

Minutes of the
MEETING OF THE FACULTY SENATE
November 2, 2009

APPROVED

PRESENT: Monika Brannick, Valerie Chau, Ralph Ferges, Marty Furch, Brent Gowen, Lawrence Hahn, Barb Kelber, Teresa Laughlin, Stan Levy, Jackie Martin-Klement, Roger Morrissette, Linda Morrow, Sue Norton, Patrick O'Brien, Kathleen Sheahan, Perry Snyder, Diane Studinka, Fari Towfiq, Judy Wilson

ABSENT: Bruce Bishop, Haydn Davis

GUESTS: John Aragon, Andrew Bissell, Abbie Cory, MaryAnn Drinan, Ann Hong, Neill Kovrig, Rebecca Leah, Fergal O'Doherty, Bruce Orton, Michelle Ryan, Sherry Titus, Eric Walker

CALL TO ORDER: The meeting was called to order by the president, Monika Brannick, at 2:00 p.m., in Room SU-30.

Approval of Minutes:

Motion 1 MSC Chau, Gowen: Faculty Senate approval of the minutes of October 26, 2009, as amended. The motion carried.

Public Comments: Monika Brannick stated that Senator Molly Faulkner has resigned her Senate seat due to a scheduling conflict.

Barb Kelber also indicated that she would follow up on two items pending after the October 26 Senate meeting: the compilation of a list of Senate members and their areas of expertise, requested by the ASG as a resource for guidance and support; the organization of a meeting of representatives from the Senate Council and the PFF to "review the Joint Council's role and its meeting times."

Kelber read the following letter from Steve McDonald, Dean of the Languages & Literature division:

Dear Colleagues,

Over the past eighteen months, three full-time faculty members have been receiving anonymous postcards from the same person. These postcards consist of a collage of vaguely threatening, sexually violent and disturbing images on the front and a quotation that often includes violent references on the back. Copies of six of the cards are attached.

Eleven postcards have been sent in all, four of them arriving this summer. I'm sure you'll agree that anyone who would send material like this must be very disturbed and should be taken seriously. There is no way to know if this person will simply go away, or if he/she will take a step beyond the mere mailing of disturbing postcards.

The campus police have been notified and are investigating the matter, but without much success since there is so little to go on. It is possible that you might recognize the rather distinctive printing on the cards or even their manner of presentation. It's also possible that you have used the source material of the quotations in your classes. The writer has drawn quotations from these sources:

1. A common story about Hemingway leaving a box of grenades as a gift for Picasso.
2. A quotation from Leonard Cohen's "A Person Who Eats Meat."

3. A quotation from Theodor Adorno's *Reflections of a Damaged Life*. Adorno was a German-born sociologist, musicologist, and composer.
4. A quotation from Henri Michaux, a French-speaking Belgian writer and painter, influenced by surrealism.
5. Lyrics from the song "Happiness Is" by the group Violent Femmes.
6. A common story about Kurt Vonnegut writing a one-sentence "article" for *Sports Illustrated* about a racehorse that had jumped the fence during a race.
7. An "Ode to Sarah Palin" consisting mostly of violence and obscenity.
8. A quotation from a writer who calls himself "Ollie" at the *San Diego Reader*.

If by chance you have assigned work over the past year that involves one or more of these sources – or if you have any ideas for identifying this person – would you let the Campus Police know?

Thanks very much for your assistance.

Monika Brannick stated that the PC3H has been working with Police Officer Herritt, and an investigation has been initiated with the San Diego Postmaster. Faculty who wish to take a look at the postcards to assist with the investigation should contact Campus Police or Dean McDonald.

Announcements:

Monika Brannick announced that she attended the local Area D meeting at Mt. San Jacinto College on Saturday, October 31. A more detailed report on the event will be provided at next week's meeting.

Brannick noted all the visitors present for Information item A, The Actions of the PC3H Committee in labeling Shaun Briggs' email as Hate Speech. She requested that, unless objections were noted, the Senate move forward on the agenda to discuss this item when Senator Roger Morrissette arrives.

Committee
Appointments:

Motion 2

MSC O'Brien, Snyder: Faculty Senate approval of the following committee appointment:

Student Services Planning Council

(09-11) One Senator

Valerie Chau

The motion carried.

Emeritus Status:

Motion 3

MSC Levy, Laughlin: The Faculty Senate grants Emeritus Status to the following faculty members:

Lynne M. Henson, Professor, English as a Second Language, effective January 1, 2010. She has served Palomar College for 20 years, from January 20, 1990 to December 31, 2009.

C. Andrea Taupier, Professor, Life Sciences, effective December 18, 2009. She has served Palomar College for 33 years, from September 3, 1976 to December 18, 2009.

The motion carried.

Curriculum
Committee:

The next meeting of the Curriculum Committee is scheduled for Wednesday, November 4.

Librarian Standards
of Performance:

Copies of minor changes to the Standards of Performance for Library Faculty were provided. MaryAnn Drinan outlined the minor change to the document, noting that members of the TERB approved the change at their last meeting.

Motion 4

MSC Gowen, Furch: Faculty Senate approval of the Standards of Performance for Library faculty. The motion carried.

Policies & Procedures:

Copies of the following Policies & Procedures were electronically forwarded to Senate members last week:

- AP 4035 Critical Thinking
- AP 4026 Philosophy and Criteria for International Education
- AP 4025 Philosophy and Criteria for AS Degree and GE
- AP 4222 Remedial Coursework
- BP 4100 Graduation Requirements for Degrees and Certificates
- AP 4100 Graduation Requirements for Degrees and Certificates
- AP 4228 now AP 4233 Course Content and Grading System

Senators were asked to continue their review of the documents this week, as they will be brought forward at next week's meeting for discussion and/or action.

PFF: Named Positions
on IPC and SSPC –
Revisited:

This item was placed on today's agenda at the request of a Senator who wished to allow for additional dialogue on the Senate's vote to support the PFF's request for named positions on the Instructional Planning Council (IPC) and the Student Services Planning Council (SSPC). Copies of the committee roles were provided for information, and Senators briefly discussed the role of the Faculty Senate and the PFF, as well as the representative perspectives of both groups as members of these councils.

It was pointed out that changes to both the IPC and SSPC structure have to be initiated by the Strategic Planning Council, so ultimately the decision to add PFF representation will be made by that group, with input from the Faculty Senate via its motion to support the change.

The Actions of the PC3H
in labeling Shaun Briggs'
email as Hate Speech:

Monika Brannick turned the meeting over to Senate Vice President Towfiq, then read the following statement:

Before we turn our attention to the item on the agenda, I want to make everyone aware of the following:

To call faculty volunteers to the floor of the Senate to defend their decisions, just because the Senate appointed them, sets a precedent which may have serious consequences. Calling faculty to the floor of the Senate to justify their work and the work of the committee on which they serve may cause many faculty members to shy away from volunteering. It forces a committee that works independently to become a committee that must report to the Senate. That is contrary to the governance structure and hinders free and independent work.

People would be well advised to follow the generally understood process for questions about any issue or decision a committee makes: address the committee first, and then, if still not satisfied, go to the body to which this committee reports. The PC3H does not report to the Senate but to SPC.

The PC3H committee members were very disturbed by the email sent by a former student of Palomar who left the college several months ago. To send an email with implications of wrongdoing, defaming someone's character, doubting the integrity of the accused while leaving her/him out of the conversation at all, and bringing all this to an uninformed audience is hateful. One does not need special psychological knowledge to see that these emails were sent out to hurt, to damage the integrity and character of the accused, and to put the positions of the accused in danger. In this country one is innocent until proven guilty, but it seems to me that here at Palomar one is guilty until proven innocent. And to prove someone's innocence is impossible to do, given the climate on this campus.

Now to the statement of PC3H; for those who cannot remember it, allow me to read it to you again:

The Palomar College Committee to Combat Hate (PC3H) strongly condemns hate speech such as unsubstantiated statements that defame the character of anyone among our students, faculty, staff, and administrators. Such statements bring harm and disrespect to the Palomar community and the community at large, and subvert the process to resolve grievances through established policies and procedures.

It is obvious that all who responded to the statement only responded to the two words "hate speech" and not to the whole content of the statement. This statement stands by itself first; it is a strong disapproval of the way the issues in the email were addressed in a public forum, including in the North County Times.

But since the only words in question here are the words hate speech, let me clarify something, of which many may not be aware. Hate speech is also free speech, calling something hate speech is also free speech, and I do not recall reading anywhere that free speech is meant only for a chosen few. There is a difference between hate speech and hate crime. Hate speech becomes a hate crime if there is a direct threat made in the speech. Additionally, a hate crime targets individuals because of particular aspects of their identity, for example race, gender, sexual orientation, or religion. However, hate speech is much broader than that and is not required to focus on an individual's identity. So while we may argue here whether the words hate speech were used incorrectly, or should have not been used, or were too strong, we probably will never agree on this. Those who think these words are too strong, will hold on to that, and those who agree with the statement, and there were many, will also.

I believe that this could have been a valuable discussion, but it has become a personal issue, because of the way it was brought to this body for reasons you can all decide for yourself. Let me say also that this is divisive and does not contribute to a fair-minded, unbiased dialogue among academics.

There exists a climate of hostility and nastiness on this campus, and I believe it is time for all of us to change that to a climate of civility, a climate in which we can have an honest and respectful dialogue whether we agree on issues or not.

Senator Morrissette responded that the issue is being brought forward to discuss the concept of hate speech, how it was being used by the Palomar College Committee to Combat Hate (PC3H), and the decision-making process which prompted the PC3H to send the email in response.

Morrissette outlined the timeline of the emails received from former student Shaun Briggs, as well as the responses and comments distributed by students, faculty, and staff members. He also provided copies of the role of the PC3H, as well as copies of California Education Code, Title 3. Postsecondary Education, Division 7, Part 51, Chapter 3, Article 6. He specifically characterized the email sent by the PC3H as "unprofessional," and urged the Senate to acknowledge it as such.

1. No committee should be granted the power to label someone a hate speaker on the Palomar College campus.
2. If they do they label that individual as behaving in an unprofessional manner.
3. If they are labeled as unprofessional, even fully tenured faculty can be terminated under the specific provisions of the Education Code that I submitted to the senate at the meeting.
4. Many faculty on this campus do not agree that Shaun Briggs' email qualified as hate speech. It may have been inappropriate. It may have been hurtful and even libelous but that in and of itself does not make it hate speech. It makes it free speech. By

using a very broad definition of hate speech to include any statement that is hurtful the PC3H not only squelches free speech on the Palomar Campus but also provides support for an administration that may be looking for the opportunity to terminate its critics.

Sherry Titus made brief reference to the email sent by former student Shaun Briggs and noted her inability to respond to specific comments contained in the email due to the ongoing investigation.

Fergal O'Doherty spoke about the role of the PC3H and the urgent need to raise awareness and to establish a safe environment for all who work and attend classes at Palomar.

Senator Morrissette pointed out that Senators did agree at last week's meeting to focus discussion solely on the PC3H's use of the term "Hate speech" in relation to an email from a former student, excluding other issues currently being investigated as a result of accusations contained in the emails.

Lengthy discussion followed, and various comments were heard by Senators and guests on the issue of free speech and whether the emails sent by both the former student and the PC3H crossed the line between free speech and hate speech.

Jackie Martin-Klement, the PFF representative to the PC3H, encouraged Senate members and guests to go to the PC3H website and read the minutes from the meeting where the decision was made by the committee as to how to respond to former student Shaun Briggs' email. The accusations in the email are extremely serious for those involved, and the committee responded in a way they felt was appropriate under the circumstances.

Barb Kelber concluded that the discussion seemed to have adequately addressed the specific terms of the agenda item and thanked the members of the PC3H for offering their insights into the actions they had taken.

Roger Morrissette indicated that the discussion would, in fact, continue at a later date.

Guest Fergal O'Doherty, member of the PC3H, also invited Senator Morrissette to an upcoming meeting of the committee.

Faculty Senate Goals:

Senators were provided copies of the 2008-09 Faculty Senate Goals. Suggestions and recommendations were made regarding the specific format for tracking goals and indicating whether those goals are "accomplished" or "ongoing."

Monika Brannick and Barb Kelber will work on revision of the form and incorporation of Senators' suggestions. Concurrently, they will begin working on a draft of the 2009-10 goals. Senate members are asked to forward proposed amendments to Brannick or Kelber and those suggestions and changes will be incorporated into the document for further discussion and/or action at next week's meeting.

Review/Revision of
Forms: Audit form and
Overlapping Classes
form:

Copies of the Application of Audit and Request for Approval of Overlapping Classes were brought to the Senate several weeks ago after a request was received from the Policies & Procedures Task Force for those documents to be reviewed.

There was a recommendation made that the form include wording indicating a time limitation for the overlap, depending on the length of the class. There was also a question as to why there is a requirement for a Division Dean signature on the Request for Approval of Overlapping Classes form, as this process should always be overseen and ultimately approved by the faculty member. There could be a section where a department chair could add input rather than approval or disapproval, as she/he is more aware of departmental needs than the dean.

Before the Senate can formally recommend a change to the form, the document will need to go back to the Policies & Procedures Task Force for review of the policy currently in place.

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

Instructional Planning
Council:

Kathleen Sheahan provided copies of the form being proposed as the Supplemental for Program Review and Planning 2009-10. Senators were asked to review the document for further discussion at next week's meeting.

Student Services
Planning Council:

Valerie Chau provided the following written report of the Student Services Planning Council meeting held on Wednesday, October 28, 2009:

1. The parking grace period is planned to change from its current two weeks to one week starting in Spring semester and maybe it will be eliminated it altogether thereafter.
2. The Chief of Police discussed changing the Chair of the Campus Police Committee so that it isn't the Chief of Police. Motion passed to send this recommendation to SPC.
3. There are enrollment agreements with CSUs and UCs where their students could take classes at Palomar without paying Palomar fees and without these students counting toward Palomar FTE...Currently Palomar has chosen not to participate in this due to the loss of funding it entails. That is not going to change.
4. We discussed situation relating to flus and that Palomar is a sentinel site, therefore we receive tamiflu for students. Other health related issues are an upcoming wellness outreach program to students about drinking and driving (at the Thurs Halloween event), the Great American Smokeout in November, and a January program targeting obesity.
5. Counseling staff lost its adjuncts; however they will return to help students starting on November 9th and will be available at the start of Spring semester.
6. The campus will be almost entirely shut down for about 10 days starting right after Christmas for an electrical upgrade. Critical needs such as the IS dept will have their own electric generators to continue operations.
7. Spring semester registration appointment letters have been mailed to students. We are 7 weeks behind schedule on getting financial aid packages to students and applications for student financial aid are up about 25% due to loss of jobs.
8. Theta Kappa Phi had a successful weekend that included cleaning up and painting parts of our campus on Saturday and collecting electronic waste from 128 cars on Sunday.
9. Campus police department is starting their annual Toy Drive.

ASG:

Ann Hong reported that she is now in the position of ASG President, (although not student trustee), after an announcement by Vice President Vernoy. She introduced Senator Michelle Ryan, who will provide ASG reports to the Faculty Senate.

Michelle Ryan reported that the ASG has a full board for the first time this semester. The group will continue with work on their goals and objectives for the year.

ADJOURNMENT: The meeting was adjourned at 3:38 p.m.

Respectfully submitted,

Barb Neault Kelber