
MONTGOMERY COLLEGE GOVERNANCE

Faculty Council

March 1, 2018

12:45–2:45 p.m.

Rockville Campus | SC 152

Attendees

- Members present: Erin Marcinek, Tammy Peery, Dan Santore, Alan Stover, Page Whittenburg, Elizabeth Benton, Jona Colson, Robin Flanary, Michael Gurevitz, Anthony Solano, Erica Hepworth, Alice Wang, Joe Thompson, Christina Coccozela
- Proxies present: None
- Members absent: Kaaren Agnez
- Administration Liaison: none
- New 2017–2018 members present: Barry Thomas
- Guests: Chief Compliance, Risk, and Ethics Officer, Ms. Vikki Duggan, Associate Compliance Specialist, Ms. Maria Davidson, and Co-chair of 2018 Middle States Self-Study Steering Committee and Associate Senior Vice President for Student Affairs, Dr. Melissa Gregory.

Call to Order

Chair Page Whittenburg called the regular meeting to order at 12:50 p.m. A motion to begin the meeting was unopposed.

Constituent Comments

No constituent comments raised during the open comment period.

Presentation by Office of Compliance, Risk, and Ethics

Ms. Vikki Duggan and Ms. Maria Davidson provided an overview of the process to create the Employee Code of Ethics and other initiatives out of the Compliance, Risk, and Ethics Office at the College.

A brief history of the office was presented along with their efforts to partner with different entities at the College.

The Office of Compliance, Risk, and Ethics was asked to create and implement a code of ethics for employees, which originated from the Common Employee Experience steering group several years ago. That steering group brought up concerns about civility and respect in the workplace. It is also a best practice to have in place such a policy that supports high standards of ethical behavior at institutions of higher education.

The policy involving the Employee Code of Ethics was approved by the Board of Trustees in June 2017. Thus, the Office of Compliance, Risk, and Ethics is presenting this information across the College in an effort to make sure employees are aware of this policy. Ms. Duggan emphasized that this Code of Ethics applies to every employee at the College. Copies of the policy were provided and can be found on their website:

<http://cms.montgomerycollege.edu/employeeconduct/>

Additionally, the Office of Compliance, Risk, and Ethics is working to get an idea of the ethical climate here at the College through different survey and feedback mechanisms. In fall of 2017, they established an anonymous reporting line, which goes to Ethics Point (which uses Navex, a third party vendor). If an employee at the College sees something of ethical concern going on and is afraid to report it to their supervisor, they can call Ethics Point and a representative will create a report that allows the employee to remain anonymous. Ethics Point provides a report key code and password to the employee so they can log on and check on the status of their case. It is important for those making reports to keep the key code

and password if they want to be able to see what is happening with their report. This is also an anonymous feature. From Ethics Point, it goes to the Office of Compliance, Risk, and Ethics where Ms. Duggan takes steps to follow up and investigate. It is important to know that there are also translation services in place for any employee who wishes to make a report to Ethics Point, but who does not speak English. Ms. Duggan says that about half of the reports they are receiving through Ethics Point are anonymous. Ethics Point is designed for employees, not students. If students happen to get to the Office of Compliance, Risk, and Ethics website in their search for a place to report their concerns, there is a link to a different site where students may bring forward complaints.

Contact information for Ethics Point was distributed to the Council. This same information can also be found on the website for the Office of Compliance, Risk, and Ethics www.montgomerycollege.ethicspoint.com

Ms. Duggan emphasized that they do want employees to feel comfortable reporting ethical concerns. She and Ms. Davidson reviewed whistleblower protections, which are safeguards in place for employees when reporting concerns in good faith. There is a whistleblower policy in place at the College to help cut down on employee fears about potential backlash from speaking up. These are legal protections from retaliation outlined in Montgomery College's Policy 61008—Reporting Suspected Fiscal Irregularities or Fraud with Whistleblower Protections. In addition, in partnership with the Office of the Ombuds a non-retaliation policy is being drafted.

The Office of Compliance, Risk, and Ethics is also looking at the Equity and Inclusion survey, the Compliance Risk and Ethics survey, and the Ombuds report to triangulate data points and recognize trends to create comprehensive recommendations to Dr. Pollard.

Ms. Duggan is working with the Senior Administrative Leadership Team (SALT) and other administrators and supervisors to do a required, in person training for awareness on topics of creating ethical environment, civility and fairness. For clarification, a supervisor is considered a person who provides an evaluation for another employee. However, this training will also be available to everyone who wants it.

Ms. Duggan and Ms. Davidson are encouraging all employees to complete the climate survey "Focus on Ethics" going on right now Feb 26 to March 9. This survey takes about 15 minutes. Answers go to third party vendor (Quantisoft) and it is anonymous. The purpose is to try to get a feel of the ethical climate at the College. A hand out of the survey and the memo sent to the College was provided to the Council. Information has been included in both English and Spanish.

Discussion

Comment from the Council: Concerns were brought up about the feasibility of remaining completely anonymous when reporting ethical issues, in regards to part-time faculty in particular. Part-time faculty are more at risk for backlash. Retaliation can be made to look simply like they just weren't rehired the next semester. Part-time faculty do not have the protections that full-time faculty have. This leads to a concern that part-time faculty may not feel comfortable reporting because they are more vulnerable to losing their jobs.

Response from Ms. Duggan: This was acknowledged as a challenge by Ms. Duggan. Though the system is imperfect, she still encourages part-time faculty to provide anonymous reporting so if there is an issue, there is a chance to resolve it. One member of the Council emphasized that the advantage to reporting is that it does give part-time faculty a paper trail, even though reporting can have its challenges.

Question from the Council: Are employees privy to the types of complaints received through the Office of Compliance, Risk, and Ethics (or Ethics Point)?

Answer from Ms. Duggan: They are not at liberty to share this information with the broader college community at this time, but the information is shared with the Board of Trustees and Dr. Pollard.

Question from the Council: What happens with the person who is accused? Does that stay in the personnel file? Do they get due process?

Answer from Ms. Duggan: Rights of the accused are important too. First thing is to gather facts and to see if it moves to the level of investigation. The accused at that point has the opportunity to present their side. Sometimes there is an effort of mediation. Human Resources will determine consequences if it gets to that point. There are protections in place too to try to prevent false whistleblowing too.

Question from the Council: Age discrimination might be an issue here and is hard to prove. Concerned that it might not rise to an illegal act, but is something that is considered an ethical violation. Where does it go from there?

Answer from Ms. Duggan: Issues that could have potential legal implications go to general council for consultation. If it is an ethical issue, there is an intervention from her office and other people can be included to help when appropriate. She described an potential intervention as a “coaching and counseling” session with the accused to try to help them understand the ethical considerations and more appropriate ways to respond. When ethical concerns rise to a level where this kind of intervention is performed, the interactions are tracked because it can be taken to a different level if the same issue recurs.

Discussion on Add/Drop Period Changes

The Faculty Council co-chairs brought up that this is a continued discussion at the College. The issue is complex as there are differing opinions on whether bringing back a period of drop/add would be better than the no late registration policy currently in place.

Comment from the Council: It was suggested that the academic departments take more of a lead role in deciding how this policy should be revised. It may not be appropriate for the College Director of Enrollment Services or the Campus Director of Enrollment Services to have the authority to override the decision of an academic chair or instructional faculty member on whether or not to allow another student to be added to their course beyond the first day of class. This should be at the discretion of the academic department.

Question from the Council Co-Chairs: How should we try to engage the faculty in dialogue about the issue?

Comments from the Council: We need to recognize that there is confusion about what the current policy is and how it is applied differently campus to campus. Each campus seems to have its own way of handling these cases and thus, it is applied inconsistently depending on campus. Students know that there are discrepancies and get upset with the inconsistency.

A concern was brought up that students might get more disparate treatment area to area, discipline to discipline if it is fully a chair’s decision.

Question from the Council: Should there be a different policy about transferring from one section of the same course to another?

Comments from the Council: Issues seem to be consistency, common understanding, how students present their case, how we collect input, etc. The forms are confusing and should also be examined as part of this discussion. It was suggested that there needs to be a reconvening of the group who created this initiative to re-examine the whole process, forms, etc.

Recommendation from the Council: An informal recommendation was made to send a draft statement to the chairs groups at each campus who will be tasked with disseminating it for faculty feedback. We want to try to create a list of the issues and parts of the policy we want to be re-examined. Once we have that comprehensive list, it will likely be sent to the College Director of Enrollment Services.

Presentation by Middle States Self Study Co-Chairs

Ms. Tammy Peery and Dr. Melissa Gregory provided an overview of what has been going on with the Middle States Self Study and how we can prepare for the upcoming site visit.

On January 24th, the Board of Trustees accepted the Final Self Study report. Additional information can be found on the website:

As a reminder to the Council, the site visit will take place from March 18th to 21st. Most scheduled meetings with different entities included in the Self Study and other groups requested by the Middle States Commission on Higher Education site visit team will take place on March 19th and 20th. Some invitations have already gone out to those who are expected to be present. The purpose of the visit is to further examine the initiatives we included in our self-study and for the visiting team to have an opportunity to both listen and ask questions. Many of our initiatives are in progress. It is important to be familiar with the purpose and goals of those initiatives and how they relate to our College's mission. It is also a good idea to read the Middle States Self Study Report and to know which standards relate most to your division, to re-acclimate yourself to initiatives you may have been a part of designing/implementing, and to help understand how the College is responding to the standards as it pertains to your area. Handouts were provided to Faculty Council with some key data points, the mission statement, and an outline of the standards and our responses.

Each campus can expect a visit. The Self Study co-chairs reiterated that this is also a good time to check the signage in each area to make sure it is up-to-date and clear. The visiting team will have a walk in room at each campus where anyone can go in and share information. Those are going to be available all day. The rooms are to be determined and information will be forthcoming. It's important to continue our normal duties as well, while these visits are going on to keep the College functioning without disrupting the mission to our community.

A preliminary report will be presented to the College by the Middle States visiting team on March 21st at Rockville campus. Middle States does not allow for this presentation to be recorded or live streamed. In order to accommodate those who cannot be there, notes will be taken by our Self Study co-chairs and a summary will be sent.

Discussion

In summary, everyone should have broad familiarity about how we all contribute to the ideas in our College Mission Statement. How are we demonstrating our commitment to equity and inclusion? Depending on your area, you may need to be prepared to talk about some statistics. Know how your area connects to our Middle States Report and the standards. Read the report. Consider what you do and what your department does in relation to what is in the standards. Again, make sure signage is accurate too.

Chairs Report

A meeting between the Faculty Council Co-Chairs and Robert Roop will be happening soon. If there are any additional things people would like the chairs to bring up, please send those ideas. The update went out to all faculty.

The Sabbatical leave process is being discussed due to some confusion on how members are appointed. Faculty Council had a list of people whom we appointed and Human Resources had a separate list/waitlist from which they were working. Faculty Council wants to be in charge of appointing people to that group and will be following up with that.

Sharon Bland was a major agenda item for last Faculty Council Meeting and there was concern when she did not show up. Faculty Council co-chairs said she did send an apology sometime after the last meeting. It is unclear whether she will be able to attend a future meeting this academic year.

As our representatives on the College Council, the co-chairs have recommended an agenda item regarding the importance of having things such as the ethics survey anonymous. This was deemed

important as there was at least one senior administrator who challenged the idea of anonymity at a prior College Council meeting.

There is a motion at College Council to put more part-time faculty on the functional councils. This should be voted on next time the Council meets.

The suggested language change in definition of a quorum will be submitted to College Council as well for discussion.

Committee Reports

Academic Regulations: Changes to the grade dispute regulation were approved and forwarded to the Senior Vice President last Friday. The cut-off date from audit to credit was also updated and approved. Academic standing (issue with transfer credit, old courses, old AELP, etc counting towards status) has been discussed with Carolyn Terry and it looks like a group will be formed to look at this.

Curriculum Committee: The committee looked at the term limits for the chair and having a 2 year term limit did not seem appropriate. They moved to change this. The committee voted to reappoint Anthony as chair. They also made the recommendation to add a financial aid resource member. Currently, they are working through all the changes to the math program.

General Education: Two more general education courses were approved with minor revisions. The Committee is in the process of examining the course review revisions that were submitted. It is taking some time, especially given the Middle States visit. Some members of the committee are going to a conference to help formulate more ideas and gain more education to expand integrative learning. Outreach to the Counseling Departments has started to take place to help examine how general education advising is going. The committee is working with departments to create information sheets for each program. Discussions and exploration of the thematic pathways is starting and some initial planning for a pilot to begin the implementation phase will be starting soon.

Campus Faculty Senates: Germantown faculty have shared concerns with the add/drop issues.

Committee Appointments

Germantown Academic Appeals Committee: Confirmation to approve Tyra Peanort. Unanimously approved by the Council.

Announcements/Adjournment

Reminder that this will be the only March meeting. The next Faculty Council meeting is April 5th.

Meeting adjourned at 2:45 p.m.