

# Votes of No Confidence

## California Community Colleges

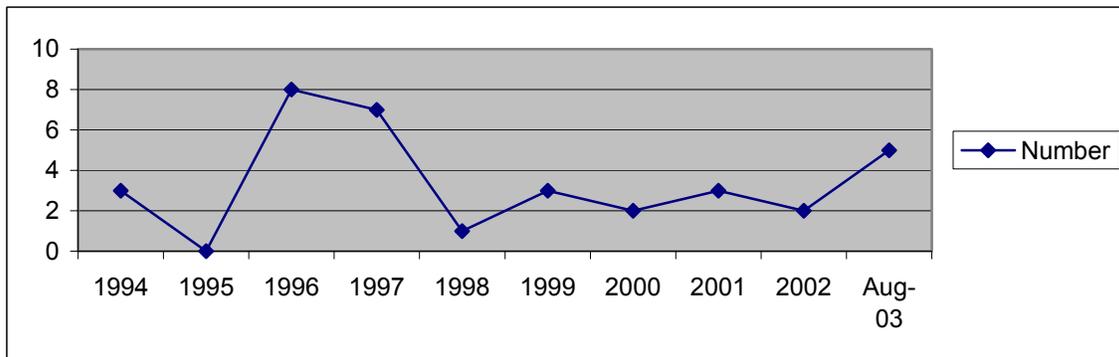
Over 30 votes of no confidence have occurred in California community colleges in the past ten years. The practice of no confidence votes may have originated in parliamentary governments, where they are used to call for elections for new prime ministers and other government officials. In education, no confidence votes express dissatisfaction with or censure the decisions and/or leadership of the chief executive, board, and other college leaders.

This paper has two purposes: first, to provide an overview of the votes of no confidence in California, with data on those targeted by the votes, the reasons cited and the responses to the vote. The overview is based on news media reports and information provided by district personnel over the years. Second, the paper explores some lessons from the overview and highlights the issues involved in responding to such votes.

### Part 1: OVERVIEW OF THE VOTES

The following charts show the number of votes by calendar year. Between January 1994 and August 2003, there were 35 no confidence votes reported to the League. They were initiated by academic senates and/or faculty unions, although classified senates and unions have added their voices in a few instances.

1994	1995	1996	1997	1998	1999	2000	2001	2002	Jan – Aug 2003
3	0	8	7	1	3	2	3	2	5



It is interesting that the most votes occurred in 1996 and 1997, a time when the colleges received significant increases in funding after many years of budget constraints. Many demands competed for the increases, including salaries, benefits, technology, facility

maintenance and other capital outlay. The competition for resources involved significant disagreements about budget allocations and likely triggered votes of no confidence. The increased funds may have created unrealistic expectations about the ability to restore items that had been cut. In addition, faculty and other groups may have been angry over budget cuts made in the first half of the decade, but waited until the fiscal crisis had passed before calling for leadership changes.

Another factor in the high number of votes in 1996 and 1997 may be that during the early to mid-1990's, the leadership of the state Academic Senate for California Community Colleges focused on defining and strengthening the power of academic senates at the college level. The leadership promoted the primacy of the faculty in decision-making and encouraged local senates to assume strong leadership roles. Votes by local senates may have reflected their push to have a strong faculty voice in local decision-making.

No confidence votes again increased in 2003 over previous years. Early in 2003, colleges experienced significant cuts in state funds, and more reductions were anticipated for the 2003-2004. Colleges had to prepare for major cutbacks. Four of the five no confidence votes that occurred in the first half of 2003 cited as reasons threatened employee layoffs and/or changes or reductions in programs. Disagreements about resource allocations, this time related to decreases in funds, once again appeared to be a factor.

**Position**

No confidence votes most frequently target the chief executive officer of a district or college. The board has also been mentioned in the vote in a few cases, particularly when the vote was related to collective bargaining. In two instances in the past ten years, the vote included a vice president.

Position	Number of CEOs targeted	% of no confidence votes
Chancellor	10	28.6
Superintendent/President	17	48.6
College President	8	22.8

Note: Through August 2003, there were 34 votes with 35 CEOs targeted. One vote targeted both a chancellor and college president.

Chancellors of multi-college districts are somewhat more likely to be the target of no-confidence votes than other CEO positions. Chancellor positions are 15.6% of the chief executive officer positions in the state; however, they received 28.6% of the no confidence votes. Reasons for the disproportionate number of votes may be:

- When collective bargaining issues are behind a no confidence vote, the chancellor is the obvious target, since that person represents the district position.

- Chancellors, by the nature of their positions, are not as directly engaged in college consultation processes; that responsibility is delegated to the college presidents. Therefore, chancellors may be perceived as more “distant” and therefore may be easier to target in a no confidence vote.
- In a few cases, faculty and/or staff in one of the colleges in a multi-college district voted no confidence in the district chancellor citing how their college was treated compared to other colleges in the district.

Superintendent/presidents of single-college districts comprise 40.6% of the CEO positions and received 48.6% of the votes. College presidents in multi-college districts comprise 43.8% of the CEO positions, but received 22.8% of the votes. The latter are less likely to be the target of a no confidence vote; perhaps they are perceived as having less influence over collective bargaining and budget allocations.

### **Colleges and Districts**

There is no one type of college or district where a no confidence vote in the CEO is more likely to happen. Such votes have occurred in all types of institutions—large, small, rural, urban, suburban, fiscally strong, and those with fiscal problems. It is interesting to note, however, that in the last ten years, two districts have each had two votes of no confidence (one district had two different CEOs), and another college held three votes in seven years—one for the college president and two for two different chancellors of its multi-college district. Reports indicate that second and third votes, even when targeting different people, are less likely to be considered seriously by boards of trustees.

### **Demographics**

Male CEOs may be somewhat more likely to be the target of a no confidence vote: the proportion of male CEOs has ranged from about 70% in 1995 to 58% in 2002. Over the past 10 years, males have received 71.4% of the votes.

CEOs of color may be more likely to be the target of a no confidence vote. In 1995, about 67% of CEOs were white/Anglo, dropping to about 58% in 2002. Over the past 10 years, white/Anglo CEOs received 45.7% of the votes.

### **Reasons for the Votes**

No confidence votes usually occur when faculty and other groups have serious disagreements with college or district direction. They often reflect significant concern, anger, frustration, and dismay over administrative directions or positions.

Votes usually cite more than one reason for the lack of confidence. The reasons can be grouped into the following five general categories.

*Collective Bargaining:* The vote was attributed to disagreements over contract offers from the board and CEO and/or the process of collective bargaining. About 40% of the no confidence votes cited collective bargaining issues. Votes stated that

the union(s) would not accept what was offered, expressed frustration with extended negotiations, or charged that the board and CEO were intransigent and unfair.

*Organizational or Administrative Change:* The votes in this category cited opposition to proposed or implemented changes in organizational structure, programs, administrative or faculty positions, and/or significant changes in college operations. Examples included: not filling full-time faculty positions in times of budget cutbacks; combining or realigning departments into different organizational structures; eliminating programs; and adding administrative staff. About one-third of all no confidence votes included reasons in this category. In most of these cases, the votes also cited a lack of faculty involvement in the decision-making process.

*Participation in Decision-Making:* About 40% of the no confidence votes state that faculty did not have an appropriate role in the college's decision-making process. This reason was not cited as a sole factor in the votes; it was listed in conjunction with either disagreements about organizational or administrative change or concerns that the chief executive had an authoritarian, non-inclusive leadership style.

*Leadership:* The reasons in this category reflected a lack of confidence in the person's general ability to lead the institution. Examples included dissatisfaction with financial and educational decisions, a "dictatorial" style, or inability to make decisions that benefit the college and students. This general reason was cited in approximately one-third of the no confidence votes.

*Other:* These votes were in response to a specific decision or situation, and reflected about 15% of the votes. Examples include a significant problem with technology, CEO compensation, the termination of a specific position or person, or perceptions of financial improprieties.

The reasons listed above reflect those cited in the votes; however, other dynamics may be at work. The sponsors of the vote may feel that taking a vote of no confidence is the last resort in a series of attempts to call attention to failings of the leadership of the institution. In other situations, it may be a tactic to call attention to the sponsors' positions on issues. Sponsors may take advantage of perceived differences between individual trustees and the CEO to question the CEO's leadership: a conflicted board/CEO relationship may exacerbate conditions that lead to a no confidence vote.

### **Responses to the Vote**

The responses of the board, CEO, and others to no confidence votes have depended on the situation. When the district CEO was the target, usually the board and CEO discussed the reasons for, and ramifications of, the no confidence votes. In the case of college presidents in multi-college districts, the board were not necessarily directly involved in the response—the chancellor may have played the primary role.

The responses to the votes in the past ten years fall into the following general categories.

*No response.* The board and CEO essentially ignored the vote. This response occurred three times out of the 35 votes, twice when the vote cited collective bargaining issues, and once when the vote was the third one by a college in seven years and occurred during contract negotiations.

*Statement of support.* The board (and/or district chancellor in the case of a college president) publicly expressed support for the chief executive and the decisions or actions referenced in the vote in over half the votes, and was the sole response in approximately one-fourth of the votes. The vote produced little or no change in district, board, and/or CEO decisions, positions, or actions. Where public statements of support were made, CEOs stayed in their position for at least a year after the vote, with one exception (in this exception, the CEO resigned despite the board support). Examples of support have been:

- The board stated its support for the CEO in a public meeting, affirming that the CEO was implementing the board's direction.
- Press releases or other responses to media stressed the positive accomplishments of the district and the board's support for the CEO.
- Management and other groups on campus expressed their support for the CEO, sometimes taking a "confidence" vote.

*CEO addresses the issues raised.* In at least half the cases, the CEO, often in conjunction with the board of trustees, identified strategies to address the issues raised by those taking the vote. In a few cases, the board set specific expectations for the CEO. In most situations the board also made a public statement of support for the CEO. Specific examples of responses include:

- The CEO held an open meeting to respond to the issues raised. In some cases, board members attended the meeting in support of the CEO.
- The CEO met with leaders of the group(s) that took the vote to further clarify the reasons and identify appropriate strategies. In some instances, board members joined the CEO in the meeting with these leaders.
- The reasons for board and CEO decisions or actions were clarified and widely communicated.
- CEOs engaged in more frequent communication, redesigned the decision-making process, and/or established committees to address specific concerns.
- Consultants, mediators and/or or technical assistance teams were brought in to gather key players to discuss and help resolve the issues in contention. Using outside experts has ranged from a single session on local decision-making processes or collective bargaining issues, to ongoing work with mediators to resolve conflict and build trust over time.

- CEOs sought and received “coaching” to address issues related to style.
- When the vote was related to the collective bargaining process, the board and the CEO may have reviewed the district position, but usually made no changes in the position.

*Independent board intervention.* In limited cases, board members met on their own with leaders of the group(s) that took the vote to discuss the issues raised in the vote. In part, trustees wished to determine whether they should or could support the CEO.

### **Impact on CEO Tenure**

Votes of no confidence have been purported to be the last resort of a faculty to send a signal that relations and decisions are so bad that the CEO should no longer lead the institution. However, the votes in California over the last ten years have not meant that the CEO’s job is in jeopardy. About two-thirds of the CEOs receiving such votes remained in their position for 2-7 years after the vote: many are still serving in their position.

However, in about one-third of the cases, the CEO left the position within or just over a year after the vote, usually by finding a new position (previously announced retirements and serious illness are not counted in this number). In the majority of these cases, “leadership style” was cited as a primary reason for the vote. Collective bargaining was cited as a reason in only one instance where the person left. It appears more difficult to survive a vote when it results from dissatisfaction with a CEO’s overall leadership rather than specific stances, decisions or actions.

Of the eleven CEOs who left their positions, five were college presidents in multi-college districts—63% of the eight college presidents who received such a vote. Campus presidents are less likely to retain their positions after a negative vote than either superintendent/presidents or chancellors. (On the other hand, two college presidents who received no confidence votes were later promoted to district chancellor positions, including one within the same district.)

## **Part 2: LESSONS AND RECOMMENDATIONS**

### **Analyzing the Vote**

Votes of no confidence cite the reasons for the vote, but understanding the dynamics of and rationale for the vote may require additional analysis by the board and CEO. Discussions of no confidence votes may take place in a closed session of the board (as an evaluation of the CEO). Questions about the vote may include:

Is the vote a negotiation tactic designed to embarrass the CEO and board?

Is the vote a “two-by-four” that the faculty and other groups are using to gain the attention of the board and CEO when other approaches have failed?

How deep and endemic is the dissatisfaction? Are the situations or decisions identified in the vote as problems the most recent in a series of issues that faculty have with the leadership, or are they isolated problems? Can or should the problems and situations be addressed?

How serious is it if the vote calls for the resignation or termination of the CEO? Is it a tactic (which might be ignored), an expression of frustration and anger over disagreements (which might be ameliorated), or has the CEO’s ability to lead been compromised to the extent that the institution would benefit from new leadership?

Analyzing the underlying reasons and situations that led to the vote will help the board and CEO (or chancellor and college president in multi-college districts) determine the appropriate response.

### **Effective Board and CEO Responses**

Planning a response strategy and continuing to lead require that the board and CEO (or chancellor and college president in multi-college districts) maintain ongoing communication and exhibit a strong partnership after the vote.

Board support for the CEO is extremely important, especially when the CEO has been implementing board direction. Public support for the CEO reinforces the authority and responsibility of the chief to lead the district.

In most cases (with the exception of some collective bargaining disputes), meeting with the sponsors of the no confidence vote, as well as other faculty and staff, will help CEOs understand and address the issues that led to the vote. CEOs report that it is not easy to meet with those who have voted no confidence, but that it is essential to continuing the work of the district. Board members are often included in these sessions, thus showing both support for the CEO and their concern about the issues. Trustees have also discussed the reasons for the vote with faculty and staff members without the CEO present to gain a better understanding. These interventions can be helpful if they are part of an overall, pre-determined strategy to reinforce the CEO’s leadership.

However, faculty members may request to meet with board members to advocate the termination of the person or a shift in direction. Separate meetings with faculty and others can and does send a message that the board is willing to take independent action and lacks confidence in the CEO’s leadership. Care should be taken so that meeting without the CEO is not viewed as a lack of trust in the CEO’s ability to address the issues. Boards should insure that individual trustees, however well-intentioned, do not undermine support for the CEO through independent interactions with faculty and other leaders.

Consultants and mediators have been used to help foster productive discussions of the issues, and often provide a safe, neutral environment for all parties to explore the

differences and find common ground. Consultants and mediators are most effective when trusted and recommended by all parties.

### **Handling Conflict**

It is interesting to note that the most votes of no confidence occurred in years of significant increases in state funding. This finding is contrary to what many assume: that votes of no confidence are more likely in tough budget times.

It may be that conflict over more money leads to greater disagreements (and therefore a more fertile environment for no confidence votes) than conflict over less money. When faculty and staff members understand that resources are limited, it can be possible to develop a common response to budget cutbacks and to “attack” external agencies for lack of support instead of attacking each other.

At the time this report was written (2003), boards and CEOs were responding to major cuts in state funds, which will have a significant impact on programs, faculty and staff positions, and union contracts. The first half of the year saw five no confidence votes—it remains to be seen whether or not the level of no confidence votes in 2003 and 2004 will rise to eight and seven that occurred in 1996 and 1997, respectively.

Whether or not it is more or less money that causes the most conflict, those who are affected by the budget will often disagree on how the money should be spent. When funding levels shift dramatically, CEOs and boards should expect and prepare for major conflict: it is not “business as usual.” Proposing major changes in the organization and not meeting salary and benefit demands can and does create negative reactions. Faculty and staff members perceive the proposed changes and unmet demands for resources as potential losses and threats to programs and positions; they may react with denial, fear and anger over the perceived disrespect for their values and contributions.

Recognizing that these emotions and reactions are not uncommon may lead to productive responses. Extra attention to conflict management strategies and skills will help, such as increasing the amount of information provided, building alliances, identifying sources of conflict, anticipating problems, actively seeking input, clarifying the differing values of different groups, emphasizing common values, focusing on issues and solutions, and dealing with conflict rather than trying to avoid it.

### **Communicate, Communicate, Communicate**

Many of the no confidence votes cited lack of consultation with faculty leadership. On one hand, “lack of consultation” may mean that that even though the faculty leaders were consulted, they did not receive what they wanted and decided to express their dissatisfaction through a no confidence vote. Consultation does not always mean that the faculty position will prevail. Similarly, votes related to collective bargaining may reflect dissatisfaction with the outcome.

On the other hand, some CEOs targeted by no confidence votes have stated that, in hindsight, they could have engaged in much more proactive communication prior to

making and implementing certain decisions, particularly those related to organizational change. They stated that extra vigilance on their part might have been helpful to ensure they were aware of potential problems and pitfalls. The time spent to solicit ideas, sincerely engage in discussion, and consider alternatives might have prevented a no confidence vote. One person noted that even though relationships with faculty had been good in the past, extra efforts to communicate were needed in times of change and stress.

There are times, however, when ample communication and consultation will not prevent a no confidence vote. The board and CEO (or chancellor and college president in multi-college districts) may determine that, despite opposing views from faculty and other groups, a certain course of action is necessary or a contract offer is final. Faculty and staff groups may express their disagreement through a no confidence vote. The board and CEO then decide on the appropriate response, knowing they had engaged in appropriate consultation.

### **Media Relations**

Media publicity about votes of no confidence is highly dependent on the general visibility of the college in the community. A no confidence vote is more likely to be investigated and reported by community, as opposed to regional, newspapers.

Media response to votes over the past ten years has varied. Some news articles have been very supportive of the board and president, particularly when the vote is seen as an adversarial bargaining tactic to increase faculty salaries and benefits. However, votes also have been reported as a major problem in the institution, and the reasons for the vote explored and faculty leaders interviewed.

Prior positive relations with the media will ensure that the issues involved are reported fairly. Board members, the CEO, and others may be contacted for statements; it is helpful if the board and CEO have identified a spokesperson to handle such contacts. The college may also wish to release statements of support for the CEO and other information to provide additional background and rationale related to the issues cited in the vote.

### **Effect on the CEO**

In addition to the harm caused to the institution by no confidence votes, the effects on the chief executive officer as an individual are significant. Faculty groups have stated that such votes are “not personal;” however, votes are an attack on the CEO’s leadership and are often personally devastating. No confidence votes may also create a climate for other negative attacks—threats and hostile e-mails, mail, and phone calls may increase. Such actions certainly add to the already significant stress of the CEO position and must be acknowledged and addressed.

CEOs report a variety of reactions, including anger, depression, increased illness, difficulty sleeping, defensiveness, and a loss of trust and respect for faculty leaders. Extra efforts to monitor and address these reactions are important to ensure that negative reactions do not impede responding to the vote in a productive manner.

Strong support from the board (and from the chancellor, for presidents in multi-college districts) is essential to mitigate the stress of the vote. CEOs who have and use personal and professional support systems are more likely to successfully cope with the vote. Family, friends, religious and spiritual connections, other CEOs, colleagues, the League, exercise, and good nutrition are important resources.

Some CEOs have reported that the votes have caused them to reflect on their leadership skills and styles and make some improvements. The dynamics that led to the vote provided important lessons for anticipating dissension, dealing with organizational change, and improving systems.

No confidence votes have also reinforced the courage, integrity, and leadership of the CEO due to his or her willingness to take a stand that was unpopular with certain groups.

### **Closing Thoughts**

There are many forces behind no confidence votes and many possible responses to and results from the vote. Responding to such votes requires thoughtful analysis, courage, and integrity on the part of the CEO, the board of trustees, and those who sponsored the vote; it takes much hard work and good faith by all parties involved.

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