

To be presented for Senate Board approval on July 8, 2013

April 15, 2013

OFFICERS AND MEMBERS

		Present/Absent
SENATE PRESIDENT	DUSTIN HANVEY	Present
VICE PRESIDENT	A. C. PANELLA	Present
SECRETARY	JESSICA IGOE	Inactive
TREASURER	DAN HALEY	Present
ADJUNCT FACULTY	MARK DODGE	Present
BUSINESS & COMPUTER TECHNOLOGY	PATRICIA LYNN	Absent
BUSINESS & COMPUTER TECHNOLOGY	EARLIE DOUGLAS	Present
COMMUNITY EDUCATION CENTER	DANNY HAMMAN	Present
COUNSELING	TOMÁS RIOJAS	Present
ENGINEERING	DEBORAH BIRD	Present: VNC: Not present
ENGINEERING	JASON NORRIS	VNC: Present
ENGLISH	ROBERT OVENTILE	Absent
ENGLISH	PAT ROSE	Present
ENGLISH	MARJORIE SMITH	Present
ENGLISH	MARTHA BONILLA (Alt)	Present
HEALTH SCIENCES	KRISTIN K. HYATT	Present
HEALTH SCIENCES	BLANCA RODRIGUEZ	Absent
KINESIOLOGY,	TERRY STODDARD	Absent
LANGUAGES	ANDRZEJ BORJARCZAK	Present
LANGUAGES	LOKNATH PERSAUD	Absent
LANGUAGES	MELISSA MICHELSON (Alt)	Present
LIBRARY	DOROTHY POTTER	Present
MATHEMATICS	PAT PEACH	Present
MATHEMATICS	KATHLEEN UYEKAWA	Present
MATHEMATICS	MATTHEW HENES	Present
NATURAL SCIENCES:	KATIE RODRIGUEZ	Absent
NATURAL SCIENCES	VALERIE FOSTER	Absent
NATURAL SCIENCES	PAUL JARRELL	Present
PERFORMING & COMMUNICATION ARTS	TAD CARPENTER	Absent
PERFORMING & COMMUNICATION ARTS	MARK WHITWORTH	Present
SOCIAL SCIENCES	EDUARDO A. CAIRO	Present
SOCIAL SCIENCES	FRANCIS NYONG	Present
SOCIAL SCIENCES	DEREK MILNE	Absent
SOCIAL SCIENCES	LAUREN ARENSEN (Alt)	Present
SPECIAL SERVICES	JO BUCZKO	Present
VISUAL ARTS AND MEDIA STUDIES	YOLANDA MCKAY	Present
VISUAL ARTS AND MEDIA STUDIES	ROD FOSTER	Present

## GUESTS

PRESIDENT/SUPERINTENDENT	DR. MARK ROCHA
SENIOR VP & ASSISTANT SUPERINTENDENT	DR. ROBERT BELL
SENIOR VP & ASSISTANT SUPERINTENDENT	BOB MILLER
DEAN, ACADEMIC AFFAIRS	OFELIA ARELLANO
CALENDAR COMMITTEE (Campus Wide)	KRISTA WALKER
DISTANCE EDUCATION	SANDRA C. HAYNES
PCCFA	PAUL JARRELL
ASSOCIATED STUDENTS	SIMON FRASER
COURIER	ANTHONY RICHETTS

### I. CALL TO ORDER

### II. PLEDGE OF ALLEGIANCE & INTRODUCTIONS:

PLEDGE OF ALLEGIANCE led by Pat Peach

INTRODUCTIONS: President Dr. Mark Richa, Krista Walter (Calendar Committee); Senior VP & Assistant Superintendent, Dr. Robert Bell; Senior VP & Assistant Superintendent Bob Miller; Dean, Academic Affairs, Ofelia Arellano; Anthony Richetts (Courier)

APPROVAL OF MINUTES: MOTION made by M. Dodge and seconded by P. Jarrell to approve the April 1, 2013 Minutes with the following corrections and additions. VOTE: Motion passed unanimously.

#### Corrections/Additions:

- Page. 5: Under Public Comment Reopened – amend to read: President D. Hanvey informed the Executive Committee that the Vote of No Confidence would be on the agenda and received legal advice from the General Counsel.
- Section VI, 5: VOTE: Abstention votes: Y. McKay; M. Michelson and M. Smith.

### MOVED UP ON AGENDA: V.1

Academic Senate Election Results: Nominations and Elections Committee: Nancy Rutzen  
Ms. Rutzen thanked the Committee members and the Senate Office secretary for their help with this process.

Winners of the 2013-2014 Academic Senate Election:

President	Vice President	Secretary	Treasurer
Eduardo A. Cairo	Earlie Douglas	Pat Rose	Dan Haley

A total of 249 ballots were received and of those six had to be disqualified. Four of the ballots received were not signed and two were not in the correct envelope. Of the 243 ballots that were counted, not all voters indicated a choice for each office. The following candidates received the majority of the votes for their respective office: Eduardo Cairo for President, Earlie Douglas for Vice-President, Pat Rose for Secretary and Dan Haley for Treasurer.

#### President

Eduardo Cairo	143
Armando Duran	96

#### Vice-President

Earlie Douglas	121
Jay Cho	119

#### Secretary

Pat Rose	123
Derek Milne	114

#### Treasurer

Dan Haley	138
Katie Rodriguez	105

Respectfully submitted,  
The Academic Senate Elections Committee  
(Patricia Lynn, Gloria Horton, Rita D'Amico and Nancy Rutzen)

MOTION TO MOVE UP ON THE AGENDA: Emergency Motion: Calendar 2013-2014: Krista Walter  
Made by P. Rose and seconded by M. Hennes.

MOTION 1: to move up calendar committee 13-14 item to after public comment. No opposition

MOTION 2 made P. Rose and seconded by M. Michelson to discuss the Vote of No confidence discussed at the April 1 Senate meeting and while all senators are present.

FRIENDLY AMENDMENT: Made by Panella for INFORMATION ITEM VIII. 1: Health & Safety Committee: Smoking Policy Changes: Jo Buczko to be discussed first because it had been continued for the past three meetings.

REVISED ORDER OF DISCUSSION after PUBLIC COMMENT approved.

1. Information Item VIII. 1: Smoking Policy Changes: J. Buczko
2. V. Emergency Motion: Calendar 2013-14: K. Walter
3. V. 5: No Confidence Resolution, M. Michelson

#### **IV. PUBLIC COMMENT: AGENDA & NON AGENDA ITEMS**

Dr. Rocha thanked the Senate for its work over the past year and congratulated outgoing President Hanvey and the newly elected Senate officers for 2013-14.

VP/Assistant Superintendent B. Miller presented a letter on behalf of the Board of Trustees and addressed to President Hanvey and to the Academic Senate. Board President John Martin and Dr. Anthony Fellow were unable to attend today's meeting.

Three main points within the letter are summarized as follows:

- The Board, not the Superintendent-President, made the decisions that are being called into question;
- It was requested for the Senate to await the formal legal rulings by PERB before making its final determination; and
- The Trustees applaud the Senate for being on the side of due process and fairness and hopes final action on the motion be deferred until the Board and the Superintendent-President have been given the opportunity to consult and confer on the issues at hand with the Senate officers and leadership.

VP/Assistant Superintendent Dr. Bell: presented an update on planned reorganization. The fall 2013 implementation date has been delayed. Fall 2013 will remain within the current division alignments. There will be a realignment process. It will be fully vetted with faculty, classified staff and student input before implementation. The current dean number is five. A schematic of the realignment plan can be prepared and made available for distribution through J. Benson in the Senate Office within a few days. Performing and Communication Arts is still moving. This is a fiscal move.

#### **Vote of No Confidence (VNC): In Support of & Comments**

D. Cuatt (Engineering & Technology) stated over 80% of his division support approval of this vote.

E. Weydahl (Mathematics): Supports the Vote of No Confidence as a way to not make the President quit but as a way for change.

Frederick Major (student): Said Priority registration for veterans is on the chopping block. The recent registration process was very lengthy and not supportive of student success. Questioned

how the school can afford not to change for student health/registration fees which benefit many campus clubs.

M. Michelson: Said Dr. Rocha was not as engaging with faculty as he has been with staff (reference made to his open letters). Added, his actions have produced distrust and uncertainty leading to a VNC. Senators must lead our healing process and move on.

Deborah Wood (Chemistry): Thanked the Senate for its dedicated and incredible efforts over the past year. In regards to a Vote of No Confidence asked for the Senate to consider several points of interest. 1) for the Senate to consider its actions, outcomes and conclusions. The community's view of the campus could be negatively impacted and resulting in a loss of quality administrative and academic job applicants. All Academic Senators should consult their division faculty on this item.

J. Hallinger: Referenced Robert's Rules of Order relating to voting in secrecy when an open vote is not required.

M. Smith: read a colleague's (M. Perea) statement urging the Senate to move forward with a vote.

P. Rose: A vote in support of VNC would benefit both faculty and students. Such a vote would not recommend removal of Dr. Rocha but send a message. Supporting VNC does not recommend removing the president but sends a message to the Trustees, PCC, students and the community. The President's past and current management style is not supported and the spirit and power behind shared governance needs to be restored.

K. Camacho: Student

Students and faculty have taken a lot of action to stand up for equality and integrity. Detrimental decisions have and are being made by administration that effect faculty and students.

Danny Hamman: A vote in support of VNC deals with shared governance and is not a contractual issue.

### **Cancellation of Winter Session**

Sarah Belknap: Cancellation of winter was not supported by the students.

Many students were not able to transfer because of the calendar change. Administration did not handle the calendar change in a proper manner to produce a smooth transition.

### **IEC/Program Review**

M. Smith: discussed the possibility of there being a Senate sub-committee to possibly begin work during the summer in engaging in dialogue with IEC about the program review process from different perspectives. President Harvey said this question would be deferred to president-elect Cairo.

## **V. STANDING AD HOC/CAMPUS-WIDE COMMITTEE REPORTS'**

1. Election Results: Nancy Rutzen

2. Spring 2013 Change in Rank Approval: Handout presented on behalf of the Academic Senate Rank Committee.

**MOTION** to approve Item 2 made by M. Whitworth and seconded by M. Dodge.

**VOTE:** Unanimously approved.

3. C&I NCNs:

**MOTION** to approve Item 3 made by P. Jarrell and seconded by M. Bonilla.

**VOTE:** Motion unanimously approved.

4. Senate Calendar Committee Charge: Panella

Discussion

Organization development: having time to do things to make depts./divisions and committee work successful. This includes pedagogical assessment.

Senate Committee's calendar recommendations will first be presented for Senate approval, to the shared governance Calendar Committee, to CAPM and to College Council.

Evidence means evidence in all forms – program reviews, IPRO data, evidence in a pedagogical format.

Student discussion would come out of shared governance body.

For clarity define and explain: 1) organization development in writing for those not present at this meeting and for future changes and 2) pedagogical evidence (assessment, committee work, acceptance of friendly amendments); 3) organization development.

MOTION made by M. Hennes and seconded by E. Douglas approving the Calendar Charge with the proposed revisions. VOTE: YES. Motion passed unanimously.

5. No confidence Resolution: Melissa Michelson

M. Michelson: The resolution was presented and viewed in written form and from a laptop presentation for review and input.

#### Discussion/Comment

Voting on this matter would be from the Senate body.

Senators wear two hats -- both as Senators and as division representatives.

In reference to the Board of Trustees' letter to the Senate, it would be good to reference the Board of Trustees in the proposed resolution.

The Board's letter could be viewed as being "tactical".

There could be a separate Vote of No Confidence of the Trustees

In its edits the Senate needs to stay within the 10+1 (pedagogy) and not the union perspective.

Request made to remove point 1 because of "muddled language"

The FA is not mentioned in the resolution, only shared governance bodies.

Wordings should be "tightened in points two and three.

Comments were received from Senate representatives who are also on the Realignment

The resolution is accurate with or without dates.

Corrections/additions/deletions were made by M. Michelson.

**MOTION** to extend discussion for another 20 minutes made by Panella and seconded by E. Cairo.

**VOTE:** YES: Majority No: 1

Parliamentarian: M. Whitworth: Vote cannot be secret.

**MOTION** made by M. Michelson and seconded by E. Cairo to vote on resolution language as constituted.**VOTE:** YES: Unanimous

Discussion

Formatting will be cleaned up.

The Body is charged to vote on actions that need to be taken.

Division faculty often rely on their senators for both information and to act on their behalf.

The Senate's bylaws do not require division input on every matter before a vote is taken.

A concrete answer would come from the Bylaws.

Parliamentarian reference on page 10 of April 1 minutes states "Voting on this matter would be on behalf of just the Senate itself."

**MOTION ON VOTE OF NO CONFIDENCE:**

**MOTION** made by M. Michelson and seconded by E. Cairo to vote on resolution language as constituted.

**VOTE:** Unanimously approved.

**CALL FOR THE QUESTION:** Made by E. Cairo and seconded by P. Peach Unanimously approved.

Discussion ends.

**VOTE ON THE MOTION** by show of hands verified by the Executive Committee:

YES: 24; NO: 0; ABSTENSIONS: 1; ABSENT: 8

There are 33 total Senators.

For the record: The Alternate for Engineering & Technology, Jason Norris, voted for D. Bird who was absent during this vote.

REQUEST made by M. Michelson for President Hanvey to take this resolution to the Board of Trustees on Wednesday and read the document in full along with the total vote as Senate

President during his Senate Report. The next meeting will be May 1<sup>st</sup>.

To let the record show: President Hanvey said he will read this resolution at the May 1<sup>st</sup> Board of Trustee meeting.

**THE VNC RESOLUTION READS AS FOLLOWS**

**Pasadena City College Academic Senate Resolution  
Vote of No Confidence for President Mark Rocha**

Whereas President Mark Rocha, the president-superintendent, has repeatedly **violated the regulations and spirit of shared governance** [see, e.g., Education Code Section 70902(b)(7)\_that "ensure faculty, staff and students... the right to participate effectively in district and college governance (emphasis added)" said regulations contained in Title 5, Sections 53200, *et seq.*, 51023.5 and 51023.7]

Whereas President Mark **Rocha violated AB 1725's provision for shared governance, which reads that a community college district's governing board must "consult collegially"** to develop policies on academic and professional matters by relying "primarily on the advice and judgment of the Academic Senate; or the governing board or its designees and the Academic Senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations", by

- On August 29, 2012, unilaterally recommending cancellation of the Winter 2013 intersession and willfully misrepresenting excerpted minutes from the Calendar Committee discussions as the Calendar Committee's assent to and support for a "Trimester" calendar

- and in doing so willfully disregarded an already established Senate-approved 2012-2013 academic calendar, which had been (a) signed-off on by all members of the college's shared governance Calendar Committee on April 12, 2012, (b) recommended for adoption by the College Council on April 25, 2012, (c) unanimously approved by the governing Board of Trustees on May 2, 2012;
- Mandating a campus-wide instructional division realignment over the objections of the Reorganization Realignment Committees, which had spent months deliberating and whose work President Rocha had previously authorized to assess, restructure, and realign instructional divisions;
  - Imposing class-size increases (NCNs) in Fall 2010 and Spring 2013, disregarding the past practices and the year-long process of the Curriculum and Instruction Committee in developing pedagogically appropriate class-size limits for the school as well as the recommendations of the VP of Education Services (Robert Miller);

Whereas the **Pasadena City College Board of Trustees**, in keeping with the Accrediting Commission for Community and Junior Colleges (ACCJC) accreditation standards, "**delegates full responsibility and authority to [the Chief administrator] to implement and administer board [approved] policies without board interference and holds him/her accountable for the operations of the district**" (Standard IV.B.1.j);

THEREFORE BE IT RESOLVED that the **Academic Senate of Pasadena City College has no confidence** in President Mark Rocha to maintain a healthy shared governance system, implement major changes responsibly, provide effective leadership to the campus community, and/or communicate accurately to the Board the recommendations of the Academic Senate and the input of the campus community

**Emergency Motion: 1.Calendar 2013-2014: Handout provided.**

K. Walter thanked Kathy Barnes for her assistance and other staff who have worked very hard in providing assistance with the item. The charge of the Calendar Committee is to recommend a calendar supporting pedagogical needs of faculty, staff and students. Calendar document/handout was provided with points brought to committee's attention. The Calendar Committee voted in support of a calendar with (not without) a winter intersession. The current calendar was the implemented by the Board of Trustees and the Committee does not see how it has benefited students.

On this date the Calendar Committee is requesting Senate approval of its recommended 2013-2014 calendar.

**MOTION** to approve the 2013-2014 Calendar made by M. Hennes and seconded by P. Jarrell  
Voting Clarification: Two-thirds of Senate representatives are present at this meeting.

**VOTE:** Yes: Unanimously approved.

**MOTION** made by M. Bonilla and seconded by E. Cairo to approve the 2013-2014 calendar.

Discussion

M. Hennes: Said the Committee could not decide on Professional Development Day dates after spring.

T. Carpenter: Recommended this matter be sent to the divisions for review and input.



M. Bonilla: This is a time when senators need to operate as a body for the people who elected them.

Areas where division discussion on this matter occurred include: Languages; Mathematics; Library; and Natural Sciences. L. Arenson thanked calendar Committee for their hard work.

**VOTE ON THE MOTION:** Motion Passed: Yes: 23 Oppose: 1 Abstentions: 1

#### **VI: EXECUTIVE COMMITTEE RECOMMENDATIONS**

1. Approve the Summer Pool.

Discussion

FT Faculty hiring will begin in September with hiring processes starting in late spring and summer.

R. Foster asked if there would be Senate consultation with the Senate regarding Deans' job descriptions.

Executive administrative hirings could be handled by an emergency meeting of the Senate Board and names could be added.

Flying of positions and choosing of positions the next level under the "uberdeans" would violates our hiring process. Panella said this item has not been discussed w/n CAPM.

Faculty members in the areas being flown for new hires will be given first consideration for placement on these hiring committees.

Senators who volunteered to add their names to the pool are:

Rod Foster; Kristin K. Hyatt, Lauren Arenson, Earlie Douglas, Eduardo A. Cairo, Panella; Jason Norris and Marjorie Smith.

The executive committee will follow policy directions

J. Benson to create a list with all names received.

L. Arenson: Those volunteers currently appointed to committees to start in spring will move forward in this process.

**MOTION** to approve Item 1 made by M. Hennes and seconded by P. Peach.

**VOTE:** YES: Motion approved unanimously.

2. Approve \$4,000 for the Senate Breakfast on May 3, 2013.

The Breakfast will include celebration for retiring faculty and faculty who have recently received tenure. Advertisement will soon be finalized for distribution. Ticket cost will be \$20.00.

**MOTION** to approve Item 2. Made by M. Dodge and seconded by J. Buczko.

**VOTE:** Motion passed unanimously.

3. Approve \$300 for Ralph Story award video.

**MOTION** to approve Item 3 made by J. Buczko and seconded by D. Hamman.

**VOTE:** Motion passed unanimously.

4. Elect three of the following to the hiring committee for the Nursing Program Director.

Barbara Kissell, Julie Kiotas; Deborah J. Hileman-Ford, Marylynn Aguirre; Kristin Hyatt, Donna Nielson

**SENATE BALLOT VOTE:** Deborah J. Hileman-Ford; Kristin Hyatt, and Donna Nielson

Kristin Hyatt expressed her thanks and respect of the Academic Senate Body and its Executive Committee.



## **VII: REPORTS FROM EXECUTIVE COMMITTEE**

### **R-1: President's Report:** President Hanvey

Thanked the Senate Board for the experiences over the past year and looked forward to returning full-time to the classroom.

### **R-2: Vice-President's Report: A.C. Panella**

An Integrated Planning meeting is scheduled for April 26.

Supports clarity of the campus communication process.

There is a need to move forward in supporting each other and the students

Will be attending the ASCCC Spring Plenary. Comments on state resolutions and amendments may be forwarded to Panella.

### **R-3 Secretary's Report:** No Report/Inactive

### **R-4 Treasurer's Report:**

Thanked both President Hanvey and VP Panella for stepping up to take on the responsibility of positions.

## **VIII. INFORMATION ITEMS:** 1. Health & Safety Committee: Smoking Policy Changes:

Co-Chair: Jo Buczeko

PCC is a smoke free campus with designated smoking areas (District policy).

Some want the campus to be 100% smoke free campus with no designated smoking areas.

PCC does not have an enforcement policy.

### Committee Recommendations

1. Upgrade campus designated smoking areas
2. Information campaign (publications, social media, campus areas, etc.) during the summer months and on Welcome Day.
3. Campus campaign to raise awareness of available cessation smoking services for students in Student Health Services and information of available services for outside agencies for PCC employees.
4. Sworn campus officers will cite those in violation
5. One month grace period with the full enforcement commencing October 1, 2013

Chief Yoder supports the proposed process and there would be designated enforcement officers.

Fines would be collected by the campus collection agency which collects fines for parking violation.

### Comments /Suggestions

PCC cannot have 100% smoke free campus w/o enforcement. If desired, it would be possible for others on campus choose to enforce smoking violations.

Student complaints have been received about the distance of smoking areas from the classrooms. More signage on campus is needed.

Would there be an enforcement problem with carrying cigarettes in one's pocket.

Smokeless tobacco: wondering why this would be prohibited. This can be saved for another discussion. They are not FA approved and are carcinogenic. Water vapor cigarettes do cause a problem.

Part of the educational campaign could require unpaid fines be turned over to a collection agency.

Student fines could be held until graduation to avoid credit problems.

The key is enforcement.

## **STANDING INFORMATION ITEMS**

### **S1-1 PCCFA REPORT**

P. Jarrell: No PERB date has been set for hearing. There is ongoing consultation to pick a panel that will represent both sides.

### **S1-2 FACCC REPORT: None**

### **S1-3 ADJUNCT FACULTY REPORT: Mark Dodge**

No Report: Commented about the Senate discussions that occurred during his three month absence from the Board.

## **IX. ANNOUNCEMENTS:**

- Academic Senate Breakfast May 3, 2013 7:30-9:30 AM Creveling Lounge
- Statewide Senate Plenary: San Francisco: April 17-20, 2013
- Scholarship Awards Ceremony: May 1, 2013 5:00 PM

Academic Senate President-Elect, Eduardo A. Cairo, thanked the Executive Committee and expressed respect for their duties and responsibilities. He thanked President Harvey for his hard work.

## **X ADJOURNMENT:**

**MOTION** to adjourn made by M. Dodge and seconded by R. Foster.

Unanimously approved. Meeting Adjourned