



# College of the Canyons Academic Senate

February 27, 2025

3:00 p.m. to 4:50 p.m.

Hybrid Format, via Zoom & in-person in BONH 330

## Join Zoom Meeting

<https://canyonsonline.zoom.us/j/83788078102?pwd=B3bKUsRrA4wOCQggKayblQ9r7Hqa63.1>

Meeting ID: 837 8807 8102; Passcode: 834823

One tap mobile +16694449171 US +17193594580 US

**Additional Teleconferencing locations can be found on page 2 of this agenda.**

## 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](mailto: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](mailto:academicsenateinfo@canyons.edu) or asked via zoom chat feature.*
3. Approval of the Agenda
4. Committee Appointments:
  - Erin Delaney, Hiring Committee Appointments
  - Benjamin Riviera, Technology Committee
  - Aivee Ortega, Department Chair for Counseling (*for instructional & non-instructional responsibilities*)
5. Sub-Committee Summaries (*information only*): none
6. Approval of the Consent Calendar:
  - Academic Senate Summary, February 13, 2025 (pg. 3-6)
  - [Curriculum Committee Summary](#), February 20, 2025
7. **Reports**

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

  1. Career Education Committee Annual Chair Report, Gary Quire (pg. 7-9)
  2. Academic Senate Presidents Report, Lisa Hooper

### B. Action Items

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

1. BP & AP 3710 (Copyrights), Nicole Faudree & Gary Collis
  - BP 3710 Copyrights (pg. 10)
  - AP 3710 Copyrights (pg. 11-12)
2. BP & AP 3715 (Intellectual Property Rights), Nicole Faudree & Gary Collis

- BP 3715 Intellectual Property Rights (pg. 13)
- AP 3715 Intellectual Property Rights (pg. 14-22)
- 3. AP 3750 (Use of Copyrighted Materials), Nicole Faudree & Gary Collis (pg. 23-26)
- 4. Academic Integrity Committee (AIC) Procedures, Shane Ramey (pg. 27-29)

#### **D. Discussion**

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

1. Senate Election Committee Updated Procedures, Dustin Silva
  - Academic Senate Elections Committee Procedures (pg. 30)
  - Academic Senate Standing Procedures for Department Chair Elections (pg. 31-34)
2. [New Governance Structure](#), Dr. Daylene Meuschke

#### **E. Unfinished Business**

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

1. Artificial Intelligence Resolution

#### **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. Tenure Committee Training Workshops
2. Department Chair Election Procedures
3. Pre-requisite Satisfaction
4. Sabbatical Work Product
5. Adjunct Advisory Council

#### **G. Announcements**

1. Next Academic Senate Meeting Dates Spring 2025: March 13<sup>th</sup>, March 27<sup>th</sup>; April 17<sup>th</sup>; May 1<sup>st</sup>; May 15<sup>th</sup> & May 29<sup>th</sup>
2. [2025 ASCCC Spring Plenary](#): April 24 – 26<sup>th</sup>, Hyatt Regency, Irvine, CA.
3. [2025 ASCCC Curriculum Institute](#): July 9<sup>th</sup>- 12<sup>th</sup>, Ontario Convention Center, Ontario, CA.
4. [2025 ASCCC Faculty Leadership Institute](#): June 12<sup>th</sup> – 14<sup>th</sup>, Hyatt Regency, San Francisco Airport, CA.
5. [2025 Spring Curriculum Regional](#) -South Meeting: Feb. 24<sup>th</sup>, San Bernardino Valley College

#### **H. Adjournment**

The teleconference is accessible through the following link:

<https://canyonsonline.zoom.us/j/83788078102?pwd=B3bKUsRrA4wOCQggKaybIQ9r7Hqa63.1>

**Please note:**

**This meeting will be broadcasted at the following locations via zoom**

*none*

Academic Senate Meeting Summary for February 13, 2025

Voting Members					
Senate President	Lisa Hooper	X	Business Senator	Gary Quire	X
Vice President	Garrett Rieck	X	Learning Resources Senator	Jennifer Thompson	X
Curriculum Chair	<i>Gary Collis proxy for Tricia George</i>	X	Personal & Professional Learning Senator	Garrett Rieck	X
Policy Review Chair	Gary Collis	X	Public Safety	VACANT	
Communications Officer	Erica Seubert	X	At Large Senator	Sab Matsumoto	X
AT Senator	<i>Claudenic McCalister proxy for Regina Blasberg</i>	X	At Large Senator	<i>Shane Ramey proxy for Michelle LaBrie</i>	X
MSHP-MSE Senator	Thomas Gisel	X	At Large Senator	Rebecca Shepherd	X
MSHP-HPPS Senator	Lak Dhillon	X	At Large Senator	Shane Ramey	X
VAPA Senator	<i>Gary Quire proxy for David Brill</i>	X	At Large Senator	Nadia Monosov	X
Student Services Senator	Jesse Vera	X	Adjunct Senator	<i>Erica Seubert proxy for Todd Fatta</i>	X
Humanities Senator	Mike Harutunian	X	Adjunct Senator	Lauren Rome	X
Kinesiology/Athletics Senator	Leora Gabay	X	Adjunct Senator	Linda Beauregard-Vasquez	X
SBS Senator	Jennifer Paris	X	X= Present	A= Absent	

Non-voting Members			
Dr. Thea Alvarado	A	Jennifer Brezina	X
Marilyn Jimenez	X	Jason Burgdorfer (COCFA President)	X
Dan Portillo (AFT President)	A	ASG Student Representative Jesus Martinez (VP of ASG) (via Zoom) & Sanjana Sudhir (Student Trustee)	X

Guest							
Alexa Dimakos	X	Dr. Edel Alonso	X	Julie Johnson	X	Pamela Williams-Paez	X
Amy Foote	X	Dr. Jasmine Ruys	X	Kathrina Almero-Fabros	X	Rosario Gonzalez	X
Cassidy Butow	X	Erin Delaney	X	Michael Felix	X	Ruth Rassol	X
Chad Peters	X	Erik Harnish	X	Nicole Faudree	X	Sara Breshears	X

**A. Routine Matters**

1. Call to order: 3:03pm
2. Public Comment:
  - I. There is concern with enrollment fraud, faculty caseloads and workloads. COCFA will be hosting a town hall with administration to cover this major topic with rep council.
3. Approval of the Agenda:

- Motion to approve the agenda by Mike Harutunian, seconded by Garrett Rieck. Gary Quire proxy for David Brill, (yes, vote). Shane Ramey proxy for Michelle LaBrie, (yes, vote). Claudenice McCalister proxy for Regina Blasberg, (yes, vote). Gary Collis proxy for Tricia George, (yes, vote). Erica Seubert proxy for Todd Fatta, (yes, vote). Unanimous. Approved
- 4. Committee Appointments: none
  - I. If there are any committee members who have expressed interest let Lisa know.
- 5. Sub-Committee Summaries:
- 6. Approval of the Consent Calendar:
  - Academic Senate Summary, December 5, 2024 (pg. 3-7)
    - a. The following changes will be made to the summary. Linda Beauregard Vasquez served as proxy for Lauren Rome proxy and voted in round 1 voted for model C. Mike Harutunian voted no on Round 2.
  - I. Motion to approve the consent calendar by Gary Quire, seconded by Linda Beauregard Vasquez. Gary Quire proxy for David Brill, (yes, vote). Shane Ramey proxy for Michelle LaBrie, (yes, vote). Claudenice McCalister proxy for Regina Blasberg, (yes, vote). Gary Collis proxy for Tricia George, (yes, vote). Erica Seubert proxy for Todd Fatta, (yes, vote). Unanimous. Approved

## B. Reports

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

1. CETL, Julie Johnson & Robert Wonser (pg. 8-10)
  - There is interest in having conversations on how to address issues with BOT students. Julie will relay this information back to the CETL Committee. The meeting is on the 3<sup>rd</sup> Tuesday of the month. Senators were encouraged to check review the written report.
2. Communications Officer Report, Erica Seubert
  - Erica continued to share meeting updates to the Academic Senate listserv. If anyone has any feedback or ideas about the newsletter, please send it to Erica. The idea is to launch the newsletter on spring 25 and there may be a physical and electronic version.
3. Academic Senate Presidents Report, Lisa Hooper
  - **Start of the Spring 25:** The hope is to start out the semester with a collective focus and collaborative effort.
  - **Nighttime Tour of COC Campus:** Lisa toured the COC campus with Campus Safety Director, Reinhardt Schuerger for 3 hours in a gold cart at night. They discovered that some foliage had been removed. There are some lights that don't adapt well to ADT lighting. If anyone comes across any issue let Lisa know.
  - **New Governance Structure:** Dr. Daylene Meuschke will be invited to attend Senate and give a report on the new Governance Structure.
  - **Spring 25 Convocation:** Lisa hosted the convocation. As a reminder, faculty are not required to attend but this is an opportunity to educate faculty. If anyone has any comments or concerns, please let Lisa know.
  - **AB 928 (CALGETC) & AB 1111 (CCN Update):** When all GE Education requires are changes all degree pathways will change. Therefore, all degrees must be modified. Some may or may not have catalog rights to a GE pattern to codify systems.
  - **Program Mapper:** There are many involved in the work of creating program pathways. However, this system does not communicate with Datatel in terms of courses and programs. There has been some conversation with student services, Tricia George and Patrick Backes in regard of making faculty aware that programming maps may change. Students should be directed to counseling due to various variations.
  - **Artificial Intelligence conference:** Shane Ramey will be attending.
  - **Teaching in Higher Ed:** Higher education is being bombarded with challenges that are unique to our time. The district is trying to help all faculty but is aware of all stressors. When people are not feeling well it is hard to function. There are many tools such as preparation and confidence that come from real experience. All faculty are all subject matter discipline experts no matter what is being thrown at them. Many students are required to complete a writing proficiency exam. All automation is increasing the faculty expectation of what they can do in a day. There are unrealistic expectations of what faculty can do. Feelings of well-being happen when faculty relate to students. The constantly redirecting of attention is costing much for many faculties.

### C. Action Items

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

1. Department Chair Training Schedule, Lisa Hooper (pg. 11-13)
  - I. There has been much interest in the Department Chair Training Series schedule. All presenters who are still employed with the college have agreed to present. Additional co-presenters may be added. In the original iteration the 1<sup>st</sup> and last session was in person only. The other workshops will have Zoom or a hyflex option. Once faculty complete all 8 workshop sessions they will be presented with a Certificate of Completion.
  - II. Motion to approve the Dept Chair training by Erica Seubert, seconded by Gary Collis. Gary Quire proxy for David Brill, (yes, vote). Shane Ramey proxy for Michelle LaBrie, (yes, vote). Claudenice McCalister proxy for Regina Blasberg, (yes, vote). Gary Collis proxy for Tricia George, (yes, vote). Erica Seubert proxy for Todd Fatta, (yes, vote). Unanimous. Approved

### D. Discussion

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

1. Scholarly Presentation Committee Procedures, Pamela Williams-Paez (pg. 14-17)
  - I. The committee has been in existence for 30 years. The very first presenter was Rebecca Shepherd in 1970. The Committee has never had operating procedures. Voting members and member term length may be added. There was a suggestion to revise the committee procedure's purpose to generate interest in producing the work. It is important to identify benchmarks as to when ideas must be submitted to the committee. There may be a selection criteria rubric. The procedures also help with developing measurable outcomes and requesting funding for ordering honorarium plaques or flowers. There was a request to develop a repository of where past presenter work can be preserved. There was also a suggestion for a student scholarly presentation. 15 minutes of follow-up presentation were also suggested. Pamela will make changes to the procedures and this item will be returned for action.
2. BP & AP 3710 (Copyrights), Nicole Faudree & Gary Collis
  - I. BP 3710 Copyrights (pg. 18)
    - a. Special thanks to Nicole Faudree for helping chair the Policy Committee while Gary Collis was out on load bank. Special thanks also to Eric Harnish for scheduling a lawyer to help review documents. There weren't significant changes made to the documents.
  - I. AP 3710 Copyrights (pg. 19-20)
3. BP & AP 3715 (Intellectual Property Rights), Nicole Faudree & Gary Collis
  - I. BP 3715 Intellectual Property Rights (pg. 21)
  - II. AP 3715 Intellectual Property Rights (pg. 22-30)
    - a. A new AP was created as the committee felt this was needed due to policy changes. Much of the language in BP focuses on procedures. This language was taken out and moved to the AP. There was also language added from the league model. AP goes into more detail and about what is protected. It was clarified that OER materials fall under the copyright law. If faculty assembled a book using copyrighted material from other authors, it would be connected to fair use.
4. AP 3750 (Use of Copyrighted Materials), Nicole Faudree & Gary Collis (pg. 31-34)
  - I. When using a McGraw Hill textbook and the power point. If faculty stop using the textbook they cannot use the slides.
  - II. These policies will all be returned on the next agenda.

### E. Unfinished Business

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

1. Artificial Intelligence Resolution

### 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. Tenure Committee Training Workshops
  - I. These workshops will be reviewed.
2. Department Chair Election Procedures
  - I. These procedures will be brought back on the next agenda.
3. Pre-requisite Satisfaction- remove
4. Sabbatical Work Product-highlight on Senate website.
5. Adjunct Advisory Council
6. Governance Model- Dr. Meuschke will return

**G. Announcements**

1. Next Academic Senate Meeting Dates Spring 2025: Feb. 27<sup>th</sup>; March 13<sup>th</sup>, March 27<sup>th</sup>; April 17<sup>th</sup>; May 1<sup>st</sup>; May 15<sup>th</sup> & May 29<sup>th</sup>
2. 2025 ASCCC Spring Plenary: April 24 – 26<sup>th</sup>, Hyatt Regency, Irvine, CA.
  - I. Lisa Hooper will be attending the Spring 2025 plenary and will bring one other faculty member.
  - II. If anyone identified any other conferences, please let the Academic Senate know.
3. 2025 ASCCC Curriculum Institute: July 9<sup>th</sup>- 12<sup>th</sup>, Ontario Convention Center, Ontario, CA.
4. 2025 ASCCC Faculty Leadership Institute: June 12<sup>th</sup> – 14<sup>th</sup>, Hyatt Regency, San Francisco Airport, CA.
5. 2025 Spring Curriculum Regional -South Meeting: Feb. 24<sup>th</sup>, San Bernardino Valley College

**H. Adjournment:** 4:20pm

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**Please note:**

**This meeting will be broadcasted at the following locations via zoom**

*none*

## Committee – CE Committee

Committee Administration Chair Harriet Happel – CTE Dean

Committee Faculty Chair Gary Quire – CTE Liaison

### A. CTE Membership List

Gary Quire	Business/CE Liaison/Committee Faculty Chair
Harriet Happel	CTE Dean/Administrator Chair
<b>Faculty Appointments</b>	
Faculty Member	School
Larry Alvarez	Health Professions
Regina Blasberg	Applied Tech.
Jennifer Paris	SBS
Brittany Applen	Humanities/ COCFA
SB Tucker	Health Professions
Mark Daybell	VAPA
Jeff Baker	VAPA
Garrett Rieck	Non-Credit
Nicole Faudree	Business/COCFA Rep
Justin Hunt	Applied Tech
Tim Baber	Applied Tech
Jon Amador	VAPA
Xanth Stack confirmed	Applied Tech
<b>Other Members</b>	
Open	Dean, Health Professions
Dr. Thea Alvarado	Assistant Superintendent/Vice President of Instruction
Jeff Gregor	Executive Dean, Instructional Services and Public Safety & Acting Dean, KPEA and Recreation Management
James Temple	Information Technology
Jason Hinkle	Business Services
Marilyn Jimenez	Academic Senate and Instructional Support
Nadia Cotti	Dean, Applied Tech./Dean, School of Business.
Nancy Sandoval	Career and Technical Education Coordinator

### B. Committee background/purpose objectives or goals

CE Committee focuses on discussing and evaluating CTE program needs between community college educational institutions and employers. The CE Committee looks at the direction for CTE programs from the National, State, Regional and Local levels. The committee discusses program review and budgetary items in regards to Perkins funding and Strong Workforce funding. In recognition of this fact, College of the Canyons Career Education Departments collaborate with industry professionals on many aspects of their programs. Advisory committees are groups of local employers and community representatives who advise educators on the design, development, operation, evaluation, and revision of technical/occupational education programs. The workplace knowledge and resources provided by committee members help to ensure that all aspects of technical/ occupational education reflect the needs and current conditions of the workplace and that program

completers are capable of successfully completing the next step whether it be employment or further education.

C. **Report Details:**

**Chair, CE Committee** – The CE Committee has been meeting on a regular basis, one time per month. The CE Committee meetings rotate every other month to a Monday or Tuesday meeting from 1:00 – 2:30pm via Zoom. The dates, agendas, meeting minutes, and supporting documents are all posted on the CE Committee Academic Senate website and in the CTE Committee Canvas Shell. Spring 2025 has been established, and the first meeting was scheduled for February 18, 2025. Gary Quire will end his 5-year CTE Liaison position as of June 2025 and will pass the position back to Regina Blasberg as the next CTE Liaison starting July 01, 2025.

**SWP Update**

- SWP funding remains consistent. Attached is a copy of the most recent local and regional budgets for Round 9 (2024/2025). (See Appendix A)

**Projects:**

- **Career Connects powered by Job Speaker LinkedIn Learning**
  - This is an SCCRC project that is engaging employers across the region to sign up on the Job Speaker portal for internships and employment. All students have access to the platform to create a profile for the purpose of building an employment portfolio that is skills based from the first day of class at COC. Embedded in Job Speaker is 100% access to LinkedIn Learning. Students are strongly encouraged to also create a LinkedIn Profile to maximize their competitive advantage for job placement.
- **Websites:** The web designer contract with Robin Spurs continues to be renewed on an annual basis. All the CE websites are being reviewed for accurate information and making sure we have all of the updated Certificates and Degrees.
- **Intersect Labs:** The Intersect LA model has been very successfully applied in the GMD program of study. The model is in essence a creative agency run by the students serving as interns under the direction of a faculty member. To date, students have worked with many of our departments on campus to create specific brands for events and programs. Additional work has been supported in Animation. As funding permits, this preparation for “Gig” work in the creative arts is planned to grow.
- **Fire Academy:** The Fire Academy continues to progress toward accreditation with the California Office of the State Fire Marshal. The College, in partnership with Los Angeles County Fire, is seeking to become an Accredited Regional Training Program for pre-service fire fighters. The accreditation process will be very active during 2025 with a target of Fall 2026 for the first academy to be offered.
- **The Advanced Technology Center also known as the ATC:** The interim ATC site is offering courses in Advanced Manufacturing at the interim site with an apprenticeship program being planned to launch in Fall 2025. Current planning is underway for the permanent ATC to be located on the Valencia campus that will feature Advanced Manufacturing, Welding, Network Technologies, Electronic Systems and Mechatronics. The permanent site is targeted to open in Fall 2029.
- **Perkins:** At the heart of Perkins funding is the objective for CTE programs of study to be



realizing continuous process improvement. Perkins funding is used to support professional development for faculty and staff, support ongoing third-party accreditation, supplementary services for program growth as it relates to work-based learning for students, and innovative pilots for program improvement.

D. CTE Liaison Committee Participation:

SCCRC Monthly Meetings	Senate Executive Committee Meetings
CE Committee Meetings	Academic Senate Meetings
Perkins and SWP Meeting with Harriet	DEIAA Committee
Meeting with Academic Senate President as needed	Regular meetings with Harriet to set up CE Committee Meetings
Any other meeting that I am invited to as the CTE Representative	

**APPENDIX A**

<b>2024/25 SWP RD 9 Local Budget</b>	
Faculty Salaries	\$792,960.00
Classified Salaries	\$310,099.00
Fringe Benefits	\$453,214.00
Software License	\$ 9,080.00
Indirect Support @ 4%	\$ 62,614.00
<b>TOTAL BUDGET</b>	<b>\$1,627,967.00</b>
<b>2024/25 SWP RD 9 Regional Budget</b>	
Advanced Technology Center	\$ 475,000.00
Fire Academy	\$338,438.00
Project Based Learning (Intersect Lab)	\$ 10,000.00
Job Developer	\$125,000.00
Land Surveying	\$ 75,000.00
<b>TOTAL BUDGET</b>	<b>\$1,023,438.00</b>



## **BP 3710 Securing of Copyright**

### **References:**

Education Code Sections 72207 and 81459;

17 U.S. Code Section 201

The CEO is directed to develop appropriate administrative procedures to implement the provisions of the Education Code which authorize the securing of copyright protection for works, including but not limited to registering copyrights and policing infringements, on behalf of the District. The procedures developed by the CEO shall assure that the District may use, sell, give or exchange published materials and may license materials prepared by the District in connection with its curricular and special services.

In the development of these procedures, the CEO shall solicit the input of the proper representatives of the college community in accordance with the District's policies regarding shared local decision making.



## AP 3710 Securing of Copyright

### References:

Education Code Sections 72207 and 81459;

17 United States Code 201

The Santa Clarita Community College District recognizes the need to adopt and maintain an Intellectual Property Rights policy, which encourages faculty and staff to engage in the production of scholarly works, creative publications, and technology-based materials. Inherent in these policies are the following general assumptions:

1. That the rights of employees and the District need to be fairly balanced through collegial dialogue.
2. That the following definitions regarding copyright, royalties, and utilization of all materials will be consistent with the promotion of academic freedom and "fair use" guidelines.
3. The District is not interested in entering into agreements for the express purpose of achieving a financial gain. The District is interested in receiving fair compensation for use of public resources employed in creation of such works.
4. The District has a responsibility to protect the rights of its intellectual property from unauthorized use.

All works developed by an employee pursuant to district directive, when district supplies or equipment are used, shall be the sole property of the district, including all rights of copyright for such works.

If an employee prepares, at other than their regular work time, material on their own initiative for use at the college, they may retain the copyright privilege themselves, even though incidental district supplies or equipment may have been used. The district, however, shall have the right to reproduce the material for district use without violating the copyright and without payment of any fees.

This procedure shall not limit the right an employee to copyright, sell, or grant a license for their works, which are produced outside his working hours and at no cost to the district.

Material subject to copyright in the form of books, musical or dramatic compositions, architectural designs, paintings, sculptures, or other works of comparable type developed by employees shall be the property of the author unless the material is prepared by means of a District grant or an externally funded grant or contract to the District. Prior to securing a copyright for the materials, the employee shall reimburse the District for all direct costs. The District may choose to license the material with an open license such as Creative Commons Attribution or Creative Commons Attribution Non-Commercial licenses. Provisions of any external funding agency regarding copyright shall be followed. Materials produced during sabbatical leave do not constitute an exception and shall be the property of the author unless special funding provisions described above are applicable.

### **Copyright Ownership**

The right to claim copyright shall be determined in the following manner:

1. A faculty or staff member may claim the right to copyright any material created outside of the faculty or staff member's employment with the District. If this creation involves use of District equipment or supplies the faculty and staff member shall retain the right to copyright the material, but shall reimburse the District for the cost of production.
2. The District may claim the right to copyright material if the District specifically commissioned it, or the work is identified as an institutional effort. An institutional effort is defined as one in which the work was produced by a District council, committee, or project team or other college entity as part of conducting the business of the District. The District may choose to license the material with an open license such as Creative Commons Attribution or Creative Commons Attribution Non-Commercial licenses. Otherwise, the right to copyright the material will belong to the faculty or staff member responsible for its creation.
3. The District and the faculty or staff member may agree to share the right to copyright materials if the work is created by the faculty or staff member and the District contributes services, staff, or financial resources necessary for completion. This will be accomplished through a separate contract at the time the project is initiated. Faculty and staff should consult with their respective legal counsel and/or bargaining unit before entering into the contract.
4. When District compensation is paid to faculty for the creation of new Online, or Distance Education courses, these courses shall remain the property of the District and available to other qualified instructors.

### **Copyright Registration**

Responsibility for official registration of copyright will lie with the owner of the copyright. In those cases where there is shared ownership, the District will be responsible for filing for both parties for registration of copyright.

### **Royalties and Distribution Rights**

The ownership of copyright determines royalty distribution rights.

1. When faculty and staff members have full copyright ownership, they retain full royalty distribution rights.
2. When the District has full copyright ownership, it retains full royalty distribution rights.
3. If the District and the faculty and staff member share copyright ownership, royalty distribution rights will be as follows: All royalties or profits will be distributed to reimburse the copyright owners for documented expenses related to the creation and production of the materials. Any remaining royalties or profits will be distributed according to the terms of a separate contract.



## **BP 3715 Intellectual Property**

### **References:**

- 17 U.S. Code Sections 101 et seq.;
- 35 U.S. Code Sections 101 et seq.;
- 37 Code of Federal Regulations Parts 1.1 et seq.

The CEO shall develop procedures that define the rights, interests, protection, and transfer of intellectual property created by the District employees and students.



## **AP 3715 Intellectual Property Rights**

### **References:**

17 U.S. Code Sections 101 et seq.;

35 U.S. Code Sections 101 et seq.;

37 Code of Federal Regulations Sections 1.1 et seq.

### **Introduction**

The District recognizes and encourages the intellectual scholarship and academic creativity of employees as an inherent part of the educational mission of the college

The District, the Academic Senate, and all other campus constituent groups believe that the public interest is best served by creating an intellectual environment whereby creative efforts and innovations can be encouraged and rewarded, while still retaining for the college reasonable access to, and use of, the intellectual property for whose creation the college or university has provided assistance.

It is in the interest of the District, the Academic Senate, and all other campus constituencies to protect and promote the right of employees to benefit from their scholarly and institutional work, and to avoid copyright disputes by facilitating advance agreement between employees and the District regarding ownership and use of scholarly works.

The following intellectual property procedure shall be interpreted consistent with other District policies, including, but not limited to, the District's policy on academic freedom as well as federal and state statutes and regulations. This procedure shall also be interpreted consistent with all collective bargaining agreements.

### **Definitions**

For the purposes of this procedure, the following definitions apply to the following words or phrases:

"Administrative Activity" means the execution of the District's management or administrative functions such as preparing budgets, policies, contracts, personnel management, printing course materials and catalogues, maintenance of computer data, long range planning, and keeping inventories of equipment. Teaching and academic endeavors are not administrative activities.

"Author" or "Creator" means an individual who alone or as part of a group of other creators, invent, author,

discover, or otherwise create intellectual property.

“District Resources” means all tangible resources including buildings, equipment, facilities, computers, software, personnel, and funding.

“Course Materials” means materials prepared for use in teaching, fixed or unfixed, in any form, including, but not limited to, digital, print, audio, visual, or any combination thereof. Course materials include, but are not limited to, lectures, lecture notes, and materials, syllabi, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, web-ready content, and educational software.

“Course Syllabus” means a document that includes information about the outline, standards for student evaluation, and additional information which reflects the academic work of the faculty member.

“Digital Encoded Work” means a work (on a bit-sequence) that can be stored on computer-readable media, manipulated by computers, and transmitted through data networks.

“Employee” means an individual employed by the District, and shall include full-time and part-time faculty, classified staff, student employees, appointed personnel, persons with "no salary" appointments, and academic professionals, who develop intellectual property using District resources, unless there is an agreement providing otherwise.

“Student” means an individual who was or is enrolled in a class or program at the District at the time the intellectual property was created.

“Student Employee” means a student who is paid by the District and may include students participating in a work study program or who receive stipends while they are acting within the scope of their employment at the District at the time the intellectual property was created.

“Substantial Use of District Resources” means use of District resources beyond the normal professional, technology, and technical support generally provided by the District and extended to an individual or individuals for development of a product, project or program. The use of District resources must be important and instrumental to the creation of the intellectual property. The following do not constitute substantial use of the District’s resources: (1) incidental use of District resources and/or (2) extensive use of District resources commonly available to District employees. A substantial use of the District’s resources may be implicated in situations where the creator spends such time and energy in the creation of a work that results in a great reduction of the creator’s teaching activity.

“Work” means an “original work of authorship fixed in a tangible medium” as used in the Copyright Act.

#### A. Intellectual Property

Intellectual Property rights refer to works that may be eligible for copyright protection. This includes, but is not limited to:

1. course materials such as course handouts, syllabi, lecture notes, student exercises, workbooks, study guides, laboratory manuals, multimedia programs, tests, literary works;
2. books, articles, fictional or non-fictional narratives, reviews;

3. dramatic and musical compositions, poetry, and choreography;
4. complete online courses including those created with a course management system;
5. other course materials related to online courses or web-related materials;
6. analysis (e.g. scientific, logical, opinion or criticism);
7. works of art and design, including pictorial, graphic and sculptural works, photographs, films, video and audio recordings;
8. computer-based programs and media (e.g. software or computed code of their representation in forms such as CD-ROM, video disk, compressed audio and/or video, digital, web-based material and the like);
9. Architectural and engineering drawings.

#### B. Form of Intellectual Property

Intellectual Property works may be found in:

1. Any enduring medium (for example, print, film, or digital media, etc.), or
2. Digitally encoded works that can be stored on computer-readable media, manipulated by computers, and transmitted through data networks form (for example, video or audio broadcast, html transmissions, or email attachments), or
3. Other tangible forms (for example, as sculpture, painting, or structure).

#### C. District Substantial Support

1. "District Resources" includes all tangible resources including buildings, equipment, facilities, computers, software, personnel, consumable supplies and funding.
2. "Substantial Support" means use of District resources beyond the normal professional, technology, and technical support generally provided by the District and extended to an individual or individuals for development of a product, project or program.
  - a. Examples of Substantial Support could include, but are not limited to:
    - i. Extra compensation for a work.
    - ii. The cost of providing secretarial, technical, legal, duplication, technological or creative services specifically for the creation of the work.
    - iii. A substantial use of the District's resources may be implicated in situations where the creator spends such time and energy in the creation of a work that results in a great reduction of the creator's contractual obligations.
  - b. Examples of normal professional, technology, and technical support generally provided by the District would include, but are not limited to:



- i. the employee's regular compensation and the office space.
- ii. office computer, local telephone use, office supplies, and copy services regularly provided to an employee in the normal course of their employment.
- iii. District sponsored training customarily provided to an employee.
- iv. District tech support customarily provided to an employee.
- v. the use of an electronic learning management system.
- vi. any software management system for on-line instruction, assessment or virtual classroom instruction.
- vii. Compensation to a faculty member while on sabbatical.
- viii. COC Foundation support, such as to the Scholarly Presentation program or mini-grant programs.

#### D. Categories of Intellectual Property works

##### 1. Institutional Work

Institutional Works are those standard and ordinary works conducted by the District for specific District administrative purposes, excluding teaching and academic endeavors. Institutional works do not grant any intellectual property rights to their creators.

Examples of these would include, but are not limited to:

- a. preparing budgets, policies, contracts, personnel management,
- b. course schedules and catalogues,
- c. maintenance of computer data,
- d. long range planning,
- e. Keeping inventories of equipment,
- f. Promotional and other materials produced by the Public Information Office,
- g. Works that must be approved by a college committee,
- h. all materials produced by accreditation committees,
- i. course outlines approved by the Curriculum committee.

##### 2. Commissioned Work

All Commissioned Works are the property of the District, unless otherwise stated in a written agreement between the District and the employee prepared before the project is initiated,

- a. A commissioned work is a one-time work that is defined and directed by the District for a specific District purpose.
- b. This includes, but is not limited to, any works:
  - i. Commissioned by the District pursuant to a signed contract;
  - ii. Produced by research specifically supported by Federal, State, or third-party sponsorship;
  - iii. Produced through substantial use of District resources or facilities;
  - iv. The District may provide additional compensation for a commissioned work, but any such compensation must be agreed to in writing before the project begins;
  - v. Commissioned works are outside of an employee's normal duties and must be

agreed to by both the employee and the district.

### 3. Personal Work

Personal Works are prepared outside the course and scope of District employment responsibilities and are produced without the use of District resources or facilities. Personal works are not subject to this policy.

- a. Since Personal Works are the property of the employee, any copyright shall be owned exclusively by the employee.
- b. When creating a personal work, the creation of such works shall not interfere with the employee's ability to perform assigned responsibilities.
- c. An employee shall not use any District resources to create, develop or commercialize works.

### 4. Scholarly Work

Scholarly works are considered the intellectual property of the employee.

- a. Scholarly works are those where the employees' contributions:
  - i. Originate through their own initiative;
  - ii. Are the results of independent academic efforts for classroom, education, or professional purposes, and
  - iii. Do not rely on substantial use of District resources.

### 5. Sabbatical Works.

Generally, intellectual property created by District employees during a sabbatical is defined as scholarly work.

- a. If substantial District resources and facilities are required to complete a sabbatical project, the District and the employee must first enter into an agreement to define the limit and scope of the District's support, as well as to define the District and employee's intellectual property rights in the sabbatical work.

### E. District Use of Scholarly Works

1. Material created for ordinary teaching use in the classroom (including on-line teaching) and in department programs, such as syllabi, assignments, and tests, shall remain the property of the employee, but the District shall be permitted to use such material for internal instructional, educational, and administrative purposes, including satisfying requests of accreditation agencies for faculty-authored syllabi and course descriptions.
2. By accepting the assignment of a distance learning course as part of their faculty load, a faculty member implicitly authorizes the District to transmit or record for transmission, any classroom instruction, lecture or other instructional or performance event produced by the faculty member for the students enrolled in a specific distance learning section. It is understood that such authorization is only for a specific course section during a specific semester.

### F. District Restrictions on Use of Employees' Scholarly Works

1. Scholarly Works are the property of the employee, and the copyright shall be owned by the employee. The District and the employee agree that the employee shall maintain the exclusive right to royalties and non-transferable, perpetual, worldwide license to use works owned by the employee.
2. The District may not authorize the for-profit publication of such works in return for royalties paid solely to the District without written authorization from the employee (s) who created the works.
3. The District may not sell or re-transmit any recording of any classroom instruction, lecture or other instructional or performance event produced by the employee for transmission, except under the terms of a written agreement between the District and the employee specifying the terms of such re-transmission or sale, including distribution of net profits from the sale or rebroadcast.
4. The District shall not authorize anyone to create derivative works (for example, companion materials, or updated versions) without the written agreement of the employee (s) who own the work.

#### G. Employee Responsibilities on Scholarly Works

1. If a scholarly work is created by two or more employees, it is the responsibility of the employees to determine the manner in which they share ownership of the copyright to that work.
2. It is their responsibility to prepare (or have prepared at their own expense) a written agreement between them documenting their determination.
3. No grievance against the District may be asserted by employees arising out of any consequences of their failure to make or document an agreement concerning the manner in which they share ownership of the copyright
4. It is the responsibility of the employee to ensure that any scholarly work does not include intellectual property owned by others. If it does include such intellectual property, the employee is responsible for obtaining the appropriate releases/permissions for the use of the material.
5. As the copyright for Scholarly Works are held by the employee, the District assumes no liability for any legal action arising from the contents of the scholarly work.

#### H. Use of Names, Logos

1. The District's names, logos, and trademarks are copyrighted material that may not be used without consent of the District.
2. Employees may use their employment title for any work that they create while an employee of the District.
3. If for any reason the District does not wish its name or the College's name to be identified, the

District has the right to require the employee not to identify his or her relationship with the District; and in such a case, the employee will agree to stop doing so as soon as reasonably possible.

4. The District agrees that when it uses a work created by an employee the District will identify the employee who created the work, for as long as the work continues to be used by the District.

#### I. Alternative Copyright Agreements

1. The CEO may waive the District's property rights by executing a written waiver.
2. Employees and the District may, if they wish, enter into individual agreements with one another concerning copyright ownership and usage rights to specific works, the terms of which differ from those set forth above.
3. The terms of any such individual agreement will supersede the terms of these procedures, once such an agreement is signed by the employee and an authorized representative of the District.
4. In the event the provisions of these procedures and the provisions of any operative collective bargaining agreement conflict, the collective bargaining agreement shall take precedence.

#### J. Commercialization of Intellectual Property

1. The District may commercialize any work in which it maintains intellectual property rights using its resources or it may enter into agreements with others to commercialize the work as authorized by law.
2. The District shall undertake such efforts, as it deems necessary to preserve its rights in original works for which the District is the sole or joint owner of intellectual property rights.
3. The District may apply for a patent, for trademark registration, for copyright registration, or for other protection available by law on any new work in which it maintains intellectual property rights.
4. The District may pay some or all costs required for obtaining a patent, trademark, copyright, or other classification on original works for which it exclusively owns intellectual property rights.
5. If the District has intellectual property rights in a jointly owned work, the District may enter into an agreement with the joint owners concerning payment of such costs.
6. At times the District may share intellectual property rights with employees. The employees are entitled to share in any royalties, licenses, and other payments from commercialization of these works in accordance with applicable agreements signed beforehand with the District.
7. All expenses incurred by the District in protecting and promoting the work, including costs incurred in seeking patent or copyright protection and reasonable costs of marketing the work, shall be deducted and reimbursed to the District before the creator is entitled to share in the proceeds.

8. The District shall deposit all net proceeds from commercialization of intellectual property in its own general intellectual property account. The District may use the account to reimburse expenses related to creating or preserving the District's intellectual property rights or for any other purpose authorized by law and District policy including the development of intellectual property.

#### K. Request for Substantial Support

1. An employee may request the District to provide substantial support. Such a request must be provided in writing to the appropriate cabinet-level administrator.
2. The District has no obligation to support the request.
3. If approved, a formal agreement will be written out between the District and the employee prior to the start of any work. This written agreement shall include, at a minimum:
  - a. the terms of the substantial support to be provided.

#### L. Student and Members of the Public Intellectual Property Rights

1. District students own the intellectual property rights for intellectual property created to meet course requirements using college or District resources.
  - a. Students completing assignments for an outside entity as part of an internship, project-based learning assignment, service-learning assignment, etc. do not necessarily own the intellectual property rights related to their assignments. Clarification should be determined with the external agency prior to the start of the assignment. In the absence of such clarification, the intellectual property rights belong to the outside agency.
2. The methods used by faculty to grade, certify, and assess a student's intellectual work created to meet course requirements shall not be construed as a violation of a student's intellectual property rights.
3. Members of the public who create intellectual property using district resources available to the public retain the rights to those intellectual works.

#### M. Development of Procedures

1. The District will develop procedures to ensure for the recognition, administration, and assignment of Intellectual Property Rights.
2. These procedures will be consistent with other District policies, including, but not limited to, the District's policy on academic freedom and federal and state statutes and regulations.
3. In addition to procedures for general District implementation of this policy, there shall be specific procedures developed for employees, students, contractors, and volunteers.
  - a. Employees

- i. Any procedures that would impact faculty members will be mutually agreed upon with the Academic Senate.
- ii. These procedures shall also be interpreted consistent with all collective bargaining agreements.

b. Students

- i. The District will develop procedures to ensure the protection of students' intellectual property rights.
- ii. Protection of student intellectual property rights shall not be construed to interfere with the role of the faculty in assigning grades to students enrolled in college courses.
  - i. Notwithstanding the above, the District encourages faculty to help students understand that they may be waiving their intellectual property rights when using third-party publisher portals even when accessed through Canvas.
  - ii. In addition, faculty are encouraged, when possible, to provide alternative means for students to complete assignments that otherwise would have been completed through the third-party publisher portals, when students have concerns about protecting their intellectual property rights.

4. Third Party Contractors

- a. The District will develop procedures that delineate the intellectual property rights between the district and any outside contractor.
- b. Assignment of Intellectual property rights shall be specified in any contract or agreement signed by the District.

5. Volunteers

- a. The District will develop procedures that delineate the intellectual property rights between the District and any person not acting in the capacity of an employee, student, or contractor.



## AP 3750 Use of Copyrighted Material

### References:

Education Code Sections 67302 and 32360  
U.S. Code Title 17, Copyright Act of 1976

The following Administrative Procedure is adopted to provide guidance to employees and students regarding the use of copyrighted material. Employees and students shall not reproduce copyrighted materials without prior permission of the copyright owner, except as allowed by the "fair use" doctrine. The "fair use" doctrine permits limited use of copyrighted materials in certain situations, including teaching and scholarship. In some instances, copyright may be required for works that fall within "fair use."

### 1. Definitions

#### Brevity –

- Poetry: (a) A complete poem of less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.
- Prose: (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.
- For Poetry and Prose: use may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.
- Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.
- "Special works:" Certain works in poetry, prose, or in "poetic prose" which often combine language with illustrations, and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising containing not more than 10% of the words found in the text thereof may be reproduced.

Spontaneity – The copying is at the instance and inspiration of the individual faculty; and the inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect – The copying of the material is for only one course in which the copies are made.

- Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
- There shall not be more than nine instances of such multiple copying for one course during one class term.
- The limitations stated above shall not apply to current news periodicals and
- newspapers and current news sections of other periodicals.

Compilations – Permission from the copyright owner should be obtained when using excerpts of copyrighted work to create anthologies or “course packs,” even if the excerpts fall under the definitions in the “fair use” doctrine.

2. The following are “fair use” of various copyrighted materials.

A. Single Copying for Faculty- A single copy may be made of any of the following by or for a faculty at their individual request for their scholarly research or use in teaching or preparation to teach a class:

- i. A chapter from a book
- ii. An article from a periodical or newspaper
- iii. A short story, short essay or short poem, whether from a collective work
- iv. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

B. Multiple Copies for Classroom Use - Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the faculty giving the course for classroom use or discussion, provided that:

- i. The copying meets the tests of brevity and spontaneity as defined above; and
- ii. Meets the cumulative effect test as defined above; and
- iii. Each copy includes a notice of copyright



C. Prohibitions – Notwithstanding any of the above, the following shall be prohibited:

- i. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or are reproduced and used separately.
- ii. There shall be no copying of or from works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.
- iii. Copying shall not:
  - a. substitute for the purchase of books, publisher's reprints or periodicals
  - b. be directed by higher authority
  - c. be repeated with respect to the same item by the same faculty from term to term.
- iv. No charge shall be made to the student beyond the actual cost of the photocopying.

D. Online Courses – The Teach Act (Technology, Education and Copyright

Harmonization) Act; U.S. Code 17, Copyright Act, Sections 110(2) and 112) provides instructors greater flexibility to use third party copyrighted works in online courses. An individual assessment will be required to determine whether a given use is protected under the Act. The following criteria are generally required:

- i. The online instruction is mediated by an instructor.
  - a. The transmission of the material is limited to receipt by students enrolled in the course. Technical safeguards are used to prevent retention of the transmission for longer than the class session.
  - b. The performance is either of a non-dramatic work or a "reasonable and limited portion" of any other work that is comparable to that displayed in a live classroom session. The work is not a textbook, course pack, or other material typically purchased or acquired by students for their independent use and retention, including commercial works that are sold or licensed for the purposes of digital distance education.
  - c. The District does not know, or have reason to know, that the copy of the work was not lawfully made or acquired.

- d. The District notifies students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder.
- e. Obtaining Permission to Use Copyrighted Material.

NOTE: Insert local procedures that describe the process faculty, and others shall use to obtain permission to use copyrighted material.

Suggestion: Employees who need to obtain permission to use any copyrighted material should contact the copyright holder to obtain written permission to use the material in question.

Approved by CPC: \_\_\_\_\_

## **ACADEMIC INTEGRITY COMMITTEE (AIC) PROCEDURES**

### **I. Mission Statement**

The Academic Integrity Committee (AIC) is a sub-committee of the Academic Senate that serves as an advisory body dedicated to promoting academic integrity at College of the Canyons. The Committee provides guidance, recommendations, and strategies to faculty, administration, and other campus groups to address academic integrity concerns in a comprehensive and collaborative manner. These efforts emphasize a culture of honesty, responsibility, and ethical behavior across all academic activities. The AIC supports faculty and college-wide initiatives through proactive measures such as developing educational resources, faculty guidance, and institutional recommendations. Additionally, the Committee evaluates evolving academic practices and institutional needs to ensure alignment with academic integrity standards. Through education and awareness, the AIC aims to strengthen a culture of integrity that benefits students, faculty, and the broader college community.

### **II. Committee Duties and Functions**

The Committee is charged with the following duties and functions on behalf of the Academic Senate:

1. Advising the Academic Senate on issues of academic integrity.
2. Developing policy recommendations, educational guidelines, best practices, and comprehensive reports related to academic integrity.
3. Proposing new ideas and providing recommendations for policies and procedures aimed at promoting academic integrity.
4. Supporting educational initiatives that inform students and faculty about the importance of academic integrity.
5. Recommending proactive strategies to reduce academic integrity violations, such as enhancing course design and academic practices.

### **III. Membership**

#### **A. General Requirements**

1. All members of the Committee must be tenured, tenure-track, or adjunct faculty of the College.
2. At no time shall the Committee have fewer than three members.
3. The Academic Senate President shall appoint a member of the faculty to serve as Chair for a two-year term. The full Academic Senate shall ratify the appointment.
4. The Committee shall strive to include at least one representative from each academic school/division.
5. The Committee shall strive to include at least one adjunct faculty member.
6. Non-voting members, such as classified staff and administrators with relevant expertise, may be invited to participate in committee discussions and contribute to its work.

#### **B. Membership Appointment/Tenure**

1. Members may be appointed by the Committee Chair or the President of the Academic Senate.
2. All appointments must be confirmed by a majority of a quorum of the Academic Senate.

3. Appointments can occur during any semester to fill a vacancy that reduces Committee composition below three members.
4. Members are expected to serve a minimum of one full academic year but may resign at any time.
5. Members may be removed for non-performance, defined as missing 50% of scheduled meetings in any semester without assigning a proxy, by a majority vote of the other active Committee members with the approval of the Academic Senate President.

### **C. Responsibilities of the Committee Chair**

1. Serve a two-year term.
2. Serve as a member of the Academic Senate's Executive Committee.
3. Submit an annual committee status report to the Academic Senate.
4. Recruit and manage Committee membership.
5. Schedule Committee meetings and set agendas in consultation with members.
6. Lead the development of resources and initiatives related to academic integrity.
7. Coordinate with faculty, administration, and other campus groups to address academic integrity concerns.
8. Communicate the Committee's work and recommendations to the Academic Senate and the broader campus community.
9. Advocate for the adoption of the Committee's recommendations where appropriate.
10. Conduct votes within the Committee and break tie votes when necessary.

### **D. Membership Responsibilities**

1. Attend all regularly scheduled meetings.
2. Be collaborative, engage in collegial discussions, be respectful of other members and presenters and their different points of view, and consider the college and community as a whole, not just the constituent group that the member represents.
3. Take an active role in the creation and review process of documents produced by the Committee.
4. Undertake due diligence in reviewing academic integrity guidelines, policies, and procedures.
5. Make advisory votes on proposals, including whether to move policy language suggestions or position papers to the Academic Senate for further consideration.
6. Conduct research as required.
7. Members of the committee representing academic schools will report back to and solicit feedback from their constituencies regarding academic integrity issues.

## **IV. Meetings**

### **A. Dates**

1. The Committee will meet monthly, with meeting dates and times established for the academic year. Additional meetings may be scheduled as needed based on current priorities or pressing issues.

### **B. Voting**

1. The Committee will conduct advisory votes to determine consensus on recommendations. These votes are non-binding and are used to inform the final recommendations made to the Academic Senate.

2/19/2025 - Final review and approval of this draft by the AIC

## **Academic Senate Elections Committee Procedures and Regulations**

### **Election Committee:**

1. Elections of officers and members of the College of the Canyons Academic Senate shall be run by the Elections Committee.
2. This committee will be comprised of appointed faculty members reporting to the Academic Senate.
  - a. The Academic Senate President will appoint the chair of the committee.
  - b. The Academic Senate President will seek faculty volunteers to serve on the Elections Committee which will be approved by the Academic Senate.
3. The committee's duties include seeking nominations, running elections, and declaring the results to the Academic Senate.
4. The committee will ensure that elections are held per the Academic Senate Constitution and Bylaws.
5. Elections will be conducted by the Elections Committee either by paper or electronic ballots.
6. The results will be confirmed by the Academic Senate.
7. Email correspondence relating to an election **must should** be conducted via Canyons email for all parties. **Emails from non-Canyons emails will be conducted at the discretion of the Elections Committee.**

### **Nomination Procedures and Regulations:**

- a. The nominating period shall be at least one week in duration.
- b. Nominations will be obtained from ~~the appropriate eligible~~ faculty groups.
- c. Individuals may nominate themselves or another member of the faculty group may nominate a qualified faculty member.
- d. Nominees will be given the full nomination list **should an election be needed.**

### **Election Procedures and Regulations:**

- a. Candidates may provide a candidate statement **of approximately 400 words or less**, single-spaced, in Times New Roman size 12 font, ~~no more than 400 words, and fits within a page.~~ Candidate statements will be formatted to the required specifications as needed. Candidates are not required to provide a statement as they are optional.
- b. Candidates will be given at least 5 business days<sup>1</sup> to provide a candidate statement. ~~(Business days are defined as Mondays through Fridays, not including Saturdays, Sundays, and holidays according to the academic calendar.)~~
- c. Candidate statements will only be accepted from candidates and through the **use of the Canyons email system method outlined and instructions provided at the time.** Candidate statements may not be accepted otherwise.
- d. Candidate statements will be compiled and sent out to eligible voters in random order prior to or at the opening of the election.
- e. If an election has multiple seats for the same position, then eligible voters will be able to vote for multiple candidates equal to the number of available seats, no more than one vote per candidate.
- f. The voting period for elections involving only full-time employee voters will be held for a minimum of 5 business days<sup>1</sup>. ~~(Business days are defined as Mondays through Fridays, not including Saturdays, Sundays, and holidays according to the academic calendar.)~~
- g. The voting period for elections that involve part-time employee voters will be held for a minimum of 8 business days<sup>1</sup>. ~~(Business days are defined as Mondays through Fridays, not including Saturdays, Sundays, and holidays according to the academic calendar.)~~

*Approved by the Academic Senate: March 10, 2022*

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<sup>1</sup> Business days are defined as Mondays through Fridays, not including Saturdays, Sundays, and holidays according to the academic calendar.

**ACADEMIC SENATE  
STANDING PROCEDURES  
for  
DEPARTMENT CHAIR ELECTIONS**

**I. AUTHORITY**

**A.** According to the COCFA contract, **Article 12, Section K – subsection 3(a)**, the Academic Senate is responsible for administering the election of Department Chairs. The Academic Senate is bound by the provisions found in the COCFA contract. However, further development and elaboration of procedures by the Academic Senate for the election of Department Chairs is permitted provided they are in accordance with the COCFA bargaining contract.

**B.** ~~The Departments of Counseling and Library/Media Technology (LMTECH) are is exempt from the election provisions of Article 12 of the COCFA contract. of Article 12, Section K, subsection (3)(a) of the COCFA contract, per that bargaining agreement.~~

**II. QUALIFICATIONS**

**A.** Per Article 12, Section K, ~~subsection 3(a)~~ of the COCFA contract, **any full-time faculty member is eligible for selection as a department chair.** ~~Faculty members eligible to serve as Department Chair must teach a majority of his/her their regular teaching load in the designated department.~~

**III. TERM**

**A.** Department Chairs will serve a term of two years and may serve multiple terms. The term will start on the first day following the last day of instruction of the spring semester **or as outlined in the COCFA contract.**

**IV. VOTING**

**A.** Per Article 12, Section K, ~~subsection 3(a)~~ of the COCFA contract, **only unit members with a majority of their load in a department are eligible to vote for the Chair of that department.** ~~eligibility to vote in a department chair election requires a faculty member to maintain a majority of his/her their regular teaching load in that department.~~

**V. ELECTION PROCEDURES**

**A. Nominations**

1. Calls for nominations will go out from the Academic Senate to every full-time faculty member in the department.
2. Faculty members will have ~~a~~ **at least one** week to ~~return~~ **submit** nominations.
3. **Those nominated must be a full-time faculty member of the department.**
4. ~~Faculty members may nominate themselves or another member of the department.~~ **Any faculty member in the department may nominate an eligible member of the department.**
5. Faculty members can only nominate individuals in their own department.
6. The Academic Senate will ~~confirm the willingness of nominated faculty members to serve as Department Chairs.~~ **notify nominated faculty, and those nominated may withdraw their nomination.**
7. If only one candidate is nominated for Department Chair, then that candidate is deemed to have been elected “by acclamation”, unless there is a formal request for a ballot by any other **full-time** member of the department.
  - a.) If there is a formal request for a ballot, a “yes/no” ballot will be issued to the department.
  - b.) The balloting will be open for **at least** one week.
  - c.) If the nominee does not receive a majority of ballots cast, then nominations will be reopened.
8. If there are two or more candidates for Department Chair, then an election will be held.
  - a.) Balloting will be open for **at least** one week.
  - b.) Elections Involving Only 2 Candidates:

- i. A successful candidate must receive a majority of the vote cast (50%+ 1).
  - ii. If both candidates receive 50 percent of the votes cast, then the Senate will administer the principle of rotation.
- c.) Elections Involving 3 Candidates or More:
- i. If in an election ~~of~~ **with** 3 or more candidates a candidate has achieved a plurality of the votes cast, the candidate having achieved a plurality is deemed to have won the election.
  - ii. If in an election where 3 or more candidates all receive an equal share of votes cast and no candidate has achieved a plurality of votes, then the Senate will administer the principle of rotation.
- d. ) Implementation of Principle of Rotation:
- i. Two Candidate Elections
    - 1. If an incumbent candidate has received 50 percent of the vote in a ~~two-candidate~~ **two-candidate** election, the non-incumbent candidate is deemed to have won the election provided the incumbent candidate has served as Chair of that Department for at least three successive semesters by the end of the spring semester in which ~~the election is being conducted~~ **their term ends**.
    - 2. If an incumbent candidate has received 50 percent of the vote in a ~~two-candidate~~ **two-candidate** election, and has only served as Chair for two successive semesters or less by the end of the spring semester in which ~~the election is being conducted~~ **their term ends**, the incumbent candidate is deemed to have won the election.<sup>2</sup>
    - 3. If an incumbent candidate has received 50 percent of the vote in a ~~two-candidate~~ **two-candidate** election, and has previously served as Chair in any capacity during a term other than the term of the present election, the non-incumbent candidate is deemed to have won the election provided the non-incumbent candidate has never served as Chair in any capacity. Otherwise, the principle of rotation does not apply and Section V(A)(~~78~~)(d)(iii) of these procedures apply.<sup>3</sup>
    - 4. In the case where two candidates have each received 50 percent of the vote and neither candidate is an incumbent candidate and one of the two candidates has previously served in any capacity as Chair, the candidate having never served as Chair in any capacity is deemed to have won the election.
    - 5. In the case where two candidates have each received 50 percent of the vote, neither of whom is an incumbent Chair, and neither has ever served in any capacity at any time as Chair, then the Principle of Rotation is inapplicable and Section V(A)(~~78~~)(d)(iii) of these procedures applies.
  - ii. Three or More Candidate Elections
    - 1. If an incumbent Chair is one of three or more candidates having received an equal share of the vote cast in an election and no candidate has achieved a plurality of votes, the incumbent candidate is deemed to have won the election provided the incumbent candidate has only served as Chair for two successive semesters or less by the end of the spring semester in which ~~the election is being conducted~~ **their term ends**. Otherwise, the incumbent candidate is disqualified from further consideration as a candidate to serve as Chair. A run-off ballot will be provided for the remaining two non-incumbent candidates.

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<sup>2</sup> It can be said that incumbent candidates having served as Chair for only two successive semesters or less have not had adequate opportunity to gain the insight, experience and knowledge achieved by serving as Chair. Therefore, compelling the incumbent candidate to vacate the office so that a non-incumbent candidate may realize the benefits of a full 2-year term as Chair is arguably inequitable.

<sup>3</sup> This section was meant to address the scenario where an incumbent has tied, has possibly served ~~his or her~~ **their** current term for only one or two semesters and would then be deemed the winner under subsection V(A)(~~78~~)(d)(2) above. But, that would not be very equitable because V(A)(~~78~~)(d)(2) above is meant to apply and benefit only those incumbent chairs who have never before served as Chair. Thus, under this section an incumbent Chair could have only served one or two semesters as an incumbent, yet they have had the full privilege of past service in some capacity. Under that scenario, it seems equitable to allow the non-incumbent candidate to win, provided they have never served as Chair.



2. If in an election three or more candidates receive an equal share of the vote cast and no candidate has achieved a plurality of votes, and none of those candidates is an incumbent Chair nor has ever served as Chair in any capacity, the Principle of Rotation is inapplicable and Section V(A)(78)(d)(iii) of these procedures applies.

3. For all run off ballots/elections, the provisions of Section V(A)(78)(d)(i) of these procedures apply.

iii. Under all circumstances where the Principle of Rotation is inapplicable, and under all circumstances and scenarios not addressed by Sections V(A)(78)(d)(i) and (ii) of these procedures, the election will be resolved in the following manner:

1. The final determination of the election will be overseen by an ad hoc committee of at least 3 or more disinterested members of the Academic Senate. Either the President or Vice-President of the Academic Senate shall serve a member of the ad hoc committee. The final two candidates for the unresolved election shall attend a meeting of the ad hoc committee and will each randomly draw one selection out of a lot of 10 sealed papers each containing a number from 1 to 10. The candidate who draws the higher number from 1 to 10 is deemed the winner. If only one of the two candidates attends the meeting, the candidate who does not attend is deemed to have lost the election, unless compelling circumstances exist explaining the absence of that candidate.

9. If a department does not have a faculty member nominated for Chair, then the position of Department Chair for that department will be open first to other full-time faculty from the ~~division~~ **Division/School** in which the department in question resides, and if no nominations are received, then to the entire full-time faculty.

a. Single Member Departments – Department Chairs who serve as the only member of their Department may choose not to continue service as Chair.<sup>4</sup> Under such circumstances the President of the Academic Senate will convene an ad-hoc committee to explore the best possible alternatives.

i. Ad hoc Committee Composition – the committee shall consist of the President of the Academic Senate or designee, the CIO or designee, the ~~Division~~ **Division/School** Dean of the affected Department, the President of COCFA or designee, and the current Department Chair opting out of continued service as well as one full-time faculty member from outside the affected ~~Division~~ **Division/School**. A majority vote shall determine all outcomes decided by the committee.

b. No Nominations Received – in elections where no nominations are received from any full-time faculty member, the Academic Senate President will convene an ad hoc committee to determine an appropriate outcome.

i. Ad hoc Committee Composition – the committee shall consist of the President of the Academic Senate, the CIO, the ~~Division~~ **Division/School** Dean of the affected Department, the President of COCFA or designee, all full-time members of the Department in question, as well as one full-time faculty member from outside the affected ~~Division~~ **Division/School**. A majority vote shall determine all outcomes decided by the committee.

## 10. Resignations

a. If a Department Chair resigns prior to the completion of their term, the President of the Academic Senate will convene an ad hoc committee to determine the best manner in which to temporarily fill the vacancy. The committee may consider temporary and interim appointments as well as special elections. A majority vote shall determine all outcomes decided by the committee.

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<sup>4</sup> In particular cases, full-time faculty are hired by the District using a job description that includes service as Department Chair as part of the expected job duties. However, it is the position of the Academic Senate that subsequent to being hired the COCFA bargaining contract controls thus providing election opportunities for any Chair, from single member Departments or otherwise, to opt out of their service as Chair. The same principle applies to Chairs from single member departments that were not originally hired to serve as Department Chair. Under either circumstance, the decision of a faculty member from single member departments not to continue serving as Chair presents serious academic and administrative dilemmas to be resolved. Consequently, an ad hoc committee representing a shared governance approach to addressing the issue is warranted.

- b. If the resignation occurs during a ~~spring~~ semester in which an election for Department Chair has already transpired and a candidate other than the resigning Chair has been elected, no special election will be conducted and any interim or temporary appointment will end at the conclusion of the spring semester.
- c. If a resignation occurs in a two-member department leaving only one eligible member of the department in question to serve as Chair, the President of the Academic Senate may appoint that remaining eligible member as interim Chair of the department in question to serve out the original term of the resigning member of the department in question.
- d. Ad Hoc Committee Composition – the committee shall consist of the President of the Academic Senate, the CIO, the ~~Division~~ **Division/School** Dean of the affected Department, the President of the COCFA or designee, and all full-time members of the Department in question, as well as one full-time faculty member from outside the affected ~~Division~~ **Division/School**. A majority vote shall determine all outcomes decided by the committee.

#### **11. Sabbaticals, Temporary Leaves, or other Special Cases**

- a. If a Department Chair is unable to continue prior to the completion of their term, the President of the Academic Senate will convene an ad hoc committee to determine the best manner in which to temporarily fill the vacancy. The committee may consider temporary and interim appointments as well as special elections. A majority vote shall determine all outcomes decided by the committee.
- b. If the vacancy occurs during a semester in which an election for Department Chair has already transpired and a candidate other than the vacating Chair has been elected, no special election will be conducted and any interim or temporary appointment will end at the conclusion of the spring semester.
- c. If a resignation occurs in a two-member department leaving only one eligible member of the department in question to serve as Chair, the President of the Academic Senate may appoint that remaining eligible member as interim Chair of the department in question to serve out the original term of the resigning member of the department in question.
- d. Ad Hoc Committee Composition – the committee shall consist of the President of the Academic Senate, the CIO, the Division/School Dean of the affected Department, the President of the COCFA or designee, and all full-time members of the Department in question, as well as one full-time faculty member from outside the affected Division/School. A majority vote shall determine all outcomes decided by the committee.

**12.** Removal for Non-Performance – provisions for removal of Department Chairs for non-performance are set forth in Article 12, Section K, ~~sub-section 9~~ of the COCFA bargaining contract.

**13.** All election results must be confirmed by the ~~full~~ **Academic Senate**. Any challenges to the election process shall be made at that time. Confirmation of the results may be achieved without public disclosure of the actual vote totals for each department. ~~Upon the approval of a majority of the Academic Senate, public disclosure of the actual vote totals for a particular department, or all departments, will be made. Access to the actual vote totals for any or all Department Chair elections will be made available to any requesting faculty member by the President of the Academic Senate.~~

*Approved by Academic Senate March 22, 2012*