

# Resolution of No Confidence in Peralta Colleges Chancellor Jowel C. Laguerre

Berkeley City College Faculty

Senate

*February 20, 2019*

Whereas, The Faculty Senate is the primary consultative body at Berkeley City College (BCC), in the Peralta Community College District (PCCD), and as such is responsible for “academic and professional matters” (AP 2511) as reflected in the “10+1,” which includes (5) standards or policies regarding student preparation and success; (6) district and college governance structures, as related to faculty roles; (7) faculty roles and involvement in accreditation processes, including self-study and annual reports; and (10) processes for institutional planning and budget development;<sup>1</sup>

Whereas, The District Academic Senate (DAS) is considering a vote of no confidence or censure of Chancellor Jowell Laguerre and/or the Board of Trustees, and is asking faculty district-wide to provide their input;

Whereas, The Chancellor’s job description specifically identifies essential job duties such as: “Honor and employ the district’s Planning and Budgeting Integration Model (PBIM), which is based on a shared/participatory system of governance that relies on transparency, open communication and listening in dealing with district employees, students, the community and the Board of Trustees”; and “Work in concert with the Peralta Board of Trustees to achieve defined financial goals and maintain financial stability through strong oversight, collaborative budget development and strict adherence to sound budget policy, procedures and timelines”;<sup>2</sup>

Whereas, The Chancellor has not performed the above essential job duties,

- Causing the Accreditation Commission for Community and Junior Colleges (ACCJC) to require enhanced monitoring of PCCD for having “the lowest fiscal health score in six of the twelve CFI [Composite Financial Index] factors and the lowest scores for any district in the two most heavily weighted factors”;<sup>3</sup>
- Requesting, in discussions with the State Chancellor about the ACCJC letter, the guidance of Fiscal Crisis & Management Assistance Team (FCMAT) to analyze the District’s fiscal health and to make recommendations to address those problems;<sup>4</sup>

Whereas, The Chancellor has generally presided over a District participatory governance structure that is not evaluated, maintained or respected;<sup>5</sup>

Whereas, Through this lack of consultation with shared governance bodies, the Chancellor has neglected to include or inform those bodies in budgeting and other planning decisions, ignored formal recommendations, and not responded to a steady and vast array of concerns, questions and suggestions from those bodies that might have mitigated or resolved most or all of the above concerns;

Whereas, The Chancellor has subverted the shared governance components of hiring processes, especially at the Vice-Chancellor level, and has unilaterally extended the terms of several interim

appointees beyond their limited legal duration;<sup>5</sup>

Whereas, The Chancellor's questionable administrative practices include a fiscally unsustainable expansion of District administration and budget of all general funds over the past four and one-half years, a failure to adhere to the funding model (Budget Allocation Model) for the Colleges, a pattern among District personnel of continuous turnover, and a deeply troubling, massive classified hourly employee layoff that directly impacts instruction at all four Colleges;<sup>6</sup> and

Whereas, The voters of the Peralta District voted to invest \$800 million in the future of the Peralta Colleges by supporting Measure G and the Chancellor and his administration have shown no capacity to manage a project of this magnitude based on the failure to finish a number of projects in Measure A and the highest (worst) Facility Condition Index of any community college district in the Bay Area,<sup>7</sup>

Resolved, That the Berkeley City College Faculty Senate affirm that it has no confidence in Chancellor Laguerre's leadership of the four-college District; and

Resolved, That, in order to prevent further damage to the District's and Colleges' planning and budgeting processes, Faculty, Classified and Administrative personnel, and the general morale of our Colleges' communities, the Berkeley City College Faculty Senate call for Chancellor Laguerre to resign immediately or have his contract terminated with cause by the PCCD Board of Trustees.

<sup>1</sup> California Code of Regulations, Title 5, § 53200: [https://govt.westlaw.com/calregs/Document/I6EED7180D48411DEBC02831C6D6C108E?originationContext=document&transitionType=StatuteNavigator&needToInjectTerms=False&viewType=FullText&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I6EED7180D48411DEBC02831C6D6C108E?originationContext=document&transitionType=StatuteNavigator&needToInjectTerms=False&viewType=FullText&contextData=(sc.Default))

<sup>2</sup> Chancellor's job description: <http://web.peralta.edu/hr/files/2012/10/Chancellor-JD1.pdf> or <http://laney.edu/faculty-senate/wp-content/uploads/sites/77/2019/02/Chancellor-JD1.pdf>

<sup>3</sup> ACCJC's AFR status letter (Nov. 20, 2018): [http://laney.edu/faculty-senate/wp-content/uploads/sites/77/2019/02/Laney-AFR-Status-Letter\\_2018.pdf](http://laney.edu/faculty-senate/wp-content/uploads/sites/77/2019/02/Laney-AFR-Status-Letter_2018.pdf) (All four Colleges and the District received identical letters.)

<sup>4</sup> FCMAT letter: <http://laney.edu/faculty-senate/wp-content/uploads/sites/77/2019/02/FCMAT-12-14-18-2.pdf>

<sup>5</sup> White Paper: <http://laney.edu/faculty-senate/wp-content/uploads/sites/77/2019/02/Final-Peralta-Academic-Senate-No-Confidence-Process-with-Executive-Summary-11.25.18-Donald-Moore.pdf>

<sup>6</sup> Peralta unrestricted budgets 2015-19: <http://laney.edu/faculty-senate/wp-content/uploads/sites/77/2019/02/Peralta-Budgets.pdf>

<sup>7</sup> FCI report: <https://laney.edu/facilitiesplanningcommittee/wp-content/uploads/sites/325/2017/04/FCI-report-table.pdf>