



Resolution 2021.10.1 – Remove the Professional Advancement Committee and the Tenure Promotion & Review Committee from the List of Mesa College Academic Senate Standing Committees: President John Crocitti

Move: Vélez

Second: Duckles

Whereas, San Diego Mesa College is the Leading College of Equity and Excellence committed to providing a safe, accessible, and inclusive environment for all students; and

Whereas, President Pamela Luster at the President’s Cabinet Meeting on September 15, 2020, allowed Kim Perigo to remain in the meeting after Perigo was recorded as saying, “I’m touched that you remember...[laughs]...okay, Andy...you know the student president is the same stupid cunt that was the one who...”; and

Whereas, We, San Diego Mesa College Academic Senate, disapprove of the way President Pamela Luster handled the event and its aftermath; and

Whereas, President Pamela Luster’s handling of these events caused harm to the student body president and the entire San Diego Mesa College community therefore: be it

Resolved that, the San Diego Mesa College Academic Senate send the following letter to President Pamela Luster requesting that she remove Kim Perigo from the accreditation committee as per San Diego Mesa College Academic Senate Constitution Article VI, Section

2, D and California Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), #7; and

Resolved that, the San Diego Mesa College Academic Senate include in that same letter a request to President Pamela Luster for a public statement of self-censure with apology for the harm done as per San Diego Community College District AP 3435, BP 7150, BP 3100, and California Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), #6 and #11.

Dear President Luster,

We, the Academic Senate, are reaching out to you in order to address your response to the dehumanizing language used by Kim

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Perigo at the President’s Cabinet Meeting on September 15, 2020. We do this in part because it is our duty, but also because of

your own commitment to social justice and restorative practices. It is our hope that you will reflect on our comments and take the appropriate actions: remove Kim Perigo as Faculty Co-Chair of the Accreditation Committee and issue a public self-censure with apology. Our ultimate goal is to work toward creating an environment where students, faculty, classified professionals, and administrators feel safe from harassment and retaliation.

As is widely known, at the President’s Cabinet Meeting on September 15, 2020, Kim Perigo was recorded as saying, “I’m touched that you remember...[laughs]...okay, Andy...you know the student president is the same stupid cunt that was the one who...” at which point you and Charlie Lieu interrupted Kim. You are recorded as saying, “Kim, Kim, Kim...there yeah, there you go.” According to multiple reports and the recording you allowed the meeting to proceed as normal until you allowed Kim Perigo back into the meeting to apologize after Manuel Vélez’s report on Academic Senate. You are recorded as saying, “Thank you, Manuel. Kim.”

At that point, you allowed Kim Perigo to apologize for using “inappropriate language.” After which you are recorded as saying, “Thank you, Kim. I appreciate that. I’m sure we all do. Okay...” This was the end of your response to the incident during the meeting. The following day, you sent an email to the PCAB attendees saying that you had initiated an investigation because

"inappropriate language" was used. In that email you referred attendees with distress to their supervisors or the district benefits office through a link to sdccd.edu. On September 24, you forwarded the message of September 16th to the campus community at large, saying that you had enlisted the aid of the National Conflict Resolution Center. At the PCAB meeting on October 06 as part of your effort to remediate the harm done, you directed some of the same administrators and faculty who were passive bystanders at the PCAB meeting of September 15 to facilitate the breakout sessions for the National Conflict Resolution Center. We find all of these actions to be at the very least inadequate for the following reasons.

1. AP 3435 on Discrimination and Harassment Investigations (p. 1) states:

Communicating that the Conduct is Unwelcome: The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste and/or inappropriate .

2. BP 7150 on Civility and Mutual Respect (p. 1) states:

¹ "The Senate shall be responsible for maintaining communication between Faculty and Administration and keeping both groups informed about Academic and Instructional issues." Article VI, Section 2, D, San Diego Mesa College Academic Senate Constitution, Revised April 2019.

² <https://www.sdccd.edu/docs/District/procedures/District%20Governance/AP%203435.pdf>

It is the policy of the San Diego Community College District to foster an environment which maximizes student learning and employee

³ performance, and a climate of civility among all employees and students of the District .

3. BP 3100 on Student Rights, Responsibilities, Campus Safety and Administrative Due Process (p. 1) states:

All students shall have the right to a safe campus learning environment free from interference and disruption including verbal, physical, sexual or violent acts. The District shall ensure to the best of its ability to afford students the rights contained herein .

We think that you should have let Kim Perigo know immediately at the September 15th meeting that her behavior was unwelcome, offensive, and in poor taste by removing her from the meeting immediately. We believe that by not removing her from the meeting immediately you failed to follow AP 3435. As President of San Diego Mesa College you are responsible for ensuring that BP 7150 and BP 3100 are carried out. Furthermore, we also believe that your handling of the situation after the September 15th meeting has done little to address BP 7150 and BP 3100. While you did initiate an investigation and have subsequently apologized at the October 06 PCAB meeting to Taylor Carpenter, the student to whom the demeaning, misogynistic words allegedly were addressed, We think that your response, or lack thereof, to the rest of the San Diego Mesa College community, is insufficient. We are concerned by the fact that 1) you did not remove Kim Perigo from the meeting, 2) refer to the language in the incident as "inappropriate"

When in fact the language is vulgar, misogynistic, and violent, and 3) allowed passive bystanders in the original incident to facilitate the attempt to remedy the situation. We, the faculty community, have been harmed not only by Kim Pergo's actions, but also by your inadequate response to the incident.

Therefore we, the Academic Senate, make the following two requests. First, we request that you remove Kim Perigo from the position of faculty co-chair of the accreditation committee. We make this request under our purview as outlined in the California

Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), #7 . We think that this is necessary

On the part of the administration in order to ensure BP7150 and BP3100 are carried out. Second, we request that you issue a self- censure with apology to the entire community at San Diego Mesa College for your failure to ensure a safe environment for our students, faculty, staff, and administrators. We make this request under our purview as outlined in California Code of Regulations, Title 5, Division 6, Chapter 4, Subchapter 2, Article 2, Section 53200, (c), 6

#'s 6 and 11. We think this is necessary in order to restore our trust and confidence in our leadership.

³ <https://www.sdccd.edu/docs/District/policies/Human%20Resources/BP%207150.pdf>

⁴ <https://www.sdccd.edu/docs/District/policies/Student%20Services/BP%203100.pdf>

⁵ <https://govt.westlaw.com/calregs/Document/16EED7180D48411DEBC02831C6D6C108E?transitionType=Default&contextData=%28sc.Default%29;>
https://www.asccc.org/10_1; ⁶ Ibid.

We sincerely hope that you take the actions that we request. Ultimately our goal is to work toward creating an environment where students, faculty, staff, and administrators feel safe from harassment and retaliation. To that end, we believe that these two actions will go far to bring about positive change on our campus.

Respectfully,
San Diego Mesa College Academic Senate

Presented to the Mesa College Academic Senate: October 11, 2021

Approved by the Mesa College Academic Senate: October 25, 2021

The votes are delineated on the following page:

VOTES: 34 Approve/1 Disapprove - Torres/1 Abstain – Gerace

Members in attendance:

G. Abbiate
E. Adelson
I. Arguelles-Ibarra
J. Braun
M. Brewer
H. Browne
D. Budzynski
L. Cresswell
N. Dougherty
I. Duckles
H. Eskew
S. Gallardo
V. Gerace
Helen Greenbergs
A. Gurganus
M. Gwin
J. Hernandez
A. Hoffman
G. Johnson
J. Johnson
I. Kanevsky
C. Katungi
J. Keller
K. Lacher
C. López
N. Mapes
D. Miyoshi
P. Motaleb
K. Naimark
R. Nichols
A. Primoza
W. Ray
A. Reuss
R. Sanchez
K. Secor
I. Stojimirovic
G. Svoboda
O. V. Torres
M. Vélez
K. Wait