



**SAN DIEGO MESA COLLEGE**

**ACADEMIC SENATE**

**Virtual Meeting**

**PLEASE TURN YOUR MICROPHONE OFF WHEN YOU ARE NOT SPEAKING.**

**November 16, 2020: 2:20PM – 4:20PM**

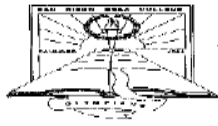
**AGENDA**

**DRAFT**

- I. CALL TO ORDER & WELCOME** by Academic Senate President Manuel Vélez:  
Parliamentarian – Veronica Gerace/Speaker Coordinator & Timekeeper – Veronica Gerace
- II. APPROVAL OF DRAFT AGENDA:**
- III. PUBLIC PRESENTATIONS:**
  - A. Associated Student Government (ASG) Representative:** President Taylor Carpenter/Senator Catalina Henríquez
  - B. Classified Senate Representative:** President Charlie Lieu/Vice President Eva Parill/Catherine Cannock
- IV. PUBLIC COMMENTS:** (6 Minute Maximum Discussion per Item/Topic)(3 Minute Maximum Discussion per Participant)
- V. APPROVAL OF DRAFT MINUTES:** October 19, 2020 & November 2, 2020
- VI. Round Table Topic:**
  - A. State Chancellor's Call to Action in Response to Black Lives Matter Protests:**
- VII. GUEST:**
  - A. Lisa Burgert – MOSAIC:**
- VIII. COMMITTEE REPORTS:**
  - A. Senate Executive Committees:**
    1. Academic Affairs Committee: Chair Oscar V. Torres (1 Minutes)
    2. Professional Advancement Committee (PAC): Chair Janna Braun (1 Minutes)
    3. Committee of Chairs (COC): Chair of Chairs Terry Kohlenberg (1 Minute)
    4. Curriculum Review Committee (CRC): Faculty Co-Chair Andrew Hoffman (1 Minutes)
    5. Program Review Committee (PRC): Acting Faculty Co-Chair Dina Miyoshi (1 Minute)
  - B. Other Committees:**
    1. The Committee for Diversity Action, Inclusion & Equity (CDAIE): Chair Judy Sundayo (5 Minutes)
    2. Mesa College Guided Pathways Committee: Co-Coordinators Marisa Alioto/Howard Eskew/Toni Parsons (5 Minutes)
    3. Other Committee Reports: (1 Minute)
- IX. OLD BUSINESS:**
  - A. Accreditation Report:** Dean Danene Brown/Professor Lisa Shapiro (2nd Reading)
  - B. Resolution 2020.11.1 – Letter to SDMC President in Response to September 15<sup>th</sup> PCab Incident:** John Crocitti (2nd Reading)
  - C. Resolution 2020.11.2 – Condemning the Use of Demeaning Language:** Alison Primoza (2nd Reading)
- X. NEW BUSINESS:**
  - A. March 2021 Election – Fall 2021 Senate Exec Positions (Vice President/Secretary/Senator at Large:** President Manuel Vélez
  - B. Proctoring Software:** President Manuel Vélez
  - C. Academic Policies:** Andrew Hoffman (1<sup>st</sup> Readings)
    1. **AP 5031 – Instructional Materials Fee:** Hoffman
    2. **AP 5104 – Contract Education:** Hoffman
    3. **AP 5152 – Military Education:** Hoffman
- XI. SENATE EXECUTIVE OFFICER REPORTS:**
  - A. President Elect:** John Crocitti (2 Minutes)
  - B. Vice President:** Howard Eskew (1 Minute)
  - C. Secretary:** Holly Jagielinski (1 Minute)
  - D. Treasurer:** Mary Gwin (1 Minute)
  - E. Senator at Large (1):** Alison Gurganus (1 Minute)
  - F. Senator at Large (2):** Leslie Seiger (1 Minute)
  - G. President:** Manuel Vélez 10 Minutes

**ANNOUNCEMENTS:**

  - A.** The next Academic Senate meeting is December 7, 2020 from 2:20PM – 4:20PM.
  - B.** The next Academic Affairs meeting is November 16, 2020 from 4:15PM – 5:30PM.
  - C.** The next Committee of Chairs (CoC) meeting is December 9, 2020 from 2:30PM – 4:00PM.
  - D.** The next Professional Advancement meeting is November 18, 2020 @ 2:30PM.
  - E.** Please donate to the Resiliency Fund to keep the dream of a higher education alive for our students. ([LINK](#))
  - F.** Please donate to the Stand and help our students succeed. ([LINK](#))
- XII. ADJOURNMENT:**



**SAN DIEGO MESA COLLEGE**  
**ACADEMIC SENATE**  
**Virtual Meeting**  
**October 19, 2020: 2:20PM – 4:00PM**  
**MINUTES**  
**DRAFT**

**Present:**

Academic Senate President Manuel Vélez, Carlynne Allbee, Isaac Arguelles-Ibarra, Janna Braun, Michael Brewer, Henry Browne, John Crocitti, Nellie Dougherty, Rosiangela Escamilla, Howard Eslew, Rob Fremland, Veronica Gerace, Lou Ann Gibson, Helen Greenbergs, Mary Gwin, Alison Gurganus, Bill Hoefer, Andrew Hoffman, Sharon Hughes, Christina Huynh, Holly Jagielinski, Geoffrey Johnson, Janue Johnson, Candace Katungi, Jesse Keller, Gloria Kim, Terry Kohlenberg, Kim Lacher, César López, Dina Miyoshi, Katherine Naimark, Bruce Naschak, Roger "Rusty" Nichols, Alison Primoza, Anthony Reuss, Robert Sanchez, Kristian Secor, Leslie Seiger, Shannon Shi, Irena Stojimirovic, Judy Sundayo, George Svoboda, Oscar V. Torres, Lauren Wade, Karen Wait and **guests** Katlin Choi, Erin Evans, Thekima Mayasa, Alessandra Moctezuma, Das Nugent-Odasso and Chris Sullivan

**Absent:**

Evan Adelson, Kim Lacher (Proxy to R. Rodrigo) and Walter "Duane" Wesley

- I. CALL TO ORDER & WELCOME** by Academic Senate President Manuel Vélez @ 2:21 PM.  
Parliamentarian – Veronica Gerace/Speaker Coordinator & Timekeeper – Veronica Gerace

**II. APPROVAL OF DRAFT AGENDA:**

Motion to approve with the addition of Guest Ian Duckles (Guided Majors Work Group) to the agenda by President Manuel Vélez and a change by Janna Braun:

**M/S**

Hoffman/Seiger

**UNANIMOUS**

**III. PUBLIC PRESENTATIONS:**

**A. Associated Student Government (ASG) Representative:** Senator Catalina Henríquez

1. ASG Senator Catalina Henríquez introduced herself to the Senators.

**B. Classified Senate Representative:** Vice President Eva Parill

As reported by Eva Parill:

1. The Classified Senate had a first read of a resolution condemning sexist and threatening language.
  - a. There will be a second read and vote at our meeting later this week.
2. The Classified Equity Taskforce also presented at the campus community forum last week about our "Calling in to Action" discussion series.
3. The Classified Senate has re-launched our name tag project, to offer a free name tag to any classified professional who would like one. We particularly see the value now, since face masks and other protective gear can make it difficult to recognize each other when we are on campus.
4. The Classified Senate is recruiting volunteers for the upcoming stand food distribution events in November.

**IV. PUBLIC COMMENTS:**

- A.** A Student spoke in support of the Faculty Member at the center of the September 15<sup>th</sup> President's Cabinet incident and against the Academic Senate Resolution 2020.10.1.

**V. APPROVAL OF DRAFT MINUTES:**

September 21, 2020:

Motion to approve:

**M/S**

G. Johnson/Hoffman

**3 Abstained**

Allbee

Greenbergs

Kim

October 5, 2020:

Motion to approve:

**M/S**

Gibson/Eskew

**2 Abstained**

Allbee

Brown

**VI. GUEST:**

**A. Ian Duckles – Guided Majors Work Group:**

1. Pathway to Student Success Goals: [LINK](#)
  - a. Career Advancement
  - b. Civic Engagement
  - c. Degrees
  - d. Explore
  - e. Lifelong Learning
  - f. Transfer
2. Mesa Pathways is developing a framework for organizing Students based on the major they select that will allow us to direct Students to the resources they need.
3. Mesa Pathways will expand on Mesa Journeys. (Mesa Journeys [LINK](#))

**VII. COMMITTEE REPORTS:**

**A. Senate Executive Committees:**

1. Academic Affairs Committee: Chair Oscar V. Torres  
As reported by Oscar V. Torres:
  - a. The committee met on October 12<sup>th</sup>.
    - There were reports on the most recent Academic Senate and President's Cabinet meetings.
    - Faculty were made aware of the news reports by the Mesa Press and the local CBS affiliate on the September 15, 2020 PCab Incident.
    - The committee reviewed statewide resolutions on the CA State Universities (CSU) Ethnic Studies Requirement.
    - The committee worked on Constitutional amendments to be forward to the Executive committee and the Senate.
    - The committee discussed our position about academic dishonesty to be forward to the Executive committee and Senate.
2. Professional Advancement Committee (PAC): Chair Janna Braun
  - a. Sabbatical Leaves Page: [LINK](#)
  - b. 2021-2022 Sabbatical Timeline Information: [LINK](#)
    - The application for Sabbatical Leave must be filed with the appropriate Dean or Manager no later than February 12, 2021.
3. Committee of Chairs (COC): Chair of Chairs Terry Kohlenberg
  - a. The Chairs met on October 14<sup>th</sup>.
    - Amanda Johnston reported on the impact of Covid 19 on Physical Therapy Assistants programs.
    - Ian Duckles reported on the Mesa Pathways Committee (MPC) Guided Majors Work Group's work.
    - The Chairs support Resolution 2020.10.1 – Condemning Sexist and Misogynistic Inappropriate Language.
  - b. The next Joint Chairs and Deans Meeting for October 28<sup>th</sup>.
    - Our agenda will include the new Curriculum Inventory, the Enrollment Management Dashboard and Guided Majors.

4. Curriculum Review Committee (CRC): Faculty Co-Chair Andrew Hoffman
  - a. Catalog Deadline Reminder: November 19, 2020
  - b. Reminder: Distance Education must be approved specifically for Mesa College for all courses on your spring 2021 schedule.
  - c. Program Changes without Narratives and all necessary documents cannot be forwarded to Sacramento.
    - Please contact Chris Kinney if you need assistance preparing your Narrative.
5. Program Review Committee (PRC): Acting Faculty Co-Chair Dina Miyoshi
  - a. Reminder: Program Review is on hiatus for 2020-2021.
  - b. The committee is waiting for authorization to begin recruiting additional Faculty Committee Members.

**B. Other Committees:**

1. The Committee for Diversity Action, Inclusion & Equity (CDAIE): Chair Judy Sundayo

As reported by Judy Sundayo:

- The next CDAIE meeting will be on Friday, November 6, 2020, from 9 - 11 am, via Zoom.
- The Committee continues to work on Strategies for Racial & Social Justice for Mesa College
- Committee members are supportive of Resolution 20.10.1 Condemning Sexist and Racist Language
- In line with that resolution, the Committee has been explicit in their support of students who might face situations of this type on campus

*Response to October 19<sup>th</sup> Public Comments:*

Therefore, in reference to what was said by the Student guest who spoke earlier about how the root of certain derogatory words actually have positive meanings, I want to underscore that the word "Negus" is *not* the origin and of the N-word, and the name of an ancient Goddess does *not* establish that name as the origin or the synonym for a misogynistic word. As Chair of CDAIE, I would like to caution us from accepting these pronouncements as facts, without research, and regardless, there is never an excuse for referring to someone with language that is racist, sexist, or misogynistic, regardless of *perceived* etymology.

2. Mesa College Guided Pathways Committee: Co-Coordinators Marisa Alioto/Howard Eskew/Toni Parsons

As reported by Marisa Alioto:

MPC/Workgroups Update:

Guided Majors and Mapping Workgroup:

- Maps were due October 15th, and continue to trickle in - thank you to all who have collaborated to get those completed
- Continued work with development and organization of "areas of interest/metamajors" for our programs. Ian Duckles provided additional details in his presentation today.

Pathways Communications Workgroup:

- A few changes have been in the works to the Communications Plan to improve the ways in which we communicate our Pathways work to the greater campus

BSI/PIZZAS:

- Basic Skills Initiative (BSI) has merged with Proactive and Integrated Student and Academic Support Pathways Workgroup (PIZZAS) - new name/mission in process
- Hiring 11 Pathways Fellows, who will work under the direction of our lead fellow Daniela Perez Padilla to really amplify student voices to inform our pathways work

Onboarding and Career Exploration Workgroup:

- Offering Career Development Training to faculty and classified professionals (see dates below)

Continuing Education Workgroup:

New Workgroup taking shape - Continuing Education.

- Meeting on Friday, October 23rd (update at next meeting)

On the Horizon:

- Mesa Pathways plans to present at the Community Forum and will be working with MPC to create an engaging presentation on November 10, 2020
- Career Development Training: (one took place for Faculty on 10/16), Classified Professionals: October 30th and Faculty: November 13th; both from 8am-12pm



3. California State Universities (CSU) Ethnic Studies Requirement Task Force: Chair Cesar Lopez

a. Task Force Members:

- Candace Katungi (Black Studies)
- Gloria Kim (History)
- Cesar Lopez (Chicano/Chicana Studies Chair)
- Thekima Mayasa (Black Studies Chair)
- Juliette Parker (Articulation Officer)
- Manuel Velez (Chicano/Chicana Studies)
- Black Studies Student Representative
- Chicano/Chicana Studies Student Representative

b. Rosiangel Escamilla and Ranmali Rodrigo expressed interest in serving on the task force.

**VIII. OLD BUSINESS:**

**A. Resolution 2020.10.1 – Condemning Sexist and Misogynistic Inappropriate Language:** Katungi (2<sup>nd</sup> Reading)

1. A policy did not exist to address similar incidents in the past.
2. Alison Primoza wants us to make it clear that the Mesa College Academic Senate acknowledges the harm caused by the sexist and misogynistic inappropriate language.
3. Geoffrey Johnson:
  - a. The Student who spoke on behalf of the Faculty Member at the center of the September 15<sup>th</sup> PCab Incident reminds us that good people can do bad things.
  - b. The person was not excused from the meeting and the meeting was not stopped.
    - We kind of let Taylor down in that particular situation.
    - I really feel that a strong statement condemning this behavior and speaking to it in a timely fashion is something that has to happen.
4. Gloria Kim said Faculty needs to express our opposition to using Sexist and Misogynistic Inappropriate Language especially words that insult a Student's intelligence and urged everyone to approve the resolution.
5. George Svoboda reported he is voting no because the Faculty Member at the center of the September 15<sup>th</sup> PCab meeting is currently not able to speak about the incident due to an investigation.
6. Carlynne Allbee, Rusty Nichols and Alison Primoza said we need to make sure we address both words that were used.
  - a. One word is more damaging than the other.
7. Rob Fremland provided an amendment recommending the separation of the first resolve to indicate that we are condemning what happened and we also want to make sure that this does not happen again.
8. The resolution author and mover accept the recommended amendments.

Motion to approve the resolution with recommended amendments:

**M/S**

Wade/G. Johnson

**1 Opposed**

G. Svoboda

**IX. NEW BUSINESS:**

**A. AP 5235 – Credit for Prior Learning:** Hoffman (1<sup>st</sup> Reading)

1. This is Administrative Policy for the Board Policy that the Academic Senate approved this semester to expand Credit for Prior Learning, which was mandated by the state of California.
2. Please review the document for discussion and potential vote on November 2, 2020.

Motion to move the item forward as Old Business on the November 2<sup>nd</sup> agenda:

**M/S**

Hoffman/Seiger

**UNANIMOUS**

**B. BP 6980 – Sustainability:** Seiger (1<sup>st</sup> Reading)

The following policy expresses the Board's intent to implement a District-wide Sustainability program in accordance with applicable state laws, District goals, and District resolutions. Sustainable practices balance three needs: environmental quality, social equity, and economic productivity. The District acknowledges that the environment provides the foundation upon which society rests, and society provides the support for the economy to function. A core tenet of sustainability requires that the present generation meet its needs without compromising the ability of future generations to meet their needs. The District's Sustainability program works to analyze the impacts of decisions today and in the future.

1. The San Diego Community College District (SDCCD) Board of Trustees is in the process of updating the Board Policies and Administrative Policies.
  - a. Vice Chancellor of Facilities Chris Manis Chairs the Sustainability Committee at the district.
    - The district's Sustainability Committee is proposing this new Board Policy.
2. Leslie is Co-Chair of the Mesa College Environmental Sustainability Committee.
  - a. Our committee endorses this update and has worked with Chris Manis.
    - Our committee feels very positive about the proposed Board Procedure and I'm here to request Faculty Senate approval for the policy.

Motion to move the item forward as Old Business on the November 2<sup>nd</sup> agenda:

**M/S**

Primoza/G. Johnson

**UNANIMOUS**

**X. Round Table Topic:** Response to September 15<sup>th</sup> President's Cabinet Incident

Motion to move the item to immediately following New Business:

**M/S**

Crocitti/G. Johnson

**UNANIMOUS**

**A. Carlynn Allbee:**

1. Carlynn expressed dismay that the meeting was not stopped immediately and the Faculty Member at the center of the incident was not asked to leave the meeting.
  - a. It would have been more effective to address the behavior at the time that it occurred.

**B. Mary Gwin:**

1. There has been a suggestion that we (the Academic Senate) write a letter to the San Diego Mesa College Administration and ask for a public apology for ASG President Taylor Carpenter and the Mesa College Community.
  - a. We have all been harmed by the incident.
2. Restorative Justice can help the person understand why the behavior was wrong and why the behavior occurred.

**C. John Crocitti:**

1. We need to create another resolution on the proper language we need to use towards Student and our colleagues.
2. We need to have a safe and confidential place where Students, Faculty and Staff can go to report their concerns without fear of retaliation.

**D. Geoffrey Johnson:**

1. We need to talk about repairing the injury using tools like Restorative Justice.
  - a. I think that's where I'd like to see our energies focus from now on.

**E. Candace Katungi:**

1. People did not know how to respond.
  - a. We need to create a structures and policies and procedures so we can address these things properly.
2. If we are going to say that we're the "Leading College of Equity and Excellence", we have to be prepared to figure out what changes we need to make within the structures that we have in order to address harm and to make sure it doesn't happen moving forward.
3. I hope that this conversation extends beyond this Round Table and into more concrete ways as an Academic Senate to think about ways to prevent things like this from happening in the future.

**F. Alison Primoza:**

1. We need to change the structure of our college so that people will be heard when someone hurts them.
  - a. They need to be heard and something like Restorative Justice needs to happen.

**XI. SENATE EXECUTIVE OFFICER REPORTS:**

**A. President Elect:** John Crocitti (No Report)

**B. Vice President.** Howard Eskew (No Report)

**C. Secretary:** Holly Jagielinski (No Report)

**D. Treasurer:** Mary Gwin (No Report)

**E. Senator at Large (1):** Alison Gurganus (No Report)

**F. Senator at Large (2):** Leslie Seiger (No Report)

**G. President:** Manuel Vélez

1. Fall 2020 Academic Senate for California Community College (ASCCC) Plenary Session:

a. Senators: Please contact Manuel If you would like to attend the online session.

**XII. ANNOUNCEMENTS:**

**A.** The next Academic Senate meeting is November 2, 2020 from 2:20PM – 4:00PM.

**B.** The next Academic Affairs meeting is October 26, 2020 from 4:15PM – 5:30PM.

**C.** The next Joint Chairs and Deans meeting is October 28, 2020 from 2:30PM – 4:00PM.

**D.** The next Professional Advancement meeting is October 21, 2020 @ 2:30PM.

**E.** Please donate to the Resiliency Fund to keep the dream of a higher education alive for our students. ([LINK](#))

**F.** Please donate to the Stand and help our students succeed. ([LINK](#))

**XIII. MEETING EXTENSION:**

Motion to extend the meeting five (5) additional minutes:

**M/S**

Katungi/Seiger

**UNANIMOUS**

**XIV. ADJOURNMENT @ 4:05PM.**

Motion to adjourn:

**M/S**

Allbee/Gibson

**UNANIMOUS**



**SAN DIEGO MESA COLLEGE  
ACADEMIC SENATE  
Virtual Meeting  
November 2, 2020: 2:20PM – 4:00PM  
MINUTES  
DRAFT**

**Present:**

Academic Senate President Manuel Vélez, Evan Adelson, Carlyne Allbee, Isaac Arguelles-Ibarra, Janna Braun, Henry Browne, John Crocitti, Nellie Dougherty, Rosi Angela Escamilla, Howard Eskew, Rob Fremland, Veronica Gerace, Lou Ann Gibson, Helen Greenbergs, Mary Gwin, Alison Gurganus, Bill Hofer, Andrew Hoffman, Sharon Hughes, Christina Huynh, Holly Jagielinski, Geoffrey Johnson, Janue Johnson, Candace Katungi, Jesse Keller, Gloria Kim, Terry Kohlenberg, Kim Lacher, César López, Dina Miyoshi, Katherine Naimark, Roger "Rusty" Nichols, Alison Primoza, Anthony Reuss, Robert Sanchez, Kristian Secor, Leslie Seiger, Shannon Shi, Irena Stojimirovic, Judy Sundayo, George Svoboda, Oscar V. Torres, Lauren Wade, Karen Wait and **guests** Sade Burell, Ian Duckles, Erin Evans, Sakeenah Gillardo, Thekima Mayasa, Alessandra Moctezuma, Juliette Parker and Ramnali Rodriguez

**Absent:**

Michael Brewer and Walter "Duane" Wesley

- I. CALL TO ORDER & WELCOME** by Academic Senate President Manuel Vélez @ 2:21PM.  
Parliamentarian – Veronica Gerace/Speaker Coordinator & Timekeeper – Veronica Gerace

**II. APPROVAL OF DRAFT AGENDA:**

Motion to approve with the addition of agenda items by John Crocitti and Alison Primoza:

**M/S**

Allbee/Miyoshi

**UNANIMOUS**

**III. PUBLIC PRESENTATIONS:**

**A. Associated Student Government (ASG) Representative:** Senator Catalina Henríquez

1. The ASG supports Board Policy 6980 on Sustainability.
2. The ASG supports Academic Senate Resolution 2020.10.1 Condemning Misogynistic and Inappropriate Language.
3. The ASC will assist with the Thanksgiving Food Drive.

**B. Classified Senate Representative:** Member at Large Catherine Cannock

1. The Classified Senate passed a resolution regarding the September 15<sup>th</sup> President's Cabinet Incident.
  - a. The resolution will be presented during tomorrow's President's Cabinet (PCab) meeting.
2. The Classified Senate will conduct a fundraiser. (You will be able to purchase a Thank You gift for colleagues.)
3. The Classified Senate will assist with the Thanksgiving Food Drive.

**IV. PUBLIC COMMENTS:**

**A.** Carlyne Allbee reported the Faculty Association for California Community College (FACCC) will host a Part-Time Faculty Symposium.

1. The event is co-sponsored by the California Part-Time Faculty Association (CPFA)
2. Join Faculty across the state for an exciting two-day virtual event designed to address the needs of Part-Time Faculty in community colleges.
  - All full-time and part-time Faculty are invited to attend. [View the agenda here.](#)
3. Friday (November 6, 2020) 1:00PM - 4:00 PM) & Saturday (November 7, 2020) 9:00 AM - 12:00 PM)
4. Registration is required (No Fee): [LINK](#)

**V. APPROVAL OF DRAFT MINUTES:** October 19, 2020 (Tabled)



## VI. GUESTS:

### A. Katlin Choi & Claudia Perkins – Restorative Justice:

Juxtaposition of Punitive and Restorative Regulatory Practices		
REGULATORY PRACTICE	PUNITIVE JUSTICE	RESTORATIVE JUSTICE
Outcomes sought	Punishment of offender (retribution)	Reparation of harm (restitution)
Decision making process	Third party (prescriptive)	First party (resolutions)
Motivating source	External (control; rule based)	Internal (engagement; values based)

#### Katlin Choi – Strong Workforce:

1. Restorative Justice can be used to address Student and Employee/Personnel issues.
2. The punitive justice system is currently what we have in our district, which often can be ineffective and only addresses what laws or rules have been broken and what to do with defenders.
  - a. It goes to a third party to decide what will happen and control is largely external.
  - b. Typically that role is carried out by our district.
    - Everything's put on hold.
    - Nobody knows what is going on until the investigation is over.
    - In the meantime, people who are involved directly or indirectly are left frustrated, confused and unable to move on.
3. Restorative Justice looks at the risk, relationships and the community and brings everyone together who experienced the wrong and were impacted by it and helping those who did the wrong to recognize the harm they caused and encouraging them to repair to harm as well as looking at what the needs of those who've been harm and engaging them in the process of figuring out how the repair can be done.
4. Those who have been harmed need to be able to grieve their losses, be able to tell their stories and have their questions answered.
5. There are several different types of Restorative Justice tools depending on the number of participants.
  - a. You are probably most familiar with Mediation.
6. Restorative Justice can involve people who witnessed what happened and people who are impacted by what happened, but weren't there in person.
7. Ultimately, it is about the community and relationships in the community, taking responsibility for repairing the harm and manifesting our best selves and moving forward.
8. Restorative justice is used in higher education.
  - a. The University of Colorado Boulder, the Mesa College Dental Assisting Program and the University of San Diego (USD) use Restorative Justice and they can be resources for training and support.
  - b. The San Diego Unified School District (SDUSD) is a partner.

#### Site Compliance Officer Claudia Perkins:

1. Mesa College has been using Restorative Justice and I've worked with so many of you and I feel so blessed to have such a wonderful group of Faculty.
2. Student Conduct issues doesn't just affect one Student and the Faculty member, it affects the entire class.
3. It's about having that Student if they're ready to acknowledge and reflect on their behavior.
4. Sometimes conduct is driven by several things including mental health concerns.
5. We can collaborate with the Faculty member, the Student and Student Health Services.
6. The Student may have too much of a course load and they may be taking care of parents at home.
7. The Student may need to work with the Counseling Department to revise their education plan.
8. Restorative Justice is a collaborative and value based practice.
9. We spend a lot of time having the Student reflect on their behavior and finding out what the Faculty Member expects from Students.
10. Mediation can include the Student and the Faculty Member or separate mediation for the Student and the Faculty Member.
11. There can be a new bond when a Student return to class because there is more understanding of what is expected in the classroom.
12. Restorative Justice seems to be working for San Diego Mesa College Student Affairs.

## **VII. COMMITTEE REPORTS:**

### **A. Senate Executive Committees:**

1. Academic Affairs Committee: Chair Oscar V. Torres
  - a. The committee met on October 26<sup>th</sup>.
  - b. The committee encourages Faculty to attend the Academic Senate and President's Cabinet meetings.
  - c. The committee discussed the upcoming President's Cabinet Retreat.
  - d. There were reports from the most recent Academic Senate, President's Cabinet and Senate Executive meetings.
  - e. The committee continued our discussion regarding the changes we are recommending to the Academic Senate Constitution regarding committee assignments and creating a mechanism for Faculty to voice concerns about committee assignments.
    - Carlynn Allbee reported she was appointed to work on constitutional changes to add Adjunct Faculty Members to the Academic Senate in the 1980s.
  - f. The committee recommends that the Chairs of Academic Senate Standing Committees be a member of the committee for at least one semester before they can serve as the committee chair.
  - g. The Academic Affairs Committee is developing a position paper on Upholding Academic Integrity.
2. Professional Advancement Committee (PAC): Chair Janna Braun
  - a. District Payroll personnel are working remotely and doing their best to enter salary advancement approved by the PAC.
    - Please be patient.
    - Your salary increase will be retroactive to the date it was approved by the PAC.
3. Committee of Chairs (COC): Chair of Chairs Terry Kohlenberg
  - a. The Department Chairs held a joint meeting with Mesa College Administrators on October 28<sup>th</sup>.
    - Dean Shelly Hess reported on the new Curriculum Inventory.
    - District Research Personnel reported on the new Enrollment Management Dashboard.
    - Counseling Chair Leroy Johnson reported that Faculty can schedule classroom Counselor visits on the topics presented during the fall 2020 Counseling Open House events.
4. Curriculum Review Committee (CRC): Faculty Co-Chair Andrew Hoffman
  - a. The CRC will review three (3) Administrative Policies during our next meeting.
    - The three (3) Administrative Policies will be presented to the Academic Senate.
  - b. Thank you to Chris Kinney for assisting Faculty with Distance Education approvals for Mesa College courses!
5. Program Review Committee (PRC): Acting Faculty Co-Chair Dina Miyoshi (No Report)

### **B. Other Committees:**

1. The Committee for Diversity Action, Inclusion & Equity (CDAIE): Chair Judy Sundayo  
As reported by Judy Sundayo:
  - The next CDAIE meeting will be held this Friday, Nov. 6, 2020 from 9 - 11 am via Zoom. Anyone wanting to attend as a guest may send an e-mail to [jsundayo@sdccd.edu](mailto:jsundayo@sdccd.edu) for the Zoom link.
  - The student-led discussions, entitled Propelled by Protests, co-sponsored by CDAIE, have been attended by over 100 participants so far. Students have expressing their thoughts and feelings about societal issues that have sparked civil unrest recently and how to be part of positive change, like the importance of voting. The last discussion for this semester will be held on Wednesday, November 18th from 5 - 6:30 pm via Zoom. The guest speaker will be Dr. Abdimalik Buul, a former Mesa Academy/UMOJA student, who completed his transfer from Mesa College to SDSU and has since completed his Bachelors, Masters and Doctoral degrees. Before joining the Counseling faculty at City College, he was an outstanding adjunct Counselor at Mesa College. His story is a powerful one of overcoming the odds and staying committed to being an advocate for social justice. Another announcement will be sent out soon. The Zoom link is 999 7366 7457. You are welcome to attend to hear and champion our former student and his success! Please invite those of your students who could use a little more inspiration or extra credit at this point in the semester. There will be additional Propelled by Protests events held in the spring
  - CDAIE is also co-sponsoring a Propelled by Protests FLEX workgroup for "Best Practices in Developing and Delivering Intentional Equity-Minded Assignments and Effective Student -Faculty Interactions," which will continue through the spring semester as well.

2. Mesa College Guided Pathways Committee: Co-Coordinator Marisa Alioto/Howard Eskew/Toni Parsons

As reported by Toni Parsons:

- CE workgroup has decided to meet on 1<sup>st</sup> and 3<sup>rd</sup> Fridays from 10 – 11am (Thank you Karla Trutna and Natalie Lindenberg)
- Working on funding form and process for funding Pathways related projects
- SOAA is back again. Needs to be submitted by March, so look for it to come here
- Pathways presenting at Forum next Tuesday, November 10<sup>th</sup>.
- Thank you subs who have filled in (Helen, Terrence, Sharon) for fellow work group leads

3. Ethnic Studies Task Force: Cesar Lopez

As reported by Cesar Lopez:

- Members of the Ethnic Studies Task Force will be attending the virtual Academic Senate of the California Community College (ASCCC) fall plenary meetings this week November 5-7th. There are three Ethnic Studies related resolutions that will be discussed. The new CSU Ethnic Studies requirement will also be discussed among the various caucuses including the CCC Ethnic Studies Council that is made up of community college Ethnic Studies discipline faculty including our Ethnic Studies Mesa College discipline faculty.
- The ESTF invited Shelly Hess, District Dean of Curriculum and the chair of the Chicana/o Studies Department from City to our last meeting. We recommended to Shelly and she has agreed that the district will have the Mesa College Ethnic Studies Taskforce members and other Ethnic Studies discipline faculty from across the district take the lead on providing guidance as we move forward.
- There is an informative article in the EdSource online newsletter today about the new CSU Ethnic Studies requirement and the need to expand Ethnic Studies departments/programs and hire Ethnic Studies discipline faculty at the community colleges due to the existing and growing demand.

## VIII. OLD BUSINESS:

**A. AP 5235 – Credit for Prior Learning:** Andrew Hoffman (Second Reading)

1. Minor grammatical changes were made since the first reading.
2. Discipline Experts will determine what qualifies for credit.
3. Holly Jagielinski asked if there will be a limitation on the number of units a Student can receive and will the policy extend to Career Technical Education (CTE).
4. Helen Greenbergs expressed concern about instability over time.
  - a. Andrew Hoffman reported we will conduct a review every three (3) years.

Motion to approve with recommendations from the Academic Senate:

**M/S**

Hoffman/Eskew

**UNANIMOUS**

**B. BP 6980 – Sustainability:** Leslie Seiger (Second Reading)

The following policy expresses the Board's intent to implement a District-wide Sustainability program in accordance with applicable state laws, District goals, and District resolutions. Sustainable practices balance three needs: environmental quality, social equity, and economic productivity. The District acknowledges that the environment provides the foundation upon which society rests, and society provides the support for the economy to function. A core tenet of sustainability requires that the present generation meet its needs without compromising the ability of future generations to meet their needs. The District's Sustainability program works to analyze the impacts of decisions today and in the future.

1. Mesa, City and Miramar College Environmental Sustainability Committees support the board policy.
2. Holly Jagielinski asked if the board policy can be changed to "Environmental Sustainability".

Motion to approve with recommendations from the Academic Senate:

**M/S**

Eskew/G, Johnson

**UNANIMOUS**



**IX. NEW BUSINESS:**

**A. Resolution 2020.11.1 – Letter to the SDMC President in Response to September 15<sup>th</sup> PCab Incident:** John Crocitti (1st Reading)

1. The resolution requests a public apology to ASG President Taylor Carpenter.
  - a. The meeting was not stopped and the Faculty Member at the center of the incident was not asked to leave the meeting.

Motion to move the item to the November 16, 2020 as Old Business for discussion and potential vote:

**M/S** Allbee/Primoza **UNANIMOUS**

**B. Resolution 2020.11.2 – Condemning the Use of Demeaning Language:** Alison Primoza (2nd Reading)

1. The resolution specifically addresses the demeaning language used to describe ASG President Taylor Carpenter's intelligence during the September 15, 2020 President's Cabinet meeting that was not specifically addressed in Resolution 2020.10.1.

Motion to move the item to the November 16, 2020 Agenda as Old Business for discussion and potential vote:

**M/S** Allbee/G. Johnson **UNANIMOUS**

**C. Accreditation Report:** Lisa Shapiro (1<sup>st</sup> Reading)

1. The accreditation midterm report was presented for review, and for approval at the next meeting.

Motion to move the item to the November 16, 2020 Agenda as Old Business for discussion and potential vote:

**M/S** Kohlenberg/Greenbergs **UNANIMOUS**

**X. SENATE EXECUTIVE OFFICER REPORTS:**

**A. President Elect:** John Crocitti (No Report)

**B. Vice President:** Howard Eskew (No Report)

**C. Secretary:** Holly Jagielinski (No Report)

**D. Treasurer:** Mary Gwin

1. Please sign up in PeopleSoft for Academic Dues.
  - a. Please contact Mary Gwin if you need assistance making changes in PeopleSoft.

**E. Senator at Large (1):** Alison Gurganus (No Report)

**F. Senator at Large (2):** Leslie Seiger (No Report)

**G. President:** Manuel Vélez

1. 2020 Academic Senate for California Community Colleges (ASCCC) Plenary session.
  - a. Draft Resolutions: [LINK](#)
    - Please send your vote recommendations President Manuel Velez and Delegate Howard Eskew.

**XI. Round Table Topic:**

**A. State Chancellor's Call to Action in Response to Black Lives Matter Protests:** Tabled

1. Motion to place the item immediately following the approval of the October 19<sup>th</sup> and November 2<sup>nd</sup> Academic Senate minutes on the November 19<sup>th</sup> agenda.

Motion to approve:

**M/S** Katungi/Fremland **UNANIMOUS**

**XII. ANNOUNCEMENTS:**

**A.** The next Academic Senate meeting is November 16, 2020 from 2:20PM – 4:20PM. **(Time Change)**

**B.** The next Academic Affairs meeting is November 9, 2020 from 4:15PM – 5:30PM.

**C.** The next Committee of Chairs (CoC) meeting is December 9, 2020 from 2:30PM – 4:00PM.

**D.** The next Professional Advancement meeting is November 18, 2020 @ 2:30PM.

**E.** Please donate to the Resiliency Fund to keep the dream of a higher education alive for our students. ([LINK](#))

**F.** Please donate to the Stand and help our students succeed. ([LINK](#))

**XIII. EXTEND MEETING TIME:**

Motion to extend the meeting five (5) additional minutes:

**M/S** Gerace/Jagielinski **UNANIMOUS**

**XIV. ADJOURNMENT @ 4:07PM:**

Motion to adjourn:

**M/S** Gerace/Braun **UNANIMOUS**





**Resolution 2020.11.1 – Sending a Letter on Behalf of the San Diego Mesa College Academic Senate to the President of San Diego Mesa College in Response to the Events of September 15, 2020 President’s Cabinet Meeting:** John Crocitti on Behalf of Work Group

Move: Allbee

Second: Primoza

Whereas, San Diego Mesa College is the Leading College of Equity and Excellence committed to providing a safe, accessible, and inclusive environment for all students; and

Whereas, President Pamela Luster at the President’s Cabinet Meeting on September 15, 2020, allowed Kim Perigo to remain in the meeting after Perigo was recorded as saying, “I’m touched that you remember...[laughs]...okay, Andy...you know the student president is the same stupid cunt that was the one who...”; and

Whereas, We, San Diego Mesa College Academic Senate, disapprove of the way President Pamela Luster handled the event and its aftermath; and

Whereas, President Pamela Luster’s handling of these events caused harm to the student body president and the entire San Diego Mesa College community therefore: be it

Resolved that, the San Diego Mesa College Academic Senate send the following letter to President Pamela Luster requesting that she remove Kim Perigo from the accreditation committee as per San Diego Mesa College Academic Senate Constitution Article VI, Section 2, D and California Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), #7; and

Resolved that, the San Diego Mesa College Academic Senate include in that same letter a request to President Pamela Luster for a public statement of self-censure with apology for the harm done as per San Diego Community College District AP 3435, BP 7150, BP 3100, and California Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), #6 and #11.

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Dear President Luster,

We, the Academic Senate, are reaching out to you in order to address your response to the dehumanizing language used by Kim Perigo at the President’s Cabinet Meeting on September 15, 2020. We do this in part because it is our duty,<sup>1</sup> but also because of your own commitment to social justice and restorative practices. It is our hope that you will reflect on our comments and take the appropriate actions: remove Kim Perigo as Faculty Co-Chair of the Accreditation Committee and issue a public self-censure with apology. Our ultimate goal is to work toward creating an environment where students, faculty, classified professionals, and administrators feel safe from harassment and retaliation.

As is widely known, at the President’s Cabinet Meeting on September 15, 2020, Kim Perigo was recorded as saying, “I’m touched that you remember...[laughs]...okay, Andy...you know the student president is the same stupid cunt that was the one who...” at which point you and Charlie Lieu interrupted Kim. You are recorded as saying, “Kim, Kim, Kim...there yeah, there you go.” According to multiple reports and the recording you allowed the meeting to proceed as normal until you allowed Kim Perigo back into the meeting to apologize after Manuel Vélez’s report on Academic Senate. You are recorded as saying, “Thank you, Manuel. Kim.”

At that point, you allowed Kim Perigo to apologize for using “inappropriate language.” After which you are recorded as saying, “Thank you, Kim. I appreciate that. I’m sure we all do. Okay...” This was the end of your response to the incident during the meeting. The following day, you sent an email to the PCAB attendees saying that you had initiated an investigation because “inappropriate language” was used. In that email you referred attendees with distress to their supervisors or the district benefits office through a link to sdccd.edu. On September 24, you forwarded the message of September 16th to the campus community at large, saying that you had enlisted the aid of the National Conflict Resolution Center. At the PCAB meeting on October 06 as part of your effort to remediate the harm done, you directed some of the same administrators and faculty who were passive bystanders at the PCAB meeting of September 15 to facilitate the breakout sessions for the National Conflict Resolution Center.

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We find all of these actions to be at the very least inadequate for the following reasons.

1. AP 3435 on Discrimination and Harassment Investigations (p. 1) states:

Communicating that the Conduct is Unwelcome: The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste and/or inappropriate.<sup>2</sup>

2. BP 7150 on Civility and Mutual Respect (p. 1) states:

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<sup>1</sup> "The Senate shall be responsible for maintaining communication between Faculty and Administration and keeping both groups informed about Academic and Instructional issues." Article VI, Section 2, D, San Diego Mesa College Academic Senate Constitution, Revised April 2019.

<sup>2</sup> <https://www.sdccd.edu/docs/District/procedures/District%20Governance/AP%203435.pdf>

It is the policy of the San Diego Community College District to foster an environment which maximizes student learning and employee performance, and a climate of civility among all employees and students of the District.<sup>3</sup>

3. BP 3100 on Student Rights, Responsibilities, Campus Safety and Administrative Due Process (p. 1) states:

All students shall have the right to a safe campus learning environment free from interference and disruption including verbal, physical, sexual or violent acts. The District shall ensure to the best of its ability to afford students the rights contained herein.<sup>4</sup>

We think that you should have let Kim Perigo know immediately at the September 15th meeting that her behavior was unwelcome, offensive, and in poor taste by removing her from the meeting immediately. We believe that by not removing her from the meeting immediately you failed to follow AP 3435. As President of San Diego Mesa College you are responsible for ensuring that BP 7150 and BP 3100 are carried out. Furthermore, we also believe that your handling of the situation after the September 15th meeting has done little to address BP 7150 and BP 3100. While you did initiate an investigation and have subsequently apologized at the October 06 PCAB meeting to Taylor Carpenter, the student to whom the demeaning, misogynistic words allegedly were addressed, we think that your response, or lack thereof, to the rest of the San Diego Mesa College community, is insufficient. We are concerned by the fact that 1) you did not remove Kim Perigo from the meeting, 2) refer to the language in the incident as "inappropriate" when in fact the language is vulgar, misogynistic, and violent, and 3) allowed passive bystanders in the original incident to facilitate the attempt to remedy the situation. We, the faculty community, have been harmed not only by Kim Perigo's actions, but also by your inadequate response to the incident.

Therefore we, the Academic Senate, make the following two requests. First, we request that you remove Kim Perigo from the position of faculty co-chair of the accreditation committee. We make this request under our purview as outlined in the California Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), #7<sup>5</sup>. We think that this is necessary on the part of the administration in order to ensure BP7150 and BP3100 are carried out. Second, we request that you issue a self-censure with apology to the entire community at San Diego Mesa College for your failure to ensure a safe environment for our students, faculty, staff, and administrators. We make this request under our purview as outlined in California Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), #6 and 11.<sup>6</sup> We think this is necessary in order to restore our trust and confidence in our leadership.

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<sup>3</sup> <https://www.sdccd.edu/docs/District/policies/Human%20Resources/BP%207150.pdf>

<sup>4</sup> <https://www.sdccd.edu/docs/District/policies/Student%20Services/BP%203100.pdf>

<sup>5</sup> [https://govt.westlaw.com/calregs/Document/I6EED7180D48411DEBC02831C6D6C108E?transitionType=Default&contextData=%28sc.Default%29; https://www.asccc.org/10\\_1;](https://govt.westlaw.com/calregs/Document/I6EED7180D48411DEBC02831C6D6C108E?transitionType=Default&contextData=%28sc.Default%29; https://www.asccc.org/10_1;)

<sup>6</sup> Ibid.

We sincerely hope that you take the actions that we request. Ultimately our goal is to work toward creating an environment where students, faculty, staff, and administrators feel safe from harassment and retaliation. To that end, we believe that these two actions will go far to bring about positive change on our campus.

Respectfully,  
San Diego Mesa College Academic Senate

Presented to the Mesa College Academic Senate: November 2, 2020  
Presented to the Mesa College Academic Senate:



**Resolution 2020.11.2 – Condemning the use of Demeaning Language Insulting the intelligence of Students:** Primoza

Move: Allbee

Second: G. Johnson

Whereas, San Diego Mesa College aspires to be the Leading College of Equity and Excellence, committed to providing a safe, accessible, and inclusive environment for all students, and

Whereas, a faculty member insulted the intelligence of a student during the President's Cabinet meeting on Tuesday, September 15, 2020, immediately after the Associated Student President's report; and

Whereas, the Associated Student President reported to the Academic Senate on Monday, September 21, 2020, that she was personally harmed by the faculty member's words and asked the Academic Senate to take action to "center equity in the moment" and protect students from biased and abusive language when incidents occur; and

Whereas the mission of the Academic Senate, as stated in section 2.B of the San Diego Mesa College Academic Senate Constitution, "shall be to work for the general welfare of San Diego Mesa College, its students, staff, and Faculty;"

*Whereas the Academic Senate on October 19, 2020, passed Resolution 2020.10.19 arising out of this same incident and condemning the use of sexist and misogynistic language, be it therefore*

Resolved, the San Diego Mesa College Academic Senate specifically condemns the use of an insult to a student's intelligence at the President's Cabinet meeting on September 15, 2020, and

Resolved, the San Diego Mesa College Academic Senate generally denounces the use of any language towards or in reference to students, that is abusive,

insulting, derogatory, demeaning, or rooted in prejudice or hatred; and strongly encourages the use of bias-free language to maintain the integrity, worth, and dignity of all individuals as human beings; and

Resolved that, the San Diego Mesa College Academic Senate acknowledges the harm caused by the insult to the student's intelligence during the President's Cabinet meeting on September 15, 2020, and publicly apologizes to Associated Student President Taylor Carpenter on behalf of the faculty

Presented to the Mesa College Academic Senate: November 2, 2020

Presented to the Mesa College Academic Senate:





# SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

## Chapter 4 – Academic Affairs

### AP 5031 – INSTRUCTIONAL MATERIALS FEES

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#### References:

Education Code Section 76365;

Title 5 Sections 59400 et seq.

Students may be required to acquire instructional materials required for a credit or noncredit course. Such materials shall be of continuing value to a student outside of the classroom setting and shall not be solely or exclusively available from the District.

Required instructional materials shall not include materials used or designed primarily for administrative purposes, class management, course management, or supervision.

Where instructional materials are available to a student temporarily through a license or access fee, the student shall be provided options at the time of purchase to maintain full access to the instructional materials for varying periods of time ranging from the length of the class up to at least two years. The terms of the license or access fee shall be provided to the student in a clear and understandable manner prior to purchase.

Instructors shall take reasonable steps to minimize the cost and ensure the necessity of instructional materials.

The District will publish these regulations in a place accessible to students.

#### Definitions

"Required instructional materials" means any materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which the instructor determines is necessary to achieve the required objectives of a course.

"Solely or exclusively available from the District" means that the instructional material is not available except through the District, or that the District requires that the instructional material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the District if it is provided to the student at the District's actual cost; and 1) the instructional material is otherwise generally available, but is provided solely or exclusively by the District for health and safety reasons; or 2) the instructional material is provided in lieu of other generally available but more expensive material which would otherwise be required.



"Required instructional materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course to be accomplished under the supervision of an instructor during the class.

### **Establishing Required Materials and Related Fees**

In establishing any instructional fees, the District adheres to guidelines published by the California Community Colleges Chancellor's Office (CCCCO).

Disciplines or departments identify the need for required and/or non-mandatory fees. Materials and supplies must be included in the officially approved course outline of record.

Before materials fees may be required for a course, a request must be submitted through the Department Chair to the Dean. The dean reviews and validates each request and sends a consolidated list from the school to the Curriculum Services Department by November 1, each year. The requested fees are then forwarded to the Chancellor and Board of Trustees for approval prior to implementation. Curriculum Services Department sends the approved list to the college and Continuing Education Business Services Office.

All required fees associated with specific courses are included as part of the course description in the schedule of classes. Instructional materials fees are primarily collected along with enrollment fees at the time of registration.

Students will be directed by their instructors or the appropriate department personnel as to where they can obtain the instructional materials.

The District Instructional Services division is responsible for gathering data related to student fees and for disseminating that information to the appropriate college personnel. The District Instructional Services division responds to inquiries from the CCCCCO related to instructional materials fees.



## SAN DIEGO COMMUNITY COLLEGE DISTRICT

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### AP 5104

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## Administrative Procedure

### Chapter 4 – Academic Affairs

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#### AP 5104 CONTRACT EDUCATION

#### Reference:

#### Title 5 Section 55170

The District may contract for instructional classes to be offered at the request of public or private agencies or groups.

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**The District may contract to offer instructional classes or services for businesses, nonprofit organizations, public agencies, and/or other groups. These contracted activities shall be self-supporting and independent of the unrestricted general fund. If the contract covers the full cost of the classes, the classes shall not be submitted for apportionment from the state and are not required to be open to the public.**

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**The total of all revenues earned from contract education shall be an amount equal to or greater than the actual costs (including administrative costs) incurred in providing contracted services.**

**Contract Education consists of any of the following:**

- Credit courses from the approved curriculum, from which students may earn college credit upon successful completion;**
- Noncredit courses from the approved curriculum;**
- Customized educational offerings designed for a particular purpose, which are not credit bearing; or**
- Specialized services, which are not credit bearing.**

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**Fees:**

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**Contract fees shall be based on, but not limited to, the following factors:**

- **needs and analyses;**
- **curriculum development and implementation;**
- **supplies, materials, and equipment needs;**
- **required qualifications and expertise of the presenter(s) or instructor(s);**
- **total hours of instruction or consultation;**
- **total hours of staff support and project coordination; and**
- **indirect costs.**

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## **Process**

- **An agreement shall include the following components:**
- **Classes being taught and/or services being offered;**
- **Length of the contract;**
- **Billing cycle; and**
- **Fees paid.**

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• The proposed agreement is evaluated for feasibility by discipline faculty, instructional administrator, business services office (including information technology), and risk management office using the following criteria (adjust based on question about offering):

⊖ Congruence with the District's mission, mandates, and goals;

⊖ Adherence to the approved course outline of record, collective bargaining agreement, and other applicable policies and regulations for credit and noncredit courses;

⊖ Measurable and attainable scope, objectives, and outcomes; and

⊖ Ability to recover the costs of delivering the instruction including administrative costs, technology costs, supplies, rentals, etc., from revenue generated by the contract.

• The proposed agreement is approved by one of the following:

⊖ Chancellor or designee for all District contracts;

⊖ Foundation Executive Director and Continuing Education President for all Foundation contracts; or

⊖ College President.

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# SAN DIEGO COMMUNITY COLLEGE DISTRICT

## ~~Administrative Procedure~~

### ~~Chapter 4 – Instructional Services~~

#### ~~AP 5152 MILITARY EDUCATION~~

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~~This procedure outlines the tasks that ensure compliance with the District's standards of ethical conduct and transparency in business transactions within the Military Education Program.~~

#### ~~FUNCTION~~

##### ~~1. Definitions~~

- ~~a. Federal Acquisition Regulation – The Federal Acquisition Regulation (FAR) is the principal set of rules in the Federal Acquisition Regulation System. This system consists of regulations issued by agencies of the federal government of the United States to govern the acquisition process; a process through which the government purchases goods and services.~~
- ~~b. Code of Business Ethics and Conduct – a written code provided to each employee engaged in the performance of a contract that promotes an organizational culture encouraging ethical conduct and commitment to compliance with the law.~~
- ~~c. Business Ethics Awareness and Compliance Program – a program that includes steps to communicate periodically the District's standards and procedures for business ethics and conduct. The program includes periodic training provided to the District's employees performing on federal contracts.~~
- ~~d. Internal Control System – a system to establish standards and procedures to facilitate timely discovery of improper conduct in connection with Government contracts and ensures corrective measures are promptly instituted and carried out.~~

#### ~~IMPLEMENTATION~~

##### ~~1. Responsibility~~

- ~~a. The Director, Military Education Program is responsible for establishing and maintaining a Code of Business Ethics and Conduct and a system of internal controls in accordance with the FAR 52.203-13.~~
- ~~b. The Director, Military Education Program will promote an organizational culture that encourages ethical conduct, a commitment to compliance with the law, and~~

~~provides for timely disclosure of and corrective action for any violations or non-compliance.~~

- ~~c. The Chancellor will review all components of the Military Education Program's compliance with FAR 52.203-13 to include the Contractor Code of Business Ethics and Conduct and an internal control system, and to ensure compliance with all laws and regulations pertaining to contracting with the Federal Government.~~

~~2. Development and approval of contractor code of business ethics and conduct, business ethics awareness and compliance program, and system of internal controls.~~

- ~~a. The Director, Military Education Program, will develop, maintain, and update a contractor code of business ethics and conduct, business ethics awareness and compliance program, and system of internal controls in compliance with federal contracting requirements.~~
- ~~b. The Chancellor will review and evaluate the code of business ethics and conduct, business ethics awareness and compliance program, and system of internal controls for compliance with federal contracting requirements in light of District goals and objectives.~~
- ~~c. The Chancellor will submit the code of business ethics and conduct, business ethics awareness and compliance program, and system of internal controls to the Board of Trustees for approval.~~

## ~~FORMS AND REFERENCES~~

- ~~1. Federal Acquisition Regulation 52.203-13~~

~~Adopted: August 14, 2014~~

~~SUPERSEDES~~

~~New procedure.~~