



College of the Canyons Academic Senate

October 6, 2022

3:00 p.m. to 5:00 p.m.

Hybrid Format, via Zoom & in-person in Mentry-343

Join Zoom Meeting

<https://canyonsonline.zoom.us/j/97917495774?pwd=SExPY3UvbUZpUXVCS3F4aEU2VjlPUT09>

Meeting ID: 979 1749 5774 Passcode: 724800

One tap mobile +16694449171, US+16699009128, US (San Jose)

AGENDA

Notification: *The meetings may be audio recorded for note taking purposes. These recordings are deleted once the meeting summary is approved by the Academic Senate.*

ADA statement: If you need a disability-related modification or accommodation (including auxiliary aids or services) to participate in the public meeting, or if you need an agenda in an alternate form, please contact the Academic Senate Office at academicsenateinfo@canyons.edu College of the Canyons

A. Routine Matters

1. Call to order
2. Public Comment
 - *This portion of the meeting is reserved for persons desiring to address the Academic Senate on any matter not on the agenda. No action will be taken. Speakers are limited to three minutes. Public questions or comments can be submitted via email at academicsenateinfo@canyons.edu or asked via zoom chat feature.*
3. Approval of the Agenda
4. Committee Appointments:
5. Sub-Committee Summaries: none
6. Approval of the Consent Calendar

Academic Senate Summary, September 22, 2022 (pg. 3-6)	Curriculum Committee Summary, September 29, 2022
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B. Reports

These are informational items no discussion or action will be taken. However, clarification questions are welcomed.

1. Faculty Professional Development Committee (FDPC), Teresa Ciardi (pg. 7)
2. Academic Senate Presidents Report, David Andrus

C. Action Items

Below is a list of items that the Senate will take action on. Discussion is welcomed by all attendees.

1. Revised Discipline memos & Discipline Assignments for new full-time faculty hired Fall 2022 (pg. 8-11)

David Pevsner, Kinesiology/PTA Assistant Director	Samir Hamawe, Counselor EOPS/CARE)
Rebecca Kochanowsky, Biology (Microbiology)	XanTh Stack, Land Surveying

2. New full-time temporary (pg. 12)

Claudenice Braga-McCalister, Construction Management and Construction Tech.

3. BP 4400 Community Services Programs Policy, Gary Collis (pg. 13)

D. Discussion

Below are items that the Senate will discuss and no action will be taken. Discussion is welcomed by all attendees.

1. Campus Evacuation Drill, Jim Temple
2. Academic Freedom Report, Chris Blakey (pg. 14-23)
3. Accreditation Resolution Library, Peter Hepburn & Jennifer Thompson (pg. 24)
 - a) [ASCCC resolution](#)
 - b) Current ACCJC Accreditation Standards: https://accjc.org/wp-content/uploads/Accreditation-Standards_-Adopted-June-2014.pdf
 - c) Draft ACCJC Accreditation Standards revisions: <https://accjc.org/wp-content/uploads/Draft-Standards-Fall2022.pdf>
4. [Student, Equity and Achievement \(SEA Plan\)](#), Dr. Jasmin Ruys
5. Face-to-Face Modality Student Contact Hours Reminder, David Andrus

E. Unfinished Business

Below is a list of items that can be discussed for a future date.

1. Academic Integrity Taskforce
2. CTE Toolkit Rubrics
3. Academic Senate Survey
4. Climate Survey

F. New Future Business

Request to place an item for a future agenda is welcomed. Below is a list of topics that will be discussed at a future business date.

1. Department Chair Training Workshops
2. Tenure Committee Training Workshops

G. Announcements

- Next Academic Senate Meeting Fall 2022: Oct. 20th, Nov. 3rd, Nov. 17th, Dec. 8th, 2022.
- [2022 Fall ASCCC Addressing the impact of California General Education Transfer Curriculum \(CalGETC\)](#) Webinar: Oct. 3rd, 2023 & Oct. 6th, 2022
- [2022 Fall ASCCC Plenary Session-Hybrid Event:](#) Nov. 3rd – 5th, 2022, The Sheraton Grand Sacramento
- [2023 ASCCC Curriculum Institute-Hybrid Event:](#) July 12th – 15th, 2023, Riverside Convention Center in Riverside.
- [2023 ASCCC Faculty Leadership Institute:](#) June 15th-17th, 2023, Westin San Francisco Airport Hotel.
- [2023 ASCCC Spring Plenary Sessions:](#) April 20th -22nd, 2023, Double Tree by Hilton Hotel Anaheim, Orange County

H. Adjournment

The teleconference is accessible through the following link:

<https://canyonsonline.zoom.us/j/97917495774?pwd=SExPY3UvbUZpUXVCS3F4aEU2VjI PUT09>

Please note:

This meeting will be broadcasted at the following locations via zoom

1. Canyon Country Campus, Don Takeda Science Center, located at 17200 Sierra Highway, Santa Clarita CA. Office #CCLV-336
2. 6405 SW Puppy Place, Bentonville, AR
3. 100 Capitol Mall Sacramento, CA. 95714

Academic Senate Retreat Meeting Summary for September 22, 2022

Voting Members					
Senate President	David Andrus	X	Business Senator	Gary Quire	X
Vice President	Lisa Hooper	X	Learning Resources Senator	Jennifer Thompson	X
Curriculum Chair	Tricia George	X	Personal & Professional Learning Senator	Garrett Rieck	A
Policy Review Chair	Gary Collis	X	At Large Senator	Ambika Silva	X
AT Senator	Regina Blasberg	X	At Large Senator	Jennifer Paris	X
MSHP-MSE Senator	Shane Ramey	X	At Large Senator	Erica Seubert	X
MSHP-HPPS Senator	Tammy Bathke <i>via Zoom</i>	X	At Large Senator	Rebecca Shepherd	X
VAPA Senator	David Brill	X	At Large Senator	Benjamin Riveira	A
Student Services Senator	<i>Jesse Vera proxy for Garrett Hooper</i>	X	Adjunct Senator	Arshia Malekzadeh	X
Humanities Senator	Mike Harutunian	X	Adjunct Senator	Jesse Vera	X
Kinesiology/Athletics Senator	Phil Marcellin	A	Adjunct Senator	Mireya Milian	X
SBS Senator	Tammera Rice <i>via Zoom</i>	X	X= Present	A= Absent	

Non-voting Members			
Dr. Omar Torres	A	Jeff Gregor	X
Marilyn Jimenez	X	Jason Burgdorfer (COCFA President)	X
Dan Portillo (Warren Heaton AFT Rep)	A	ASG Student Representative- Jesse McClure	A

Guest							
Andy McCutheon	X	Jeff Gregor	X	Lisa Sawyer	X	Steve Erwin	X
Claudenice Braga McCalister	X	Jennifer Smolos	X	Michael Felix	X		
Emauel Menjivar	X	Jesse McClure	X	Michelle Reina	X		
Erika Torgeson	X	Jessica Crowley	X	Siane Holland	X		

A. Routine Matters

1. Call to order: 3:00pm
2. Public Comment:
 - I. Verbal attendance roll call will no longer be done as the meetings are now in hybrid format
 - II. Homecoming, tailgate, and the football game will be held on Thursday, 10/13. All are encouraged to attend.
 - III. Request to agendize as a discussion item the issue with face-to-face classes becoming de facto online classes. This conversation will be collaborative with administration.

- IV. The Veterans Resource Center has partnered with LA Country to provide the Veterans Care Access on Tuesdays and Thursday 9am-4pm in the VRC. This service provides services for veterans and their families.
- V. What is the process for notifying students there is a new instructor and syllabus after the semester has started? This item will be agendized as this may relate to Academic Freedom.
3. Approval of the Agenda:
 - I. Agenda was modified and Discussion item #2 was tabled. This item will return in two weeks. There was a request to remove immediate past president title from the voting members list as this is no longer a position.
 - II. Motion to approve the agenda with the amended changes by Erica Seubert, seconded by Gary Quire. Jesse Vera proxy for Garrett Hooper, yes. Unanimous. Approved.
4. Committee Appointments:
 - I. These are committee list are almost complete.

Academic Senate Sub-Committee List	Operational Committee List
Collegial Committee List	

5. Sub-Committee Summaries: none
6. Approval of the Consent Calendar
 - I. Motion to approve the consent calendar by Mike Haratunian, seconded by Rebecca Shepherd. Jesse Vera proxy for Garrett Hooper. Lisa Hooper abstained. Approved.

Academic Senate Summary, September 8, 2022 (pg. 3-6)	Curriculum Committee Summary , Sept. 15, 2022
Program Viability Committee <ul style="list-style-type: none"> • Program Initiation and Proposal for a new program: Occupational Therapy Assistant (OTA) 	

B. Reports

These are informational items no discussion or action will be taken. However, clarification questions are welcomed.

1. Minimum Qualification & Equivalencies (MQE) Committee, Alisha Kaminsky (pg. 7-8)
 - I. This report is in written format
2. Academic Senate Presidents Report, David Andrus
 - [Academic Senate Program Review](#)
 - [Academic Senate Survey](#)
 - I. Communications Officer: Dustin Silva has sent out a call for nominations, however no nominations have been received. This position is open to all full-time tenured or tenured track faculty. The main role will be to oversee the Senate newsletter. This is a two-year voting position serving from 7/1/22-6/30/2024.
 - II. Budget Report: There will be a Senate budget report at a future fall, 2022 meeting of the Senate. The Program Review included was from last year. If anyone thinks there are any areas the Senate needs to involve themselves in, please contact David. The travel account has been allocated \$6,700. With the increase in in-person meetings, travel funds will go quickly.
 - III. COC Budget: The Chancellor stated this is an innovators budget. There are many new programs being developed and it is important to continue sustaining existing programs. Smaller, single-and two-member departments will be brought in to discuss what they may need.

- IV. Educations Facilities Master Plan (EFMP): Many of the prompts are for departments are courses, however there are areas such as for the Senate. David will submit for a larger meeting space in the EFMP.
- V. Senate Executive Committee/Faculty Awards: This is an evolving process and will continue to be discussed. Some of the documents might need to return to Senate for approval. The process for award nominations may be changed to begin in early spring 2023.
- VI. Alicia Le Valley's office sent the Academic Senate survey to all members of the Academic Senate. The survey was e-mailed in David's name. Please complete the survey.

C. Action Items

Below is a list of items that the Senate will take action on. Discussion is welcomed by all attendees.

- 1. Part-Time Faculty MQE For Fall 2022 Part 2 (pg. 9-19)
 - I. Motion to approve the Part-Time Faculty MQE For Fall 2022 Part 2 by Regina Blasberg, seconded by Tamera Rice. Jesse Vera proxy for Garrett Hooper, yes. Unanimous. Approved.
- 2. Revised Discipline memos & Discipline Assignments for new full-time faculty hired Fall 2022 (pg. 20-23)
 - I. Motion to approve the discipline memos for the new full-time faculty by Mike Harutunian, seconded by Shane Ramey. Jesse Vera proxy for Garrett Hooper, yes. Unanimous. Approved.

Juanita "Nena" Jaramillo, Nursing	Rana Akiel, Chemistry
Kimberly Night, Automotive Technology	Nerissa Yuhico, Nursing

D. Discussion

Below are items that the Senate will discuss and no action will be taken. Discussion is welcomed by all attendees.

- 1. Campus Climate Change Initiatives, Jim Schrage and Jeanni Chari
 - I. This item was tabled.
- 2. Self Service/Student Registration (Open/Closed Designation), David Andrus (pg. 24)
 - I. Several suggestions were presented including clarifying what "open" and "closed" means for students, adding instructors email address, adding instructor websites, displaying course modality next a course section, renaming the course catalog, better management of the waitlist system and add deadlines based upon an agreed course percentage length.
 - II. There was a request for the Senate to re-vote on whether a class should truly close on the first day of class (and thereafter only allow for student adds authorized by instructors) or if it should continue to remain open and allow students to self-enroll past the first day of instruction, through to the census date. Steve Ruys and Lisa Sawyer requested collective feedback and suggestions from the Senate. This item will return.
- 3. BP 4400 Community Services Programs Policy, Gary Collis (pg. 25)
 - I. There was clarification that the Community Services Programs is Community Education. This policy tracks the CCLC model language, puts the BOT endorsement and formalizes the language in Ed Code, section 7300. There is was a question as to why there is no clarification to the distinction between non-credit and not for credit in the policy. This policy will return as an action item.

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2. Tenure Committee Training Workshops

G. Announcements

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- 2022 ASCCC Role of local Academic Senates and Curriculum Committees in regard to GE Webinar: Sept. 27th, 2022
- 2022 Fall ASCCC Addressing the impact of California General Education Transfer Curriculum (CalGETC) Webinar: Oct. 3rd, 2023 & Oct. 6th, 2022
- 2022 Fall ASCCC Plenary Session-Hybrid Event: Nov. 3rd – 5th, 2022, The Sheraton Grand Sacramento
- 2023 ASCCC Curriculum Institute-Hybrid Event: July 12th – 15th, 2023, Riverside Convention Center in Riverside.
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Please note: This meeting will be broadcasted at the following locations via zoom

1. 1117 Walnut Street, Inglewood, CA 90301
2. 6405 SW Puppy Place, Bentonville, AR.

Faculty Professional Development Committee

09.30.2022 Updates

- Planning for Spring 2023 FLEX Week has commenced
- FLEX themes continue to be transitioning our teaching practices with a new lens (post-pandemic) and making connections
- In response to post-pandemic trends and need for compassion and flexibility in a post-pandemic world, the FPDC is recommending to the Academic Senate that the deadline of 21 days after an activity has been completed be a request rather than a requirement
- We are seeking individuals to lead “connection” focused workshops – connecting faculty to each other through common likes, goals, hobbies, etc.

HUMAN RESOURCES OFFICE

Date: September 2, 2022

To: David Andrus
President, Academic Senate

From: Miranda Zamudio
Administrative Assistant

Subject: Discipline Assignment for David Pevsner

Name: David Pevsner

Position: Faculty Director Physical Therapist Assistant Program

Discipline Assignment: Physical Therapy Assisting

The minimum qualifications for the discipline of Physical Therapy Assisting:

- ✓ Any Master's degree from a regionally accredited college; AND
- ✓ Five (5) years (or equivalent), full-time, post licensure experience that includes a three (3) years (or equivalent), full-time recent clinical experience within any US jurisdiction; AND
- ✓ One (1) year (or equivalent), full-time, didactic and/or clinical teaching experience; AND
- ✓ One (1) year (or equivalent), full-time, experience in administration/management; AND
- ✓ One (1) year (or equivalent), full-time, experience in contemporary educational theory and methodology, instructional design, student evaluation and outcome assessment, including the equivalent of nine credits of coursework in educational foundations, or previous CAPTE-granted exemption.

David Pevsner meets the minimum qualifications with:

- Doctorate degree in Physical Therapy from University of California, Los Angeles
- Masters degree in Orthopedic Manual Therapy from OI Grimsby Institute, Taylorsville, Utah
- 10 years as a Senior Professor at Casa Loma College and Physical Therapy Assistant Program Director
- 34 years of clinical private practice in Physical Therapy

HUMAN RESOURCES OFFICE

Date: September 2, 2022

To: David Andrus
President, Academic Senate

From: Miranda Zamudio
Administrative Assistant

Subject: Discipline Assignment for Samir Hamawe

Name: Samir Hamawe

Position: Counselor (EOPS/CARE)

Discipline Assignment: Counseling: Extended Opportunity Programs and Services (EOPS)

The minimum qualifications for the discipline of Counseling:

- Possession of an unexpired California Community College Counselor Credential in the appropriate area OR
- ✓ A Master's degree in counseling, rehabilitation counseling, clinical psychology, counseling psychology, guidance counseling, educational counseling, social work or career development, or the equivalent AND
- ✓ Have completed a minimum of nine semester units of college course work predominantly relating to ethnic minorities or persons handicapped by language, social or economic disadvantages OR have completed six semester units or the equivalent of a college-level counseling practicum or counseling field-work courses in a community college EOPS program, or in a program dealing predominantly with ethnic minorities or persons handicapped by language, social or economic disadvantages AND
- ✓ Have two years of occupational experience in work relating to ethnic minorities or persons handicapped by language, social or economic disadvantages

Samir Hamawe meets the minimum qualifications with:

- Masters degree in College Counseling and Student Services from California State University, Northridge
- 12 semester units of college course work predominantly relating to ethnic minorities or persons handicapped by language, social or economic disadvantages
- 6.32 years of professional experience directly related to the faculty member's counseling assignment

HUMAN RESOURCES OFFICE

Date: September 2, 2022

To: David Andrus
President, Academic Senate

From: Miranda Zamudio
Administrative Assistant

Subject: Discipline Assignment for Rebecca Kochanowsky

Name: Rebecca Kochanowsky

Position: Biology (Microbiology) Instructor

Discipline Assignment: Biological Sciences

The minimum qualifications for the discipline of Biological Sciences:

- Possession of an unexpired California Community College Instructor Credential in Biological Sciences OR
- Master's in Biological Science OR
- ✓ Bachelor's in any biological science AND Master's degree in biochemistry, biophysics, or marine science.

Rebecca Kochanowsky meets the minimum qualifications with:

- Doctorates in Microbiology from University of Arizona, Tucson
 - Bachelors in Nutritional Sciences from University of Arizona, Tucson
 - 9.22 years of professional experience directly related to the faculty member's teaching assignment
-

HUMAN RESOURCES OFFICE

Date: September 2, 2022

To: David Andrus
President, Academic Senate

From: Miranda Zamudio
Administrative Assistant

Subject: Discipline Assignment for XanTh Stack

Name: XanTh Stack

Position: Land Surveying

Discipline Assignment: Engineering Support (Surveying, Engineering Aides)

The minimum qualifications for the discipline of Engineering Support (Surveying, Engineering Aides):

- Possession of an unexpired California Community College Instructor Credential in Land Surveying OR
- ✓ Any Bachelor's degree and two (2) years of full-time equivalent professional experience directly related to the faculty member's teaching assignment or the equivalent* OR
- ✓ Any Associate degree and six (6) years of professional experience directly related to the faculty member's teaching assignment or the equivalent*

XanTh Stack meets the minimum qualifications with:

- Bachelors degree in Construction Engineering Technology from California State Polytechnic University, Pomona
 - 11.82 years of professional experience directly related to the faculty member's teaching assignment
-

HUMAN RESOURCES OFFICE

Date: September 2, 2022

To: David Andrus
President, Academic Senate

From: Miranda Zamudio
Administrative Assistant

Subject: Discipline Assignment for Claudenice Braga-McCalister

Name: Claudenice Braga-McCalister

Position: Construction (Management and Construction Technology) Instructor
Temporary, Non-Tenure Track 1-Year Position

Discipline Assignment: Construction Management and Construction Technology

The minimum qualifications for the discipline of Construction Management and Construction Technology:

- Possession of an unexpired California Community College Instructor Credential in Construction Management/ Technology. OR
- ✓ Any bachelor's degree and two (2) years of full-time equivalent professional experience directly related to the faculty member's teaching assignment or the equivalent; OR
- Any associate degree and six (6) years of professional experience directly related to the faculty

Claudenice Braga-McCalister meets the minimum qualifications with:

- Bachelors degree in Civil Engineering from University of Pernambuco, Recife, Brazil
- 13.69 years of professional experience directly related to the faculty member's teaching assignment

Santa Clarita Community College District
COLLEGE OF THE CANYONS



BP 4400 Community Services Programs

Reference:

Education Code Section 78300

1. The District shall maintain a community services program that may consist of classes in civic, vocational, literacy, health, family and consumer sciences, technical and general education, including but not limited to classes in the fields of music, drama, art, handicraft, science, literature, nature study, nature contacting, aquatic sports and athletics.
2. The community services program shall be designed to contribute to the physical, cognitive, economic, or civic development of the individuals or groups enrolled in it.
3. Community services courses shall be open for admission of adults and of minors who can benefit from the programs.
4. No General Fund monies may be expended to establish or maintain community services courses. Students involved in community services courses may be charged a fee not to exceed the cost of maintaining the courses. Courses may also be offered for remuneration by contract or with contributions or donations of individuals or groups.

See Administrative Procedure AP 4400

Approved by CPC XX/XX/XX

Approved by Board xx/xx/xx

**Committee on Academic Freedom
Conditional Report:**

**What are the Essential Parameters of Academic Freedom Inside and
Outside the Classroom?**

September, 2022

Chris Blakey
Chair

Kelly Burke
Member

Robert Farkas
Member

Tricia George
Member

Urvashi Juneja
Member

Karyl Kicenski
Member

Deanna Riveira
Member

Lauren Rome
Member

Prepared for College of the Canyons Academic Senate

**What are the Essential Parameters of Academic Freedom Inside and
Outside the Classroom?**

I. Introduction

The importance of academic freedom for college and university faculty has long been regarded as fundamental to the educational mission of institutions of higher education. Yet even though the central importance of academic freedom is almost universally acknowledged in academia, there remain questions and confusions about its precise nature and the scope of its application. This Conditional Report will attempt to clarify these matters as they relate to faculty expression inside the classroom and outside the classroom. It will also provide brief comment on several “problem areas” that regularly appear as concerns of the surrounding community and of students. The Report will attempt to touch on central concerns, with full acknowledgement that not all relevant concerns can be addressed in this Report.

II. Academic Freedom: What is it and Why does it Matter?

- A. The Organization of American Historians (OAH) sums it up nicely: “Academic freedom is the principle of freedom of expression for scholars engaged in discipline-related teaching, learning, research, publication and service. Academic freedom is the foundation of intellectual discovery, it ensures an open search for knowledge and nourishes the environment within which students develop critical habits of mind essential to the citizenry of a democratic society. Academic freedom entails both rights and responsibilities.”¹
- B. The American Association of University Professors (AAUP) affirms that academic freedom is foundational because “the common good depends on the free search for truth and its free expression”.²
- C. Academic freedom includes the freedom of faculty to choose materials for their courses, including textbooks, and to arrange assignments and assessments as they see fit.³
- D. All rights and responsibilities related to academic freedom in the classroom apply equally to full-time (tenured and non-tenured) as well as part-time (non-tenured) instructors.
- E. The protection offered by academic freedom to faculty in a given discipline is critical because it allows those faculty the space needed to work out differing

¹ “Academic Freedom Guidelines and Best Practices,” *Organization of American Historians*, <https://www.oah.org/about/governance/policies/academic-freedom-guidelines-and-best-practices/>.

² “1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 14.

³ “The Freedom to Teach,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 28. This is subject to relevant limits including consistency with the Course Outline of Record, and democratically determined departmental policy on texts for multiple sectioned or sequential courses.

viewpoints, bodies of evidence, and ways to approach the material. Essentially, faculty and scholars more broadly learn how to conduct research and pursue truth in their particular fields as part of their professional training, and that training then allows each scholar to assess ideas in relation to their discipline.⁴ However, over the course of a given scholar's career, their individual understanding of their chosen field will inherently continue to develop. In turn, as a given scholar collaborates with fellow scholars and students – each bringing to the table different areas of expertise, interests, backgrounds, influences, and the like – faculty test and refine the insights of fellow academics in their disciplines, which is a fundamental aspect of how humans have learned and continue to learn within college and university systems. The principle of academic freedom allows such intellectual discoveries to unfold.⁵

III. What Does Academic Freedom Imply for Faculty Speech in the Classroom?

- A. In the classroom, faculty have the freedom “affording instructors wide latitude to decide how to approach a subject, how best to present and explore the material, and so forth”.⁶ This includes the freedom to discuss any controversial ideas that are germane to the subject matter.
- B. The AAUP *1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments* does note that faculty “should be careful not to introduce into their teaching controversial matter which has no relation to their subject,”⁷ but specifically notes the intent of this statement is not to discourage the discussion of controversial material. And it further states: “Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The [above noted] passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.”⁸

⁴ Building on this point, it's worth noting that there is no perfect body of knowledge in anyone's mind or even yet in this world as a whole. In other words, pursuing the truth of a given academic discipline is complex as no one gets the whole of it, especially if a given scholar is one of the earlier minds to produce work in that field or if they study a field without many other contributors. That means scholars will naturally make mistakes and thus rely on the pertinent insights of others to reveal their blind spots.

⁵ See the Appendix for further exploration of some historical context to consider about how intellectual discoveries take time and often many contributors.

⁶ “Freedom in the Classroom,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 20.

⁷ “1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 14.

⁸ “1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 14, note 4.

- IV. What counts as relevant classroom material?
- A. What counts as relevant class material cannot be strictly determined merely by reference to the wording of the course description. As the AAUP notes: “Whether material is relevant to a better understanding of a subject matter cannot be determined merely by looking at the course description.”⁹
- B. It is quite easy to see how a teacher in literature, history, philosophy, or critical reasoning might helpfully use an illustration that has to do with former president Donald Trump or with some recent U.S. policy issue in order to encourage deeper thought and to demonstrate the relevancy of a subject. There may be parallels between a character in a literary work and a modern personality, there may be historical parallels relating to societal dynamics, there may be illuminating examples of behavior that might illustrate a point in moral philosophy, or perhaps examples of political rhetoric that clearly illustrate fallacious reasoning. While such specific examples may not in any way be named or mentioned in course descriptions or course outlines, “if an instructor cannot stimulate discussion and encourage critical thought by drawing analogies or parallels, the vigor and vibrancy of classroom discussion will be stultified.”¹⁰ And further, the fact that some students may not clearly grasp how an instructor’s use of contemporary persons or events connect to class material, does not justifiably rule out their use as germane to the subject.
- C. Cases in which an instructor persistently introduces subject matter that clearly has no relevance to issues being discussed in class, and about which the instructor makes no in-class effort to clarify the relationship between that subject matter and course content, or which does not afford students opportunity to apply concepts being discussed in class, are not appropriate, and are not protected by academic freedom in the classroom.
- V. How Does the Right to Free Speech Relate to Academic Freedom in the Classroom?
- A. Academic freedom is a specifically aimed protection for college and university faculty members for the purpose of allowing unrestricted pursuit of knowledge and truth in their respective fields of study through research, teaching, publication, and service. Academic freedom assumes the faculty member has

⁹“Freedom in the Classroom,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 24.

¹⁰ “Freedom in the Classroom,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 24.

the training and discipline-related knowledge to carry out this pursuit in an appropriate way. In relation to this Conditional Report, it has to do with faculty speech in the classroom, and it is limited by what is relevant and helpful in the teaching process in any particular class.

- B. Freedom of speech is a right that all people within the jurisdiction of the United States possess. It covers all forms of speech, and (unlike with academic freedom) is not subject to the level of the speaker's knowledge or expertise in a particular subject matter.¹¹
- C. So, even though all U.S. citizens, including faculty who are citizens, possess the right to freedom of speech, it does not follow that a faculty member can justify *any* in-class verbal expression merely by citing their right to freedom of speech. When in the classroom, a faculty member's speech is limited in the ways appropriate to the concerns of their subject matter in the ways discussed above in this Conditional Report.

VI. What Does Academic Freedom Imply for Faculty Expression Outside the Classroom?

- A. The *AAUP 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments* says "College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution."¹²
- B. Thus, it is clear that while college and university teachers enjoy the right of freedom of expression¹³ outside the classroom as do other citizens, being members in the academic profession carries with it certain expectations and duties. These duties are to their institution, to their profession, and to their

¹¹ It should be noted that freedom of speech is not an absolute right, and there are a number of cases that are legally regarded as limiting free expression. Such cases arise when forms of expression may negatively affect less privileged groups' freedom of expression, negatively affect national security, or cause other harms documented in various official court proceedings.

¹² "1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments," AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 14.

¹³ This would include, but not be limited to, verbal expression, writing, and interactions on social media.

respective discipline, as related to what is appropriate in the pursuit of intellectual discovery.

- C. Cases may arise in which college or university administration may object that a faculty member, in some extracurricular verbal expression, has violated the duties or responsibilities associated with faculty membership, and is therefore, unfit for their position in the institution. In such cases, “The controlling principle is that a faculty member’s expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member’s unfitness for his or her position. Extramural utterances rarely bear upon the faculty member’s fitness for the position. Moreover, a final decision should take into account the faculty member’s entire record as a teacher and scholar.”¹⁴

VII. How does Academic Freedom relate to Electronic Communications?

- A. Introduction - Changes in technology continue to proliferate creating new ways to use electronic communication devices within a growing number of contexts—both inside and outside academia. The trends in the use of electronic media by faculty for both personal and professional uses consequently complicate the boundaries of the “classroom.” As AAUP argues “a classroom is not simply a physical space, but any location, real or virtual, in which instruction occurs...” This Report affirms that regardless of classroom type, material or virtual, “the protections of academic freedom and a faculty member’s rights to intellectual property in lectures, syllabi, exams, and similar materials are as applicable as they have been in the physical classroom.”¹⁵ In short, from the perspective of digital communication, a distinction between inside and outside classroom walls becomes rather meaningless, as the AAUP has noted. In this way, this Report affirms that research and publication, teaching, email, and other professional communication facilitated by electronic means ought to be protected by the principles of academic freedom, free inquiry, and freedom of expression. What follows in this Section highlights some central concerns regarding the relation between academic freedom and electronic communication.
- B. The Internet is widely used in today’s world for research and publication. The 2004 AAUP report affirmed: “The basic precept in the 1940 *Statement of Principles on Academic Freedom and Tenure* that, teachers are entitled to full freedom in research and the publication of the results applies with no less force to the use of electronic media for the conduct of research and dissemination of

¹⁴ “1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments,” AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 15.

¹⁵ AAUP, *Report on Academic Freedom and Electronic Communications*. (November 2013) 46.
<https://www.aaup.org/report/academic-freedom-and-electronic-communications-2014>

findings and results than it applies to the use of more traditional media.”¹⁶

Faculty members who publish digitally are the copyright owners of their research and may decide how their research is accessed. The AAUP’s *Statement on Copyright* affirmed, “it has been the prevailing academic practice to treat the faculty member as the copyright owner of the works that are created independently and at the faculty member’s own initiative for traditional academic purposes.”¹⁷

- C. The concept of the classroom has broadened in recent times. The commonality of offering learning materials via online learning-management systems and the rapid development in online education, “suggests that academic freedom in online classrooms is no less critical than it is in the traditional classroom”.¹⁸ Faculty websites and postings on online learning-management systems should enjoy the protection of academic freedom. However, “instructors should exercise care when posting material for courses on department faculty sites that also include potentially controversial *non-instructional* material.”¹⁹ This is for the purpose of differentiating what is course content and what is not.
- D. “The 1940 *Statement of Principles* cautions that faculty members when speaking as citizens outside the institutional setting, ‘should make every effort to indicate that they are not speaking for the institution’²⁰.” But the digital world is not as black and white as a printed document. A statement made by a faculty member on a website or through email or social media may be distributed broadly within minutes, and any disclaimer that the institution bears no responsibility for the statement may be lost. The nature of electronic communication is such that any statement can be decontextualized. Thus, faculty members cannot be held responsible for always indicating that they are speaking as individuals and not in the name of their institution, “especially if doing so will place an undue burden on the faculty member’s ability to express views in electronic media.”²¹
- E. Therefore, academic freedom should apply to faculty members’ posted content within electronic social media. Each ought to “have the freedom to address the larger community with regard to any matter of social, political, economic, or other interest without institutional discipline or restraint, save in response to

¹⁶ AAUP, *Academic Freedom and Electronic Communications*, November 2013, 43. *Academe* 91(January – February 2005) 55-59.

¹⁷ AAUP, *Policy Documents and Reports*, 11th Ed. (Baltimore: John Hopkins University Press, 2015), 264.

¹⁸ AAUP, *Policy Documents and Reports*, 11th Ed. (Baltimore: Johns Hopkins University Press, 2015), 46.

¹⁹ AAUP, *Policy Documents and Reports*, 11th Ed. (Baltimore: Johns Hopkins University Press, 2015), 47.

²⁰ AAUP, *Policy Documents and Reports*, 11th Ed. (Baltimore: Johns Hopkins University Press, 2015), 49.

²¹ AAUP, *Policy Documents and Reports*, 11th Ed. (Baltimore: Johns Hopkins University Press, 2015), 50.

fundamental violations of professional ethics or statements that suggest disciplinary incompetence.”²²

- F. According to the AAUP’s 2013 report *Academic Freedom and Electronic Communications*, “The AAUP has upheld the right of faculty members to speak freely about internal college or university affairs as a fundamental principle of academic freedom that applies as much to electronic communications as it applies to written and oral ones. This includes the right of faculty members to communicate with one another about their conditions of employment and to organize on their behalf.”²³

²² “Protecting an Independent Faculty Voice: Academic Freedom after *Garcetti v. Ceballos*,” *Policy Documents and Reports*, 126–29.

²³ AAUP, *Academic Freedom and Electronic Communications*, November 2013, 48.

Appendix

Why Academic Freedom Matters, a Historical Perspective

While the origins of some Western universities date back to the 11th – 13th c.²⁴, the true value in these universities becomes clearer in the Enlightenment due to developments such as the Scientific Revolution. This can be seen, for example, with Isaac Newton's contributions to establish what is now known as the Scientific Method with his pioneering study of prisms when he published *Opticks* (1704).²⁵ Newton's research approach can be credited at least in part due to his autonomy in his field which was respected by the University of Cambridge, which allowed him to decide how to choose his focus for research, how to set up his experiment, and also how to write up and publish his results. And yet, while helping to establish the Scientific Method was pivotal in the progression of scientific thought, it's important to note that it took generations for scientists across Europe to learn how to set up formal experiments and also how to study evidence thoroughly before presenting their results to others. This messiness can be seen with James Lind's experiments in 1747 to discover a cure for scurvy in that the design of his experiment was elegant and simple, and yet he buried his conclusion in a 450-page treatise that touched on numerous other ideas, which meant that the significance of his findings about citrus fruits was lost for another 40 years.²⁶ Indeed, pivotal scholars and their ideas don't and realistically can't change their field all at once. Rather, like rippling waves, their insights affect individuals one at a time, with each scholar needing time and space to absorb and make sense of these new ideas.

Likewise, scholars today continually absorb, apply, and sometimes refine the insights of peers in their respective disciplines, continually demonstrating how messy the nature of scholarship and academic discourses can be. For example, widely accepted and taught scientific theories like Newton's own theory of gravity and Bohr's model of the atom are up for debate as new minds

²⁴ The University of Oxford was founded in the 11th c., the University of Cambridge in the 13th c., and the University of Paris in the 13th c., and so these three are among the oldest universities in the West and even in the world: "Introduction and history," *The University of Oxford* online, 2022, <https://www.ox.ac.uk/about/organisation/history>; "Cambridge through the Centuries," *University of Cambridge* online, 2022, <https://www.cam.ac.uk/about-the-university/history/timeline>; "History," *Sorbonne University* online, 2022, <https://www.sorbonne-universite.fr/en/university/history-and-heritage/history>.

²⁵ While his experiments about gravity are his most famous, it was actually Newton's prism experiment which truly revolutionized scientists' ability to learn about the world. His decision to document his whole experimental procedure when publishing his findings about prisms and light in his text called *Opticks* (1704) – in other words, his willingness to share how he conducted his research so that others could repeat the experiment – is considered an important step in the development of the Scientific Method, such as can be read in Stephen A. Edwards, "Isaac Newton and the problem of color," *American Association for the Advancement of Science*, 2012, <https://www.aaas.org/isaac-newton-and-problem-color>; "The Age of Enlightenment: The Scientific Revolution," *Lumen Learning* online, 2022, <https://courses.lumenlearning.com/boundless-worldhistory/chapter/the-scientific-revolution/>.

²⁶ Marcus White, "James Lind: The man who helped to cure scurvy with lemons," *BBC News* online, 2016, <https://www.bbc.com/news/uk-england-37320399>.

and new generations of scholars approach old ideas with new lenses and technology.²⁷ However, if – as a given scholar explores the realm of their discipline – there is suddenly a threat that they can be removed from their classes, publicly humiliated, lose their job, or be otherwise punished for mistaken ideas which are often the building blocks of how humanity learns, that will create a chilling effect over the whole of what faculty do and why they were drawn to the world of colleges and universities – i.e. the world of ideas – in the first place. Academic work is not that of an Olympic gymnast trying always to score a perfect 10 in front of a panel of judges by producing an agreed upon routine of moves already invented and performed by others. Rather, when academics work, it is more akin to a team of detectives as they continually sort through and question what they already know, what they think they know, and what they need more information about as they solve the mysteries of their given fields.

²⁷ For example, consider Adrian Cho, “Famous shadow of black hole provides novel test for new theories of gravity: Your cool new theory dies immediately if it can’t get the size of that shadow right,” *Science*, 2020. <https://www.science.org/content/article/famous-shadow-black-hole-provides-novel-test-new-theories-gravity>; John Horgan, “David Bohm, Quantum Mechanics and Enlightenment: The visionary physicist, whose ideas remain influential, sought spiritual as well as scientific illumination,” *Scientific American*, 2018, <https://blogs.scientificamerican.com/cross-check/david-bohm-quantum-mechanics-and-enlightenment/>.

ACADEMIC SENATE DISCUSSION ITEM

DISCUSSION ITEM TOPIC:

ACCJC Proposed Accreditation Standards for Library and Counseling Services

ISSUE/ITEM BACKGROUND:

The ACCJC is proposing revisions to its accreditation standards. This discussion item is focused specifically on existing Standards IIB & IIC that were adopted in 2014. COC librarians and counselors have informed COC Senate leadership that the proposed revisions need to be reviewed and discussed by the COC Academic Senate. Currently, ACCJC is welcoming input regarding the proposed changes. The initial proposed changes to the standards either limited or excluded direct reference to library and counseling services. However, the standards have since been updated to be more inclusive. Nevertheless, it is the responsibility of the Academic Senate to be informed of these changes and provide feedback to COC librarians and counselors so they may convey our concerns and recommendations back to their active collegial list serves and eventually to the ACCJC. In short, we as the Senate should conduct our due diligence on this matter and contribute to the final adopted version of the ACCJC accreditation standards.

The links in this agenda are to a related pending ASCCC statewide resolution, as well as the existing and proposed ACCJC standards.

ISSUE/ITEM TO BE DETERMINED:

At this time, this item is for discussion only. Senate leadership is open to any action COC librarians and counselors might recommend as a result of this discussion.