

Minutes of the  
MEETING OF THE FACULTY SENATE  
April 14, 2008

APPROVED

- PRESENT:** Bill Bedford, Monika Brannick, Judy Cater, Brent Gowen, Lawrence Hahn, Richard Hishmeh, Teresa Laughlin, Stan Levy, Chantal Maher, Jackie Martin-Klement, Marilee Nebelsick-Tagg, Patrick O'Brien, Kathleen Sheahan, Perry Snyder, Fari Towfiq
- ABSENT:** Bruce Bishop, Molly Faulkner, Gracie Fowler, Sue Norton
- GUESTS:** Jesse Lyn
- CALL TO ORDER:** The meeting was called to order by the president, Brent Gowen, at 2:00 p.m., in Room SU-30.
- Approval of Minutes:**
- Motion 1** MSC Nebelsick-Tagg, Laughlin: Faculty Senate approval of the minutes of April 7, 2008, as presented. The motion carried.
- Public Comments:** There were none.
- Announcements:** There were none.
- ASG:** Jesse Lyn reported that preparations are ongoing for several events scheduled for Springfest on April 16 and 17, where this year's theme is Mardi Gras. The group also has special activities planned to celebrate Earth Day on April 22.
- Elections will be held early in May for ASG positions, and students can pick up informational packets in the Student Affairs office until April 25, 2008.
- Jesse also stated that the group is crafting the proposal for the college's policy on smoking areas on campus.
- President Deegan:** No meeting was held with President Deegan this week.
- Governing Board:** Brent Gowen reported that at its April 8 meeting, the Governing Board heard reports about the college's Study Abroad programs. Currently, the Office of Instruction and departments are developing uniform, coherent policies and procedures for these programs.
- President Deegan gave a report on the variations in the number of fulltime faculty over the last decade. At present, the college is only eight or nine fulltime faculty over the minimum obligation number as determined by the System Office based on the college's FTES. Bob expressed the need for the 75/25 Workgroup to begin meeting again not only to increase the number of fulltime faculty on campus, but also to improve the ratio of credit hours taught by fulltime faculty to credit hours taught by part-time faculty.

Brent noted that the college had been visited by one of our local representatives who was appalled at the price of textbooks. Because the cost of textbooks continues to rise, campus groups will continue to discuss this problem and seek solutions.

Strategic Planning  
Council:

Brent Gowen stated that on April 15 the Strategic Planning Council and Budget Committee will hold a joint meeting to discuss next year's budget.

Instructional Planning  
Council:

Judy Cater reported that the Instructional Planning Council met briefly last week, followed by a meeting of its subcommittee, which discussed faculty priorities for hiring for the next academic year. The subcommittee will meet again on Wednesday, April 16. IPC received approximately 32 requests for positions, but fewer will be filled.

Student Services  
Planning Council:

The next meeting of the Student Services Planning Council will be held on Wednesday, April 16.

Administrative  
Services Planning  
Council:

The next meeting of the Administrative Services Planning Council will be held on Thursday, April 17.

Palomar Faculty  
Federation:

Perry Snyder reported that PFF members are currently voting on whether to accept or reject the proposed contract.

Learning Outcomes  
Council:

Teresa Laughlin indicated that the Learning Outcomes Council continues to discuss the proposed change to its Governance Structure to include a Basic Skills, Honors, and Service Learning sub-group.

Part-Time Faculty  
Service Award:

Brent Gowen stated that the memorandum announcing the new Part-Time Faculty Service Award was distributed to part-time faculty members on April 7. To date, several part-time faculty have written back to the Senate to indicate their service years. Other part-time faculty eligible for the award should return information no later than April 22.

Other:

Brent Gowen reported on an email he received from Ken Jay asking him to inform the Senate that Aramark, Palomar's main food and beverage provider, wants to add security cameras to the cafeteria and snack shacks at the main campus and Escondido locations to cut down on theft.

After some discussion, Senators agreed that because the cameras will be placed in non-instructional areas, this issue does not fall under the purview of the Senate. Senators also expressed their appreciation for being included in the initial phase of this planning.

Sabbatical Leave  
Committee:

Judy Cater stated that Sabbatical Leave reports recently endorsed by the Sabbatical Leave Committee will be available in the Library after President Deegan concludes his review of them.

Academic Standards &  
Practices Committee:

A Senator is needed to chair the Academic Standards & Practices Committee. This committee will soon be taking on the task of creating a formal, due process procedure to address conflicts that occur when professors accuse students of cheating.

Computer Coordinating  
Committee:

Following up on a report provided at last week's Senate meeting by Academic Technology Resources Coordinator Haydn Davis, Monika Brannick stated that the Computer Coordinating Committee was a subcommittee of the Senate's Technology Resources Committee. Because the Technology Resources Committee was recently disbanded, the Computer Coordinating Committee no longer officially exists. The Senate must discuss whether it wants to keep this committee active by placing it as a subcommittee of the Academic Technology Committee or by creating a Governance Structure Group Request to give it a separate designation.

Committee  
Appointments:

Motion 2

MSC Nebelsick-Tagg, Laughlin: Faculty Senate acceptance of the results of the ballot for the following committee appointment:

Selection Committee: Director, Student Affairs

Patrick O'Brien  
Kathleen Sheahan

The motion carried.

Academic Technology  
Coordinator Position:

Motion 3

MSC Nebelsick-Tagg, Laughlin: The Faculty Senate recommends the appointment of Haydn Davis as Palomar College's Academic Technology Resources Coordinator through May 2011. The motion carried.

Professional  
Development  
Coordinator Position:

Motion 4

MSC Laughlin, Bedford: The Faculty Senate recommends the appointment of Martin Japtok as Palomar College's Professional Development Coordinator through May 2010. The motion carried.

Learning Outcomes  
Council Steering  
Committee  
Appointments:

Motion 5

MSC Levy, Brannick: Faculty Senate approval of the following committee appointments:

Learning Outcomes Council Steering Committee Faculty Co-chair

Marty Furch

Learning Outcomes Council Steering Committee

Judy Wilson – Faculty Liaison focusing on outcomes at the institution level

Learning Outcomes Council Steering Committee

Jose Fernandez – Faculty Liaison focusing on outcomes at the program level

The motion carried.

Brent Gowen noted that a faculty vacancy remains for a Faculty Liaison focusing on outcomes at the course level.

Brent also reminded Senate members that the position of Committee on Committee chair will become vacant at the last Senate meeting of the semester. Senators will elect a new chair at next week's meeting.

Curriculum:

Motion 6

MSC Laughlin, Nebelsick-Tagg: Faculty Senate ratification of the Curriculum items dated April 2, 2008. The motion carried.

Professional  
Development  
Contracts:

At last week's meeting, Senators discussed ways to preserve our current Professional Development Program as well assure that faculty indicate completion of their Professional Development Contracts in an accurate and timely manner. A resolution was brought forward and discussed, as well as other suggestions such as distributing reminder letters in faculty paychecks.

Discussion occurred on productive ways to improve the return rate of PD contracts. Several Senators suggested that the transition from paper contracts to electronic submission has created a challenge for some faculty. Patrick O'Brien noted that several reminders have gone out and that faculty can get help in completing and submitting contracts by contacting the PD office. Some Senators expressed reluctance to support the resolution because it does not clearly state what measures will follow if faculty neglect either to submit a PD contract or to indicate the completion of their contracts. Patrick added that these guidelines, if the Senate approves the resolution, will be the same as those in place for part-time faculty.

Motion 7

MSC O'Brien, Bedford: Whereas, Palomar College's Professional Development program is an academic and professional matter;

Whereas, Title 5 California Code of Regulations (CCR) §55724 allows faculty members to participate in professional development activities in lieu of regular classroom instruction or other instructional activities;

Whereas, Palomar College does not require faculty members to attend specific scheduled professional development activities, yet allows faculty members to complete professional development activities that fit their personal schedule;

Whereas, Title 5, (CCR) §55726(a) states that "For each instructor specified by the district to participate in staff, student, and instructional improvement activities in lieu of

classroom instruction the district shall enter into an agreement with such employee specifying the particular activities during the designated days which the instructor will perform in lieu of classroom instruction”;

Whereas, Article 10.4 of the PFF contract states “If a full-time faculty member does not successfully complete an approved Professional Development Contract by May 15, the Professional Development Coordinator will recommend to the Assistant Superintendent/Vice President for Human Resource Services that the faculty member’s last paycheck for the year be reduced by an amount (in gross salary) proportionate to the activities not completed.

Resolved, That the Faculty Senate supports the implementation of Article 10.4 of the PFF contract. The motion carried.

Several Senators volunteered to work with Patrick to contact those faculty members who have yet to submit their PD contracts.

Accreditation: Brent Gowen reported that the writing teams have been submitting second drafts of the reports. Soon the Steering Committee will be distributing copies among various campus groups for review.

Negotiations: Teresa Laughlin stated that the PFF has sent ballots to vote on ratification of the proposed contracts to faculty at their home addresses. These ballots must be returned to the PFF no later than April 25<sup>th</sup> at noon.

Basic Skills Initiative: Stan Levy provided an update on the Basic Skills Initiative. The Basic Skills Workgroup will complete an action plan to submit to the System Office by May 1. He added that the group continues to discuss the creation of Teaching Learning Centers first at the Escondido Center and soon thereafter at the San Marcos campus. He added that two assigned-time faculty positions will be created to oversee the project.

Teresa Laughlin briefly spoke about the Teaching Learning Centers and many of the programs that will be offered to both faculty and students, and a question and answer and discussion period followed.

Academic Dishonesty: The Academic Standards & Practices Committee will soon be taking on the task of creating a formal, due process procedure to address conflicts that occur when professors accuse students of cheating.

Academic Due Process: Marilee Nebelsick-Tagg provided copies of the Academic Due Process Procedure. And proposed minor changes to the wording (underlined in bold italics):

Academic Due Process Procedure

Personnel issues may involve contractual grievances or non-contractual disputes or problems. The former will be resolved through the grievance procedure of the collective bargaining agreement between the District and the appropriation union: CCE/AFT or PFF/AFT. Other conflicts may be addressed through the District’s Academic Due Process Policy and Procedure.

Academic Due Process is a system of procedures designed to resolve personnel issues in an academic institution in a clear, fair, and orderly manner. These procedures apply to actions that interfere with and/or exert a harmful effect upon the functions of the College and may involve faculty, administrative staff, classified staff, and/or students. These guidelines are intended to achieve an equitable solution that will resolve the issue with due regard for the rights of all parties involved, the protection of staff and student body, and the interests of the College. The best academic due process is possible only when all involved believe that justice must be based upon orderly procedure.

**It is expected that both parties participate until a mutually agreed upon resolution is reached.**

Preliminary Action

If a non-contractual dispute cannot be resolved through normal personnel procedures, the person with the complaint should request from Human Resource Services an Academic Due Process packet containing (1) the form, Request for Academic Due Process, (2) a copy of Board Policy 177, Academic Due Process, (3) Academic Due Process Guidelines, and (4) Recommendations for Academic Due Process Ombudsperson. The complainant should submit the form, Request for Academic Due Process, to the Superintendent/President (or designee). Within ten days ("day" defined as a day in which the administrative office of the District is open) of receiving such a form, the Superintendent/President (or designee) shall inform the Governing Board that a request for Academic Due Process has been filed and shall appoint an ombudsperson, a person dispassionate to the dispute and acceptable to both parties, who will preside over the informal conciliation. The ombudsperson may be a representative of the Superintendent/President, of the Faculty Senate, of the faculty, of the classified staff, of the students, or an outside person such as an attorney or a representative from an outside organization. If the Superintendent/President is directly involved in the dispute, the appointment of the ombudsperson shall be made by the President of the Faculty Senate or designee. (See Board Policy 177 for guidelines and principles in the conduct of informal conciliation and of formal hearing.)

Informal Conciliation

Within ten days after appointment, the ombudsperson shall schedule an informal conciliation conference with the parties to the dispute. Prior to the first conference, the ombudsperson shall obtain from the complainant a written statement addressing the charges to the other party and the Academic Due Process Procedure packet from Human Resources. (See Preliminary Action.) It shall be the objective of this conference to resolve the issues of the dispute. If more time is necessary to resolve the dispute, additional conferences may be scheduled by the ombudsperson only with the explicit consent of all parties to the dispute. If agreement is reached between the parties to the dispute, a written statement prepared by the ombudsperson and signed by both parties shall be filed with the Superintendent/President (or designee), and the matter will be considered closed.

If no agreement is reached, a written request for a formal hearing may be filed with the Superintendent/President (or designee) and with the appropriate body representing the party filing the non-contractual dispute: Staff, Faculty Senate, Students, or Executive Committee of the Associated Student Government. (Refer to Administrative Team Handbook and the Handbook of Policies for the CCE/AFT for application procedures.) The ombudsperson may assist either party in the preparation and submission of this request. If neither party submits a request for a formal hearing within ten days after termination of the conciliatory conference, the matter will be considered closed.

Formal Hearing

Upon notification, the appropriate body representing the parties in dispute (see Informal Conciliation) will establish a list of individuals willing to serve on a Hearing Committee. This committee shall be composed of five members. Each party to the dispute will choose two members to represent their interest. An additional member is chosen who is mutually agreed upon by all to represent the interest of the College community at large. At a meeting scheduled to form the Hearing committee, each party will be permitted challenges for cause (i.e. a specific reason) and one peremptory challenge. The ombudsperson will serve as the coordinator in the formation of this committee, providing information as needed to assist parties to the dispute in challenges to membership on the committee. If necessary, the ombudsperson will rule on challenges for cause. **It is recommended that the Hearing Committee must be formed within a ten fifteen-day period of time.**

**If either party does not choose the two members to represent their interests, the Hearing Committee will be composed of those members that have been approved according to the above procedure.**

The Hearing Committee will select one of its members as chairperson. The committee shall conduct the proceedings according to the procedural guidelines specified in Board Policy 177, Section C. After its deliberation, the Hearing Committee shall submit its written recommendations to each party to the dispute and to the Superintendent/President (or designee) for implementation.

Within 15 days after the presentation of the Hearing Committee's recommendation, either party to the dispute may submit an appeal to the Governing Board.

All proceedings subsequent to the level of informal conciliation shall be accurately recorded and preserved inviolate throughout all levels of process, whether on campus or off. The records will be available on demand to all legitimate parties to the dispute and to their counsel, at every stage, on campus or off. If there is an

appeal, the Chair of the Hearing Committee shall make available to the Governing Board the file of records of the proceedings. If final resolution of the dispute is conceded by all parties to the dispute and no appeal has been submitted, all records will be destroyed by the Chair of the Hearing Committee.

Within 30 days after the presentation of the Committee's recommendation, the Superintendent/President (or designee) shall inform the Governing Board and the bodies representing the parties to the non-contractual dispute of the steps taken to implement the Committee's recommendations.

#### Appeal

Either party to the dispute may, within a period of 15 days, submit an appeal to the Governing Board. Within 30 days after submission of the appeal, the Governing Board shall complete its review of the records and of the Committee's recommendations and shall make a final determination. Immediately after such determination becomes final, all records of the hearing will be destroyed by the Chair of the Hearing Committee.

This item will be brought back for further discussion and/or action at next week's meeting.

Motion 8 MSC Laughlin, Cater: To move Information item F, Statewide Academic Senate Meeting, to Action. The motion carried.

#### Statewide Academic Senate Meeting:

Brent Gowen reported that Monika Brannick and he will be attending the Statewide Academic Senate Plenary Session from Thursday, April 17 through Saturday, April 19. He asked for Senate formally to designate him as Palomar College's voting delegate.

Motion 9 MSC Laughlin, Cater: The Faculty Senate directs its President, Brent Gowen, to act as Palomar College's voting delegate at the Statewide Academic Senate Spring Session. The motion carried.

Motion 10 MSC Laughlin, O'Brien: To suspend the agenda to return to Action item A, Committee Appointments/Elections. The motion carried.

Research Award: Judy Cater reported that the workgroup has completed its review of the Research Award submissions. Three faculty members provided exceptional submissions, and she provided a brief summary of their scholarly work.

Motion 11 MSC Cater, Bedford: Faculty Senate approval of the workgroup's recommendation of Rocco Versaci as the 2008 Research Award recipient. The motion carried.

ADJOURNMENT: The meeting was adjourned at 3:11 p.m.

Respectfully submitted,

Teresa Laughlin, Secretary