

FORMAL STATEMENT TO THE COLLEGE OF MARIN ACADEMIC SENATE

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October 8, 2026

Re: ETHS 112 Instructional Disruption, Reported Conditions on Teaching Assignments, and Faculty Governance

I. The Instructional Disruption

Around September 4, 2026, the College learned that the instructor assigned to two fully asynchronous ETHS 112 sections could no longer continue. On September 7, I informed my department chair that I was available to teach either or both sections.

I have taught at College of Marin for more than ten years, taught ETHS 112 many times, including asynchronously, and completed its course-specific distance-education/POCR approval. My chair recommended me. I could accept one three-unit section within the 67% teaching-load limit and offered to teach both if the District authorized a temporary emergency exception.

Instead, the District preferred to keep both sections together under one instructor and pursue an expedited external hire. Although the sections had separate CRNs, I was not given an educational justification for why they could not be staffed separately so that at least one group of students could receive stable instruction sooner. When I requested an explanation, I was told the District did not want to "burden faculty with those reasons."

I was also concerned about inconsistent application of course-specific POCR requirements. Other experienced ETUM faculty were reportedly told they could not teach ETHS 112 without approval for that specific course. I had that approval. Given the time required to complete the process, I seriously doubt an expedited external hire could have completed it within such a short period unless already approved. The District should clarify whether the instructor had prior approval or an authorized exception.

My primary concern was that students were going weeks without stable instruction while a qualified, course-approved instructor was available.

II. October 1: Plan B and the Reported Condition

I prepared public comments for the October 1 Academic Senate meeting, included as Appendix A. Before the meeting, my department chair sent me this text:

"Hi Danae, Dana has agreed to plan B-do not go to senate. This is significant thing for us to talk about first. VERY IMPORTANT YOU CALL ME RIGHT AWAY"

I understood Plan B to mean that I would receive both ETHS 112 sections while another instructor took one of my existing courses, allowing me to remain within the teaching-load limit. Trusting my chair and believing a solution was emerging, I did not attend Senate.

During our subsequent conversations, however, my chair told me that receiving the assignment depended upon my **apologizing to Interim Dean Dr. Dana Emerson AND admitting wrongdoing for going outside of process.**

I asked my chair repeatedly, over two telephone calls, to confirm that both the apology and admission of wrongdoing were required. He confirmed that they were. A friend overheard the conversation and is willing to provide an account.

I explained that a written admission could potentially enter my personnel file or affect my advancement to Senior ETUM status. My chair was empathetic and reassured me that it would not be used against me. I believe he genuinely wanted to protect me.

Nevertheless, I could not admit wrongdoing when I believed I had done nothing wrong by advocating for students. I offered to participate in a mediated restorative and reparative justice process to address the strained professional relationship. I was told Dr. Emerson would not accept that proposal.

I was willing to repair the relationship. I was not willing to admit misconduct I had not committed.

III. Plan B Moved Forward, Then Was Reversed

On Friday, my chair informed me that Plan B was progressing, although slowly. Another instructor needed to agree to take one of my existing courses.

That instructor agreed. I personally confirmed that he had been contacted about taking one of my classes so I could accept both ETHS 112 sections. He was still awaiting an offer letter.

I received no update over the weekend. On Monday, my chair informed me that the District had decided to proceed with the expedited external hire instead.

I believe the reversal was connected to my refusal to admit wrongdoing. I recognize that this is not an established finding and requires independent investigation. Dr. Emerson has reportedly stated that she does not recall imposing the condition. I believe my chair accurately communicated what he had been directed to convey.

The reported condition, its repeated confirmation, the progress of Plan B, and the subsequent reversal deserve independent examination.

IV. Protecting My Department Chair and Other Faculty

I want to be especially clear that I believe my department chair acted in good faith and was trying to resolve this situation for both the students and me.

I do not want him blamed or punished for communicating what he understood to be an administrative condition. If an administrator directed him to convey that condition, responsibility for originating it should not be shifted onto him.

Department chairs occupy a vulnerable position between faculty and administration. They should not be forced to choose between carrying out an administrator's instructions and risking accusations of insubordination, or protecting faculty and risking their own positions.

Any independent investigation must distinguish between those who originated or authorized a condition and those who may have been directed to communicate it. **My chair, other faculty members, and witnesses should be protected from retaliation for participating honestly in the review.**

Protecting department chairs is essential to protecting faculty advocacy and meaningful shared governance.

V. Why This Matters Beyond My Case

I raised concerns because students were without stable instruction and I believed workable solutions existed. The reported demand that I admit wrongdoing for speaking up raises serious concerns about administrative power and faculty participation in shared governance.

If teaching opportunities can be conditioned on admitting wrongdoing for raising legitimate concerns, faculty may become afraid to question decisions affecting students. This risk is particularly troubling in disciplines that address politically contested issues.

I am not alleging that viewpoint discrimination motivated the decisions in my case. I am concerned that opaque assignment practices and unchecked administrative discretion can create opportunities for abuse of power and discourage faculty from exercising academic freedom.

The Senate has responsibilities concerning academic standards, distance education, student success, and shared governance. These issues extend beyond my individual employment grievance, which I am pursuing separately.

VI. Request to Academic Senate

I ask the Academic Senate to examine the instructional disruption and its impact on students, review whether DE/POCR standards were applied consistently, and seek a documented explanation of the staffing decisions. I also ask the Senate to request an independent

investigation of the reported apology-and-admission condition, the instruction not to attend Senate, and the subsequent reversal of Plan B. Relevant communications and staffing records should be preserved, and **my chair, other faculty, and witnesses should be protected against retaliation.** Matters outside the Senate's jurisdiction should be referred to the appropriate District authorities.

Closing

I spoke up because students were going without stable instruction. I did not seek conflict. I sought a solution.

I do not believe I should have to apologize and admit wrongdoing for advocating for students. Nor should my chair face consequences for trying to resolve the situation.

Students first. Process matters. Transparency protects all of us.

I am asking this Senate to act—not simply listen.

Respectfully submitted,

Danae Martinez

Junior ETUM Instructor, Ethnic Studies

College of Marin

APPENDIX A — ORIGINAL PUBLIC COMMENTS PREPARED FOR OCTOBER 1, 2026

Good afternoon. My name is Danae Martinez, and I am a Junior ETUM instructor of Ethnic Studies.

I am asking the Academic Senate to look into an urgent situation because this is about students, process, transparency, and faculty authority. And honestly, this could happen in any department.

Two fully asynchronous Ethnic Studies 112 sections became vacant after the instructor could no longer continue. These are UC/CSU-transferable classes. My understanding is that the College was notified around September 4. As of late yesterday afternoon, almost four weeks later—which sounds outrageous to say—both classes still did not have stable regular instruction or an instructor.

I have taught this particular class many times at COM for over ten years, and I have taught it asynchronously several times because I worked hard to align my course through COM's in-depth course-specific DE/POCR approval process. Faculty know that process is not easy, but it is supposed to protect students and ensure Title 5-aligned online instruction. Unless an outside expedited hire has somehow already completed COM's course-specific approval for this exact online course, an emergency exception would effectively sidestep the DE protections meant to protect students—while still requiring time to bring a new instructor up to speed. Meanwhile, these students have already gone weeks without stable, consistent instruction, despite an experienced, course-approved instructor being ready and willing to take either one or both assignments since September 7, with no additional training or HR onboarding required.

I am available, and I have room for three more units within the 67% limit. I also stated that if the District was willing to make a one-time emergency exception over 67%, as has happened before, I had made the time and space to take both sections.

Troublingly, I was not assigned to even one section. The explanation is that the District preferred to keep the two separate sections, with totally different CRNs, together. When I asked why that was necessary, I was told the District did not want to "burden faculty with those reasons." I have not heard a clear educational

justification for keeping them together, especially when COM DE/FERPA guidance told me students in separate asynchronous CRNs should not be interacting as one combined class community anyway.

So the result is this: at least one class could have had a COM-approved instructor weeks ago, with regular and substantive interaction. Instead, I was effectively redefined as unavailable by the District because they would not assign me both sections; therefore, I could not even be assigned one class. Now both sections remain without stable instruction while the District is going forward with an outside expedited hire.

I think that is wrong. Every student matters. If the College can get an approved instructor to one group of students immediately, it should do that unless there is an absolutely necessary educational reason to keep the sections together. And if that reason exists, it should be made transparent so faculty can be assured that students are getting what they need as quickly as possible, with the least interruption possible.

And this is bigger than me. If administrative discretion is left unchecked, and if no transparent educational justification is required, then any department can be affected. A faculty member can be qualified, experienced, recommended by the department, DE-approved, and available, and still be bypassed with the words "Admin preference," just like what is happening to me right now.

This is especially serious in fields where course content is politically contested. In Ethnic Studies, we are already seeing attacks on teaching about slavery, racism, colonialism, Palestine, and critical race theory. But this could happen in sociology, history, political science, gender studies, or any department. If someone in power does not like that a faculty member teaches about Palestinian rights, trans rights, race, policing, immigrant justice, or structural inequality, they do not have to fight openly at the level of curriculum. They can quietly decide who gets assigned and who gets passed over, and without transparency, there may be no way to prove why it happened.

I am not saying that is what happened here. I am saying that is a very real possibility, and this loophole should be closed before it happens.

That is why this is a faculty-governance issue, an academic freedom concern especially in a political climate like this one, and most importantly, a student right-to-quality-education issue. Students have a right to stable instruction, regular and substantive interaction, and qualified faculty right away.

I am asking the Senate to look at what is happening in my situation and address this before it happens to you, your students, or your department.

Students first. Process matters. Transparency protects all of us. And unchecked admin discretion should never become the reason students go without high-quality instruction while long-standing, department-recommended, COM-vetted faculty are passed over. Right now, two classes of students are paying the price.

Thank you.

APPENDIX B — PUBLIC COMMENTS FOR OCTOBER 8, 2026

Good afternoon, Senators. My name is Danae Martinez, and I am a Junior ETUM instructor of Ethnic Studies. I know many of you don't know me, and that's because I usually come here, give my students everything I have, and keep it moving. I'm not someone who goes looking for trouble. But when I see something wrong happening, especially to students, and I know it can be fixed, I cannot simply look the other way. Standing up for students, especially those with less power, is my life's work—not just my job.

So when two asynchronous ETHS 112 sections went weeks without stable instruction, I spoke up. I had been available since September 7. I've taught this course many times, I'm POOCR-approved, and my chair recommended me. Yet students were still waiting while the District pursued an expedited outside hire. Other experienced faculty had been told they couldn't teach this course without its specific POOCR approval. So why would that requirement suddenly be different?

Last Thursday, I was preparing to bring these concerns to this Senate when my chair urgently contacted me. His text said:

"Hi Danae, Dana has agreed to plan B-do not go to senate. This is significant thing for us to talk about first. VERY IMPORTANT YOU CALL ME RIGHT AWAY"

Plan B was an arrangement that would allow me to teach both ETHS 112 sections, with another instructor taking one of my existing classes. He asked me not to attend Senate, and because I trusted him, I didn't.

But when we spoke, he told me that receiving those assignments depended on my apologizing to Dr. Emerson and admitting wrongdoing for going outside of process.

I was so shocked that I asked him repeatedly, over two telephone calls, whether my being assigned the two ETHS 112 classes was contingent upon both the apology and the admission of wrongdoing. He confirmed that it was. A friend heard that conversation and is willing to go on record.

I told my chair that I was worried a written admission of wrongdoing could end up in my personnel file or be used against me when I sought advancement to Senior ETUM status.

He was empathetic and reassured me that he guaranteed it would not be used against me.

I believe he genuinely wanted to protect me. But even with that reassurance, I could not risk putting an admission of wrongdoing in writing when I had done nothing wrong.

I offered a mediated restorative and reparative justice process because I was willing to repair the relationship. I was told that wasn't acceptable to Dr. Emerson.

I could work toward reconciliation. But I could not confess to wrongdoing I hadn't committed.

I checked with my chair again on Friday and was told that things were moving forward, but slowly, and that the District needed confirmation that the other instructor would take one of my existing classes so that I could teach both ETHS 112 sections. The other instructor agreed to take my class. I confirmed that personally.

Everything appeared to be moving forward. I heard nothing over the weekend despite the urgent need for an instructor.

Then, on Monday, my chair told me the District had decided to hire externally instead.

I believe I lost those assignments because I refused to admit wrongdoing to Dr. Emerson.

I am pursuing a grievance, but this is bigger than my employment. It is about students, academic freedom, and whether faculty can speak up without fear of consequences.

And I want to say something about my chair. I believe he was trying to solve a problem, and I believe he acted in good faith.

If a department chair was directed to communicate an improper employment condition, he deserves protection, too.

Because what happens when a chair is placed in that position? Does the chair carry out the instruction, or refuse and risk being seen as defiant or insubordinate?

No department chair should have to make that choice. And no faculty member should have to choose between advocating for students and protecting their livelihood.

I am asking this Senate to investigate what happened, demand accountability, and evaluate whether Dr. Emerson acted and is currently acting with the urgency these students deserved and the law requires.

Students first. Protect vulnerable faculty and chairs. Demand transparency, even from those in power.

I am asking you to act—not simply listen.

Thank you.