
Excused: Suzanne Borghei, Jennifer Jesswein, Deborah Kraut, Pete Morris, Marina Parise, Richard Tahvildaran-Jesswein,

Absent: Ken Buckner, Tim Cramer, Judith Douglas, Georgia Farber, Ken Geddes, Richard Goldenson, Terry Green, Craig Hammond, Janie Jones, Anne Marie Karlson, Lucy Kluckhohn-Jones, Bill Lancaster, Helen LeDonne, Peter Morse, Maria Munoz, Wendy Parise, Nick Pernisco, Michelle Scholefield, Bob Ware, Ted Wilkinson,

Guests: Dennis Frisch, Janet Harclerode.

I. Call to Order: 11:21 a.m.
II. Public Comments:
III. Action Items:
1. a. Approval of the Minutes for May 11, 2010

[Link to Minutes]

Accepted as presented.

1. b. Senate resolution honoring Linda Webster’s service to the academic senate.
Motion: Kathy Flynn
Second: Tina Feiger
Vote: Passed unanimously.

2. Adoption of New Courses – Guido Davis Del Piccolo, Chair Curriculum Committee
[Link to New Courses]

Vote to approve all: Passed unanimously.

3. 2nd Read AR 4354, 4354.1 and 4354.2 Certificates of Achievement and Department Certificates – Greg Brookins, Chair Student Affairs
[Link to ARs]
Vote: Passed with one abstention.

4124:
Vote: Passed unanimously.

4. 2nd Read AR 4124 Refunds, 4310 Final Examinations, 4310.1 Incomplete Grades – Greg Brookins, Chair Student Affairs
http://www.smc.edu/Projects/37/Student_Affairs/AR_4124.4310.4310.1.Final_Examinations_and_Grades_2nd_Read_5.25.10.pdf
Vote: Passed unanimously.

5. 2010-2011 Fellowship Awards – Esau Tovar, Chair Sabbaticals, Awards & Fellowships

   **Sage Bennet, Philosophy:** Purpose of fellowship project is to integrate a Global Citizenship perspective into Phil 23: Philosophy of Religion in both face-to-face and online deliveries of the course. Objectives include: (1) raising awareness about the themes of Global Citizenship—social justice, sustainability, taking action for change—as they intersect with the Philosophy of Religion; (2) developing curriculum that provides learning opportunities that inspire students to consider their roles as citizens of the world.

   **Gerard Burkhart, Communications/Photography:** Fellowship will support participation in a National Geographic Photography workshop to gain new insight into the modern photojournalistic process from National Geographic photo editors and photographers. The objective is to document those concepts to enhance classroom curriculum by emulating National Geographic photography standards, ethics and practices.

   **Gillian Grebler, Earth Science:** Fellowship will support attendance and presentation of a paper at the International Union of Anthropological and Ethnological Sciences global conference to be held in Antalya, Turkey in October, 2010 and to incorporate the knowledge and contacts gained into a proposal for a new course in Middle East anthropology, into current anthropology teaching, and into SMC’s global citizenship initiative.

   **Trenton Reynolds, Art:** Purpose of fellowship is to support creation and editing of video tutorials demonstrating specific techniques to students as a means to supplement class instruction

   **Asma Said, Physical Science:** The purpose of this research is to examine the relationship between students’ performance in physics courses Physics 21, Physics 22 and Physics 23, and the Math courses that have been taken by the students. A study assessing the impact of course prerequisites is incorporated.

   **Dyana Valentine, Counseling:** Purpose to design and assemble instructional materials for student and instructor use in Counseling 20 and other courses. Instructor will design pedagogically driven materials to enhance learning.
Shanon Zusman, Music: Purpose is to create a supplemental Listening Guide Workbook for music appreciation courses that will incorporate listening charts and mp3 musical examples. Guide will be available to students free of charge.

Vote: Passed unanimously.

It was proposed to bring back a fellowship awarding one class release time.

6. Executive Committee Appointments – Eric Oifer, President (see below)

Question was raised about the names of the members of the Rules and Elections Committee. The website only lists Richard Tahvildaran-Jesswein but no other names are included. Website will be updated with names.

In the previous senate meeting it was decided not to conduct the senate elections by acclamation even in those cases where the seats are not contested. The Rules and Elections committee decided to follow the senate’s directive for electing Curriculum Committee seats but not for the other uncontested seats. The reasoning of the committee was that Departments have the right to determine the process to elect senate representatives. If there are no contested seats the department has freedom to decide on their own representatives. Curriculum committee members on the other hand, must be affirmed by vote.

Question was raised about the previous’ meeting decision: Did the decision to run the election apply to all seats? Or just to Curriculum Committee seats?

Eric believes the decision was made only with respect to curriculum committee seats.

An email was sent to department chairs asking for chair’s input on having elections only for curriculum committee seats. There was disagreement from a department chair who did not receive this email and apparently, not all department chairs were included in this discussion.

No department asked to run the election. Because only one candidate was forwarded for each department, the RE committee decided not to run the election.

This decision was not uniformly welcomed. The issue raised was that the fact that there is only one candidate per department does not necessarily imply that the department does not wish to run the election.

The agreement reached was that if Departments want to run the election we will do so. Eric Oifer did not want to push for an election because Richard is sick and he thought that because most seats were not contested, there was no need to run the election. It will be on agenda on June 8 when we will have a vote. If there is no challenge to legitimacy, Eric is not inclined to postpone the issue. If anyone believes there is a legitimacy problem the Eric must be informed by email.

Vote on appointees for Executive Committee.
Motion: Mark Trujillo.
Second: Brenda Antrim.
Vote: Passed unanimously.

IV. Information Items:
**Background:** An administrator’s failed request for retreat rights raised questions about the process. Personnel policies committee reviewed the issue in order to clarify necessary conditions and process under which an administrator can become a faculty member.

The Personnel Policies committee reviewed and approved all changes made by the administration. The changes made by the administration added much clarity to the process. In particular, a written request is now necessary and the applicant must meet minimum requirements.

This AR addresses two different cases:

**Administrators who have achieved tenure as faculty in the District:**

In this case the applicant must make a request and the president informs the impacted department and the Academic Senate.

**Academic Administrators who have not achieved tenure in the District:**

Administrators hired after July 1, 1990, can acquire the right to become first-year probationary faculty member when his or her administrative assignment expires or is terminated for a reason other than dismissal for cause. The applicant must make a request to the Superintendent/President and must meet all of the following:

A. Has completed at least two years of satisfactory service to the District as a faculty member or administrator.

B. The reassignment would not result in the layoff of a full-time faculty member and the District has available funding.

C. Has a valid credential or meets the minimum qualifications specified by the Board of Governors List of Disciplines or possesses qualifications sufficient to be certified by the impacted department as equivalent.

The requirement for a written request is new as well as items “B” and “C”.

Discussion focused on three main issues:

- The meaning of “expires or is terminated” in relation to the contract. Two issues here:
  - The lack of clarity as to what comes first, termination/expiration of the position or a request for termination initiated by the applicant. Because the wording comes directly from the Ed Code, the Senate does not have the ability to modify the wording to eliminate this ambiguity. On the other hand, ambiguity opens the door for faculty to provide input on specific cases.
  - Since administrator contracts typically expire after one year, all administrators have the right to retreat at the end of their contract. This is not in line with the intent of the Ed Code, which was to allow such rights only for terminated assignments.

- Limited power of impacted department to act upon a retreat request. Because this is part of the Ed Code, neither the Senate nor the impacted department has the right to oppose a request. This is in line with the hiring process where faculty simply makes a recommendation to the president. Retreat rights are perhaps even more restrictive, because the president cannot challenge Ed Code.

On the other hand, there is a clear benefit to the impacted department as it gains a “free” faculty member because without having to go through the ranking and hiring process.

- Is the intent of Ed Code to specify that the administrator shall have the right? Or that the administrator may have the right? In the new wording, the administrator can acquire the right. Mitra Moassessi will obtain legal advice on this.
Our lawyer said that we cannot change the wording in Ed Code, so we must leave it with the word “shall” instead of “may”. But, we can place a condition inside the process. In this manner, we can define the meaning of “assignment” and “expires” to whatever we want it to be.

As we make these changes, it is important to write in an equivalency requirement which makes this process equivalent to someone going through the hiring process in order to ensure candidates meet current requirements for job.

Minimum qualifications are sufficiently certified by each Department. We only need to add language which makes it clear that the impacted department has the power to decide on what constitutes certification.

2. President’s Report – Eric Oifer

a. Professional Development Committee. Tabled
b. Sabbaticals: We had a vote in December 18 to send this issue back to committee. We could not reach mutual agreement with administration for several reasons and thus it was decided to improve the process for the next round in order to ensure that a minimum of eight sabbaticals are awarded.

c. Part-Time Faculty Professional Development Series

V. Announcements
1. Retirement BBQ – June 16th – Program at 10:30 a.m. – Lunch 12:00p.m. Tickets purchase before the event $10pp; at the event the price goes up to $15pp; send to Marina Parise or Lisa Lewis Burns.

VI. Adjournment: 12:33

Next Scheduled Meeting: June 8, 2010 – 11:10am–11:50am