



**ACADEMIC SENATE  
APPROVED MINUTES  
MARCH 29, 2012**

**Senators Present:** David Boley, Paul Cripe, Ellen Dambrosio, Bob Droual, Catherine Greene, Jennifer Hamilton, Greg Hausmann (For Kevin Alavezos), Jim Howen, Allan McKissick, Mike Morales, Estella Nanez, Adrienne Peek, Chad Redwing, Lisa Riggs, Dorothy Scully, Burt Shook, Brian Sinclair, Mark Smith, Jim Stevens, Rob Stevenson, Theresa Stovall, James Todd, Layla Yousif, John Zamora

**Senators Absent:** Bruce Anders, Debbie Laffranchini, Eva Mo,

**Guests Present:** Douglas Dyrssen, ASMJC, James Fay, Interim Vice President of Instruction, James Varble, ASMJC, Erik Vorsatz, ASMJC

**I. APPROVAL OF ORDER OF AGENDA ITEMS**

*The order of the agenda items was approved without objection.*

**II. APPROVAL OF MINUTES**

*The minutes of the March 15, 2012, Academic Senate meeting were approved without objection.*

**III. CONSENT AGENDA**

A. President's Signature on Request for CMPGR Discipline List Addition

*The Consent Agenda was approved without objection.*

**IV. GUESTS/PRESENTATIONS**

A. Dr. James Fay, Interim Vice President of Instruction, spoke to the Senators about the current funding situation for Modesto Junior College. Dr. Fay said, "I know we are going through turmoil that we have all been experiencing for the last three to four years in the Community College system. It has made life difficult for everyone." Dr. Fay stated that the turmoil that we are experiencing now, will be continuing for at least two to four more years. Dr. Fay also said, "We have to tighten our belts in a way that preserves a maximum number of opportunities

for our students.” Dr. Fay stated, “After looking at the data that has been provided to us by Brian, all the low hanging fruit has been eliminated. Classes are at capacity. We may have to do whatever marginal increases we can above that. There are physical limitations as far as classrooms amongst other things. Nurses have maximum class size. We can’t put 40 students into a basic writing class. There are pedagogical limitations on what we can do. Within those limitations we have to be as creative as we can. The state is funding a smaller FTE (Full-Time Equivalent) basically, and so we have to ration back somewhat to stay within that limitation since we were not a chartered institution. We just have to do the best we can under rather adverse circumstances.”

Dr. Fay has recently spoken with the deans, faculty and the Program Review Committee. After much discussion with faculty, suggestions were given to Dr. Fay to improve Program Review. Dr. Fay has moved the deadline for Program Review up from May 15, 2012, to May 30, 2012. Dr. Fay has also discussed class minimums with the deans. It was suggested that the class minimum be 20 students for courses with pre-requisites and a 25 minimum course size for those courses without pre-requisites. Dr. Fay stated, “There will be appropriate flexibility as needed for complying with various mandates, accreditation requirements or courses that might be absolutely essential for students to graduate.” Dr. Fay also mentioned that Curtis Martin will be working closely with Deans and divisions on any Program Review issues.

Dr. Fay asked the Senators their thoughts about adding a faculty member to the Institutional Review Board. Layla noted that there are presently three faculty members serving on the Institutional Review Board. Layla Yousif noted that the person who takes on this role needs to come from the Research department. Layla said that the Institutional Review Board was working well until the Director of Research and Planning position became vacant. Dr. Fay stated that Jenni Abbott may be filling in the role for Ken Hart, previous Director of Research and Planning.

James Todd asked Dr. Fay, “The rumblings that you hear in different pockets are that if we stopped all summer school, we could dramatically change our budget and so just as we report to our different divisions, it is good to have more of a transparent idea of what your thought is on that.” Dr. Retterer answered, “The District has asked us to go ahead with summer and fall as planned.” James Todd said, “I still didn’t get a clear picture, if the District has asked us to continue summer school. Have we just been asked or do we know if they are thinking about it?” Dr. Retterer answered, “They are telling us to have summer school. Not to cut summer school but what happens division by division after summer school and for future budgets . . . that happens tomorrow in the Planning and Budget meeting.”

V. ACTION/DISCUSSION ITEMS

- A. The Academic Senate discussed the revisions to the Distance Education Plan. The revisions are as follows:

APPENDIX D: Distance Education Committee Charge and Membership

**Charge:**

The Distance Education (DE) Committee provides ongoing coordination of the College's activities related to distance education policies, priorities, standards, resource allocation, planning, and implementation. The Committee also provides input to the YCCD Technology Coordinating Committee and the College Technology Committee.

**Areas of Responsibility:**

The Committee makes recommendations to college administrators, faculty and staff regarding the direction and evaluation of Distance Education-related decisions campus-wide, including:

- Development, implementation, evaluation, and ongoing refinement of DE Plan
- Analysis and communication of applicable standards and guidelines (e.g., ACCJC Distance Learning Manual, Distance Education Guidelines from the California Community Colleges Chancellor's Office) to determine and support MJC compliance
- Conducting regular surveys to determine MJC DE practices, strengths, and gaps
- Recommending faculty, staff and student training and support
- Setting minimum standards for Distance Education delivery
- Reviewing and recommending the delivery of online student services
- Communication with the Academic Senate on topics relevant to Senate purview over academic and professional issues, including curriculum, faculty professional development, educational program development, student preparation and success, relevant planning and budget development, etc.

**Meetings:** Monthly during academic year and as needed. 2

**Membership:** Administrative oversight: Dean overseeing Distance Ed  
The Committee will be co-chaired by the Dean overseeing DE and the Faculty Instructional Design Coordinator.

The Committee will include:

1. Two Instructional Deans
2. Four Senate-appointed faculty representatives to include one from Library and one from Counseling
3. A YFA representative
4. A Curriculum Committee representative, recommended by the Curriculum Committee and appointed by the Senate.
5. A Student Services representative
6. Distance Ed Office Staff
7. Two CSEA-appointed classified staff representatives
8. A Student Senate representative
9. Director of Media and IT
10. An IT representative from Central Services

**Terms:** Academic Senate, CSEA and College Unit appointees will serve a term of two years on the DEC Staff with direct responsibility affecting DE initiatives will be permanent committee members.

#### ***AREA I: STUDENT SUPPORT***

GOAL 1: Deliver online support services for students, including those enrolled in Distance Education courses, to persist and succeed in their educational goals.

Student Services Assistance

1.6 Develop online access to student counseling and advising.

a. Develop process for counselors to meet with students in a secure environment using e-conferencing or other related web based tools.

b. Provide staff development/training to counseling faculty to be properly prepared prior to online counseling.

#### ***AREA IV: GOVERNANCE, GUIDELINES AND BUDGET***

GOAL 4: Establish governance, guideline and budget standards to effectively implement and monitor the college Distance Education Program.

4.3 Develop regular methods and timeframes in which to evaluate DE delivery and student outcomes and satisfaction.

3. a) Assess the impact of online education on the college infrastructure, particularly student services and counseling. Provide effective practices from other institutions that address identified needs.
- b) Ensure that all online courses are in compliance with requirements of the ADA Section 508 guidelines for accessibility.
- c) Encourage faculty to work with staff to ensure that all online courses are delivered in compliance with FERPA.
- d) Regularly evaluate DE in terms of faculty and student satisfaction.
- e) Analyze institutional data relative to distance learning as part of program review.

***M/S/C (Allan McKissick, Theresa Stovall) to approve the revised Distance Education Plan.***

- B. The Academic Senate discussed the Model Language for Participatory Decision-Making Handbook document. Robert Stevenson spoke in support of the document. Robert stated, "I like what I see. I think it is a good direction to take." Allan McKissick stated, "Think back to the resolution that was passed provisionally approving the reorganization of the governance structure in which we are provisionally agreeing to eliminate the Planning and Budget Committee in favor of a new Resource Allocation Committee and a shifting of a lot of the planning function over to College Council. We were very provisional because we were very concerned that the Senate's responsibilities (10-+1 wise) needed to be taken care of, clarified and supported. The provisional approval was in consideration of some more language coming along. This is a down payment. It is not sufficient but it would allow us next Monday, for the committee working on the Governance Handbook, to say that these concerns are sent to you by the Academic Senate." Brian Sinclair pointed out that this is the kind of thing that we need to keep an open mind about and pay very close attention to, especially with our Technical Assistance visit coming up.

The Model Language for Participatory Decision-Making Handbook reads as follows:

*Participatory decision-making (what has been called "Shared Governance") is the set of practices under which college constituencies participate in significant decisions concerning the operation of the institution. It is widely understood that broad participation in decision-making increases the level of constituent investment in the institution's success. AB 1725 created law and regulation 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. “Effective Participation” means that affected parties must be afforded opportunity to review and comment upon recommendations, proposals, etc., having given due and reasonable consideration to those comments.*

*In addition, the academic senate shall retain its primacy in what is known as the “10+1” issues on academic and professional matters. This concept is defined by legal requirements. The Yosemite Community College District (YCCD) Board of Trustees and the Modesto Junior College (MJC) Academic Senate are obligated to “consult collegially” on Academic and Professional (10 + 1) issues that come before the YCCD Board of Trustees for action (YCCD Board Policy 4103, Education Code Sections C.A.C. Title 5, Section 53200 et. Seq.).*

*There are Academic and Professional issues on which the YCCD Board of Trustees has agreed to “rely primarily” on the recommendations of the MJC Academic Senate. The “rely primarily” areas are:*

- *Curriculum, including establishing prerequisites and placing courses within disciplines*
- *Degree and certificate requirements*
- *Grading policies*
- *Faculty role and involvement in accreditation process, including the self-study and annual reports*
- *Faculty professional development*

*“Rely Primarily” means that the Board must ordinarily accept the Senate’s recommendations except when “exceptional circumstances and compelling reasons” may exist. In instances where a recommendation is not accepted, the reasons for the YCCD Board’s decision must be communicated to the MJC Academic Senate in writing and based on a clear and substantive rationale which puts the explanation for the decision in an accurate, appropriate, and relevant context.*

*There are Academic and Professional issues on which the YCCD Board of Trustees and MJC Academic Senate reach “mutual agreement”. The “mutual agreement” areas are:*

- *Education program development*
- *Student preparation and success*
- *Program review*
- *Institutional planning and budget development*
- *District and college governance structures*

- *Others as may be mutually agreed upon by the Academic Senates and the Board of Trustees*

*“Mutual Agreement” means that recommendations shall be prepared by either the MJC Academic Senate or the YCCD Board’s designee, and are subsequently ratified by both. The Academic Senate and the YCCD Board’s designee will strive for consensus on those matters. If, after good faith effort, “mutual agreement” cannot be reached, existing policy shall remain in effect unless continuing with such policy exposes the District to legal liability or causes substantial fiscal hardship, which the YCCD Board shall promptly communicate in writing to the MJC Academic Senate.*

*On issues relating to Institutional Planning and Budget Development, any recommendation with implications for Academic and Professional matters prepared by the MJC Academic Senate or the YCCD Board’s designee will be submitted in a timely matter to both the Academic Senate and the designee for review. Such issues include, but are not limited to, faculty hiring prioritization and program elimination occasioned by financial necessity. If, after good faith effort, the designee and the Senate are unable to reach consensus on planning and budget recommendations, they will make separate proposals to the Board.*

*In addition to any written communication with the YCCD Board of Trustees relating to Academic and Professional matters, the Academic Senate may also make oral presentations to Board on those matters before they are decided, and will be given reasonable accommodation in doing so.*

***M/S/C (Theresa Stovall, Robert Stevenson) to approve The Model Language for Participatory Decision-Making Handbook.***

- C. The Academic Senate discussed the Planning and Budget Committee actions. Chad Redwing said, “It is a dangerous academic precedent, to have programs disappear without following the process of studying whether they are viable programs. I don’t know precisely what that has to do with this list but I felt like the only place to really talk about it was at this academic body because we are worried about academic viability of our institution. I would hope this is a way to civilly talk about the philosophy about how and when we get rid of programs, the process which we should follow.” Chad Redwing provided a statement from the Arts, Humanities and Communications division to be included in the minutes. The statement reads as follows:

*The AHC Division Statement*

*A few words to recognize the Arts, Humanities, and Communications program reports that are missing from the Fall 2011 Program Review: the Radio and Television/Film Departments. With the loss of the faculty who led them, the programs also lost a place in the Review process and a voice in the planning process for the future of the campus.*

*These programs contributed to a fundamental mission of higher education: to instill an understanding of and respect for the open and free flow of information and ideas. These programs embodied the values stated in MJC's Values statement: "INCLUSIVENESS: We promote open communication, ongoing collaboration, and the free exchange of ideas."*

*Without the Journalism department and campus newspaper, students, faculty, staff, and the general community no longer have a free and open campus press. Without the Radio and Film/Television Departments, students will no longer have the opportunity to engage with and understand new media. Without the faculty of these disciplines, students no longer have access to the expertise and insights that carry these informative and creative enterprises forward.*

*A similar void has been created by the loss of the art faculty member whose job included directing the Art Gallery. Without a functioning Art Gallery the campus no longer has a venue for the display of, contact with, and collective appreciation of the visual arts. At least, the reduction in the Art Department, and the damage done to one of the most productive programs at MJC, can be addressed through the Program Review process. However, the Review process is inherently inadequate to consider the restoration of eliminated programs. It simply was not designed to do so.*

*We as an institution of higher learning have a responsibility to commit ourselves to the values of free speech, creative expression, and open discussion. We encourage MJC to recognize the need for us to integrate and reconstruct the Arts and Media Programs and the infrastructures that supported these values.*

A deep discussion ensued regarding the Planning and Budget Committee actions. The discussion revolved around the list and how the list does not take into consideration the recent lawsuit and its effect on the hiring prioritization. Robert Stevenson said, "I am very, very worried about this document, as frankly last year we hired people and fired people off of the last document. We went around processes that we had and we let healthy programs go and then we hired off of another list. I just can't see putting this list forward with three people returning or at least two of them could possibly be returning to Modesto Junior College." Brian Sinclair stated, "I want to back up what Rob has said. I also am not comfortable with the prioritization list the way it is. I think that it would be an



entirely different situation if YFA had chosen, as a strategy, to pursue getting faculty member jobs back by saying they were improperly fired. They didn't choose to do that. They basically filed a lawsuit that said we fired the wrong people. So, that means that their responsibility is supporting those faculty members and that is a different issue. It needs to be done somewhere else and now it is calling on us to that. I am like Chad, I do not know exactly how to approach that but it needs to be dealt with somehow and again this is the place that it seems to be falling. Jennifer Hamilton stated, "Are you implying then that as a result of three people coming back, Administration here has the right to let three other people go now to replace them?" Brian Sinclair answered, "I can't speak for the District. The ruling was, as I understand it, the three people were improperly let go because they qualified to teach in other areas which would imply that other people below them that had less seniority should have been fired. That's how it would work had that ruling gone in effect.

Jennifer Hamilton asked the Administration present in the room, "Since three people are coming back is that the path that we are going? We are talking about a document that has potential hires, which we all understand that, but I mean now the ruling seems not very optional. Are we looking at a zero sum game?" Dr. Retterer said, "In a way I can't answer that because I do not know the details of the ruling, I just heard it in the general voice. If you look at it and say these people were rified because of the budget, and you now have a budget that is now another 2 million plus or less and another 2 million after that. I would say that there are more people in every category that's got to go. Right now we are about 98 ½ or 99 percent labor. That's where it is."

Allan McKissick made a motion to add an amendment. The amendment reads:

*In consideration of the current financial situation and Academic Senate Resolutions Sp11-C and FL11-C, the MJC Academic Senate recommends that highest priority in Faculty hiring be given to first, restoration of the position eliminated from the MJC Library, second, restoration of the position eliminated from the MJC Art Department and third, restoration of the Industrial Technology Program. The Academic Senate further recommends that for the prioritization of Faculty hiring should be revisited should the financial situation indicate the appropriateness of doing so.*

A deep discussion ensued regarding the amendment. Paul Cripe said that he was concerned with some of the language. Paul stated, "The cut, or the planned cuts in the future. The future is now. If we have to constrict in the future, maybe we won't need to, but it's now. One of the many things that happened a year ago, as a group we hoped strongly to avoid all layoffs. We just kept hoping right up until it happened. I am not speaking against any particular person or any motion. The

flavor of what I am hearing now is that same kind of thing, and it disturbs me a great deal because this is our chance to participate in what's coming. If we avoid that chance, we are going to end up in that same place we ended up. That is blaming whoever it is that is currently leading us. We have got to spend some time and some effort participating in the discussion. It's happening now, not later."

***M/S/\_ (Chad Redwing, Jennifer Hamilton) to approve the Planning and Budget Actions.***

***M/S/F (Allan McKissick, Brian Sinclair) to amend the motion to approve the Planning and Budget Actions. 11 Ayes and 11 Nays: therefore the Academic Senate President voted Nay and the amendment failed.***

***M/S/C (Paul Cripe, Jennifer Hamilton) to postpone the remainder of the discussion to the next Academic Senate meeting on April 12, 2012.***

- D. Ellen Dambrosio began a discussion on the proposal to remove the Library, Distance Education, and Tutoring from Instruction, and the proposed Dean of Institutional Effectiveness position. Ellen provided information on the position of Dean of Institutional Effectiveness. Ellen stated, "This position will be responsible for the areas that were included before, the Library, Technology Services, Media, and Distance Education. Then addition to those areas, the position will also include Tutoring, Institutional Research and Grants. This large position caused some concern to the Librarians. Our biggest concern, right off the bat, is that this position would not report to the Vice President of Instruction. This position will report directly to the President. Maybe we can live with that, but we don't want to be removed from Instruction. We have worked very long and hard to integrate in the last decade or so with Faculty and Instruction. We don't want to lose that. We were given an assurance from Dr. Retterer that this person will report or will sit on IAC." Ellen noted that the Librarians have a couple of concerns. The concerns are:

- Library needs to stay under Instruction
- Job description to clearly state that the Dean of Institutional Effectiveness will sit on IAC
- Because the new position is large and covers many areas, the person needs an Instruction background and have a broad range of leadership skills

Ellen Dambrosio motioned for requested support from the Senate to direct its delegation to do the following:

*“The MJC Academic Senate directs its delegation to the College Council to advocate that the Library, Tutoring, and Distance Education be organizationally placed clearly with Instruction. Furthermore, because of the diverse nature and number of units proposed to be coalesced, the Senate delegation is directed to advocate that this division be led by a Dean who has extensive instructional experience and a broad range of leadership skills.”*

M/S/C (Ellen Dambrosio, Jennifer Hamilton) to approve the motion.

## **VI. REPORTS**

### **ASMJC**

NO REPORT

### **College Council**

NO REPORT

### **Professional Development**

NO REPORT

### **Faculty Consultant to the Board/District Council**

NO REPORT

### **Legislative Analyst**

AB1741 (Fong) *Student Success Infrastructure Act*

The goals of the Student Success Infrastructure Act of 2012 shall be as follows:

1. Increasing the ratio of faculty counselors to students.
2. Restoring categorical programs that provide student support services.
3. Increasing the percentage of hours of credit instruction that are taught by full-time instructors consistent with Section 87482.6.
4. Improving the professionalization of part-time faculty, including, but not limited to, expanding part-time faculty office hours consistent with student needs.

The kicker: *“In the 2012–13 fiscal year, and each fiscal year thereafter, this article shall be operative only if funds are specifically appropriated for the purposes of this article.”*

FACCC Response: AB 1741 is scheduled for a hearing in the Assembly Higher Education Committee on April 17. FACCC urges its members to utilize the Point & Click alert system to send a pre-written note of support for AB 1741.

From Community College League of California:  
 Budget information  
 Budget Simulation for YCCD:  
<http://www.ccleague.net/districtimpact2.php?id=71>

<b>Legislative Analyst Office's Revenue Comparison of Governor's Original Ballot Measure and the Governor/CFT Compromise</b>		
<b>Fiscal year(s)</b>	<b>Governor's original proposal</b>	<b>Compromise measure</b>
2012-13	\$4.8b-\$6.9b	\$6.8b-\$9b
2013-14 through 2015-16	\$5.5b-\$6.9b	\$5.4b-\$7.6b
2016-17	\$3.1b-\$3.4b	\$5.4b-\$7.6b
2017-18	\$0	\$5.4b-\$7.6b
2018-19	\$0	"lesser amounts"

**Curriculum Committee**

NO REPORT

**IAC/AIE**

NO REPORT

**Planning and Budget Committee**

**Annual Assessment Workshop, Tuesday, May 15** – Although this workshop is held by the Accreditation/Institutional Effectiveness Committee each year to assess institutional effectiveness and college processes, this year’s workshop will be somewhat different. Due to much encouragement from the members of the Planning & Budget Committee, Dr. Retterer has decided to go ahead and begin

the process of developing a new Strategic Plan. Since it cannot be completed quickly, it is unlikely that Dr. Retterer will be at MJC for the entire process. Nevertheless, she has decided to begin some preliminary strategic planning, which will lay a foundation upon which the next president can build.

At the May 15 workshop, Dr. Retterer will facilitate some preliminary strategic planning—focusing primarily on defining our institutional values and updating our Mission Statement. In order to prepare for this work, Dr. Retterer has asked various groups to complete some assignments. **She has asked the Senate to complete a literature review regarding current trends in higher education. Findings of this lit review are due to Dr. Retterer no later than April 15.**

**Budget Update** – Michael Guerra reviewed the presentation that the Chancellor and Executive Vice Chancellor made at the recent budget forum. He added that we face numerous challenges because of the November tax initiative. Michael encouraged the committee to find ways to help the “college operate smarter.” The budget that must be submitted to the district office by April 15<sup>th</sup> must be \$1.625 million lower than last year’s budget. Additionally, if the tax initiative does not pass, we will have to reduce **next year’s** budget by \$2.2 million **more**.

Michael Guerra distributed a “Budget Development Procedures” handout for discussion. This is the document that will be sent to all managers. When each of the documents have been returned, all submissions will be merged into one document that can be projected at the March 30 PBC meeting. It is hope that this document will create a “planning map” for years to come because we have been asked to look at what we absolutely must have in the short run and prioritize that, but also look at what we can get by without temporarily. While we cut costs by reducing or eliminating those things at the lowest priority level, when money begins to flow again, we would already have these priorities to guide rebuilding.

### **President’s Report**

**Technical Assistance on Wednesday, April 4** – When I took office last July, one of the first suggestions I heard from members of the Senate Executive Board was to bring ASCCC Technical Assistance to MJC. I have been trying ever since then to make it happen, and finally, we have a date. Michelle Pilati (President, Academic Senate for California Community Colleges) and Scott Lay (President, Community College League of California) will present “Participating Effectively in District and College Governance: The Law, Regulations, and Guidelines” on Wednesday April 4, from 3:00 to 5:00pm in Sierra Hall 132. Please make every effort to attend this important Senate activity!

**Faculty Assessment Coordinator** – In response to the announcement regarding the open position of Faculty Assessment Coordinator, one application was turned in. Jennifer Hamilton’s name will be on the Consent Agenda at the April 12<sup>th</sup> meeting for your approval to serve as Faculty Assessment Coordinator.

**President Search** – The President Search Committee selected 13 candidates to interview, but three have already withdrawn their names. Interviews will take place on Friday, April 13, Monday, April 16, and Tuesday, April 17. Candidate Forums for the finalists will be scheduled during the week of April 23 (finals week).

**On Course Workshop, May 8, 9, & 10, 2012** – Save the date for this fantastic, Senate-sponsored (in conjunction with Title V) professional development opportunity. The On Course Workshop is designed to provide instructors with dozens of active-learning activities that empower students in any discipline, to become active, responsible, and successful learners. The 3-day workshop will take place from 8:30 – 4:30 in the Mary Stuart Rogers Student Center on West Campus. Space is limited, and participants are accepted on a first-come, first-served basis. If you haven’t yet signed up, don’t miss your opportunity to experience some of the very best professional development available!

**Nominations for Senate President are due in the Senate Office by 5:00 pm TOMORROW, March 30<sup>th</sup>!**

## VII. ADJOURNMENT

The meeting was adjourned at 5:32 p.m.