

Minutes

College Governance Committee Miramar College

April 14, 2015, From 2:45 to 3:45pm
Room N-206

Meeting Called to Order at 2:51pm

Members in attendance: Darrel Harrison, Marie McMahon, Isabella Feldman, Joyce Allen, Sara Agonafer; Olivia Light. Gerald Ramsey Proxy for Patricia Hsieh, Buran Haidar Proxy for Daphne Figueroa.

- A. Agenda approved. The approval of 03/10/15 minutes postponed for next meeting.
- B. Guests: M. Hertica, D. Igou

C. New Business:

1. New Deans: Roles on College Governance Committees.

This item was brought forward by D. Figueroa (rep by proxy) and at the time this that item was discussed there was no administrative representative present in the meeting. It was decided we would postpone this topic until the next meeting when the administrative representative is at the committee.

2. Role of Chairs' Committee in College Governance

Allen and Harrison commented that the question of whether the Chairs' Committee wants to function as a College Governance committee or not should be brought forward by that group itself, but since the issue has been raised it forces the issue.

Hertica read the Chairs' Committee goals, noting the focus on the request of its membership. Harrison pointed out they are not functioning as a college governance committee, and legally they need to be a college governance committee if they are going to be voting on who is going to be chair of chairs (a representative for them). It has been established that this committee is listed as a governance com but has not operated like one for quite some time – the original purpose of this com was to meet privately prior to Academic Affairs so as to have a strategy before going into that meeting during more turbulent decision making times.

Ramsey posed that if he asked for input from a faculty to make a decision on an issue, that would not impinge on AS role in shared governance – Buran agreed but stated that if he assembled a group of faculty who sat down and made recommendations, that becomes governance (and requires input from AS). Basically someone cannot say "I talked to this one faculty member offline, this was their opinion and therefore this is all of faculty's opinion about this matter".

McMahon noted that this committees recommendation was to take this issue to the Chair's committee and allow that committee to determine how it planned to operate. McMahon would then bring their recommendations back to the CGC.

3. Review of the Use of Proxies in College Governance Committees

From her experience, Haidar described the use of proxies such that if a person cannot attend a meeting they use a form and send a proxy a – this proxy cannot count as a body (to make quorum) in this meeting but proxies do count when voting on an issue, as unstructured by the committee member. General or specific?

In contrast, Laura Murphy researched the Brown Act and found that it states that a proxy can be used to count towards quorum but cannot be counted when voting on an issue in the meeting because they are not that person.

The rationale for using the above interpretation instead of the Brown act is that in AS, for example, the members are representatives of dept's and as such, an appropriate proxy could adequately represent the opinion of that group. McMahon brought up that there were times in meetings when voting on an issue may not have been anticipated (e.g. a motion to suspend the rules to vote on something) and then it may be unclear as to what the proxy is prepared for. Buran agreed and indicated we could clean up the form and better represent what the proxy can vote on. Allen indicated that the proxy form she has used was for a designated agenda item and anything not covered under that the proxy would not vote on. Harrison asked if she were counted as quorum and Allen stated it depended on the committee – because some committees come to decisions by consensus, not by voting! McMahon clarified that Allen's use of proxies was to give the proxy form to the chair of the meeting, detailing (on the form) the specific items or issues they were to vote on. Ramsey suggested developing a standard form that requires that the committee member state the terms and conditions that the proxy can vote on Allen said we already had such a form, we just have not used it. Hertica asked if the Brown Act is prescribed or described – Buran indicated prescribed. If so, then we'd have to follow it. Harrison says there is implicit trust in giving a person your proxy, therefore there will not be the need for prescriptive directions.

Committee chair requested that Allen forward the form and it could be examined by all of us, and we could sculpt it into a working document (as discussed). McMahon asked a question for clarification, "I come to a meeting as a body with two proxies, so I then have 2 votes? Yes, if a proxy, then I have as many votes as I have proxies. Feldman asked, regarding the clarification above, if I were a member of that com and had 2 proxies, then I'd have 3 votes, yes, true three. A recommendation was made to use one 'standard' proxy form where such information can be recorded, such as stipulations as to what they permit the proxy to vote on and specifically the way to vote on specific issues.

It was suggested that there be a limit on the number of proxies one person can bring to a meeting. Hertica and Allen shaped a scenario of a meeting with 6 as quorum and he shows up with 6 proxies, the proxies are not counted to make quorum but their votes are - perhaps contrary to the spirit of participatory governance and shared discussions at meeting – as Ramsey indicated anyone's opinion about a matter can change during the course of discussing it just prior to a vote, but to try to limit the number of proxies one person can have may limit the way we conduct business. Hertica stated if you have established trust in who you select as their proxy then there's no need to regulate the number etc, and it is not possible to make a contingency for every possibility (if a com has 40 members, you can hold 4 proxies, if 20, only 2, etc.). If for some reason the committee members or chair felt concerned about something, they could postpone the vote. Feldman reminded us that sometimes opinion can be swayed in a meeting, and if one person comes to a meeting with 8 proxies, it seems unbalanced – the committee expressed they hoped that other committees would recognize that and operate in good conscience.

Another recommendation was made that one person should not bring multiple (3, 4 or 5) proxies to one meeting, as a suggestion to ensure that.

D. Old Business:

4. Implementation of Policies for non-attending committee members

McMahon brought up the example from this committee (CGC) since member Wheeler North has a direct teaching conflict which has prevented him from attending all CGC meetings this semester (missing 3 and sending a proxy to one). McMahon correspondence with Wheeler and indicated this issue would be brought up in this committee. Here are some options: 1) he can send a proxy! 2) we can ask that this position be replaced or 3) we have the position be vacant for the remainder of the semester (one more meeting). McMahon has made the committee aware and the committee agrees that we can ask the AS President to decide to replace or appoint. McMahon also stated that faculty from CTE ideally should be a replacement, and that we also had no faculty from Liberal Arts. With regard to the absence, Harrison cautioned, asking the question is the senate (both Academic and Classified) being represented when members do not attend (or are left vacant)?

5. Constituency Representation on Campus Committees

Buran mentioned that college governance committee appointments were being made now in the Spring 2015 in order to be ready to go with committee membership at the start of the Fall 2015.

Meeting adjourned at 3:46pm

F. Next Scheduled Meeting: May 12, 2015, 2:45pm.