



College of the Canyons Academic Senate

November 12, 2020

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

Meeting can be join from PC, Mac, Linux, iOS or Android: <https://cccconfer.zoom.us/j/97167184916>
Or iPhone one-tap (US Toll): +1-669-900-6833 or +1-253-215-8782, Member ID: 97167184916#

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 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 or asked via zoom chat feature*
3. Approval of the Agenda
4. Committee Appointments: (pg. 3)
5. Sub-Committee Summaries:
 - Senate Executive Committee Summary, Oct. 29, 2020 (pg. 11)
6. Approval of the Consent Calendar

Academic Senate meeting, Oct. 29, 2020 Summary (pg. 4-10)	Curriculum Committee Summary Nov. 5, 2020
Program Viability Committee Summary, November 22, 2020 (pg. 15-18)	

B. Reports

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

1. Election Committee, Dustin Silva (pg. 19-20)
2. Financial Aid Report, Tom Bilbruck
3. Academic Senate Presidents Report, David Andrus

C. Action Items

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

1. Camera Policy, David Andrus & Gary Collis
 - BP 3535 (pg. 21)
 - AP 3535 (pg. 22-26)
2. Senate Report Template (pg. 27)

D. Discussion

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

1. FPDC procedures, Teresa Ciardi (pg. 28-34)
2. Academic Senate Budget
3. Zoom Protocols
 - For reference only
 - COC Zoom Protocols Best Practices (pg. 35-40)
 - CCCCCO Legal Advisory (pg. 41-47)
 - [The Zoom Black Box Dilemma | The Open Learning & Teaching Collaborative](#)
 - [Guidance for Recording Class Sessions with TechConnect \(Confer\) Zoom - Online Network of Educators](#)
 - [Guidance on Classroom Digital Recording and Remote Classroom Practices](#)

E. Unfinished Business

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

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.

- Call to Action COC Resolutions
- COC Mission Statement
- Return to Campus Discussion
- Summer and Fall 2021 Online Instructor Certification

G. Announcements

- Next Academic Senate Meetings Fall 2020: Dec. 3. Spring 2021: Feb. 18, March 4, March 18, April 1, April 22, May 6 & May 20
- [ASCCC 2021 Part-Time Faculty Institute, Feb. 18-Feb. 19, 2021, Virtual Event](#)
- [ASCCC Spring 2021 Plenary Session, April 15- April 17, 2021, TBD](#)
- [2021 Career Noncredit Education Institute, April 30-May 2, 2021, TBD](#)
- [ASCCC 2021 Hayward Award, Application Deadline: December 11, 2020](#)
- [ASCCC 2021 Stanback-Stroud Diversity Award](#)
- [ASCCC Call for Participation Anti-Racism workgroup](#)

H. Adjournment

Committee Appointments

Collegial Committee

Equity Minded Practitioners	
Committee Chairs	
Katie Coleman	Faculty Co-Chair
Faculty Members	
Catherine Parker	Adjunct
Desiree Goetting	FTF
Erin Delaney	FTF
Hernan Ramirez	FTF
Jeremy Goodman	FTF
Juan Buriel	FTF
Pamela Williams-Paez	FTF
Rebecca Eikey	FTF
Robert Wonser	FTF
SB Tucker	FTF
Teresa Ciardi	FTF

Operational Committee

Bookstore Committee		
First Name	Last Name	FTF or Adjunct
Victoria	Leonard	Full-Time Faculty Chair

Hiring/Selection Committees

Hiring/Selection Committees		
First Name	Last Name	FTF or Adjunct
Brittany	Applen	Full-Time Faculty
Jane	Feuerhelm	Full-Time Faculty
Erika	Torgeson	Full-Time Faculty

Tenure Committee change for Tony Law

[Tenure Committee list RE 11.09.20](#)

Tenure Committee for Tony Law		
First Name	Last Name	Title
Aivee	Ortega	Committee Chair
Pamela	Williams-Paez	Committee Peer Evaluator

Academic Senate Summary for October 29, 2020

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	X	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	Mary Corbett	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	Carly Perl	X
Kinesiology/Athletics Senator	Philip Marcellin	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	Dr. Wilding	A
Marilyn Jimenez	X	Nicole Faudree (COFA President)	X
Dan Portillo (Warren Heaton AFT Rep)	A	ASG Student Representative: David Gonzalez	A

Guest							
Chuck Lyon	X	Dr. Edel Alonso	X	Maral Markarian	X	Sab Matsumoto	X
Collette Gibson	X	James Glapa-Grossklag	X	Mary MacAdam	X	Tim Honadel	X
Dr. Diane Fiero	X	Dr. Jasmine Ruys	X	Michael Monsour	X	Vida Manzo	X
Donald Carlson	X	Jia-Yi Cheng-Levine	X	Miriam Golbert	X	Wendy Brill-Wynkoop	X
Dustin Silva	X	Kelly Burke	X	Patti Haley	X		

A. Routine Matters

1. Call to order: 3:01pm
2. Public Comment
 - Public Comment #1, Student Mary MacAdam: Mary is a second year student and athlete at COC. The experience at COC, during fall 2019, had been great. There are many students who desire to return to campus learning. The desire for valuable education outweighs the fear of

the possible exposure to COVID-19. If LA County Dept. of Public Health were to enter the proper phase to reopen, would COC possibly consider some form of hybrid or hybrid interactive learning for spring 2020? This topic may return as a discussion item on a future agenda.

- Public Comment #2, President, David Andrus message: It's usually not customary to list as a discussion item any area on the agenda where senators, who attend their school meetings, can report back to Senate.
- Public Comment #3, Shane Ramey: There is an issue related to the OnBase computer application. The issues related to OnBase are having a negative impact on faculty compensation.
 - There was a reminder that any issues related to compensation are a COCFA issues. However, there may be some overlap with Academic Senate. More context was requested relating to this issue.

3. Approval of the Agenda

- Motion to approve the agenda by Tamera Rice, seconded by Lauren Rome. Votes counted using the participant's window. Unanimous. Approved.

4. Committee Appointments: (pg. 3)

- There was a reminder that two years ago Academic Senate adopted an internal standing policy regarding committee appointments and the creation of committees. The policy states that committee appointments are not voted on but they are listed on the agenda. Senators then have the right to pull the item for discussion or can request to have this item voted on.

5. Approval of the Consent Calendar

- Motion to adopt the consent calendar by Carly Perl, seconded by Benjamin Rivera. Votes counted using the participant's window. Unanimous. Approved.

Academic Senate meeting, Oct. 15, 2020 Summary (pg. 4-10)	Curriculum Committee Summary Oct. 22, 2020
Program Viability Committee Summary, Oct. 8, 2020 (pg. 11-15)	

Note: There was a reminder that at the beginning of the semester it was stated that the agenda scheduled would be inverted to preserve as much time for action and discussion items. Report would then be listed last on the agenda. However, report were moved to the beginning of the agenda to allow more time for the 1st report.

B. Reports

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

1. [ISP Report, Sab Matsumoto & Brent Riffel](#)

- https://www.canyons.edu/academics/isp/int_forum_youth.php
- Both Sab and Brent are representing the International Student Program (ISP). Both are serving as the faculty organizers for the International Forum for 2020. This is three year grant funded event. Last year the theme was on "Identity" and it proved to be very successful. There were many students and faculty who participated along with three or four scholar presenters who were also invited from all over the world. The mission and vision of this event is to promote global understanding of international issues. Due to this event being held virtually this year there is a possibility that more people will attend this year as opposed to the previous year. Many people from Asia and Europe have been invited and are planning to participate. This year's theme is on "Migration." This word is being taken in a broader sense of its meaning. This

is just not the migration of people or groups of people but more so in terms of cities, ideas, thoughts such as cancer cells. Next year's theme will be on "transition." There was a recent email sent out which included a register button. Due to this being a grant funded event all are being asked, who are interested in participating, to register as there is a \$300 limit via zoom. FLEX credit will also be available for anyone who attends. There is also a great lineup of speakers and many of these speakers are accommodating to the Pacific Time Zone as many are in different parts of the world and time zones. There will also be a student panel. Students will be discussing concerns regarding globalization issues related to the international community and students abroad. The website is still being worked on and will be updated with more information. Faculty are encouraging their students to attend. Perhaps students can receive extra credit. It is also encouraged to share the website on social media or a CANVAS shell.

2. CASL Jeff Baker & Cindy Stephens (pg. 16-18)

- Senators were encouraged to read this written report.

3. Program Review Committee Report, Jason Burgdorfer (pg. 19)

- Senators were encouraged to read this written report.

4. Academic Senate Presidents Report, David Andrus

- Mission Statement: There was a reminder that Dr. Michael Wilding sent out a coc-all email regarding the COC Mission Statement. Every few years the mission statement is revisited and restructured in terms of the content to reflect the reality of what is happening at COC. It's important to ensure everyone on campus has an opportunity to weigh in such as faculty and staff. There will be two mission statement brainstorming meetings on November 12, 2020 at 1:00pm and Friday, November 13, 2020 at 2:00pm. Both meetings will be hosted by Michael Wilding. There are also some working drafts that are being shared at CPT. CPT will most likely adopt the proposed mission statement and it will return to Senate for approval.
- Senate Executive Committee: The Senate Executive Committee meets once a month. The Academic Senate Bylaws provide the authority of that committee to expand its membership. The idea is to expand the membership to include the chairs of committees that were not originally listed in the Bylaws. In addition, to include new sub-committees such as the Academic Freedom Committee. There has also been discussion in regards to repurposing the committee in terms of appointing more regular duties.
- ASCCC Statewide Academic Senate's Exemplary Award: The deadline to submit nominations for the statewide Senate award is November 9. Each college can nominate one education program and/or one person overseeing that program. There has been discussion in the past regarding what if there are multiple applicants? The hope is that the Senate Executive Committee works on adopting a structure for receiving applications for statewide awards. There are also two other awards and those deadline are in December and in January.
- Awards in Excellence in Teaching: There has also been discussion regarding the idea of creating a local awards process for full-time and adjunct faculty. This has been an important to both past and current Senate leadership. This process will continue to be developed in the Executive Committee of the Senate.

- Academic Senate Agenda Item Request: There was a reminder that if anyone submits agenda item request to please submit to David Andrus and copy Marilyn Jimenez. There is also a submission form that was developed by Academic Senate which anyone can use.
- Anti-Racism Resolutions: There are plans to adopt anti-racism resolutions at the beginning of the year. There was a call to action letter that was signed by several people in Spring semester of this year. The Board of Trustees and ASG also adopted their own Anti-racism resolutions. It is important to recognize that ASG, Academic Senate and the Board of Trustees are absolutely committed to working together on joint resolutions. However, there is also value in individual or bilateral resolutions. It is very possible that at the next Academic Senate meeting in November there will be a draft that can be considered for adoption. Work has been done with IE2 on identifying what may be some institutional barriers and ensuring there is a public presence.
- ASCCC Fall 2020 Plenary: David attended the ASCCC Area C on October 17th. There were about 12 to 14 resolution discussed. Chancellor Eloy Oakley was present and answered many questions relating to redirecting funds from Cal Bright to other areas statewide. However, there are no plans to redirect funds. Oakley also stated that the consequences of the pandemic will be felt in the system until around 2024. This does not mean that instruction will remain remote until 2024. Even if an effective vaccine or antibody treatment is identified there is going to be a long process with re-affirming our new normal. There is a possibility that ONLINELive instruction will live on past the pandemic.
- Return to Campus Committee: There is a need to have faculty and other staff appointed to this group. There is a desire to consider what can be accomplished in the near future in terms of preparation. The committee also needs to have a COCFA presence as there are academic issues involved. Academic thinking will need to be adjusted in terms of when it will be safe to return to campus.
- ASCCC Resolutions: In previous year's, resolutions have been reviewed in the Academic Senate, however due to time constraints it is not clear if this is the best use of time. The list of resolutions document was received from the state and there was not much time to review in Senate Executive Committee. A link to the list of resolutions will be sent for senators to review and anyone can then make comments on the statewide website. The Senate Executive Committee may be a great place to consider developing resolutions that can percolate to Area C and then statewide.
- Student orientation letter for winter and spring: There will be a reminder email from either David or Dr. Torres, or both, regarding making sure that what is printed in the faculty orientation letters matche with what is presented in the schedule of classes.
- Zoom protocol: There was a workgroup at the beginning of the semester which included Senate leadership, members from the Office of Instruction and Dr. Jasmine Ruys which addressed the need to clarify Zoom within the classroom. A best practices sheet was developed and is posted on the Office of Online Instruction website at COC. One area that is covered is in regards to Privacy and FERPA and whether students should be required to turn on their cameras during class? There are some faculty who feel as though they should require students, through a policy or in an orientation letter, to turn their cameras on so they're engaged in the classroom. The state Chancellor's office issued a legal advisory opinion which cited our own best practices sheet. There is a division between the Academic Freedom of the instructor and what's best for

students. There are other issues, such as the privacy of students, the effectiveness of learning for students, as student may feel anxiety by having to constantly have their cameras on. David will also follow up with ASG. This item may return as a discussion item.

C. Action Items

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

1. Credit for Prior Learning Policy, Gary Collis

- It was clarified that the items included in the agenda are the same which were discussed in the last meeting. The policies were updated to comply with the Title 5 change. These changes require that all community colleges adopt a Credit for Prior Learning policy that allows for expanded opportunities for students to earn Credit for Prior Learning outside of a traditional college classroom. There was a lot of Title 5 language added to this policy while at the same time preserving maximum discretion for faculty with respect to most aspects of the policy in term of what type of Credit for Prior Learning would be permitted. Title 5 also requires that there not be a separate policy for Credit by Exam. The Credit by Exam options has been added to the Credit for Prior Learning policy.
- BP 4235: A “clean” version of the Credit by Examination policy (pg. 20)
- AP 4235: A “clean” version of the Credit by Examination policy (pg. 21-22)
- BP 4235 Credit for Prior Learning (pg. 23)
 - Motion to adopt BP 4235 by Erica Seubert, seconded by Regina Blasberg. Votes counted using the participant’s window. Unanimous. Approved.
- AP 4235 Credit for Prior Learning (pg. 24-29)
 - Motion to adopt AP 4235 by Regina Blasberg, seconded by Gary Quire. Votes counted using the participant’s window. Unanimous. Approved.

D. Discussion

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

1. Camera Policy, David Andrus & Gary Collis

- BP 3535 (pg. 30)
- AP 3535 (pg. 31-35)
- The college has had cameras for many years and it was determined that there is a need to have a camera policy to regulate the use of the public safety camera system.
- There was a recent PERB administrative ruling which states that this is a negotiable working condition item for unions as it relates to staff. Both COCFA and CSEA adopted language in their contracts. This policy was also forwarded to CPC and Michael Wilding stated this is a campus culture issues and encouraged campus collaboration. The policy was also discussed in Policy Review Committee and a work group was started to address larger structural issues. Sharlene Coleal has been tasked with reviewing this policy from an Administrative standpoint as this is a risk management issue. This policy is also an important issue of liability to have a public safety camera system board policy and procedure in place. There is a lot of interest in how privacy is viewed today.
- It is challenging to craft a policy that incorporates what the unions are bargaining for and the various competing interests, including overall privacy interests. There are many people with

concerns for the safety, privacy of students, faculty and staff. It was stated that there was no discussion regarding having armed security on campus as it relates to his policy and procedure.

- The policy states that “system images will be recorded and stored on a 24 hour basis every day of the week.” It was clarified that recordings will be kept for a period of 6 months and the cameras record 24 hours a day. This is an ongoing recording with a six month data store. This is in the event of a complaint or a crime that needs to be investigated.
- Comparable policy language from other California Community Colleges were reviewed. Much of the language that was added to this policy is mirroring what is considered as best practices at other colleges. The COCFA contract does state that a list of cameras will be provided on an annual basis to the COCFA leadership. The AP policy states that the Safety Committee will provide a presentation on an annual basis regarding the use of cameras. There is concern with not disseminating this information to the public due to safety reasons. If there are concerns with enforcement, effectiveness or an evaluation of how effective the cameras are working an ad-hoc group or taskforce can be put together.
- There may also be instances where the cameras will need to be monitored in real time such as a public safety issue. Legal standards have been added to serve as oversight for how and when the live monitoring would be needed. The policy statement indicates that the Information Technology department will maintain the inventory of all existing and approved public safety cameras. It was clarified that the AP states that, “Under the purpose and scope in no case will cameras be used by a supervisor to monitor employee compliance with regular daily job responsibilities.”
- There are some concerns with the use of the word “reasonable” in the policy as this can leave much to interpretation and/or disagreement regarding signage and notification. The goal was to identify language that could have some type of objective meaning. In addition, to provide a sense of doing right and making a good faith effort to do right by the people.
- Both documents will return as “Action” items on the next agenda for Nov. 12th. Once the items are adopted by Academic Senate they will advance to College Policy Council.

2. School Senator Report Out-Issues

- There was a reminder that this item is not a requirement for every school senator to report out to Academic Senate.
- Students on Campus: There are many students who have returned to campus in particular in the area of Applied Technologies. There have been questions regarding how to address certain issues or concerns related to COVID-19. For example, if a student reaches out to a faculty member and states they are not feeling well at what point can they return to campus? There are some areas of overlap in regards to working conditions and instructional delivery.
- Online Instructor Certification and Qualifications for Teaching Synchronous and Asynchronous format: There are concerns with how these changes affect class schedules and what effects these changes have on department chairs assigning courses. There are some faculty who are provisionally trained who are spending time getting trained during the fall semester to obtain their 36 hour IOI permanent certification so they can teach both Online and ONLINELive formats. There has been some discussion regarding spring 2021 as related to online certification requirements since what was adopted will be expiring on June 6 the day before the start of the

summer intersession. Administration is waiting as long as possible to build the summer intersession schedule of classes to see what will happen in regards to the public health crisis. This will determine which type of format and environment we will be in. If anyone is experiencing any issues in regards to the scheduling process that was adopted for winter and spring the plan is to initiate a discussion after the first Academic Senate meeting in spring 2021 regarding whether or not to roll over online certification requirements and revising standards. There was also a suggestion to send out another student survey to COC students. Another survey is also being put together by COCFA and will be sent to faculty. Once it is legal and safe to return to campus it will more than likely be in a staggered process.

E. Unfinished Business

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

- none

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.

- Faculty Hiring Procedures
 - The ASCCC had a resolution regarding administrative retreat rights which addressed having faculty move into a probationary faculty member position. This is relevant to our hiring administrative procedure. A question was asked as to the status of that pending AP revision. This item was discussed a few years ago but there hasn't much discussion since. David and Diane Fiero made clear that the Senate's Policy Review Committee as well as the EMP Group on campus have reviewed the faculty hiring AP. It will soon come to Senate for discussion.
- ASCCC paper on Equivalencies with the CTE Toolkit:
 - There has been some discussion with recommendations for Title 5 to change one of the requirements for sensitivity for diversity and being more culturally aware. There is also a need to discuss faculty hiring in terms of diversity and ensuring faculty mirror the student population.
 - This item is in Policy Review committee. This item was also brought forth to the Equity Minded Practitioners group for review as it relates to institutional barriers, diversity and equity. This item will go back to the Equity Minded Practitioners group. This item will then go to Policy Committee and return to Academic Senate.
 - There is a separate board policy, BP 7121 and an administrative procedure relating to the MQ&E's which has been maintained by Aivee Ortega and others.

G. Announcements

- Next Academic Senate Meetings Fall 2020: Dec. 3. Spring 2021: Feb. 18, March 4, March 18, April 1, April 22, May 6 & May 20
 - The next Academic Senate meeting is scheduled for Nov. 12, 2020.
- [ASCCC 2020 Fall Plenary Session, Nov. 5 – Nov. 7, 2020, Virtual Event](#)
- [ASCCC 2021 Part-Time Faculty Institute, Feb. 18-Feb. 19, 2021, Virtual Event](#)
- [ASCCC Spring 2021 Plenary Session, April 15- April 17, 2021, TBD](#)
- [2021 Career Noncredit Education Institute, April 30-May 2, 2021, TBD](#)

H. Adjournment: 4:51 pm



COLLEGE OF THE CANYONS
ACADEMIC SENATE
EXECUTIVE COMMITTEE MEETING SUMMARY

October 29, 2020
11:00 a.m. to 12:00 p.m. via Zoom

Meeting can be joined from PC, Mac, Linux, iOS or Android:

<https://cccconfer.zoom.us/j/99967545046>

Or iPhone one-tap (US Toll): +1-669-900-6833 or +1-253-215-8782, 99967545046#

AGENDA

Attendees: Claudia Acosta, David Andrus, Wendy Brill, Jason Burgdorfer, Teresa Ciardi, Gary Collis, Miriam Golbert, Lisa Hooper, Gary Quire, Garrett Rieck, Dustin Silva

Non-Voting members: Alisha Kaminsky, Robert Wonzer, Julianne Johnson

A. Routine Matters

1. Call to order: 11:05 am.

- There was a reminder that all Executive Committee meetings are open meetings. There are some who attend who are not formal members. There was previous discussion regarding making sure the membership is formalized either through changes in the Bylaws. There has also been the creation of several new committees such as Academic Freed and the Equity Minded Practitioners Workgroup. There are plans to possibly formalize membership at the next meeting. The idea is to make sure all Academic Senate sub-committees are represented through their respective chairs.

2. Public Comment:

- The committee roster sheet will need to be updated as there are several members who no longer attend are no longer serving in chair or co-chair positions.

3. Approval of the Agenda

- Motion to approve the agenda by Lisa Hooper, second by Miriam Golbert. Votes counted via the participant's window. Unanimous. Approved.

B. Reports:

1. ASCCC Area C Meeting report out, David Andrus

- Some major take away's from the meeting was the understanding that many other colleges struggle in areas that COC doesn't. There were also discussions regarding the ASCCC resolutions.
- Chancellor Eloy Oakley attended the meeting and gave a report out on call to action. There were many questions addressed towards Chancellor Oakley regarding the continued funding of

CalBright. There are no plans to re-direct funds as the Chancellor feels this program is important, in particular during the current difficult economic times.

- The effects of COVID-19 will be felt all the way through 2024, however this doesn't mean that learning will continue remotely. There will be disruption for quite some time such as declining enrollment and the ability for community colleges to do job retraining as the economy starts to pick back up. Whenever there is COVID-19 vaccine or an anti-body there can be plans to return to campus. Our new normal will be redefined and this needs to be considered when moving forward or planning for the next year or two. Online live and synchronous instruction, referred to know as Online Live, will most likely live past the pandemic. More thought needs to be applied into how to continue to function effectively as committees given the various changes. This also does not mean that new objectives need to be formalized. But challenges need to be outlined and perhaps a list of best practices for sub-committees. There is a possibility that we will not be remote in the fall. A decision needs to be made by February. Courses need to be delivered in the format in which they are published in the schedule of classes. There are some return to campus plans mostly for essential disciplines. There needs to be a discussion relating to work conditions issue. There are also going to be faculty appointments to the Return to Work group.
- The CE Committee recently had a similar discussion regarding a return to campus plan. There are many CE programs running on campus and there was a recent COVID-19 outbreak in the Welding department. There are now questions from faculty regarding how should this be addressed? There was an agreement to have a meeting in spring 2021. Should this discussion take place solely with the CE department or other departments on campus? This item could be a good Academic Senate discussion.
- There are many courses in Workforce Preparation that are being launched on ground. It has been difficult to get at least 10 students enrolled. Once these courses were moved to 100% online they are now waitlisted. Some of these programs have now been piloted with both the Online Live and Online option. There are other programs where this has not been the case. Many of the basic skills courses are in Math, English and ESL type courses are not doing as well. There are other colleges which have cancelled their entire non-credit program when the pandemic hit. These colleges are now re-launching this program. Votes counted via the participant's window. Unanimous. Approved.
- There was an announcement that a student will be making a public comment at the upcoming Academic Senate meeting regarding why students should be able to come back to campus for spring 2021.
- There is a question regarding why Academic Senate is approving minutes from sub-committees. For example, the Senate Executive Committee minutes were added to the consent calendar and approved by Senate. This may not be the best practice as many off the committee members do not attend the Academic Senate. David met with Dolores Davison who is the president of the Statewide Senate and the suggestion is to list as many summaries from the various sub-committees as possible and list on a separate section of the agenda as informational only. This section would not be voted on. The only way these summaries would be approve would be through the adoption of the summary. Sub-committees will no longer need to wait for Senate approval before posting their minutes.

C. Action:

1. Adoption of September 15, 2020 Ex. Comm. Summary (pg. 2-5)
 - Motion to approve the summary by Gary Collis, seconded by Wendy Brill. Votes counted via the participant's window. Unanimous. Approved.
2. Senate Report Template and Options (pg. 6)
 - There was an agreement that there should be a template for Chair Committee Annuals Reports. There was a recommendation that another section be added relating to, "Describe any challenges the committee has faced?" This is not a fillable form but more so a template for chairs to develop their own documents. This document will be added to the upcoming Academic Senate agenda to be adopted as a standard template for anyone giving a report. Adopting this document would allow this document to be the reporting template for the Senate Executive Committee.
 - In the template section regarding committee chair needing assistance from the Office of Instruction there was suggestion to elaborate more on what type of support would be available.
 - Motion to adopt the Senate Report Template by Gary Choice, seconded by Lisa Hooper. Votes counted via the participant's window. Unanimous. Approved.

D. Discussion

1. ASCCC Fall Plenary Resolutions, David Andrus
 - ASCCC Resolutions were reviewed at the Area C meeting. The resolutions are then sent to all the area group and a final packet composed. There is a 10 day period of comment on the resolutions. This packet is not ready just yet. The past president used to bring the resolutions to Academic senate for possible further input. Tomorrow is the closing day for plenary resolutions. David will be sending out the link tomorrow for everyone to review. There are about 12 to 14 resolutions. David will be voting at the upcoming ASCCC Fall 2020 Plenary and representing the college.
2. Consideration of ASCCC Resolutions Process
 - There was discussion at the last Senate Executive Committee meeting to possibly change the bylaws and remove the committee from having oversight over the local resolutions that the Senate adopts. There is also a need to have a good process for reviewing plenary resolutions as resolutions from all areas campus that committee members represent through committee work. If there are any resolutions that the committee wants to send to Area C could this group be tasked with reviewing? It was stated that anyone can attend the ASCCC Plenary and Area C meetings and participate in the writing process of resolutions. The links to the ASCCC resolutions can be found by going to the ASCCC website and clicking on "Events" then plenary at the bottom of the page. The link will open up a google doc and it is open for public comment directly on the document. The goal is to return at the next meeting with a structure to consider for processing resolutions.
3. ASCCC Exemplary Program Award?
 - The applications for the ASCCC Exemplary Award program are due Nov. 9th. There is the Statewide and Hayward Award along with one other. The deadline for these awards is December and then in January. Every college is allowed to nominated one academic program of excellence to be considered by the Statewide Senate. If there is more than one person

requesting to be considered for an award this committee could decide which nominees has the most merit. Each of the awards has their own criteria. This committee would need to look at those criteria's and determine which nominations could be put forward. If there happens to be difficulty with determining who to advance then an internal criterial could be developed. ASCCC also uses a rubric which can be used a baseline or be tweaked for local purposes. If there is anyone who would like to be considered for this award the deadline is the next scheduled Executive Committee meeting. An email communication may go out and perhaps a follow up meeting.

4. Local Recognition Award Process?

- This item is a holdover from previous discussion over the last year and half. There is a need to do more with local awards for full and part-time faculty. David is proposing that this committee also take a role in overseeing this process as well. There will be more discussed at the next meeting regarding how to structure and formalize this process.

E. Adjournment: 12:03 pm.

Program Viability Committee Summary

October 22, 2020, 10:00 a.m. to 11:30 a.m. – Zoom

Members present: Garrett Rieck (Noncredit Faculty), Christopher Boltz (Theatre/CTE Rep), Lisa Hooper (Curriculum), Nicole Faudree (Business/COCFA Rep), Tony Law proxy for Albert Loaiza (Student Services, Counselor), Jason Burgdorfer (MSHP), Jesse Vera (Adjunct Counselor & AMSA Faculty Co-Advisor & Erik Altenbernd (Humanities, filling in for Julie Hovden)

Guests: Harriet Happel (CE Dean), Marilyn Jimenez (Academic Senate Administrative Assistant), Sanghu Beak (ASG Student Representatives), William MacPherson (VAPA), Jennifer Smolos (Dean, VAPA), Kathy Bakhit (Dean, HPPS)

I. Routine Matters

0. Call to order: 10:05 am
1. Approval of the Agenda
 - Motion to approve the agenda by Chris Boltz, seconded by Nicole Faudree. Approved by roll call vote. Tony Law abstained. Approved.
2. Approval of 10/8 minutes
 - Motion to approve the 10/8 minutes by Nicole Faudree, seconded by Lisa Hooper. Approved by roll call vote. Tony Law abstained. Approved.

II. Year Two Status Reports

0. Commercial Music – Bill MacPherson
 - There was a correction made to the document as it was originally listed as a three year status report but is actually a 1 year status report. There was also a reminder that there will be discussion regarding renaming reports to phases such as phase one, phase two etc.
 - **Identifying Facilities:** The COVID-19 pandemic put this program on hold in terms of obtaining facilities resources. There are two rooms which can be used as potential classrooms in PICO Hall. Quotes and pricing estimates are being requested for each space. There are pros and cons to both spaces, an evaluation, from a physical perspective, is being done in terms of what is most viable. There was a suggestion to possibly seek out a sponsor from the Entertainment Industry who could help with covering some of the budgetary costs. Budgeting will be looked in stages. There also needs to be a difference between infrastructure and equipment costs. Equipment costs can be put into Perkins for next year and possible Strong Workforce funding. There have also been conversations with administrations regarding securing lecture rooms.
 - **New Music Courses:** Another part of the program requires learning the various software used to record such as Pro Tools.
 - A course was recently written using Garage Band that will supplement the other software classes.
 - There are also plans to build a course on how to build a home studio as so many students are learning how to record at home.
 - Prior to COVID-19 there was a *Commercial Music Ensemble* course which was going to do an entire Beatles concert; however, since the course was switched to remote learning students instead decided to record an album. Students stepped into various roles sharing the tracks so that each could work on their part and record the full blown CD. This is sort of a capstone project as it involves collecting artwork, preparing liner notes and choosing the right notes. This project was done spring and fall 2020. The new project is "*Taking a Journey of Jamaica.*" Students have been watching

many documentaries about the history of Jamaica. Studying the relationship and development of music and the interaction between American, British and Jamaican musicians. The vision is to have students learn about different kinds of music styles and decades. Artwork has been submitted for the new album.

- **Commercial Music Committee:** There is a committee of professional studio owners and composer professors which are all involved in the contemporary commercial music world. There are faculty from COC and Cal Arts. One member of the committee has spent their entire career on designing recording studios and has helped with sketching and planning how PICO Hall would work as a studio. Faculty member Brody Steal from the Theater department is also a member of the committee and is working to reach out to people in the community who may be able to help with continuing to the design the room.
- **Committee Suggestions:** Some suggestions from the committee is to create a program that trains students so they can go into assistant or internship positions in a recording program or a record company. There are many students who are planning to be independent artist and have independent studios even if they are not signed to a record deal. There is a big need for content due to there being so many TV stations and film companies.
- **Budget Constraints:** Due to COVID-19 and with what is going on with the state and the loss of income both the Dean of VAPA and the department chair are feeling reluctant to move forward. The studio will be expensive to repurpose however, not as expensive as building a standalone building.
- **Songwriting Club:** Bill is an advisor for a few clubs for Typified Records. There is also a songwriting club that just started this semester. Student original work is collected and there is a non-exclusive arrangement that their material can be sold. This work is put out as a compilation CD. There have been three CD's done and they are being called Homegrown Volume 1, 2 and 3. These projects are released in spring.
- **New Courses & New Curriculum:** The hope is also to begin offering the software classes in the fall as Pro Tools can be taught a different levels. Typically new classes or new curriculum cannot be created until facilities are in place. There is Pro Tools software available in a classroom, via mac computer stations, for the Logics course. These courses are not dependent on the recording studio. However, students do need to go to campus as there is challenge with obtaining the licensing for the software. The department does have a few iPad's which have Garage Band software installed. The school will need to obtain a license from AVID to have Pro Tools installed on the computer in at least the Music Department and with MEA in Mentry Hall. In order to better serve students enough IPAD's with the software will need to purchase and there will need to be means by which to track them. There will also need to be enough licenses purchased to install the software on all computers on campus.
- **Curriculum Status for new courses:** The new courses are currently at stage 5 in Curriculum Committee. If the courses are flexible in that they could serve in other departments these can move forward. Courses need to be approved along with a program. If there is a possibility of offering courses face to face they could be offered in fall 2021. If this is not possible those courses may be retracted. There was a suggestion to maybe add new courses into local degrees and offer as electives. Another option would be to offer a technical music certificate. This option had been discussed in the Technical Theater department and the committee was in favor of this idea. Bill has already created some certificate programs in commercial music.
- **Non-credit option:** There is a possibility of designing software recording courses as a Certificate program as adult students within the community may want to enroll in these courses to refresh their skills. There may also be the ability to do a mirroring this program in credit and non-credit. This could work as a either a Vocational program or a Workforce preparation program. A follow up

meeting will be scheduled to further discuss how to fit these courses into existing programs as electives or certificates.

- **Courses for Veteran Students:** There are many courses which in order for them to be paid for by the federal government for VA benefits have to fall within specific areas such as an Associate's degree. The certificates have to be specifically Certificates of Achievement and not specialization. It's important to ensure the Certificate is robust enough to be a transcript ID.

III. Year Three Status Report

0. Construction Technology – Eric Arnold

- **Background:** This program is at year three of pilot status. This program went through a substantial modification in PV. This update will help to discuss how to not make Construction Technology permanent status but instead have this program go back to year 1 pilot in fall 2021. The classes have been scheduled and offered. This is one of the programs that has been allowed to be face to face and with a limited number of students allowed in the course. Students did not have to be split into two groups. Originally there was a request to offer two courses in the fall but instead it is one section for each course as space is an issue.
- **Scheduling classes:** In terms of scheduling the class number 1 is offered in the fall and the class 2 is offered in the spring. There is concern with students having to wait an entire year if they miss enrolling in the next class in the sequence. The idea is to offer 2 sections per class.
- **Revised Curriculum:** There will be substantial modification to the program. All paperwork is in place and the hope is to have the revised curriculum by the end of the year. Due to the alignment with NCCER it may be sooner as the curriculum is being structured with industry. These courses may be on the curriculum agenda in the spring semester.
- **Facilities Concerns:** Space is the biggest issue, it is difficult to offer all necessary courses in the current space. Once the curriculum is modified space will be an issue. The Castaic High School may alleviate this as there will be possibility of offering a course at Castaic High School.
- **Curriculum:** The current issue with the current curriculum does not align well with industry certification. This will better prepare students to go into an entry level position. Are courses being revised? New courses will be created but this has not been confirmed. There may be a mix of both. There are currently 6 courses. The program will ultimately be 8 courses. There will be 7 courses in the trade discipline and 1 in the overachieving umbrella course. It may make more sense to create these courses separately. The consultant advises that the electrical and plumbing will be modified and the electrical will be achieved. There is a course missing in concrete. It was suggested first to look at existing curriculum and borrow from it. There is a big issue with masonry due to consumables. It is difficult to offer from a resources stand point. If there are two electric and two plumbing it is suggested to modify existing curriculum. This can be a substantial revision.
- **Enrollments and Completers in Constructions:** Prior to COVID-19 enrollments and completions were well. All courses were in the evening but there was a need to change to a day time schedule. This was due to mostly high schools students being enrolled and wanting a more traditional schedule. This is an AB 288 pathway at Castaic. There is now a set back with being virtual. This is now the time to revise the curriculum so that it is more relevant to both non-union and unions employers/industry. Many of students were not employable to be on a worksite. Many students had difficulty proving their skills. The NCCER credential allows them to prove their skills through this industry certification. With the colleges certification there isn't much uniformity.
- **Advisory Board:** This is where the advisory board can provide direction as to what the student's needs. It is incumbent to go to the employers to determine what do employers want. Students are also looking for more immediate return on their investment. There is an ability to do good

work as there is always something being built in the local area. The largest supply gap is in construction. This industry will continue to grow in the next 5 or 6 years.

- Many employers are doing concrete work and need finishers. Many finishers are getting paid \$300 to \$500 a day. The hope is to get all courses into eLumen before the spring semester so they can be finalized by the fall.
- It is important to make sure that there is value with courses in stackable certificates. Students can obtain a local and industry certification. Curriculum can be aligned to meet that. A 3 year pilot status has only been in place for the past few years. We would either approve for permanent status and put through the Academic Senate or send back to year of the pilot status due to the substantial modification.
- **Moving from Pilot to Phase statuses:** From the interpretation of the AP “All newly initiated programs, to include substantial modifications, shall be deemed pilot status for a period of three years.” There is some discussion of phases but due to the AP policy. This is way that this program was put through the pilot status.
- There is a need to update the documents. Any changes will be brought before the committee. How long do phases last? There would be phase 1) get curriculum through committee and cataloged with the state, 2) 4 terms of course offerings or two years 3) and then review of the data and recommendations to proceed or revitalize
- **Motion to approve sending construction tech to year 1 of pilot status** due to the substantial modification by Nicole Faudree, Christ Blotz, Approved by roll call vote. Unanimous. Alisha is voting in place of Albert.

IV. Adjournment: 11:30 am

- The last PV meeting will be on Nov. 19, 2020.
- Garrett will put together the PV Committee meeting scheduled for spring 2021.

Senate Elections Committee Report – 11/6/2020

A. Committee & Committee Chair Name and Meeting Times/Location

Senate Elections Committee

Chair: Dustin Silva

Meeting Times/Location: Most of the committee work is done via email correspondence. Committee met online via Zoom on 3/13/2020 and 9/15/2020.

B. Committee Membership Composition List

Dustin Silva (Chair)

Isaac Koh

Karyl Kicenski

C. Time Stamp on Report

Fall 2019 - October 2020

D. Committee background/purpose objectives or goals. Provide committee background on what is the purpose, objective or goal of the committee. Why was the committee formed? What does the committee seek to accomplish and where does it live in the campus governing structure?

The Elections Committee is a standing committee of the Academic Senate whose function is to the conduct all elections for the Academic Senate. This includes, but may not be limited to, elections for Academic Senate President, Vice President, Curriculum Committee (full-time and adjunct), Senators (full-time and adjunct), and for Department Chairs. The Elections Committee also conducts elections as needed for any vacancies in the above listing.

E. A summary of what the committee has worked on, worked toward and accomplished since its last annual report to the Senate, and over the course of the last academic year.

The Senate Elections Committee has continued to conduct nominations and elections as needed and per the Academic Senate, Constitution, and Bylaws.

Over the 2019-2020 Academic Year, the Elections Committee has conducted and completed the following election process which includes, but is not limited to, the collection, tracking, and verification of nominations, the gathering and formatting of candidate statements, and conducting elections with the assistance and support of the Senate Elections Committee, Marilyn Jimenez (Administrative Assistant to the Academic Senate), and Alicia Levalley (Assistant Research Analyst in IRPIE):

Spring 2019:

- Senate President (1 position: no election needed)
- Vice President (1 position: no election needed)
- School/Division Senators (10 positions: no elections needed)
- At-Large Senator (1 vacant seat: no election needed)
- Curriculum Committee (10 positions: no elections needed)
- Adjunct Senators (3 positions: election held with 6 candidates)

- Adjunct Curriculum Committee Representative (1 position: election held with 2 candidates)
- Department Chairs (~50 department positions: 2 elections held with 2 candidates in each)

In the fall 2020 semester, the Elections Committee conducted and completed the following election.

- At-Large Senator (1 vacant seat: election held with 2 candidates)

F. Committee main objectives, goals or projects for the current semester and academic year Provide a summary of what are some of the main objectives, goals or projects the committee is focusing on for the semester. What are the committee priorities?

The Senate Elections Committee's main objectives is to conduct nominations and elections as needed and per the Academic Senate, Constitution, and Bylaws. The committee is working on updating the committee's rules and regulations regarding candidate statements, and eligible candidates and voters. We are also working within the committee to ensure that all committee members gain and have experience in all aspects and steps in the election process. Our priorities are to conduct elections as needed in an unbiased, fair, and legitimate manner.

G. Describe any challenges the committee has faced.

The number of positions the committee had to hold nominations and elections for during the spring 2020 semester was difficult in general, and it was more so with the onset of Covid-19 and the college's transition to distance learning. During this time we had to suspend and conduct many of the nominations and elections after spring break. We also lost a committee member during this time who needed to step down.

One challenge we have faced in the past, and continue to face, is regarding emails and responsiveness to the committee during an election process. Not all departments have a listserv that contains all faculty emails. In regards to responsiveness, at times we struggle to elicit responses from faculty to receive or verify nominations, candidate statements, or the use of canyons emails and not personal emails.

H. Do you need the Academic Senate, its Executive Committee, the Office of Instruction or any other campus group to provide resource support to your committee for any upcoming initiatives or matters?

Senate elections committee requests that faculty groups be made within the email system for each department, separate for full-time and adjunct faculty. We also request that existing groups or listservs be updated periodically to ensure that the lists are valid.

BP 3535 Public Safety Camera System

References:

Constitution of the United States 4 Am.;

California Constitution Declaration of Rights Article I, Section 1; Searches And Seizures Article I, Section 13;

Government Code 6250-6270

Penal Code 627-627.10, 632

New Jersey v. T.L.O., 485 U.S. 325 (1989)

The Santa Clarita Community College District (“District”) authorizes the use of a public safety camera system for the purpose of deterring and/or detecting crime and misconduct, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters, aid in the apprehension of suspects, enhance the overall safety and security of property and individuals at the District, and to assist District officials in providing assistance to public safety services for the college community. Cameras may be placed in strategic public locations. The District will not place cameras in **any** areas where there is a "reasonable expectation of privacy" as defined by law.

The public safety camera system may or may not be monitored in real time, and individuals should not expect that images captured by the cameras are contemporaneously monitored by the District. District reserves the right to use the public safety camera system and/or a separate stationary camera in case of an investigation. The CEO shall establish procedures that provide guidelines for the implementation of this policy.

AP 3535 Public Safety Camera System

References:

Constitution of the United States 4 Am.;;
California Constitution Declaration of Rights Article I, Section 1; Searches and Seizures Article I,
Section 13;
Government Code 6250-6270
Penal Code 627-627.10, 632
New Jersey v. T.L.O., 485 U.S. 325 (1989)

1. DEFINITION

The Santa Clarita Community College District (“District”) operates a public safety camera system (“System”), which is comprised of digital cameras operating without audio. One exception is the cameras at the Early Childhood Education Center(s) used for academic purposes which record video and transmit live audio: such System cameras will be operated pursuant to written releases and consent agreements. The System may produce video recordings, without audio, or still photos (“Images”). The District shall not access cameras embedded in District-issued equipment without the permission of the employee.

2. PURPOSE AND SCOPE

The purpose of the System is to create a safer environment for all students, employees, visitors and guests.

The System will be implemented in locations where it is determined that its use will enhance the security and safety of either individuals or property without violating the reasonable expectation of privacy as defined by law. The System may or may not be monitored in real time, therefore individuals should not expect that System Images captured by the cameras are contemporaneously monitored by the District.

The System can be used to deter and/or detect crime or misconduct, to help safeguard against potential threats to the public, and to help manage emergency response situations during natural and man-made disasters. Public safety cameras may be used in conjunction with campus access control and two-way communications to enhance access to buildings and emergency notification.

The District may install cameras, in compliance with the law, if there is a need for an investigation arising from the “reasonable suspicion” of a violation of the law, Board Policy, or Administrative Procedures. In no case will cameras be used by a supervisor to monitor employee compliance with regular daily job responsibilities. Any cameras installed for investigative purposes shall comply with the law and not be placed in Private Spaces. Images from cameras installed for employee investigations may only be accessed for viewing under the authority of the Vice-President, Human Resources and Campus Safety Management.

3. DELEGATION

The implementation of this procedure will be delegated based on the subject matter. The CEO may designate the individual(s) required to implement this procedure and/or perform the necessary duties reference herein. Those individuals will receive the applicable legal and regulatory training to perform those duties. The “Designee” shall be defined based on the area of responsibility, as listed below:

- Vice-President, Human Resources
 - Vice-President, Student Services
 - Vice-President, Business Services
 - Vice-President, Technology
- District Employee Matters
 - Campus Safety & Student Matters
 - 3rd Party Liability Matters
 - Technological Support
(Installation, maintenance and camera support)

4. CAMERA LOCATIONS AND EXCLUSIONS

Camera Location Plan & Inventory: The CEO or designee shall be responsible for reviewing and approving or denying all aspects of the System, including installation of new cameras, adjusting or removing existing cameras, administration, and operation. Information Technology, in coordination as appropriate with Human Resources, Student Services, Risk Management, Campus Safety, or Facilities, will prepare and present a plan identifying the appropriate locations of each camera for approval by the CEO or designee. Information Technology will maintain a master inventory of all existing and approved public safety cameras.

Private Space: The District will not place cameras in **any** areas where there is a "reasonable expectation of privacy" as defined by law including but not limited to bathrooms, locker rooms, private offices, shared offices, changing rooms and other areas where a person may reasonably expect to change clothes with the expectation of privacy. Additionally, areas dedicated to medical, physical, or mental therapy or treatment are private areas for the purpose of this policy. Furthermore, System cameras will not be used in classrooms without the prior consent of the faculty member and the CEO or designee (Education Code 78907).

Public Space: The System will be implemented in public locations where it is determined that its use will enhance the security and safety of either of either individuals or property.

Cameras may generally be used in hallways, lobbies, stairwells, parking lots, fields, gymnasiums, stadiums, common areas, cafeterias, auditoriums/theatres, loading docks, indoor and outdoor assembly areas, building exteriors and outdoor public areas, points of public ingress and egress that are located within areas owned or controlled, via leases or other contractual arrangements, by the District.

High Value Locations: The District reserves the right to use the System to monitor legitimate business concerns including but not limited to storage areas for supplies and equipment, or cash handling areas. Employees assigned to such spaces will be notified that System cameras are installed in these locations. System cameras placed in high value location will be used, to the extent possible, narrowly to protect persons, money, real or personal property, documents, supplies, equipment, or pharmaceuticals/chemicals from theft, destruction, or tampering.

5. NOTIFICATION OF CAMERA SURVEILLANCE

Except for cameras used for public safety investigatory purposes, the District shall provide reasonable written notice to the public, visitors, employees, and students by posting signage at entrances to District locations or other high traffic exterior areas that a System has been installed indicating that the area may be monitored or recorded. The signage will also inform individuals that the “premises are protected by video surveillance and cameras are recording, but not continually monitored”. Signs shall be installed in reasonably lit and visible locations. The District reserves the right to conduct confidential investigations that may require the use of cameras without providing notice; such surveillance will be limited in duration to meet a specific objective, and will not be used in a Private Space.

6. RECORDING AND VIEWING

System Images will be recorded and stored on a 24-hour basis every day of the week. Recordings not otherwise needed for official reasons shall be retained for a period of not less than six (6) months and thereafter shall be erased. Any recordings, including involving litigation, violation of District regulations or needed as evidence in a criminal or civil proceeding, shall be retained by Information Technology on original storage medium until the issue has been resolved. (Government Code 34090.6)

When activity warranting further investigation is reported or detected at any camera location, Campus Safety officers or a Designee may selectively view the appropriate camera live stream or recording and relay any available information, as relevant, to Law Enforcement, a Risk Management Administrator, a Human Resources Administrator or a Student Services Administrator. If, during the course of viewing the camera live stream or recording, an employee is identified as being involved in an incident, Designee will immediately alert the Vice-President, Human Resources. Use of System Images in employee discipline shall be implemented with the guidance of the applicable collective bargaining agreement and in accordance with applicable law.

System Images obtained by the District may be viewed by authorized District management personnel or Campus Safety officers as necessary. The CEO or Designee shall review and approve or deny requests for individuals to have access and viewing privileges of System Images. Employees at the District will be authorized to operate the System or view System Images if they meet the following:

- possess a legitimate business need for access consistent with the purposes of the District’s policies and procedures, including but not limited to, criminal, legal, health, or safety concerns;
- are appropriately trained and supervised in the technical, responsible, legal, and ethical use of the public safety cameras; and,
- sign a written acknowledgement that they have read, understood, and will comply with the District’s policies and procedures.

The District may rely on the System Images in connection with the enforcement of District policies, administrative procedures, and other applicable law including but not limited to student and employee disciplinary proceedings, matters referred to local law enforcement agencies, or in litigation or other proceeding involving person(s) whose activities are shown on the System Images and relate to the proceeding. System Images may become part of a student’s educational record or an employee’s

personnel record in accordance with applicable law, AP 7145 – Personnel Files, and collective bargaining agreements

System Images may be used for a variety of purposes, including administrative and criminal investigations and monitoring of activity around high value or high threat areas.

7. PROHIBITED ACTIVITY

No Audio Recording: Under no circumstances shall the District’s System be equipped to record audio or other sound(s). Any audio capability in District’s System shall be permanently deactivated prior to use by the District. Furthermore, audio shall not be part of any System recordings made, reviewed or stored by the District, except with two-party consent.

8. STUDENT OR PERSONNEL RECORDS

To the extent System Images create student records or personnel records, the District shall comply with all applicable state and federal laws related to record maintenance, retention and disclosure including the Family Educational Rights and Privacy Act (“FERPA”), the California Public Records Act and applicable student records and personnel file sections of the California Education Code, AP 7145 – Personnel Records, as well as relevant provisions from existing collective bargaining agreements (20 USCA 1 23 Education Code 49060-49079, 44031; Government Code 6250-6270).

9. RELEASE OF SYSTEM IMAGES, INCLUDING THROUGH A CALIFORNIA PUBLIC RECORDS ACT REQUEST

If the District receives a request for the release of recorded System Images under the California Public Records Act, such requests will be submitted to the Public Information Office per BP/AP 3300 Public Records Act Request. The Vice-President, Public Information, in consultation with and authorization from the respective Vice-President and District legal counsel, will review each request and determine whether to release the recordings, or whether the System Images are legally exempt from release by law, including under the California Public Records Act, as discussed in more detail below.

Requests for recorded System Images from other entities or via court order, subpoena, or other legal process shall be promptly submitted to the CEO or designee to allow the District to consult with the District’s legal counsel as needed. Every reasonable effort will be made to preserve the data requested pending the review and response by the District’s legal counsel.

System Images that are requested by the public or media will be made available only to the extent required by law. All requests for real-time System Images, review of recorded video footage, and/or copies of recorded video footage will generally be evaluated in accordance with the following guidelines:

	Request by Public or Media	Request by Entities or Law Enforcement Agencies
Request to Observe	Restricted and not subject to	Will be evaluated on a case-

Real Time System Images	requirements set forth by the California Public Records Act.	by-case basis subject to applicable law
Request to View Stored System Images and/or for Copies of Stored System Images	Will be evaluated subject to requirements set forth by the California Public Records Act.	Will be evaluated subject to requirements set forth by the California Public Records Act, and/or pursuant to federal; and state law.

The District may withhold the requested System Images if the public’s interest in disclosure is outweighed by the public’s interest in non-disclosure, including certain instances when releasing the System Images would compromise a police investigation.

The District will provide assistance to persons making California Public Records Act requests as required by law, and may fill in and submit Request for Release of Recorded Images Form if the person does not wish to do so. Although preferable, the form need not be fully completed in order to initiate the request. The District shall respond to all requests for System Image review and copies of System Images in the timeframes required by applicable laws and regulations.

The District reserves the right to assess fees for the actual costs of copies, including CDs, DVDs, or other media devices.

10. ANNUAL REVIEW OF THE SYSTEM

Information Technology will conduct an annual review of the System. The review will include an inventory of cameras and the date of installation. The review may include processes and records pertaining to the System and to confirm the System has been operated and maintained in compliance with District policies and procedures. The results of each inventory or audit will be maintained by the Information Technology Administrator, and will be reported to the CEO’s office.

Annually, a presentation will be made by the Vice-President, Human Resources and the Vice-President, Business Services to the Workplace Safety Committee regarding the number and types of incidents on campus and the location.

Per the respective collective bargaining agreement, COCFA and CSEA “will receive notice of the number and location of video recording devices to be used on campus. This will be updated each year as devices are added.” In conjunction with the Workplace Safety Committee, feedback may be provided and additional information shared.

Template for Committee & Faculty Reports

Note: Academic Senate reports may be presented in person, virtually (such as via zoom), written or in video format.

Reports should contain, at the minimum, the following information:

- A. Committee & Committee Chair Name and Meeting Times/Location
- B. Committee Membership Composition List
- C. Time Stamp on Report
- D. Committee background/purpose objectives or goals

Provide committee background on what is the purpose, objective or goal of the committee. Why was the committee formed? What does the committee seek to accomplish and where does it live in the campus governing structure?

- E. A summary of what the committee has worked on, worked toward and accomplished since its last annual report to the Senate, and over the course of the last academic year.
- F. Committee main objectives, goals or projects for the current semester and academic year

Provide a summary of what are some of the main objectives, goals or projects the committee is focusing on for the semester. What are the committee priorities?

- G. Describe any challenges the committee has faced.
- H. Do you need the Academic Senate, its Executive Committee, the Office of Instruction or any other campus group to provide resource support to your committee for any upcoming initiatives or matters?
- I. Upcoming Senate Agenda Items or New Future Senate business from this Committee?

College of the Canyons
Faculty Professional Development Committee (FPDC)
Guidelines and Operating Procedures, Effective 7/1/18

I. Mission Statement

The mission of the College of the Canyons Faculty Professional Development Committee (FPDC) is to promote, improve, and sustain the professional development, growth, and wellbeing of faculty.

II. Organizational Structure

The FPDC is a sub-committee of the Academic Senate. As such, we follow Academic Senate policy at the local and state levels. FPDC works jointly with the Professional Development Coordinating Committee (PDCC).

III. Committee Chair(s)

The committee chair(s) are appointed by the Academic Senate and are expected to serve a 2-year term. They may serve more than one term.

IV. Connections/Associations with other committees

Academic Senate Standing Committees:

Center for Excellence in Teaching and Learning (CETL)
Committee for Assessing Student Learning (CASL)
Program Review (PR)

Collegial Consultation Committees:

Accreditation Committee
College Planning Team (CPT)
Institutional Effectiveness and Inclusive Excellent Steering Committee (IE²)
President's Advisory Council on Budget (PAC-B)

Other:

Professional Development Coordinating Committee (PDCC)

V. Duties and Functions

- A. FPDC plans Professional Development (FLEX) activities for faculty and develops the Faculty Professional Development Week schedules.
- B. FPDC peer-reviews faculty proposals and reports
- C. As a sub-committee of Academic Senate, FPDC provides summaries of meeting minutes, Professional Development (FLEX) week schedules, and recommendations for changes in professional development policies to the Academic Senate.
- D. The FPDC evaluates the outcomes of professional development workshops and activities, and the dissemination of these results, with the goal of improving the college's faculty professional development programs.

VI. Committee Membership

- A. Members are appointed by the Academic Senate and are expected to serve a minimum of one full academic year but may ~~tender their resignation~~ resign from the FPDC at any time.
- B. The FPDC is open to all, but the goal is to include at least
 - a. One full-time faculty representative from each academic school, with possible alternates to participate in case of absences.
 - i. Math, Science, and Health Professions
 - ii. Business
 - iii. Applied Technologies
 - iv. Student Services
 - v. Visual and Performing Arts
 - vi. Humanities
 - vii. Kinesiology/PE/Athletics
 - viii. Learning Resources
 - ix. Social and Behavioral Sciences
 - b. 2 full-time faculty at large representatives
 - c. 2 adjunct faculty at large representatives
 - d. 1 ASG representative
- C. The Director of Professional Development or designee is a non-voting member of FPDC. The chair(s) and committee work in consultation with the Director or designee.
- D. Any change in membership structure of the committee must be approved by the Academic Senate.
- E. If a new academic school is created, it will immediately be entitled to representation within the committee.

VII. Voting

- A. All appointees have voting rights.
- B. The chair(s) may vote only if he/she is also acting as his/her school's appointed representative.
- C. A quorum will be 50% of the total current voting members of the committee.
- D. Decisions will be made by a majority vote.
- E. While alternates may attend in place of school representatives, they will not have voting rights unless the appointed representative has given permission and notified the chair(s) for his/her proxy to vote.
- F. All who attend FPDC meetings may participate in discussion, but only appointed members will have voting rights.

VIII. Responsibilities of Committee Members

- A. Attend and participate in regularly scheduled FPDC meetings.
 - a. If a member is unable to attend, the member must notify the chair(s).
 - b. The member is encouraged to ask another faculty member from the school to participate as a proxy.
- B. Undertake due diligence in reviewing faculty proposals and reports and participate in the voting for faculty proposals.

- C. Participate in the development and scheduling of fall and spring Professional Development (FLEX) week activities.
- D. Act as a liaison to their school, report to and solicit feedback from their constituencies.
- E. Work with chair(s) to review guidelines and operating procedures when necessary.

IX. Additional Responsibilities of Committee Chair(s)

- A. Participate in the Professional Development Coordinating Committee.
- B. In consultation with the Director of Professional Development:
 - i. Schedule FPDC meetings and develop meeting agendas
 - ii. Plan Professional Development (FLEX) activities
 - iii. Facilitate committee discussions
 - iv. Maintain minutes
- F. Recruit committee members as needed
- G. Provide a summary of the minutes to Academic Senate
- H. Determine division of labor for review of proposals and reports
- I. May evaluate proposals and reports between the last FPDC meeting of the semester and June 30, independent of regular members.
- J. Notifications of committee decisions on faculty proposals may be provided by the Director of Professional Development or the FPDC Chair(s).

X. Meetings

- A. Meeting dates and times for the next academic year shall be finalized by the last meeting of the current academic year.
- B. Agendas will be made available at least 72 hours prior to the meeting.
- C. The Director of Professional Development will disseminate all supporting materials to committee members one full week prior to regularly scheduled meetings.
- D. Meetings are open to all.

XI. Guidelines for Professional Development (FLEX) Credit

- A. The primary goal of the activity must be professional growth as described in Title V or the Education Code relating to professional development.
- ~~B.~~ To assist with program review and accreditation, the professional development activity must also meet one or more of College of the Canyons' Strategic Goals: ~~Teaching and learning~~
 - ~~i. Student services~~
 - ~~ii. Cultural diversity~~
 - ~~iii. Human resources~~
 - ~~iv. Institutional effectiveness~~
 - ~~v. Financial stability~~
 - ~~vi. Technological advancement~~
 - ~~vii. Physical resources~~
 - ~~viii. Innovation~~
 - ~~ix. Campus climate~~

Leadership

Access

Success

Engagement

- C. Per the COCFA contract, Article 12 F.1., full-time instructional faculty must complete 41 hours of professional development per academic year.
- D. ~~While it is encouraged that faculty participate in College of the Canyons Professional Development (FLEX) workshops, FPDC recognizes that there are diverse professional development needs, and thus, Faculty may fulfill their 41 hours of professional development obligation in with any committee approved activity category/categories they choose.~~
- E. Workshops and activities that have been consistently approved by FPDC will be placed upon a pre-approved list once approved by Academic Senate. The pre-approved list may be routinely updated and will be published on the FPDC internet site. Pre-approved activities will be automatically added to the current professional development management system, after required information has been received.
- F. For an activity to be considered for Professional Development (FLEX) credit, faculty must submit a proposal (unless otherwise indicated on the pre-approved list):
 - i. Through the current professional development management system
 - ii. Within ~~21 calendar days of activity completion time frame indicated on the proposal~~
 - iii. With supporting documentation ~~for the hours proposed as requested on the proposal~~
 - iv. Prior to activity whenever possible
- G. Proposals submitted in order to satisfy faculty professional development obligation hours will be reviewed by the FPDC in the order they are received, with the exception of individual project proposals, which may be considered ahead of all other proposals.
- J. ~~Except for workshops, which require advance approval, faculty shall submit proposals within 21 days after the activity has occurred. It is strongly encouraged that proposals be submitted by the 13th week of the spring semester to insure full committee review prior to the end of the academic year.~~
- K. Proposals submitted after the last committee meeting in spring, but before June 30th will be reviewed by the committee chair(s). Proposals submitted in winter and in summer after June 30th may be considered after the start of the regular semester or by the committee chair(s).
- L. If an activity is completed during an off-contract period, the deadline to submit proposals does not begin until the first day of the FLEX week of the regular semester following the off-contract period.
- M. Faculty proposals that are denied, or for which additional information is requested, may be re-submitted. The faculty may present additional information, either in person or in writing, at the next FPDC meeting.
- N. Professional development hours will be accounted for in the following rate:
 - i. 1:1 for participation in an approved workshop or activity
 - ii. 2:1 for the facilitator of a workshop or activity
- O. Professional development (FLEX) credit shall not be awarded if faculty receive any form of compensation from College of the Canyons for the activity.

XII. Guidelines for Specific Proposals – ~~forms for each of the specific~~ proposal forms ~~listed below~~ shall be available electronically via the current professional development management system.

A. Conference Attendance

- i. Proposals shall be submitted prior to the conference, or within 21 days after attendance.
- ii. ~~A copy of the conference agenda reflecting the day(s) and hours of the conference is required. Note: links to conference information are not sufficient. Each proposal must include:~~
 - ~~1. The name of the entity organizing the conference.~~
 - ~~2. A copy of the agenda of the conference reflecting the day(s) and hours of the conference. Note: links to conference information are not sufficient.~~
- iii. If a conference overlaps with classroom teaching time and/or office hours, the faculty should deduct the classroom teaching time and office hours (unless office hours are rescheduled) and claim the remainder of the time as FLEX credit.
- iv. The Conference proposal and report may be submitted together.

B. Independent Project

- i. Due to the amount of work involved for an independent project, it is strongly recommended that faculty wait for approval of the proposal prior to beginning the project.
- ii. Proposals must be received by the Monday following Spring Break to be considered for credit during the current academic year.
- iii. Proposal must include a **detailed** timeline of dates and hours **planned for project work dedicated to working on the project.**
- iv. ~~After completion, and at least one week prior to the last FPDC meeting of the current academic year,~~ Faculty must complete and submit an Independent Project report **upon completion of the project and prior to the end of the fiscal year during which the project work is being completed.**

C. Outreach

- i. Proposal should be submitted prior to the outreach, or within 21 days after the event.
- ii. Faculty must complete an Outreach Event Report within 21 days of the event.
- iii. The Outreach proposal and report may be submitted together.

D. Training by a Non-COC Provider

- i. Proposal should be submitted prior to the training, or within 21 days after attendance or completion.
- ii. Documentation of the hours must be submitted, such as an agenda or certificate of completion.
- iii. Non-COC provider training may include, ~~but is not limited to, webinars, @one courses, software training, equipment training or~~ any training **from a non-COC entity** that will result in professional growth.

E. Workshop

- i. Workshops are events that are presented at COC typically by COC employees.

- ii. Proposal ~~should~~ **must** be submitted prior to the workshop.
- ~~iii. Attach to your proposal, any flyer you desire to have used in promotion of your workshop.~~

F. Mentor Programs

- i. Mentor programs may include:
 1. The **Employee Professional Development Mentor Program** is designed for COC employees (Administrators, Faculty, and Classified Staff) to learn from each other through one-on-one mentorships
 2. Alliance Mentors lead an alliance and/or mentor students in the alliance
 3. ASG Club Advisors guide student club activities and/or mentor students in the club
- ii. All mentor program proposals should be submitted in advance of beginning the mentorship, or within 21 days after mentorship has begun.
- iii. Proposal templates will include goals/outcomes of the mentorship and planned dates and times for proposed meetings.
- iv. Faculty must complete and submit a report upon completion of the mentorship, or prior to the end of the current fiscal year, describing the professional growth achieved and whether goals/outcomes were met, along with detailed documentation of dates and times meetings occurred and what was accomplished/discussed at each meeting.

XIII. Legal and Contractual Requirements and Guidelines Regarding Professional Development (FLEX) – The following statutes, regulations, Board Policies, and contractual requirements guide FPDC’s work.

- A. Title V 55724.a.4: The activities which college personnel will be engaged in during their designated staff, students, and instructional improvement days. Activities for college personnel may also include, but need not be limited to, the following:
 - i. course instruction and evaluation;
 - ii. staff development, in-service training and instructional improvement.
 - iii. program and course curriculum or learning resource development and evaluation;
 - iv. student personnel services;
 - v. learning resource services;
 - vi. related activities, such as student advising, guidance, orientation, matriculation services, and student, faculty, and staff diversity;
 - vii. department or division meetings, conferences and workshops, and institutional research;
 - viii. other duties as assigned by the district;
 - ix. the necessary supporting activities for the above.
- B. Education Code section 87153 states the authorized uses of professional development (FLEX) funds allocated shall include:
 - i. Improvement of teaching.
 - ii. Maintenance of current academic and technical knowledge and skills.
 - iii. In-service training for vocational education and employment preparation programs.
 - iv. Retraining to meet changing institutional needs.
 - v. Intersegmental exchange programs.

- vi. Development of Innovations in Instructional and administrative techniques and program effectiveness.
 - vii. Compute and technological proficiency programs.
 - viii. Courses and training implementing affirmative action and upward mobility programs.
 - ix. Other activities determined to be related to educational and professional development pursuant to criteria established by the Board of Governors of the California Community Colleges, including, but not limited to, programs designed to develop self-esteem.
- C. College of the Canyons Board Policies Concerning Faculty Professional Development:
- i. BP 7215.B.1.f: Those areas in which the Board of Trustees will "rely primarily on" the advice and judgment of the Faculty Academic Senate include: The establishment of policies, procedures and programs for faculty professional development activities (excluding financial expenditures for faculty development).
 - ii. BP 7215.B.2.d: Areas specified by Title V {Subsection 53200 c.} as "Academic and Professional Matters" where the Board of Trustees and the Academic Senate obligate themselves {or their Trustees and the Academic Senate obligate themselves {or their designee(s)} to reach mutual agreement, resulting in written resolution, regulations or policy include: Financial policies of faculty professional development activities.
- D. If a conference overlaps with classroom teaching time and/or office hours, the faculty can deduct the classroom teaching time and office hours (unless office hours are rescheduled) and claim the remainder of the time as FLEX credit.

Guidance for Synchronous Classes at College of the Canyons

(Adapted from [Guidance for Recording Class Sessions with TechConnect \(Confer\) Zoom by Michelle Pacansky-Brock and CVC-OEI](#), licensed under [Creative Commons Attribution 4.0.](#))

Updated: August 18, 2020

Developed in collaboration

amongst:

- Academic Senate
- COC Faculty Association
- Enrollment Services
- Instruction Office
- Online Education

The first part of this guidance recommends practices for making and using instructional video and audio recordings. The second part of this guidance describes best practices around recording class sessions and asking students to use a camera during live class sessions. Appendix 1 includes a student consent form you may wish to use.

Instructors sometimes record live class sessions in ConferZoom so that students can watch a missed class session or review an earlier session, or for the instructor to share with a future class. Depending on who is identifiable in the recording, the recordings may constitute educational records that are protected under the Family Educational Rights and Privacy Act (FERPA) — the federal student privacy law.

Additional information about photos, video, and audio recording under FERPA can be found in the US Department of Education [FAQs on Photos and Videos under FERPA](#).

While this document refers to ConferZoom as the most commonly used platform for synchronous classes, the guidance here also applies to other [platforms, such as Microsoft Teams](#).

If you have questions about how FERPA relates to your specific situation at College of the Canyons, contact Jasmine Ruys, Associate Vice President, Enrollment Services or Steve Erwin, Director of Admissions and Records.

[I don't record classes when I teach on-campus. Do I need to record ConferZoom sessions?](#)

As a general rule, no, you don't need to record ConferZoom class sessions. Your department or your external accrediting body might have established new requirements during times when classes can't be offered on-campus. However, there is no College requirement that you record ConferZoom class sessions.

[If I want to hold synchronous sessions with students, do I have to use ConferZoom?](#) You're not required to use ConferZoom. However, it is free for California Community College staff and students. It is also based on the commercial product Zoom, which is the most widely used web

conferencing tools in the US. Another option is [Microsoft Teams](#); for information on this tool, please contact the [IT Helpdesk](#).

[Are video or audio recordings of lectures protected student records?](#)

If a recording includes only the instructor, it is not a student record and FERPA does not limit its use. If the recording includes students asking questions, making presentations or leading a class, and it is possible to identify the student, then the portions containing recordings of the student do constitute protected educational records. Educational records can only be used as permitted by FERPA or in a manner allowed by a written consent from the student.

[What recording settings should I select in my ConferZoom account to best ensure students are not recorded in the archive?](#)

Before you schedule your meetings:

- Go to Zoom.us and log into your ConferZoom account.
- Click on **My Account** (upper right)
- In the left column, select **Settings**
- Select the **Recording** tab and choose the following settings:
- Disable *Local Recording*. For most instructors, recordings should be kept in the cloud and not downloaded to a local computer.
- If you wish to have a video of the speaker recorded during screensharing, *enable Record active speaker* with shared screen
- Disable *Record gallery view with shared screen*
- Disable *Display participants' names* in the recording
- Enable *Multiple audio notifications of recorded meeting*, which plays an automated message whenever a recording is started, or a participant enters a session that is already being recorded.

When your meeting starts, keep your Zoom view set to Speaker View (as opposed to Gallery View). This ensures that only the person who is speaking appears on the screen, as opposed to recording a grid view of all attendees with webcams enabled.

- For student support with ConferZoom, please see [Online Education Student Support](#).
- For faculty support with ConferZoom, please see [Online Education Instructional Continuity Faculty Support](#), and scroll down to ConferZoom information.

[How can I set my ConferZoom account so that students turn on their videos only when they choose to do so?](#)

When you schedule your meeting, you are advised to set Participant Video to Off to allow students to opt into sharing their video.

Video

Host

on off

Participant

on off

Can I publicly share a screen capture of a Zoom session or recording that shows one or more identifiable students?

You should share a screen capture or recording of a student only with that student's consent in order to comply with FERPA. Students should not record you without your permission. Likewise, we encourage you to model informed consent with your students by asking them if and when you can record. In short, we discourage you from making or sharing screenshots of students.

Should I require students to turn on their video during a live Zoom session?

No. This is problematic for several reasons.

- Students might not have a webcam and owning a webcam was not a condition for them to register for your course.
- Students might not want to show where they are located. If a student is couch surfing or homeless, and you force them to reveal this to class, this might negatively impact their motivation and the way the rest of the class perceives them. (A [2019 survey of California Community College](#) students found that 60% were housing insecure in the previous year, and 19% were homeless in the previous year. And this was before the pandemic!)
- Students might be living with minors or others who are not able to provide informed consent to being viewed or recorded by others.
- Students might have a disability that they do not wish to display. In fact, they might have chosen a distance education class so that they would not be subject to stares and whispers of other students.
- Students might have experienced adverse childhood experiences, and being forced to stare at themselves in a camera can be a triggering experience. (The Centers for Disease Control estimate that [60% of US adults had an adverse childhood experience.](#))

For more on the potential negative impacts of cameras in class, and ideas for alternative ways to engage students, see: [Karen Costa, "Cameras Be Damned."](#)

Can students publicly share class recordings or screen captures of a ConferZoom session or recording that show one or more identifiable students?

No. Instructors should tell students that they should not share the link to any class sessions, or take screen captures of Zoom sessions. Students that violate this request may be subject to the student code of conduct for disrupting class, especially if you include this in your syllabus. It's more likely that students will respect your instructions in this regard if you model informed consent before recording them or forcing them to turn on their cameras.

Can I show recordings from last year's class to the current class?

Under FERPA, this situation should be treated as if the recordings were being shown to a third-party audience, which requires FERPA compliance through use of consents from identifiable students or by editing out those students from the video.

If I want to allow access to a video (that shows students participating) to others outside of the class, is this permitted?

Possibly. There are a couple of ways to use recordings that show students participating.

1. The instructor may obtain individualized written FERPA consents from the students shown in the recording. This type of consent can be obtained on a case-by-case basis or from all the students at the outset of a class. (See Appendix 1.)
2. Recordings can be edited to remove portions of the video that show students who have not consented to the use of their voice and/or image (simply blurring a student's image and removing their name is not sufficient, as the student may still be identified).

What is the easiest way to comply with FERPA if I am video recording my class sessions, students will be asking questions/doing presentations, and I wish to share the recording with a future class?

- Overall, plan your live Zoom session as carefully as you plan your face-to-face classes.
- Record only the parts of your session that show you. Plan to hold specific Q&A periods during the session and when you get to one, click **Pause** recording.
- When you are ready to present again, **Resume** recording.
- Don't refer to students by name (de-identifying the students removes the need for a specific consent from each student depicted). If a student happens to appear on camera, their identity can be edited out or written consent can be obtained.
- Videos of students giving presentations and student-generated video projects are covered by FERPA and copyright (students own the copyright of their work, just as any other author/creator). Therefore, written permission to use these digital works must be obtained by the student.

What happens once I record a session?

As the meeting host, you decide when to record a session. Once you record a session, an archived session is created. As of Fall 2020, the archive is hosted by [CCC TechConnect](#). You receive a link to the archive session. You decide whether to share the link or not.

If you choose to download the recording of your session, you likewise will be the one to decide whether to share the recording or not. In short, you are responsible for sharing or not sharing the recording.

What if my course activities require student demonstrations or recordings?

The course outline of record for some courses requires students to perform certain activities or demonstrate skills in order to meet course objectives. Examples might include *COMS 105: Fundamentals of Public Speaking* or *SIGN 111: Fingerspelling*. In these cases, instructors should strive to disclose to

students what will be required **before the start of class**. This might occur via the instructor orientation letter, printed comments in the schedule of classes, and/or a department or instructor website.

[How do I obtain written consent from a student?](#)

To obtain written FERPA consent from students for instructional video recordings, see Appendix 1 below. Please retain the consent form so long as you intend to use the recording.

[How do I accommodate students with disabilities who need to view a recording of class with captions?](#)

As suggested above, plan your class session so that you are recording only the parts of class that show you or your instructional material.

Also, note that not all live class sessions, e.g., via ConferZoom, need to be captioned. The state Chancellor's Office clarified responsibilities for meeting the needs of students with disabilities in [Memorandum ES 20-16](#). Live class sessions need to be captioned when a student is present who has an Academic Accommodation Plan developed with DSPS that identifies captions as an accommodation.

Even if there's no student with disabilities, all pre-recorded videos do need to be captioned, in order to make them accessible to all students (aka Section 508 compliance).

Some students will have developed an Academic Accommodation Plan with DSPS that identifies specific accommodations. For questions about how to support students with disabilities at College of the Canyons, please contact [DSPS](#).

[What are some teaching tips for when using ConferZoom?](#)

You can see our [FAQs for teaching with ConferZoom](#).

[What if I have questions or suggestions about the information here?](#)

Please contact James Glapa-Grossklag, Dean of Educational Technology, Learning Resources, and Distance Learning, at james.glapa-grossklag@canyons.edu.

Appendix 1



Permission to record – Online course recordings

Student Name _____ ID# _____
Last First

The Family Educational Rights and Privacy Act (FERPA) regulates the disclosure of educational information. FERPA states “when a student becomes an eligible student (18 years of age **or is attending an institution of postsecondary education**), the rights accorded to, and consent required of, parents under this part transfer from the parents to the student.

I understand that my instructor will record our synchronous online sessions for myself and other students in course to view at a later time. I understand the instructor will notify the students when a session is being recorded. I understand the recording of the video will not be used for other purposes outside of this course.

BY SIGNING THIS FORM, I waive my FERPA rights for the instructor to use my voice, name, questions I ask during the recording, my video, etc., that is recorded during the course session, for use within the classroom.

Student Signature _____ Date _____

=====

To rescind the Release of Information, contact your instructor.

NOTES:



October 19, 2020

Legal Opinion 2020-12: Online Class Cameras-On Requirements

Multiple Community College stakeholders have asked the following question.

Whether it is it permissible for California community college faculty to require students to keep their cameras on during live synchronous online instruction?

Answer:

While there is no express prohibition against faculty requiring students to attend live online synchronous classes with their cameras on, an indiscriminate cameras-on requirement risks violation of student privacy rights under the California Constitution, and potentially implicates other federal and state privacy and civil rights laws. However, if there are circumstances where full audio and visual student participation is essential to instruction, a carefully tailored cameras-on requirement might be appropriate. Community college districts should adopt policies to address these issues to ensure faculty and students are fully informed and that it respects concerns related to personal educational privacy, access, and equity.

A. Background

The COVID-19 pandemic, and the social and physical distancing it has required, has caused a large-scale transformation from in-person to live synchronous online instruction at all California community college campuses through at least the fall 2020 semester. With this change in the delivery of instruction, some faculty have instituted a practice of requiring students to keep their cameras on during such classes. As we understand it, the purpose of the

Chancellor's Office

1102 Q Street, Sacramento, CA 95811 | 916.445.8752 | www.cccco.edu

cameras-on requirement is to enhance the interactive nature of an online class, provide the faculty member with visual feedback during instruction, and facilitate the taking of attendance.

Many students object to this practice as an unacceptable intrusion into their living circumstances, which not only burdens their personal privacy but highlights existing equity gaps between students. Moreover, not all students have the technological resources to reliably maintain a video presence during their classes.

The College of the Canyons has adopted a policy statement that strongly disfavors a cameras-on requirement. (See Guidance for Synchronized Classes at College of the Canyons (Guidance), Aug.18, 2020.)¹ The Guidance also illustrates the many reasons students oppose keeping their cameras on: they lack cameras, have limited Internet connectivity, have minor children with their own privacy concerns, are homeless,² and lack a private place to attend class. (Guidance, third unnumbered page.) The Chancellor's Office has also been informed that cameras-on requirements may trigger anxiety in students.

B. Analysis

The practice of requiring cameras to be on during live synchronous online instruction creates a potential conflict between the academic freedom of faculty to design and teach a course of study on the one hand, and on the other

¹ The Guidance is available at <https://onlinenetworkofeducators.org/wp-content/uploads/2020/08/Guidance-for-Synchronous-Classes-at-College-of-the-Canyons-8-18-20.pdf>, last visited Oct. 18, 2020.)

² It is notable that the California Legislature recognized this year that homelessness presents a particular barrier to academic success and amended various sections of the Education Code to add homelessness as an "extenuating circumstance" for students who receive financial aid but have failed to maintain "satisfactory academic progress." (Asm. Bill 2416 (2019-2020 Reg. Sess.), §§ 1-7.) Faculty and community college districts should bear this in mind while considering the burdens a cameras-on requirement would place upon students.

hand student privacy rights and concerns related to the other barriers identified in the College of the Canyons' Guidance. The laws that inform how to weigh these competing and important public policy considerations are discussed below.

1. Academic freedom is an important foundation of higher education but is not absolute, and may be limited by community college districts to advance other competing policy interests

Faculty³ academic freedom to determine the mode of instruction is a bedrock principle, rooted in the First Amendment. The United States Supreme Court has recognized that to maintain an "atmosphere which is most conducive to speculation, experiment and creation," a university must be able to determine "who may teach, what may be taught, [and] how it shall be taught." (*Regents of University of California v. Bakke* {1978} 438 U.S. 265, 312.) But academic freedom is not without boundaries, and may need to bend to administrative demands: "Academic freedom thrives not only on the independent and uninhibited exchange of ideas among teachers and students, but also, on autonomous decision-making by the college." (*Regents of Univ. of Mich. v.*

Ewing {1985} 474 U.S. 214, 226 n. 12, underscoring added.) Accordingly, the Board of Governors has authorized community college districts to regulate academic freedom through "a policy statement on academic freedom" and "procedures ... regarding the role of academic senates and faculty councils."

{Cal. Code Regs., tit. 5, § 51023.} Thus, community college faculty members' rights to academic freedom are not absolute, and do not exist in a vacuum.

The regulation of academic freedom has already occurred in the distance learning context, where title 5 and local policies are both implicated. For example, faculty must be "prepared to teach in a distance education delivery method consistent with local district policies and negotiated agreements."

{Cal. Code Regs., tit. 5, § 55208(b).} In addition, "distance education includes regular effective contact between instructor and students, and among

³"Faculty' means those employees of a community college district who are employed in positions that are not designated as supervisory or management ... , and for which minimum qualifications for hire are specified by the Board of Governors." (Cal. Code Regs., tit. 5, § 53200.)

students, either synchronously or asynchronously, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, voice mail, e-mail, or other activities." (§ 55204(a).)

Here, the decision to engage in distance education in the first instance, and the method of delivery, is a local decision based on specific circumstances, whether it takes place during or after the COVID-19 pandemic. Similarly, academic freedom must be weighed against a college's right to establish policies that support and aid their students educationally, mentally, emotionally, and physically.

2. The Right to Privacy under the California Constitution

The California Constitution specifically provides for a right of privacy this is implicated by the cameras-on requirement.⁴ (Cal. Const., art. I, § 1.) A party asserting an unlawful invasion of privacy must establish that there is (1) a legally protected privacy interest, (2) a reasonable expectation of privacy under the circumstances, and (3) a serious invasion of the privacy interest. (*Hill v. National Collegiate Athletic Assn.* (1994) 7 Cal.4th 1, 39-40.) The California Supreme Court has explained the application of this balancing text. When an intrusion into privacy is limited, and confidential information is shielded from disclosure beyond those who have a legitimate need to know, privacy concerns will be lessened. However, if sensitive information is not safeguarded, or if the competing objectives can be accomplished by alternative means with less impact on privacy interests, the protection of the right to privacy is heightened. (*Hill*, 7 Cal.4th at pp. 37-38.)

Applying these principles to live synchronous online classes, it should first be noted that students have a strong, constitutionally-protected interest in pursuing their educational goals. (Cal. Const., art. IX, § 1.) This interest applies

⁴ We have only addressed the state constitution because its right of privacy is broader and more protective of privacy than the federal constitutional right of privacy as interpreted by the federal courts. (*American Academy of Pediatrics v. Lungren* (1997) 16 Cal.4th 307, 326.)

to online education, whether during a pandemic or not. If a student is participating in a live synchronous online class from where the student lives, the student's legally-protected privacy interest will be high. The home is traditionally protected most strongly by the constitutional right of privacy. (*Tom v. City and County of San Francisco* (2004) 120 Cal.App.4th 674, 685.) And in the context of a full class of students, at issue is the sum of all attending students' privacy interests, not merely the interest of a single student.

Balanced against the students' privacy interests in their living circumstances is the faculty member's academic freedom to determine the mode of instruction.

A requirement that cameras remain on will likely enhance the interactive nature of an online class, provide the faculty member with valuable visual feedback during the course of instruction, and facilitate the taking of attendance. However, it would appear to be the rare situation where the faculty interest would outweigh students' collective interests in pursuing an education, and their privacy interests in their living circumstances. While perhaps not ideal, the faculty members' interests in interaction, feedback, and attendance can all be accomplished by alternative means. Students who voluntarily participate with their cameras on will in most cases provide meaningful visual feedback. In addition, audio participation and the chat feature available in synchronous online platforms will allow interaction and attendance taking, while maintaining student privacy interests.

There may be circumstances when full audio-visual student participation is essential to instruction. In such instances, the balance of interests may be different than is described in the paragraphs above. And the use of virtual backgrounds, if available, could further diminish student privacy concerns. These situations will need to be evaluated on a case-by-case basis, bearing in mind the principles described above, and carefully tailoring how best to protect student privacy interests.

3. Family Educational Rights and Privacy Act (FERPA)

FERPA protects the privacy of student education records, and may be implicated by recordings of online classes that contain student information. (20 U.S.C., § 1232g; 35 C.F.R. Part 99; see also Ed. Code, §§ 76200 et seq.) An

education record includes records, files, and documents that "(i) contain information directly related to a student; and (ii) are maintained by an educational agency or institution or by a person acting for such agency or institution." (§ 1232g(a)(4)(A).) Under the United States Supreme Court's interpretation of FERPA, a video record of a live synchronous online class retained in a database would constitute a student record if the recording includes the student's image or an audio recording that could be associated with the student. (See *Owasso Independent School Dist. No. 1-011 v. Falvo* (2002) 534 U.S. 426.)

Accordingly, the recording of live synchronous online classes will be more likely to implicate FERPA if faculty are also requiring students to keep their cameras-on.⁵

4. The American with Disabilities Act (ADA) and the Rehabilitation Act of 1973

The ADA and the Rehabilitation Act protect the rights of disabled students, and may influence whether faculty may require cameras to be kept on during live synchronous online classes. (42 U.S.C. § 12131; 29 U.S.C. § 794.) Districts must ensure that disabled students are not denied "the benefits of [or] excluded from participation in" an educational program. (29 Code Fed. Regs. § 104.44(d)(l).) In the event that cameras-on requirements impact students with anxiety, or other mental disorders, community colleges will be required to accommodate the disability to ensure they are not discriminating against students based upon a disability. (28 C.F.R. § 35.130(b)(7); 34 C.F.R. § 104.44(a).)

Colleges are not required by the ADA to make adjustments that would result in a "fundamental alteration of the program," or impose an "undue burden" on the college. However, allowing students to determine for themselves whether

⁵ Information about photos, video, and audio recording under FERPA can be found on the U.S. Department of Education web page: [FAQs on Photos and Videos Under FERPA](#). See also the Department of Education's guidance on [FERPA and Virtual Learning During COVID-19.pdf](#).

to use their cameras will not usually cause a fundamental alteration in the program, or cause an undue burden. The establishment of college policies will help ensure disabled students are not excluded from participation by the imposition of a cameras-on practice.

C. Recommendations

Districts should adopt policies strictly limiting or prohibiting faculty from instituting cameras-on requirements in order to protect against violations of student privacy, balance academic freedom, and ensure compliance with FERPA, California's student privacy law, and federal disability laws and their state analogs.

Colleges should adopt a cameras-optional approach that respects student concerns regarding privacy, access, and equity. Such a policy should address or include:

- Cameras should be presumptively optional for live synchronous online classes.
- If audio and visual student participation is essential:
 - Allow faculty to require cameras to be on, but only to the extent necessary, and with adequate notice to students;
 - Clearly identify the essential nature of video for instruction and consider a student's privacy or technical objections and create a confidential "opt-out" mechanism that allows a student to decline video participation;
 - Encourage faculty to consider an alternative to video participation such as audio participation;
 - Encourage the use of electronic video backgrounds; and
 - Allow students flexibility to turn off their cameras or mute audio unless needed.
- Encourage the use of the chat feature for attendance and discussion.

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