



Minutes of the
MEETING OF THE FACULTY SENATE
May 6, 2019

APPROVED

PRESENT: Melinda Carrillo, April Cunningham, William Dalrymple, Kelly Falcone, Jenny Ferrero, Michael Hernandez, Teresa Laughlin, Lawrence Lawson, Sierra Lovelace, Jackie Martin, Benjamin Mudgett, Wendy Nelson, Lillian Payn, Steve Perry, Travis Ritt, Candace Rose, Seth San Juan, Craig Thompson, Fari Towfiq, Anastasia Zavodny

ABSENT: Erin Hiro

GUESTS: Lesley Blankenship-Williams, Doyle-Bauer, Alexandra, Kena Haun (ASG), Barb Kelber, Beth Pearson, Fred Rose, Susan Snow

CALL TO ORDER: The meeting was called to order by the President, Travis Ritt, at 2:30 p.m. in room SU-30.
Please note: All votes are presumed unanimous unless indicated otherwise.

Approval of Minutes:

Motion 1 MSC Thompson, Laughlin: Faculty Senate approval of the minutes of April 29, 2019, as amended. The motion carried.

Public Comment: Fred Rose encouraged the Senate to actively advocate for greater involvement of faculty in the faculty hiring process. He shared his departmental experience in the hiring of two new faculty members; the department spent numerous hours screening applications and conducting interviews. He added that when the process began for the second-level interview with President Blake, departmental input was not sought nor were they involved in the decision of candidate selection following the process of shared governance.

Beth Pearson stated that members of the Biology department recently experienced a similar experience. In her third year of chairing a hiring committee with Dr. Blake on the second level, it is not a committee-as-a-whole decision regarding candidate selection. Faculty on the committee felt that their input was heard but not considered during the selection process. She also noted the concern for all candidates who applied, but particularly Palomar's adjunct faculty in their department who participated in the process and then were told it was a failed recruitment.

Barb Kelber read the following statement to Senators: I am here to participate in public comments because I want to offer support for my colleagues who will also speak. I am also very concerned about the current state of faculty representation in the area of hiring. My specific concern is that the Faculty Senate may not be sufficiently informed about the Administration's (and by that I mean primarily President Blake's) approach to hiring in this cycle. I am here to represent my department's view that it is the responsibility of the Senate President to inform the Senate of requests for a coherent faculty voice and to advocate for a consistent and respectful approach to hiring, which is clearly in the purview of the faculty and the Faculty Senate.

Leslie Blankenship-Williams read portions of and distributed the following information to Senate members:

I am aware that there is a substantial change in practice at the second level of faculty hiring committees. It is my understanding that the most significant change is that the superintendent president is interpreting the language “*final recommendation to the Board*” as “*unilateral decision making in the second level of faculty hiring*”. This is a significant departure from the way previous presidents interpreted this language. I present the following counterarguments to this interpretation, which should be of use in subsequent final interviews.

In January and February of this year, the superintendent/president made substantial efforts to change the hiring process of faculty, ostensibly as a mechanism to increase the diversity of new full-time faculty hires (caveat: discussions about increasing the diversity of faculty have almost exclusively focused on ethnicity and race, as opposed to other markers of diversity such as disabilities). However, no changes in policy were implemented this academic year. Therefore, the hiring procedure still relies on the process outlined in the 13-page document listed on the Faculty Senate website, which was approved in in September of 2015 (hereafter known as the ‘hiring procedures’). These hiring procedures begin with this opening statement.

The Faculty’s role in Shared Governance: Pursuant to rules adopted by the Board of Governors of the California Community Colleges, the **Palomar College Governing Board elects to rely primarily on the advice and judgment of Faculty Senate** on academic and professional matters. Among these matters are “faculty hiring policy, faculty hiring criteria, and **faculty hiring procedures**,” specifically noted as number 11 in the “10+1+1.”

On page 7 of the hiring procedures, section F under the header Committee Chair/Co-Chair Responsibilities (for Selection/Joint Selection) states that “*Committee Chairs/Co-Chairs shall be responsible for ensuring compliance with District policies and procedures in conjunction with the hiring process.*” Given that the Palomar College Governing Board “elects to rely primarily on” Senate, and Senate has established prescriptive faculty hiring procedures, I interpret this to mean that the **Committee Chair is responsible for ensuring compliance with the faculty hiring procedures as prescribed by the Senate document approved in September of 2015.**

At second level, the chair of the Joint Selection Committee is prescribed to be the appropriate dean. Ergo, the academic dean is responsible for ensuring that the hiring procedures are followed at the second level.

The following are excerpts from the Hiring Procedures (emphases are mine)

K. SECOND-LEVEL INTERVIEWS

1. Two separate second-level interviews are conducted, one by the Joint Selection Committee and the other by the Superintendent/President.

Joint Selection Committee Interview:

2. The Joint Selection Committee interviews all finalists forwarded by the Selection Committee.
3. Teaching demonstrations are optional at the second-level. The Department responsible for the position will make the determination relating to a second-level teaching demonstration.
4. **The Joint Selection Committee will consider the Superintendent/ President's assessment and recommendations before coming to consensus.**

The President's Interview:

1. The President interviews all finalists forwarded by the Selection Committee.

2. The President's Interview is conducted by the Superintendent/President, who serves as both Chair and sole committee member.
3. Also present at the President's Interview are: a. Compliance Officer b. Observer (The first-level committee may appoint a faculty member of the committee to serve as a non-voting observer during the Superintendent/President's interviews).
4. **The Superintendent/President, or designee, interviews the finalists and presents his/her assessments and recommendations to the Joint Selection Committee.**

L. DELIBERATION AND SELECTION PROCESS

1. Background Checks: Regulations regarding background checks are outlined in Board 485 Policies and Procedures, AP 7126 & AP 7337.
2. Reference Checks: a. Reference checks are required for all positions. b. Following notification confirming that HRS has contacted the candidates, at least two voting members of the Selection Committee who are moving forward to the Joint Selection Committee will conduct reference checks on the recommended finalists per the "Reference Check Guidelines." **Information gathered through reference checks will be shared with the Joint Selection Committee and the Superintendent/President during deliberations.**
3. Selection / Seeking Consensus:

The Joint Selection Committee and the Superintendent/President meet after completing separate interviews of each of the final candidates. **Each candidate is discussed and assessed relevant to the separate interviews, reference checks, teaching demonstration, and needs of the discipline/ department.** The Superintendent/President considers input from each Committee **member and works towards consensus AS MUCH AS POSSIBLE** in making the final selection.

The Superintendent/ President will make the final recommendation to the Governing Board. It

is unequivocal that that during deliberations, each candidate is to be discussed and assessed regarding the (1) interviews, (2) reference checks, (3) teaching demonstration, and (4) needs of the discipline or department. If the superintendent/president does not allow the committee to discuss these aspects of each finalist, **that is a clear violation of the procedures.**

Second, there are several sentences that indicate that the deliberation is driven by the Joint Selection Committee in coming to consensus. Namely, "*the Joint Selection Committee will consider the superintendent/president's recommendations before coming to consensus.*" That is, the Joint Selection Committee drives the conversation towards consensus, but must **consider** the recommendations of the superintendent/president in their discussion.

Another similar statement asserts, "*the superintendent/president...presents his/her...recommendations to the Joint Selection Committee*". Again, nothing in this language grants the superintendent/president the sole power to decide the outcome of the deliberations. Instead, the language clearly conveys that consensus is to be reached, and that the members of the Joint Selection Committee drive that conversation and deliberation.

The two sentences that appear to "flip" the script to some extent are: "*The superintendent/president considers input from each committee member and works towards consensus as much as possible in making the final selection*" and "*The superintendent/president*

will make the final recommendation to the Governing Board”.

The first sentence could suggest that the superintendent/president is now driving the conversation, and therefore – using twisted logic that would make William Barr proud – also has a larger say in the final decision, perhaps even unilateral say. It is the second part of the sentence that nullifies this interpretation. **The superintendent/president is to work towards consensus as much as possible in making the final selection.** In other words, the final selection is determined by consensus, and the superintendent/president can help facilitate that by considering each committee member’s point of view (particularly helpful when committee members are ‘split’ between candidates). What is the definition of *consensus*? According to dictionary.com, a consensus is a “general agreement” or “wide agreement”. Since the deliberation process occurs between faculty members, the VP, the Dean and the superintendent/president, a *consensus* means that the majority of the members need to agree with the decision. Therefore, nothing in this language allows the superintendent/president to invoke sole authority or veto power in this decision of which candidate to hire.

The final sentence - which I believe the current superintendent/president is relying to justify her approach during the deliberations - is *“The superintendent/president will make the final recommendation to the Governing Board”*. Taken as a stand-alone sentence, this could reasonably be interpreted as the superintendent/president has sole authority to decide which candidate is recommended to the Governing Board.

However, every other sentence that concerns the deliberation process does not support that interpretation. In fact, as I argued previously, many of the sentences reiterate that consensus is to be achieved and some of the sentences actually suggest the Joint Selection Committee drives the conversation towards consensus. Moreover, when language could be interpreted different ways, both **intent** and **past practice** are critical in legally informing the interpretation.

Past practice: We all know that past practice was one of collegiality and shared decision making where the superintendent/president offered comments and recommendations but ultimately deferred to the Joint Selection Committee in their decision. I personally participated in committees where the superintendent/president expressed objection to one or more candidates, but would acquiesce to the Joint Selection Committee’s decision.

Intent: I suspect – rather strongly - that the author of these policies did not envision that the sentence, *“The superintendent/president will make the final recommendation to the Governing Board”* would be seriously interpreted an authoritarian decision. Such a vote goes against the District’s commitment to collegiality and shared governance (as highlighted in AP 2510, ect) and the importance of consensus as detailed in the hiring procedures.

Thank you for reading, Lesley

AP 2510 “The governance structure and practices embrace the Palomar Community College District values of supporting inclusiveness of individual and community viewpoints in collaborative decision-making processes; promoting mutual respect and trust through open communication and actions; and fostering integrity as the foundation for all we do.”

BP 2510 “The Governing Board of the Palomar Community College District wishes to encourage the greatest possible cooperation among its employees and believes that the best ideas are often the product of collective thought. The Board affirms its commitment to collegiality and participatory governance.”

Teresa Laughlin stated that the Senate formed a work group last year who reviewed and revamped the Faculty Hiring Procedure with the intent of looking for barriers that could affect diversity in hiring. A proposal was also included to streamline the process and clearly define the roles at each level. The Senate unanimously approved the document, which was then sent to the Superintendent/President but to date no movement has been made to further the discussion or for its implementation.

Announcements: Travis Ritt announced that he will be placing an item on the May 13 Agenda to allow for further discussion of Faculty Hiring.

Craig Thompson announced his well wishes for former Vice President Ron Perez, who left his position for another employment opportunity.

Travis Ritt announced that the FACE event will be held on Thursday, May 16 at St. Mark's Golf Club from 5:00 – 7:00 p.m. Appetizers and drinks will be provided. Invitations are being distributed.

Travis Ritt announced that the Faculty Council has unanimously selected April Cunningham as this year's Gift of Time recipient.

Travis Ritt announced that next week we will seat our new Senate members. This is the last official meeting for those Senators whose terms are ending this semester. He read off the list of new and returning Senate members and added that the Secretary, Vice President, and Past President positions will be filled next week. A call to fill the remaining vacancies will be distributed early in the fall semester.

Committee
Appointments:

Motion 2 MSC Nelson, Laughlin: Faculty Senate approval of the following committee appointment:

Equivalency Committee (MNHS 19-21)
Greg Larson (FT), Math

The motion carried.

Curriculum: Senators received electronic copies of the following Curriculum items:

Palomar College Curriculum Committee Actions
Wednesday, May 1, 2019

I. **SECOND READING** – The following curriculum changes, pending appropriate approvals, will be effective **FALL 2019**:

A. Credit Course Deactivations

i. Course Number and Title: MATH 10 Basic Arithmetic

Short Title: Basic Arithmetic
Discipline: Mathematics (MATH)
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: Course will not be offered effective Fall 2019.
Greg Larson

ii. Course Number and Title: MATH 12 Supplemental Instruction for Basic Arithmetic

Short Title: SUP INSTR/BASIC ARITHMETIC
Discipline: Mathematics (MATH)
Grading Basis: Pass/No Pass Only
Deactivation reason: Department has no plans to offer this course.
Jay Wiestling

iii. Course Number and Title: MATH 146 Fortran-90 for Mathematics and Science
Short Title: Fortran-90 for Math/Science
Discipline: Mathematics (MATH)
Prerequisite: MATH 135, MATH 110, MATH 115, a passing grade on the appropriate placement test
Transfer Acceptability: UC/CSU Transfer Course - Yes
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: This course has lost all popularity. Dept. has been told not to offer it.
Jay Wiestling

iv. Course Number and Title: MATH 15 Prealgebra
Short Title: Prealgebra
Discipline: Mathematics (MATH)
Distance Learning Offering(s): Computer Assisted Instruction, Online Course
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: Course no longer offered due to AB705.
Greg Larson

v. Course Number and Title: MATH 17 Supplemental Instruction for Prealgebra
Short Title: SUPPLEMENTAL INSTR/PREALGEBRA
Discipline: Mathematics (MATH)
Grading Basis: Pass/No Pass Only
Deactivation reason: Department has no plans to offer this course.
Jay Wiestling

vi. Course Number and Title: MATH 42A Supplemental Instruction for Beginning Algebra Part I
Short Title: Supl Instruction for MATH 50A
Discipline: Mathematics (MATH)
Grading Basis: Pass/No Pass Only
Deactivation Reason: Course no longer offered due to AB705.
Mona Ellis

vii. Course Number and Title: MATH 42B Supplemental Instruction for Beginning Algebra Part II
Short Title: Supl Instruction for MATH 50B
Discipline: Mathematics (MATH)
Grading Basis: Pass/No Pass Only
Deactivation Reason: Course no longer offered due to AB705.
Mona Ellis

viii. Course Number and Title: MATH 47A Mathematics Topics
Short Title: Mathematics Topics
Discipline: Mathematics (MATH)
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: Course no longer offered due to AB705.
Wendy Metzger

ix. Course Number and Title: MATH 47B Mathematics Topics
Short Title: Mathematics Topics
Discipline: Mathematics (MATH)
Prerequisite: MATH 15, Eligibility determined through the math placement process
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: Course no longer offered due to AB705.
Wendy Metzger

x. Course Number and Title: MATH 50 Beginning Algebra
Short Title: Beginning Algebra
Discipline: Mathematics (MATH)
Prerequisite: MATH 15, Eligibility determined through the math placement process

Distance Learning Offering(s): Computer Assisted Instruction, Online Course Grading Basis:
Grade/Pass/No Pass
Deactivation Reason: Course no longer offered due to AB705.
Jay Wiestling

xi. Course Number and Title: MATH 50A Beginning Algebra Part I
Short Title: Beginning Algebra Part I
Discipline: Mathematics (MATH)
Prerequisite: MATH 15, Eligibility determined through the math placement process
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: Course no longer offered due to AB705.
Mona Ellis

xii. Course Number and Title: MATH 50B Beginning Algebra Part II
Short Title: Beginning Algebra Part II
Discipline: Mathematics (MATH)
Prerequisite: MATH 50A
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: Course no longer offered due to AB705.
Mona Ellis

xiii. Course Number and Title: MATH 53 Prealgebra/Beginning Algebra
Short Title: Prealgebra/Beginning Algebra
Discipline: Mathematics (MATH)
Prerequisite: MATH 15, Eligibility determined through the math placement process
Grading Basis: Grade/Pass/No Pass
Deactivation Reason: Course no longer offered due to AB705.
Wendy Metzger

II. ACTION - TECHNICAL CORRECTIONS A. Math Requisite Updates in Response to AB 705

A. Math Requisite Updates in Response to AB 705

The prerequisites for the following MATH courses need to be changed due to the initiation of AB 705:

Course	Current Prerequisite	New Prerequisite
MATH 54 – Algebra for Statistics	A minimum grade of ‘C’ in Math 15, or eligibility determined through the math Placement process.	Eligibility determined through the math placement process.
MATH 60 – Intermediate Algebra	A minimum grade of ‘C’ in either MATH 50, MATH 50B, or MATH 53 or Determined through the math Placement process.	Eligibility determined through the math placement process.
MATH 75 – STEM Prep	MATH 50, or MATH 53, or MATH 50B, Or eligibility determined through the Math placement process.	Eligibility determined through the math placement process.
MATH 100 – Exploring	A minimum grade of ‘C’ in MATH 56 or Or MATH 60 or eligibility determined Through the math placement process.	Eligibility determined through the math placement process.

I.A.1, I.A.2, 1.B.1, 1.B.2

Motion 3 MSC Nelson, Laughlin: Faculty Senate acceptance of the removal of Math 100, from the Curriculum Committee Consent Calendar Technical Corrections dated May 1, 2019. The motion carried. Abstention: Lawson

Motion 4 MSC Nelson, Laughlin: Faculty Senate ratification of the Curriculum Committee Actions dated May 1, 2019, as amended. The motion carried. Abstention: Lawson

Wendy Nelson asked for Senate input on a question which was raised to the Curriculum Committee on whether or not a non-faculty member should have access to META to update and create curriculum. The consensus of the Senate was no, since curriculum is under faculty purview.

Vision for Success Goals: Travis Ritt reminded Senators of Michelle Barton's presentation to the Senate on April 22 on the Vision for Success Goals.

Motion 5 MSR Falcone, Towfiq: Faculty Senate support of the Vision for Success Goals. Abstentions: Carrillo, Cunningham, Dalrymple, Fererro, Laughlin, Lawson, Lovelace, Martin, Mudgett, Nelson, Perry, San Juan, Thompson. The motion was rescinded.

Travis Ritt indicated that it is in response from a request received from the Chancellor's Office to create aspirational goals as attempts continue to be made to close equity gaps for community college students. There was discussion on this item, and though Senate members viewed a presentation and slide show from Michelle Barton, there was no opportunity for questions or discussion.

One Senator mentioned that there was also no discussion with the Senate on these goals. More context is needed surrounding the data and how the goals were decided upon. It was also noted that there is more background information on the Vision for Success Goals on the PD Portal. This item will be brought back for further discussion and/or Action at next week's meeting.

Motion 6 MSC Lawson, Martin: To rescind Motion 5 until May 13, 2019. The motion carried.

Confirmation of faculty
Composition on Governing

Board ad hoc Committee: At last week's meeting, Senators discussed the creation of an ad hoc committee with various other constituents on campus to discuss and potentially update BP 7120. There was some concern by the Senate on some issues relating to the days which the meetings were being proposed, which is during the summer when faculty are off contract. There was also frustration expressed by several Senators that the composition included only two faculty members, when it was initially stated by a member of the Governing Board early in the process that because this was an informal group, faculty could have any number of members that they choose, which was then presented as 7. The makeup of the committee has also changed to add administrative members with no discussion or input from the Senate, even though faculty hiring is clearly an Academic and Professional Matter. There is agreement by all to increase diversity in hiring and it is a mutual goal. It was noted though, that Vice President Norman has made noticeable strides in faculty recruitment.

Motion 7 MSP Thompson, Nelson: Faculty Senate acceptance of the composition of the Governing Board ad hoc Committee on BP 7120. The motion was postponed.

Discussion continued on the proposed composition as well as the Senate's purview relating to hiring and the hiring process. Travis Ritt indicated that a meeting is scheduled for May 20 and at the direction of the Senate he will request a response from the board on the number of faculty initially agreed upon, as well as offering compensation to faculty who are working off contract.

Motion 8 MSC Rose, Dalrymple: To postpone the acceptance of the composition of the Governing Board ad hoc Committee on BP 7120 until the May 20, 2019, Faculty Senate meeting. The motion carried.

TERB Part-time Faculty

Evaluation Process: This item was brought for Senate discussion last week and Senators were provided with copies of the documents after the meeting for further review. Brief discussion occurred on the dean's role in the process.

Lawrence Lawson indicated that members of the Tenure & Evaluations Review Board (TERB) will be meeting on May 13.

Updated FSA Form: Senators were provided with copies of the proposed as well as the current document utilized for the Application for Faculty Service Area (FSA). The minor changes were noted and brief discussion occurred. In the interest of updating the document as soon as possible, this item was moved forward for Action.

Motion 9 MSC Rose, Zavodny: To move discussion of Updated FSA Form to Action. The motion carried.

Motion 10 MSC Lawson, Zavodny: Faculty Senate approval of the Application for Faculty Service Area (FSA), as proposed. The motion carried.

Constitutional Review
Committee:

Travis informed Senate members that the current Constitution directs the Faculty Council to appoint a 3-panel membership to the Constitutional Review Committee to bring any recommendations forward. The initial group tasked with this is encouraged to provide input during the process. He indicated that the Council has appointed Jenny Ferrero, Wendy Nelson, and Craig Thompson to these positions.

Nelson indicated that the group met twice last week and will continue to meet through the end of the semester. It is hoped that the proposed amendments can be brought to the Senate for a vote at the May 20 meeting and presented to the faculty as a whole early in the fall semester. III.A.8

Written Reports: The following written report was submitted but not discussed at today's meeting:

Distance Education: **Distance Education Faculty Senate Report (05/01/2019) - Steve Perry**

1. Accessibility compliance all-day "boot camps" were held on April (8, 9, 15, 16, 29, and 30) Workshops topics were: Intro to Accessibility compliance, Canvas Accessibility, MS Word and PDF Accessibility, MS Excel/PowerPoint Accessibility, and Video/Audio file Accessibility. Additionally, Sheri Goldsmith and her team gave a 15 minute review of assistive technologies in their lab.

2. Put up an initial Accessibility website (www2.palomar.edu/pages/accessibility) that contains (or will reference to) relevant information that an instructor will need to know/use regarding making electronic documents accessible. More will be added to this site by the end of the semester.

3. Developing fast-track web page based on the Accessibility section of the OEI Course Design Rubric (2018) to better allow instructors work through what needs to be done to make their electronic documents compliant with the minimum set of accessibility law and regulations.

4. Working with Najib Manea to script the two online workshops I will be recording on "Introduction to Accessibility" and "Getting your videos captioned"

5. The DE Committee met on May 1st and voted to table a vote on the POET system replacement (with two @ONE courses) so that we have more time to review and revise it.

6. Continuing to do DE approvals through the Meta system. Which continues to have problems causing unnecessary work on our part. These issues were pointed out to Cheryl last September, who forwarded them on to the programmers at Meta.

Respectfully Submitted,
Steve

ADJOURNMENT: The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Candace Rose, Acting Secretary