

# LASSEN COMMUNITY COLLEGE

# ACADEMIC SENATE



Approved Minutes  
Tuesday, March 13, 2012

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2011-2012

President  
Cheryl Aschenbach

Call to Order: President Aschenbach called the meeting to order at 11:06am.

Vice-President  
Nancy Beterbide

Senators Present: Cheryl Aschenbach, Carrie Nyman, Lisa Gardiner, Richard Swanson (by proxy)

Guests: Betsy Elam

Secretaries  
Lisa Gardiner  
Richard Swanson

Approval of Agenda w/o MQE item: Gardiner/Nyman MSCU

## Public Comment

*Betsy Elam met with senators to discuss plans for Linda Kennedy's retirement party. Much has already been planned, and Betsy has asked for others to now get involved. Event is scheduled for May 4 at Diamond Mountain Casino.*

Senators  
Michael Giampaoli  
Carrie Nyman

## Action Items

1. Nyman/Gardiner MSCU to approve Academic Grievance Policy (AP # TBD)
2. Gardiner/Nyman MSCU to approve Senate elections timeline (attached)
3. Nyman/Gardiner MSCU to authorize Vice-President Beterbide to proceed with Senate elections.
4. Gardiner/Nyman MSCU to make no changes to AP 4100 Graduation Requirements for Degrees and Certificates  
*Sandy Beckwith, Lead Counselor, made a request to division chairs to correct catalog language based on AP 4100 although it was figured out after her request that current practice was inconsistent with protocols already included in AP 4100. The catalog language concerned the number and currency of units needing to be completed to earn a degree or certificate at Lassen College. While local practice has been to enforce completion of last twelve units in order to complete a degree at Lassen, the division chairs agreed that any twelve units could be accepted. This is consistent with Title 5. The recommendation from division chairs, however, added that six units must be completed in the last four semesters. Senate felt this would further restrict the number of degree candidates and opted to leave the current language in AP 4100 stand with the comment that current protocols need to be based on what already exists in AP 4100.*

Discussion Items: None

Information Items: None

## Reports

- Senators: *None*
- Administration: *None*

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- LCFA: *None*

Adjournment: Gardiner 12:05pm

#### Next Academic Senate Meetings

Tuesday, March 27, 2012

Tuesday, April 10, 2012

Tuesday, April 24, 2012

Tuesday, May 8, 2012

Tuesday, May 22, 2012

Additional meetings will be scheduled as necessary.

#### Future Agenda Items

- Consider revisions to Senate Bylaws
- BP & AP 4250 Probation
- Human Services IPR (from Spring 2009).
- Automotive IPR (from fall 2010)
- Social Science IPR (from May 2011)
- Gunsmithing IPR (from May 2011)
- Journalism IPR (from May 2011)

AP XXXX Academic Grievance Procedures  
Approved by Academic Senate on March 13, 2012

A grievance is a claim by a student that they have been treated unfairly and one or more of their student rights has been violated. Any student grievance on issues related to instruction, academic expectations, instructor policies, instructional faculty or grading shall be considered an academic grievance. Academic grievances are administered under the authority and responsibility of Academic Services using procedures established by the Academic Senate.

#### Grounds for Grievance

Grounds for grievances include interpretation, application or alleged violation of College policies and procedures. Grounds for grievances do not include the following:

- a) General unhappiness with an instructor's policies without violation of a College policy or procedure
- b) Grades, except as outlined in Lassen Community College Board Policy 6400: "When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetence, shall be final."
- c) Acts of discipline resulting from Student Code of Conduct. Appeals of discipline must be filed following the Student Disciplinary Code.

#### General Philosophy

Students are encouraged as citizens to understand their rights and responsibilities. When a student perceives unfair treatment and violation of a student right related to academics, the student is encouraged to pursue a resolution using the Academic Grievance Process. A student's ability to evaluate whether unfair treatment is a violation of student rights and to construct an argument as necessitated by the grievance process are expectations of student learning as defined by three of four Institutional Student Learning Outcomes: Communication, Critical Thinking, and Personal/Interpersonal Responsibility.

#### Grievance Process

Students are encouraged to resolve issues at the lowest level possible to avoid frustration for the student and the faculty member. It is also important that a student thoughtfully examine their claim, relevant student rights and College policies, and evidence that can be used to support the grievance.

#### Informal Grievance Step – Level 1

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Prior to filing a grievance, the student shall first make a reasonable, good faith effort to resolve the grievance through consultation with the faculty member involved. This discussion must take place within ten (10) working days of the alleged incident. If the informal approach is unsuccessful, the student may proceed to a Formal Level 2 grievance.

#### Formal Grievance Process – Level 2 (Dean of Academic Services)

- a) Formal grievances must be filed in writing using forms specifically designed to guide the student through the process. The forms are available online and in Academic Services.
- b) The grievance must include a specific statement of the alleged act of wrong-doing, the student right being violated, the name of the person against whom the grievance is filed, the names of any witnesses, the date and summary of the Informal-Level 1 discussion and the resolution being sought by the grievant.
- c) A Level 2 grievance must be filed with the Dean of Academic Services within ten (10) working days of completion of the informal step.
- d) Upon receipt of written Level 2 grievance, the Dean of Academic Services has five (5) working days to determine status of grievability
  - Determination of grounds for grievance will be based on the following:
    - i. Has the student attempted to resolve the grievance under the Informal-Level 1 step?
    - ii. Have all time lines been met? A student's failure to meet any timeline during the process automatically voids the grievance regardless of level of grievance, and it cannot be resubmitted. Timelines can be extended by mutual agreement.
    - iii. Does the grievance contain statements that, if true, would meet the conditions for a grievance?
    - iv. Does the grievant have standing to file a grievance by either being a student at the time of filing the grievance or the time of alleged act of wrong-doing?
  - If deemed not grievable, the Dean of Academic Services will notify the student in writing that the grievance has been rejected and state the reason(s) why. Rejection of a grievance by the Dean of Academic shall be final. The student cannot file any additional grievances pertaining to the event or wrong-doing.
  - If deemed grievable, the Dean of Academic Services will immediately provide a copy of the grievance to the faculty member involved and meet with involved persons and identified witnesses. Based on evidence and interviews, the Dean of Academic Services will issue a written response within ten (10) working days of receipt of the written Level 2 grievance.

Formal Grievance Process – Level 3 (Academic Grievance Committee)

- a) If a student's grievance was determined grievable by the Dean of Academic Services in Formal-Level 2 and the student is not satisfied with the Level 2 outcome, the student has three (3) working days following receipt of the response to the Level 2 grievance to submit a written request for Level 3-Grievance Hearing.
- b) The Level 3 grievance must clearly state the reasons why the response to the Level 2 grievance is unacceptable to the student filing the grievance.
- c) Because the Level 3 grievance is an appeal of the response to the Level 2 grievance, the Level 3 written statement may not introduce new charges or complaints, but must deal only with the charges or complaints filed in Level 2.
- d) Within five (5) working days of receipt of the request for a Level 3 grievance, the Dean of Academic Services will provide a copy of the Level 3 grievance to the faculty member involved and issue a notice of hearing. The hearing will be held not less than ten (10) working days and not more than fifteen (15) working days following the issuance of the hearing notice. Notice of intent by either party to have legal representation must be declared no fewer than five (5) working days before the scheduled hearing.
- e) Grievance Hearing Procedures
  - a. Three faculty members appointed to the Scholarship, Financial Aid Appeals, Academic Renewal & Student Grievances Committee by the Academic Senate will conduct a grievance hearing with the Dean of Academic Services present as ex-officio chairperson.
  - b. The hearing will include the grievant(s) and person(s) being grieved against. Each shall be entitled to:
    - i. Representation of his/her choice, including legal counsel when declared no later than five (5) working days prior to the scheduled hearing.
    - ii. Presentation of evidentiary documentation consistent with the complaint or claim filed initially in Level 2 and up to three witnesses at the hearing. Documentation presented as evidence will become the property of the district.
    - iii. Questioning of witnesses and testimony.
  - c. The burden of proof rests with the student who brings forth the grievance.
  - d. Each party will be permitted to make an opening statement commencing with the grievant. Thereafter, the grievant shall make the first presentation, followed by person being grieved against. The grievant may present rebuttal evidence following the respondent's evidence or witnesses.

- e. Hearings shall be closed. Witnesses shall not be present at the hearing when not testifying and shall remain outside the hearing until called to testify.
- f. The Academic Grievance Committee shall render a decision or recommendation relative to the charges by a majority vote.
- g. Within ten (10) working days following the hearing, the Academic Grievance Committee will prepare and send to the Dean of Academic Services a written decision or recommendation for distribution to the grievant. The decision shall include specific factual findings regarding the grievance, a list of evidence entered during the hearing, and specific recommendations regarding appropriateness of grievance or for actions or relief, if any, to be granted to the grievant. Decisions and recommendations shall only be based on the record of the hearing; no matter outside the record shall be included or influence decisions. The record includes the original grievance and supporting documents, any written response(s), and the oral and written evidence produced at the hearing.
- h. The decision or recommendation of the Academic Grievance Committee is final; no further appeals are allowed.

NOTE: Academic Grievance form can be found in the AP being forwarded to Consultation Council approval. Because of formatting problems, it is not included with these minutes.

Approved March 13, 2012  
**Academic Senate Election Process Timeline**

Senate Bylaws state, “Candidates for office of faculty senator shall be nominated by the instructors in each instructional area, for each seat representing that area, at a meeting of the Academic Senate between March 1 and May 1.”

3/13/12	Election on Academic Senate Agenda	Bring timeline and drafts for approval
3/27/12	Approve Election Documents	Update documents including faculty lists
4/9/12 (Mon)	Send Nominations documents to “Faculty Eligible to Nominate” list	Call for Nominations List of “Faculty Eligible to Be Nominated”
4/24/12	Election on Academic Senate Agenda	Finalize Nomination Certify final ballot
4/25/12 (Wed)	Create official election materials	Official ballot List of “Faculty Eligible to Vote”
4/27/12 (Fri)	Send Announcement of election to List of “Faculty Eligible to Vote”	Sample ballot Time, place, and manner
4/30/12-5/10/12	Absentee Voting	Give absentee ballots to voter by a secure method. Mark off voter’s name on the “List of Faculty Eligible to Vote.”
5/10/12 @ 4pm	Absentee Voting	Accept ballots by stated absentee voting deadline
5/8-10/12	In Person Voting	Voter signs “List of Faculty Eligible to Vote,” receives secret ballot, and places completed ballot in sealed ballot box
5/10/12 @ 4pm	After the polls close, two or more faculty who are not running count the ballots	Vice President (or appropriate Senate representative) emails the final Election Results Announcement to everyone, including PT faculty
5/22/12	Elections on Academic Senate Agenda	Certify election results Seat newly elected senators Elect Senate officers
5/22/12	All election materials gathered and passed from former VP to new Academic Senate VP.	

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