

Student Affairs Committee

Minutes: Wednesday, May 15, 2019

Attendees: Beatriz Magallon, Sheila Cordova, Denise Kinsella, Tom Peters, Mike Tuitasi, Alicia Villalpando, Summer Le: Student Rep

Guests: Bob Myers, Nancy Grass, Eric Hwang: Student Rep

Excused/Absent: Esau Tovar, Donna Davis-King, Stanley Hecht, Lucia Aguilar-Cole: Student Rep

Call to order: 12:15pm

1. Public Comments: None.

2. Approval of Minutes: May 1, 2019:

- The Committee had no changes.

Motion to approve Minutes as is, Denise moves, Alicia 2nd, (6) Yes at 12:17pm

3. Update On:

a) *AR 5010 Admission Eligibility*

- Bea introduced changes. In the fourth paragraph, made *student* plural. Nancy recommended moving the apostrophe in *student's* in the next sentence to make it plural possessive. Bea made *Fall, Spring, Summer, and Winter* lowercase because they are not referring to specific terms.
- Bea announced it has already passed Academic Senate, so this AR will move forward for signatures.
- Summer asked if F-1 could ever become California residents. Denise responded no.

b) *AR 5410 Associated Students Elections*

- Exec had no questions and approved as it was submitted.
- Alicia recommended making *Spring* lowercase.

c) *AR 5420 Associated Students Finance*

- Exec asked if fund expenditure could be approved by two parties. Nancy responded that fund expenditure requires approval by all three parties. Alicia recommended adding *and* to the end of each line one and two in the bulleted list for clarity. Bea asked why three people need to authorize fund expenditure. Nancy responded that it is required in Ed Code. It needs two people from the College plus the student.

d) *AR 4226 Enrollment Overlap & Time Conflict (Old#4111.7)*

- Exec asked why *Enrollments in Overlapping Classes(c)* is included in the AR as it is not up to the instructors to keep the records, it is up to the District to keep records. Exec asked why *records may be requested by State auditors* is included, as it is part of business.
- Bea received from Exec and provided for the Committee a copy of *California Community Colleges New Admissions and Records Director Training – 2016*. Bea stated Exec argued against having (c), but she thinks the language should change. Bea recommended adopting language from the *Director Training* handout. Bea recommended adopting the first bullet point, and removing redundant language from paragraph one of the AR. Alicia and Tom agreed.
- Bea asked Mike why petitions cannot be submitted more than two weeks before the term, because it gives the student a small window. Bea added that enrollment begins way before the window. Mike responded it is a

question for Esau. Summer agreed with Bea that the window is too short, because by two weeks before the term the classes are already full. Bea proposed removing *no sooner than two weeks*. Denise and Alicia agreed. Bea will submit proposal to Esau for review.

- Bea asked if *direct supervision* should be changed to *supervision*. Denise responded that she prefers *direct supervision*, because it tells the instructor has to be involved.
- Summer recommended correcting subject-verb agreement. Denise pointed out the new language causes conflict with having faculty as the subject. Alicia recommended separating the student's responsibilities from the faculty's responsibilities. Bea created edited points using new language. For (b), Denise recommended stating that both faculty and Admissions approval is required. For (c), Bea used the third bullet point from the *Director Training* handout. Denise indicated that *during the same week* is confusing, and she does not know if the student has to make up the work in the same week, or if it has to be documented in the same week. Bea responded that the form itself just asks for a day and time. Denise suggested changing the language to *specific details*. Bea asked if the form asks for specific details. Nick responded that the instructor writes in the details. Bea suggested *including the specific details for the make-up sessions*. Bea removed *during the same week* from the added language.
- Bea asked what the language should be for (d). Alicia responded *The College maintains documentation*. Denise recommended adding *describing the justification for the overlapping schedule and how the student made up the missed contact hours*.

Motion to approve this AR with changes, Denise moves, Tom 2nd, (7) Yes at 12:42pm

4. Action Items:

Agenda order changed – AR 5430 reviewed before AR 4340

a) AR 5430 Student Clubs & Organizations

- Bob asked if this is part of AR 4440 *Academic and Extracurricular Trips*. Bea responded that the Committee tried to fold several ARs into one because the College's numbers did not match what is used by the State of California. Bob said the League is a model, and the Committee does not need to conform to its numbering system. Bob suggested the old model is easier for research. Bob provided the example that AR 5430 *Student Clubs & Organizations* should be limited to student clubs and organizations. But it has provisions that affect faculty outside student clubs and organizations, and free speech principles that affect the entire college community. Bob offered to write a new draft that will meet all legal requirements.
- Bob said that the First Amendment is very complex. Bea responded that the Committee did not make changes to Free Speech. Bob showed the Committee a *First Amendment Summary* handout described as a matrix of how the First Amendment applies to a variety of college activities ranging from open spaces to classrooms. Bob will provide the Committee with a summary of the College's First Amendment policies that he would like put in one AR rather than scattered across multiple ARs, and he would like to keep it simple and flexible.
- Bob said the College can only impose discipline for college activities. As an example, Bob said one of the honor society clubs require its members to engage in volunteer activities that does not go through the Office of Student Life and does not require a Field Trip Form. If an incident occurred in this example, the student could be held accountable if it is defined as a college activity. If it was not a college activity, the College cannot impose discipline unless it was for a sexual assault. Bob asked for clarification on what constitutes a college activity, because the definition could increase the sphere of liability for the College. Bob added if a student goes through the College's official volunteer process, there is college oversight and that would be considered a college activity. Alicia asked if the presence of faculty at an activity determines oversight. Bob responded that if faculty were present, there should be a Field Trip Form with a signed waiver. Mike added that there are recognized activities and activities that students are doing on their own. Nancy added that if the Office for Student Life sees AGS or PTK send a flyer for a beach picnic that has not been approved, the Office immediately reaches out to the club's advisor to notify that the event has not been approved and it cannot be a college event, and they need to clarify that it is not an official club activity, or college event. Nancy added that the Office of Student Life only catches a fraction of events that occur without approval. Using the beach picnic as an example, Bob added that if such an event is considered a college event, the College may be sued if a student drowned. Bob said it is a very important issue to try to clarify in the policy.
- Sheila asked if the First Amendment Summary handout is part of the AR. Bob responded that it is something he

shares with different groups on campus. Bob added that there are a lot of issues that come up with faculty members in their classroom. Bob said faculty members can control their class and not allow discussion. Bob added that if discussion is allowed, there cannot be viewpoint discrimination, but there can be content discrimination. Bob said in public arenas, there cannot be viewpoint nor content discrimination. Bob added that the College is facing accusations of violating First Amendment rights for blocking people from posting to the College's social media accounts. Sheila asked if a set of rules could be established, like preventing foul or threatening language. Bob responded that he is working with people to establish objective rules and community standards because the First Amendment does not allow arbitrary decision making. Bob added that it may not be upheld because, to the extent that a particular social media platform is considered to be the functional equivalent of a public forum, profanity could be used without running afoul of the First Amendment or without being punished.

- Bea asked if the ARs should be renumbered in the 5400 series to provide order. Bob suggested working with Lisa Rose for an appropriate numbering system.
- Nancy asked if freedom of speech falls under this AR. Bea responded that it is in one of the paragraphs. Bob added that it is interspersed throughout the AR. Nancy asked if there will be a separate AR for freedom of speech. Bob suggested narrowing the Club AR to club issues, like room reservations. Bob added that the AR as written contains a provision that is not appropriate for clubs that may concern faculty. Sheila responded that AR 4440 lumps together club trips and class trips on page 32.
- Bob indicated that sponsorship of off-campus individuals or groups, page 29, has no appropriate process, nor if the College wants to create a process, for when faculty has a guest speaker in the classroom. Bob said this could lead to faculty thinking that it affects their academic freedom to teach the class in the way that they want. Nancy responded that the faculty could notify their chair that a guest is coming. Mike asked if there is a safety factor involved. Nancy responded that the chair could let someone know of there is a safety factor. Bob responded that it should be a separate provision outside of clubs, because most faculty will not catch how it will affect them. Bob questioned if this is the right Committee for that purpose, because it is potentially an HR-type policy.
- Bea agrees with splitting the AR, because each will require more work regarding the First Amendment.
- Bob indicated that page 32, *Responsibilities of Advisors and Faculty on Extracurricular Trips(5)(a)*, has language *student's automobile is in a reasonably safe operating condition*. Bob asked how the faculty member determines what is a reasonably safe operating condition. Bob added that if there is an accident where the vehicle was not reasonably safe, but it was not apparent, the College may be liable. Bob said the Field Trip Form lets the students decide if they will carpool, and they are liable for those choices. Bob added that the College does not want to be liable for carpool choices, but the College is liable when providing a van or bus. Bob also added that he does not want faculty to become vehicle inspectors to warrant the safety of a student's vehicle.
- Sheila asked Bob if he recommended updating this AR under the current number. Bob responded that he will ask Lisa, and he thinks all the student ARs will be moved to the 5000 series.
- Bob suggested that one should not need to go to the Student Clubs AR to find the AR on Field Trips because the vast majority of field trips are class related and do not go to AS, and the forms go to Academic Affairs and not the AS office. Bob added that the instructors that handle classroom field trips are not going to be looking up student clubs if they are interested in finding the policies. Nancy agreed, saying in practice they have been different processes. Nancy added that it would be beneficial for clubs to work toward following the process used by Academic Affairs.
- Bob suggested that the two forms, *Field Trip* and *Extracurricular Trip*, be combined into one *Field Trip & Extracurricular Activity* form. Bob added that it may have a request for an extracurricular trip handled by AS, which sometimes funds extracurricular trips and has a finance process. Nancy agreed and added that the current form used for clubs was adopted from the form used by Academic Affairs because they used to be completely different processes.
- Bea asked if there are additional related ARs that the Committee should create, like freedom of speech. Bob responded that a freedom of speech would be a single AR with a subcomponent that would include what one could do in hallways and posting on vehicles, because those issues apply to more than just students. Bob added that having a free speech policy makes it easier for police and others to find the College's rules for compliance.
- Bea suggested each receive its own AR number: student club events, dances, open spaces. Bob recommended

the Committee review them as a package. Bea asked posting and distribution of publicity is outside AS. Bob responded it would be First Amendment. Bob said food distribution could fall under both, but most food distribution on campus are AS related, so it should be AR-S for more control. Bea announced academic and extracurricular will move outside of this AR.

- Bea said she would talk to Lisa Rose about numbering. Bob responded he would talk to Lisa Rose to get the numbers and volunteered in creating drafts.
- Referring to page 31, *Offensive Publicity and Complaints*, Bob said it raises a number of First Amendment complaints and the College must be cautious in how it takes action.
- Bea announced the Committee will wait for Bob's direction. Bea asked if Bob was willing to return in the fall to present. Bob agreed.
- Bob said the Institution has not figured out the role of law in drafting policies. Bob added that policies are developed by Committees without legal assistance, and that occasionally a policy will create legal liability. Bob suggested having legal involvement earlier in the process would be helpful. Bob requested that if the Committee sees something that may involve legal issues that it alerts him. Bea responded that the ARs on student conduct and discipline are coming up in the fall, and the Honor Council is also working on those. Bea added that she understands Honor Council is currently working on it and intends to submit it to Bob before it reaches the Committee. Bob responded that Honor Council would be focused on academic code in 4411 and 4412, because they focus on academic dishonesty, not discipline. Bea responded that Lina and Greg Brookins are the two working on the ARs. Bob responded that he would reach out to them.
- Bob added that he thinks the College does not do the best job of instilling expected standards of its students, and there is an obligation to make sure students are aware of the rules. Bob said the College has a lot of problems with plagiarism. Because the College has so many international students, there is no shared understanding. Bob added that, in some cultures, sharing and cooperation is viewed as a benefit. Bob said some of the College's rules are not inherently moral or ethical. Bob added while the College has the right to expect students to follow those rules, it also has an obligation, if it will punish students, to make sure students know the rules.

No motion. Bob Myers to propose changes. Postponed to Fall 2019.

b) *AR 4340 Credit Course Repetition and Enrollment Limitation*

- Bea reminded the Committee that the College technologically cannot annotate transcripts.
- Alicia emailed Elena Alcala from the Chancellor's Office, whose out-of-office response advised her to email Mia Keeley, who advised Alicia that last month there was a realignment in the Student Services and Academic Affairs Division into Educational Services and Support, and as a result there are specific contacts for different regions of the state. Nicole Alexander is the College's contact for questions regarding Title 5 language. Nicole replied *we checked the regulations and guidance and do not see anything that would prevent SMC from slashing/annotating substandard grades on a student's SMC transcript when the course is repeated at another college. We agree this is a local district decision.* Alicia commented that a student that receives a *D* or *F* and repeats the course and gets a *D* or *F*, the first grade is automatically slashed. Alicia added that SMC can make the local decision to slash the second substandard grade when a student passes the exact equivalent course at another college.
- Eric asked if SMC uses the second grade when calculating GPA. Alicia explained that if a course is repeated, the first grade is replaced, and if the student is approved by a counselor to take the course a third time, the second grade is slashed. Bea reiterated that two grades could be slashed. Mike added that is the College's current practice. Eric responded that he reported the Committee's discussions to the AS Board, and the AS Board supports Alicia's proposal.
- Alicia reminded the Committee that *Students may repeat a course taken at another accredited college or university for which substandard academic work is recorded* was removed. Alicia added that Title V 55042(d)(1) states *permit repetition of any course which was taken in an accredited college or university and for which substandard academic work is recorded.* Alicia recommended including this language as (3)(d) in this AR and moving 55042(d)(2) to (3)(e).
- Mike asked if the changes would require a change to the system. Alicia responded that the system will automatically annotate two substandard grades. Alicia added that Speech was changed to Communication

Studies, and Human Development 20 changed to Counseling 20. Alicia explained that in cases where the name is changed, the system does not automatically pick it up, and a counselor will email a technician in Admissions & Records a request to have that substandard grade slashed. Alicia said the same process can be used without requiring any new programming, but it would require time from counseling and Admissions' technicians. Mike asked about transcript annotation. Alicia responded that it is part of the manual process. Bea responded that she can see the benefit for students. Mike agreed, stating that it is a positive thing for students, but he wanted to make sure it is not an IT request. Bea responded that slashing a grade could require a recalculation of the GPA. Alicia responded that it automatically adjusts the GPA. Mike asked if it would be done during transcript evaluation. Alicia responded that many times it is found by counselor and Admissions takes care of it manually.

- Alicia stated the Academic Renewal process recently changed to be more equitable. She added that many students would be impacted in a positive way, Esau included a message when ordering official transcripts. Alicia recommended the College could add similar messaging.
- Bea suggested that the Committee approve the language and asked Mike to take it back to see how it moves forward. Mike responded that it is good in process because it helps students, but he wants to make sure it can be done.
- Bea updated language of the AR to reflect Alicia's proposed changes.
 - Alicia recommended changing *C* to *passing grade*.
 - Alicia suggested adding *necessary petition*. Bea responded that it will probably become a petition for special consideration.
 - Alicia recommended adding that it is the student's responsibility to have official transcripts sent to SMC (and verify they have been received). Mike asked if students are notified when SMC receives their transcripts. Alicia responded that they are not, unless the student sends it electronically.
- Alicia provided alternative language that was less specific. Mike asked if it goes to articulation if the student says a course is equivalent. Alicia responded that a counselor will evaluate it. Eric said he prefers the language outlining specific steps. Bea agreed it is clearer. Bea repeated the language as added, *In cases where a student has received a substandard grade in a course at SMC and repeated the equivalent course at another accredited college or university with a passing grade, the student may petition to have the SMC course annotated as a repeat on their transcript. The student must submit official transcripts directly to Admissions & Records from the institution where a course was repeated successfully with a passing grade and submit a petition.* Denise clarified that the grade at SMC would not change, but there would be a note that it had been repeated elsewhere. Alicia agreed, saying the College annotates repetitions by adding, parentheses around the units attempted, units completed, and the grade points, and an endnote that corresponds to either academic renewal or course repetition. Alicia added that this would be course repetition. Summer suggested combining the student's responsibilities into one sentence. Nick indicated that the student does not submit the transcript. Bea changed language to *The student submit a petition and request official transcripts be sent...*
- Bea recommended clarifying the name of the petition form with Esau.

Motion to approve this AR with changes, Alicia moves, Denise 2nd, (7) Yes at 1:45pm

5. Announcements:

- Bea cannot attend meeting for May 29th. Esau is willing to chair the meeting. Bea said the agenda was going to be Student Life and Student Conduct, but neither is ready. Sheila said she may not be able to make the meeting. Alicia said she needs to pack. Eric added that students will have finals. Meeting scheduled for May 29th is cancelled

Meeting Adjourned: 1:47pm

Respectfully Submitted by Nicholas Chambers