

Laney...-DAS-...Report November 20th—December 3rd

Hi All,

First, a happy Dec. 1st birthday Fred Bourgoin who has been kind enough to take on the Faculty Senate Presidency despite his advancing years. A faculty senate president year is like 2 ordinary years so special best wishes, Fred!

In our last edition of the Laney...-DAS-...Report I opened with, “Welcome to the latest iteration of why the District is still in a crisis we don’t want to talk about and why we aren’t going to do anything about it;” it turns out you can add “prophetic” to describe these reports, in addition to “depressing slog” ...We’ll get to that, but the TLDR is that our declining enrollment and structural deficit and unsustainable financial structure has now gotten some accreditation attention...Before we get to that though there are a couple of DAS meetings to briefly summarize (aka: “shuffling deck chairs on the Titanic”).

11/20 DAS Meeting

DAS continued to discuss how to approach rolling out information for/discussion of the “White Paper” and DAS proposal for “possible” votes of no confidence and/or censure for the Chancellor and Board of Trustees. The major accomplishment here was agreement to add the word “possible.”

DAS also got some clarity regarding the initial partnership with FACEBOOK. For spring semester Merritt College is offering some business marketing classes (using preexisting curriculum) and calling it part of a new “program.” So...

11/27 Special DAS Meeting

As noted in a previous email sent out to the Faculty Senate, I called for a “Special DAS Meeting” to respond to a late effort by the lame-duck Board of Trustees to censure Nicky Gonzalez-Yuen as a “rogue trustee” at a Board Retreat on 11/27.

At the 11/27 DAS meeting a resolution was passed (attached) to oppose the Trustee resolution based on the DAS position that it was not following Board Policy for censuring (BP 2715) and that the censure effort also threatened to abridge faculty 10+1 rights given that all of Trustee Gonzalez-Yuen’s public comments regarding the District’s fiscal state and overall dysfunction were, in fact, echoing the Academic Senate’s stated concerns over the last several years.

Subsequently at the Board Retreat, following [an embarrassing article for Bill Withrow and the District that he represents](#) (the Trustee pushing the resolution), a letter writing campaign organized by Kimberly King and Chris Weidenbach, and lots of opposition from the PFT, organized labor, and the community (an hour of public comment) one of the 4 Trustees pushing the resolution, Meredith Brown, decided to take up a suggestion by the lone attending student trustee, Aisha Jordan, to recommend mediation for the Board instead of censuring Trustee Gonzalez-Yuen. President Brown’s substitute resolution carried 4/3.

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Peralta's Fiscal Crisis Meets ACCJC...

On 11/20 the 4 College Presidents, their ALOs, and the Chancellor were notified that Peralta's fiscal condition was so poor that the Colleges/District needed to present an "actionable plan" by Dec. 14 to be reviewed at the ACCJC's January meeting where it would decide whether "special action" needed to be taken.

The problems cited by the ACCJC (letter attached) are absolutely not new to Peralta (similar problems led to a prior intervention in 2009 and subsequent "oversight assistance") and are issues that faculty and shared governance bodies have been warning about for several years.

The highlights:

- 1) Financial oversight is nonexistent and functional business operations like purchasing is haphazard throughout the District.
- 2) Because of this lack of order the District has multiple "material weaknesses" and "deficiencies" that, despite having been repeatedly cited by our external auditors, we have not fixed and which is made more difficult because we go through administrators so frequently (turnover).
- 3) We've further exacerbated our poor situation through an inability to plan ahead and control spending so we have basically no money in our General Fund (a reserve is for those Districts that don't live in the moment like we do!) and have been losing money (running deficits for 5 years...
- 4) Having very little General Fund money is problematic for many reasons, but especially so because we have declining enrollment.

The sum total here is that we are in a poor (literally and figuratively!) position and the ACCJC has let us know that they expect us to do something about this. The current plan (such as it is) is to deal with the problem by 1) asking for more time!, 2) inviting FCMAT (state Fiscal Crisis Management Assistance Team—sort of like the A-Team for pushing "structural reorganization" and layoffs...) like an old vampire legend, and 3) desperately throwing things at the ACCJC hoping some of the things we throw suggests to ACCJC that THIS time (and not those other times they've pointed out our problems and we've promised to fix them...) we mean it.

Oddly, the current effort to bail out water/plug holes is NOT being led by our Chancellor, who seems to have issued his "Mission Accomplished" C-Direct and taken an early winter break, and instead is being led by Fran White—a retired administrator who led the search team to find the present Chancellor and has been hired by the Chancellor on an interim basis since then...and our Board spent the first meeting since the 11/20 letter bickering about censuring and never once mentioning this...

So, if you've been wondering why DAS raised the possibility that a vote of no-confidence and/or censure was warranted for the Chancellor/Board of Trustees...tada!