

ECC
Academic
Senate
April 3, 2018



Important note:

- This file contains the presentation used at the Senate meeting. The president's informal notes have been added in **red**.
- These notes have not been reviewed nor have they been approved by the Academic Senate; they were created to provide a prompt (but informal) report about the meeting.
- For a comprehensive, official accounting of Senate meetings, please refer to Senate meeting minutes: <http://www.elcamino.edu/academics/academicSenate/>.
- Thank you!

ECC Academic Senate Welcome!

April 3, 2018

**Please sign in &
pick up a name card**



Agenda

- A. Call to Order
- B. Approval of Minutes – **Senate packet, pages 6-14.**
Minutes were approved as presented in the packet.
- A. Officer Reports
- B. Special Committee Reports
- C. Unfinished Business
- D. New Business
- E. Information Items/Discussion
- F. Future Agenda Items
- G. Public Comment
- H. Adjourn

Welcome Division Personnel

- Rory Natividad
- Dean, Health Sciences and Athletics
- Dean Natividad has worked at ECC for nearly 18 years. He arrived in 2000 and has worked in roles as a classified employee, faculty, director, and now as a dean. Approximately half of his programs are in Academic Affairs and half in Student Services so he reports to both VPs who serve on Senate. He also oversees PBC which is a constituent group under the president. The main purpose is to facilitate discussion about planning and budgeting. The development of the tentative budget starts soon. Thank you, Dean Natividad, for joining us!

C. Officer
Reports:
President,
Kristie
Daniel-
DiGregorio

Senate packet, pages 15-23.

- The Senate is integrally involved in campus-wide initiatives and the President's Report on page 15 provides updates and information we don't always have time to discuss in our meetings.
- KDD serves as the Senate rep on the College Council, which is very busy this semester preparing legally required BPs and APs in anticipation of the accreditation review process. Minutes are in the packet and available on the website.
- The President's Report also shares some highlights from recent Board of Trustees meetings, for which KDD is also the Senate rep. The full agenda is on the BOT website:
<https://www.boarddocs.com/ca/ecccd/Board.nsf/vpublic?open>
- A number of senators are involved in the Strategic Planning Committee. With the help of an outside consultant, we are examining at perceptions – both internal and external – of the college. Preliminary findings from the Bridging Study are provided in the President's Report. The final report will be presented at the Planning Summit, later this month.

C. Officer
Reports:
President,
Kristie
Daniel-
DiGregorio

Senate packet, pages 15-23.

- Student Health Center will be **OPEN** this summer! Fee = \$17/student.
- Guided Pathways Work Plan submitted.
- Reminder: Next Senate meeting is:
- **Tuesday, April 17th**
- *immediately following Spring Break* (aka "Tax Day").



C. Officer
Reports:
President,
Kristie
Daniel-
DiGregorio



Senate packet, pages 15-23.

- 2018 Women's Wall of Fame
- Congratulations **Shanna Potter**, Natural Sciences Senator!



El Camino College Honors Four Women of Distinction

C. Officer Reports

- VP, Compton College: Paul Flor. Chris Halligan reported.
- As of March 2018, Compton College has completed 91% of all SLOs and 100% of PLOs for Fall 2017.
- Academic Senate has reviewed and revised eight board policies and administrative regulations. More BPs will be reviewed at April 5th meeting.
- Pam Richardson (Welding) honored as Teacher of the Year by American Welding Society.
- Jonathan Lightman to receive a letter of commendation. Mr. Lightman is retiring as Executive Director of FACCC. He was instrumental in preserving Compton College.
- Elections are underway for FACCC. Please consider joining so you can vote for two of our senators: Chris Halligan (Compton) and Rocio Diaz (Counseling). FACCC is an excellent organization which advocates for faculty. Senators Halligan and Diaz would appreciate your support!
- Chair, Curriculum Committee: Janet Young. Unable to attend.
 - College Curriculum Committee minutes & other useful information:
 - <http://www.elcamino.edu/academics/ccl/>.

C. Officer Reports

- **Senate packet, pages 24-25.**
- VP, Educational Policies: Darcie McClelland. **Ed Policies were discussed under "New Business."**
- **Senate packet, pages 26-27.**
- VP, Faculty Development: Stacey Allen. **No report.**
- VP, Finance and Special Projects: Josh Troesh
- **Finance news was discussed under Info Items: Discussion.**
 - Planning & Budgeting Committee Minutes: <http://www.elcamino.edu/administration/president/pbc/agendamminutes.aspx>
- VP, Academic Technology: Pete Marcoux. **The College Technology Committee is reviewing their purpose and structure. The college is working on master calendar software which will be used to schedule classes and rooms. Those interested should speak with Rory Natividad or Art Leible. This will be a game-changer.**
- **Pete has suggested that DE 166 become a model classroom so senators can learn about new technologies and report back to their areas. Wireless projectors allow students to project material on the screen. There are 71" touch screen computers available. Pete observed students using a tabletop touch screen to work on a digital dissection.**

C. Officer
Reports:
VP
Instructional
Effectiveness

ALC/SLO
Update
Russell Serr

- ALC meets Monday, 4-16 @ 2:30 in Comms 109
- 2018 Program Review – Students surveys should be created and submitted this semester (Spring 2018). The first draft of Program Review is due September, 7.
- SLO/PLO status report for Fall 2017 –
 - PLO = 22/36 – 67%
 - SLO = 401/462 – 92%
- Please enter any missing assessments into Nuventive (formally TracDat) as all scheduled assessments are posted on the website.

D. Special Committee Reports

- ECC VP, Academic Affairs: Jean Shankweiler. The Guided Pathways Work Plan was submitted last week. Annual planning is beginning.
- ECC VP, Student Services: Ross Miyashiro. The CA Community Foundation has selected ECC to receive a grant which will support faculty in interfacing with ECC Connect. With ECC Connect, faculty submit an alert and a response team reaches out to the student.
- The 1st Generation Conference is coming up April 27th. This is an excellent chance to learn about the barriers that first generation students experience. Information was sent on the faculty listserv.
- Distance Education Advisory Committee: No Report. The Canvas and Online Teaching Certifications are being reviewed by DEAC. Recommendations will come to the Senate for review.

E. Unfinished Business

- None.

F. New Business

- **Senate packet, pages 31-35.**
- **BP/AP 4226 Multiple & Overlapping Enrollments: 1st Reading**
- VP, Educational Policies, Darcie McClelland
- Darcie was thanked for agreeing to represent the ECC Academic Senate at the upcoming ASCCC Spring Plenary. She will be devoting a portion of her spring break to representing ECC in San Mateo!
- One question that arose in the last discussion of BP/AP 4226 was whether to include an exception policy. Darcie did a lot of research and consulted with several campus experts, including the Federation and Admissions and Records. Her notes in the packet explain why the Ed Policies Committee recommends not including an exception policy at this time. Title 5 stipulations require a significant amount of coordination and record-keeping for exceptions. The Federation recommended against exceptions because part-time faculty aren't available to make up the missed class time. Changes would need to be negotiated. In addition, this presents a potential equity issue for our students who have part-time instructors. Jean added that there are other work-arounds for conflicting class times. For example, in Natural Sciences, meeting times for Math 270 and Physics were changed to avoid overlap. Some minor edits were recommended during this 1st reading.

F. New Business

- **Senate packet, pages 36-44.**
- AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies: 1st Reading
- VP, Educational Policies, Darcie McClelland
- This AP was approved by Senate in fall but has come back so Senate can consult on changes made at College Council. Most changes are edits for clarity, e.g., spelling out acronyms. The primary purpose of the substantive changes is to enhance consistency in how equivalencies are reviewed. The goal is to balance the need to empower selection committees to review equivalencies (so those applying for equivalencies aren't discounted or disadvantaged) with the need to be consistent across campus. The screening committee is able to grant initial equivalency with final equivalency determined by the Equivalency Committee. This is an important process because equivalency, once granted, is permanent for that instructor. An additional change is that equivalencies will be submitted to the Board of Trustees for approval, as required by Title 5.

G. Info Items: Discussion

Thank you to the Federation for being willing to switch the order of the discussion items so we could accommodate a schedule conflict.

Proposed Funding Formula for California Community Colleges

- Brian Fahnstock, ECC VP Administrative Services
- Josh Troesh, Academic Senate VP Finance and Special Projects
- See notes on following page.



G. Info Items: Discussion

Proposed Funding Formula for California Community Colleges

- Brian Fahnestock, ECC VP Administrative Services
- Josh Troesh, Academic Senate VP Finance and Special Projects
- There is a lot of ambiguity and confusion regarding proposed changes to budgeting for California community colleges. VP Fahnestock outlined some of the topics under discussion. The governor's proposal is to shift funding from a focus on FTES to the following:
 - 50% head count (FTES)
 - 25% measures of success
 - 25% students with need
- Simulations have been provided to help colleges anticipate how they will be affected by the changes. But the estimates vary widely and do not align with the governor's budget.



G. Info Items: Discussion

Proposed Funding Formula for California Community Colleges, continued.

A review of the CCCO Scorecard suggests that basing 25% of the budget on measures of success could impact hundreds of millions of dollars in funding for the colleges, and some colleges may not survive the cuts to their funding. In contrast, if 2-5% of the budget was based on rewarding certain behaviors, that might be more feasible.

The budgeting process is currently underway and the governor's proposal is for the colleges to be held harmless for the first year. CEOs are proposing a seven-year implementation process instead.

In VP Fahnestock's experience, colleges that have static budgets (no growth and no COLA) very quickly feel the effects – because costs continue to rise.

Funds 14 and 15 also affect funding for ECC. Approximately \$4-5 million comes to the college in support of the partnership with Compton. Fund 15 has been used to provide technology and in just over a year it will go away. The college has suggested that the funds be reduced incrementally over time instead.



G. Info Items: Discussion

Proposed Funding Formula for California Community Colleges, continued.

Josh noted that the changes to the funding formula have implications for curriculum and success measures like graduation and transfer. It could create pressure for grade inflation if success rates significantly impact college income. It will be important to think about how to counterbalance these pressures with academic quality.

Another concern raised was whether there would be pressure to push out low-performing students. This would have a significant impact on equity.

We don't have control over what the state does; we can only control how we respond.

AB705 will also change the landscape significantly. We all teach basic skills students, 90% of whom will be placed into English 1A. There will be a co-requisite for some students, but we need to start preparing for the challenges these students will face.

ECC Connect can play a role in connecting students to support services.



G. Info Items: Discussion

Campus Food Service Information & Updates:

Brian Fahnestock, ECC VP Administrative Services

Andy Nasatir, Assistant Director, Bookstore

Thank you to our committee reviewing food vendors:

- Faculty: Randall Firestone, Analu Josephides
- Classified Staff: Breeanna Bond, Diana Stanojevich
- Students: Rocio Munante, Alec Johnson, Kongdy Lam, Tiffany Ushijima
- Managers: Rick Christopherson, Rory Natividad, Edith Gutierrez/David Brown, Greg Toya.

G. Info Items: Discussion

Campus Food Service Information & Updates:

Brian Fahnestock, ECC VP Administrative Services

Andy Nasatir, Assistant Director, Bookstore

- The contract with our current food service vendor ends in June. The committee on the previous slide has been convened to help with the selection of a vendor.
- It can be challenging to find vendors who can run a viable business on a college campus, given that business is strong only 200 days/year. Within those 200 days, only half of the day is high traffic.
- In contrast, McDonalds across from campus has strong business 365 days/year, 20 hours/day. It's likely they signed a 30-year lease so they can afford to invest millions of dollars in capital. Our campus offers vendors a 3-year contract and our ongoing construction will require a vendor who is able to effectively adapt with the changes.
- The goal is to select a new vendor by July. Four companies with experience in community colleges have been invited to bid.
- Vendors are encouraged to think outside the box, possibly establishing a cafeteria again in the new Student Activities building. Mobile food trucks may be considered.
- Thank you to VP Fahnestock and Andy Nasatir, Assistant Director of the Bookstore for inviting input from campus constituencies and for visiting Senate to provide an update.

G. Info Items: Discussion



- **ECC Federation of Teachers: Information and Updates**
- Carolee Vakil-Jessop, Executive Director
- Chris Jeffries, President
- Josh Casper, Adjunct Senator
- <https://www.aft.org/affiliate/01388>

G. Info Items: Discussion

- **ECC Federation of Teachers: Information and Updates**
- Carolee Vakil-Jessop, Executive Director
- Chris Jeffries, President
- Josh Casper, Adjunct Senator
- <https://www.aft.org/affiliate/01388>
- Josh serves as the Legislative Chair for the Federation. He provided an update on the Janus case currently being considered by the Supreme Court. (See next slide for more information.) It's expected that agency fees will be eliminated. This has the potential to cripple the California Federation of Teachers and the American Federation of Teachers. As a result, it's anticipated that, with less funding, unions will also have less political influence.
- Funding for ECCFT will be cut if agency fees are eliminated. Currently 60% of ECC faculty are members; 80% of full-time faculty and 40% of part-time faculty. Some faculty don't realize they aren't members of the union. Please consider joining the Federation if you're not currently a member or re-signing if you are.

THE FEDERATION

EL CAMINO COLLEGE FEDERATION OF TEACHERS

Local 1388 of the American Federation of Teachers, AFL-CIO

UNITED STATES' SUPREME COURT TO DECIDE *JANUS V. AFSCME* BY JUNE 30, 2018.

AN OVERVIEW FROM
JOSH CASPER (BSS), LEGISLATIVE COMMITTEE CHAIR

As many know, the El Camino College Federation of Teachers – and any public sector labor union for that matter – is able to charge non-union members “representation fees” to help cover the costs of collective bargaining, enforcement of the Collective Bargaining Agreement and representation in other labor-related matters. This practice, which was deemed constitutional in 1977 in the case *Abood v. Detroit Board of Education*, is once again about to be challenged in the nation’s highest court in a case called *Janus v. AFSCME*. Before I discuss this latest challenge to charging representation fees, allow me to set the stage with a little background information.

In *Abood v. Detroit Board of Education* (1977), the Supreme Court of the United States (SCOTUS) unanimously upheld a Michigan statute that authorized labor unions to set up an “agency shop,” whereby all employees represented by the union – regardless of membership status – must pay a fee to the union as a part of their employment. This seminal decision is what allows our union to collect “representation (agency) fees” of our colleagues who do not wish to be members in the union, as they still reap the benefits of our collective bargaining efforts.

The Court’s decision in *Abood* has been upheld multiple times, including in *Lenhart v. Ferris Faculty Association* (1991), as well as most recently in *Locke v. Karass* (2009). In *Lenhart*, SCOTUS ruled that agency fees must:

- 1.) “Be substantively related to bargaining and ultimately inure to the benefit of local union members,”
- 2.) “Be justified by the government’s vital policy interest in labor peace and avoiding free riders,” and
- 3.) “Not significantly add to the burdening of free speech that is inherent in the allowance of agency” [500 U.S. 507 (2009)].

In short, *Lenhart* states that agency fees are still permissible in the public sector, but they must go towards covering the costs related to the collective bargaining efforts – using the agency fees for political efforts not directly related to collective bargaining is not permitted under the Constitution. In *Locke*, SCOTUS once again upheld *Abood* and expanded the use of agency fees to cover the costs of litigation.

In 2016, public sector unions’ use of agency fees was once again challenged in *Friedrichs v. California Teachers Association*. As unions prepared for the worst, Justice Antonin Scalia – who would have most likely voted to do away with agency fees – passed away and thus left the Court in a 4-4 decision. This forced SCOTUS to uphold the 9th Circuit Court of Appeals’ decision to continue allowing agency fees.

Now we come to *Janus et al v. American Federation of State, County and Municipal Employees (AFSCME)*. Arguments for *Janus* were heard by the U.S. Supreme Court on February 26, 2018. The Court decision can be expected any time between now and June 30, 2018. With Justice Gorsuch’s judicial record being more conservative than his fellow justices (and even more conservative than of Mr. Justice Scalia) it is expected that he will side with the four other conservative justices and vote to do away with agency fees. To read the transcript of the oral arguments go to: https://www.supremecourt.gov/oral_arguments/argument_transcripts/2017/16-1466_bocf.pdf

G. Info Items: Discussion



G. Info Items: Discussion

- **ECC Federation of Teachers: Information and Updates**
- Carolee Vakil-Jessop, Executive Director
- Chris Jeffries, President
- Josh Casper, Adjunct Senator
- <https://www.aft.org/affiliate/01388>
- Negotiations are right around the corner, in 2019. The Federation will be offering workshops on the contract to gather input into what issues or concerns the faculty want to address in negotiations. Salary and benefits are always at the top of the list, unsurprisingly. What other issues would the members like to see addressed?
- Consider attending some of the upcoming membership meetings. See slide that follows for dates and times. If you haven't won this semester, be one of the first three to email the Senate president the name of the Federation Executive Director. You'll receive a gift card for a treat at your local coffee shop!

G. Info Items: Discussion

THE FEDERATION

EL CAMINO COLLEGE FEDERATION OF TEACHERS

Local 1388 of the American Federation of Teachers, AFL-CIO

GENERAL MEMBERSHIP MEETINGS

Wednesday, April 18
1:00-2:00pm, COMM 109

Thursday, April 19
5:30-6:30pm, COMM 109

We hope to see you at one of the above meetings!
The agenda will be the same for both meetings.

See reverse side for proposed language changes to the
Constitution & Bylaws.





Federation Events Spring 2018 - Revised



Coffee & Tea with Carolee!

Fuel up with pastries, coffee & tea in the Federation Office!

Wed., Feb. 14	10-11am & 3-4 pm	COMM 108
Wed., Mar. 7	10-11am & 3-4 pm	COMM 108
Wed., Apr. 18	10-11am & 3-4 pm	COMM 108
Wed., May 23	10-11am & 3-4 pm	COMM 108

Union Representative Training

If you are a division rep. or interested in serving in the Federation, these classes are for you! Quick and easy primer classes to get you started!

training

Tues., Mar. 6	5-6pm	Role of Union Rep.	COMM 109
Tues., Mar. 13	5-6pm	Responsibilities of Union Rep.	COMM 109
Tues., Mar. 20	5-6pm	Legal Rights of Union Rep. Part 1	COMM 109
Tues., Mar. 27	5-6pm	Legal Rights of Union Rep. Part 2	COMM 109
Tues., Apr. 17	5-6pm	One-to-One Conversations	COMM 109
Tues., Apr. 24	5-6pm	Tools for Problem-Solving	COMM 109

G. Info Items: Discussion

What's in my Contract?

Bring your lunch and learn about important aspects of our Contract! Q & A time too!



Wed., Apr. 25	1-2pm	Faculty Evals: Tenured, Probationary & Part-Time	COMM 109
Wed., May 16	1-2pm	FSAs & Seniority: Suspension, Dismissal & Layoffs	COMM 109
Wed., May 23	1-2pm	Paid & Unpaid Leaves of Absence	COMM 109
Wed., May 30	1-2pm	Part-Time Faculty Rehire Rights	COMM 109

General Membership Meetings



Apr. 2-5	8am-9pm	Federation Membership Drive	Library Lawn
Wed., Apr. 4	1-2:30pm	Federation Member Lunch	Comm Bldg. Patio
Wed., Apr. 18	1-2 pm	Membership Meeting (Day)	COMM 109
Thur., Apr. 19	5:30-6:30 pm	Membership Meeting (Night)	COMM 109
Wed., May 9	1-2pm	Membership Meeting (Day)	COMM 109
Thur., May 10	5:30-6:30pm	Membership Meeting (Night)	COMM 109

Executive Council Meetings: 4:45pm-6:15pm

Mon., Feb. 12	Mon., Apr. 23	Mon., June 25
Mon., Mar. 12	Mon., May 14	
Mon., Mar. 26	Mon., June 11	

All Federation members are welcome to attend.

CFT & AFT Conventions & Training

Mar. 23-25	Calif. Fed. Of Teachers Convention	Costa Mesa, CA
May 5	CFT Division & State Council	Torrance, CA
June 18-21	CFT Union Summer School	UCLA
July 13-16	AFT Convention	Pittsburgh, PA

Notify Carolee if you wish to attend Union Summer School! Deadlines are approaching so don't delay!

G. Info Items: Discussion

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- Carolee Vakil-Jessop, Executive Director
- Chris Jeffries, President
- Josh Casper, Adjunct Senator
- <https://www.aft.org/affiliate/01388>
- The California Federation of Teachers lobbies for faculty at the state level. The CFT is working to block the governor's plan for funding as well as the online college. According to the CFT, there is not a single legislator on board with the online college.
- Please consider running for office in the Federation. Changes to the constitution are being considered which would extend the terms to two years and stagger the terms so the whole board isn't up for election at the same time. If you like your pay scale, the Federation needs your help.
- Carolee was applauded for her hard work (and long hours!) advocating for faculty!



Officers

PRESIDENT	Chris Jeffries (CS)	cjeffries@elcamino.edu	310-660-3593 ext. 3531
VICE PRESIDENT I	Ryan Turner (NS)	rturner@elcamino.edu	310-660-3593 ext. 6110
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SECRETARY	Laura Saldarriaga (NS)	lsaldarriaga@elcamino.edu	310-660-3593 ext. 3239
TREASURER	Evelyn Uyemura (HUM)	euymura@elcamino.edu	310-660-3593 ext. 5173
CHAIRPERSON, Committee on Political Education (COPE)	Vacant		
DELEGATE, Los Angeles County Federation of Labor	Kelsey Iino (CS)	kiino@elcamino.edu	310-660-3593 ext. 3404

Standing Committees

PROOF Editor, Editorial Board	Sean Donnell (Hum)	sdonnell@elcamino.edu	310-660-3593 ext. 3187
CHAIRPERSON, Dispute Resolution/Professional Relations (Grievance)	Tom Hazell (HSA)	thazell@elcamino.edu	310-660-3593 ext. 4694
CHAIRPERSON, Committee on Political Education (COPE)	Vacant		

Special Committees

CHAIRPERSON, Contract Writing Committee	VACANT		
CHIEF NEGOTIATOR, Negotiations Committee	VACANT		
CHAIRPERSON, Nominations Committee	Ken Key (CS)	kkey@elcamino.edu	310-660-3593 ext. 3631
CHAIRPERSON, Legislation Committee	Joshua Casper (BSS)	jcasper@elcamino.edu	909-912-9791 (cell)
CHAIRPERSON, Constitutional and By-Law Revision Committee	Carolee Vakil-Jessop, Executive Director	ccasper@elcamino.edu	310-660-3593 ext. 3184
CHAIRPERSON, Part-Time Issues Committee	Kim Runkle (Hum) Jason Bostick (Hum)	krunkle@elcamino.edu jbostick@elcamino.edu	310-660-3593 ext. 4422 310-660-3593 ext. 4552
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CHAIRPERSON, Organizing	Kelsey Iino (CS)	kiino@elcamino.edu	310-660-3593 ext. 3404

Staff

Executive Director	Carolee Vakil-Jessop	ccasper@elcamino.edu afccarolee@gmail.com	310-660-3593 ext. 3184 951-428-7475 (cell)
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G. Info Items:
Discussion

H. Future Agenda Items

- AP 7160 Professional Development; AP 5500 Standards of Student Conduct.
- Flex Matrix Revisions
- Noncredit Courses
- South Bay Promise Program
- Zero Cost and Low Cost Textbooks

I. Public Comment

- Please consider voting for your colleagues Chris Halligan and Rocio Diaz for leadership positions in FACCC!

J. Adjourn

- Happy Spring Break, everyone!