



Minutes

Faculty Senate Regular Meeting

Friday, February 14, 2025

1:00-2:00 PM on Google Meet

Meeting link:

- I. Establishment of Quorum: Kevin Williams, Gene Sandoval, Billie Mathews, Nichole Collins, Mari Hill, Linda Salazar
- II. Call of Meeting to Order: 1:04 PM
- III. Approval of Agenda: Gene motioned; Mari seconded. Motion carried.
- IV. Approval of Minutes from Meeting on January 31, 2025: Gene motioned to table the approval of minutes from the Jan. 31 meeting to the next FS senate meeting; Mari seconded. Motion carried.
- V. Welcome of Guests/Public Comment (3 minutes per person): No comments.
- VI. Information/Discussion Items:
 - A. Senator Reports
 1. Kevin Williams (Associates Senator, Senate Chair) – Nothing to report.
 2. Gene Martinez (CTE Senator, Vice Chair) – Several students working on getting AWS certifications within the next 2 weeks: About 15 from WVL and 10 LCC students. Still working on phase 3 LANL grant, trying to get it done today. Admin. wants CTE to spend grant money and institutional money. Student are averaging 90-100% success rate on achieving certifications.
 3. Chantel Rivera (Allied Health/Nursing Senator, Secretary) – Absent.
 4. Billie Mathews (Humanities Senator, Immediate Past Chair) – Reached out to department, no response. Conducted 2 study sessions for students enrolled in classes, most students who attend are softball and baseball players. Study sessions aim to create a comfort zone for students to get their work done. Working on connecting with dual credit students to inspire them to continue their education and attain certifications from LCC.
 5. Nichole Collins (STEM/Assessment Senator) – Nothing new to report. ITDE will be holding a meeting on Monday at 1PM if anyone would like to attend reach out to Nichole for more information. Curriculum committee is working on setting up meeting to clarify how CLOAs are updated and answer questions regarding how we can include the term “blended” course offerings in our modalities. STEM director is requesting wish lists from faculty for items needed. Director is continuing to do observations and is requesting faculty within the department to reach out to him to schedule a time to meet with him prior to their observation. He is also requesting Summer and Spring schedules as well. Department meeting was held recently on Monday, Faculty was vocal concerning lack of communication.
 6. Mari Hill (Adult Basic Ed., Business, Early Childhood Ed., Satellites Senator) – Did observations in the schools. Went to Los Ninos school and to Wagon Mound for observations.
 7. Linda Salazar (Ex Officio/LRC) – Nothing new to report. Business as usual running library and workday duties.
 - B. Standing Committee Reports
 1. Elections Committee – Meeting coming up in March.

2. Professional Development Committee – Have not discussed with Larry Paiz at this time to discuss potential coffee connect blackboard training.
 3. Curriculum Committee – Nothing to report at this time.
- C. Discussion Items
1. Institutional Definition of “Freedom of Academia”
 - a. FS reviewed the policy draft. Rachael mentioned that she can return to the next FS meeting to present the policy after everyone has thoroughly reviewed it. She encouraged comments and suggestions be made.
 2. Background Checking Policy 1.5
 - a. Shared governance, Nikki Martin, and Dr. Montoya have shared a Background Checking Policy 1.5 and Drug and Alcohol Free Campus Policy 1.6 proposal drafts that need to be reviewed by FS and approved. These policies will not be approved during this meeting. We will be solely discussing the drafts. Gene asks if this is an existing policy or a modified policy. Rachael states this is a reinstatement of policies that Luna already had. Las Vegas NM does not have a place that is willing to do background checks for the general public, and it is very expensive to conduct them. When we had an active background check policy we would go to NMBHI or State Police, now neither of those entities are doing public background checks. The drug free policy was in operation until the COVID pandemic when Rock Ulibarri sued LCC for being dismissed due to a drug test. He stated that it was a weaponized system and when the lawsuit came in LCC stopped doing drug tests. Nichole asks a question regarding the scope of the background checking policy where it mentions “for current employees and contractors”: Will LCC be picking and choosing from new employees who they will be checking? This scope may be presenting an issue since background checks are usually conducted at the beginning of employment, not after hire. Nichole believes background checks should be done on individuals who will be working with young adolescent people or in mentorship programs. How will LCC mitigate not having a place in LV to do background checks? Are they talking about criminal background checks or financial background checks? Will it be one giant background check? These are questions that should be addressed since the background checks can get costly. Under types of background checks should we specify who or what positions will be getting what type of background checks so that it is not claimed as weaponized. FS will be inviting Nikki Martin to the next meeting to discuss these questions.
 3. Drug and Alcohol Free Campus Policy 1.6
 - a. Rachael states LCC is a drug and alcohol free and weapons free campus by state of NM Statute. The drug test policy is in place because LCC is title 9 funded. Therefore, since LCC receives federal dollars our employees are supposed to be drug free. Most LCC employees were drug tested upon hire. Some employees received a full complete panel drug test which is a very expensive panel. Due to the expense and the pending lawsuit from Rock Ulibarri the drug policy was put on hold due to claims that it was being weaponized and LCC was only targeting specific individuals who wanted to get fired. Concerns are presented regarding the legality of weaponizing a policy like this and with THC being legal within NM there is no chemical test that could be administered to indicate whether an individual consumed the THC at home or whether it was consumed on the LCC campus. Since there is no scientific way to verify the time that the THC was consumed it is questionable whether LCC can implement a policy that would open the door to a lawsuit or legal action. Gene states that in his own business he could not ask for a drug test unless the employee oversaw money in the private vs institutional. Gene’s program at LCC is a federally funded program therefore he needs to follow federal guidelines. Rachael states that title 9 only

covers some of the LCC institutions not all. Title 9 is technically considered a DEI program so it might be going by the wayside. Nichole states that concerns regarding THC recreation use at home may raise issues since THC is legalized in NM and could be argued that it is not LCC's business. LCC does need a policy in place, but it should aim to be either very specific or very broad. Nichole believes that the main people who should be drug tested should be those who would be driving company vehicles (CDL, bus drivers, anyone who gets in an accident on LCC campus). There needs to be a well written guideline stating who, when and how they will be tested, not just a policy saying we want to drug test people. Kevin states that LCC should also be concerned about prevention because if an incident occurs and it can be argued that LCC was negligent then it can result in legal action. Nichole agrees but argues that it is a gray area that needs further discussion to aim to protect LCC employees but also the institution itself. Gene mentions an instance where he suspected a student was impaired by THC in his course. He states that we as LCC can do our best to mitigate accidents, but just because the student smelled like THC does not necessarily mean he was high. It is a gray area and leads back to the thought that the only time we can really test someone is after an accident occurs, then it raises the question whether the individual got high at home before coming to campus or on campus itself. It is a difficult topic to address on policy. In this case, he mentions that the student may feel singled out if security is called or the student is sent home due to accusations of being high on campus and results come back indicating he was not impaired. This leads back to possibility of weaponizing the policy and potential lawsuits brought against LCC. Rachael states that this was also part of the lawsuits brought against LCC, where it was reasoned that if they were alcoholics and not drinking on the job they could remain sober between working hours. If they could remain sober during that time then no one would have asked them for a drug test but because they were using something plant based they felt that it was healthier for them. So we need to be weary of individuals coming back to LCC for discrimination against health issues but also coming at LCC for the perspective of one substance being better than the other. Nichole states that this policy is only for employees not for students therefore it mitigates Gene's concerns about students since students will not be drug tested. Kevin argues that in the proposed policy under the Enforcement section it states that "Violations may result in: Students: Disciplinary actions up to and including suspension or expulsion". Nichole asks how does LCC create this policy to address this issue since recreational THC is legalized in NM and cannot apply to those who uses the substance off campus? How can this policy be written to avoid weaponizing and targeting? We need procedures to be written before a policy can be implemented. Gene agrees that procedures are needed to address these issues. Billie states that it could be beneficial to look at the policies and procedures of other institutions such as SFCC and CNM to see how they address the issues. This is a difficult policy to vote on during this meeting due to all the concerns raised and individuals need to be invited to the next meeting for further discussion. How are we going to enforce this policy? Who is going to enforce it? Who are the people who are going to have to abide by it? What will students need to do, how will they be treated based on this policy? We need to know how it is going to be worked and not weaponized against students.

- VII. Action Item: Approval of Faculty Evaluation Policy Proposal: Kevin states that Dr. Linder has mentioned that they want to use Workday and its evaluation capabilities. Directors have looked at workday and the capabilities of faculty evaluations through workday and they liked it and seemed to have decided to go forth. Faculty was not present when this decision was made. Billie states that directors should have created a policy that goes through committees

and not mandated through workday. Rachael states that she has not yet seen the evaluation process, they have provided the directors with rubrics of what faculty would like to be graded on and they have been provided the procedure and the policy for implementing whatever survey method they want. If the survey method comes from workday that does not matter, the policy and procedure just states that we need to implement something and that it needs to be fair. Nichole agrees that the policy is not regarding what tool the directors use it is more of how they are going to use the tool, when will it be used and what is going to be graded with the tool. Linda states that workday is a good way for the school to be consistent. Rachael asks Billie if Dr. Linder could be invited to the next shared governance meeting when Kevin brings the policy to be presented to SG so that it can be explained that there is a difference between faculty not trying to implement how they do the survey rather explain what we want to see or how we think we should be graded when they do the survey. Billie asks if HR should also be invited to the SG meeting. Nichole suggests we approve the policy and send it to SG to discuss with the invited admin. Gene agrees and suggests SG makes any changes it can be sent back to FS for review and reapproval. Gene motions to approve the Faculty Evaluation Policy Proposal; Nichole seconded. Motion carried.

- VIII. New or Follow-up Items for Next Meeting's Agenda:
 - 1. Continue "Freedom of Academia" Policy Development: FS encouraged to make their comments and suggestions prior to the next meeting.
 - 2. Approval of Background Checking Policy 1.5
 - 3. Approval of Drug and Alcohol Free Campus Policy 1.6
- IX. Next Regular Meeting: February 28, 2025, at 1:00 PM in Google Meet
- X. Adjournment: Nichole motioned to adjourn; Gene seconded. Meeting adjourned at 2:20 pm