



# College of the Canyons Academic Senate

March 10, 2022

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

Join Zoom Meeting

<https://canyonsonline.zoom.us/j/96505453513?pwd=bHJaSlpTK0pqK3lVamFvcHVvbnVBNvZz09>

**Meeting ID:** 965 0545 3513

**Passcode:** 500205

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## 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. **Immediate Action Item:**
  - **Statement on Finding Facts to Implement Teleconferencing During a Proclaimed State of Emergency**, David Andrus (pg. 7-8)
5. Committee Appointments:
  - SP 22 Selection Committees (pg. 3)
  - Committee on Academic Freedom (CAF), Urvashi Juneja
  - Vacancy appointment to the Curriculum Committee for SBS, Sarah Ethridge
5. Sub-Committee Summaries: none
6. Approval of the Consent Calendar
  - Academic Senate Summary, Feb. 24<sup>th</sup>, 2022 (pg. 4-6)
  - [Curriculum Committee Summary](#), Feb. 17<sup>th</sup>, 2022
  - [Curriculum Committee Summary](#), Feb. 3<sup>rd</sup>, 2022

### B. Reports

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

1. Program Viability Committee Annual Report, Garret Rieck
2. Academic Senate Presidents Report, David Andrus

### C. Action Items

1. Election Procedures, Dustin Silva (pg. 9-11)
2. BP/AP 4010 (Academic Calendar), Gary Collis
  - a. BP 4010 (pg. 12)

- b. AP 4010 (pg. 13-14)

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

#### **D. Discussion**

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

1. Academic Freedom Textbook Assignments Report, Chris Blakey (pg. 15-21)
2. Annual Scale of Adoption Assessment (SOAA), Daylene Meuschke
  - a. [Annual Scale of Adoption Assessment \(SOAA\)](#)
  - b. [CCCCO Guided Pathways SOAA FAQ's](#)
3. "OnlineLIVE- Interpretation Discussion," David Andrus, (pg. 22-23)
4. CASL Recommendation to Senate Spring 2022, Chris Boltz & Jeff Baker (pg. 24)
5. [Academic Senate Program Review](#), David Andrus

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

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

1. AP 7121 (Minimum Qualifications and Equivalencies), Alisha Kaminsky
  - a. [CTE Faculty MQ Toolkit](#)
2. Senate Constitution & By-Laws revisions

#### **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. Academic Integrity Taskforce
2. Faculty Offices/Furniture-District Desk Policy
3. Department Chair Training Workshops
4. Tenure Committee Training Workshops

#### **G. Announcements**

- Next Academic Senate Meeting Spring 2022: March 24<sup>th</sup>, April 14<sup>th</sup>, April 28<sup>th</sup>, May 12<sup>th</sup> & May 26<sup>th</sup>
- [ASCCC Area C Meeting Spring 2022](#), March 19, 2022, Virtual Meeting
- [ASCCC 2022 Spring Plenary Session](#), April 7<sup>th</sup>-9<sup>th</sup>, 2022-Hybrid Event
- [ASCCC 2022 Career and Noncredit Education Institute, May 12<sup>th</sup>-14<sup>th</sup>, 2022](#)-Hybrid Event \*Subject to change\*
- [ASCCC 2022 Faculty Leadership Institute](#)- June 16<sup>th</sup> – 18<sup>th</sup>, 2022, Hybrid Event \*Subject to change\*
- [ASCCC 2022 Curriculum Institute](#)- July 6<sup>th</sup> – July 9<sup>th</sup>, 2022, Hybrid Event \*Subject to change\*

#### **H. Adjournment**

### Spring 2021 Selection Committee list

First Name	Last Name	FTF/Adjunct
Alisha	Kaminsky	FTF
Angela	Harris	FTF
April	Worthington	FTF
Carly	Gott	FTF
Cindy	Schwanke	FTF
Daniel	Otto	FTF
Dora	Lozano	FTF
Gary	Quire	FTF
Heather	Dotter	FTF
Holly	Hitt-Zuniga	FTF
Jason	Oliver	FTF
Jeremy	Goodman	FTF
Jessica	Crowley	FTF
Justin	Hunt	FTF
Pamela	Williams-Paez	FTF
Regina	Blasberg	FTF
Robert	Wonser	FTF
SB	Tucker	FTF
Tim	Baber	FTF
Tony	Law	FTF
Urvashi	Juneja	FTF

## Academic Senate Meeting Summary for Feb. 24, 2022

Voting Members					
Senate President	David Andrus	X	Learning Resources Senator	Peter Hepburn	X
Vice President	Lisa Hooper	X	Personal & Professional Learning Senator	Garrett Rieck	X
Immediate Past President	Rebecca Eikey	A	At Large Senator	Ambika Silva	X
Curriculum Chair	Lisa Hooper	X	At Large Senator	Jennifer Paris	X
Policy Review Chair	Gary Collis	X	At Large Senator	Erica Seubert	X
AT Senator	Regina Blasberg	X	At Large Senator	Rebecca Shepherd	X
MSHP Senator	Shane Ramey	X	At Large Senator	Mike Harutunian	X
VAPA Senator	David Brill	X	At Large Senator	Benjamin Riveira	X
Student Services Senator	Garrett Hooper	X	Adjunct Senator	Lauren Rome	X
Humanities Senator	Marco Llaguno	X	Adjunct Senator	Jesse Vera	X
Kinesiology/Athletics Senator	VACANT	A	Adjunct Senator	Aaron Silverman	X
SBS Senator	Tammera Rice	X	X= Present	A= Absent	
Business Senator	Gary Quire	X			

Non-voting Members			
Dr. Omar Torres	X	Gina Bogna	A
Marilyn Jimenez	X	Nicole Faudree (COCFA President)	X
Dan Portillo (Warren Heaton AFT Rep)	A	ASG Student Representative-	A

Guest							
Diane Avery		Dr. Edel Alonso		Jessie Crowley		Nadia Monosov	
Dilek Sanver-Wang		Dr. Jasmine Ruys		Katherine Gamez		Sarah Etheridge	
Dr. Kathy Bakhit		Jeff Gregor		Kelly Burke			
Dustin Silva		Jeremy Patrich		Larry Alvarez			

### A. Routine Matters

1. Call to order: 3:03 pm
2. Public Comment:
  - Dr. Alonso sends prayers to those who have friends or family in Ukraine during this difficult time.
3. Approval of the Agenda:
  - Motion to change the agenda order and move reports after discussion and move discussion item number #4 to #1 by Tammera Rice, seconded by Gary Quire. One abstention by David Brill. Approved.
4. Committee Appointments:
  - SP 22 Selection Committees (pg. 3)

- Academic Integrity Taskforce (pg. 3)
  - Not all school are represented in this taskforce.
- Tenure Committee appointment (pg. 4)

7. Sub-Committee Summaries: none

8. Approval of the Consent Calendar

- Academic Senate Summary, Feb. 10<sup>th</sup>, 2022 (pg. 5-8)
- Curriculum Committee not included due to the long holiday weekend.
- Motion to approve the consent calendar by Gary Collis, seconded by Lauren Rome.

*Note: Reports were moved after discussion.*

### **C. Action Items**

*none*

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

### **D. Discussion**

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

1. [Follow Up Joint Senate/COCFA Fall, 2021 Townhall Report Out](#), David Andrus & Nicole Faudree
  - The three fall, 2021 townhalls focused on what has and hasn't worked well in terms of instruction and campus life. The main takeaway is flexibility. In the future there may be a blend of both F2F and online instruction. IE2 and Daylene Meuschke with IRB will be collecting data to outline why there has been a drop-in enrollment. This presentation may need to go to the board.

*Note: Discussion items were re-ordered and #4.) Pending Senate Elections was moved to #2.*

2. Pending Senate Election Procedures, Dustin Silva (pg. 18-19)
  - Dustin met with Rebecca Shepherd, Chair of the Const. & By-laws Committee regarding language changes. The procedures encompass all areas of elections, include Dept. Chairs. There may be a Senate sponsoring webpage for events and elections. The campaigning section will be removed from these procedures and the document will return as an action item on the next agenda.
3. BP/AP 4010 (Academic Calendar), Gary Collis
  - a) BP 4010 (pg. 15)
  - b) AP 4010 (pg. 16-17)
    - This policy was created to add a formalization to the approval process and to acknowledge the role of the Academic Senate to the calendar process. The Academic Calendar Committee was consulted and used the operating procedures as guidance for proposed changes. A correction will be made to the number of "days of service." The revised document will return as an action item.
4. [Commencement Planning](#), David Andrus
  - The Chancellor would like both a traditional commencement and a grad walk. There was a recommendation to host grad walks by school. Majority of students want to attend one or the other. It was made clear that for many students graduating from COC may be their only commencement ceremony opportunity. A traditional ceremony is important as is the grad walk.

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

1. Career Education Committee Annual Report, Gary Quire (pg. 9-14)
  - The CE Committee formed the CTE Toolkit Ad-hoc committee. Regina will be putting together a report that will go to Senate at the end of March. The Toolkit has been discussed in CE twice. An overview of SWF was shared in the agenda. CE has also seen an increase in attendance since hosting meetings online.
2. Academic Senate Presidents Report, David Andrus
  - David asked that faculty make note of upcoming ASCCC events and contact David and Marilyn if interested in attending.

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

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#### **F. New Future Business**

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- Faculty Offices/Furniture
- Department Chair Training Workshops
- Tenure Committee Training Workshops

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#### **H. Adjournment: 4:43 pm**



## THE COLLEGE OF THE CANYONS ACADEMIC SENATE

No. 2021/22-04

### RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY

**WHEREAS**, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public, and that any person may attend and participate in such meetings;

**WHEREAS**, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

**WHEREAS**, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

**WHEREAS**, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

**WHEREAS**, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

**WHEREAS**, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

**WHEREAS**, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

**RESOLVED**, the College of the Canyons Academic Senate finds, determines, declares, and orders the following:

1. That the foregoing recitals are true and correct and the Academic Senate incorporates them by this reference.
2. The Academic Senate finds, by a 2/3 majority vote, the following:
  - a. That there exists a proclaimed state of emergency;

AND either:

- i. The Academic Senate is meeting to determine one of the following, or more than 30 days have passed since the Academic Senate met and determined one of the following and the Academic Senate now re-determines one of the following:
  - a) State or local officials have imposed or recommended measures to promote social distancing; OR
  - b) As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

OR

- ii. The Academic Senate has made the determination set forth in subdivision (i), above within the last 30 days and now makes the following determination:
    - a) The Academic Senate has reconsidered the circumstances of the state of emergency; AND
    - b) Any of the following circumstances exist:
      - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
      - 2. State or local officials continue to impose or recommend measures to promote social distancing.
- 3. The Academic Senate President is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.
  - 4. That this Resolution shall take effect immediately upon its adoption.

*Adopted, Academic Senate, xxxxxxxxxxxx*  
Reviewed by CPC XX/XX/2022



## Academic Senate Elections Committee Procedures and Regulations

### Election Committee:

1. Elections of officers and members of the College of the Canyons Academic Senate ~~should~~ **shall** be run by the Elections Committee.
2. This committee will be comprised of ~~three~~ **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 ~~at appropriate times and in a timely manner~~ **per the Academic Senate Constitution and Bylaws**.
  - a. ~~The eligible voters, per the Academic Senate Constitution, will participate in the appropriate election which include nominations and voting.~~
  - b. ~~The Senate President and the Senate Vice President elections shall be conducted no later than the 4<sup>th</sup> week of the spring semester of even years. A publicized call for nominations shall be sent prior to the conclusion of the preceding fall semester. The nominating period shall be open and extend until the conclusion of the second week of the spring semester. The Senate President and Senate Vice President shall be elected by a plurality of the tenured and tenure track faculty. They will be elected for a two-year term. No restrictions shall exist in the number of terms served. (Section 6.A. of Constitution)~~
  - c. ~~The Division or School Senators elections shall be conducted in the respective divisions or schools no later than the 6<sup>th</sup> week of the Spring Semester of even years. The School/Division Senators shall be elected by a plurality of the tenured/tenure-track faculty in their respective Schools/Divisions. They will be elected for a two-year term. No restrictions shall exist in the number of terms served. (Section 6.B. of Constitution)~~
  - d. ~~The At-Large Senator elections shall be conducted no later than the 8<sup>th</sup> week of the Spring Semester of odd years. The At-Large Senators will be elected by a plurality of the tenured and tenure track faculty. They will be elected for a two-year term. No restrictions shall exist in the number of terms served. (Section 6.C. of Constitution)~~
  - e. ~~Adjunct Senators will be elected during each Spring semester. Adjunct Senators will be elected by a plurality of those maintaining employment as adjunct faculty as defined by the American Federation of Teachers Collective Bargaining Agreement. Adjunct Senators will serve a one-year term and must maintain their employment as an adjunct faculty member, as defined by the American Federation of Teachers Collective Bargaining Agreement, during their term of office. No restrictions shall exist in the number of terms served.~~

- ~~f. In any non-contested elections where there is only one candidate for a position, a formal ballot will not be needed unless requested by an eligible voting member for that respective election.~~
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. ~~by the conclusion of the semester in which they are held.~~
  7. **Email correspondence relating to an election must be conducted via Canyons email for all parties.**

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

- a. The nominating period shall be ~~no less than two weeks~~ **at least one week** in duration ~~with the nomination period longer for both Senate President and Senate Vice President positions, see above.~~
- b. Nominations will be obtained from the appropriate faculty groups.
- c. ~~All nominations must be done through the use of the Canyons email system. Nominations received by non-Canyons emails will not be accepted.~~
- d. Individuals may nominate themselves or another member of the faculty group may nominate a qualified faculty member. ~~only with the nominee's permission and with the nominee carbon copied on the nomination email.~~
- e. Nominees will be given the full nomination list.
- f. ~~Individuals nominated should be consulted for approval before having their names on the ballot.~~

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

- a. Candidates may provide a candidate statement that is 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 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 by candidates and through the use of the Canyons email system. Candidate statements ~~will~~ **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. (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. (Business days are defined as Mondays through Fridays, not including Saturdays, Sundays, and holidays according to the academic calendar.)

**Campaigning and Lobbying Rules and Regulations:**

- a. ~~The Canyons email system may not be used for campaigning or lobbying either by the candidate or any other college employee, except by Senate Elections to disseminate candidate statements to eligible voters.~~

*Approved by the Academic Senate: March 28, 2019*



## BP 4010 Academic Calendar

### Reference:

Education Code Section 70902(b)(12)

The CEO shall, in consultation with the Calendar Committee, which shall include faculty, classified employees, administrative personnel, and students, appropriate groups, (including, but not limited to the Academic Senate, bargaining units, administrative representative from student services and instructional units), develop and submit an academic calendar to the Governing Board.

Approved 06/25/14

Reviewed by Academic Senate XX/XX/2022

Reviewed by Associated Student Government XX/XX/2022

Reviewed by CPC XX/XX/2022



## AP 4010 ACADEMIC CALENDAR

### Reference:

Education Code Section 70902(b)(12)

1. The adoption of the academic calendar is an “academic and professional matter,” as described in Board Policy 7215, upon which the District and the Academic Senate obligate themselves to mutually consent.
2. An “Academic Calendar Committee” shall prepare proposed academic calendars detailing each “academic year,” as defined by Title 5, sec. 55701 et seq., for adoption by the Santa Clarita Community College District (“District”) in the manner described herein.
3. The District, an approved “flexible calendar” college, designates ten (10) days of each academic year for professional development activities (“FLEX”). The District’s academic calendar shall consist of 175 days of instruction, inclusive of the FLEX days, plus one additional day of service (Opening Day), for a total of 176 days of service.
4. The District’s academic calendar shall observe the following statutory holidays on the dates outlined below:
  - a. New Year’s Day (January 1)
  - b. Dr. Martin Luther King, Jr. Day (Third Monday in January)
  - c. Lincoln Day (February 12 - See below for further information)
  - d. Washington Day (Third Monday in February)
  - e. Memorial Day (Last Monday in May)
  - f. Juneteenth National Freedom Day (Third Friday in June)
  - g. Independence Day (July 4)
  - h. Labor Day (First Monday in September)
  - i. Veterans Day (November 11 – See below for further information)
  - j. Thanksgiving Day (Fourth Thursday in November)
  - k. Christmas Day (December 25)
5. The academic calendar shall observe Lincoln Day, Veterans Day, and holidays that fall on weekends as allowed by Education Code section 79020. The District shall, in the absence of necessity or good cause, refrain from exercising its legal discretion over the scheduling of closures in recognition of holidays to require closure more than once a semester or term on the same weekday.
6. The Academic Calendar Committee membership shall consist of representatives of each of the following: the Administration; each recognized bargaining group; the Academic Senate; the Classified Senate; and Associated Student Government, as stated in the Academic Calendar Committee Operating Procedures. Each separately represented group shall appoint their representatives for a two-year term as stated in the Academic Calendar Committee Operating Procedures.

7. The co-chairs of the Academic Calendar Committee shall convene an initial committee meeting during the first six weeks of each fall semester to consider the timing of the committee's work. The Academic Calendar Committee shall maintain and periodically review Operating Procedures which, at a minimum, describe the committee's voting processes (requiring one vote for each representative) and the process for the scheduling of, and conduct of, committee meetings.
8. In creating an academic calendar, the Academic Calendar Committee shall be guided primarily by concern for the interests of students and learning although other secondary interests, such as the calendars of the William S. Hart Union High School District and other area school districts and other District operations should also be considered to the extent practicable.
9. Starting with the calendars for the 2022-2023 and 2023-2024 academic years and continuing as a matter of course thereafter, the Academic Calendar Committee shall prepare a single proposal for two sequential academic calendars and submit the proposal to the President of the Academic Senate no later than eighteen months (1.5 years) prior to the first day of the first academic year described within that proposal.
10. If the Academic Calendar Committee proposes an academic calendar that substantially deviates from the general pattern of the District's last adopted academic calendar (by, for instance, eliminating an academic term entirely), the committee shall submit such a proposal to the President of the Academic Senate at least thirty months (2.5 years) in advance of the first day of the first academic year described in the proposal. These deadlines recognize the importance of the timely adoption of future academic calendars on orderly college planning and operations.
11. The Academic Senate shall consider the Academic Calendar Committee's timely proposals expeditiously to provide sufficient time for the District's Board of Trustees to subsequently consider, and potentially adopt, the proposed academic calendar as far in advance as feasible.
12. The Academic Calendar Committee may consider proposals brought forth by any committee member, acting as a representative of the member's constituency, to modify a previously-adopted academic calendar only in unusual circumstances and when supported by good cause. The Academic Calendar Committee shall present proposals to modify a previously-adopted academic calendar to the Academic Senate for its consideration as soon as practicable after the good cause, such as applicable legal changes, changes to legal holidays, or declared emergencies, supporting the need for modification became apparent to the committee. The Academic Calendar Committee's proposal for modification to the Academic Senate must be accompanied by a written explanation of the need for the modification. The timing requirements of this procedure shall not apply to proposals to modify a previously-adopted academic calendar.

Reviewed by Academic Senate XX/XX/2022

Reviewed by Associated Student Government XX/XX/2022

**Committee on Academic Freedom  
Conditional Report:**

**What are the Instructor's Rights Regarding Textbook Choice if the Instructor has been  
Reassigned to a Section for Which a Text has Already Been Chosen and Advertised?**

Feb. 23, 2022

Chris Blakey  
Chair

Kelly Burke  
Member

Tricia George  
Member

Karyl Kicenski  
Member

Lauren Rome  
Member

## **What are the instructor's rights regarding textbook choice if the instructor has been reassigned to a section for which a text has already been chosen and advertised?**

### **I. Introduction and Context**

As the Committee on Academic Freedom began to consider this question, it became clear to the Committee that obstacles to academic freedom in textbook choice have arisen in recent decades that have no clear historical precedent. These obstacles have come in the form of legal requirements of textbook information disclosure, and also in the form of well-meaning expectations on the part of students, College administrators and even some faculty committees. These latter include various subtle and not-so-subtle pressures for instructors to use OER texts or zero cost textbooks. This Conditional Report will attempt to lay out the rights of faculty on the above question while also keeping in mind many other legitimate concerns relating to how students are affected by such matters. These student concerns are primarily economic in nature.

### **II. Do faculty have the right to select which textbook to use in their classes, even in the case where faculty have been reassigned to a section for which a text has been previously selected and advertised to students?**

- A. The individual faculty member who is ultimately assigned to the teach the section has the right, protected under the principles of academic freedom, to choose the materials for the course, including the textbook(s).
- B. The American Association of University Professors (AAUP) states: "The freedom to teach includes the right of the faculty to select the materials, determine the approach to the subject, make the assignments and assess student academic performance in teaching activities for which faculty members are individually responsible, without having their decisions subject to the veto of a department chair, dean, or other administrative officer."<sup>1</sup>
- C. Also, from AAUP: "In a course for which you are the only instructor, you have the right, under principles of academic freedom, to determine the texts (and other materials) the students will be required to read. Your right in this regard is not absolute, however. The texts should be related to the subject of the course and practical concerns about availability and cost should be considered. Still, the principle is clear that the faculty member who is solely responsible for the course has the freedom to select readings for it."<sup>2</sup>

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<sup>1</sup> "The Freedom to Teach," *AAUP, Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>2</sup> American Association of University Professors Website, <https://www.aaup.org/i-need-help/workplace-issues/contours-academic-freedom#c2>.



### III. Why does the question of textbook choice matter?

- A. Faculty members in higher education typically pursue studies in their respective disciplines because of their interest in that particular field of study. Faculty often hold the view that the subject matter of their discipline is significant for students' growth, development in knowledge and general understanding of the world, and, in some sense, faculty believe pursuit of such knowledge contributes to the common good. With such value attributed to their fields of study, faculty members often have deeply held, (and well-considered), views about how to approach their subject, and have correlative views about which texts are best to accomplish these pedagogical goals. The freedom faculty have in determining their approach to the subject matter in their courses is fundamental to academic freedom.<sup>3</sup> This approach will often be closely tied to the selected textbook(s).
- B. Not only is text choice central in how a subject matter is approached, but it is also closely tied to how faculty craft assignments and how faculty assess student understanding, both of which are clearly protected under academic freedom, according to the American Association of University Professors (AAUP).<sup>4</sup> In this vein, former President of the AAUP, Cary Nelson notes,

Academic freedom establishes a faculty member's right to remain true to his or her pedagogical philosophy and intellectual commitment. It preserves the intellectual integrity of our educational system and thus serves the public good.<sup>5</sup>

If faculty prerogative is undermined in these matters due to concerns about what students think about the cost of a text (when students likely have little to no other criteria for judging the text prior to the start of the class), then fundamental features of academic freedom are undermined.

- C. There is often significant variation within a department regarding what textbooks faculty prefer to use, and in how instructors choose to utilize these textbooks in their courses.<sup>6</sup> Some of this variation is due to differences in subject matter, some is due to teaching style, and surely to many other factors. Variation and diversity in approach to a subject matter are highly valued in the academy. It would be problematic to encourage uniformity in teaching, content, and approach to academic subjects, as this would

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<sup>3</sup> "The Freedom to Teach," *AAUP, Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>4</sup> "The Freedom to Teach," *AAUP, Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>5</sup> "Defining Academic Freedom," *Inside Higher Education*, Dec. 21, 2010.

<https://www.insidehighered.com/views/2010/12/21/defining-academic-freedom>

<sup>6</sup> It is acknowledged that some disciplines may have much more uniformity in textbook content due to the nature of the subject matter, and thus will have much less concern over textbook differences. Generally, textbooks in the hard sciences will likely be more uniform than those in the humanities, though it is possible that the orientation of a textbook even in the hard sciences may matter to some faculty. And no doubt the manner in which the content in a textbook is arranged and presented may have significant pedagogical value to faculty, and this may vary significantly.

conflict with the fundamental principles of academic freedom. Definitively limiting textbook choice in any way (beyond the limits imposed by the relevant course outline of record) *would* undermine academic freedom.<sup>7</sup>

**IV. But doesn't academic freedom conflict with the Higher Education Opportunity Act's (Public Law 110-315) requirement of educational institutions to disclose on the institution's Internet site the ISBN and price of textbooks in order to increase student access to textbook information by which they can make educational decisions?**

- A. The intent of the Higher Education Opportunity Act (HEOA) is to maximize transparency in textbook and supplemental materials costs for students in order assist them in their educational plans and decisions.
- B. However, the language of HEOA contains the following: "Rule of Construction. -- Nothing in this section shall be construed to supersede the institutional autonomy or academic freedom of instructors involved in the selection of college textbooks, supplemental materials, and other classroom materials."<sup>8</sup>
- C. Further, the language of HEOA, in several places, clearly indicates that colleges must disclose textbook information on their Internet sites "to the maximum extent practicable". This is a clear acknowledgement that various circumstances may arise that make the disclosure of textbook information more complicated than it may seem at first glance, including last minute changes in faculty assignments.

**V. What about cases in which a faculty member is reassigned to a section for which a departmental policy is in place regarding the textbook to be used in the course?**

- A. In such cases, the textbook decision has already been made, and so immediate questions about textbook choice are not relevant.
- B. The AAUP comments: "In a multisection course taught by several faculty members, responsibility is often shared among the instructors for identifying the texts to be assigned to students."<sup>9</sup>
- C. Regarding such multisection courses: "The shared responsibility bespeaks a shared freedom, which trumps the freedom of an individual faculty member to assigning a textbook that he or she alone considers satisfactory. The individual's freedom in other respects, however, remains undiluted."<sup>10</sup>

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<sup>7</sup> One exception to this is when departments have democratically chosen a particular text to be used in a multisection course taught by multiple instructors. See section V below.

<sup>8</sup> Higher Education Opportunity Act, Public Law (110-315), Section 112, Textbook Information.

<sup>9</sup> "The Freedom to Teach," *AAUP, Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

<sup>10</sup> "The Freedom to Teach," *AAUP, Policy Documents and Reports*, 11<sup>th</sup> ed. (Baltimore: Johns Hopkins University Press, 2015), 28.

**VI. What about textbook issues in the case where a change of instructor occurs, for whatever reason, later in the semester?**

- A. Such a case will be exceedingly rare, and will be the exception.
- B. The longer a course has been running, the more reason there is to continue with the original text. The expectations and rhythms of the course, along with classroom learning environments become established with time.
- C. In cases where a textbook has been already introduced for use in real class time, once a course has passed the two-week mark (in a semester length course), it seems appropriate for initially chosen texts to remain in place in the case of mid-semester change of instructor.

**VII. Challenges/Considerations/Qualifications**

- A. Changes in course textbooks can have adverse economic consequences for students.
  - 1. The substituted textbook may be higher priced than the initial text. This includes the possibility that the course was initially advertised as OER or zero-cost text, and the reassigned instructor utilizes a text that is neither.
  - 2. It may be more difficult or impossible for the student to return a text if not purchased from the College of the Canyons Bookstore.
  - 3. Some texts may include software that requires an access code. If a student logs in prior to the text change, they cannot return the initially assigned text with the access code.
  - 4. EOPS vouchers can expire, and if this occurs it would pose an economic challenge for the student.
- B. A related concern includes the *unique role of the community college* in the state of California.<sup>11</sup>
  - 1. The California community college (CCC) system was built to democratize higher education, to ensure that all students have equal and equitable opportunities to take full advantage of a quality education. Education outcomes ought to be the result of students' abilities, will and effort, rather than their personal circumstances.
    - a. Therefore, CCCs function to ameliorate "opportunity gaps."<sup>12</sup>

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<sup>11</sup> "Academic Freedom and Faculty Authored Textbooks," Committee on Academic Freedom Conditional Report, (2021). Section VII.B is taken directly from this earlier report.

<sup>12</sup> This term refers to the ways in which race, ethnicity, socioeconomic status, English proficiency, community wealth, familial situations, or other factors contribute to or perpetuate lower educational aspirations,

2. Three concerns may animate the role of a community college in relationship to the academic freedom of an instructor.

- a. CCCs emphasize access for students. Access refers to “the ways in which educational institutions and policies ensure—or at least strive to ensure—that students have equal and equitable opportunities to take full advantage of their education. Increasing access generally requires schools to provide additional services or remove any actual or potential barriers that might prevent some students from equitable participation in certain courses or academic programs.”<sup>13</sup>

- b. CCCs emphasize fairness for students. Fairness refers to the goal of removing obstacles to the full development of talent that stem from economic and social circumstances over which individual students have no control. If students’ achievements are more likely to result from their abilities and factors that students themselves can influence, such as their will or effort, educational systems are fairer. Such systems are less fair the more they are conditioned by contextual characteristics or “circumstances” that students cannot influence.<sup>14</sup>

- c. CCCs emphasize inclusion for students. Inclusion refers to the objective of ensuring that all students, particularly those from disadvantaged backgrounds or traditionally marginalized groups, have access to high-quality education and reach a baseline level of skills.<sup>15</sup>

- C. In light of the above, it is reasonable that faculty who require a different text upon reassignment do their best to minimize potential adverse economic repercussions for students.
- D. When faculty are reassigned to a course and they make the decision to utilize a different text, it is understood that students may experience a short delay in obtaining this new text. However, choosing to supplement course materials for a couple of weeks rather than use an entirely unfamiliar text for the entire semester may be preferred by some faculty.

## **VIII. Suggestions to Help Mitigate Adverse Consequences for Students**

- A. Deans should do everything they can to stay on top of enrollment numbers, and when possible, to make reassignments early enough to allow for timely changes in texts if needed.

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achievement, and attainment for certain groups of students. (*LSU Libraries: Diversity, Equity, & Inclusion (DEI) Resources*. <https://guides.lib.lsu.edu/c.php?g=1052777&p=7644571>

<sup>13</sup> Ibid

<sup>14</sup>For example, gender, race or ethnicity, socio-economic status, immigrant background, family structure or place of residence. PISA 2015 Results (Volume I): Excellence and Equity in Education © OECD 2016

<sup>15</sup>Ibid

- B. Require all orientation letters (in relevant cases) to include a clear notice that students should not login using their access code until the semester begins and the textbook is finalized.
- C. Require the bookstore to work with students in such cases to allow easy returns of textbooks. This should include any edition of a text the bookstore has sold to a student for the semester in view. (It is reported the bookstore does not accept returns of older editions sold to students.)
- D. Make sure the bookstore's electronic text ordering apparatus is up and running in order for textbook changes to be enacted quickly and easily. If the change is made at, or before, the beginning of the semester, there should be no problem with EOPS vouchers expiring.
- E. Instructors should have multiple copies of the textbook at the reserve desk in the library.

## **DISCUSSION ITEM TOPIC:**

OnlineLIVE Categorization/Interpretation/Impact

## **ISSUE BACKGROUND:**

The Covid-19 pandemic resulted in the creation and formal recognition of new teaching modalities at COC. OnlineLIVE is the most prevalent of these modalities. The District and COCFA have requested the Academic Senate provide its input on how OnlineLIVE might be categorized in order to provide negotiators from both sides a more informed perspective of its impact on Article 12(A)(4) of the collective bargaining agreement (CBA). In short, the question before negotiators is whether OnlineLIVE should or should not be counted toward the 100% Online ("Online") modality TLU contractual limitation.

Article 12(A)(4) was adopted many years ago, pre-Covid 19 pandemic. That section of the CBA identifies the permissible TLUs in the form of Online modality sections that may be counted toward full-time faculty load requirements. At present, the District and COCFA are operating under an MOU that has adjusted the amount of permissible Online TLUs used toward load from 10 to 12 for the fall, 2022 semester only. Per the CBA, Hybrid modality sections are not counted toward the TLU maximum allowed Online sections. The CBA is silent on the categorization of all other modalities, including OnlineLIVE.

The Academic Senate leadership has examined this matter in preparation of this meeting agenda item. The leadership is wary of leading a discussion that is not clearly within the 10+1 charge of the Academic Senate and arguably encroaches on the negotiated work conditions mandate of COCFA. However, it has been agreed that the District and COCFA would benefit from a Senate discussion framed from the standpoint of how Article 12(A)(4) characterization of OnlineLIVE might impact campus life and most importantly, the instructional and programmatic opportunities for students. Importantly, how might the contractual treatment of OnlineLIVE impact student learning?

In other venues, campus conversations regarding the Article 12(A)(4) TLU issue have largely centered around whether OnlineLIVE is more closely aligned with a traditional face-to-face (f2f) modality, or rather, an Online modality. OnlineLIVE is its own unique modality having been recognized statewide. It encompasses aspects of both f2f and Online modalities, and arguably more. A plausible argument could be made for aligning OnlineLIVE to either of those two modalities. However, that approach of categorization runs afoul of the Senate's mandate. Rather, faculty need to decide what is a sound academic approach to remote versus traditional/f2f instruction? From a Title 5 curriculum lens, that might also be categorized as

"Distance Education (DE)" vs. "traditional/f2f" instruction. That is because the instructional landscape has changed dramatically since Article 12(A)(4) was originally negotiated. Correspondence courses notwithstanding, every recognized instructional modality at COC has a DE component per Title 5, except for traditional/f2f instruction. Furthermore, the federal government requires any remote instruction adhere to the rules of DE, including authentication of students, accessibility, and regular and substantive interaction. As such, faculty certified DE training and course outline of record addenda are required.

Some COC programs have seemingly grown since remote instruction expanded during the pandemic. And many programs have seen dramatic reduction in their enrollments. Ensuring programmatic viability, growth and varied modality offerings is the duty of the Academic Senate. But ensuring the highest level of academic standards of teaching and learning must parallel these efforts, and in fact, be preeminent.

**ISSUE TO BE DETERMINED:**

The Senate leadership does not believe it should call for a vote that recommends a particular categorization of OnlineLIVE in the CBA. Rather, this discussion item should elicit a robust dialogue on the matters described above to better inform District and COCFA negotiators. A detailed summary of this discussion in the subsequent meeting summary/minutes might provide a sufficient record of the academic and faculty perspectives to be considered.

## **Spring 2022 CASL-PR recommendations for Academic Senate**

1. CASL recommends that all Student Learning Outcomes (SLO) are fully assessed every three years. Fully assessed SLOs include the following parts: completed data collection (scorecard), completed reflection templates, department discussion of results, and an action plan documenting the discussion and plans for the future.
  - a. Departments are encouraged to adopt and post their assessment cycle, including assessment semesters and semesters to develop their action plans.
  - b. If Departments send their assessment cycle plans to the CASL committee, the co-chairs can send specific reminders at the start of each regular term.
  - c. CASL also strongly recommends that all new courses are assessed the first time they are offered.
2. When assessing PSLOs, CASL recommends departments with programs that include course SLOs outside of the department (example: Math 140 requirement in ADTs), assess courses in the department first. CASL recommends the chair or coordinator have a conversation with the chair/coordinator for the course outside the department (example: Math 140 coordinator) to identify common themes in SLO assessment and how departments can support assessment of the course(s) outside the department. (example: how business faculty can help with assessment rate of Math 140).
3. In general, at College of the Canyons, Course SLOs should be mapped to Program SLOs. Course SLOs should also mapped to Institutional SLOs. This mapping allows for indirect assessment of Program and Institutional SLOs.