

Approved November 2, 2017

The Chabot College Academic/Faculty Senate finds and declares that, rather than behaving like an organization that supports the Colleges who are in the front line of serving students, the Chancellor and her senior leadership has consistently acted without regard to the needs of Chabot College to the point of being an obstructionist. They

1. Exercise control or micromanage without regard to the careful work and deliberation the College community has put into its governing process, thus impinging on the College's autonomy;
2. Ignore the College's stated needs in its enrollment management, program review documents, facilities requests, and user group feedback;
3. Foster distrust by refusing college participation in the evaluation of District processes, delaying meaningful evaluation of District processes, making unilateral decisions, lacking due diligence in fact-checking the statements it makes to the public, and not responding in a timely manner to college needs.

Instances of the above grievances can be found below. Their accumulation has strained the relationship between the District and College beyond repair. The unsupportive management style is beyond the redress of particular issues. It is under such regrettable circumstances that the Chabot College Academic/Faculty Senate takes and affirms this vote of no confidence in the Chancellor. The Senate also urges the Board of Trustees to consider the seriousness and scope of the grievances below, and to listen to the input of the college, before considering any member of the current leadership for appointment as Chancellor on an interim or permanent basis.

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1.
 - a. The College has followed its own procedure to identify faculty prioritization and emergency hiring. However, the District rejects the College's recommendations without satisfactory explanation. The District even claimed LPC's lack of similar process as grounds for its rejection of our request, totally counter to each college's autonomy..
 - b. The College has done lots of work on Strong Work Force, yet the District did not respect the work that was already in progress and insisted on imposing their process.
 - c. The District interferes/micromanages with hiring in almost all situations, even positions that are fully grant funded. To the extent that College decision does not impact the District's budget, there is no reason to question, delay, hamper, or interfere with any hiring recommendation the College President makes.
 - d. The District has alternately ignored, controlled, or obstructed the work of the college Institutional Research Offices, by using misleading data at District meetings not provided by the IR offices, micro-managing Board presentations by IR, and blocking the purchase of database query software that the college Institutional Research Offices planned to pay for to upgrade their capacity for responding to data requests.
 2.
 - a. In the name of cost saving, the District removed user specifications of projects. However, when projects run below cost, the District refused to add back those removed user specifications.

- b. Because of the District's micromanagement of the College's class schedule, the Deans were forbidden to add class that would be filled and productive even when it is offset by cancelled classes.
 - c. The District manipulated the FON to a low value to justify forcing the Colleges not to hire, ignoring the fact that FON is a minimum requirement, not an upper limit to stay away from. The District placed restraint on College hiring despite the fact that salary is no longer taken off the top in the allocation model in order to allow the colleges more local control, including hiring. Further, the District fails to project the imminent increase in FON that would occur for Fall 2018. With the FON mandate increasing so soon and with the identified needs of college staffing, getting a start on faculty hire meets immediate demand as well as spreading out the hiring work over longer period of time to ameliorate and amortize workload. Yet the District offers no pressing advantage to deny hiring that outweighs these benefits.
 - d. Faculty obligation number (FON) adjustment for NURS/DHYG: The District has repeatedly refused to adjust the FON allocation between the two colleges, to account for Nursing's and Dental Hygiene's mandated 12 full-time faculty off the top. This refusal forces students in other disciplines across Chabot to make do with reduced access--and sometimes no access--to full-time faculty as compared with the other campus. In some key areas, this has a tangible, negative, impact on student success.
- 3.
- a. The District does not welcome input from the Colleges, and in fact seeks to ignore college input at multiple junctures. They deny college representation at meetings and refuse to evaluate programs and operations, most notably the Budget Allocation Model BAM. Where plans are being undertaken with significant impact for the colleges, college interests are not represented, through a flat refusal to allow colleges to participate. For example, college representation was turned away from IEPI meetings, where a district Institutional Research office, with specific implications for the local IR offices, was discussed.
 - b. Chancellor Jackson has a habit of being highly and frustratingly dilatory in her decision making, which stifles the best efforts of those who are trying to improve conditions at the colleges. Moreover, under the chancellor's leadership, the District has established a disturbing habit of making unilateral decisions regarding the allocation of resources to the sites, which further lowers conditions and morale at the colleges. Most noteworthy:
 - i. **Denial of Recommendations.** The chancellor routinely denies the well-considered recommendations of the Planning and Budget Committee (PBC)—and by doing so, violates the established premise that the Budget Allocation Model (BAM) is the mechanism by which State General Apportionment dollars are allocated to the four sites (Chabot, LPC, the District Office, and M&O.) Specifically, she has refused recommendations that significant portions of (a) Base Increase dollars, (b) Unfunded Mandate dollars, and (c) “Rolled back” FTES dollars flow through the BAM to the sites.
 - ii. **Micromanagement instead of Autonomy.** When the BAM was implemented in 2013, one of the fundamental principles established was that the four sites would then enjoy some “enhanced” autonomy in determining how to use the

dollars allocated to them. The withholding of significant funding as described above — combined with a stifling level of micromanagement from the District Office — has effectively vacated the promise of autonomy. Instead, the colleges have experienced a profound sense of contempt and distrust from the District. (Note: In the chancellor's prolonged absences, the actions of Vice Chancellor Krista Johns have served to enhance the feelings of contempt and distrust.)

- iii. **Review of BAM Not Forthcoming.** Another important facet of the 2013 BAM is that it was expected to be reviewed and adjusted periodically, and minimally every three years. Despite that the matter has come up several times at PBC, the review as always been perfunctory, or otherwise structured so that important changes are diverted. Thus there has been no redress to the percentage allocation to the District Office that was indemnified at the height of the Recession— when the colleges had cut their budgets far more deeply than the District Office had. As funding was restored in the ensuing years, a significant portion of dollars that should have come back to the colleges was therefore retained by the District. The chancellor has shown zero interest in correcting this imbalance.
- iv. **Unrealistic Classroom Productivity Expectations, Part I.** When the BAM was implemented in 2013, FTEF was "allocated" to the campuses at a main group assumption of 530 WSCH/FTEF. (Such high productivity is fairly automatic during a recession, when demand far exceeds supply.) Post-recession, the colleges have returned to standard productivity within the main group classes, which is 480-490 WSCH/FTEF. However, under Chancellor Jackson's leadership, the District has essentially refused to respond to changing economic conditions in a timely manner. This has severely strained the college budgets, because the BAM was never adjusted to ensure that the colleges are able fund the additional class sections required to meet enrollment targets, without encroaching on other programs. [See item (iii), above.] It is worth noting that the additional cost, at marginal FTEF rates, is over \$2.7M annually, district-wide.
- v. **Unrealistic Classroom Productivity Expectations, Part II.** Between 2013 and 2016, Chancellor Jackson established a habit of refusing or outright ignoring the urgent and well-considered recommendations of the District Enrollment Management Committee (DEMC). During this period she: (i) denied recommendations to add FTEF to the class schedules until it was too late to add classes productively; (ii) failed to respond to the DEMC recommendation in time to plan class schedules for the following year; and (iii) promulgated FTES targets and FTEF allocations so low that it would have forced the colleges to downsize by 10% at a time when they should have been restoring our FTES base to pre-Recession levels. These actions required some level of defiance to avoid unnecessary harm to the institution — in one instance, the colleges had no choice but to proceed with planning for the following year, using unofficial targets.
- vi. **Unrealistic Classroom Productivity Expectations, Part III.** Since the arrival of Vice Chancellor Krista Johns, decision making has been less dilatory, at least,

however the District remains highly recalcitrant with regard to setting realistic productivity targets. During the summer of 2017, when enrollments were tracking below target for Fall Semester, the colleges were not allowed to add classes in excess of their FTEF allocations until it was too late to add classes productively. DEMC was able to secure funding for some additional FTEF to add classes, but the District has signaled their intent to micromanage the productive use of said FTEF — despite their role in circumventing its productive use earlier (!) — **which lends the impression that servicing our students is a lesser goal than improving the financial bottom line for District managers.**

- c. The District made the decision to offer SERP without consulting College Presidents nor the President of the Faculty Association in any way. No effort was made to discuss whether it was appropriate or desirable, or to consider the impacts on college operation and staffing. Staffing directly affects education program development and process for institutional planning, which by Board Policy 2015 requires consultation with the Academic Senate to “reach mutual agreement.” Yet, the District made no substantive effort to reach out to the Senate Presidents before placing the SERP on the Board agenda. The grievance here is not about the terms of the SERP but about the decision of whether or not SERP should be offered in the first place without consultation. From the College’s perspective, it seems entirely about eliminating our most senior and often extremely knowledgeable employees in the interest of reducing costs without consultation as to the wisdom of doing so. The College might have made a solid argument that we have barely recovered from the last two SERPs and a layoff. No data was gathered to assess the number of faculty or classified professionals in various “tiers” of experience or seniority and whether a SERP would have a healthy or detrimental effect.
- d. The District continues to limit our FTEF in course offering, impacting our ability to meet target. Then it turns around to suggest that Chabot may need to “right-size.” Such a ploy is akin to a systematic government defunding of public education, after which public schools are then blamed for not performing. Offering last-minute FTEF to open more classes very close to the beginning of the semester or after it has started does not atone for the damage that has been done. Rather, it sets the college up for failure, as THAT timing almost ensures that classes will not fill, thus not meeting the WSCH-FTEF ratio; then the District uses the failure it creates as misleading evidence that we don’t need additional FTEF.
- e. District purchasing office claimed that special equipment orders were not placed with sufficient time for materials to be received to qualify for the current PO payment (end of June requirement in 2017). Many payment accounts were not rolled over and requestors were told to reapply in subsequent program reviews. Multiple departments reported similar experiences. These orders were placed months ahead of the end of June due date for orders received. Rather than being a dependable support to the College’s needs, the District has become a liability as individual requestors must track District’s progress to ensure that special equipment request are fulfilled in a timely manner or else risk losing those items.

- f. The District was not diligent in fact-checking its claim about the ownership of the Hayward Executive Airport, which it used as a concern in its delay to partner with the City of Hayward for a fire training facility.
- g. Even though Fire Technology had worked for 16 months in preparation for the partnership with Hayward on the fire training facility and we are now approaching a deadline, the Chancellor submitted to the Board only an intention to explore the partnership, which is a very weak statement and undermines Chabot's planning. It's only under the Board's intervention that we are now authorized to pursue an MOU with Hayward. The Board should not have to be doing the Chancellor's job.
- h. Chancellor Jackson and Vice Chancellor Johns have prevented the possibility of any discussion to be had around the joint-senate Sanctuary Resolution proposed by Chabot College, refusing to put the item on the agenda although this was first presented to the Board back in May 2017.