

ORANGE COAST COLLEGE

Academic Senate Meeting | March 21, 2023 | 11:30 am - 12:30 pm | Student Union 214/Zoom Link: <https://cccd-edu.zoom.us/j/82604795285?from=addon>.

Academic Senate Member Attendance

Jessica A. Alabi, <i>at-Large</i>	Present	Rendell Drew, <i>at-Large, Vice President</i>	Present
Jason Ball, <i>Part-Time Faculty</i>	Present	Cyndee Ely, <i>Part-Time Faculty</i>	Present
Carol Barnes, <i>Counseling</i>	Present	Lee Gordon, <i>at-Large, President</i>	Present
Nina Barrios, <i>Part-Time Faculty</i>	Present	Marilyn Kennedy, <i>Lit & Lang, PDI Chair, Secretary</i>	Present
Tyler Boogar, <i>Math & Sciences</i>	Present	Jodie Legaspi-Kiaha, <i>Athletics & Kin</i>	Present
Eric Budwig, <i>Technology</i>	Present	Jeanne Neil, <i>Business & Computing</i>	Present
Irving Chavez Jimenez, <i>at-Large</i>	Present	Lori Pullman, <i>Curriculum Chair</i>	Present
Eric Cohen, <i>at-Large</i>	Present	Loren Sachs, <i>at-Large</i>	Present
Sean Connor, <i>at-Large</i>	Present	Katherine Sheehan, <i>Visual & Per. Arts</i>	Present
Eric Cuellar, <i>at-Large</i>	Present	Jordan Stanton, <i>Social & Behavioral Sciences</i>	Present
Jodi Della Marna, <i>Library</i>	Present	Brooke Mai Ha - <i>ASOCC Student Representative</i>	Present
Tina DeShano, <i>Consumer & Health Sciences</i>	Present		

Guests (Optional & Voluntary Sign-In): Irene Naesse, Angelo Esposito, Rick Garcia, Kisha PW Champion, Kate McCarroll, Jeanette Grimm, Angelica Suarez, Bob Fey, Rebecca Morgan.

1. Preliminary Matters

- A. **Call to Order:** President Lee Gordon called the meeting to order at 11:30 A.M.
- B. **Opportunity for Public Comments:** No public comments.
- C. **Approval of the Minutes:** The Senate postponed the approval of the March 14, 2023, meeting minutes to make some corrections prior to approval.
- D. **For the Good of the Order:**

Mathematics and Sciences Division Senator Boogar: "As many of you know, last fall the State passed Assembly Bill 1705. This law takes a series of steps that the OCC Math Department feels is harmful to students. This includes removing the option of remedial education for virtually all seniors. A student who has not attended school for ten or more years is forced to take transfer level math. This is happening beginning this fall. Beyond that, it seems that by 2025, if the State validation metrics are not met to enroll students directly in the calculus sequence for effective majors. This means that students who only met the high school gradual requirements of Algebra 1 may be not just allowed, but forced, to skip intermediate algebra, trigonometry, and precalculus. I have met with math faculty from more than fifteen schools in Southern California, and we are unanimously opposed to this law to the point that many are discussing organized demonstrations. There will be at least one resolution at the upcoming Senate plenary meeting regarding this law. I have asked President Gordon and Vice President Drew to support any resolutions which seek to curtail the effects of this extremely harmful law. I am happy to make a more detailed presentation in the future if this body wishes."

Senator at-Large Cuellar: Reminded the Senate of the CLEEO 14.0 webinar session with Dr. Eglash, Wednesday, March 22. The IMC met last week. A subcommittee was formed that would like to engage and have a conversation with the Academic Senate regarding land acknowledgments of ancestral lands of the indigenous communities.

Literature and Languages Division Senator Kennedy: Was looking for extra credit activities for her students for Women's History Month, and there were only a few and no Zoom ones. She located many presentations at local campuses with great guest speakers via Zoom and she would like us to expand our thinking on this to do the same.

2. Officer, Senator, & Committee Reports

A. President and Vice Presidents' Reports:

1. **President Gordon:** No report.
2. **Vice-President Drew:** Stated that under New Business they will cover "Navigating Cultural Identity with Humility." He distributed handouts to support the presentation. Senator Cuellar and IMC Co-Chair Nathan Jensen were integral parts of the presentation along with himself.

B. Budget Update – Part-Time Senator Ely: There will be a DCC Budget meeting on Friday, March 24 which she cannot attend and encouraged others to attend. **President Gordon** stated to send him a reminder about that meeting. He said there are discussions to have a joint budget workshop with CFE.

C. District Board Policies and Administrative Procedures Report (BPAP) - Marilyn Kennedy: **AP 4230: Grading and Academic Record Symbols:** Back in 2020 when COVID struck, we changed the deadline when students could go from "pass" to "no pass" to just two weeks before the end of the semester. Now that Title V changes are allowing this now, we are allowed to make that permanent if we wish. **BP 7100 Commitment to Diversity:** This is a new policy, and language was added to match our master plans across the campuses in the District to this policy. **AP/BP 3902 Gift Limits and Reporting:** The committee is still discussing how much gifts can cost from employee to employee, and employee to contractors. They are trying to make the caps reasonable and add the appropriate language. **AP 7120C, Faculty Hiring:** One proposal, based on DEIA concerns, was to consider removing the requirement for any kind of transcripts for the hiring committee. The argument is that transcripts violate EEO concerns in terms of revealing gender, age, race, and the school one sent to. Another proposal coming from the administration is to drop the rankings from carrying over from the hiring committee to the selection committee and have all of the final applicants start with a blank slate. She asked the Senate representatives to ask their constituents about the proposals and let her know before the next BPAP meeting.

D. Curriculum Committee Report – Curriculum Chair Pullman: Reported that the committee voted unanimously that students who have earned a baccalaureate degree from a regionally accredited institution will be deemed to have satisfied OCC general education requirements for the AS Option 1 and AA Option 1 General Ed Plan.

3. Unfinished Business

A. Discussion and Selection of Faculty Coordinator MOUs: 1-Year MOUs: STEM Grant Counseling Liaison, Guided Pathways - Ensure Learning, and Early College Credit, Concurrent, and Dual Enrollment AND 2-Year MOUs: Institutional Effectiveness Coordinators (3), Multicultural Center Coordinator, and Online Education Resource Coordinator):

President Gordon read the Unfinished Item A title and details to the Senate and introduced the issue, clarifying the one and two-year MOUs. He asked, What do we do to get them out of limbo? **VP Drew** asked if there were any changes or edits after Senate review. **Senator**

Kennedy asked for clarification as to if the Senate is to review the written MOUs or the people, too? **President Gordon** stated the E-Board has discussed this to be placed on the agenda as it is time sensitive and it is the Senate's purview to do so here after last week's E-Board discussion for Senate review, as we have been waiting a week. **Senator Kennedy** asked for clarification as to if we are just approving the written MOUs to be extended for a year? **VPI Grimes-Hillman** stated that she would welcome a motion that extended the one-year MOU positions with the people in them for one year as that has been past practice, and although it does not follow the 2011 resolution, it has been a common practice in the past, and for the timing she would welcome that. **Motion 1: Senator Alabi moved to approve the one-year Memorandums of Understanding (MOUs) (STEM Grant Counseling Liaison, Guided Pathways - Ensure Learning, and Early College Credit, Concurrent, and Dual Enrollment); motion seconded.** Discussion followed. **Senator Kennedy** asked for clarification as to if the motion was inclusive of both the MOUs and the people in the positions. **President Gordon** stated that it has been past practice when there is not a change in the substance of an MOU and it is for a one-year duration, to extend that for another year. That is being held up currently with the calling to attention the 2011 resolution. The motion is to approve extending the one-year MOUs as had been past practice. **Senator Alabi** clarified that the motion is for the extension of the MOUs and that includes the people in the positions as the selection process in the MOUs was already followed for them. **Senator Kennedy** thanked **Senator Alabi** for the clarification. **President Gordon asked for a roll call vote. Motion 1 approved with two abstentions.** [See Voting Tally Chart for details.]

President Gordon introduced the two-years MOUs: (Institutional Effectiveness Coordinators (3), Multicultural Center Coordinator, and Online Education Resource Coordinator). VPI Grimes-Hillman: Stated that she hoped that these would be supported. She noted that there was one error just discovered on the IE Coordinator position in the compensation section; it will be corrected. They will make the compensation exactly how it was in 2021. The rest of the language and everything else should be the same as previous MOUs. If they are all approved, the MOUs will go to District HR to be negotiated. **Motion 2: Senator Alabi moved to approve the two-year Memorandums of Understanding (MOU) positions (Institutional Effectiveness Coordinators (3), Multicultural Center Coordinator, and Online Education Resource Coordinator); seconded. President Gordon asked for a roll call vote; motion approved with one abstention.** [See Voting Tally Chart for details.]

4. New Business

A. Navigating Cultural Identity with Humility – Eric Cuellar, Nathan Jensen, and Rendell Drew:

Nathan Jensen: When we think of cultural competence, it is a good thing to do. It is a good thing to learn about other cultures. It is good to experience other cultures and to increase your knowledge and awareness of the cultures outside of your own. The reality is that we cannot know enough. We can never learn about another person's culture enough to truly be culturally competent. We cannot say at any point that "we have arrived." Things get more complex. Another risk is that our overall confidence, unintentionally perhaps, might be based on stereotypes or other things that are not a true reflection on another's culture. It is important to be culturally confident. It is important to learn, but no matter how much you know, you cannot know everything. That is where cultural humility comes in. The main focus is the idea that it is good to know other cultures, but we cannot know everything and that is where cultural humility comes in.

Vice-President Drew: Diversity contributes to the richness of our society and provides a valid evidence-based way of knowing and learning about other individuals in other cultures. In order to have competency, you must learn what humility is. It is a two-part process that lasts throughout a lifetime. With cultural diversity, it is really the norm rather than the exception. As people of different backgrounds live together, it is important to retain the attitude of humility. Practicing cultural humility is central to serving students. It is central to all of us getting along. With cultural humility, learning about cultural reality and respect for other people's views helps us to be a better person, to practice that cultural humility. We have to understand and communicate effectively and interact with people across different cultures. Becoming culturally competent acknowledges that underlying cultural competence are the principles of trust, respect, diversity, equity, fairness, and social justice. Once we become culturally competent, we become culturally competent as educators, we can go to the next step.

Senator Cuellar: He wanted to start off with his cultural diversity moment that he shared at the presentation. He was sharing with them his recollection of an experience when he was seven years old, of a book that he read that resonated with him. It was a biography of Muhammad Ali. He shared with them that this was the first individual that he saw outside of his home or family as a role model. He saw him as he was, an equity champion, a champion of justice and social justice. He shared with them how much the African-American culture influenced him.

On the Power Point, he had a question mark as a slide. All knowledge begins with a question. If we believe that our knowledge is complete and absolute, then what do we have to learn? He thought it potentially serves as an obstacle to cultural humility, and also across cultural competency. He shared, for example, that Socrates himself, a person that is deemed wise, says "I know that I do not know." In saying all of this there is one backdrop, which, in the in the light of cross-cultural competency and cultural humility something that is unfortunately part and parcel of our human history and that is the role of violence. It is with us and we see it in the different mediums and communication modalities that we see everywhere. It is a reality and persists. **Senator Cuellar** shared a [video](#) that shows the triangle of violence (direct, structural, cultural) and also the concept of negative and positive peace.

Point of Order: Parliamentarian Barrios noted the time was expired. Motion 3: Vice-President Drew moved to extend the time on this item for an additional 5 minutes; motion seconded; motion approved with one abstention. [See Voting Tally Chart for details.]

Senator Cuellar: He took the liberty to share with participants three specific words and their origin. The first one is "knowledge"; the second one is "gnosis"; and the third is "mystery." He looked up the definitions and noted that the word *knowledge* derives from the word *gnosis*. *Gnosis* is defined as the knowledge of spiritual mysteries. *Mysteries* is something that is difficult or impossible to describe or explain, something puzzling or unknown. As we are seeking culture humility, we need to question what we consider knowledge and its origin with gnosis and mystery.

Senator Kennedy: Shared that Jonathan Haidt states in *The Righteous Mind*, about lack of humility, when Westerners who are WEIRD: Western, educated, industrialized, rich, and democratic, try and put their cultures onto other countries.

- B. **Horticultural Sale – Lori Pullman:** It will be on April 7 and April 14, a large variety of hearty vegetables for sale from 9am-3pm at the Horticulture Department.

C. Copyright Trolling – Marilyn Kennedy and Rendell Drew:

Senator Kennedy: Presented a PowerPoint and stated her presentation is based on an article from *Education Matters*, called “Copyright Law and the Classroom” plus her additional research. This issue in the article started with a real-life-occurrence of a professor who presented his PowerPoint at a conference, with images from the internet, that he thought were fair use protected. His presentation was so popular that after repeated requests for his PP, he posted it on his public, professional web site. Four years later he got a demand notice to pay \$2000.00 for his use and benefits of the copyrighted photos for all that time. This really happened. *Fair use* allows educators or students to use these types of photos in a non-profit educational institution, such as a classroom or similar place devoted to instruction. The *Digital Millennium Copyright Act (DMCA)* of 1998, says that there is supposed to be something called a *take down* request, where fair use is considered before a demand, and to simply request a take down. Those procedures are designed in case somebody makes a mistake and did not have intent to violate. The request is supposed to be done in good faith and consider fair use before sending a demand letter. That is not what is happening or occurring.

What is happening is that companies hire other companies that use bots to search the entire Internet constantly for violations of particular images. They have the legal right to do this. Ideally with the DMCA, they would ask for a take down, but they do not necessarily have to and that is not being enforced. They send a demand letter with proof of the violation and demand a fee for use and benefits. The fee is usually around \$2,000. You can get an attorney but that triples the cost, and the longer you contest the higher the rates can go. It is often cheaper to pay the initial demand fees. That has happened to a few professors. To avoid this, the recommendations are to use care when using possible copyrighted materials and if copyrighted, to pay a fee if you are posting publicly.

Senator Kennedy provided the following sources for further research and a link to the original article:

“The Digital Millennium Copyright Act.” U.S. Copyright Office, USA.gov. [The Digital Millennium Copyright Act | U.S. Copyright Office](#)

Lenz v. Universal Music Corp. Casetext, Inc., 2023. [Lenz v. Universal Music Corp., 815 F.3d 1145 | Casetext Search + Citor](#)

Nelson, Sharon, and Victor Liberi. “Copyright Law and the Classroom.” *Education Matters*, winter 2022-23. pp. 6-7. [2023winternews.pdf \(aaeteachers.org\)](#)

5. Adjournment of the Regular Meeting

President Gordon adjourned the meeting at 12:28 p.m.

6. Approval of the Minutes: April 11, 2023

MINUTES: First draft written by Beatriz Rodriguez Vaca, Administrative Assistant to the Senates. Revision of first draft and Senate-approved drafts written by Senate Secretary, Marilyn Kennedy, who also distributes the final Senate-approved version to the Chancellor, Board of Trustees members and secretary, union presidents, GWC and Coastline Academic Senate presidents, OCC College President, and faculty as per OCC Senate bylaws.

<h2 style="text-align: center;">Voting Tally Chart</h2>	Motion 1 Extension of 1-year MOUs (11:59 am)	Motion 2 Extension of 2-year MOUs (12:03 pm)	Motion 3 Extension of 5 mins on Item 4A
<i>The Presiding Officer's vote will be recorded as an abstention unless breaking a tie.</i>			
Alabi, Jessica A.: Senator-at-Large (2020-2023) (Zoom)	Aye	Aye	Aye
Ball, Jason: Part-Time Senator (2022-2023); 11:56 am arrival (Zoom)	Abstain	Aye	Aye
Barnes, Carol: Counseling Senator (2021-2024)	Aye	Aye	Aye
Barrios, Nina: Part-Time Senator (2022-2023)	Aye	Aye	Aye
Boogar, Tyler: Math and Sciences Senator (2020-2023)	Aye	Aye	Aye
Budwig, Eric: Technology (2020-2023) (Zoom)	Aye	Aye	Aye
Chavez Jimenez, Irving: Senator-at-Large (2021-2024); 11:35 am arrival	Aye	Aye	Aye
Cohen, Eric: Senator-at-Large (2021-2024)	Aye	Aye	Aye
Connor, Sean: Senator-at-Large (2020-2023)	Aye	Aye	Aye
Cuellar, Eric: Senator-at-Large (2021-2024)	Aye	Aye	Aye
Della Marna, Jodi: Library & Learning Sup. Senator (2020-2023)	Aye	Aye	Aye
DeShano, Tina: Consumer Health Sciences Senator (2020-2023)	Aye	Aye	Aye
Drew, Rendell: Vice President, Senator-at-Large (2020-2023)	Aye	Aye	Aye
Ely, Cyndee: Part-Time Senator (2022-2023)	Aye	Aye	Aye
Gordon, Lee: President, Senator-at-Large (2022-2025)	Abstain	Abstain	Abstain
Kennedy, Marilyn: Secretary, Lit. and Lang. Senator (2022-2025) (Zoom)	Aye	Aye	Aye
Legaspi, Jodie: Athletics and Kinesiology Senator (2020-2023) (Zoom)	Aye	Aye	Aye
Neil, Jeanne: Business and Computing Senator (2022-2025);	Absent	Absent	Absent
Pullman, Lori: Curriculum Chair (Non-Voting) (Zoom)	-	-	-
Sachs, Loren: Senator-at-Large (2022-2025); 11:54am (Zoom)	Aye	Aye	Aye
Sheehan, Katherine (2021-2024); 12:01pm (Zoom)	Absent	Absent	Aye
Stanton, Jordan: Social and Beh. Sciences Senator (2022-2025)	Aye	Aye	Aye