

**Mission College Academic Senate
Unapproved Minutes
Thursday, May 17, 2007**

I. Call to Order & Roll Call

The meeting was called to order at 2:13p.m. by President Cox.

Senators	A	P	Senators	A	P
Abdeljabbar (Ext. 5250) Tech.	X		Kashima (Ext. 5319) ESL		X
Ashley (Sub for Laird) SocSci		X	Lavallo (Ext. 5399) Math	X	
Beggs (Ext. 5188) AAS	X		Liu (Ext. 5413) CATA/AssocFac		X
Brichko (Ext. 5222) CATA		X	Moles (Ext. 5113) ESL		X
Brown (Ext. 5315) Comm	X		Ostrander (Ext. 5274) Stud.Dev.		X
Cogswell (Ext. 5388) AAAS	X		Pembrook (Ext. 5275) CommServ		X
Cox (Ext. 5165) Pres/CommSvc		X	Perlas (Ext. 5041) Stud.Dev.		X
Hernas (Ext. 5169) CommServ	X		Thickpenny (Ext. 5287) CATA		X
Juncker (Ext. 5229) Communctn		X	Ting (Ext. 5330) Math		X
Guests: S.Arterberry, Y.Coleman, D.Cordero, D.McKay		X X	Guests: Thuy Tran, J.Van Tassel		X X

II. Approval of the Minutes

The minutes for the May 3, 2007, meeting were accepted and approved with the following correction (M/S/U – Kashima/Brichko):

Page 6, Item VII.D, last paragraph, last sentence: Correct TOFU score to TOEFL score.

The minutes for the May 10, 2007, meeting were accepted and approved with the following correction (M/S/U – Kashima/Perlas):

Page 2, second paragraph, fourth sentence as indicated: “Cathy advised that President Robles has charged ~~Dan Peck~~ **John Williams and Worku Negash** to prepare a report on the total amount...”

Referring to Page 5, Item VII.B, second paragraph, sixth sentence, (“It was reported that the CRC voted to designate courses as PE courses.”) Senator Ostrander stated for the purposes of clarification that Learning Services had asked the Curriculum Review Committee (CRC) for a revision regarding the discipline for Adaptive PE and the CRC decided that the courses should remain in PE.

III. Order of the Agenda

The Senators agreed to reorder the agenda to accommodate guests as needed (M/S/U – Kashima/Juncker) and that Item VII.C will be the first item to be addressed under old business.

IV. Oral Communication from the Public

Senator Moles advised that John O’Neill will be serving on the MC Academic Senate as the ESL representative next year.

V. Information & Announcements (College and District)

1. Senator Brichko advised the Senators that are serving as Marshals at Graduation to be at the Santa Clara Convention Center at 10:30 a.m., lunch will be served at Mission College at 1:00 p.m. and they will need to return to the Convention Center at 5:15 p.m.

VI. Administrative Business/Actions/Appointments

A. Curriculum Committee – No report was presented at today’s meeting.

B. Accreditation Report – No report was presented today.

C. Committee Appointments

1. Master Plan Architect Selection Committee – The following faculty members volunteered to serve on this committee and were appointed by the Senate as follows:

Bob Miller and Helen Ostrander were appointed to represent Student Services (M/S/U Kashima/Juncker). It was decided that Tat Fong, Phillip Hawkins, Ed Kleppinger and Cathy Cox be appointed to the committee as well (M/S/U – Moles/Perlas).

2. Basic Skills Subcommittee – The following faculty members were appointed to serve on this committee (M/S/U – Kashima/Brichko): Stephanie Kashima, Aaron Malchow, Ellen McAlister, Kathy Moles, Myo Myint, Michelle Speck and Julaine Rosner.

D. President’s Report – Cathy advised that she has no report this week as most of the District committee meetings were cancelled.

E. Other Reports – The Senators all received a draft End-of-the-Year Report from Pat Hudak on the Technology Committee. The Senators unanimously accepted the report as submitted (M/S/U – Kashima/Juncker).

The order of the agenda was suspended and moved to Item VIII.A to accommodate Yolanda Coleman and Thuy Tran.

VIII. New Business**A. Report and Discuss General Ed Pattern Review**

Yolanda Coleman, Chair of the Senate’s General Education Pattern Review Subcommittee submitted a written report and recommendations for the Senate’s consideration. Yolanda explained that the committee’s charge was to review the general education program to ensure it is in compliance with Title 5. She stated that the committee’s recommendations are based on Title 5 regulations.

The Senators, having reviewed the committee’s report electronically, discussed several points made in the report. The report states that the committee has determined that Mission’s overall GE Program is in compliance with Title 5 and accurately reflects the intention of that document. However, in reviewing specific GE areas, the subcommittee made nine recommendations, including the recommendation that, in order for the college’s GE program to accurately reflect its offerings, courses not offered within five years be removed from the GE program effective Fall 2008. A list of courses that fall into that category is included in the report. In addition, it is recommended that the GE program be reviewed every five years by a subcommittee of the Academic Senate and that courses included in the GE program be updated/revised every five years to ensure compliance with Title 5 regulations.

Another recommendation in the report is for the Academic Senate to consider the addition of a Multi-Cultural Studies requirement using existing courses to fulfill such a requirement. The

Senate subcommittee will continue to discuss this possibility and report back with recommendations specific to this issue at the end of Fall 2007.

VII. Old Business

C. Continue Discussion on Certification of HbA by Faculty

President Cox reported that she attended a luncheon meeting yesterday with State Chancellor Drummond, Chancellor Arterberry, and others. The issue of potential liability for faculty who would sign a certification form was discussed. Chancellor Drummond stated clearly that no faculty would be held individually liable for any HbA improprieties. The District is trying to show that it is following the directives of the State Chancellor's Office, and the State Chancellor's Office is trying to demonstrate to the State Department of Finance that they are exercising due diligence in this matter.

Chancellor Arterberry stated that, right or wrong, everyone in the District has benefited from HbA. The District has hired more faculty, classified and administrators and has provided increases in salary all these years. The District is at the point now where signatures are required, only because another letter has been sent accusing the District of falsifying records. The Chancellor stated that he has been communicating with Ed Kleppinger in response to the questions raised at the West Valley College Academic Senate. In essence, the Chancellor stated that his response to each question is, "No." Faculty will not be held responsible. The State will not pursue individual faculty members, and District funds and resources would be used to protect any faculty member's legal rights. A question was raised regarding criminal liability and the Chancellor stated that the Department of Finance plays a non-legislative role for the Governor in terms of funds. The State could institute nineteen audits upon the District for minimum compliance, but the District has not committed fraud. If an individual was diverting funds for personal use, then that would be constituted as fraud. (Note: Several motions were made during discussion to extend time.)

Stan advised that if the District refuses to present certification, it is subject to a heavy fiscal fine. He noted that Mission College removed approximately 700 FTES from the total reported for 2006/07. The dark horse is West Valley College, which has not removed any FTES to date. Any HbA that is determined to be inappropriate will be removed from the report submitted to the State.

The enrollment for 2006/07 is anticipated to be excellent. The District will be approximately 300 FTES over base with the good positive attendance in the Spring semester and with a good summer enrollment. The big issue is 2005/06. Faculty members are being asked to certify legitimate and appropriate HbA courses that were taught in order to limit the District's fiscal liability. Regarding the rumor of layoffs, the Chancellor stated that at no time has he discussed layoffs. In 2003, he made the commitment that no one will lose his/her job because of fiscal issues while he is here. He is asking for the faculty's cooperation in this matter, which needs to be corrected.

The Chancellor stated that he will meet with Ed Kleppinger on Monday to discuss this matter. Regarding the deadline for certification, the Chancellor stated that he imposed the deadline hoping to contact all faculty before they leave after graduation. President Robles has asked that the deadline be extended to June 1st.

Several Senators reported their concerns regarding conflicting information on what is and what is not appropriate HbA and questioned if each section of a class will require a separate form. Faculty members look to the administration for answers and reassurance that correct and appropriate information is being disseminated. The Chancellor agreed to provide a consistent definition of appropriate HbA to both colleges and stated that one form is required for each section of a class. It was stated that if a faculty member taught a course with HbA that did not meet the requirements of Title 5, the faculty member should not sign the form and the Chancellor will be advised that this course was not eligible for HbA. The issue deals with what was reported to the State. If a class was taught that met the requirements of Title 5, the faculty member should certify same. Otherwise the faculty member should not sign the certification. Stan advised that the auditor is only looking at the courses that have HbA. Those courses need to be pulled and looked at.

Discussion veered to the penalty that will probably be imposed by the State. Stan expressed his hope that the State will implement a payoff plan over a four to five year period. He noted that \$2.6 million has already been set aside and he would like to pay off the penalty with one payment if possible.

Regarding the last two letters received by the State, the Chancellor was asked if the State will continue to respond to anonymous letters. The Chancellor indicated that, although he has not seen the letters, he has been given the names of the people who sent the latest letters. Chancellor Drummond has stated that since he will make the final decision on the penalty to the District, if any additional letters are received following his decision, he will refer them back to the individuals and advise them to sue.

A faculty member in the audience stated that there was never an intention to defraud. The intention in the 1990's was based on the interpretation at that time. Students did not have computers at home or other resources available to them. The belief was that HbA was legitimate.

President Cox asked for direction offering two options. Faculty members have been directed to wait for an opinion from ACE and she suggested that the Senate meet next Thursday to discuss this issue only. The second option is to direct faculty to follow ACE's direction in this matter. The following motion was made (M/S/U – Juncker/Perlas), amended (M/S/U – Ashley/Perlas) and passed unanimously:

“that the Mission College Academic Senate direct faculty to wait for direction from ACE and for clarification on the definition of HbA before signing or not signing any forms to verify HbA.”

The discussion that followed dealt with whether or not to hold a Senate meeting next Thursday. It was agreed that a one-item agenda will be issued and, if it is determined that the meeting is not necessary, the meeting will be cancelled.

B. Consider Charge of the MCAS Basic Skills Subcommittee

The following charge was presented and considered by the Senators for approval:

“The charge of the MCAS Basic Skills Subcommittee is to develop a plan as to how the college is going to implement the recommendations of the Academic Senate for CCC’s Basic Skills initiative by December 2007.”

The above charge was accepted and approved (M/S/U – Ostrander/Kashima).

A. Consider Recommendations of MCAS Priority Registration Subcommittee

Senator Perlas advised that the way the college is assigning priority registration is not in compliance with Title 5, Section 58108. According to Title 5, there are two tiers of students that qualify for priority registration:

1. State Mandated Groups (DISC, EOPS, CalWorks)
2. After #1 groups are registered, ACCESS, MESA, Athletics, ASB Officers and International Students can be granted priority registration..

Char reported that Jim Bracy, VP of Student Services is developing a policy regarding priority registration and it is anticipated that the policy will be effective in the Spring. It was acknowledged that the policy should be District-wide.

D. Discuss Concerns Relative to Community Ed

Ellen McAlister was not able to attend today’s meeting, but requested that the following statement be read into the record:

“I’m sad that the Community Ed issue was pushed to the last meeting in the year. Unfortunately, I have two meetings Thursday. At 1:00 p.m., I meet with SEIU (WVC) and at 2:30 I meet with ACE (WVC). I’m unwilling to drive back to Mission between the two meetings and present the Community Ed issues again. I guess the only factors I can restate regarding this issue is for the Senate to not approve any Community Ed curriculum until Mr. Nguyen has addressed the issues I outlined earlier. His rebuttal document was incomplete and did not address the serious nature of the violations I outlined. I would like you to read this statement into the record tomorrow and the following reference to Title 5 (Section 551260(b), which states: Community Services classes shall not be referred to as noncredit classes.”

VIII. New Business

B. Update on Marketing & Advertising

Peter Anning, Director of Marketing reported that marketing has received \$120,000 from the Land Corporation and \$140,000 in one-time funds from Mission College, in addition to the allotted \$10,000 for Mission College marketing. He provided the Senators with a list of how the funds have been spent to date, and demonstrated a 30 second video that will be seen on TV.

Peter stated that with the extra money, he is able to do image marketing. An ad will be placed in every *Metro* in the coming year, outreach and advertising to the high schools has increased, as well as high school give-aways, and Mission College will have a booth at the Rivermark Spring Festival. In addition, a portion of the money has been given towards the publication of the schedule of classes. Peter reported that he attended a conference that had a speaker on generational marketing, which proved to be informative and interesting, and which he intends to

use in his endeavors. He is considering hiring a student worker to create a blog for Mission College. The Senators thanked and acknowledged Peter for all his hard work.

IX. Correspondence, Publications, and Announcements

Correspondence

1. E-mail dated May 16, 2007, from Chancellor Arterberry regarding the HbA audit.
2. Letter dated May 16, 2007, from Chancellor Arterberry to all WVMCCD Faculty members regarding the HbA Audit.
3. E-mail dated May 14, 2007, calling for faculty members to serve on ACE Committees.
4. E-mail dated May 14, 2007, from ACE re: ACE Constitution survey.
5. E-mail dated May 13, 2007, from ACE with a detailed letter on HbA from ACE Attorney, Bob Bezemek.

Publications/Minutes

1. The MC Technology Committee End-of-Year Report for the 2006-07 academic year.
2. The agenda for the ACE Council meeting of May 17, 2007.
3. Notification that the May 16, 2007, meeting of GAP is cancelled.
4. The Spring 2007 issue of *Accreditation NOTES* from the WASC.
5. The agenda for the May 127, 2007, meeting of the MWV Land Corporation.

Announcements/Conferences

1. The Academic Senate for California Community Colleges is calling for nominations to represent the Senate on the Chancellor's Office Counseling Advisory Committee (CAC). Additional information and the nomination form is available from the Academic Senate Office. The deadline for submitting a nomination is June 1, 2007.
2. The Chancellor will hold Safety/Security Concerns and Issues Forum at Mission College on Wednesday, May 23, 2007, in Campus Center Room 219/220 from 3:00 – 4:30 P.M.

X. Future Agenda Items

No new items were added at today's meeting.

XI. Adjournment

The meeting was adjourned at 4:13 p.m. due to the loss of a quorum. These minutes are respectfully submitted by Grace Hazán, Academic Senate Secretary.

