

Minutes of the
MEETING OF THE FACULTY SENATE
March 1, 2010

APPROVED

- PRESENT:** Bruce Bishop, Monika Brannick, Valerie Chau, Ralph Ferges, Marty Furch, Lawrence Hahn, Barb Kelber, Teresa Laughlin, Stan Levy, Jackie Martin-Klement, Linda Morrow, Sue Norton, Patrick O'Brien, Perry Snyder, Diane Studinka, Fari Towfiq
- ABSENT:** Haydn Davis
- GUESTS:** John Aragon, Kim Hartwell, Jesse Lyn
- 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 Laughlin, Chau: Faculty Senate approval of the minutes of February 22, 2010, as amended. The motion carried.
- Public Comments:** Perry Snyder reminded all Senators of the Rally for Public Education on March 4th at 12:30 p.m. at the Palomar College Student Union. The event is being sponsored by the Palomar Faculty Federation and the Associated Student Government (ASG).
- Announcement:** Monika Brannick provided copies of the Accountability Report for Community Colleges.

Palomar College 2010 ARCC Response

Palomar College serves a district of 2,500 square miles with a population of over 730,000. More than 49,000 students attend the college taking classes at the San Marcos campus, one education center, and six outreach sites annually. Enrollments continue to increase. The San Marcos campus is at capacity. Access is a concern. The impact of state budget cuts threatens access, success, and timely completion for students.

Palomar's SPAR, 30+ Units, and Persistence Rates are stable but below our peer averages. Over 100 students in each cohort complete their studies within six months of the tracking period and many (14%) are still attending Palomar one year later. The college continues to examine course offerings and sequences to ensure that student needs are met. Palomar passed a bond and is increasing capacity. When the new science building opened, enrollments in science courses increased at a higher rate than enrollments in other courses. Increased capacity, appropriate number and sequencing of courses offerings, and aligned curriculum allows for timelier completion of studies.

Overall budget cuts to programs and services will continue to affect our students' ability to complete their studies. The college is taking steps to ensure that course reductions do not severely impact its core mission to provide transfer, workforce preparedness, and basic skills instruction. SDSU's decision to no longer consider Palomar students as local transfers is impacting the number of students who can transfer to this local university as their university of choice.

The Basic Skills Course Success Rate improved and the Vocational Course Success Rate is above our peer group's average. The college is concerned about its basic skills, ESL improvement rates, and CDCP rates. A coding issue is likely contributing to an undercount of student progression in ESL courses. The ESL department is reviewing its curriculum and course coding.

The college takes the ARCC outcomes data seriously and is implementing strategies to support our students. Palomar is using state and federal funds to implement a plan to enhance learning opportunities and support services for students enrolled in Basic Skills curriculum. Formative evaluation of these interventions and instructional strategies are positive.

In 2007, the college implemented an Early Acceptance Program that brings new students on campus for orientation, counseling, and registration. The program encourages students to complete an education plan and begin taking their mathematics and English course sequences in their first semester. Early evaluation of the program revealed that program participants were more likely than program non-participants to persist to the next semester and enroll in courses that put them on track to complete their studies in a timely manner. The program is serving 2,600 students annually-but is new. It will take time for the program's impact to reflect in the ARCC outcome measures.

Palomar reviewed ARCC measures as part of its recent strategic plan development. Objectives in the new strategic plan seek to improve student outcomes and goal attainment. As Palomar funds the objectives in its strategic plan, the overarching goal is to improve student success.

Senators briefly discussed the report, and Monika Brannick stated that she would be inviting Michelle Barton to an upcoming meeting to present information on the data utilized in the report.

Announcement:

Senate members were provided with an electronic copy of information from the Academic Senate for California Community Colleges with background for Referred Resolutions from F09 Relating to AB 440: "Transfer Degree." Some of the information in the email included:

Referred resolution 4.03 calls for the Academic Senate to "...work with the Chancellor's Office to change Title 5 regulations such that colleges would be permitted to offer associate degrees in a major or area of emphasis designated for transfer to students who complete GE (IGETC or CSU GE) and 60 transferable semester units with a minimum of 18 semester units in a major or area of emphasis, and require the colleges that do so to refrain from requiring additional local requirements that are not included in the GE package or the major/area of emphasis." As noted above, this resolution was referred. While this resolution was originally crafted to address AB 440, we are now faced with SB 1440.

Why/how is this resolution and potential course of action a response to SB 1440?

SB 1440, a bill currently being considered, seeks to put a community college degree into law. It intends to introduce a degree option for community colleges through legislation. However, legislation is often not the best way to improve higher education. Although the proposed language is **permissive**, meaning that it would not mandate any individual college to change, the idea of placing a degree into **law** could set a dangerous precedent. It could lead to all of our degrees being legislated, removing faculty control of our degrees. No other segment of higher education has its degrees legislated. In contrast, resolution 4.03 and its amendment recommend placing the language in Title 5 regulation rather than in law--- so the community colleges may *elect* to make this change. Note that the language is **permissive** in nature and does not mandate that local degrees be modified in any way; it merely states explicitly that this is an option that colleges have. **It should be noted, however, that while the language regarding the degree option is permissive, if a college chooses to offer such degrees, then waiving local requirements for those degrees is mandated.**

Brannick referred specifically to the following: "The bill would prohibit a community college from imposing any requirements in addition to these requirements for the granting of an associate degree with a for-transfer designation..." This prohibition would put Palomar in immediate violation due to Palomar's University Studies program requirement of 65-70 units, 13 of which are district requirements.

Announcement:

Monika Brannick indicated that the Medical Assisting Program no longer has fulltime faculty instructors. The issue now being discussed within the Life Sciences and other affected departments, in consultation with Dean Wilma Owens, addresses whether the program should be discontinued. Ralph Ferges informed the Senate that he and the Life Sciences department have recently asked that the program be deactivated, which has provoked discussion, review, and planning for the future of the program. The last fulltime instructor in the program retired in December of 2009, and while the office skills ("Front Office") elements of the program remain healthy under the direction of Judy Dolan in Business Administration, the clinical side of the program ("Back Office") has become a serious problem for the Life Sciences department. Ferges noted that his colleagues are scientists, not clinicians, and it is very difficult to staff the clinical courses and maintain a

coherent, quality program. Members of the Life Sciences department feel that the program would be more suitably located within the Vocational Education area. Ferges added that the Life Sciences department will continue to support those students who are currently in progress on the clinical side as they continue through the program, but they will not oversee the lower-level courses.

Senator Towfiq noted that the course is currently being taught by part-time Medical Assisting instructors ~~from the Nursing department, although there isn't necessarily support for the program to be relocated to that department, either.~~ Senators discussed the issue, and there was overall agreement that because there is sufficient enrollment in the program, it should be relocated rather than deactivated.

Agenda Changes: Due to guests in attendance, Senators agreed to move to Information Item B, Foundation and the Campus Campaign.

Foundation and the Campus Campaign: Jesse Lyn provided an update on the Palomar College Foundation and projects currently being worked on through the Palomar College Campus Campaign. Faculty and staff are encouraged to visit the Foundation website to obtain information on upcoming events, as well as opportunities for contributions through payroll deductions. She also reminded Senators of monetary support available through "Excellence in Teaching" Mini Grants and encouraged faculty to apply. www.palomar.edu/foundation/pdf_files/ExcTeachingFaculty.pdf. Kim Hartwell added that faculty members are encouraged to contact the Foundation office for assistance in applying for the grants or to provide feedback regarding the process and application requirements. She noted that this is the first year the Mini Grants are being offered, and faculty input is essential for the success of the program.

Committee Appointments:

Motion 2 MSC O'Brien, Snyder: Faculty Senate acceptance of the results of the ballot for the following committee appointment:

Faculty Service Area Review Committee
(09-11) CTEE

Dennis Lutz, Design and Consumer Education

The motion carried.

Barb Kelber reported that Faculty Service Areas (FSA's) are emerging as an example of a "gray area" to be addressed by both the Palomar Faculty Federation (PFF) and the Faculty Senate. FSA's are clearly within the purview of the Senate as an academic matter, as departments are encouraged to bring their expertise to the review and revision of FSA's in their disciplines. At the same time, FSA's are a negotiated element of the Collective Bargaining Agreement (Article 18), which specifically notes that

18.4 The FSA's in the 2001-2002 Faculty Manual in provision 176 on pages 86-94 shall continue to be the FSA's established in the District, except that the Governing Board of the District may add to, delete or modify the FSA's in that provision upon the positive recommendation of the Superintendent/President, and after both the Federation and the Faculty Senate have had a reasonable opportunity for input.

Kelber reminded Senators that the Joint Council of the Faculty Senate and the PFF will meet next Monday, March 8, following the Faculty Senate meeting, 3:45p.m., in the Bill Bedford meeting room. Regular meetings will resume, scheduled for the 2nd and 4th Mondays, beginning next week. At their next meeting, the group will be discussing Faculty Service Areas (FSAs) and the reporting relationship between the Faculty Senate and the PFF.

Another priority for the Faculty Joint Council will be to determine a date for a special meeting of The Faculty.

Curriculum: Senators were provided with copies of the February 17, 2010, Curriculum Committee Action items at the February 22, 2010, meeting.

Motion 3 MSC Chau, Laughlin: Faculty Senate ratification of the Curriculum items dated February 17, 2010. The motion carried.

TERB Forms: Barb Kelber indicated that the Academic Technology Committee continues with its review of the worksheet designed to accompany the Online Observation Form, with special attention to the requirement of “universal access” and the Rehabilitation Act. It will be brought to the Senate at a later date.

Policies & Procedures: Monika Brannick reported that the following Policies and Procedures are being reviewed by members of the English and Behavioral Sciences departments:
AP 3430 Prohibition of Harassment
BP 3430 Prohibition of Harassment
AP 3435 Discrimination and Harassment Investigations

Brannick specifically requested these departments’ review of the policies and procedures because of troubling wording relating to Academic Freedom and course content. For example:

Academic Freedom

To the extent the harassment policies and procedures are in conflict with the District’s policy on academic freedom, the harassment policies and procedures shall prevail. If the faculty member wishes to use sexually explicit materials in the classroom as a teaching technique, the faculty member must review that use with an administrator to determine whether or not this violates the sexual harassment policy.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Faculty members who have been asked to review the document have offered extensive feedback, all condemning the language as it stands. She added that the PFF is also reviewing the documents. After there is some resolution on those issues the documents will be brought back for further discussion in the Faculty Senate.

Barb Kelber noted that some of the language in the document (as in the language cited above) is recommended by the California Community College League, and is brought forward to the Task Force as the “legal” recommendation for revision of the current policy. The language is being reviewed by districts statewide since being brought forward for consideration. The PFF has asked for a legal review of the language, and Palomar faculty will benefit from waiting to proceed with the documents’ approval until after a

legal opinion can be offered. Brannick noted that the California Community College League has been assisting in the entire process of reviewing and revising all of Palomar's Policies and Procedures.

Academic Honesty: Bruce Bishop reminded Senators of the discussion at last week's Senate meeting regarding Palomar's current and proposed Academic Honesty policy and the need to hear input from students on the proposed changes. Bishop was only able to attend a few minutes of the February 24 ASG meeting, and would like to give students ample opportunity to review it.

After a reference at last week's meeting to an article on Academic Honesty in the current issue of *The Senate Rostrum*, published by the Statewide Academic Senate, he reiterated that the issue will need to be resolved through the court system, which will not occur until it is challenged. Members of the Academic Standards and Practices Committee have concluded that the district should maintain the option for faculty members to fail a student for an entire course if they believe a violation involving academic dishonesty rises to the level where failure in the course is an appropriate response. Faculty still have the option to take a more cautious approach and follow the legal opinion issued by the Chancellor's Office that does not allow a faculty member to fail a student for one incident of academic dishonesty, utilizing due process already in place. Each instance is unique, and faculty should determine which course of action best suits each circumstance.

ASG Representative John Aragon asked Bishop to attend the next ASG meeting on Wednesday, March 3. He added that, as of yet, no objection has been raised by the ASG to making a change to the policy as recommended by the committee.

Spain Study Abroad
Program 2010:

Monika Brannick indicated that she had received an email forwarded by Martha Evans, originally written by Dean Wilma Owens, on the Spain Study Abroad Program 2010. According to Owens, legal interpretation given in the Program and Course Approval Handbook states that courses such as Study Abroad cannot be offered for credit through Workforce Development or Community Services.

Barb Kelber asked for guidance from the Senate following last week's discussion and a recommendation by the Senate that a resolution of support for the program be drafted. Initially, the Senate was inclined to support the course offering in the single circumstance due to the college's current financial crisis. In light of recent developments and discussions with Foreign Languages Co-chairs Chantal Maher and Carlos Pedroza, the Senate may want to revisit the issue. She noted that she had been given the impression that the department would not likely reach a *clear* consensus on the issue of offering the course through non-traditional methods and with special accommodations, even in this unique case. Kelber also reported that her understanding was that the 12 or 13 students who were enrolled in the course should be provided with a full refund of any deposits.

Ralph Ferges pointed out that any resolution or statement of support calling for the reinstatement of a cancelled program must necessarily include a call for reinstatement of *all* cancelled programs, including Study Abroad, Field Courses, etc. Kelber asked for input as to whether the Senate would like to bring forward a resolution urging the reinstatement of all such programs which have recently been cut from the course schedule.

Brief discussion followed. Monika Brannick indicated that this item would remain on the agenda for further discussion and/or action at next week's meeting.

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Learning Outcomes
Council:

Marty Furch distributed copies of the Palomar College Student Learning Outcomes and Assessment Cycle Plan 2009-2014. Furch provided an overview of the document, which provides a timeline indicating plans for the accomplishment of an entire cycle in the next two years. The timeline has been revised to move up the date by which 100% of courses will complete the assessment cycle. The target semester is now Fall 2012. The revision will indicate that the district intends to comply with the Accreditation Standards for "Proficiency Level." A question and answer period followed, in which Furch noted that the identification of outcomes has progressed well, but the "assessment" piece has proved more difficult. She urged faculty to recognize that this will be a necessary element in program review and planning.

This item will be brought back for Faculty Senate approval at next week's meeting.

Furch added that TracDat will be configured by the end of the semester. An email will be distributed, asking for faculty volunteers. Although specific departments will have flexibility within the program to design their specific assessments, the configuration of the institutional framework is taking place presently, and those elements will apply to all and will be relatively "permanent." Anyone who wants to participate in the design of those elements should volunteer as soon as possible.

Faculty Service Award: Monika Brannick reminded Senators of discussion late last semester and earlier this semester about the current configuration of the Faculty Service Award. Several years ago, a determination was made to offer two Service awards rather than one. The Senate has discussed whether it would be appropriate to return to the original format of offering only one award. Senators were asked to consider this before next week's meeting.

Joint Senate Council/
PFF Meeting:

Barb Kelber reminded Senators of the Joint Council (PFF/Senate) meeting scheduled for Monday, May 8, at 3:45 p.m., in SU-30. All are invited to attend.

Student Services
Planning Council:

Valerie Chau provided the following written report of the recent Student Services Planning Council meeting:

We discussed the following:

1. Campus Police Revenue Initiatives. Tony Cruz provided a handout detailing 10 suggested initiatives to provide money for supporting our campus police. Of those listed, the SSPC approved the following.
 - * increasing the citation fee by \$5 to cover the fine increase due to GC 70372,
 - * increasing the 1 day permit cost to \$5,
 - * imposing a correctable citation fee of \$10, and
 - * implementing a \$10 fee for 'copies of reports'

These will be presented to SPC by Mark Vernoy.

2. Program Review & Planning. Mark Vernoy described the task of prioritizing hiring for Student Services and related areas, informing us that we, (the SSPC), will be working on this soon. He further informed us that the SSPC needs to work in priorities for facilities, supplies and technology for the areas we represent. Technology was suggested as a third and separate area of prioritization - separate from facilities and that was agreed upon. He further noted that the HRSPC is working on an overall staffing priority system once new hiring is allowed.

3. Student Services Staffing Subcommittee. Linda reported that this committee has some new members and the committee will be researching other colleges' staffing priorities for student services. Mark Vernoy mentioned that our PeopleSoft software does have a module, Position Control, that Palomar College has not implemented, that could help us track positions.

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4. Accommodations Procedure. Mark Vernoy informed us that Palomar College has just developed a document titled "Procedures for Requesting Academic Accommodations and Auxiliary Aids and Services" in response to a student's contacting the Office of Civil Rights, and the OCR requiring Palomar College to develop a procedure to handle this situation. Mark passed around this document (attached to this email), and would like the faculty to add the document to its Faculty Manual.

Procedures for Requesting Academic Accommodations and Auxiliary Aids and Services1

Appropriate accommodations for students are available to ensure equal access to the Colleges programs and activities. It is the student's responsibility to notify instructors of the need for accommodations.

Academic accommodations may include, but not be limited to, testing accommodations, note-taking assistance, alternate media (Braille, audio, e-text, etc.) and ASL interpretation services.

Students with disabilities must provide, upon request, written verification of each disability from an appropriate professional who has knowledge of the student, disability, and the educational and/or functional limitations imposed by each disability.

Students are encouraged to utilize the Disability Resource Center which has staff who have had specialized training regarding the impact of various disabilities in the educational environment, and as such are uniquely qualified to recommend services and accommodations. Most instructors do not have such specialized training.

The DRC staff will assist students with provision of approved accommodations.

Students Utilizing the Disability Resource Center (DRC)

1. Provide disability verification to DRC.
2. Meet with a DRC professional (Director; DRC Counselor; Learning Disability Specialist) to determine appropriate accommodations and services.
3. At least one week prior to each semester, request an *Accommodation Form* for each course in which accommodations will be needed. Allow up to five days for processing during peak periods (first two weeks of each semester).
4. Pick up approved *Accommodation Forms* and deliver to each instructor. (Note:
 1. Instructors cannot unilaterally deny or modify accommodations.
 2. Instructors must contact the DRC directly with questions concerning accommodations.)
5. Follow the protocol for initiating each service as stated in the *DRC Student Handbook*
<http://www.palomar.edu/dsps/pdf/handbook.pdf>

Disagreements Regarding Academic Accommodations

Students Disputing the Provision of an Academic Accommodation

1. Request a meeting with the Director of the DRC (or designee) to discuss denial of a requested accommodation. This meeting must occur within five working days.
2. If the director or designee concurs that a DRC decision should be altered or modified, staff must provide reasonable accommodation within five educational days.
3. If the director or designee does not agree, That individual will notify the student in writing within five days and inform the student that he/she has the right to appeal to an ADA Compliance Officer. A meeting with the compliance officer must occur within five days of request. In the interim, the accommodation will be provided within the limitations of reasonable accommodation.
4. The ADA Compliance Officer has five working days to notify the student of the decision to affirm, deny or modify the request and inform the student of appeal rights. If the student is not satisfied with the decision of the ADA Compliance Officer, the accommodation will be provided in the interim and he/she may appeal to the Academic Accommodations Panel. This panel will be convened within five days of request. This panel will affirm or deny or modify the request, notify the student in writing and inform the student of next level appeal rights. As above, reasonable accommodation will be provided in the interim.
5. If the student is not satisfied, he/she may appeal in writing to the President of the college.
6. In each of the above steps, the individual making the decision also informs the instructor and/or service providers.

The Office for Civil Rights is also a resource for students disputing the provision of accommodations. Complaints can be filed at:

U.S. Department of Education
Office for Civil Rights
50 Beale Street, Ste. 7200

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San Francisco, CA 94105
(415) 486-5555
Ocr.sanfrancisco@ed.gov

Instructors Disputing the Provision of an Academic Accommodation

1. Instructor communicates this concern to DRC Director or other professional staff (DRC Counselor; Learning Disability Specialist). If not satisfied with the response, instructor may appeal to the ADA Compliance Officer. Reasonable accommodation is provided in the interim.
2. ADA Compliance Officer has five working days to respond in writing to instructor and DRC and either affirm, deny or modify the accommodation. Instructor will be informed of next level of appeal.
3. If instructor does not agree with the decision of the ADA Compliance Officer, he/she may appeal to the Academic Accommodations Panel. This panel has five working days to respond to the instructor in writing of its decision to affirm, deny or modify the accommodation. Reasonable accommodation will be provided in the interim.
4. If the instructor is not satisfied with the decision of the Academic Accommodations Panel, he may appeal to the president of the college. Reasonable accommodation will be provided in the interim.

¹ Hereafter referred to as *accommodations*.

Academic Technology
Committee:

Monika Brannick reported that the Pilot Program for the validation of preparedness for online instructors has begun, with volunteers emerging to have their courses reviewed. Results are very positive thus far.

Brannick and Barb Kelber will attend the next Chairs and Directors meeting on Friday, March 5, to talk to Departments about all of the upcoming changes relating to online instruction.

Palomar Faculty
Federation:

Perry Snyder reported that PFF elections are in progress.

ADJOURNMENT:

The meeting was adjourned at 3:35 p.m.

Respectfully submitted,

Barb Neault Kelber, Secretary