

Foothill College Academic Senate

Resolution of No Confidence in the President of Foothill College

October 2021

WHEREAS, the Foothill College Academic Senate (subsequently referred to as “we” in this resolution) stand firmly behind our constitutional commitment to shared governance as a core principle and pillar of the California Community College System, and take with utmost seriousness our role and responsibility in promoting educational quality and equity at Foothill; and

WHEREAS, California education code and Title 5 regulations clearly state that “the advice and judgment of The Academic Senate will be primarily relied upon whenever the [policies of a college] involve an academic and professional matter” (Reference: Title 5, Subchapter 2, Article 2, Section 53200, paragraph (c)); and

WHEREAS, Foothill/De Anza Board of Trustees’ Policy 2223 states “the Board recognizes its obligation under Title 5 regulations to ‘consult collegially’ with the Academic Senate on ‘academic and professional matters;” and

WHEREAS, Foothill College President Thuy Nguyen (President Nguyen) has threatened the viability of shared governance at Foothill College by failing to provide the campus with clarity around the roles and responsibilities of the different constituencies, including her own office, in decision-making, and fomenting conflict and distrust by making public statements such as her questioning “whether equity is enhanced or blocked by our laws and regulations related to governance and [the] Academic Senate,” and

WHEREAS, President Nguyen has, over the expressed and ongoing objections of the college faculty which have been documented for over 2.5 years, selectively ignored, and even expressed contempt for, these legal obligations to consult collegially with the Academic Senate on many areas of academic and professional matters, ranging from full-time faculty prioritization, to program creation and academic standards; and

WHEREAS, President Nguyen has fostered a climate of mistrust among all constituencies on the campus by making and/or empowering many broad reaching decisions without any effort at meaningful or transparent consultation by faculty or other stakeholders, decisions such as the closing of the division offices, the movement of assessment and testing, division restructuring impacting student access to services and Academic Senate representation, and so on; and

WHEREAS, we have attempted continuously to engage President Nguyen for three years in meaningful communication aimed at resolving these well-documented issues, but to no avail; and

WHEREAS, following our April 2021 open letter, the relationship between President Nguyen and the Academic Senate has deteriorated significantly, with public and privately documented displays by President Nguyen of her contempt for the elected leadership of the Foothill faculty; and

WHEREAS, final efforts at mediation between President Nguyen and the faculty, one of the nine bundled solutions proposed by us in our April 2021 letter and agreed to by President Nguyen, has failed before ever even having truly started due to delay after delay caused by President Nguyen, and culminating in the formal withdrawal of the professional mediator selected and contracted by President Nguyen and her staff, citing incompatible objectives and desired outcomes between the president and the faculty; and

WHEREAS, the legitimate concerns surrounding President Nguyen's leadership and management decisions brought forward by Foothill faculty are currently being framed by President Nguyen as issues of race, power, privilege and threatening the college's collective agreement to the February 2021 Strategic Vision for Equity; and

WHEREAS, we assert that continuing with the status quo would do more harm to Foothill College, and ultimately, to our students;

NOW, THEREFORE, BE IT RESOLVED, That Foothill College faculty affirm this vote of no confidence in the leadership of President Thuy Nguyen, and hereby transmit this resolution to District Chancellor, Dr. Judy Miner, and all members of the Foothill/De Anza Board of Trustees.

Alternate resolution of no confidence

Whereas, the Foothill College Academic Senate values shared governance not only as an essential mechanism to achieving our vision for equity such that the achievement of student outcomes is not predictable by race, but as prerequisite to creating a campus community where all our diverse members feel welcomed and valued; and

Whereas, enacting our value of shared governance and to facilitating transformative change requires extraordinary leadership skill to create a culture and environment of shared governance in which all constituencies can effectively engage the hard work of critically reflecting on the roles of race and power dynamics within our institution,

Whereas, under President Nguyen's leadership we have a sustained pattern of no consultation at all, or consultation in a manner which effectively renders the voices of faculty, staff, and students to be of no possible consequence or value other than to rubber stamp or validate decisions that have already been made, even in those areas explicitly requiring collegial consultation with faculty called out in Title 5,

WHEREAS, we have attempted continuously to engage President Nguyen for three years in meaningful communication aimed at resolving this well-documented pattern, but to no avail; and which has led to the current environment where faculty have abandoned hope that their perspectives and input will ever be solicited, heard, or valued;

Whereas, the Foothill Academic Senate recognizes itself as a predominantly White body under White leadership attempting to act in solidarity with, and accountable to, our colleagues of color, and thus in need of a multiracial coalition to hold ourselves accountable to examining the role of Whiteness as we criticize the leadership of a woman of color, we have secured the support in this criticism from organizations across campus led by and representing the views of people of color; therefore be it

Resolved that we formally express the faculty of Foothill College have no confidence in Thuy's ability to lead us to achieve our visions of shared governance and racial equity at Foothill College, and,

Resolved, that Foothill College faculty affirm this vote of no confidence in the leadership of President Thuy Nguyen, and hereby transmit this resolution to District Chancellor, Dr. Judy Miner, and all members of the Foothill/De Anza Board of Trustees, and

Resolved, the Foothill College Academic Senate remains firm in our commitment to engage in critical reflection and difficult dialogue around our role in bringing shared governance and racial equity to reality at our college.