

**ACADEMIC SENATE
APPROVED MINUTES
SEPTEMBER 24, 2009**

Senators Present: Mike Adams, Kevin Alavezos, Paul Berger, David Boley, Paul Cripe, Ellen Dambrosio, Bob Droual, Rebecca Ganes, Jennifer Hamilton, Jim Howen, Allan McKissick, Jeff Netto, Adrienne Peek, Dale Pollard, Burt Shook, Travis Silvers, Brian Sinclair, Rob Stevenson, Theresa Stovall, Barbara Wells, Jason Wohlstadter, Layla Yousif

Senators Absent: Paul Brogan, Debbie Laffranchini, Jim Sahlman

Guests: David Baggett (Faculty Consultant), Rich Rose (MJC President), Karen Walters-Dunlap (Vice President of Instruction); Teryl Ward (substituting for Lisa Riggs)

I. APPROVAL OF ORDER OF AGENDA ITEMS

The order of the agenda items was approved without objection.

II. APPROVAL OF THE MINUTES (September 10, 2009)

The minutes of September 10, 2009 were approved as corrected.

III. REPORTS

A. ASMJC

No ASMJC representative present—no report.

B. Professional Development Committee

Barbara Wells reported that a debriefing meeting has been held to discuss the 2009 Fall Institute Day activities. Barbara also reported that Mike Sundquist will serve as the dean on the Spring 2010 Institute Day Work Group which will meet to begin planning those activities.

C. College Council

Barbara Wells reviewed highlights from the September 14, 2009 College Council meeting:

Fund Drives or Solicitations and Naming of College Facilities Forms: Sherri Suarez requested feedback regarding implementing the use of a form that would require advanced administrative approval for fundraisers and solicitations to insure that no public resources are used; and to

identify additional security needs. Gene Hill presented guidelines and a worksheet to be used for naming college facilities, properties, and commemoratives and requested input from the council.

Accreditation and Institutional Effectiveness Committee: Dr. Walters Dunlap reported that there will be an Accreditation Self-Study training on September 24, 2009 at Merced College. The MJC self-study will be an 18-month process with the accreditation team visiting in November 2011. The entire campus community will be participating in SLOs, and an Assessment Work Group that will report to the Accreditation and Institutional Effectiveness Committee has been formed to assess and evaluate SLOs. The committee chair will be Senate President-Elect Adrienne Peek.

Enrollment: Dr. Walters Dunlap reported that as of 9/14/09 there was a 94% class fill rate. Enrollment was down 2.9% from Fall 2008. IAC will be making recommendations to President Rose regarding enrollment management strategies, however a 5% reduction in FTES from Spring 2009 is projected for Spring 2010.

College Calendar: Dr. Darnell has requested that MJC discuss holding graduation at MJC and Columbia College on either Friday or Saturday in alternating years, respectively, so that Board members can attend both graduations. Recommendations need to be submitted to Dr. Darnell by October 14, 2009. The Calendar Committee is reviewing the 2010/2011 calendar draft. A possible two-year calendar is also being considered and a college-wide discussion is needed regarding having a summer schedule.

Paperless Schedule Spring 2010: A paperless schedule is planned for Spring 2010, saving approximately \$70,000 per semester. A task force is currently reviewing a prototype of the schedule and focus groups with students will be held to solicit their input. October 9, 2009 is the deadline to provide feedback regarding the paperless schedule to Dr. Walters Dunlap.

Anti-Bullying Policy: Dr. Nadell provided a copy of a draft anti-bullying policy for district employees and requested feedback. This policy states that:

“As an employee of this District you are expected to adhere to acceptable conduct at all times. This involves respecting the rights and feelings of others and refraining from any behavior that might be harmful to your co-workers.

The District strongly supports the rights of all employees to work in an environment free of mobbing.

Bullying is verbal or physical conduct that, over a period of time, continuously and systematically:

- Intimidates, shows hostility, threatens and offends any co-workers,
- Interferes with a co-worker’s performance,
- Otherwise adversely affects a co-worker.

Bullying includes, but is not limited to:

- threatening, intimidating or hostile acts directed at a co-worker,
- generally abrasive behavior,
- using obscene, abusive or threatening language or gestures,
- discrediting a co-worker,
- prohibiting due process,
- slander,
- withholding information vital to a co-worker's performance,
- acts of physical isolation.

These guidelines are fundamental in nature and are matters of judgment and common sense.

Procedure:

The District prohibits bullying. Any violation of the District's anti-bullying policy should be reported immediately to your supervisor, your manager, or Human Resources. All complaints will be treated confidentially to the maximum extent possible and will be promptly investigated.

The District prohibits any form of retaliation against an employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation. If the result of the investigation indicates that corrective action is called for, such action may include disciplinary measures up to and including termination of the employment of the offender(s)."

The senate was concerned that the language in the draft was vague and left too much open to individual interpretation. In general, the language throughout the policy and the procedure needs to be more specific, particularly in defining descriptive terms and areas of responsibility. The draft will be sent electronically to all senators who are encouraged to distribute to their constituents.

D. Instructional Administrators Council (IAC)

Adrienne Peek reported that IAC has put together a Distance Education Task Force which is being co-chaired by Jim Clarke and Tobin Clarke. Ken White and Mike Sundquist are also serving on that task force.

E. Faculty Consultant to the Board

David Baggett reported that the Board of Trustees has been continuing their discussion of the possibility of alternating the days that graduation would be scheduled at MJC and Columbia College each year. This would allow trustees to attend *both* graduations, which they consider to be very important.

David also reported that the YCCD Board of Trustees and District Council are continuing to focus their discussions on budget concerns and on health care/benefits for district employees. The Joint Benefits Task Force will continue reviewing proposals from several health care companies (Blue Cross and several others) on October 6. Proposals and recommendations from the Task Force will then be forwarded on to all bargaining units.

F. President's Report

President Adams reviewed the following items:

MJC/Columbia Co-Exec Meeting: The majority of MJC's Senate Executive Board traveled up to Columbia College on September 18, 2009 to meet with their Senate Executive Board. Many topics of mutual concern were discussed, including the Faculty Consultant to the Board position/election, the board policy on "mutually agree", and pending resolutions that may have a district-wide effect.

Measure E Update:

Infrastructure on West Campus: Just came out of the Division of the State Architect (DSA).

Central Plant Building: Just came out of DSA.

Allied Health: Under construction.

Ag Pavilion: Construction is imminent.

Ag Housing: Nearly complete.

Ag Beef and Sheep Units: Under construction.

Softball Field: Under construction—should be completed by the end of 2009.

Student Services Building: Currently at (DSA).

Science Community Center/Great Valley Museum: Just came out of DSA.

Founders Hall: In design development phase—construction may begin Fall 2010.

High Tech Center: Construction cannot begin until after the new Science Community Center is in full use.

Library/Learning Resources Center: Currently in the Programming phase (working with the committee to determine the number of spaces (i.e., classrooms), sizes and room requirements.)

Art Building Remodel: Contracts signed; work will not begin until Summer 2010.

Committees that need Senate representation:

- *Accreditation and Institutional Effectiveness Committee* is in need of a Faculty Career and Technical Education Liaison (*urgent need*).
- *H1N1 MJC Planning Task Force* needs at least one senate representative.
- *Enrollment Planning and Management Task Force* is in need of a senate representative.
- *Title 5 Grant Steering Committee* is in need of at least one senate representative.
- *Assessment Work Group*, which will be supervising SLOs at MJC needs senate representatives.

Policies and Procedures – The District Policies and Procedures Committee will meet on Friday, October 2. There are thirteen policy changes, and two new policies that will be discussed. Senators are asked to share any input from their constituents with President Adams. District policies and procedures currently under review are linked to the senate website at: <http://www.mjc.edu/facultyinformation/acadsenate/index.html>.

Accreditation and Institutional Effectiveness Committee:

- A large team of 12 people is at the Self-Study Training being held at Merced College on Friday, September 24. MJC's Accreditation Self-Study must be completed by August 2011.
- The AIE Committee is forming an Assessment Work Group to handle college wide SLOs.
- PR Net for program review is in the process of being implemented. Training sessions will be held by the end of the Fall 2009 semester.
- The AIE Committee is working to create a Distance Education Committee to properly handle this burgeoning part of MJC offerings.

Planning and Budget Committee:

- Work groups for instructional faculty, non-instructional faculty, and classified positions were given the updated Strategic Plan priorities.
- The Enrollment Planning and Management Task Force will continue its work on an overall, long-term plan for enrollment.
- The Enrollment Strategy Task Force is addressing the short-term budget-cut-motivated need to reduce the number of courses that MJC offers. The Planning and Budget Committee has asked the task force to begin looking at Summer 2010 offerings as well.

G. Legislative Analyst

Rob Stevenson reported that the U.S. House of Representatives approved H.R. 3221, the Student Aid and Fiscal Responsibility Act of 2009, by a vote of 253 to 171 on September 18, 2009. The bill has now moved through the Senate where it was read twice and referred to the Committee on Health, Education, Labor and Pensions where debate will take place on this or a companion bill over the coming weeks.

This bill would end government subsidies to private lenders of student loans, and those loans would then be dispersed through the direct loan system. The Association of Community College Trustees (ACCT) estimates the annual savings at around \$87 billion over ten years. In the House Bill, approximately half that amount would go to Pell grants.

There is also a provision in the bill for \$10 billion that would be allocated to renovate community college campuses, improve instruction, and forge alliances with businesses and job training programs.

IV. CONSENT AGENDA

- A. At-Large Senator: Estella Nanez
- B. Membership of the Accreditation and Institutional Effectiveness Committee to include the Faculty Accreditation Co-Chair
- C. Invite Research Office representative to present the Institutional Effectiveness Report at the October 8, 2009 senate meeting.

The consent agenda was approved without objection.

V. ACTION AND DISCUSSION ITEMS

Continuing Business

1. Resolution SP09-A1: Grading and Academic Dishonesty (final grade not based on incident of academic dishonesty)

Background information: It is considered standard practice that grades should be based on multiple measures instead of one single measure—and any one incident of academic dishonesty would be only one measure of a student’s character and ability, thus a failing grade based on that alone would be grading based on a single measure.

A grade of zero on the one assignment or activity should make it considerably harder for a student to earn a passing grade, especially considering the higher level of scrutiny that would be necessary after an incident of academic dishonesty, which is a reasonable consequence for the break of proper conduct.

The current legal opinion for the California State Chancellor’s Office is that one incident of plagiarism or other academic dishonesty cannot be used alone as a means of determining a student’s grade. We base our local policy on the current law, legal opinion, or state level policy, and not on what *we hope* that law, legal opinion, or state level policy might be changed to in the future.

The senate discussed the resolution, which states:

“Be it resolved that it is the opinion of the Modesto Junior College Academic Senate that instructors should not at this time be given the power to base a student’s final grade on one single incident of academic dishonesty, and that instructors should maintain the current right to give that assignment a grade of zero.”

M/S/F (Dale Pollard/Burt Shook) to approve Resolution SP09-A1: Grading and Academic Dishonesty for a final reading. For: 9 / Against: 14 / Abstentions: 0

2. Resolution SP09-A2: Grading and Academic Dishonesty (final grade may be determined by incident of academic dishonesty)

Background information: It is consistent with Education Code that an instructor may, at his or her discretion, fail a student for the semester in an instance of academic dishonesty. Grading has always been at the discretion of the instructor of record and the incident of academic dishonesty may be deemed by the instructor to be *sufficient* to determine failure to demonstrate

subject mastery. Some assignments are considered to be key-stones in matriculation agreements, and if a student were to fail this type of assignment due to an instance of academic dishonesty then the student has not likely achieved subject mastery.

Although current legal opinion may be that one incident may be small in terms of the overall effect of the student's progress in the class, one incident of this type may also be *sufficient* for an instructor to fail a student for the semester.

The senate discussed the resolution, which states:

“Be it resolved that it is the opinion of the Modesto Junior College Academic Senate that instructors should be given power to base a student's final grade on one single incident of academic dishonesty.”

M/S/F (Adrienne Peek/Rob Stevenson) to approve Resolution SP09-A2: Grading and Academic Policy for a final reading. For: 9 / Against: 14 / Abstentions: 0

The consensus of the senate was that the discussion of grading and academic dishonesty needs to be researched further at the district level.

3. Resolution FL09-A: Investigating Faculty Hiring Practices

The senate discussed the resolution, which states:

“Whereas, Education Code Section 87360(b) requires hiring criteria, policies, and procedures to be jointly agreed upon by both the governing board and the academic senate; and

Whereas, the MJC Academic Senate has not ratified any hiring criteria, policies, or procedures since 1994; and

Whereas, there have been many changes in the district's faculty hiring practices since 1994 that are not reflected in the 1994 documentation of these practices; and

Whereas, the YCCD Board of Trustees' website has a document entitled “Policy 4101” which refers to “Administrative Procedure 4101, Contract Faculty Hiring Procedures”; and

Whereas, after repeated requests, no copy of this referenced procedure has been forthcoming, and there appear to be discrepancies among the various other documents that are available concerning faculty hiring procedures; and

Whereas, it is both urgent and imperative that an updated hiring document be created and ratified;

Therefore, be it resolved that the Academic Senate of Modesto Junior College immediately form a Special Investigative Task Force.

Be it further resolved that this Special Investigative Task Force be charged with researching the history and current status of the Yosemite Community College District faculty hiring practices.

Be it finally resolved, that this Special Investigative Task Force be charged with making a recommendation to the MJC Academic Senate as to how to remedy the current problems.”

M/S/U (Adrienne Peek/Paul Berger) to approve Resolution FL09-A: Investigating Faculty Hiring Practices for a final reading.

New Business

1. Senate Bylaws Revisions

The senate reviewed the proposed changes to the Senate Bylaws and recommended several changes. A revised draft will be e-mailed to all senators immediately following the meeting so that the bylaws document can be distributed to constituents for input prior to the next senate meeting. Senators will bring back input from their constituents to the October 8, 2009 senate meeting.

M/S/U (Jeff Netto/Allan McKissick) to accept the proposed changes to the Senate Bylaws as amended.

2. Senate Rules Revisions

The senate reviewed the proposed changes to the Senate Rules and recommended several changes. A revised draft will be e-mailed to all senators immediately following the meeting so that the rules document can be distributed to constituents for input prior to the next senate meeting. Senators will bring back input from their constituents to the October 8, 2009 senate meeting.

M/S/U (Rob Stevenson/Jeff Netto) to accept the proposed changes to the Senate Rules as amended.

VII. ADJOURNMENT

The meeting was adjourned at 5:30 p.m.