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RESOLUTION OF NO CONFIDENCE IN ASSOCIATE PROVOST FOR FACULTY
AFFAIRS AND DEVELOPMENT SEVAL YILDIRIM

Faculty Senate of California State University, San Bernardino
May 11, 2021

Whereas The Associate Provost for Faculty Affairs and Development (FAD AP) Seval Yildirim has shown a consistent disdain for shared governance as stipulated by the California Higher Education Employer-Employee Relations Act (HEERA), has proven to be an incompetent administrator, and has demonstrated a remarkable degree of unprofessionalism in conduct, and

Whereas AP Yildirim has been made aware of the issues and problems presented in this Resolution; and yet, she has refused to acknowledge any wrongdoing, to take responsibility for any failure, and is deviating further and further away from what is expected of an academic administrator in an institution of higher learning, and

Whereas The nearly three-year tenure of AP Yildirim has done much damage to the operation and climate of Academic Affairs. Academic Affairs (and the university) cannot fulfill its mission with AP Yildirim at the helm of FAD; be it therefore

Resolved That the faculty of California State University, San Bernardino (CSUSB) have no confidence in the ability or temperament of AP Seval Yildirim to lead the office of FAD in any and all aspects of its mission; and be it further

Resolved This Resolution be transmitted to Provost Shari McMahan, President Tomás Morales, CSU Chancellor Joseph Castro, CSU Board of Trustees, the CSU Academic Senate, CSU campus senate chairs, the California Faculty Association, and CSUSB Associated Students Inc.

Article I. Disregard of Shared Governance

According to HEERA [[Link](#)], *The Legislature [of California] recognizes that joint decision making and consultation between administration and faculty or academic employees is the*

long-accepted manner of governing institutions of higher learning and is essential to the performance of the educational missions

of these institutions, and declares that it is the purpose of this chapter to both preserve and encourage that process. (Provision 3561.b)

Similarly, the American Association of University Professors (AAUP), grants faculty the right in

... involvement in personnel decisions, selection of administrators, preparation of the budget, and determination of educational policies [\[Link\]](#).

At CSUSB, shared governance is reflected in the FAM: Faculty Administrative Manual [\[Link\]](#), a collection of policies that are agreed upon by faculty and the administration over the history of the university.

In her role as the FAD AP, Yildirim is responsible for abiding by the HEERA stipulation of “joint decision making and consultation between administration and faculty” and for following the FAM. She has not. Instead, she has gravely undermined shared governance and repeatedly violated its local codification: the FAM.

1.1 Interference in the faculty hiring process

The hiring of faculty, including department chairs (more below), is one of the most critical aspects of university governance, as it determines what the university offers its students, how it is seen in the outside world, and where it is headed in the future. As such, the university has carved out a clear path (FAM 642.4) towards obtaining the most qualified faculty for its diverse repertoire of disciplines [\[Link\]](#). AP Yildirim, however, has shown little respect for this process.

1.1.1 Creating extra layers of control

FAM 642.4, on the recruitment and hiring of faculty, authorizes the office of FAD to conduct (only) one diversity check, at the stage before the initial screening. The power of selecting semifinalists and the finalists is vested in the search committee while the appointing power is granted to the President (or his designee, the Provost).

AP Yildirim has implemented a practice that includes three diversity checks [\[Link\]](#), from the initial pool all the way to the finalists. This unilateral move reduces the role of the search committee diminishes the peer review and peer selection principle of academia, and leads to near complete administrative control of faculty hiring. In addition, the hiring of faculty is often seasonal; the ability to move forward as quickly as possible is essential. These extra layers of the AP's control of the process have resulted in lengthy delays, impeding the university's ability to build a quality faculty.

1.1.2 “Suggesting” candidates to search committees

AP Yildirim has begun to “recommend” finalists to search committees. In 2020-2021, she demanded that the department of Health Science and Human Ecology (HSCI) chair search committee include a specific candidate in their finalist list [\[Link\]](#) on the unfounded claim that the committee's finalist list was not diverse enough.

The imposition of candidates on a chair/faculty search not only violates relevant policies but also belies basic principles of transparency, honesty, and fairness. It, too, could damage the reputation of the university and stands to render the university legally liable, should the candidate concerned be ranked lower than other, unselected candidates.¹ However, to the FAD AP, there is “nothing wrong” with it [\[Link\]](#), demonstrating that she does not realize the gravity of the problem.

1.1.3 Interfering with search committee deliberations

FAM 642.4 explicitly states that “deliberations of the Faculty Recruiting Committee shall be confidential” [\[Link\]](#). AVP Yildirim does not respect this stipulation. In the HSCI chair search, for example, she demanded from the search committee rubrics and explanations for their decisions [\[Link\]](#).

Of the 12 semifinalists, the committee had selected four finalists. There is evidence that the candidate AVP Yildirim “recommended” to the department was ranked at the lower end. This candidate, if taken by the search committee, would have skipped over higher-ranked semifinalists.

1.1.4 Demanding multiple search committees

AVP Yildirim unilaterally demanded that departments have as many recruiting committees as there are searches in clear violations of FAM 642.4, regardless of the disciplinary closeness between searches and the availability of eligible faculty to serve.

In 2019, AVP Yildirim asked the chair of Education Leadership and Technology [ELT] to elect two committees for the two searches for which the department was preparing [\[Link\]](#). The chair declined to violate the FAM as directed. The chair's insistence on following policy was used as one of the reasons for her dismissal from the chair position [\[Link\]](#).

1.2 Disregard for SOTE administration policy

According to FAM 820.5 [\[Link\]](#) on the administration of Student Opinion of Teaching Effectiveness (SOTE), faculty are required to administer SOTEs on a day of their own choosing during a preset window of time. This policy would apply to online teaching during Covid-19 as well:

... the SOTE will be administered online only on the date(s) of the instructor's choosing... [\[Link\]](#)²

In order for faculty to administer SOTEs at a specific time, SOTE forms *cannot* be made available to students at *other times*. The policy was supposed to be implemented in the Fall of 2020 by AVP Yildirim. She did not and, in Spring 2021, seems to be deliberately *not* doing it. In a memo dated April 16, 2021 [\[Link\]](#), she declared that SOTEs would be available for the entire time from April 19 to May 7, undermining faculty's right to administer SOTEs at a time of their choosing per the FAM.

In Fall 2020, contrary to past practice and common sense, SOTE results were released to faculty *before* the final grades were due. This deviation could lead to the perception on the part of students that their grades could have been influenced by their rating of faculty, thus damaging the trust relationship between faculty and students.

² This link is a revised version of FAM 820.5, approved by Faculty Senate in Fall 2020 but not yet signed by the President.

1.3 Imposing an annual chair review policy

According to FAM 651.4 [\[Link\]](#), chairs are reviewed every three years, at the end of each term. In Spring 2019, AVP Yildirim presented a new policy to review chairs annually, in addition to the three-year review [\[Link\]](#). Although the implementation of the policy was halted due to a petition signed by 27 chairs [\[Link\]](#), AVP Yildirim's disregard for the FAM is in full display.

Shared governance is the bedrock of American institutions of higher learning. Leading one of the most important offices of Academic Affairs, AVP Yildirim has the duty to abide by HEERA—a state statute—and to follow its codification in the FAM. Instead of honoring the office she holds, AVP Yildirim has led by fiat, inflicting much damage to the governance of the university and, as a result, hampering the university's ability to deliver quality education to its students.

Article II. Neglect of Duty

FAD AVP Yildirim has been an incompetent administrator, failing to carry out the duties of her office.

2.1 Failure to update assigned FAMs

In 2018-2019, the Faculty Senate and the administration jointly agreed to update the Fam for Quarter to Semester (Q2S) conversion by the commencement of the semester system. AVP Yildirim committed to update FAMs that had been initiated by the administration [\[Link\]](#). As of Spring 2021—almost one year after the university had entered the semester system—*not one* of these 26 policies has been put forward for senate approval.

2.2 Failure to perform diversity check timely

While imposing additional and FAM-violating diversity checks in faculty hiring (Section 1.1.1, above), AVP Yildirim has consistently failed to complete the one diversity check sanctioned by the FAM within the required 48-hour time window. Given the pressure to move forward as fast as possible in a competitive job market, these delays could have caused an inestimable amount of damage to the university's endeavor to hire candidates of the highest caliber possible.

2.3 Failure to follow timelines for grievance proceedings

In the CSU, grievance proceedings follow specific timelines based on relevant federal statutes, state statutes and regulations, and university policies. The office of FAD is the central unit processing (and sometimes arbitrating) grievances filed by faculty, and to follow the timeline is the least FAD can do to respect the rights of both sides of a proceeding. However, AVP Yildirim has been known to frequently fall behind deadlines. In one instance, the case was delayed for more than 128 days, missing the deadline by 118 days [\[Link\]](#).³

2.4 Failure to provide needed information

One of the key responsibilities of the office of FAD is to provide information to senate committees and other entities, as it functions as the clearing house of information on all aspects of faculty affairs and development. Ever since her arrival in 2018, AVP Yildirim has repeatedly failed in fulfilling her duties in this critical mission of the office she leads. In Spring 2019, AVP Yildirim agreed to provide spousal hiring policies from other campuses [\[Link\]](#) but she did not. In February 2021 [\[Link\]](#), senators requested data on SOTE exclusion. She again ignored the request.

To “get things done” is a threshold expectation of an administrator. AVP Yildirim has not met this lowest bar. Her incompetence has created a bottleneck in the process of many missions of the university and has undermined the rights of those concerned.

Article III. Unprofessionalism in Conduct

According to FAM 355.6 [\[Link\]](#), on professional ethics and responsibilities:

Violations or suspected violations of these standards should be called to the attention of the Associate Provost for Academic Personnel, who is empowered to conduct an investigation and take appropriate action.

³ This grievance was in part against the FAD AVP herself.

“To conduct an investigation and take appropriate action” is an awesome responsibility. The power to investigate and to arbitrate places upon the investigator and the arbitrator the ethical obligation that they model professionalism in their conduct. AVP Yildirim has done the opposite, being an example *par excellence* of what she is charged to guard against.

3.1 Lack of honesty

In Section 1.2 (above), evidence is provided of AVP Yildirim’s imposition of a new chair review policy. In that process, AVP Yildirim’s dishonesty was in plain sight. The agenda [\[Link\]](#) of the Chairs Council meeting lists “Updates from Seval Yildirim and ...” At the meeting, however, FAD AVP produced a well-planned and brand-new policy [\[Link\]](#) under that item, hardly an “update.”⁴

In Section 1.1.1, evidence was provided about AVP Yildirim’s imposition of two additional diversity checks. At the April 13 senate meeting, AVP Yildirim claimed:

Each of the departments with searches this year have explicitly in writing agreed to have three different diversity checks. So, these are agreements with the departments, we are not doing anything the departments did not agree to. [\[Link\]](#)

That may not be true, as is seen in the case of the HSCI chair search [\[Link\]](#).

AVP Yildirim’s lack of honesty is seen also in making claims without evidence. In an internal search for a chair in the College of Natural Sciences (CNS) in 2019, AVP Yildirim and the CNS dean asked the search committee to restart the search based on the claim that another candidate (Candidate 2) had missed the deadline for application. When the senate Faculty Affairs Committee (FAC) was inquiring about it, Yildirim claimed that Candidate 2 had attempted to apply before the deadline but met technical difficulty with the application software. AVP Yildirim was not able to produce any evidence for the claim [\[Link\]](#).

⁴ Chairs in subsequent discussions on email and at a Chairs Forum characterized the move as an ambush.

⁵ Said faculty member was elected by COE faculty to serve on the committee but was dismissed by the Provost on claim of “conflict of interest,” thus derailing the early review that 69% of the college faculty support.

3.2 Lack of transparency

AVP Yildirim uses the mantra “It’s a personnel matter” to avoid disclosing information. At the April 13, 2021 senate meeting [[Link](#)], she supported Provost’s claim of “a conflict of interest” with regard to a College of Education (COE) faculty member’s service on the Dean Early Review Committee⁵ but refused to provide any evidence, even to said faculty member himself [[Link](#)].⁶

The lack of transparency is also seen in communication. Sometimes, the Faculty Senate and its committees would receive communication from AVP Yildirim without expected and necessary information. In a communication from the FAD AVP [[Link](#)], for instance, there is no indication about the office from which the document originated or the date on which it was either written or submitted, let alone *the identity of the writer*.

3.3 Lack of collegiality and respect

In Fall 2019, AVP Yildirim asked then ELT chair to violate the FAM in a faculty search (Section 1.1.4, above). When her request was justifiably refused, AVP Yildirim wrote to the ELT chair:

Could you please confirm whether you are refusing to comply with the dean’s and my request? That there is no violation of the FAM does not mean that the Dean cannot ask for additional issues to be resolved [[Link](#)].

This was interpreted as “an intimidation tactic” by the recipient [[Link](#)] and later by others in the COE [[Link](#)].

3.4 Propensity to accuse

3.4.1 Accusing based on dubious grounds

⁶ As a general principle, though, it is difficult to see how one can use a piece of evidence for a position or argument but at the same time refuse to disclose it, whatever the reason.

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During the 2020-2021 HSCI chair search, AVP Yildirim accused the recruiting committee of being “unwilling to further diversify your [their] pool” while the data available suggested that the committee has increased the percentage of URM candidates at every step [[Link](#)].

3.4.2 Accusing to evade, to project

During the HSCI chair search in Spring 2021 (See Section 1.1.2 above), AVP Yildirim accused the search committee of violating confidentiality while doing it herself in the same breath.

Thank you for your message. Until the candidates’ “campus” visits, the search process must remain confidential and therefore, I have removed the senate members from this message. It is inappropriate to share candidate names or information with those who are outside the search committee and are not in a decision-making capacity. If you feel the need to contact the senate in the future, please be sure not to share any candidate information. [[Link](#)]

The name that had been shared was *not* the name of a candidate that the department search committee had selected. It was the name of a candidate that AVP Yildirim had handpicked. Accusing the search committee of breaching confidentiality helps the AVP to evade the exposure of her own act of “recommending” candidates.

In a public email on the listserv FACULTY in the summer of 2020 [[Link](#)], AVP Yildirim reminded the campus community:

Accordingly, personal attacks, name calling, unfounded allegations and defamatory statements are not acceptable on our campus. I urge all of us to be mindful of our words and refrain from personal attacks, name calling, and making allegations in the absence of actual evidence.

Prior to this email, there had been no obvious “personal attacks, name calling, unfounded allegations and defamatory statements,” only discussions on how her office had behaved toward the former ELT Chair [[Link](#)].

3.5 Propensity to control

While AVP Yildirim has failed in doing what she is responsible for, she does not hesitate to interfere with and control what lies outside of her sphere of duties.

3.5.1 Firing faculty mentors en masse

The Faculty Mentoring Network [[Link](#)] had been created long before the arrival of AVP Yildirim and had played an important role in the support and development of the CSUSB faculty. In August 2020, long-serving, respected mentors were invited to meet the 2020 class of new faculty on Zoom. A day or two later, all of those mentors were informed that they were being dismissed and were later replaced by an entirely new slate of mentors [[Link](#)]. It did not seem to bother AVP Yildirim that she was “firing” a group of faculty en masse, who had *not* been appointed by herself. Neither did it seem to bother her how the new faculty would feel about the university, especially after mentor introductions had been made. The document [[Linked here](#)] serves to illustrate the problems with this mass firing and the responses it generated from a former mentor. These actions are in contradiction to the core value of inclusivity that AVP Yildirim claims to uphold.

3.5.2 Dictating the work of the Spousal Hiring Taskforce

In Spring 2021, the Spousal Hiring Taskforce charged by Provost McMahan was conducting its deliberations. The FAD AVP wrote to the taskforce in an email [[Link](#)] :

To be clear-you are not asked to draft or develop policy but rather asked to research, gather and report on best practices in spousal hiring and that research will necessarily involve looking at other universities and their existing policies. You are not asked to weigh whether best practices are within the scope of the CBA. [underline original]

What is *not* clear, though, is why AVP Yildirim would assume the authority to issue missives—and in such a dictatorial and condescending tone—to the taskforce, to which the AVP is a complete outsider.

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Underlying AVP Yildirim's acts of unprofessionalism is the discrepancy between what she demands of others and what she does herself. Charged with the responsibility of investigating and arbitrating matters of professional conduct, AVP Yildirim is a good example of what she is supposed to guard against. Due to her words and deeds in the nearly three years of tenure, AVP Yildirim has undermined the core values of integrity, transparency, accountability, fairness, and honesty. Her unprofessional behaviors have done much damage to the trust between the administration and faculty, as well as among faculty. The climate of Academic Affairs and, by extension, of CSUSB, has considerably worsened since her arrival in the summer of 2018.

FSD 20:21

Approved By the CSUSB Faculty Senate on May 11, 2021