

Yuba College  
**Academic Senate**  
M I N U T E S  
March 5, 2009

**Senators in attendance:** Boren, Buckley, Canto-Lugo, Davidson, DeVries, Heaton, May (VP), Morgan, Nickolson (Pres), Ramsey, Willson

**Guests:** David Perez, Linda Staffero, Marcia Stranix, Kevin Trutna

Meeting called to order at 12:03 by President Nickolson.

Agenda approved w/ request by C. Heaton to add EEO to next meeting.

Minutes from 2/26/09 approved.

**Committee Reports**

**1) Evaluation of Administrators** (Boren & Buckley): Summary of the District current position on faculty involvement in administrator evaluations along with the State Academic Senate's position and the mandates of AB1725 provided. Recommendations forwarded for discussion: 1) Two faculty involved in Dean Evaluations 2) One faculty on administrators other than Deans.

**2) Policy on Cheating:** President Nickolson recommended putting off discussion of policy due to current research study by State Senate on dishonesty/cheating. Discussion around Attorney, Ralph Black's, earlier legal opinion that a professor cannot fail a student in the class if found cheating on an assignment/test. Pres. Nickolson shared that State Senate disagrees with this position and thus will provide findings for their study in Fall of 2009.

**3) Diversity Committee:** VP May stated he and VP Trutna will be co-chairing this committee. President Mendoza has requested that the committee share with him the student and community problems and how to address them.

**4) Evaluation and Tenure Handbook:** Currently under review by the Senate. Senate is attempting to incorporate suggested changes around tenure evaluations. Suggested that finishing handbook update by this school year would be helpful for use in next year's planned training.

- Willson suggested that a Senate subcommittee be established to hear yearly summary of evaluations from tenure committees rather than waiting until final tenure hearing. President Nickolson stated that this is already a board policy when there are issues with an evaluation but isn't followed. Willson suggested that yearly summaries are provided even in cases where there is no issue with an evaluation.

- Davidson offered that this suggested practice may be a privacy issue.

## **President's Report**

President Nickolson reviewed her report with emphasis on the Board of Trustees's decision to not uphold the Senate's recommendation for tenure. She stated that this particular decision by the Board was done illegally since the appropriate process was not followed, which goes against the Board's own policy. According to policy the Board should rely primarily on the Senate's recommendation and only in extenuating circumstances will they override the Senate.

Furthermore, the joint recommendation from the Chancellor and the Senate is sent to the Board, and when the Chancellor isn't supporting the Senate's recommendation then the Senate has to be notified and given an opportunity to present its case to the Board. President Nickolson stated that she was not notified until 3/4/09 by the YCFA president.

- Discussion ensued and question posed to VP Trutna around what information the Board received and what the President and VP of the college shared with the Board. VP Trutna, when asked of his opinion on the Board's decision to override Senate recommendations, shared that "under some circumstances it may be acceptable for the Board to reject the Senate's recommendation." Nickolson agreed that this is true but that the process has to be followed and the Senate should have been notified in order to present its case.
- Davidson expressed concern about the impact the rift between the administration and faculty would have on upcoming accreditation due to lack of shared governance. He also recommended that more faculty show support by attending Board meetings in light of the treatment of faculty and Senate.
- Morgan asked what recourse there is, and President Nickolson stated that, normally in this situation, a letter on behalf of the Senate would be sent to the Board and the Board would need to respond in writing what the "extenuating and compelling" reasons were to act against the Senate's recommendation. However, in this situation, the Board also needs to explain why it did not follow its own Board Policy and why Administrative Procedures no longer exist to uphold this policy.
- Boren expressed support of the Senate and Senate President's position and role in regard to tenure.

## **Vice President Report**

VP May reported that MESH applications are under review and the team will meet during the 1<sup>st</sup> week of April with interviews later that month.

VP May reported that he, VP Trutna, President Mendoza, Larry Michel, and President Nickolson are scheduled to meet to speak about accreditation.

## **EEO**

Heaton stated that the EEO committee is planning to decipher the legal verbiage in the original report.

Willson stated that the committee feels confident that they can accurately decipher the document, and plan to provide an executive summary to address the subsections.

President Nickolson reminded Senate that Human Resource Director Alt agreed to return to the Senate with the requested summary of the document.

Meeting Adjourned at 12:53