



Minutes of the
MEETING OF THE FACULTY SENATE
October 28, 2019

APPROVED

PRESENT: Richard Albistegui-Dubois, José Briceño, Melinda Carrillo, William Dalrymple, Alexandra Doyle Bauer, Jenny Ferrero, Erin Hiro, Teresa Laughlin, Lawrence Lawson, Jackie Martin, Adam Meehan, Wendy Nelson, Lillian Payn, Julia Robinson, Chris Sinnott, Craig Thompson, Rocco Versaci, Lori Waite, Anastasia Zavodny

ABSENT: Patrick O'Brien, Travis Ritt, Fari Towfiq

GUESTS: Ana Acosta (Telescope), Remy Arnold (ASG), Susan Snow (Faculty), Kiana Teixeira (Telescope), Linus Smith (ASG), Jon Walker (ASG)

Please note: All votes are presumed unanimous unless indicated otherwise.

CALL TO ORDER: The meeting was called to order by Senate President Craig Thompson, at 2:30 p.m. in room SU-30.

PUBLIC COMMENT: Faculty Susan Snow recognized and congratulated The Telescope staff and Senator Erin Hiro for the excellent archives updated on The Telescope web page <https://www.palomar.edu/telescope/archives/>.

ANNOUNCEMENTS: Senator Lawrence Lawson announced that there are 464 separate nominating statements for Distinguished Faculty of the Year. This number represents over 250 individual professors. Lawson congratulated all faculty who were nominated.

AGENDA CHANGES: None

APPROVAL OF MINUTES:

Motion 1 MSC Laughlin/Lawson: Faculty Senate approval of minutes of October 21, 2019.
Abstentions: Jenny Ferrero, Teresa Laughlin, Wendy Nelson, Julia Robinson, Lori Waite

The motion carried.

ACTION:

A. Committee Appointments & Elections:

Motion 2 MSC Nelson/Lawson: Faculty Senate approval to send out a new call for the Accreditation Tri-Chair position with a start date of January 2020.

Senate President Craig Thompson stated that he has not received any responses for the Tri-Chair call made for the Accreditation Committee. Senator Anastasia Zavodny questioned whether if the Senate waited until Spring 2020 that available release time or stipend would go unused back to the district. Senator Jenny Fererro stated that referring to this particular position, if it goes unused, it returns to the Senate and can be used when needed. Senator Lawrence Lawson questioned whether waiting until Spring 2020 to fill the position would be an issue for the Accreditation Committee. Senator Lori Waite, the outgoing Tri-Chair, stated that fellow Tri-Chair Michelle Barton hopes to have this vacancy filled immediately. Waite stated that she thought this appointment should begin as soon as possible since there is a learning curve. Senator Wendy Nelson pointed out it would be hard to get faculty to commit now since there are just five weeks of instruction left this semester. Nelson said she feels strongly that more faculty may volunteer for this three-year commitment if given more time to plan ahead for next semester. Fererro agreed with Nelson's comments and added that the Senate may get a more qualified and committed candidate who can begin in January. Senator Adam Meehan inquired about meeting logistics. Waite stated that last time, committee leadership met every Wednesday for up to three hours. The steering committee met once a month for the general committee meeting but also met more sporadically based on writing and review timelines. Fererro confirmed that release time for this position is no longer on a sliding scale and is set at 40% of an instructor's load. Zavodny questioned the reference of this being a three-year appointment since she could not find this notated in the governance structure documents. Waite assured senators that this three-year commitment is advantageous.

The motion carried.

I.A.1, 1.A.2, 1.B.1, 1.B.2

Motion 3 MSC Fererro/Nelson: Faculty Senate approval to accept part-time faculty as well as full-time faculty appointments to the Accreditation Tri-Chair position. Nays: Erin Hiro, Rocco Versaci

Senator Teresa Laughlin stated this position has always gone to full-time faculty. To bring clarity to faculty definition and language in the governance structure, Laughlin asked that Faculty Senate revise and update the faculty definitions in the Constitution. Senator Anastasia Zavodny, an adjunct faculty representative on the Faculty Senate, stated that relying on past practices does not set an inclusive standard, which should be considered for the Tri-Chair position. She stated that the best faculty member for this position is the ultimate goal, not the status of their job. Senator Chris Sinnott noted that if given the opportunity to serve, he knows of some long-time, part-time faculty members who would do an excellent job in this position.

The motion carried.

I.A.1, 1.A.2, 1.B.1, 1.B.2

B. Curriculum: No report.

REPORTS:

- A. Senate President: Senate President Craig Thompson reported that the Budget Committee meeting was cancelled. The Student Equity meeting was also cancelled. Thompson read the most recent reply from VPHRS Mike Shanahan regarding the "administrators in acting positions" questions. VP Shanahan acknowledged Thompson's request for a November 15 reply and stated he would do his best to meet this deadline.
III.A.1, III.A.2, III.A.3

B. Planning Council Reports:

IPC - Senator Jenny Fererro stated that the new timeline for PRPs was discussed. And, at the last IPC meeting, council members were asked to write down money-saving ideas on index cards. Senator

Anastasia Zavodny stated that a new registration calendar booklet was introduced during the meeting. It allows students to register for the fall semester while still in the spring semester. The shift will likely cause some student finance issues which the District is working out.

SSPC – Senator Julia Robinson will begin reporting on SSPS when her appointment begins in November.

- C. Palomar Faculty Federation: Senator Teresa Laughlin invited Senators to attend a membership meeting on Wednesday, October 30th in the Governing Board Room from 3 to 5 PM and asked for attendance again at the Governing Board meeting on Tuesday, November 12th. She closed by stating that, thanks to Senator Chris Sinnott, the meeting will be live streamed out in the governing board courtyard area so that all attendees can witness the meeting even if the room itself is at capacity.
- D. ASG: Remy Arnold announced that on October 31, ASG will hold its Halloween Costume contest. November 6 and 7 is the Basic Needs Awareness Advocacy event with food demonstrations using items that are currently available in the Food Bank. A clothing drive will take place those days as well. On November 5, a Stock the Bank activity will take place.
- E. Guided Pathways: None
- F. Accreditation: None
- G. Budget Committee: Senator Erin Hiro reported that the last meeting was cancelled.
- H. Senate Committee Reports: None.
- I. Other Reports:
Senator Chris Sinnott reported that Work-Based Learning is working on a monthly newsletter loaded with information obtained on a Bakersfield fact-finding trip.

INFORMATION ITEMS:

- A. Title V/Stem: Cindy Anfinson, Activity Director for the STEM program, provided an update on the Title V STEM Grant. The grant is a shared grant with CSUSM and came from the U.S. Dept. of Education in 2016. Palomar College receives approximately \$500,000 each year. Anfinson provided a presentation that highlighted outreach, STEM Pathways and other beneficial programs and activities funded by this grant. For a complete report, click the following link:
<https://docs.google.com/presentation/d/1iMZlOWNjM4xG0Dn8klQTrKk4Hhai48KUWdbcHqmafis/edit?usp=sharing>
I.A.1, I.A.2, I.A.3
- B. Resolution on President: Senate President Craig Thompson asked for volunteers to form a committee who would draft the formal resolution to Palomar's Governing Board. Senators Teresa Laughlin, Lawrence Lawson, Erin Hiro, Will Dalrymple and Jackie Martin volunteered to prepare the draft, which will be presented and voted on at the Faculty Senate meeting on November 4th. Senate VP Martin stated that during the Faculty Senate Council meeting earlier, it was determined that the "Resolve" language must be forceful to the trustees and also send a strong message to the community and to the press. She said it is important that taxpayers understand the financial hardships of the college and how the community tax dollars are being used and misused. She added that those financial hardships affect other working conditions on campus. The senators brainstormed about what the resolution should say. Most agreed that the Where As parts should include the four items from the ballot but also include other faculty concerns. It was restated that 20 full-time faculty,

approximately 6% of all full-time faculty, has confidence in Dr. Blake. In an informal vote, a majority of the senators present said they want to end the resolution with an outright call to remove the College President. Senator Hiro questioned whether the District could afford to pay off the President's remaining 18-month employment contract and said that should be a concern in this budget crisis. Senator Laughlin said it would cost the district money upfront but it would be worth it for the long-term viability of the college. She added that the only way Palomar will get out of this fiscal crisis is if all employees have the trust to work together. She said she does not think it is possible to rebuild that trust with Blake because she is a leader who makes impetuous decisions. Laughlin said some of those decisions have been good for the college but others have been detrimental to Palomar's fiscal solvency. Senator Laughlin took notes of other suggestions for the resolution. The committee will draft the resolution and report back to the Senators at the November 4th Faculty Senate meeting.

I.A.1, I.A.2, I.A.3

- C. CCAP: Senator Laughlin shared that CCAP is basically an MOU with each district in which Palomar has a dual enrollment agreement. A lot of the CCAP agreements have nothing to do with PFF but the PFF has to be involved in the evaluations of faculty and curriculum. High school students will be treated like college students and may have to study R-rated videos and other mature content. These students will be treated like adults in a college class. President Thompson asked if the CCAP discussions and vetting is the same as the Middle College proposal that is pending for Fall 2020. Laughlin stated that the CCAP is simply a contractual concern just like negotiations that don't go through shared governance. She added that the Middle College implementation was not properly vetted through IPC. It was noted that at special Governing Board meetings held in Palomar's South and North centers, the Middle College concept was discussed. Guest Susan Snow said she attended the North Center meeting where administrators, teachers and parents from the Bonsall School District left the meeting thinking they are going to co-exist on the Palomar College site with a high school campus. Remy Arnold, ASG representative, reported that she is aware that the Bonsall School District is seeking a construction company for that building. Senator Nelson stated that talks are occurring with the Poway School Districts as well. President Thompson reminded senators that Dr. Blake stated talks are occurring with Vista for another Middle College.
- D. Senate Goals: President Craig Thompson passed out a handout of possible goals for the 2019-2020 goals. He asked senators to review for next meeting.
I.B.7, 1.B.8 1.B.9
- E. Constitutional Review Committee: Tabled.
- F. Website Workgroup: Tabled.
- G. Policies and Procedures: Tabled.

ADJOURNMENT:

The meeting was adjourned at 3:50 PM.

Respectfully submitted,



Erin Hiro, Secretary

Resolution F2019.01**Call for the Removal of the Superintendent/President**

Whereas, the Constitution of the Faculty Senate reads “a poll of [...] full-time and probationary faculty shall be taken on any subject, regardless of whether said subject has been considered by the Senate in the course of its deliberations, when requested by an appropriate petition signed by [...] ten percent of all probationary and full-time faculty and submitted to the President of the Senate”;

Whereas, on September 23, 2019, the Faculty Senate received a valid petition and initiated a poll to determine the level of confidence the full-time faculty has in Superintendent/President Joi Lin Blake’s ability to lead Palomar College;

Whereas, on October 22, 2019, the votes from the poll of 321 full-time faculty were tabulated in the presence of a neutral third party, and the results showed that 91.56% of respondents (217 full-time faculty) have no confidence and 8.44% of respondents (20 full-time faculty) have confidence in the Superintendent/President’s ability to lead Palomar College;

Whereas, Palomar College’s BP 2510 “PARTICIPATION IN LOCAL DECISION MAKING” states, “Pursuant to rules adopted by the Board of Governors of the California Community Colleges, the Governing Board elects to rely primarily upon the advice and judgment of the Faculty Senate on academic and professional matters” including the “processes for institutional planning and budget development”; “governance structures”; and “faculty hiring policy, faculty hiring criteria, and faculty hiring procedures”;

Whereas, in light of these academic and professional matters, the faculty of Palomar College has deep concerns about the Superintendent/President’s leadership demonstrated in her inability or unwillingness to (A) maintain a fiscally responsible budget; (B) consistently follow shared governance policies; (C) work collaboratively on faculty hiring processes; as well as (D) retain talented and diverse administrators;

Whereas, *(A) the faculty of Palomar College is deeply concerned about Palomar College’s fiscal stability under the Superintendent/President’s leadership;*

Whereas, the Superintendent/President’s decision to open two satellite campuses in Fallbrook and Rancho Bernardo simultaneously--instead of staggering their openings over a number of years per the Master Plan to ensure the fiscal stability of one before opening the other--has led to these centers’ operational costs outstripping the revenue they’re generating, a reality that has damaged the fiscal stability of Palomar College;

Whereas, while the Faculty Senate welcomes the responsible hiring of full-time faculty, the Superintendent/President authorized the hiring of 40 new full-time faculty for the 2019-20

academic year in response to a P1 faculty obligation number (FON) projection of 310 (based on the 2018-2019 advance from the California Community Colleges Chancellor's Office [CCCCO]) when the FON for Fall 2019 compliance was, instead, per the CCCCCO, 282, leading to an estimated extra \$3.9 million in expenditures for fiscal year 2019-20 (based on Palomar College being 39 full-time faculty over Fall 2019 compliance FON);

Whereas, these decisions made or authorized by the Superintendent/President have contributed to a 64% decline in Palomar College's ending fund balance from nearly \$22 million to a projected \$8.9 million (temporarily boosted by a \$5 million "loan" from the retiree health care account without having a plan to repay the account);

Whereas, (B) *the faculty of Palomar College is deeply concerned about the Superintendent/President's lack of consistency in following shared governance policies;*

Whereas, at the February 27, 2019, meeting of the Instructional Planning Council (IPC), it was reported that the District had six College and Career Access Pathways (CCAP) agreements in place for "middle colleges" with local K-12 school districts;

Whereas, per the February 27, 2019, IPC meeting minutes, IPC members expressed concern about the "middle college" initiative "regarding Ed Code, age of students, social aspects, parental involvement and more";

Whereas, those concerns were not revisited at IPC before August 21, 2019, when the Superintendent/President wrote a guest column in the *San Diego Union-Tribune* titled "Introducing Middle College," in which she announced her "intention to open our middle college to students in fall 2020";

Whereas, per the August 28, 2019, IPC meeting minutes, "there was discussion around Middle College being implemented quickly, with inquiries as to when it was vetted. [...] Committee members again expressed concern, this time noting that the topic had not been vetted at IPC but should be as part of Instructional Planning in the shared governance process";

Whereas, this rush to implement a significant initiative without the proper vetting and approval through shared governance signals a lack of respect for and understanding of the nature and importance of the shared governance process, a fact that undercuts confidence in this and other initiatives;

Whereas, (C) *the faculty of Palomar College is deeply concerned about the approach the Superintendent/President has taken toward faculty hiring processes;*

Whereas, Palomar College's Human Resources' directions to all hiring committees reads "materials submitted by applicants may contain confidential personal information pertaining to personal characteristics regarded as protected by federal, state, local, and/or

District laws, regulations and/or policies (i.e., ethnic group, religion, marital status, sexual orientation, etc.). Such information is to be regarded as irrelevant to the selection process and may not be considered by any committee member in determining an applicant's suitability for interview or hire";

Whereas, the Superintendent/President of Palomar College said to the Faculty Senate at its December 3, 2018, meeting that she would compare the diversity of the hiring pool to the diversity of the finalists selected for interview and ask the committee some hard questions;

Whereas, a hiring chair noted at Faculty Senate on May 6, 2019, that the Superintendent/President repeatedly questioned the department's diversity and then subsequently dismissed the top three candidates selected by the committee during the second round of their hiring process without providing a reason;

Whereas, these comments and actions undermine Human Resources' aforementioned legal guidance on faculty hiring;

Whereas, AP 7120, Governing Board policy regarding "RECRUITMENT AND HIRING" states, "The Superintendent/ President considers input from each Committee member and works towards consensus as much as possible in making the final selection";

Whereas, in a presentation to Faculty Senate on May 6, 2019, a hiring committee chair explained that "when the process began for the second-level interview with President Blake, departmental input was not sought nor were they involved in the decision of candidate selection following the process of shared governance";

Whereas, at that same Faculty Senate meeting, another hiring chair explained that in a hiring committee with Dr. Blake on the second level, "it [was] not a committee-as-a-whole decision regarding candidate selection. Faculty on the committee felt that their input was heard but not considered during the selection process";

Whereas, at the May 14, 2019, Governing Board meeting, a faculty member who was a hiring chair for a failed search stated during open comments, "The president did not ask our opinion of who we thought would be the best colleague or who would contribute the most to Palomar College. Rather, we were told (with no discussion) which [one] person would be hired, which would definitely not be hired, and that our second position would be a failed search. The current hiring policy is for the second level committee to discuss and reach a consensus on new hires that the President then presents to the Governing Board for final approval. However, we were never given the opportunity for discussion or consensus";

Whereas, these actions by the Superintendent/President violate the Governing Board's own policy on recruitment and hiring regarding consensus and selectively disregards the faculty voice in faculty hiring;

Whereas, (D) *the faculty of Palomar College is deeply concerned about the departure of well-qualified, talented, trustworthy, and diverse administrators;*

Whereas, the inability of the Superintendent/President to retain an executive team harms Palomar College's operational efficiency and reputation and suggests that the Superintendent/President demonstrates poor management and leadership skills that are contrary to teamwork, collegiality, and respect;

Be it resolved, the Faculty Senate of Palomar College calls upon the Trustees of the Governing Board of Palomar College to thoughtfully but expeditiously remove the Superintendent/President and immediately seek an interim replacement following AP 7120.