

**MJC Academic Senate President's Statement to the YCCD Board
November 10th 2021**

Hello Trustees and Chancellor Yong, thank you for your time. On November 4th, by a unanimous vote, MJC's Academic Senate passed "MJC Faculty Concerns and Questions Regarding YCCD Board Resolution 21-22.07." In addition to the document passed by our senate, on Saturday, November 6th, the Academic Senate of California Community Colleges (ASCCC) in alignment with the Student Senate for California Community Colleges Board of Directors, passed resolution 13.02 F21 "In Support of Prevention and Control of COVID-19 in the Interest of Safe Learning Environments," which asserted that a safe teaching and learning environment for students and faculty is vital for student success and resolved to work with system partners to explore options to require COVID-19 vaccinations and stated their support of the The Student Senate for California Community Colleges Board of Directors, who took a position in support of requiring COVID-19 vaccinations.

I have been directed to express the sentiments of MJC's faculty.

"The Academic Senate of Modesto Junior College has compiled a list of faculty concerns regarding the YCCD Board's Resolution 21-22.07. It is our belief that members of the Board of Trustees should take stronger action that demonstrates their commitment to fiscal responsibility and to the wellbeing of students, the institution, and to the community in a way that follows the best science and health practices our nation can offer. YCCD Board's Resolution 21-22.07 falls short of supporting our educational mission and placing in peril the lives, livelihood, and future of students, faculty, classified professionals, administrators and their families. Our Declaration of Independence's most famous phrase starts with "life" ("Life, Liberty, and the Pursuit of Happiness") because the other two are irrelevant without it.

The Academic Senate urges the YCCD Board of Trustees to follow its own Code of Ethics/Standards of Practice and "act in the best interests of the entire District community" and to "prevent conflict of interests and the perception of conflict of interests." ([YCCD BP 2715](#)). Faculty demand a resolution to this issue that would allow us to safely and effectively serve our students and further the mission of the college. We urge members of the Board of Trustees to reconsider their position and take further action to place our health (physical and institutional) and student success front and center of their decisions.

FACULTY'S PRIMARY CONCERNS:

The survey of faculty indicated that nearly 80% supported empowering the chancellor to develop a vaccine and/or testing requirement and the vast majority of faculty who have made public comments at board meetings have called for a vaccine requirement with testing as an option for those with medical or religious exemptions. The work of faculty is central to the mission of the college and it is also some of the riskiest work occurring on our campuses during the pandemic."

I will now express the sentiments of the concerns, primarily with language pulled directly from the document.

FISCAL: Millions of dollars have been reallocated to pay for this testing requirement, as our board chose to implement one of the most expensive and least effective approaches to make our campus safe enough for increased face-to-face instruction. 2.3 million of those dollars were supposed to go to HVAC replacement in order to improve the circulation of air in classrooms and offices. Many of our fiscal concerns noted how fiscally irresponsible it is to spend millions on testing when social distancing guidelines would mean that our college would not see the enrollment increases needed to make it a sound fiscal decision. I recently learned that our college has decided to maintain class sizes for face-to-face instruction this upcoming spring semester and have no requirement for physical distancing planned, which is in opposition to public health recommendations for educational institutions. While this decision still doesn't make the operationalizing of this resolution fiscally sound, it does make it more dangerous.

UNDERMINING VACCINE CONFIDENCE AND INCENTIVIZATION, PERSONAL CHOICE AND EXEMPTIONS: This resolution disincentivizes vaccination and undermines vaccine confidence for the students and community members who are looking to YCCD and the college for guidance. Faculty understand the desire to leave personal health decisions to the individual and to emphasize choice, but we need a plan with choices that does not prioritize the choice of only those who are vaccine-averse. A vaccine requirement with the possibility of exemptions would allow us to give more students access to education in a setting that best serves them without the barriers created by this testing only requirement.

PROGRAM VIABILITY AND SUCCESS: Many of our programs and services were not considered in this resolution as it hinders their ability to operate successfully. Some have requirements related to their external licensing, clinical or industry partners, regional workforce entities, and so on, or they serve community members who are not yet students, which was not addressed in the resolution.

OPERATIONALIZING THE RESOLUTION, STUDENT SUCCESS: Operationalizing this resolution will have negative impacts on student success that cannot be justified as they go against the mission of the college. Courses that are scheduled to be face-to-face this coming spring are at risk of interruption from positive covid cases and the resulting quarantines. Changing modalities can impact the quality of instruction, can be pedagogically unsound, causes instability in the course, negatively impacts student success and retention, and hinders the ability of faculty to teach and serve students effectively. Our labs cannot safely function in-person with a testing only policy and we cannot guarantee the transferability of our courses being taught with online labs. The C-IDs require face-to-face labs and C-ID requirements have to be met to guarantee transferability of our courses. We are risking our students being required to retake courses and our programs being decertified, which would irreparably damage the reputation of our college and district. It isn't a defensible position when all CSUs and UCs returned to normal operations once their vaccine requirements were in place. Our students are

being left behind when many already come from socially and economically disadvantaged situations, and this policy ensures that they will stay a step behind.

CONFLICT OF INTEREST AND LIMITING THE POWER OF THE CHANCELLOR: The resolution is a conflict of interest in that the Trustees are creating policy by which they themselves will be required to abide. Limiting the Chancellor by removing options available for managing a public health crisis threatens the fiscal and operational stability of our college and therefore the district and it puts our district in a position of additional and unnecessary liability. Safety protocols should only be decided based on the recommendations of medical professionals and public health officials.

EXPERTISE: The resolution removed all references to public health experts that were included in the first draft and instead put the board in a position of making public health decisions. The YCCD board cited breakthrough infection as a reason for implementing a testing for all strategy. Faculty share the concern. We can minimize breakthrough infections by being proactive instead of reactive and require vaccination for in-person classes and services and continue with masking.

Faculty also believe in choice, which would be served by a vaccination requirement for those in in-person instructional spaces, along with testing, and masking. Please note that our focus is on instructional spaces because that is our responsibility. When in-person classes are not offered, that is less choice, which is a consequence of not having the option of a vaccination requirement. Like faculty, the board of trustees acts in service of the mission of the college. Our mission is to empower students to discover opportunities and reach their goals through access and inclusion in higher education. This resolution does not allow us, under the circumstances, to effectively work in service of that mission to all our students, and students will suffer. Faculty are asking the board to reconsider.

That concludes my report. Thank you.