

**ACADEMIC SENATE COUNCIL MEETING
SEPTEMBER 8, 2020, 2020
APPROVED**

In accordance with the Ralph M. Brown Act and SB 751, minutes of the DVC Academic Senate Council record the votes of all committee members as follows: Members in attendance will have their votes recorded including names of members voting in the minority or abstaining is recorded.

PRESENT: John Freytag (President), Patrick Moe (Vice President), Lisa Smiley-Ratchford (Corresponding Secretary), Kris Koblik (Professional Development), Anthony Gonzales (English), Bridgitte Schaffer (SRC), Yvonne Canada (Counseling), Sangha Niyogi (Social Sciences), Craig Gerken (Physical Sciences), Carolyn Seefer (Business), Daniel Kiely (Library), Concha Gomez (Math/Computer Science), Joann Denning (CE), Rick Millington (Kinesiology), Ray Goralka (Biology/Health Sciences), Alan Haslam (Representative-at-Large), Jane Fisher (Applied and Fine Arts)

ABSENT: None

GUESTS: Mary Gutierrez, Susan Lamb, Becky Opsata, Rick Robison, Anne Kingsley, Kat King, Beth Hauscarriague, Gabriel Harven

1. APPROVAL OF AGENDA OF SEPTEMBER 8, 2020 AND MINUTES OF PREVIOUS MEETINGS.

It was MSC to approve the amended agenda for September 18, 2020. The following members all voted aye: Moe, Smiley-Ratchford, Koblik, Gonzales, Schaffer, Canada, Niyogi, Gerken, Seefer, Kiely, Gomez, Denning, Millington, Goralka, and Haslam No nays. No abstentions. Approved There were no minutes to review.

2. PUBLIC COMMENT

None

3. COUNCIL COMMENT

Moe said he wants to discuss putting together events with a focus on the election. He said one event will be about how we disagree in a productive way about election topics.

Niyogi said there are some Social Justice meetings that are focused on the election. An announcement will go out today

4. ANNOUNCEMENTS

Denning announced that Sabra Benji, faculty member in film, television, video and Electronic Arts, organized a guest speaker Zoom event on September 3. She invited Scott Kiner a film producer, writer and director, to come and speak to our students. It was an amazing and a wonderful opportunity for students.

He talked about careers in the film and television industry. There was great attendance and he opened it up to student questions. Denning said she was really impressed by the student engagement and the questions they

proposed. The goal was to connect the industry with students and this was a great example of that.

Canada said there is wellness counseling available this semester in group and individual sessions. Information is being sent out. She asked Council to make sure students know about service. She said they still have a lot of open appointments.

Seefer gave a shout out to those who planned the five Welcome Days. She said she participated in two of them and they were really well done. She said there were student panels, faculty panels, online teaching panels, games and scavenger hunts.

Freytag said we need to fill our two adjunct faculty positions on the Council since Parkinson and Bruenn have moved onto other positions. One position is up for election and he will appoint the second position.

5. APPOINTMENTS

RPEC

John Rodriguez

It was MSC to approve the appointments listed above. The following members all voted aye: Moe, Smiley-Ratchford, Koblik, Gonzales, Schaffer, Canada, Niyogi, Gerken, Seefer, Kiely, Gomez, Denning, Millington, Goralka, and Haslam. No nays. No abstentions. Approved.

6. VPI REPORT

Gutierrez said SRC enrollment is up 3.2%. We are serving a 788 FTS at SRC. Their productivity is good at 17.4%. At Pleasant Hill, the enrollment is down slightly by 4.1% they are serving about 6555 FTS with a productivity of 16.5%.

Gutierrez expressed her appreciation to those that are bringing attention to student needs that could be addressed with CARE funds. She said she heard about an impact on students who have back to back classes where they were in a synchronous online class that backed up against to a hybrid lab meeting and it was necessary for them to spend some time on campus engaged in the synchronous class so that they would be able to make it to their hybrid class on time. As a result of helping us understand those needs that students are facing, we have some labs that became open starting today. An email has gone out listing those open labs. These labs are set up for students who need to be on campus.

Gutierrez said for students that have technology needs, we have resources that we can check out to students so they have the technology that they need to be successful for the term.

Gutierrez said there are a couple of other things that are open on campus as well. The cafeteria continues to provide food for students and other people as well if you happen to find yourself on campus.

Gutierrez said they also found out to that, we needed to buy more textbooks, so we can support our tutors who don't necessarily personally own or have access to all the textbooks that they need to be tutoring from. She said we do have funds that correspond specifically for items that are code related and we've purchased a lot of computers to be able to check out for loan to part time faculty and full-time faculty and students as well.

7. DISTANCE EDUCATION TEAM UPDATES

Lisa Orta and Crystala Button presented an update on preparing students for online learning. Orta reviewed the history of the training badges. The Canvas badge was first put together in 2017 through a Developmental Ed grant. They were implemented in individual instructor's courses. Approximately 1200

badges were awarded. They found that it resulted in far fewer questions from students about Canvas. It is also a great way to onboard students and ease them into technology and online learning. What these efforts did was to create a technology foundation for students so they can focus on the course material and not the technology. Orta said when they first developed the badge; students were choosing to take an online class. She said things have changed and we need to make sure all students are ready for online learning.

Now with the California Virtual College-Online Education Initiative we are revising Canvas training and making it public facing, external to the classroom. We are building online success by supporting and preparing students for what is needed for online learning.

Button went over what is inside the badge. The modules include self-assessing for what they need to be ready for online learning; hearing from the instructors; identify key tips and strategies for online learning success; and know where to find support resources to help them succeed online.

Button explained the Canvas Expert badge contains the following modules: Understand the Canvas LMS; Create your online student profile; Learn how to submit work; and Get ready to check-in online.

She said since they have offered the revised badges in August, students have completed the Canvas training and 630 students have completed the Online Learning badge. She said they presented information about the training badges on the Welcome Days, students were very excited about it, and many students completed them right away.

Orta reviewed the results of a survey students took that had completed the badges. 617 respondents said it was super helpful to get started; 60 respondents said it was somewhat helpful, but they still had some questions; and 4 respondents said it was not very helpful and they feel that they don't understand Canvas at all. Orta said students' favorite tool is the calendar, especially because they can also feed it with events and export it to merge with their other calendars and they can receive notifications on their phones. They learned that a friendly video welcoming students to the college goes a long way. The other thing that students appreciate about the badges is we make the point that every instructor uses Canvas differently.

Orta said we also give students a chance to tell us what they want their instructors to know about them and their answers are just so sweet and so informative. They want you to know that they're creative, family members as they are returning to school after a couple years. Moreover, they have such a breadth of life experience including composing music. One has been a ballet dancer for three years. One is a STEM major who loves poetry. So this is a great way for the students to introduce themselves to us as whole people. The feedback with the online success managers has also been very positive. 85% of the 547 respondents said they feel more prepared now that they've completed the badge.

Button reviewed more results from students. 78% responded that did not gain any of the skills they were asked about. She said when we send the survey again; they will add a box next to this option to better understand what types of support is still needed. They found that the badge reminds students of the importance of the Canvas app. In addition, students are drawn to the helpfulness of the Canvas calendar. In addition, the badge reminds them to check emails daily. Points that stand out in the instructor videos are to find a comfortable space to work; read the syllabus thoroughly; preview your class like you just moved into a new neighborhood; stay on top of deadlines; and strengthening their time management.

Button read a couple statements from students in response to the recommendations from faculty where they made a commitment to follow these recommendations. She said what she does in her courses is she asks students to verify completion of a badge by taking a screenshot of that last window at the end of the badge. This shows they have configured the data as well as showing they know how to upload an image. She suggested asking the students to articulate a couple important takeaways from the badge that they can then post into a discussion. She reminded faculty that these badges are to help students, they are not meant to carry a lot of weight in the class. Therefore, they should be for extra credit and it's a great way to check for understanding

Robison said we are continuing trying to find creative ways to provide more support to faculty. He thanked Mary Gutierrez, Todd Farr and Susan Lamb for being very supportive of putting some CARE funds towards

getting additional support and they have been able to start a pilot project with the sciences. We've recruited Marlene Storz from Dental Hygiene to help with the sciences and some CTE on the hard to convert classes. There are also instructors from Music and Horticulture helping. They will all be doing one-on-one sessions for faculty. Robison said Button has been working on upgrading tools for scheduling and they have booked a service and Button has been looking at how we can best use this service. He said Carrie Million is also being funded with CARE funds as our accessibility specialist on a range of topics like Canvas basics to advance, to video editing and so on. It is a work in progress, but it's looking pretty good. There is a pull down list with all the topics that are available. You will see for example Eric Moss covers certain topics and you will then see when he is available. You can opt to have your appointment added to your calendar.

8. REVIEW OF 10+1 AND ROBERT'S RULES OF ORDER

Moe shared information from the ASCCC Local Senate Handbook.

Moe said as long as he has been on the senate we have had a collegial relationship with our administration and he said it is important to know what the faculty purview is under AB 1725 and the 10+1. He said should there ever be a conflict about the faculty purview it is important to keep the 10+1 in mind. He said the 10+1 also includes curriculum, degree and certificate requirements, grading policies, educational program development, and standards and policies regarding student preference.

Moe said sometimes at Senate meetings we get caught up in the day-to-day stuff, but we need to be aware of what our responsibilities are under Ed Code and always have your eyes and ears open for things that should be discussed by the Senate. He said the idea is that we are the content experts as we are the closest to the students.

Freytag said there is also a delineation between the Union purview such as work conditions and the Senate purview, which is the 10+1. We are fortunate to have a collaborative relationship with our Union in the District.

Moe said the other thing we need to keep in mind when we have meeting of the Senate as well as with other college committees and the Union is Roberts Rules of Order. These govern our parliamentary procedures and voting procedures. Moe said he will send out links to Title V and Robert's Rules.

9. DEFINING/DETERMINATION OF "HARD TO CONVERT" COURSES

Freytag explained that the Schedulers are working to convert the spring schedule to online courses but some don't work well in online or hybrid format. For example, Dental Hygiene has requirements to work in the clinic. These are for state certification. He said some faculty feel they are being encouraged to not have face-to-face portions of their classes. However, some classes need some face-to-face interactions such as activity, performance and lab classes.

Gutierrez said these are important conversations that should take place at the department level.

Moe said this is also a Senate conversation because one of the 10+1's is about program development. He said we need to keep talking about this because we don't know how long this situation will go on. This topic has come up at the department program level and as we are starting to think about the Spring '21 schedule, we need a definition or determination of hard to convert classes.

There are some guidelines from the state, but it leaves a lot up to local districts and colleges to make the determinations on what are hard to convert classes. Moreover, there needs to be an opportunity for faculty to justify pedagogically why having students on campus, even a few times a semester is of value to their subject and students completing that course.

10. COLLEGE PRESIDENT UPDATES AND Q&A

Lamb said she sent an email out that morning about the current situation at the college, district, state and national levels. She told Council they are looking at a variety of things that CARE funds could be used for such as safety equipment. She said this is not the best situation but there are some amazing things happening. In her email, she also talked about stress reduction and some of the resources they are offering like

mindfulness drills. She said Gutierrez has reached out to the ECE program to see how they can offer some services for when students may have to be on campus.

Lamb said the budget for this year looks pretty good although we have deferred a lot of things to next year. She said our budget process was delayed because we got the number from the state late. She said they have been reviewing the status of our categorical funds and what should be our priorities for the categorical funds we still have.

Lamb said they are also looking at how to better align the college division structure with our interest areas. She said it is a question about unevenly dispersed workloads for the deans. They vary widely yet they all get the same pay.

Lamb said in next year's budget we will need to address the deferred expenses and the state budget will most likely not recover next year so she thinks we will end up with cuts. However, she is hoping they keep the categorical funds intact. She said we do have strong college and district reserves so we should be ok for now. If the budget situation continues for a few years, there will be cuts but we are developing strategies for worst-case scenarios.

Lamb told Council she thinks the Governing Board actions in cancelling three contracts of district administrators were inappropriate. Moreover, the positions that had their contracts cancelled will be hard to fill at this time.

11. SENATE GOALS FOR '20-'21

Council reviewed the Senate goals for 19-20. Freytag said we had a lot of thoughtful discussion about them so they are a good place to start for this year.

Council discussed some revisions that could be made. Freytag had sent out the ASCCC's resolution, call to action and the Governing Board's resolution in support of diversity in student leadership. Another goal that has been suggested is to look at some compensation for faculty advisors to student clubs.

Freytag said this will come back to senate for further discussion and a vote. In the meantime, he will form a small workgroup to look at the suggested revisions and incorporate them with the existing goals.

Gonzales and Gomez said they reach out to Social Sciences and English to provide input. Freytag said he will find one more person for the workgroup.

12. RECENT ACTIONS/DECISIONS OF CCCC CD GOVERNING BOARD

Freytag reminded Council Lamb had brought this next topic up during her report earlier in the meeting regarding the recent Governing Board actions. He said he has invited Donna Wapner and Jeffrey Michels to this meeting as they have been at all the Board meetings and they have done an excellent job communicating the Board's actions and our concerns.

Freytag said Lamb had mentioned the board's actions to not renew the contracts for Dio Shipp, Jonah Nichols and Gene Huff. He said prior to taking these actions, Nichols and Shipp had conducted investigations into allegations of ethics violations by three of the Board members. The results of those investigations and several of the findings were upheld, meaning that there were indeed ethics violations and it certainly seems vindictive and retaliatory to have that happen to two individuals who were a part of those investigations and who don't report to the Board. Freytag said he is astounded that one of the individuals, Jonah Nichols has been with the District for several years and he has been a great steward of our district budget and has put us in a pretty good position to deal with the latest budget situation. Knowing that we're looking at challenging financial times over the next several years, it does not make any sense.

These board actions are also compounded with the fact that we're trying to wrap up a chancellor hiring process over the next few weeks. Freytag said there will be open forums for the finalists, and the dysfunction of the board is a concern that they are impacting our district and colleges ability not only to hold on to its employees, but certainly to be able to recruit and hire new quality employees.

Freytag said he has received multiple requests for our Senate to consider a vote of no confidence for the three trustees that violated ethic rules. Those are trustees Gordon, Marquez and Enholm. They have demonstrated repeatedly that they're making decisions for personal and political reasons.

Unfortunately, the 5-member board is split, so you have three that don't seem to have the best interest of the district or the colleges or students. The word that's most commonly being used to describe the Board is dysfunctional. Freytag said he looked at the Board's own self-evaluation. Brice Harris came in to work with them on their evaluation. Their own comments within that self-evaluation are telling, to say the least. Freytag shared some of their comments. "We are completely focused on petty politics; we need to refocus on our mission of serving the students". "I'm sad to say that my greatest concern is our own board's behavior". Freytag said it is very concerning that; we have board members who bully other board members and staff to gain control and power. Freytag said he requested a meeting with ASCCC President, Dolores Davison. He said he, along with Moe and Marissa Greenberg and two other district senate presidents met with her the previous week and got some feedback and guidance. He said she was struck by the dysfunction.

He said she concluded that not only does she think that in light of their behavior and actions, a consideration of a vote of no confidence is entirely appropriate. He said they talked about other options and Davison said she is not seeing any other options at the state level. He said they asked her about the implications of a vote of no confidence on accreditation. The team visit is coming up in October and they have already been made aware of the problems. There's no way to sanction the Governing Board because it's the colleges that are accredited. However, they can make recommendations to the board.

Wapner said the Governing Board's real responsibility is oversight and policy. A lot of the dysfunction is either overstepping their bounds of responsibility and or not following good practice. Wapner said she has been looking into a lot of votes of no confidence of governing boards by faculty and what kind of things have shown up in those reports of votes of no confidence and accreditation reports. She said Freytag had raised the question if it would be a bad thing for our accreditation if we issued a vote of no confidence in the board.

Wapner said she sees it as part of our checks and balances of good practices.

Wapner said there five things that came up in the votes of no confidence she looked at. One is overstepping their role. Second is not following senior staff recommendations. Third was Brown Act violations. Fourth was ethics violations. Fifth was putting personal agendas and political motivations ahead of student, college and employee needs. She said when she looks at what's happening in our governing board right now, they are operating in all of those areas inappropriately. Therefore, it's really vital that the well-functioning parts of our colleges stand up and let the board know we see what they are doing, we don't appreciate it and, it needs to change.

Michels compared what the board did about the contracts for three administrative positions to a tenured track faculty member who goes through four years of the 10 year process, gets excellent evaluations is recommended for tenure by your committee and the President of your college. Then that comes before the governing board and they vote three to two, not to grant you tenure without explanation.

He said the several members of the current board have the stance that they and not the Chancellor run the district. They have taken an aggressive stance of not listening to anyone. He said it's very unusual to have the faculty, the staff and management defend an employee and then have the board ignore that and decide they don't want that employee. We don't know what they will do about Gene Huff's contract at the meeting the following evening, but what they have already done to Jonah Nichols is indefensible.

Michels said it is true we're public employees, and things are not perfect. We don't have the resources we need, we aren't paid what we would like to get paid and more. However, to have a stable district with labor peace and reasonable reserves and financial stability where not everybody is at everybody's throats, and then to have a governing board getting in the middle of that is unforgivable. He said anytime he is in a room of faculty, he tells them most important thing we can do to fix this is replace Vickie Gordon with Judy Walters. Walters would be a grown up on the board and she is faculty friendly. Moreover, she has an enormous amount of experience and integrity. He said he thinks a vote of no confidence from the Academic Senate would be really wonderful. Classified staff feels the same way as faculty as well as management. He said it would be easy to paint this as a fight against the unions and a Senate resolution would eliminate that argument. He said the dysfunction and dishonesty on the board go back several years. They have not been working with us and in some cases, lying to our faces, lying to one another, bullying one another and worse.

Michels said he has been representing faculty in this district for 15 years and this is the most precarious moment we've ever faced.

Wapner said the announcement about the Chancellor search is this week and she is very concerned of what the outcome will be.

Freytag commented that there was over 120 classified, faculty and management that showed up at the last board meeting to show their support for Nichols. And almost the entire team that works for Dio Shipp came out in his support. Nevertheless, the governing board was not listening and that is hugely concerning given that they will be voting to hire the next chancellor this month. He said Dolores Davison from the ASCCC said she sees a vote of no confidence to be a good thing to show ACCJC we see these issues and we are not okay with it.

Freytag said he has been doing a lot of reading and in one article from the ASCCC president in 2019 a statement that stood out to him is “A vote of no confidence must be thoughtfully and thoroughly examined and must be rooted on the grounds that continuing with the status quo produces more harm to the institution and ultimately the students”.

Freytag said he is asking for permission to engage with the other senate presidents, both classified and academic, and start to write up what would presumably be a resolution in support of a vote of no confidence. He said this is not an action item today but he is looking for a general sense of the room. All Council members present indicated their approval.

Freytag said we should get a resolution done as soon as possible because of the upcoming election and the two board seats that are up for re-election. Wapner added that the board will be making a decision on a chancellor by the end of September.

13. AS PRESIDENT’S REPORT

This item was postponed due to time constraints.

14. ADJOURNMENT

There being no further business the meeting was adjourned at 4:40 p.m.

*Respectfully submitted,
Ann Langelier-Patton
Administrative Secretary*