

Santa Monica College Academic Senate
PERSONNEL POLICIES COMMITTEE
THURSDAY, SEPTEMBER 30, 2010
1:15 pm SCI 251

Members Present: Jamey Anderson, Patricia Burson, Tracey Ellis, Laurie Guglielmo, Sherri Lee-Lewis, Mona Martin, Andrew Nestler, Marcia Wade

Absent Members: Kay Azuma

- I. **Approval of 9/23 Minutes:** Approved with some wording changes. Changes will be sent to members by email.
- II. **Administrator Retreat AR:** This AR was an information item/committee report at the 9/28 academic senate meeting; no additional comments or critiques arose. This issue will come up for a first read on 10/12. After a brief discussion, the committee decided to change the name of the AR to "Administrator Retreat Process," in order to further clarify the issue.
- III. **Whistleblower Policy/AR:** The issue about Board Policies coming for a vote to the academic senate was raised. Still there is lack of clarity about the expectations of the senate on whether BP's regarding non-"rely primarily issues" that are edited by senate committees are subject to a vote of the whole senate. The committee had a general discussion about questions raised about the whistleblowing policy and AR: What is the purpose of the policy? What is the scope of the policy, and is it meant to trump other policies? How specific or how general does the AR (and its internal components) need to be to accomplish the purpose of the AR? Do we need to look at specific existing disciplinary/investigatory policies and make whistleblowing fit neatly into these policies?

Kay Azuma sent an number of whistleblowing policies from UC, CSU and some CC foundations that she found online, in conjunction with the state whistleblower law (<http://law.justia.com/california/codes/2009/gov/8547-8547.12.html>). Some style and substance contained in these outside policies were compared to our current draft. One such difference found was that the UC policy states that investigations and disciplinary actions that arise from whistleblower allegations should follow existing policies, where applicable. These documents will be forwarded to the committee as a whole for discussion at the next meeting.

Some important ideas related to these questions were discussed and reiterated: 1) The policy should be about encouraging whistleblowers to step forward and letting them know they are protected. 2) The policy should not be construed as creating a new, burdensome "weapon" to be used against employees who are doing their jobs. 3) Currently, the district is obligated to establish a whistleblowing policy, and district employees are obligated to report improper activities acts. 4) The District has liability for improper activities committed by their employees whether or not such activities are known to the District. 5) Some policies and AR's that are related to the whistleblowing policy include anti-bullying, fraud and sexual harassment.

- IV. Adjourned at 2:20. Next meeting: October 14.