

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.