"/> Susie Dever – Pres. Academic Senate |
| <input type="checkbox"/> Mike D’Amico – Staff Support | <input type="checkbox"/> John Wagstaff – Staff Support |
| <input type="checkbox"/> Teresa Palos – Alternate, Acad. Senate | <input type="checkbox"/> Christine Cho - Alternate, ASO |
-

AGENDA

1. Approval of Minutes for September 7----- All PBC participants -----1:00 p.m.
2. Develop a process that, in practice, incorporates all of the following (completed or in-progress) processes into ECC’s planning and budgeting.

SLOs, Program Review, retention proposals, other leftovers from Q-builder, developing college-wide goals people will follow (e.g. retention, success, perhaps recruitment), ECC’s vision statement, and lastly the Comprehensive Educational Master Plan including A) prior accreditation recommendations and B) action plans from the chapters in the comprehensive master plan

3. Non-agenda items & agenda development--All PBC participants -----2:25 p.m.

Future PBC agendas will likely include:

- a. Planning Timelines
- b. Developing Indicators to Assess Budget Decisions
- ~~c. Center for the Arts presentation~~
- d. Community Advancement presentation
- e. Subcommittee work
- f. PBC Handbook/definitions

4. Adjournment----- 2:30 p.m.



PLANNING & BUDGETING COMMITTEE
September 5, 2002
1:00 – 2:30pm
Stadium Room

EL CAMINO COLLEGE

Planning & Budgeting Committee

Minutes

September 7, 2006

MEMBERS PRESENT

David Vakil, Co-Chair

Miriam Alario

Thomas Jackson

Susan Taylor

Dawn Reid

Arvid Spor, Co-Chair

Harold Tyler

Lance Widman

Kelvin Lee

Cheryl Shenefield

OTHERS ATTENDING: Francisco Arce, John Baker, Susan Dever, Ann Garten, Ken Key, Teresa Palos

Handouts:

- 2006-07 Final Budget Supplement (September 5)
- GASB 45, Health Care, and Public Schools and Colleges (Marty Hittleman)
- Board Policy 3600 – Auxiliary Organizations
- Procedure 3000 – Auxiliary Services
- Auxiliary Services Income Statement at June 30, 2005
- Auxiliary Services Income Statement at June 30, 2006 (with Englebart accounts included)
- Auxiliary Services Budget 8/21/06
- Budget to Actual Report Ending 06/30/2006
- Final Budget Book 2006-07

The meeting was called to order at 1:07 p.m. by David Vakil.

Approval of Minutes

The minutes of August 17 were approved.

GASB 45: The Marty Hittleman article (GASB 45, Health Care, and Public Schools and Colleges) was shared with the group. The basic message is be careful and not rush to judgment.

Don't sacrifice current programs. Districts operating on a pay-as-you-go basis for retirement requirements have not experienced major problems.

Auxiliary Services Budget: Copies of the Auxiliary Services Income Statement at June 30, 2005; the Auxiliary Services Income Statement at June 30, 2006 (with Englebart accounts included); and the Auxiliary Services Budget (8/21/06) were shared with the group for their information. Noted:

1. Auxiliary was originally to be used for things students couldn't afford. They now have inherited programs like Project Success, the Early Start program (Edison Grant), PFE, etc.
2. Funding ID cards was a major blow to the Student Development budget.
3. ASB sticker sales are down 50% from 2001, so they are doing more marketing of the stickers.
4. High school students not the majority at ECC; adults are.
5. The president has committed a yearly \$25,000 from the Pioneer Theaters income.
6. The Community Advancement donation was increased up by \$50,000 (\$41,000 went to the program with the biggest need - athletics). Relative to cost, sports programs are not cost effective; however, it has been agreed that they have intrinsic value to the college. If auxiliary services were to be discontinued, would these programs continue to be funded?
7. Why doesn't the District fund programs that generate FTES?
8. Englebart is a restricted account that Fine Arts manages.
9. The Bookstore had regularly contributed \$100,000 for student funds; however, they are now experiencing financial difficulties of their own.
10. Bottom Line: Auxiliary Services can pay its bills, and they are committed to the same budget. They met all their budget goals from last year.

Budget Augmentations for 2006-07: Copies of the Final Budget Book and the September 5, 2006, memo from President Fallo re: 2006-2007 Final Budget Supplement were shared with the group. Noted:

1. These were things that needed to occur right away, but the president wanted to present them to the PBC also. The funding sources will come up every year and are contingent on AB 361 and the partnership with Compton.
2. Some are enhancements to the budget (added to the base forever); the rest are augmentations (one time additions).
3. For next year and beyond, the president wants to fund long term planning goals rather than immediate needs (like he is doing this year).
4. An expense that comes up year after year indicates that it needs to be built into the budget.
5. How does this handout compare to the voting handout? How are they connected to plans/proposals submitted? Where do we go from here? Are the proposals getting funded or are they still in limbo?
6. It was noted that not all the money has been spent. \$1 million is direct reimbursement from Compton. The \$2 million is contingent on the passage of AB 361. These items were too new to have been included in the final budget. ECC doesn't want to spend the \$30 million loan it is managing for Compton.

7. Concern was expressed that only the president and the vice presidents had input into the budget decisions. Since the PBC only gets information after the fact, why should anyone bother with the PBC? If PBC input is not sought before decisions are made, what is the point of the committee?
8. It was acknowledged that this is not a perfect budget. The goal was to address immediate needs that have been identified, and ideally this would have come through PBC.
9. David noted that he and Arvid have been given a one year window by the president to get the PBC ramped up for input for next year's budget augmentations from the same sources listed in the document distributed. It was suggested that putting together a timeline as to when to discuss items could help. That would complete the loop as to when to get input from constituents and when to take information back to constituents.
10. A level of detail currently not available to the PBC will be needed in order to make informed decisions.

Next Meeting: The next meeting will be held on September 28th instead of September 21st (one time change)

Meeting adjourned at 2:35 p.m.

pbc97



The Board is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for Board action and administrative procedures for Superintendent/President action under which the District is governed and administered.

Each of the following shall participate as required by law in the decision-making processes of the District:

Academic Senate(s) Title 5, Sections 53200-53206.)

The Board or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. Procedures to implement this section are developed collegially with the Academic Senate.

The Board will normally accept the recommendations of the Academic Senate on academic and professional matters as defined by Sub-Chapter 2, Section 53200, et seq., California Administrative Code, Title V, and as listed below:

1. Curriculum, including establishing prerequisites and placing courses within disciplines;
2. Degree and certificate requirements;
3. Grading policies;
4. Educational program development;
5. Standards and policies regarding student preparation and success;
6. District and College governance structures as related to faculty roles;
7. Faculty roles and involvement in accreditation process, including self-study and annual reports;
8. Policies for faculty professional development activities;
9. Processes for program review;
10. Processes for institutional planning and budget development, and
11. Other academic and professional matters as mutually agreed upon between the Board of Trustees and the Academic Senate.

The Board of Trustees designates the Vice President-Academic Affairs as the liaison to the Academic Senate for the items listed above.

If the District Governing Board of Trustees disagrees with the recommendation of the Academic Senate, representatives of the two bodies shall have the obligation to meet and reach mutual agreement by written resolution, regulation, or policy of the Governing Board.

Nothing in this policy shall be construed to impinge upon the due process rights of faculty, or to detract from any negotiated agreements between the Federation of Teachers and the District. Written notification shall be given to the El Camino College Federation of Teachers by the District at the beginning of discussions between the Academic Senate and the District on academic and professional matters.

Staff (Title 5, Section 51023.5)

Classified staff shall be provided with opportunities to participate in the formulation and development of District policies and procedures that have a significant effect on staff. The opinions and recommendations of the Police Officers Association (POA), El Camino Classified Employees (ECCE) and confidential groups will be given every reasonable consideration.

Students (Title 5, Section 51023.7)

The Associated Students shall be given an opportunity to participate effectively in the formulation and development of District policies and procedures that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration. The selection of student representatives to serve on District committees or task forces shall be made after consultation with the Associated Students.

A. The Governing Board shall recognize each associated student organization or its equivalent within the District as provided by Education Code Section 76060, as the representative body of the students to offer opinions and to make recommendations to the administration of a college and to the governing board of a district with regard to district and college policies and procedures that have or will have a significant effect on students. The district and college policies and procedures that have or will have a “significant effect on students” include the following:

- (1) grading policies;
- (2) codes of student conduct;
- (3) academic disciplinary policies;
- (4) curriculum development;
- (5) courses or programs which should be initiated or discontinued;
- (6) processes for institutional planning and budget development;
- (7) standards and policies regarding student preparation and success;
- (8) student services planning and development;
- (9) student fees within the authority of the district to adopt; and
- (10) any other district and college policy, procedure, or related matter that the district governing board determined will have a significant effect on students.

The governing board shall give reasonable consideration to recommendations and positions developed by students regarding district and college policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.

Except for unforeseeable emergency situations, the Board shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540, et seq.

Reference:

Education Code Section 70902(b)(7); Title 5, Sections 53200 et seq., (Academic Senate),
51023.5 (staff), 51023.7 (students)

Replaces Board Policy 3605

El Camino College

Adopted: 7/15/02

Academic Senate Voting Procedures – Discussion Points

Questions to consider:

- Should we change our voting procedures?
- Do we need an Amendment to the Constitution to allow online voting for Amendments and Voting?

Benefits of Online Voting

- Easier to administer
- More secure & reliable
- Better response to questions

Relevant Passages from:

Constitution

ARTICLE X Amendments to the Constitution

Section 1. Amendments to the Constitution

If the Senate approves the proposal for amendment, it is put to a ratification vote by the faculty. The Election Committee chair shall conduct the vote by mail.

Section 2. Editorial Changes. Non-substantive, editorial changes in the Constitution may be made by a majority vote of the Senate.

ByLaws

ARTICLE III Membership

Section 2. Election of Adjunct Senators

Nominations – Notice of Election and Call for Nominations are to be mailed to all adjunct faculty within the first two weeks of the fall semester.

Ballot Distribution and Counting –

By the fourth week of the fall semester, the ballots shall be distributed to all adjunct faculty by mail. Ballots are to be returned within ten days of distribution. The two nominees receiving the highest number of votes will serve as adjunct senators.

ARTICLE IV Officers

Section 1. Election of Officers

Ballot Distribution – The chair of the Senate Election Committee shall be responsible for conducting elections. The Election Committee shall

prepare ballots to be mailed to each Senate member immediately after the meeting referred to in Article IV, Section 1.2.

Ballot Count – All ballots must be received by the Election Committee within 10 business days of distribution. The Election Committee shall count the ballots immediately. The candidate receiving the majority of the votes shall be the winner. In case of a tie vote, a special runoff election shall be held at the next scheduled Senate meeting. In the event of no candidate receiving a majority vote, a run-off election shall occur for the top two candidates.

Submitted to: El Camino College Academic Senate Resolution:

Subject: Compliance with Title 5 Regulations, Section 70902

1st reading Oct. 3, 2006

Mover:

Division/Department

Seconder:

Division/Department:

Whereas, *Section 70902 (B)(7)- Governing Boards; Delegation* states “the right of the academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards,” and

Whereas *El Camino College Board Policy 2510* states, “The Board or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters,” and

Whereas, the Academic Senate was not consulted collegially in regards to the *Request for Proposal* or the *Memorandum of Understanding* concerning the partnership with Compton College acted upon by the Board; therefore, be it

Resolved that the Academic Senate of El Camino College expresses its displeasure with this lack of consultation and urges the Board and its designees to be more inclusive concerning matters of curriculum and academic standards in the future.

Submitted by: Peter M. Marcoux

English

10/3/06

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

1102 Q STREET
SACRAMENTO, CA 95814-6511
(916) 445-8752
HTTP://WWW.CCCCO.EDU



September 27, 2006

To: Superintendents and Presidents
Admissions Officers and Registrars
Academic Senate Presidents
Community College Attorneys
Consultation Council
Other Interested Parties

From: Steven Bruckman
Executive Vice Chancellor and General Counsel

Subject: Public Records Act Requests for
Disclosure of Faculty Aggregate Grades
Legal Advisory 06-02

Synopsis: We have been asked to provide advice to community college districts regarding an issue that has arisen nationwide involving public records requests by XLIX, a company doing business as "Pick-A-Prof" ("XLIX," see www.pickaprof.com), for data consisting of aggregate grades for each course held during specified semesters, identified by individual faculty member. The requests in California have been made under the California Public Records Act. (CPRA; Gov. Code, § 6250 et seq.)

The System Office is providing this advisory to assist districts in responding to these requests. Please note that applying the information and analysis discussed below to specific situations will require districts to review their recordkeeping practices and to conduct a thorough review of the applicable law. The System Office does not administer or enforce the laws discussed in this advisory. However, we offer this information to provide a starting point for districts that are presented with CPRA requests from XLIX. Please also note that districts should consult with their own legal counsel as specific questions arise.

BACKGROUND

We are informed that higher education institutions initially made efforts to resist CPRA requests from XLIX. In California, this culminated in XLIX filing a lawsuit against the University of California in Yolo County Superior Court earlier this year. The case was settled, a writ was

issued by the court in May of this year in favor of XLIX, and UC was required to pay XLIX's attorneys' fees of \$15,000. The court judgment required UC to disclose the following records:

"Public records that evidence, reflect, and/or summarize the grades awarded in the Winter 2004 term for all formal undergraduate courses with an enrollment of 10 or more students, on a course-by-course basis, by each professor who teaches at least one formal undergraduate course at the University."

We also understand that UC and CSU have provided XLIX with the requested information except for classes with an enrollment of less than ten students (due to the small size of the cohort) and classes where all students received the same grade. In addition, major public universities in other states (Texas, Washington, Florida, and Michigan, for example) are providing grade and course information to XLIX, which has served to further weaken the case for other higher education institutions to resist disclosure.

Of course, we cannot anticipate exactly what XLIX might ask for in a particular request. However, based on a recent CPRA request shared with us by one district, it appears that XLIX has refined its requests over time and is not seeking "the names, identification numbers, etc. of individual students or the grades earned by individual students." Our analysis in this advisory will be based on that assumption.

College faculty members are understandably concerned about what is seen as an assault upon academic freedom. There is also the risk that students with access to information about the grades awarded by individual faculty members will seek to enroll in courses taught by those perceived to be lenient graders.

CONCLUSION

There is no statutory exemption which would protect the records typically sought by XLIX from disclosure and colleges are advised to provide the requested records unless they are prepared for the possibility of litigation which could result in payment of attorneys' fees. However, care must be taken to ensure that personally identifiable information about students is redacted, along with Social Security numbers and other sensitive information about employees.

ANALYSIS

All state and local government agencies, including community college districts, are covered by the California Public Records Act. (CPRA; Gov. Code, § 6252(a).) The definition of a "public record" under the CPRA is so broad that virtually every paper or electronic record created, used, maintained, or in the possession of a college district is a "public record."

While the CPRA contains specific statutory exemptions to disclosure for certain types of records, none of these exemptions appear to apply to the types of records requested by XLIX. As a result, we must look to the requirements of other laws incorporated into the CPRA by Government Code section 6254(k) (such as the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g), as well as the public interest "balancing test" contained in section 6255.

Certain student and employee records must be protected from disclosure

If part of a record is exempt, and part is not exempt, Government Code section 6253(a) provides that, "Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law."

A district's records most likely have exempt and public information commingled. For example, an instructor may turn in a grade sheet listing the names of students, their student identification numbers, and the grades they received. Depending on exactly how the request is framed, such a record might be encompassed by a request from XLIX because it lists grades awarded by an instructor, but it also contains personally identifiable information about individual students which must be protected from disclosure pursuant to FERPA.² The appropriate response to such a request, and the approach taken by UC, CSU and several community college districts, is to redact personally identifiable information about students.

It is important to keep in mind that a record may not mention a student by name but could nevertheless include information which would make a student's identity easily traceable. This is why UC and CSU have declined to provide information to XLIX for classes involving ten or fewer students or classes where all students received the same grade. In such circumstances, someone might easily be able to deduce what grade a particular student received. Such disclosures would be prohibited by FERPA. (See 34 C.F.R. 99.3, subdivision (f).)

In addition, Government Code section 6254(c) protects employment records that would be considered "personnel records." The general right to privacy under the California Constitution (Cal. Const., art. I, § 1), is also incorporated into the CPRA through Government Code section 6254(k) and protects employees from certain types of disclosures of personal information. With regard to employees, we believe the constitutional right to privacy and the Federal Privacy Act of 1974 (5 U.S.C. § 552a) would protect Social Security numbers and employee position numbers which could be linked to sensitive personal information such as home telephone numbers and addresses, and other information in the employee's personnel file. However, it does not appear that the name of the employee, by itself, is exempted from disclosure. Thus, in responding to a request from XLIX, a district would need to redact employee identification and Social Security numbers from faculty grade reports, but the name of the faculty member would need to remain visible.

In sum, although it appears that XLIX is not generally requesting confidential records, care must be taken not to inadvertently disclose such records in complying with XLIX's records requests.

² Under FERPA, "education records" are defined as records that are directly related to a student, and maintained by an educational agency or institution. (34 C.F.R. § 99.3.) The FERPA regulations define "personally identifiable information" so that it "includes but is not limited to":

- "(a) The student's name;
- (b) The name of the student's parent or other family member;
- (c) The address of the student or student's family;
- (d) A personal identifier, such as the student's social security number or student number;
- (e) A list of personal characteristics that would make the student's identity easily traceable; or
- (f) Other information that would make the student's identity easily traceable." (34 C.F.R. § 99.3.)

The "Balancing Test"

Even where no specific exemption applies, a public entity may decline to provide public records if it determines that the public interest in keeping the documents confidential clearly outweighs the public interest in their disclosure. (Gov. Code, § 6255.)

As discussed earlier, some faculty have expressed legitimate concerns that providing information requested by XLIX would interfere with academic freedom, result in possible loss of employment for faculty who grade more strictly, and impact on collective bargaining. It has been suggested that such concerns might justify withholding the requested records under the "balancing test."

The press articles available on the Internet concerning this issue show that a significant number of students feel it is in their interest that these records are public. Under the balancing test, the public interest of the students will have to be weighed against the public interest of the district and the faculty in non-disclosure.

We are aware that some districts have chosen to reject public records requests from XLIX. However, because UC has lost its case against XLIX at the trial court level and a growing number of higher educational entities are complying with XLIX's requests, we believe that refusing to comply is a risky strategy and may well lead to litigation with XLIX. In this connection, it is important to understand that if a request for records is denied and the requesting party prevails in a suit to compel disclosure, the public entity may be required to pay the attorney fees incurred by the requestor. (Gov. Code, § 6259.)

How are your district's records maintained?

Although various statutes and regulations address the types of records colleges are to maintain, districts nevertheless have considerable discretion in the way paper and electronic records are created, used, and stored. Therefore such practices vary from one district or college to another.

The first question to answer is whether you have records which are responsive to a request from XLIX.³ Keep in mind that the CPRA does not obligate a public entity to create records--only to provide those public records not exempted from disclosure by the Act.

Assuming you do have records which are responsive to the request, the relative ease or burden of complying with a request from XLIX will vary depending upon how the records are kept. How difficult is it to extract public information from non-public information? How hard is it to provide records with the exempt information redacted?

Unfortunately the degree of the burden, by itself, does not exempt a district from compliance. However, if a request is overly broad and providing the requested records would be extremely burdensome, you may ask that the requestor narrow the scope of the request. In this regard, a public entity has an obligation to assist the requestor in focusing the request by identifying

³ In this regard, it should be noted that the requests from XLIX typically request aggregate information about "grades" awarded by faculty. Title 5, section 55758 lists a number of "nonevaluative symbols" such as "I" and "W" which are not "grades." Thus, we think a district could decline to provide information related to the numbers of students who receive such notations on their academic records.

responsive records the entity could make available with less difficulty. (Gov. Code, § 6253.1.) Also, if compliance with a request will be time consuming, you can advise the requestor that additional time (beyond the normal 10 day period for responding) will be required to provide a full response. (Gov. Code, § 6253(c).)

Although the CPRA does not require college districts to maintain their records in such a manner as to facilitate easily responding to CPRA requests, the law requires a response. Having to respond to the multiple requests XLIX is likely to make over time for the same type of information is a factor that may be worth considering when making decisions regarding paper and/or electronic record keeping.

What fees can we charge?

The law permits a request for inspection of public records and, in that case, no fee can be charged for simply making the records available for review. However, in most instances the request will ask for copies of records. If so, then fees can be charged to the extent permitted by statute. (Gov. Code, §§ 6253(b) (paper records), 6253.9 (electronic records).)

For paper records, a district may only charge "fees covering the direct cost of duplication" unless there is another specific statute mandating a different fee structure. In this case, we believe that no other statute applies. The "direct cost of duplication" includes the pro rata expense of the duplicating equipment utilized in making a copy of a record and, conceivably, the pro rata expense in terms of staff time (salary/benefits) required to produce the copy. A staff person's time in researching, retrieving and mailing the record is not included in the direct cost of duplication. ("Summary of the California Public Records Act 2004," California Attorney General's Office, pp. 4-5.) The case of *North County Parents Organization v. Department of Education* (1994) 23 Cal.App.4th 144, 147-148, narrowed the definition of what comprises such "direct costs." One trap for the unwary is that public entities often believe they can charge a "reasonable fee" rather than the "direct costs of duplication." It does not appear that a "reasonable fee" standard is lawful under general fee provisions of the CPRA, as the "reasonable" fee concept was amended out of the CPRA in 1976 and further limited by 1981 legislative amendments. (*Ibid.*) Thus there is clear legislative intent to disallow a "reasonable fee" standard and to limit the possible fees that can be charged.

Conversely, with regard to requests for electronic records, when a CPRA request makes it necessary for staff to perform programming in order to compile electronic records or to extract information from such records, the requester must bear the full cost, not merely the direct cost of duplication. (Gov. Code, § 6253.9(a); "Summary of the California Public Records Act 2004" California Attorney General's Office, p. 5.) However, if the information is available in an electronic format without programming and the records are requested or provided in an electronic format, a district may only charge for the direct costs of duplication. (Gov. Code, § 6253.9(a).)

Another variable is that a district cannot make the information available only in an electronic format if other formats (such as paper) are available and the requester insists on obtaining paper records. (Gov. Code, § 6253.9(e).) However, many requesters prefer electronic information, and in spite of the fact that programming may be necessary, a requester may be willing to pay

programming fees in order to have the record available electronically, even if the requester did not initially request electronic records. Another consideration is that if a district has the requested record available electronically without programming and only needs to charge for a copy of the record, it may be far less burdensome to offer an electronic copy if it is available.

We have been told by several institutions that XLIX has been willing to pay reasonable programming fees in order to obtain the requested information electronically.

Options for Dealing with Such Requests

We have set forth below some suggested strategies for dealing with CPRA requests from XLIX or other such entities.

- Legislation: Seeking a change to the CPRA that would exempt such records.
- Recordkeeping: Keeping district records in such a manner as to make compliance with such requests less time and labor intensive and thus less burdensome.
- Alternate formats: If the requested records are kept in several formats, offering the requester a format that would impose the least amount of burden on the district.
- Provide online access to the public: If a legislative solution cannot be effected and XLIX continues to make requests for data, districts and faculty may wish to explore the possibility of putting the data online on district and/or college websites. Creative approaches may allow districts and faculty to present the data along with other information that will provide added value for the student and general public. As this information would be presented in a way that is useful and free to the public, it may discourage students from the use of fee-based services such as XLIX.

Please also be aware that the Attorney General's Office has informally advised us in the past that the CPRA does not provide for "standing requests" for public records, i.e. an entity such as XLIX is not allowed to make a request for records that do not exist and that may be available in the future, but must make separate and distinct requests for existing records it seeks to obtain.

Action/Date Requested: Advisory only. Questions concerning responses to CPRA requests should be directed to legal counsel for your district.

SB/RB/FR/sj

Resources

CPRA:

"Summary of the California Public Records Act 2004," California Attorney General's Office
http://ag.ca.gov/publications/summary_public_records_act.pdf

FERPA:

The Family Policy Compliance Office

<http://www.ed.gov/policy/gen/guid/fpco/index.html>

FERPA Online Library (FPCO Opinions)

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/library/index.html>

FERPA Regulations

<http://www.ed.gov/policy/gen/reg/ferpa/index.html>

Legal Advisory 06-02

El Camino College Academic Senate

Compton Center Faculty Council Fall Meeting Schedule:

All meetings are held on the 1st and 3rd Thursday immediately following the CCCD Academic Senate Meeting or from 2:00 to 3:00 p.m.

Thursday, October 5, 2006	CEC Board Room
Thursday, October 19, 2006	CEC Board Room
Thursday, November 2, 2006	CEC Board Room
Thursday, November 16, 2006	CEC Board Room
Thursday, December 7, 2006	CEC Board Room

El Camino College

Academic Senate Fall Meeting Schedule:

All meetings are held on the 1st and 3rd Tuesday of the month from 12:30 to 2:00 p.m. in the Alondra Room located above the El Camino Bookstore.

Tuesday, September 5, 2006	El Camino Alondra Room
Tuesday, September 19, 2006	El Camino Alondra Room
Tuesday, October 3, 2006	El Camino Alondra Room
Tuesday, October 17, 2006	El Camino Alondra Room
Tuesday, November 7, 2006	El Camino Alondra Room
Tuesday, November 21, 2006	El Camino Alondra Room
Tuesday, December 5, 2006	El Camino Alondra Room

El Camino College

Curriculum Committee Meeting Schedule:

All meetings are held on the 2nd and 4th Tuesday of the month from 2:30 to 4:30 in the El Camino Board Room (location subject to change)

Tuesday, September 12, 2006	El Camino Board Room
Tuesday, September 26, 2006	El Camino Board Room
Tuesday, October 10, 2006	El Camino Board Room
Tuesday, October 24, 2006	El Camino Board Room
Tuesday, November 14, 2006	El Camino Board Room
Tuesday, November 28, 2006	El Camino Board Room
Tuesday, December 5, 2006	El Camino Board Room

Currently open Sections
2nd 8 week session – 9/29/06

Term	..Divis	ionSection Name	Long Title	Current	StatusNo	WeeksCapa	cityActive	WAIT	LISTStat	usLocation
2006/FA	HUMA	AS-20AB-4021	Prewriting Workshop	A	8	40	32	0	Open	ECC
2006/FA	HUMA	AS-20AB-4024	Prewriting Workshop	A	8	40	28	0	Open	ECC
2006/FA	HUMA	AS-22AB-4029	Vocab Bldg College Studnt	A	8	40	38	0	Open	ECC
2006/FA	HUMA	AS-22AB-4031	Vocab Bldg College Studnt	A	8	40	26	0	Open	ECC
2006/FA	HUMA	AS-25AB-4042	Think Skills Coll Courses	A	8	40	32	0	Open	ECC
2006/FA	HUMA	AS-30AB-4051	Test-Taking Strategies	A	8	40	29	0	Open	ECC
2006/FA	HUMA	AS-30AB-4053	Test-Taking Strategies	A	8	40	32	0	Open	ECC
2006/FA	HUMA	AS-40AB-4090	Math Anxiety Workshop	A	8	40	24	0	Open	ECC
2006/FA	BUSI	BUS-52B-3244	Microsoft Word Appl II	A	8	34	15	0	Open	ECC
2006/FA	BUSI	BUS-5C-3099	Indivdl Inc Tax Micrcmptr	A	8	22	14	0	Open	ECC
2006/FA	BUSI	BUS-60A-3264	Microcomputer Keyboarding	A	8	35	15	0	Open	ECC
2006/FA	BUSI	BUS-60A-3286	Microcomputer Keyboarding	A	8	35	9	0	Open	ECC
2006/FA	BUSI	BUS-60B-3298	Microcompnr Document Proc	A	8	35	23	0	Open	ECC
2006/FA	BUSI	BUS-60B-3313	Microcompnr Document Proc	A	8	35	10	0	Open	ECC
2006/FA	BUSI	BUS-60C-3328	Micrcmptr Docmnt Formting	A	8	34	5	0	Open	ECC
2006/FA	BUSI	BUS-60C-3330	Micrcmptr Docmnt Formting	A	8	34	4	0	Open	ECC
2006/FA	ITEC	CADD-31ABCD-7331	Orientation to CATIA	A	8	22	0	0	Open	ECC
2006/FA	ITEC	CADD-32ABCD-7333	Product Modeling with CATIA	A	8	22	5	0	Open	ECC
2006/FA	ITEC	CADD-33ABCD-7336	Analyses/Simulations w/CATIA	A	8	22	13	0	Open	ECC
2006/FA	ITEC	CADD-37ABCD-7337	Advanced Catia Functions	A	8	22	9	0	Open	ECC
2006/FA	BUSI	CIS-141-3594	Networking Microcmptrs Cisco 2	A	8	31	30	0	Open	ECC
2006/FA	BUSI	CIS-3-3405	Intro Microcmptr/Software	A	8	22	16	0	Open	ECC
2006/FA	BUSI	CIS-3-3422	Intro Microcmptr/Software	A	8	22	8	0	Open	ECC
2006/FA	BSSC	HDEV-5-2510	Career Planning	A	8	30	21	0	Open	ECC
2006/FA	BSSC	HDEV-8-2521	Orientation Ed Plan/Guidance	A	8	30	0	0	Open	EOC
2006/FA	BSSC	HDEV-8-2536	Orientation Ed Plan/Guidance	A	8	30	18	0	Open	ECC
2006/FA	BSSC	HDEV-8-2539	Orientation Ed Plan/Guidance	A	8	30	19	0	Open	ECC
2006/FA	BSSC	HDEV-8-2546	Orientation Ed Plan/Guidance	A	8	30	24	0	Open	ECC
2006/FA	BSSC	HDEV-8-2547	Orientation Ed Plan/Guidance	A	8	30	25	0	Open	ECC
2006/FA	BSSC	HDEV-8-2550	Orientation Ed Plan/Guidance	A	8	30	28	0	Open	ECC

2006/FA	MATH	MATH-10A-9130	Basic Arithmetic Skills Part I	A	8	35	34	0	Open	ECC
2006/FA	MATH	MATH-10B-9154	Basic Arithmetic Skills Part II	A	8	35	28	0	Open	ECC
2006/FA	MATH	MATH-10B-9164	Basic Arithmetic Skills Part II	A	8	35	21	0	Open	ECC
2006/FA	MATH	MATH-10B-9166	Basic Arithmetic Skills Part II	A	8	35	10	0	Open	ECC
2006/FA	MATH	MATH-10B-9174	Basic Arithmetic Skills Part II	A	8	24	13	0	Open	EOC
2006/FA	MATH	MATH-10B-9176	Basic Arithmetic Skills Part II	A	8	35	34	0	Open	ECC
2006/FA	MATH	MATH-10B-9184	Basic Arithmetic Skills Part II	A	8	35	10	0	Open	ECC
2006/FA	MATH	MATH-10B-9186	Basic Arithmetic Skills Part II	A	8	35	28	0	Open	ECC
2006/FA	MATH	MATH-10B-9196	Basic Arithmetic Skills Part II	A	8	35	30	0	Open	ECC
2006/FA	MATH	MATH-10B-9200	Basic Arithmetic Skills Part II	A	8	35	27	0	Open	ECC
2006/FA	MATH	MATH-10B-9204	Basic Arithmetic Skills Part II	A	8	35	19	0	Open	ECC
2006/FA	HEAL	MEDT-1-0034	Medical Terminology	A	8	40	0	0	Open	ECC
2006/FA	HEAL	NURS-152-8884	Intro to Nursing Pharmacology	A	8	48	34	0	Open	ECC
2006/FA	HEAL	NURS-152-8939	Intro to Nursing Pharmacology	A	8	48	28	0	Open	ECC
2006/FA	HEAL	NURS-153-8890	Intermediate Nursing Process I	A	8	12	10	0	Open	ECC
2006/FA	HEAL	NURS-153-8891	Intermediate Nursing Process I	A	8	13	12	0	Open	ECC
2006/FA	HEAL	NURS-153-8892	Intermediate Nursing Process I	A	8	12	11	0	Open	ECC
2006/FA	HEAL	NURS-154-8896	Intrmed Nursng Proc/Mentl Hlth	A	8	12	5	0	Open	ECC
2006/FA	HEAL	NURS-154-8940	Intrmed Nursng Proc/Mentl Hlth	A	8	12	4	0	Open	ECC
2006/FA	HEAL	NURS-155-8962	Health Assessment	A	8	12	5	0	Open	ECC
2006/FA	HEAL	NURS-155-8963	Health Assessment	A	8	12	9	0	Open	ECC
2006/FA	HEAL	NURS-250-8899	Intrmed Nursing Process/Family	A	8	12	0	0	Open	ECC
2006/FA	HEAL	NURS-250-8900	Intrmed Nursing Process/Family	A	8	12	7	0	Open	ECC
2006/FA	HEAL	NURS-251-8885	Legal/Ethical Consdrtns Nursng	A	8	48	19	0	Open	ECC
2006/FA	HEAL	NURS-253-8944	Intermediate Nursng Process II	A	8	12	7	0	Open	ECC
2006/FA	HEAL	NURS-48AB-8875	Calculat Drugs/Solutions	A	8	35	31	0	Open	ECC
2006/FA	HEAL	NURS-69-8045	Advanced Nursing Proc II	A	8	12	10	0	Open	ECC
2006/FA	HEAL	NURS-69-8912	Advanced Nursing Proc II	A	8	12	6	0	Open	ECC
2006/FA	HEAL	NURS-69-8913	Advanced Nursing Proc II	A	8	12	10	0	Open	ECC
2006/FA	HEAL	NURS-69-8914	Advanced Nursing Proc II	A	8	12	8	0	Open	ECC
2006/FA	HEAL	NURS-69-8915	Advanced Nursing Proc II	A	8	12	4	0	Open	ECC

2006/FA	BUSI	PARA-1-3762	Intro to Paralegal Studies	A	8	45	13	0	Open	ECC
2006/FA	HEAL	PE-54ABCD-8207	Weight Training	A	8	35	8	0	Open	ECC

ADMISSIONS & RECORDS

2007 Semester/Session

Application/Registration/Start/End Dates

Winter Session 2007

Applications for Admissions (On-line only) Begins	Monday, July 10, 2006
Continuing Student Registration Begins	Tuesday, November 21, 2006
New and Returning Student Registration Begins	Monday, December 4, 2006
Winter Session Begins	Wednesday, January 3, 2007
Winter Session Ends	Tuesday, February 6, 2007

Spring Semester 2007

Applications for Admissions (On-line only) Begins	Monday, July 10, 2006
Continuing Student Registration Begins	Tuesday, November 21, 2006
New and Returning Student Registration Begins	Monday, December 4, 2006
Spring Semester Begins	Saturday, February 10, 2007
Spring Semester Ends	Friday, June 8, 2007

Summer Sessions 2007

Applications for Admissions (On-line only) Begins	Wednesday, November 1, 2006
Continuing Student Registration Begins	Monday, May 14, 2007
New and Returning Student Registration Begins	Tuesday, May 29, 2007
First Six-Week Session Begins	Monday, June 18, 2007
Eight Week Session Begins	Monday, June 18, 2007
Second Six-Week Session Begins	Monday, June 25, 2007
First Six-Week Session Ends	Thursday, July 26, 2007
Second Six-Week Session Ends	Thursday, August 2, 2007
Eight Week Session Ends	Thursday, August 9, 2007

Fall Semester 2007

Applications for Admissions (On-line only) Begins	Wednesday, November 1, 2006
Continuing Student Registration Begins	Monday, May 14, 2007
New and Returning Student Registration Begins	Tuesday, May 29, 2007
Fall Semester Begins	Saturday, August 25, 2007
Fall Semester Ends	Friday, December 14, 2007