

**ACADEMIC SENATE COUNCIL MEETING****MAY 22, 2018****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:** Beth McBrien (President), John Freytag (Vice President), Patrick Moe (Corresponding Secretary), Kris Koblik (Professional Development), Katrina Keating (Rep-at-large), Lisa Smiley-Ratchford (Social Sciences), Heidi Gentry-Kolen (Math/Computer Science), René Sporer (SRC) Daniel Kiely (Library), Wayne Larson (Physical Sciences), Nicolette Moultrie (CTE), Yvonne Canada (Counseling), Jim Blair (Part-time), Kimberley Taugher (Biology/ Health Sciences),

**ABSENT:** David Vela (English), Carolyn Seefer (Business), Theresa Flores-Lowery (Kinesiology), Leo Bersamina (Applied and Fine Arts)

**GUESTS:** Albert Ponce, Becky Opsata, Rachel Westlake, Ann Kingsley, Keri DuLaney-Gregor, Laurie Lema, Peter Swenson, Mario Tejada, Rick Robison

**1. APPROVAL OF AGENDA OF MAY 22, 2018 AND MINUTES OF MAY 8, 2018.**

**It was MSC to approve the agenda of May 22, 2018 with the addition of an action item for appointments. The following members all voted aye: Freytag, Moe, Keating, Gentry-Kolen, Taugher, Koblik, Smiley-Ratchford, Sporer, Kiely, Moultrie, Canada, Blair, and Larson. No nays. No abstentions. Approved.**

**It was MSC to approve the minutes of May 8, 2018. The following members all voted aye: Freytag, Moe, Gentry-Kolen, Taugher, Koblik, Smiley-Ratchford, Kiely, Moultrie, Canada, Blair, and Larson. No nays. Sporer and Keating abstained. Approved.**

**2. PUBLIC COMMENT**

Peter Swenson, ASDVC ICC Chair told Council there has been no change in the decision to nullify the ASDVC election. He said clubs will still be able to meet but they won't be able to fundraise or expend any funds. He said his coalition is still working on a better solution to this situation. He said of the coalitions that put forward candidates, his coalition is the most qualified to serve.

DuLaney-Gregor, attending the meeting on behalf of the English representative David Vela, said it is unfortunate that she cannot vote on action items at this meeting since it was the second she has attended for Vela and the Senate constitution states an appoint substitute for a representative cannot vote until the representative of record has missed at least three meetings. She urged the Council to consider making changes to the Constitution so that when a representative knows for certain they will not be returning, their replacement may vote at the first meeting they attend.

**3. COUNCIL COMMENT**

Keating said she read an article in the EBay Times the previous weekend about an individual that brought weapons onto the campus and was detained. However, the campus was never notified of the situation. She said at SF State and email goes out if an incident was even attempted.

#### 4. ANNOUNCEMENTS

Keating announced she has completed her doctorate!

Koblik said she has researched the possibilities for having Flex activities prior to the optional and mandatory Flex days at the beginning of each semester. She found that we can have flex activities as long as they are not on variable Flex day. So, on Tuesday, August 21 a Guided pathways Conference is being planned. She said that attendees will probably be paid or receive Flex Credit.

#### 5. APPOINTMENTS

##### Academic Senate Scheduling Committee

Kris Koblik, AFA

Heidi Gentry-Kolen, Mathematics and Computer Science

##### ASSM – Workforce Development

Paper Screening - Nikki Moultrie

Screening Interview - Charlie Shi, Daniel Abbott

##### Dean – Workforce Development

Paper Screening – Joann Denning

Screening Interview – Charlie Shi, Daniel Abbott, John Henry, Lupe Dannels

##### Dean – Physical, Biological & Health Sciences

Paper Screening – Ellen Beaulieu, James Hoffmann, Barbara Hewitt

Screening Interview – Craig Gerken, John Freytag, Binita Sinha, Pam Powers

##### Dean – ALO/Institutional Effectiveness

Paper Screening – Rene Sporer

Screening Interview – Beth McBrien, Julie Walters, Catherine Machalinski, Mario Tejada

##### District Sabbatical Leave Committee

Katrina Keating

**It was MSC to approve the appointments listed above. The following members all voted aye: Freytag, Moe, Keating, Gentry-Kolen, Taugher, Koblik, Smiley-Ratchford, Sporer, Kiely, Moultrie, Canada, Blair, and Larson. No nays. No abstentions. Approved.**

#### 6. COLLEGE-WIDE GOAL SETTING

Lema shared data that should be considered when writing the college's goals. The first set of data is in the DVC ASCCC Annual Report. She reviewed the aggregated data including head counts, student success completion rates, job placement rates, numbers of course offerings, and budget information.

Lema then shared data on our Institutional Effectiveness indicators. She noted that most of our trends are going up but we don't know why. So we are setting measurable goals so we can evaluate the factors that have influenced them. She reminded Council these are internal goals that we set for ourselves. She said these numbers could be impacted by the new state budget formula for community colleges goes into effect so we have 2 years to make adjustments as necessary.

Lema shared RPECs recommendations for goals and strategies with Council. They include College-wide stretch goals, strategies for Program Review improvement, professional development, targeted department/program and service area support, and marketing and communication. These recommendations are going out to college governance bodies for review and feedback.

Sporer commented that a lot of time is spent on data review in Program Review and RPEC. However, this is looking backwards, we need use program review as a tool to help us move forward. McBrien said the PR templates will be revised to further inform us on what the college needs are to promote student success. Freytag said in reference to the stretch goals, awards and certificates are unevenly distributed among the disciplines so percentages in different areas cannot be compared between them. He said we need to talk about and share strategies that are being used in different areas to help increase percentages of completion. Koblik added that we also need technologies to help us see the trends and address areas for improvement. For example, we need more robust degree audits to inform students what they can achieve.

**It was MSC to approve the RPE recommendations for college goals and strategies. The following members all voted aye: Freytag, Moe, Keating, Gentry-Kolen, Taugher, Koblik, Smiley-Ratchford, Sporer, Kiely, Moultrie, Canada, Blair, and Larson. No nays. No abstentions. Approved.**

## **7. OEI UPDATE**

Kingsley shared the OEI goals that the workgroup has developed. Those goals are to:

Have 5 online courses approved and ready for the exchange in Fall 2019

Have 10% of all our online courses in the exchange by Fall 2020

Have 20% of all our online courses in the exchange by Fall 2021

She then reviewed what is needed to help us reach those goals. They include infrastructures for technology, enrollment, financial aid, student services, and counseling. We also need to develop Professional Development activities to support the development of the infrastructures.

Canada commented that counseling is working on a campus site for guided pathways (infrastructure).

Kingsley then reviewed a timeline for building a peer review process for OEI courses beginning in spring 2018 through Fall 2019. Kingsley said they would like a senate designee for the implementation group which will be meeting about once a month. Gentry-Kolen volunteered to be the designee.

Kingsley said there will be a Flex workshop in August covering general information about OEI. There will also be one to begin training for participation in the OEI process.

Tejada commented that doing this work will overall strengthen our Distance Education program.

Kingsley asked Council to send her any comments or suggestions.

## **8. SYLLABI Guidelines**

Koblik informed Council she was contacted the previous day by Marcia Perata in CalWORKs and was informed that CalWORKs students cannot receive funds if the syllabi of online courses do not include the rough number of hours of participation per week. She has added information on course considerations for syllabi for online courses. It was suggested that this information also be included in the required syllabus elements for course information. It was also suggested to add clarifying language to distinguish student services and academic services.

**It was MSC to approve the revised syllabus guidelines with the suggested changes. The following members all voted aye: Freytag, Moe, Keating, Gentry-Kolen, Taugher, Koblik, Smiley-Ratchford, Sporer, Kiely, Moultrie, Canada, Blair, and Larson. No nays. No abstentions. Approved.**

## **9. ASC APPROVAL FOR SUMMER**

McBrien asked Council for a motion for her to take actions if necessary over the summer for senate work. She said she will keep Freytag and Moe informed of any actions.

**It was MSC to authorize the Academic Senate President to take actions if necessary over the 2018 summer. The following members all voted aye: Freytag, Moe, Keating, Gentry-Kolen, Taugher, Koblik, Smiley-Ratchford, Sporer, Kiely, Moultrie, Canada, Blair, and Larson. No nays. No abstentions. Approved.**

## **10. VPI REPORT**

Westlake said she attended a meeting of recent retirees to discuss their feedback on the hiring process. She said it was the first time the EEO was included and it was very helpful. She said she talked about parts of the process including what applicants need to do to complete the process as prescribed.

Westlake said this is her last meeting before her retirement at the end of June. She said she feels she is leaving the college in a good place and is confident the new VPI will be a good fit for the college.

## **11. AS PRESIDENT'S REPORT**

McBrien said she has already been scheduling agenda items for the fall.

McBrien said she will bring in a representative from Netflix to discuss their options for textbooks.

McBrien said another topic that will be discussed is the proposed new state funding formula for community colleges.

McBrien said at DGC the previous week she realized the lack of respect the state chancellor has shown for faculty has trickled down to the local level.

McBrien said the administration is working out a way for student government and clubs to move forward.

McBrien said she met with Scott King to discuss veterans' needs to succeed and she has brought those to consultation with the college president. Blair added that he will be holding office hours over the summer in the Veteran's Center. He said also, the Veterans' Administration will not start processing student applications until late July this year so it will have a big impact on veterans when they begin the fall semester.

## **12. RESOLUTION**

McBrien gave the divisions that were not represented at the last meeting an opportunity to provide feedback on the proposed resolution on academic freedom.

Taugher presented comments from her division. She prefaced the comments with a statement that the comments from her division were made with a spirit of support, faculty unity, and gratitude to the Social Science Division for bringing this forward.

The comments included a question about who "we" is in the document although she sees that that has been revised to say the "academic senate", however, it should distinguish it is the Academic Senate of DVC.

Another comment was about specific things in the resolution being asked of the governing board. But the governing board is for the entire district. Not only should this be clarified in the document but should go to the other colleges in the district.

Taugher said one of the most important points made by her division regards the second paragraph of the Board Policy 2018 on Academic Freedom. The second paragraph reads, "Members of the college faculty are citizens, members of a learned profession and representatives of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As persons of learning with institutional affiliations, they should remember that the public may judge their profession and institution by their statements. Hence, they should at all times be accurate, exercise appropriate restraint, show respect for the opinion of others, and make every effort to indicate that they are not expressing their institution's views".

Taugher said they have a lot of concerns with the language in this policy. They said the policy does not protect faculty but actually limits them. They said this needs to be addressed in the resolution to increase the power of the resolution.

DuLaney-Gregor said the English division totally supports the resolution and they feel it urgent that it get passed as a show of faculty unity in support of academic freedom.

Keating said the third resolve should be more prescriptive in what is being asked of the Governing Board. She also said the reference to the document on Academic Freedom from 1940 does not support the intent of the resolution. She said her biggest concern is the first part of the first resolve. Under the first amendment, it actually is attempting to limit others first amendment rights. We all as citizens including other groups and individuals have a right to try to influence our public officials to do what we feel is right.

Sporer said SRC had a lot of things going on and they did have a discussion about this yet. She said in her opinion, this is not a finished document and also that we cannot leave out the voices from the other two colleges in the district.

Kiely said the library supports passing a resolution but they feel this has taken so long it is being distilled down to be less powerful.

Moultrie said CTE is a small group of faculty and they don't feel they were included in the voice of faculty. It is more about academic and general education. They also feel the other two colleges should have a voice in this.

Koblik said there is an issue about timing and urgency vs. due diligence and inclusiveness. She does not know how to proceed on this but it needs to be part of the discussion. She said she realizes it is the end of the semester but we need to balance governance procedure with the sense of urgency. And we need to spell out the next steps we want to happen. She also commented that the sixth whereas does not seem to include the sciences. She said they also

have controversial subjects they cover such as climate change.

Taughner said she was on the resolution workgroup and they talked about what to include in that whereas, but they realized the list could get very long so they agreed to an overall statement.

Smiley Ratchford said she appreciates the well thought out feedback and respects it. She said they would be willing to make changes to make it more inclusive. She said also they have always wanted to bring it to the other two colleges and that has gotten lost in the discussions. But moving forward, they feel it is an important statement that starts with DVC.

Blair pointed out that the second paragraph in Board Policy 2018 is very similar to the 1940 statement and we need to be careful because it is citing a reference that does not really say that.

Moe said he supports a resolution and he is disgusted about what has been happening regarding academic freedom and is deeply concerned. He said he feels the urgency but he does have concerns. He feels it is a status quo resolution. We are asking for a change to something that is already the status quo. He said people have been mentioning that lives have been in danger but he does not think us passing this resolution is going to stop anything from happening again. He added that he supports specifying the need to change Board Policy 23018. He said he thinks it needs more work but he will not stand in the way of the majority votes to approve at this time.

Freytag suggested we write a motion at this meeting stating that we support the intent of the resolution and will form a small workgroup to strengthen the resolution. The workgroup should include representatives from the other two colleges. He said he is envisioning the group work over the summer and come back with a document first thing in the fall.

Ponce commented that the resolution is not just about what happened to him, but we have to acknowledge the historical reality of this juncture we are at. He said yes the resolution does reaffirm the status quo but it is important to do so when we are in a tumultuous time politically.

**Taughner moved that the academic senate form a small workgroup over the summer to work on strengthening it and have a draft ready first thing in the fall.**

Freytag said we need to be specific and define what we want the group to do. McBrien said we need to include language in this motion that says we support a resolution on academic freedom.

DuLaney-Gregor suggested it be moved to approve the document today and a workgroup can revise it over the summer and bring it back. Taughner said we all support the concept of academic freedom but she is concerned about passing a resolution with a statement that we are going to change it.

**Blair moved to form an inter-college academic senate workgroup to draft or to solidify a resolution in support of academic freedom and a call for a change to the 2018 Academic Senate District policy and to draft a proposed document to replace Board Policy 2018.**

Keating reminded Council there is already a motion on the floor.

McBrien said before a second or a vote on the motion is made, Council needs to be aware that some of us can agree to meet as a workgroup over the summer but she can't guarantee that the other colleges will want to work over the summer. But she will put this on the first FSCC agenda in the fall and whatever work product the DVC workgroup comes up with will be presented for review and discussion by the other two colleges.

Lema summarized that the Academic Senate wants the goal of strengthening the proposed resolution on Academic Freedom by forming a District-wide faculty work group to perfect the resolution and forward that to the Governing Board.

Keating asked Blair if he would accept a friendly amendment to his motion to include the language stated by Lema. Blair accepted the friendly amendment.

Keating restated the amended resolution for the record. **That the Academic Senate of Diablo Valley College supports the goal of strengthening the proposed DVC Academic Senate resolution on Academic Freedom on May 22, 2018, by forming a district-wide workgroup including representatives from the Academic Senates at our sister colleges over the summer to bring a perfected resolution specifically including amendments to Board Policy 2018 back to this body for approval and then forward it to the Faculty Senates Coordinating Council with the end goal of presenting said resolution to the District Governing Board in the fall semester of 2018.**

**The motion was seconded.**

DuLaney-Gregor said there were several motions presented today. She sat on the Council when a resolution was presented to stand with CCSF against the ACCJC Board which since then has been dismantled. She said she was the only one who voted yes. A month later Barbara Beno was fired from the ACCJC board. Du-Laney-Gregory said she thinks this body is over conservative and focuses on process, and she is ashamed and glad she is currently not a member. She is frustrated the Council cannot say they stand behind this resolution today and will revise it later.

**The question was called. The following members all voted aye: Freytag, Moe, Keating, Gentry-Kolen, Taugher, Koblik, Smiley-Ratchford, Sporer, Kiely, Moultrie, Canada, Blair, and Larson. No nays. No abstentions. Approved.**

Blair, Moultrie, Canada, and Taugher said they will serve on the workgroup over the summer.

McBrien acknowledged this was a hard conversation and thanked everyone for their candor. We need each other as we move forward and we have to agree to disagree. She then quoted from the movie "The American President". "America isn't easy. America is advanced citizenship."

### **13. ADJOURNMENT**

There being no further business the meeting was adjourned at 4:20 p.m.

*Respectfully submitted,  
Ann Langelier-Patton  
Administrative Secretary*