



ACADEMIC SENATE

Adopted Minutes

March 29, 2010

TLC Room 101

3:00 pm – 5:00 pm

1. Call to Order

Lisa Giambastiani called the meeting to order at 3:02 p.m.

Senator Giambastiani recused herself from the #8 Action Item to maintain a clean process and asked for a volunteer to lead it.

2. Roll Call:

Lisa Giambastiani - Secretary

Darryl Allen, Thea Alvarado, Erin Farmer – *ex officio* - proxy for Lisa Giambastiani, LaNae Jaimez – proxy for Lou McDermott, Richard Kleeberg, Barbara Pavao, Karen Wanek, Matt Borchert – sub/proxy for Darla Williams

Late Arrivals: Susanna Crawford, Jeanette McCarthy

Absent: Superintendent/President Jowel Laguerre, President Jeffrey Lamb, Lou McDermott, Darla Williams

Guests: Corrine Kirkbride, Sandra Rotenberg
Connie Adams, Interim Admin Assistant

3. Approval of Agenda – March 29, 2010

Motion to Approve – Senator Pavao; Seconded – Erin Farmer. Discussion: Senator Pavao volunteered to preside over Action Item #8 moved to #6 spot on the Agenda, because of the level of priority and her need to leave the meeting by 4:30pm. As Amended: Unanimous

4. Approval of Minutes – January 19, 2010, March 1, 2010, March 15, 2010

Motion to Approve Jan. 19 minutes – Senator Pavao; Seconded – Senator Jaimez

Corrections requested by Senator Jaimez: page 2, 1st paragraph – strike “Fine Arts”; pg. 2, 2nd paragraph - change to “interest expressed”. As Amended: Unanimous

Motion to Approve Mar.1 minutes – Senator Kleeberg; Seconded – Senator Wanek

Addition: Sandra Rotenberg as sub for Barbara Pavao. As Amended – Unanimous

5. President’s Report - Available for viewing at sccsenate.blogspot.com and attached

6. Reports

6.1 Superintendent/President Jowel Laguerre – unable to attend

6.2 Committee Reports – no reports

7. Information/Discussion Items (postponed/time constraints)

7.1 IRB Update – LaNae Jaimez

7.2 Student Cell Phone Use – Corrine Kirkbride

7.3 Faculty of the Year Awards

Announcement: Thom Watkins has volunteered to Chair the committee

7.4 Program Discontinuance Policy/Senate Resolution

8. Action Items

8.1 Approval of Hiring Committee for Dean of Academic Success

Senator Pavao explained that she volunteered to lead this discussion because she was absent during the previous discussions and chose not to hear the particulars about who spoke previous to this meeting,

which allowed her to come into the discussion from a sort of theoretical point of view. Senator Pavao asked for focus on procedure and not personality. She shared that she hasn't always agreed with friends and colleagues over the years but still considers them friends and colleagues and would like to leave this meeting the same way. Senator Pavao reviewed her understanding of the issue: Jeff Lamb, in his role as Academic Senate President was asked to appoint members, as is routine, to the Dean of Academic Success Hiring Committee; knowing he would apply for that position, he recused himself from making the selection: his subsequent action was to seek advice as to what to do next from others and, from that, came to the decision to ask another Senate officer to make those appointments; he delegated the task to Lisa Giambastiani, Senate Secretary, who took the names of the volunteers and made that selection. Senator Pavao asked Senators if that was the correct understanding and what Senate should do next to complete the appointments to the committee. She asked Senators to focus on facts and find if any established process was violated. Senator Pavao noted that she spoke with a few people as to how President Lamb passed on this responsibility and found there has been no precedent of policy or procedure in this matter. She further shared how past presidents have used varying methods to appoint committees.

Considerable discussion ensued and the following points were made and opinions declared:

- District Policy states that the Academic Senate is to make appointments to hiring committees.
- Senate Constitution states the Academic Senate President is to make the appointments.
- Since the By-Laws are silent as to whether or not the president has the power to delegate authority to someone else, Senate can move up to the next legal document, District Policy, to approve appointments for this committee.
- Because it is not specifically stated how the Senate President makes the appointments, he/she could choose the way to do it by delegating authority to another officer of the senate. There is nothing that prohibits it.
- It is a conflict of interest to appoint faculty members for a committee which will be considering the one who appointed as a potential hire.
- Senator McCarthy raised the question: once an Academic Senate President has the responsibility to recuse him/her self due to a conflict of interest, should that recusing start right away, or can that Academic Senate President subsequently appoint the person who is going to appoint the committee for which there is a conflict of interest?
- There are two alternatives which President Lamb could have considered: Either remove his application for the position of Dean of Academic Success and Learning Resources and then as acting Academic Senate President appoint faculty members to this hiring committee, or resign as Academic Senate President and the Senate should immediately move to elect a new Academic Senate President who will then make these hiring committee appointments.
- There is an urgency to approve or make appointments: 1) the District needs to move on with business; 2) the request was made some time ago and delays do not help Senate credibility; 3) there are political ramifications as well.
- Change the By-Laws or adhere to them.
- Identified choices and order: 1) decide whether President Lamb had authority to delegate or not; 2) decide whether to approve Senator Giambastiani's appointments or not; 3) Senate makes appointments.
- Third option could be done at random.
- Representation concern with a random selection and caution on attempts to choose in a represented fashion would set a precedent as it would be absolutely burdensome and impossible to run every single committee appointment through the Senate.
- Senator Pavao shared her method of selection from past experience: identified criteria for selection before looking at candidates. She trusted other presidents and Senator Giambastiani did that as well.

- A logical argument could be made that in the absence of succession, it would follow to officers but it could also be challenged.
- District Policy will be adhered to in the decision made. The decision should reinforce the Senate’s autonomy as a shared governance body on Campus, that it is the Senate’s call on how to make these appointments and that whatever decision is made reaffirms that and preserves the integrity of the Senate.
- It is important to be clear that the President has the authority to speak for faculty in various venues including making appointments. Do not take away the President’s authority. Support the decision he delegated.
- There are people who have arguments with the selection process that need to be respected.
- Compromise solution: Choose to delegate Senator Giambastiani to make the selection which would support the selection made.
- The accusation of “personal relationship” should be a matter of concern, because it is a public conviction without any evidence and it compromises reputations. While there may be other questions about process in general, what is really beneath the surface is the accusation that this particular process could not have happened responsibly, and that is an irresponsible conclusion.
- Two options: a motion to accept the committee appointments as stands or a motion to put all names in a hat and organize and choose that way.
- Appoint a three-member committee to choose the people.

Motion to Accept the Secretary’s appointment of faculty to the Hiring Committee for the Dean of Academic Success – Senator Borchert; Seconded – Senator Farmer; Six (6) in Favor; Five (5) Opposed; Motion Carried. The Hiring Committee for the Dean of Academic Success is approved as formerly constituted.

Senator Pavao opined that democracy is a very messy thing and the right way is to always keep in mind what the point is, the big picture that we’re professional colleagues, that we’re working together and we should assume the best of each other and operate on that. The language and details of the law need to be clear. We need to clean up language so other people don’t have to do this. She asked that if we have difficulties within this group that we not go outside the group and on behalf of the current and all future presidents that it is always best to come to the group before we involve others. While acknowledging the reality of having to fight amongst ourselves, she noted that when we leave that fight we’re all on the same team, and that for us as faculty to be strong here we need to do that. She further expressed the hope that, disagreements as they are, we can step out of here and say we had a good and lively discussion, all the points were made, everybody got a chance to say their piece, it was without acrimony, and that as a group we came to a decision that doesn’t please everybody, but just like health care, we’re going to have it anyway. With that, she urged us to move forward.

8.1.1 Selection Procedure for Hiring Committee for Dean of Academic Success
(Unnecessary, based on 8.1 outcome)

9. Information/Discussion Items (postponed – time constraint)

9.1 Senate Constitution Review – Jeanette McCarthy

9.1.1 Article I

9.1.2 Article II

10. Action Reminders

11. Announcements

12. Adjournment

Motion to adjourn - Senator Kleeberg; Seconded – Mr. Borchert; Unanimous

Meeting adjourned at 4:43 p.m.

President's Report follows:

Monday, March 29, 2010

Academic Senate President's Report to the Senate Meetings:

SGC: Shared Governance got a PERT update, an Accreditation update (see below), approved the IRB Policy, a Banner update, and spoke at length about the Strategic Proposals. The final ranking of which was: 1) Pathways to Success, 2) TLC Re-Design, and 3) Add a Women's Intercollegiate Sport. Also, Dr. Laguerre made a commitment to have the Tutoring Center moved out of the portables by fall.

S/P Laguerre: I gave Dr. Laguerre a report on our team's visit to the ASCCC Accreditation Institute. See comments below. We also discussed Distance Education at Solano. I mentioned that in September when we participated in the ACCJC training that DE was an area that might need our attention because it touches on so many standards. I also re-iterated what our current DE Coordinator, Sandy Rotenberg, had shared with him about the growth of online and the need for more support for that position. Dr. Laguerre assured me that he understood the value of DE and had asked Tom Grebe to take the idea of more reassign time for the coordinator back to the union executive. Additionally, he asked that our Senate DE Committee begin anew its exploration into new Learning Management Systems. Lastly, we also discussed plans a preparations for this week's Board Study Session/ Dinner with Faculty.

Board: Of significance to the Senate is that all those faculty who were up for review and/or tenure were approved by the Board. Also, for some reason, the SunGuard contract was postponed until the next Board meeting.

Other Items:

Accreditation Institute: In general, the outing was very productive. Solano sent a team with two faculty, two staff, one student and one administrator. The sessions were informative and strengthened our knowledge of the accreditation process. Based on what we learned, what we might want to do is re-examine our Program Review process to ensure that it will stand up to ACCJC standards. We tend to use our Program Reviews and Three-Year Plans as internal planning documents that don't get a full public viewing or attention. It might be a good idea to see about using them as a way of having "productive dialogue about the College's strengths and weaknesses". Also, while we have taken strides forward on SLOs, we need to ensure that we extend program review and Service Area Outcomes (SAO) not only to the Student Services side of the house but also to Administrative Services.

Area B: We went over the different resolutions for the Spring Plenary that have come forward to date. There are some very interesting ones on transfer and accreditation. Consultation Council.

Spring Plenary: I will need to attend the **Spring Plenary** to take place in San Francisco from April 15-17, because I am presenting, are there any other takers?

ASCCC "Relations with Local Senates" Dolores Davison from Foothill/DeAnza College has offered a visit to our Senate in early April. I have accepted with the idea that it would be a good idea for an ASCCC representative to observe our Senate meetings and serve as a resource for questions and answers about the Statewide Academic Senate. I also thought that our new Vice President/ President Elect would appreciate meeting her and having the opportunity to connect with the ASCCC and to ask questions about how to run meetings and navigate the Senate. When there are firm dates, I'll let Senators know. If for some reason this does not seem like a good idea, please let me know.