

Senate Report for College Council April 21, 2023

by Nick Strobel

Two major items affecting the work relationships between faculty, classified staff, administration, and students: Referendum results and the DEI Committee formation.

Referendum

A lot of discussion about referendum election results at the Senate meeting! Official statement of results posted on Senate homepage:

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Senate Referendum Spring 2023 Results

The referendum election results have been certified. A vote of “YES” means agreement with the February 15 Senate action to approve the change to the EODAC charge. A vote of “NO” means disagreement with the February 15 Senate action and the EODAC charge would revert back to the original charge. Constitution Article VII Referendum Section 2 states: “If a majority of Academic Senate members vote against the Senate (body rep.) action, then the Senate (body rep.) action shall be null and void.” This language has been in the Senate Constitution since 2014—the Senate Constitution revision in 2014 changed the language to this statement.

There are 358 members of the Academic Senate. A majority = 50% + 1 of the 358, so the number of NO votes needed to overturn the Senate (body rep) action [“vote against the Senate (body rep.) action”] = 180.

The number of votes cast = 213

The number of YES votes = 100

The number of NO votes = 107

The number of Abstain votes = 6

The February 15 Senate (body rep.) action is maintained = NOT overturned, so the new EODAC charge will remain in effect.

The new EODAC charge is posted at <https://committees.kccd.edu/sites/committees.kccd.edu/files/EODACCharge%20approved%20Feb%202023.pdf>

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Now debate about meaning of Constitution phrase: “majority of Academic Senate members vote against the Senate” ([see Article VII of the Senate Constitution](#)). Senate President stated at March 22 Senate Special meeting AND in the election instructions sent out on March 29 just before the election that the phrase meant “majority of Academic Senate membership vote against the Senate”. Some faculty are arguing that the Constitution meant “majority of Academic Senate members *casting ballots* vote against the Senate”, despite there being no written evidence that that was the intent of the Senate in spring 2012 when they approved the Constitution revision to move forward to all of the faculty for a vote nor of the faculty in spring 2014 when the

Constitution revision was finally approved. There will be more discussion at the May 3 meeting, including an analysis of the historical record of Senate documents from Fall 2011 to Spring 2014.

DEI Committee Formation

The [DEI Committee](#) formation was approved by a close vote of 17 Y, 15 N, 2 A. Senate President [shared with the Senate on March 15](#) (see pages 2-4 of that report) that the desire for a faculty majority on some committees is a tradition, not a legal requirement. Senate President [shared with the Senate on March 22](#) his examination of all 116 California Community Colleges' participatory governance websites and handbooks for the faculty ratios on their staff diversity/EEO committees. Of the 116 colleges in the CA Community College system, 57 have a committee that is about staff diversity and/or EEO matters. Seven of those 57 colleges have a faculty majority (i.e, greater than 50% of the members are faculty). Of those 7 colleges, two (Santa Monica and Sierra) have an equity/diversity committee that is under the Academic Senate (faculty only) and one college (Glendale) has the EEO component separated from the DEI component into two different committees. Glendale's EEO is faculty majority and the DEIA committee is just faculty and students. The EODAC charge approved at the February 15 Senate meeting is in line with 88% of the colleges that have a staff diversity/EEO type of committee.

Now there's the question of what happens to the faculty on EODAC. The document prepared by the Senate President "[Effect of Creating DEI Committee on EODAC](#)" on March 1 states that the faculty on EODAC would be removed as described by Article VIII, Section 13 of the Senate By-Laws. This statement was assumed to be true by both sides up to April 19 but on April 19, DEI Committee proponents said that faculty could remain, so a clarification will be made at the May 3 meeting.