

Academic Senates' Reports to the LRCCD Board of Trustees December 2023

District Academic Senate (DAS) President, Alisa Shubb, Reports

- Upon recommendation of the district Affordable Learning Materials Committee, DAS established a new threshold for the Low Cost Materials Designation at \$30 pre tax (previously \$40).
- DAS recommended retaining the Artificial Intelligence (AI) detection capacities of Turnitin, the “plagiarism detection” software currently used in our district.
- DAS recommended against required Multifactor Authentication (MFA) for student use of Canvas until such time as there has been sufficient information, demonstration, and consultation with students on the use of MFA.
- DAS is discussing the possibility of using cluster hiring as an equity-focused strategy for this year’s round of faculty hires at the colleges.
- DAS is preparing for district-wide Academic Senate-led discussions about required changes to our district’s General Education (GE) and AA-AS degree requirements. Items under discussion include recommendations from the District Curriculum Coordinating Committee (DCCC):
 1. to allow students working toward an AA or AS degree to choose between using that new local GE pattern or a transfer GE pattern (Cal-GETC, CSU GE Breadth, or IGETC), which would require updating Board policy and regulations.
 2. for each college to clearly indicate, in its listing of courses approved for the new local GE pattern, which courses are also approved for Cal-GETC.
 3. to district adopt the new associate degree GE pattern and collectively select one of the following four options:
 - Option A: Keep the associate degree at 21 units with no additional GE requirements.
 - Option B: Add a 3-unit Living Skills requirement identical to the current area IIIa and IIIb requirements (see [P-7241](#), section 2.3.3.6), bringing the GE requirements to 24 units total.
 - Option C: Add a 3-unit American Institutions requirement identical to the current area Va (see [P-7241](#), section 2.3.3.3), bringing the GE requirements to 24 units total. \
 - Option D: Add both a 3-unit Living Skills requirement identical to the current area IIIa and IIIb, and a 3-unit American Institutions requirement identical to the current area Va, bringing the GE requirements to 27 units total.
- DAS reflected on our Fall 2023 Collegial Consultation Report –(see attached)

- [District Academic Senate \(DAS\)](#)
- [ARC Academic Senate](#)
- [CRC Academic Senate](#)
- [FLC Academic Senate](#)
- [SCC Academic Senate](#)
- [Academic Senate of California Community Colleges \(ASCCC\)](#)

ARC Academic Senate President, Brian Knirk, Reports:

- ARC's Senate has been discussing possible changes to the GE pattern requirements and the implications to student success and potential impacts on our DI populations
- ARC's Senate passed a resolution supporting the Religious Studies Department's statement [Response to the Horrors in Israel & Palestine](#)
- In response to the closure of Davies Hall the ARC Senate passed a resolution addressing damage resulting from executive-level decisions. *(attached)*
- ARC passed a resolution with a Vote of No Confidence in LRCCD Chancellor. *(attached)*
- The ARC Senate Updated it's bylaws to recognize the new names of the academic areas.

CRC Academic Senate President, Jacob Velasquez, Reports:

- No report

FLC Academic Senate President, Eric Wada, Reports:

- As we prepare for a relatively large number of full-time faculty hires, a task force was convened to review and revise the job description language about our institution to center our collective emphasis on inclusion, diversity, equity, and antiracism. The taskforce included members of the Academic Senate and Diversity and Equity Committee. Faculty, classified, administration, and students were involved. The updated job description invites applicants to demonstrate their awareness of and sensitivity to our diverse student population.
- We continue to discuss topics from DAS and other academic topics such as artificial intelligence. We also continue to encourage faculty participation on college committees to cultivate future leaders.

SCC Academic Senate President, Sandra Guzmán, Reports:

- SCC Senate completed a piloted hiring prioritization process and are excited to move forward with our Hiring Committees, and welcome new Faculty in the Fall.
- SCC Senate supported Cluster Hires for our campus and voted unanimously to serve as a Pilot campus for our district. We look forward to hiring faculty who express a commitment to anti-racism.
- SCC Senate voted to support a Resolution declaring a Vote of No Confidence in LRCCD Chancellor. *(attached)*
- We look forward to a District wide convocation for Spring 2024

Collegial Consultation Report Fall 2023

Reviewed and adopted by DAS 12/5/23

DAS 2019 Collegial Consultation Resolution:

RESOLVED, the LRCCD Academic Senate urges the LRCCD Chancellor and Vice Chancellor of Education and Technology to continue to work with the LRCCD Academic Senate to develop and implement a system of mutual accountability with clear and measurable criteria to ensure that collegial consultation on academic and professional matters is occurring consistently; and

RESOLVED, the LRCCD Academic Senate recommends that the LRCCD Academic Senate Executive Council, using the above-stated mutually agreed upon criteria, provide a report at least once a semester to the District Academic Senate documenting the status of collegial consultation between the LRCCD Chancellor's Office and the LRCCD Academic Senate.

1. Curriculum including establishing prerequisites and placing courses within disciplines
2. Degree and certificate requirements
3. Grading policies
4. Educational program development
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
8. Policies for faculty professional development activities
9. Processes for program review
10. Processes for institutional planning and budget development
11. Other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.

Collegial Consultation Checklist (clear and measurable criteria)

- Item appeared on a governance group’s agenda at first reading
- Item was presented with supporting documentation in a form that can be brought back to constituents
- Item was reviewed/vetted by constituents with opportunity for feedback
- Constituent feedback was acknowledged/recorded by recommending body
- Written recommendation was submitted

(District) Issue	Connection to 10 +1	Communication Process & Method	Collegial Consultation criteria	Assessment & Recommendations
Adoption of Salesforce Customer Relations Management (CRM) tool	#5 - student preparation & success (eg matriculation) R-3412 DESSC 1.3.1 Purpose: To provide recommendations to the District Academic Senate and advise the Board of Trustees or its representatives on matters related to District-wide issues of equity	DAS leadership informed during summer prior to BOT vote	<ul style="list-style-type: none"> <input type="checkbox"/> Item appeared on a governance group’s agenda at first reading <input type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents <input type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input type="checkbox"/> Written recommendation was submitted 	Given both the potential 10+1 implications of a CRM, and the planned use to facilitate enrollment of students (eg the matriculation process), improved collegial consultation would have brought the proposal to purchase a CRM to DESSC for feedback and discussion (not necessarily a recommendation).

	<p>in our education system, including initiative and legislation, and those of student support services and technologies designed to onboard students and move them through to completion.</p> <p>Note that DO admin asserts that t Sales Force purchase is a not 10+1 issue per R-3412.however agrees that certain future uses could be 10+1 and would therefore require consultation</p>			
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<p>Adoption of Pathway U</p>	<p>#4</p>	<p>Item was presented as a report to DESSC. Individual faculty input was solicited in an informal workgroup - faculty participants were not appointed by Academic Senate. Tool was adopted and implemented in DO IT. Individual faculty discovered Pathway U individually.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Item appeared on a governance group's agenda at first reading <input type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents <input type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input type="checkbox"/> Written recommendation was submitted 	<p>This item came close to using a collegial consultation model. Had the workgroup been officially appointed and the recommendation brought back to DESSC for action (a first/second reading), collegial consultation would have taken place.</p> <p>Concerns about the adoption of this tool include:</p> <ol style="list-style-type: none"> 1) Usefulness to programs & students 2) Connection between career assessments results and academic programs (how these are being determined)
<p>Moratorium on the use of human remains and native cultural items</p>	<p>#1 , #3</p>	<p>Tribal Leaders draft moratorium brought to DAS leadership & Chancellor's Cabinet. DAS leaders requested time for an expedited process of recommending the moratorium.</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Item appeared on a governance group's agenda at first reading <input checked="" type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents <input checked="" type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input checked="" type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body 	<p>Adequate consultation, could have been improved if a) we had known earlier the Tribal Leaders were seeking a written moratorium, and b) we did not have to demand consultation at chancellor's cabinet</p>

			<input checked="" type="checkbox"/> Written recommendation was submitted	
Multifactor Authentication (MFA) for students	#5	DO-IT communicated through DETC requesting a recommendation from DAS on the <i>date</i> of implementation.	<input checked="" type="checkbox"/> Item appeared on a governance group’s agenda at first reading <input checked="" type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents <input checked="" type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input checked="" type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input checked="" type="checkbox"/> Written recommendation was submitted	DAS recommended against student use of MFA to access Canvas until such time as more information, demonstrations, and consultation has occurred with students on us of MFA. So far, implementation plans do not include a requirement students use MFA for Canvas
Modifications to CCCApply in compliance with AB928 CCCO memo: Guidance for Implementing the New Associate Degree for Transfer Placement Requirement	#5	DAS leadership inquiry with Chancellor, Deputy Chancellor, and AVCI	<input checked="" type="checkbox"/> Item appeared on a governance group’s agenda at first reading <input checked="" type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents <input checked="" type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback	In process - DAS intends to make a recommendation Task force is being established to address what listing of options should look like for students including degrees to list, career degrees, transfer without a degree, undecided option.??

			<input type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input type="checkbox"/> Written recommendation was submitted	
Not for Credit, Contract Education	#4	Disagreement noted between admin and faculty over which aspect of contract ed should be under faculty purview.	<input type="checkbox"/> Item appeared on a governance group's agenda at first reading <input type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents <input type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input type="checkbox"/> Written recommendation was submitted	No resolution on areas of disagreement
Davies Hall Closure, ARC	Processes for Institutional Planning (at a minimum)		<input type="checkbox"/> Item appeared on a governance group's agenda at first reading <input type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents	No consultation

			<input type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input type="checkbox"/> Written recommendation was submitted	
			<input type="checkbox"/> Item appeared on a governance group's agenda at first reading <input type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents <input type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input type="checkbox"/> Written recommendation was submitted	
PREP Counselor Position Request (1 position to be taken "off the top" of faculty hiring allocations)	Faculty hiring	DAS vote at end of Spring 2023, recommendation provided college presidents via email to Deputy Chancellor Nye. In person	<input checked="" type="checkbox"/> Item appeared on a governance group's agenda at first reading <input checked="" type="checkbox"/> Item was presented with supporting documentation in a form that can be brought back to constituents	DAS recommendation was not taken, however a PREP Counselor position is being hired out of temporary grant funds. Improvement to the process would include a written

		presentation of recommendation by DAS President Shubb at district exec meeting June 2023.	<input checked="" type="checkbox"/> Item was reviewed/vetted by constituents with opportunity for feedback <input checked="" type="checkbox"/> Constituent feedback was acknowledged/recorded by recommending body <input checked="" type="checkbox"/> Written recommendation was submitted	response from the college presidents acknowledging the DAS recommendation and providing rationale for not accepting the recommendation.
Work Experience discussions at the district				Not addressed this cycle

American River College Academic Senate Resolution Addressing Damage Resulting from Executive-Level Decisions in the Davies Hall Closure

Adopted 12/7/2023

Whereas, the American River College (ARC) Academic Senate recognizes that ARC's deans, AVPs, VPs, President, facilities staff, and countless other employees did a tremendous amount of work in a short time to carry out a sudden and logistically complicated closure of Davies Hall. We thank them for their work. However, we are concerned and disappointed that faculty and classified staff were not collegially consulted and included as respected partners in the Davies Hall closure decision-making processes. We expand on our concerns below;

Whereas, on the morning of Thursday September 7, 2023, ARC employees received an email from the College President announcing that ARC's largest classroom and faculty office building, Davies Hall, would be permanently locked the following morning because of serious seismic safety risks. The email directed Davies Hall faculty, classified staff, and deans to move all their belongings out of their offices and classrooms by the following morning, at which point the building would be permanently locked. It was unclear whether anyone would be allowed back into Davies Hall once it was locked. It was also unclear whether the College would help move or store faculty belongings. No faculty, classified staff members, students, or employee unions had been collegially consulted about any aspect of the closure.

Whereas, at the time of the Davies Hall closure, the ARC College President and Vice Presidents also announced to students and faculty their unilateral decision, made with no collegial consultation with ARC's Academic Senate or Union leaders, that Davies Hall classes would move online for a period of two weeks, effective immediately;¹

Whereas, in addition to their regular day's duties, and with the knowledge that students were expecting their classes to be moved online the following day, Davies Hall faculty and staff scrambled to pack years and decades worth of belongings, files, furniture, and educational resources from their classrooms and offices. They were given less than 24 hours to do so. Many faculty threw away items they now wish they'd been able to keep, or left items in their offices with no clear guidance on how and when they could retrieve them. They carried what they could out to their cars in bags, boxes, bundles, wagons, and carts.

Whereas, on Friday September 8, after many faculty had spent the past 24 hours frantically preparing online lessons while trying to move out of their offices, ARC's College President and Vice Presidents reversed their decision to move classes online for 2 weeks, again without

¹During the pandemic, faculty learned the painful reality that not all our students were able to smoothly "switch" to online. Some of our Davies Hall courses were offered in person this fall specifically because faculty understand this. The assumptions by administration that our students could all switch to an online class without notice showed disregard not only for faculty but for our students.

collegial consultation, and instead announced to students that their courses would resume in new classrooms;²

Whereas, ARC's Academic Senate expects our leaders to respect us as professionals and exercise good judgment. Why did our leaders decide and communicate to our students, without faculty input, that we could and should respond to losing our classrooms and office spaces by immediately switching our in-person classes to a fully online modality, with the expectation we would then immediately switch back when assigned new spaces, only some of which are suitable classrooms?

Whereas, over the next few days and weeks, the ARC community learned that the Los Rios Community College District (LRCCD) had actually been informed of the seismic "life safety" risks to Davies Hall over a year earlier, but LRCCD leaders chose to withhold that information from ARC until just a few days before the building closure was announced.^{3 4} We also learned that LRCCD had not done any planning to prepare for a possible building closure.

Whereas, the ARC community also learned that the CA Division of the State Architect had not required the closure of Davies Hall in such a rushed manner. Therefore, there would have been time for ARC's President and Vice Presidents to consult with faculty, staff on how to handle many aspects of the Davies closure. However, ARC's administrators chose to exclude their faculty and classified colleagues from the Davies decision-making process;

Whereas ARC's Academic Senate expects our leaders to be competent in risk assessment and cost-benefit analysis. Given that the DSA did not mandate evacuation, why did our leaders respond as if closing Davies Hall was a genuine emergency, giving less than 24 hours to vacate with no indication of if, when, or how access to retrieve items required to do our job and effectively serve students would be possible after the closure?

Whereas, ARC's campus is not located in a seismic hazard zone. No one disagrees that it is prudent to close an unsafe building with all deliberate speed, but given the low risk for severe earthquake damage in our region and given that LRCCD had known about the building safety risks for over a year yet had taken no action, it is reasonable to think that faculty and staff could have been given more than one day to move out of their offices. At the very least, had faculty and staff, including the employee unions, been included in the Davies closure decision making process, all stakeholders could have had the opportunity to weigh the options, priorities, risks, benefits, pros, and cons and make informed decisions together. ARC's faculty and classified staff are competent,

² Unfortunately, many of the new "classrooms" were not adequate instructional spaces. For example, some classes that frequently discussed sensitive topics were scheduled in the same room as an open computer lab where other students were working independently. Ideally, faculty and administrators would have worked together to evaluate the options and priorities around rescheduling Davies Hall classes. Was it better to find new classrooms quickly even though some spaces would be less than ideal, or would it have been better to take more time to find the best classroom spaces possible? There are good arguments to be made either way, but faculty were not given an opportunity to participate in the discussion.

³ On June 20, 2022, the California Division of State Architects (DSA) sent [a letter](#) addressed to Los Rios Community College District (LRCCD) Chancellor Brian King, informing him that Davies Hall may have been constructed using a potentially unsafe "lift slab" construction technique which is now suspected to be "inherently dangerous with the potential for catastrophic failure and progressive collapse" during an earthquake or renovation.

⁴ At a Town Hall event held on the ARC campus on October 2, 2023, LRCCD Executive Vice Chancellor Mario Rodriguez acknowledged that although the Chancellor and his staff had been informed of grave potential safety risks to Davies Hall in Summer 2022, no ARC employees were informed of the risks to Davies Hall until late August/early September 2023.

intelligent, thoughtful people who are capable of understanding complex situations.⁵ Furthermore, ARC's faculty have a legal right to collegial consultation on academic and professional matters;⁶

Whereas, ARC faculty are frustrated, disappointed, and hurt that after years of hearing faculty calls for more collegial consultation, not a single LRCCD or ARC administrator placed enough value in the expertise or interests of ARC's faculty and classified employees, ARC's student leaders, or the Los Rios employee unions to involve them in the decision-making process surrounding the Davies Hall closure;

Whereas, the actions of the Los Rios and ARC administrators around the closure of Davies Hall failed to uphold the expressed [values of the Los Rios Community College District](#), which state:

- "We value informed decisions made by people with diverse perspectives who are close to the issues," and
- "The Los Rios community is a wise steward for all its resources, protecting, preserving and nurturing its people, its environment, its property, its capital and its educational programs," and
- "Los Rios values integrity, transparency, accountability, honesty and professionalism, both in the workplace and the classroom."

Whereas, faculty, especially those of us displaced by the shuttering of Davies Hall, are left to wonder if teaching at American River College will ever again feel like a calling and not just a job, and whether we will ever regain essential trust in the good-faith intentions and ability of our District and College administrative leadership to work transparently and collaboratively with faculty and staff to maintain the integrity of our essential facilities, professional standards, and commitment to high quality education;

Whereas, ARC faculty are experiencing anger, frustration, sadness, betrayal, despair, and burnout as a result of the administrative mismanagement of the Davies Hall closure;⁷

Whereas, ARC's Academic Senate expects our leaders to engage in critical reflection and exhibit an eagerness to learn from potential mistakes. Particularly given our college President's embrace of the slogan "even better if", why has there been no acknowledgment that things might have been handled better, much less any admission of mistakes?

Resolved, ARC's Academic Senate requests:

1. a written response from ARC's College President and Vice Presidents that addresses the issues and questions articulated in this resolution, and
2. that ARC's College President and Vice Presidents work with ARC's Academic Senate to develop a plan for rebuilding trust between faculty and administration going forward.

⁵ Generally speaking, most people can accept and understand bad news and emergency situations if the communication and decision-making process is transparent, and if they are treated as respected partners and given an opportunity to voice their opinions, interests, and concerns.

⁶ Title 5 Section 53203 of the California Code of Regulations

⁷ Since the Davies closure, many faculty feel that administration has failed to sufficiently engage with the displacement of our classes, offices, and ongoing hardships created. Furthermore, many faculty experienced the ARC president's 10/9 email as hurtful and dismissive of legitimate faculty concerns. We call for administration to follow all established guidelines regarding collegial consultation and invest time directly speaking with and learning from Davies faculty.

ARC Vote of No Confidence in Chancellor Brian King

Fall 2023

Whereas, for several years American River College (ARC) faculty have joined their Los Rios Community College District (LRCCD) faculty colleagues to express concerns^{1 2 3 4} about Chancellor Brian King's leadership, including insufficient collegial consultation and a lack of transparency in district decision-making. Neglecting collegial consultation excludes faculty from key decisions and compromises their ability to support students, ultimately lowering the quality of instruction. Regrettably, the faculty have seen no meaningful change in the district's leadership approach;

Whereas, California Education Code, Title 5 §53203 states that in each CA community college district, "the governing board or its designees will consult collegially with the academic senate when adopting policies and procedures on academic and professional matters." However, Chancellor King has fostered a culture where failure to engage in collegial consultation with the academic senates has become the norm:

Since Fall 2022, the District Academic Senate (DAS) has developed a checklist to evaluate whether collegial consultation has occurred, and has documented several instances of insufficient consultation.^{5 6 7} Recent issues about which faculty leaders have documented inadequate consultation include:

- Decisions around full-time faculty hiring allocations^{8 9}
- Strategic enrollment management plans
- Practices regarding the reporting (or non-reporting) of hate speech/graffiti on campuses
- The adoption of a Customer Relationship Management tool
- Dual enrollment agreements
- The temporary suspension of the district's Faculty Diversity Internship Program without informing faculty leads¹⁰

¹ [SCC Academic Senate White Paper](#): District Leadership Review & Recommendations to the Board of Trustees, Spring 2022

² [ARC Resolution on District Leadership Concerns](#) (March 2023)

³ [FLC Academic Senate Recommendation to Los Rios Board...](#) (Spring 2023)

⁴ [Fall 2019 DAS Resolution: Creating Accountability for Collegial Consultation...](#) (Fall 2019)

⁵ [Los Rios DAS Collegial Consultation Checklist](#)

⁶ [DAS Collegial Consultation Report: Fall 2022](#)

⁷ [DAS Collegial Consultation Report: Spring 2023](#)

⁸ In February 2023, the California State Auditor released [a report](#) assessing whether funds intended to diversify and grow the full-time faculty at CA community colleges were used properly. The report examined hiring practices at Los Rios and three other districts. The report determined that because of inadequate financial tracking practices, "Los Rios could not prove that [the state funding] had been used to create new full-time faculty positions." Indeed, during the 2022-2023 school year, Los Rios imposed a full-time faculty hiring freeze despite receiving \$6,985,587 to support full-time faculty hiring during that same time period.

⁹ Faculty did not participate in the decision to freeze faculty hiring in 2022-2023, and in any given year faculty are not invited to participate in decision-making around how many faculty positions to hire.

¹⁰ After faculty expressed concerns, as of Fall 2023, this program has been reinstated.

Faculty bring valuable and diverse perspectives to district decision-making processes because they have a direct connection to the students they teach, counsel, and serve. When faculty are not consulted on academic and professional matters, LRCCD risks making decisions that negatively impact student success. For example, the district's decision to freeze full-time faculty hiring in 2022-2023, made with no faculty input, has resulted in an insufficient number of full-time professors to teach all necessary courses and sections that our students need in order to receive an effective education that prepares them for graduation and/or transfer.^{11 12}

Whereas, the LRCCD Strategic Plan states, "We value informed decisions made by people with diverse perspectives who are close to the issues."¹³ Contrary to that stated value, Chancellor King has instead used his position to systematically consolidate processes, departments, and decision-making power at the District office, stripping colleges of their ability to make decisions and policies that best serve their unique student populations and campuses. This diminishment of College autonomy combined with insufficient collegial consultation has created a culture in which decision-making processes are not transparent, and many important decisions are made not by those "who are close to the issues," but by District administrators who are arguably very far from the issues:

For example, in September 2023 ARC learned that District administrators [withheld serious "life-safety" concerns about ARC's largest classroom and faculty office building](#) for over a year.¹⁴ On September 7, 2023,¹⁵ ARC faculty were informed of the safety risks and were told that all Davies classes would move online for two weeks and that faculty must evacuate their offices by the following morning. The District had done no prior planning to prepare for a building closure, despite knowing for a year that Davies Hall "may be in danger of progressive collapse during a seismic event" and "may pose life safety concerns."^{16 17} Indeed, ARC's College President had only been told about the safety risks the week prior. Furthermore, LRCCD did not provide the Los Rios faculty union (LRCFT) with reasonable advance notice and an opportunity to bargain the negotiable effects of its decision to close Davies Hall. LRCFT has responded by filing an Unfair Labor Practice Charge with the California Public Employment Relations Board (PERB).¹⁸

¹¹ In hiring presentations to ARC's Academic Senate in Fall 2023, faculty reported dire situations in their departments, such as brand-new labs sitting empty due to lack of staffing, long waitlists and bottlenecks in core courses because the department does not have enough faculty to offer sufficient sections, degraded service for students, long wait times for counseling appointments, and faculty teaching loads that far exceed a full-time load when that is not their preference. When the College is not able to hire the number of faculty we need, we cannot achieve our mission to educate students. In Fall 2023, ARC's faculty have requested to hire 49 full-time faculty positions, but we have been told to expect just 15-25 positions.

¹² According to page 50 of the LRCCD [Report on Recruitment Efforts: 2022-2023 Academic Year](#), the Los Rios district hired only 15 full-time faculty who began employment in Spring 2023 and Fall 2023.

¹³ [LRCCD Strategic Plan](#), Reaffirmed in Spring 2022

¹⁴ After receiving no communication or explanation from the Chancellor regarding the Davies Hall closure, ARC's Academic Senate president requested that Chancellor King attend two campus-wide Town Hall events on Monday, October 2 to answer student and employee questions. At the first Town Hall event that day, the Chancellor and his staff revealed that they had not told anyone at ARC about the Davies Hall seismic "life-safety" concerns until late August 2023 despite knowing about them since Summer 2022.

¹⁵ The LRCCD Weekly Census date (the date upon which student enrollment is recorded and reported by LRCCD to the California Community Colleges Chancellor's Office (CCCCO) for determining apportionment for course enrollments) for Fall 2023 was September 5, 2023. See sections 1-3 and 3-1 of the CCCCCO [Student Attendance Accounting Manual](#).

¹⁶ [Bevier Structural Engineering letter](#) to LRCCD Facilities Director, July 22, 2022

¹⁷ [Davies Hall Closure Employee FAQ](#)

¹⁸ [Davies Hall PERB Unfair Practice Charge](#), filed 10/20/2023

The absence of a plan to accommodate displaced Davies Hall students, faculty, and staff has impaired our college's fundamental commitment to [students rights](#), including the right to receive an education, "in a clean, modern, and safe environment that is conducive to learning." Many students whose classes had been scheduled in Davies Hall are now attending classes in inadequate non-instructional spaces, some of which have major issues such as insufficient numbers of restroom facilities and a lack of climate control.

Whereas, the culture fostered by Chancellor King's leadership has resulted in insufficiently vetted decisions that negatively impact students, harm employee morale, and hamper faculty efforts to "provide a vibrant learning environment that empowers all students to achieve their educational and career goals."¹⁹ The mismanaged closure of Davies Hall is but one particularly egregious example of Los Rios District administrators' practice of making decisions in ways that do not adhere to our [stated values](#) of participatory governance and informed decision-making;

Whereas, Los Rios faculty leaders have made sustained efforts to work with Chancellor King to improve communication and consultation, inviting the Chancellor to participate in multiple collaborative professional development activities, such as an IBA mediation process in 2019, an ASCCC Collegiality in Action session in 2021, and a DAS collegial consultation presentation to the Board of Trustees in June 2023.²⁰ Despite these many interventions, Chancellor King remains either unable or unwilling to provide Los Rios faculty with opportunities to engage with the level of collegial consultation to which they are legally entitled.

Resolved, the Academic Senate of American River College has no confidence in Chancellor Brian King's ability to effectively lead the Los Rios Community College District.

¹⁹ [LRCCD Strategic Plan](#)

²⁰ [DAS Collegial Consultation Presentation to BOT](#), June 2023

Vote of No Confidence in Los Rios Community College District (LRCCD) Chancellor

Whereas, California Education Code, Title 5, and LRCCD Board Policies and Regulations establish requirements for collegial consultation between the LRCCD Board of Trustees and the District Academic Senate, between local college administrations and local college academic senates, and establish requirements for participatory governance among all constituent groups, and,

Whereas, LRCCD administrative leadership has failed to produce substantive changes in the areas of collegial consultation and effective participation despite robust efforts by local college and District Academic Senates to correct, encourage, promote, and ensure that consultation and governance processes are honored^{1,2,3}, and,

Whereas, the failure of the LRCCD leadership to engage in collegial consultation with the Academic Senate as well as the failure of LRCCD leadership to engage constituent groups through participatory governance processes have been extensively documented over a period of years through the SCC White Paper (2022⁴), ARC Resolution (2023) and FLC Resolution (2023), and DAS actions, and,

Whereas, the LRCCD administration failed to take proactive action towards complying with NAGPRA (1990) and CalNAGPRA (2001, Amended 2021) that could have averted the recent demand by local tribal leaders to place an emergency District Moratorium on the Use of Human Remains - which includes many artifacts, replicas, and histological slides not covered by NAGPRA/CalNAGPRA - on all four LRCCD campuses⁵.

Whereas, SCC supports compliance with NAGPRA/CalNAGPRA as well as the moratorium, however, the District failed to fully engage faculty in collegial consultation on how to come into compliance and mandated a confusing and immediate inventory of *all* collections (biological, archeological, ethnographic, replicas, geological, paleontological, archival, historical, etc.). The moratorium and subsequent district survey resulted in an unreasonable and exponential increase to the workload of many faculty as they completed inventories, changed lesson plans, and re-ordered materials for classes already in progress. The timing and implementation of the moratorium drastically and negatively affected students' ability to satisfy the curriculum and SLOs in classes that rely on these teaching materials because replacements could not be reordered in a timely fashion, and,

Whereas, it was found by the Auditor of the State of California that the LRCCD administration, under the leadership of Chancellor King, was not able to account for almost \$7 million of state money (allocated 2018-2022) earmarked to increase the percentage of full-time faculty providing for-credit instruction to 75%⁶. Furthermore, the LRCCD used a metric that overestimated the actual percentage of full-time faculty by 7% (actual: 63%; LRCCD estimate: 70%). The State Audit additionally found that over the past 22 years (overseen by Chancellor King since 2012), under the

¹ [Fall 2019 DAS Resolution: Creating Accountability for Collegial Consultation on Academic and Professional Matters](#)

² [DAS 2019 Collegial Consultation Resolution Report](#)

³ [Spring 2023 Collegial Consultation Report](#)

⁴ [SCC Academic Senate Website](#)

⁵ It's notable that compliance with NAGPRA/CalNAGPRA has been undertaken at CSUS now for 10-15 years (DAS Meeting Approved Minutes, Sept. 19, 2023)

⁶ [California Community Colleges: Increasing Full-Time Faculty and Diversity Remains a Challenge. Auditor of the State of California Report, Feb. 2023.](#)

district's faculty diversity internship program, only 14% of the district's interns were hired for tenure-track positions, and,

Whereas, over the last three years, instead of investing in full-time faculty hires, LRCCD leadership has engaged in the excessive hiring of long term temporary (LTT) faculty (77 total district-wide between FY21-FY23; 42 district-wide for 2022-2023)⁷, outside of the equity- and diversity-focused processes established by the LRCCD Board and Academic Senate⁸, which has resulted in negative effects for equity and diversity successes gained in recent years⁹, disproportionate impacts to faculty members of color, potential negative impacts to our students and their success¹⁰, and the failure to meet the State Chancellor's Office Vision for Success goals around faculty diversification, and,

Whereas, during the latest round of faculty hires, every one of the 39 faculty position requests included evidence that full-time faculty had not been replaced for years, and/or that the program itself was in jeopardy due to a lack of qualified full-time faculty to administer it, and/or that the programs could not currently meet the needs of waitlisted students due to the inability to attract qualified adjunct faculty due to low salaries, lack of benefits, and lack of job security. For example, Kinesiology would not currently meet a common measure of Title IX compliance without a new hire, and as of Oct. 5, 2023, general counseling had the capacity to serve only 8% of students. Requests documented that many faculty are teaching overloads of up to 1.6 FTE, many adjuncts are close to FTE limits, and multiple departments documented zero or only one full-time position. Faculty documented being exhausted, overworked, and suffering from low morale¹¹, and,

Whereas, LRCCD leadership knowingly failed to provide vital information regarding ARC Davies Hall¹² building safety to its students, staff, faculty, and the general public for well over a year after the Division of the State Architect and LRCCD's own consultant affirmed that Davies Hall could be at risk for progressive collapse and catastrophic failure in the event of a wind or seismic event, or in the case of remodel, renovation, or alteration; and that LRCCD leadership failed to negotiate timely with LRCFT as evidenced by the [LRCFT Unfair Labor Practice Charge](#) filed as a result (2023); failed to engage in participatory governance through Chancellor's Cabinet as required by Board Policies and Regulations on what is clearly an issue of strategic planning; and failed to consult with the Academic Senate on academic and professional matters related to this issue; and,

Whereas, the Chancellor, as the designee of the LRCCD Board of Trustees, provides direction for all administrative actions of this district, including the failure to engage in collegial consultation with the Academic Senate as required by California Education Code, Title 5, and LRCCD Board Policies and Regulations, therefore,

Resolved, the Academic Senate for Sacramento City College hereby issues this Vote of No Confidence to the LRCCD Chancellor, Brian King.

Affirmed this 5th day of December 2023.

⁷ LRCCD Long Term Temporary Demographics for 2020-2023

⁸ LRCCD Faculty Hiring Manual, March 20, 2019

⁹ [California Community Colleges, Diversity, Equity, Inclusion & Accessibility](#)

¹⁰ The gig workers of California community colleges face worsening conditions, EdSource, Feb. 10, 2022

¹¹ 2023-2024 Faculty Hiring Requests

¹² [Davies Hall Closure Employee FAQ](#)