



OFFICIAL MINUTES

I. Call to Order

Academic Senate President, Leila Safaralian, respectfully acknowledged that MiraCosta is on the traditional territory of the Luiseño/Payómkawichum people. Today, the meeting place of MiraCosta College and its surrounding areas is still home to the six federally recognized bands of the La Jolla, Pala, Pauma, Pechanga, Rincon, Soboba Luiseño/Payómkawichum people. It is also important to acknowledge that this land remains the shared space among Kumeyaay and Ipai peoples. In addition, we pay respect to elders both present and past, the respected keepers of history, culture, wisdom and knowledge. The meeting was called to order at **9:02am**.

II. Roll Call

Members present: Robin Allyn (Coordinating officer), Ingrid Bairstow, Angela Beltran-Aguilar, Sunny Cooke (ex-officio), Karla Cordero curry mitchell (Vice President), Shawn Firouzian, Jim Julius, Don Love, Tyrone Nagai, Gilbert Neri, Candy Owens, Brian Page, Hossein Ravanbaksh, Leila Safaralian (President), Krista Warren

Members absent: Delores Loedel

Others present: Adrean Askerneese, Heather L. DeBlanc (counsel), Tori Fishinger, Victoria M. Gómez Philips (counsel), Trisha Hanada-Rogers, Charlie Ng, Ingrid Phillips, Mike Potterf, Lilia Vidal

III. Teleconferencing for Meetings

A. Recertify the Resolution (R. 2-21) Authoring Teleconferencing for Meetings Pursuant to AB 361 – Safaralian

Description: The Academic Senate approved resolution R. 2-21 on 10/1/21 to authorize teleconferencing pursuant to recent legislation AB 361, since meeting in person would present imminent risks to the health or safety of attendees. To continue to meet under these abbreviated teleconferencing procedures, AB 361 requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting and to make those findings every 30 days thereafter. Academic Senate will reconsider the circumstances of the state of emergency and determine if the emergency continues to directly impact the ability of members to meet safely in person. This item will be a recurring item until the body determines the circumstances no longer support the findings in R. 2-21. The last ratification was on 11/04/22.

MSU (Ravanbaksh / mitchell) to recertify resolution (R.2-21) authoring teleconferencing for meetings pursuant to AB 361.

IV. Persons Wishing to Address the Senate – None.

V. Changes to Agenda Order – None.

VI. Consent Calendar

A. Approve Minutes of the Regular Meeting of November 4, 2022

The consent calendar was approved by unanimous consent.

VII. Reports

A. Academic Senate President

Academic Senate President, Leila Safaralian, thanked all who participated in the NDN activities this week. Academic Senate is looking forward to continuing the collaboration with the NDN committee. Everyone was advised to mark their calendars for January 19th. A collaborative event will be hosted by Academic Senate and Classified Senate around cultivating human connection. All are invited to work together to connect and learn more about each other on this during spring flex week.

During the ASCCC fall Plenary Session, 38 resolutions were adopted. In an email, Safaralian shared a link to the resolution page of ASCCC with faculty. Some discussion and decisions will need to be made about some of the resolutions passed. She encouraged Senators to look at the webpage and review the resolutions. Afifa Zaman, in collaboration with Dr. Hossna Sadat-Ahadi and Dr. Katarzyna Hey, published

an article in the ASCCC November Rostrum titled, 'Increasing Recognition and Advancing Equity for Afghan Community College Students.' Thanks to Zaman for her leadership and hard work on this. During this season of Thanksgiving, Safaralian gave thanks to all of the Academic Senate team for all they do to represent our faculty in academic and professional matters. She also gave thanks to Debby Adler for her knowledge, positivity, and all her hard work.

B. College Superintendent/President

Superintendent/President, Sunny Cooke, also reflected on this season of gratitude and especially, November, when we start thinking and reflecting about all the people in our lives we are grateful for. As we look around a workplace such as MCC, you see all of the really amazing faculty and staff who work so hard every day to make sure they support each other, and our students and Cooke is grateful for all the work every member of our community does each day. As the end of the semester approaches and will be busy, it is the hope that all can find some down time to take care of yourselves and take advantage of some time with family and friends. Thanks to each and every one for all you do.

Asked that everyone consider the EOPS angels to buy a holiday gift for a family in need.

A reminder of the huge amount of construction going on at the OC. The soil in the parking lot in front of the administration building will be used to shore up the ground for building the new Student Center where Pedley Park used to be. Thanks to the voters of our community who allowed us to do these projects.

C. Classified Senate

Debby Adler reported on behalf of Vice President of CS, Ingrid Phillips. The nominations close for the Classified Senate Fall 2022 outstanding employee award. CS is preparing for the year-end celebration to be held on December 9th from 12:30pm to 4:30pm at the El Camino Country club. Tickets are on sale now. CS is accepting donations for their annual online auction to endow a scholarship through the Foundation through November 29th. This year CS is partnering with AS and Wendy Stewart to endow the NDN Scholarship. CS is also excited to partner with AS on the Cultivating Human Connection Conference to be held on January 19th.

D. Associated Student Government

ASG Public Relations, Michael Potterf, noted that the ASG is meeting today at 1pm and they will hear from each workgroup about members' designated committees. They will be looking at the student equity plan review and get a five-year capital plan update. They will further discuss library hours and look at possible spring teleconference locations considering the Brown Act. They will also review expectations for shared governance reports.

E. Redesigning the Student Experience

Thao Ha noted the Zhenya Lindstrom sent an email about spring registration night occurring on January 11th, 2023, from 4pm – 7pm on the Oceanside Campus. It is a great way to represent your disciplines and share about careers and jobs in those fields. There are still spots for health sciences ACP, Math and Sciences ACP, and the Creative and Applied Arts ACP. Faculty will be paid for their time on this off-contract day. They are also in the early phases of creating the Student Success Equity and Guided Pathway Advisory which will be led by Lindstrom and Stewart and try to align those areas in the transformation of our guided pathways work. They will meet the Monday after Thanksgiving and will report back at the next AS meeting.

VIII. Old Business

A. Sabbatical Leave Reports – Hanada-Rogers

Two (2) sabbatical leave reports come to Academic Senate for a second read for returning faculty members Sean Davis and Bruce Hoskins. Sabbatical leave reports are reviewed to meet the following standards: (a) Comprehensive, professional quality reports that clearly communicate and document the purpose, objectives, activities, and achievements of the sabbatical leave, (b) alignment of applications and reports, (c) adequate documentation, (c) minimum number of hours met, and writing reflects standard of profession. Sabbatical Leave Reports are forwarded to the President/Superintendent for approval.

MSP (mitchell / Love) [Krista Warren was not present for the vote] to approve two sabbatical leave reports submitted by Sean Davis and Bruce Hoskins as presented.

B. Sabbatical Leave Applications for 2023-2024 – Hanada-Rogers

Based on the Faculty Assembly contract, the number of sabbaticals is 8% of the full-time faculty in an academic year. A total of nineteen (19) sabbatical leave applications were submitted to the Sabbatical leave Committee for the 2023-2024 academic year. These include sixteen (16) eligible plus three (3)

alternates. They come to Academic Senate for a second read for the following faculty members: Daniel Ante-Contreras, Raymond Clark, Leigh Cotnoir, Zulema Diaz, Michelle Farnam, José Jara, Delores Loedel, Alicia Lopez, Kent McCorkle, Lauren McFall, Jeff Murico, Shannon Myers, Thong Nguyen, Beth Powell, Leola Powers, Violeta Sanchez, Steve Torok, John Turbeville, and Affifa Zaman. Sabbatical Leave Applications will be forwarded to the President/Superintendent and the Board of Trustees for final approval.

MSP (Neri / Bairstow) [Krista Warren was not present for the vote] to approve 16 sabbatical leave applications and three (3) alternate applications for the 2023-2024 academic year submitted by faculty members Raymond Clark, Leigh Cotnoir, Zulema Diaz, Michelle Farnam, José Jara, Delores Loedel, Alicia Lopez, Kent McCorkle, Jeff Murico, Shannon Myers, Thong Nguyen, Beth Powell, Leola Powers, Steve Torok, John Turbeville, Affifa Zaman, and Lauren McFall (alternate #1), Daniel Ante-Contreras (alternate #2), and Violeta Sanchez (alternate #3), as presented.

IX. New Business

A. Current Academic Senate Scholarship and Creating the Native American & Alaskan Native (NDN) Scholarship

Associate Director of the Development/Foundation, Tori Fishinger, explained the status of the current Academic Senate Scholarship. Records show funding to the Academic Senate scholarship began before 1990 without any formal approval. Current criteria of the scholarship is a 2.0 GPA, to a student in financial need. Qualified students must be planning to continue at MiraCosta College and enroll in six units or more. No endowed agreement is on file. An endowed agreement with agreed upon criteria needs to be created. Additionally, there is a need to review the processes of establishing a new scholarship for MiraCosta's Native American & Alaskan Native (NDN) students based on goal #4 of the Academic Senate from last year.

AS has been awarding a \$1000 from its endowed scholarship each year for the past more than 11 years, to students with a 2.0 GPA and have financial need (a FAFSA) and enrolled in six units or more. The goal is to reach our students' needs without too many restrictions. The criteria for this scholarship can be changed by an approved action after looking at the needs of students now. Scholarships are part of the scholarship cycle. The new cycle is August 1, 2023 – October 1, 2023. The annual scholarship is the biggest application where students fill out one application that allows them to be slotted into over 200 scholarships of which the AS endowed scholarship is one of those. However, scholarships can be given outside of this cycle. When asked if undocumented students are eligible for scholarships and if there is a separate scholarship for noncredit students, it was noted that undocumented students can apply; however, noncredit students would have to be specified. It was also asked if an "or" statement could be added such as students must have a 2.0 GPA or a professor letter. This, too, is possible as recommendations may be tied to the scholarship and/or criteria. It was also noted that about 500 to 600 students receive scholarships each year. Dr. Cooke added that it is advised to keep it as simple to have the broadest net possible for students with need.

Safaralian asked that Senators share the criteria with their constituents and to share the information about the new NDN Intertribal Collective Scholarship in partnership with the Classified Senate.

The process to set up a scholarship is to determine the criteria and then to decide where you want to go with it. To endow this scholarship, it will need to be at the \$15K level (for a \$500 scholarship) and at the \$25K level (for a \$1000 scholarship). The amount can be raised over time. Classified Senate will provide \$5000 from the holiday party. The Foundation Office can do a call for payroll donations to raise funds, as well as ask donors. We will need to raise around \$10K. Senators are asked to connect with their constituents and bring back feedback about establishing this scholarship. Ask for suggestions such as offering the scholarship as one lump sum payment instead of two payments over two semesters, have an "or" statement, and add noncredit to make sure all are covered within this scholarship.

This is the first-read of this proposal and will come back for approval at the next regular meeting of Academic Senate.

B. Salary Advancement Applications – Lilia Vidal

Salary Advancement Committee member, Lilia Vidal, presented applications for Approval of Coursework/Activities Toward Advancement on the Salary Schedule submitted by nine (9) faculty members, both full-time and associate Applications are based on the faculty members continued professional development. The Salary Advancement Committee (SAC) has reviewed the applications and brings them to Academic Senate for a first read. SAC met and looked to make sure units taken were from an accredited university, are upper division units, or a maximum of eight lower division units. As well,

their Statement of Purpose should refer to the subject they are teaching. It was noted that MOE mentors are looking to offer similar @One classes at MCC. Vidal noted that they have to pay Fresno Pacific for @One class units. Therefore, they cannot do this at MCC but instead would have to claim it as PD. She noted that the rigor is not the same. If you want salary advancement then you have to go through the unit process.

C. Possibility Statements and the Professional Learning Report – Charlie Ng

Vice President of Human Resources, Charlie Ng, presented the possibility of the professional learning statement. He started by debunking rumors that there is an idea HR is taking over professional development (PD). This is not the case and not true. There is a difference between PD and training such as sexual harassment, DEI training, OSHA, etc. HR is not requiring or demanding PD. There are also rumors that the joyful teacher assignment is going away. Instead, we are looking to take it to the next level; whatever that may mean. There are also concerns about faculty on the design team and vision of professional learning; however, there will be faculty on the design team. This started with Achieving the Dream and the need to have professional learning that is robust and holistic. An Achieving the Dream consultant was hired to do an assessment and provided a report sharing opportunities we have and things we do well and next steps moving forward. Highlighting some key takeaways from the report include that although professional learning is valued at the District, it is siloed. There is not a lot of coordination among all populations of community members at MCC and no connection to the administration. There are also no permanent positions which limits long-term benefits or some of the ability to make a difference over a long period of time. There is also an opportunity to improve the loadstar program. Further, there is an opportunity to integrate associate faculty in a more meaningful way than we have right now. After conversations, it was determined we are ready for this and for something bigger and better around PD and the Board is ready to support this from a resource allocations standpoint and administration and employees are ready to do the work. The workgroup started with these statements and wanted to build on more than a two or three sentence vision statement and so the group looked at what professional learning would look like in terms of what could it be and how can we get there. The statements are now before this group, and they are looking for feedback. This collection of statements is not necessarily prioritized nor ranked. They are ideas on what and how it can be. This would be the basis for the design team that will be commissioned in the spring of 2023 to use the information to build something structural in nature. These will be unpublished statements and will be broadly vetted by the college for feedback and input. With time and resources, it is hoped to be implemented in the fall of 2024.

It is being asked that Academic Senate share the possibility statement with their constituents and get feedback such as things that may need to be clarified or if something needs to be added. This may be shared as a Google document for input so the document can be used by the design team in spring 2023. It was asked why nothing has been mentioned about the Joyful Teacher. There is a need to advertise this spring to get someone new in the position for the fall. Ng noted that there is an MOU, and they are in talks with the FA about this. There should be closure very soon. Further discussion ensued concerning the dynamic roll of the Joyful Teacher and their input for the program.

It was further noted that the PDP committee has not met since 11/11 and has not had the opportunity to review this statement. They will not meet again until December 9th. If there is a possibility to adjust the timeline so PDP can have a chance to review this, that would be helpful. It was noted that this can be added to the AS agenda for their 12/16 meeting after PDP has had the chance to meet again.

It was also noted that PDP and DEqCC has been invited and participated in these conversations; however, the initial report can be recirculated again.

X. Information / Discussion

A. The Brown Act and AB2499 Teleconferencing / Virtual Meetings

Superintendent/President, Dr. Sunny Cooke, along with legal counsel, Heather L. DeBlanc and Victoria M. Gómez Philips of Liebert Cassidy Whitmore (LCW), clarified and answered questions regarding AB2449. This new assembly bill which takes effect, January 1, 2023, provides that a member may not participate in meetings solely by teleconference due to “just cause” or “emergency circumstances” for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year. Provisions of AB2449 will remain in effect until January 1, 2026.

It was noted that the intent of the Brown Act (BA) was to ensure that the work of the public is done in public and to ensure the public can participate and comment on matters within the scope of the public body’s work. During the pandemic, AB361 Emergency Conditions was put into effect offering leniency in

some aspects of public meetings as long as there was a statewide or county emergency condition. AB361 conditions expire when no emergency conditions exist or no later than January 2024. While there are no longer emergency conditions and while the original intent of the Brown Act still exists, AB2449 will now take effect as of January 1, 2023.

AB2449 allows for continued electronic access to meetings by the public. However, the option for quorum goes away as soon as one person of the governing body cannot be present in person. Quorum must be in one room. A voting member would need just cause to not be present meeting either extenuating or emergency conditions. There is a limit of the number of meetings a member could miss equal to 20% of the meetings each calendar year. It will up to the chair or assistant to keep track of absences.

It was noted that according to the BA, the meeting agenda must be posted 72 hours prior to the meeting but if a voting member becomes ill, how would they be able to attend the meeting remotely. It is the philosophy of the college that if someone has an emergency, they should take care of their needs and are not expected to participate. The individual has a right to ask but the request does not have to be approved. They can, however, listen in on the meeting but would not be eligible to vote on matters. The law is trying to allow for meetings in multiple locations and call in if there is a need to and when the issue arises. Therefore, if someone calls in sick, they can appear electronically, but quorum must be in one place. This should be decided as a group, such as do you want to be able to meet across campuses on a regular basis, but individual members cannot call in sick, but if as a group you decide a person can call in sick, then everyone must meet in one location. A member who is not voting could only chime in during public comment. Meetings can also be streamed as a webinar but those watching have no way to engage in the meeting. There is no need to include AB2449 on the agenda, but it could be listed on the website. The governing body does not have to approve just cause to miss a meeting. This would include a contagious illness and is allowed two times per year. They could appear remotely if the remaining body is in one location as a quorum. Emergencies need to be requested of the governing body with a short description and must be approved/ Personal information does not need to be revealed. A combination of these two considerations can be requested 20% per calendar year. A last-minute call in for one of these conditions would be allowed as long as quorum is met in just one location.

It is also allowable for quorum to be met across multiple sites. If members are located at three different sites, for example, and quorum is met across those sites, the three sites would need to be listed on the agenda and open to the public. Technology needs must also be considered in order to meet remotely from multiple locations.

It was further outlined that just cause, which is allowed twice in one calendar year, is specifically outlined as a family or childcare caregiving need, a contagious illness, a need related to physical or mental disability that is not otherwise accommodated, and travel while on official business. This does not need to be approved by the governing body. The person has to let them know at the beginning of the meeting and the quorum must be in one room.

Emergency circumstances are more broadly defined and somewhat crosses over with just cause. It is defined as physical or family emergency that prevents the member from attending in person

See the attached slide presentation for more information concerning the conditions of AB2449.

It was suggested an informational page or flow chart be created and posted for ease of access and understanding. AS has two more meetings. This decision needs to be made for the subcommittees prior to the winter break and before coming back in person in the spring semester.

XI. Senator Reports

Robin Allyn shared an event called Test Drive A Career In Early Childhood Education and TK-12 Teaching to share with students. It will take place on 11/22 from 10:30am 11:45am in Aztlan.

Krista Warren noted she had the privilege to attend the 2022 ASCCC Fall Plenary Session in person. She also noted that FACCC is running membership campaign. She can sponsor you at no cost for one year and will send an email with information.

XII. Adjournment – The meeting adjourned at 11:13am.