

August 26, 2019

TO: Jane Jacobsen, Board of Trustees Chair  
Clark College

FROM: Deborah Diamond

Subject: Workplace Investigation (Knight)

Following is a report of my fact-finding investigation re: allegations of inappropriate behavior, discriminatory treatment, and retaliation by Clark College (CC) President Bob Knight.

## **I. Background of the Investigation**

On 06/14/2019, I was contacted by Vice President of Administrative Services Bob Williamson and briefed on the scope of the complaint. On 06/25/2019, Board of Trustees (BOT) member Rekah Strong forwarded three written complaints and background information for review. On 06/28/2019, Ms. Strong forwarded an additional written complaint.

## **II. Investigative Process**

From 06/26/2019 to 07/15/2019, the Complainants, Witnesses, Board members, and the Respondent were interviewed by Deborah Diamond and/or Investigator Pia Bloom.

Based on analysis of the interview statements, documentation, and Clark College policies, I reached factual conclusions.

## **III. Summary of Factual Conclusions**

Based on my investigation, I reached the following factual conclusions:

### **Inappropriate Behavior**

- Despite repeated feedback, President Knight made comments which were inappropriate, unprofessional, and offensive. Many of the comments were micro-aggressive and related to race and sex.
- Witness Q indicated that President Knight also used the catch-phrase “trouble” to refer to a White female.

## Workplace Environment

- Witness P, Witness M, and Witness E felt tokenized when President Knight implied that they were diversity hires and referred to them individually and collectively as his personal diversity accomplishment. (“Look what I’ve done for diversity...I hired you”).
- The complainants and several witnesses indicated that President Knight marginalized them after they pushed social-equity issues beyond his comfort level.
- The complainants and several witnesses indicated that President Knight dismissed their assertions that persons of color were leaving because they felt they experienced a hostile work environment at Clark College.
- Witness I told Witness F and Witness E that President Knight said he suspected that Witness M leaked the raw survey data to OPB. President Knight subsequently denied that he said anything about suspecting Witness M.

## Vice President Position

- President Knight did not approve an EC-equivalent salary for Witness P as the Interim, as he had done for White males (Person 13 and Person 12) when they were in Interim roles. President Knight only asked Witness M to come up with a standard policy for Interim salary-increases when a Black female (Witness P) was involved.
- The 12/18/2018 EC minutes show that President Knight was present when the EC agreed that Witness E would chair the Screening Committee of 8-10 members, including two staff. (The Student Affairs appointee to the Screening Committee [Person 28] did not join the staff until 04/15/2019.)
- Industry best practices and Clark College past practice included direct reports on Screening Committees for the prior AVP HR position (2 HR employees), prior VPI position (3 employees), current CIO position (2 IT employees), and current CCO position (1 employee as Chair).
- President Knight required Witness P to give written notice to the EC that she was applying for the position and told Witness P she was shady for participating in earlier, related discussions. President Knight did not require White males in Interim roles (Person 13, Person 12, or Witness H) to give written notification or recuse themselves from related discussions.
- President Knight interfered with the process for selecting finalists for the position. President Knight challenged Witness P’s qualifying experience and pressured Company B to remove Witness P from the list of finalists, circumventing the role of the Screening Committee.
- The Board of Trustees directed President Knight to pause the process for the recruitment and leave this decision (and any other HR decisions) to the Interim or new President.
- Rather than communicating that the recruitment was being paused (as per the BOT’s direction), President Knight told the EC that he was cancelling/failing the recruitment. He cited inequities in a process he agreed to and EC decisions which he was party to (per the EC minutes). Although there were some procedural issues, President Knight’s focus on precluding Witness P from the finalists was, more likely than not, his primary intent.

- Confidential personnel information about Witness P was disclosed in the 05/28/2019 EC minutes that were published on the Clark College intranet (“They were not objective in... [moving] an inside candidate forward who did not meet minimums.”)

### Budget Cuts

- Several witnesses heard President Knight attribute the 5% budget cuts to “the new people”. Even President Knight questioned the credibility of the person who denied making this statement at a public forum.
- President Knight’s comments about “the new people” had the effect of undermining both the individuals and important efforts in which they were engaged.

### Company A Training

- Witness H recalls Witness P disclosing that her sister worked for a different division of Company A at the 12/04/2018 EC meeting. Minutes of the meeting show President Knight was in attendance when the decision was made to hire Company A.
- In order to avoid the appearance of a conflict of interest, it would have been prudent for someone other than Witness P to sign the contract with Company A.
- President Knight and Person 22’s late arrival at the first session was disruptive.
- The participants of color thought the training was appropriately challenging. Some of the White participants found the training too confrontational. This discrepancy presents an opportunity for further discussion.

### Facebook Posting

- It was not appropriate for President Knight to discuss Witness A’s issues with anyone other than Witness A.

### Retaliation

- Witness P, Witness M, and Witness E each engaged in protected activity throughout the past 12 months by expressing opposition to discrimination.
- It is more likely than not that, as of 05/23/2019, President Knight knew that Witness P, Witness M, and Witness E were the EC members who were filing complaints.
- President Knight did not fail the search for procedural issues and alleged inequities until 05/28/2019, after being informed that complaints were being filed.
- More likely than not, President Knight would have handled the electronic-signature issue with Witness M more collaboratively if he had not known that she filed a complaint. Witness M acknowledged that a training gap led to the error. There is no evidence that President Knight was retaliatory in raising this issue.
- It is not credible that President Knight did not know that Witness O was [REDACTED] when he contacted her on 06/20/2019.
- It was not appropriate for President Knight to contact Witness O and ask her to forward any complaints against Witness E, when he knew that Witness E was a complainant.

- Although President Knight told Witness O to have people express their concern about retaliation in writing so that there would be documentation to protect them when they made a complaint, he is critical and suspicious of Witness P, Witness M, and Witness E doing exactly that.
- Although (as a best practice) reallocations are generally completed within 60 days, there appear to be legitimate business reasons (union negotiations, employee retirement) for the delay in processing a reallocation of Witness O's position. There appear to be legitimate business reasons (employee retirement, union negotiations) for the delay in processing a reallocation of Witness O's position. There is no evidence that Witness E and/or Witness M had Witness O's position reallocated or salary adjusted to get her to make false statements about President Knight's contacts with her.
- Witness P, Witness M, and Witness E claimed that they were each adversely affected, or feared they would be adversely affected, by President Knight's treatment.
- Witness P was adversely affected by President Knight's decision to cancel the recruitment by her private personnel information being disclosed in the 05/28/2019 EC minutes published on the Clark College intranet.
- To date, there is not sufficient evidence that Witness M and/or Witness E have in fact been adversely affected by President Knight's words and/or actions in direct relation to their prior protected activity.

#### **IV. Investigation of Allegations**

- A. Timeline
- B. Inappropriate Behavior
- C. Discriminatory Actions
  - C.1. Workplace Environment
  - C.2. Vice President Position
  - C.3. Budget Cuts
  - C.4. Company A Training
  - C.5. Facebook Posting
- D. Retaliation

##### **A. Timeline**

- 11/28/2017 BOT member alerted Knight to Witness A's Facebook posting
- 01/16/2018 Witness D hired
- 07/02/2018 Witness E hired
- 07/10/2018 Witness P appointed to [REDACTED] role
- 08/16/2018 Witness M hired
- 10/08/2018 OPB published first article
- 01/24/2019 OPB published second article
- 03/26/2019 Company A conducted first cultural sensitivity training
- 04/26/2019 Company A conducted second cultural sensitivity training
- 05/13/2019 Knight told Witness I/Witness F that new EC people responsible for the 5% cut
- 05/23/2019 BOT Pollard notified Knight that he was the respondent in several complaints
- 05/24/2019 BOT Strong explained the complaint-filing process to Witnesses E, M, and P

05/28/2019 Witness E and Witness P filed complaints against Knight  
05/28/2019 Knight notified EC that he was cancelling recruitment  
05/28/2019 Witness M filed complaint against Knight  
06/10/2019 Witness P told Witness A that Knight mentioned 11/28/2017 Facebook post  
06/11/2019 Knight took issue with Witness M signing contracts without his authorization  
06/18/2019 Knight emailed rationale for cancelling recruitment  
06/20/2019 Knight called Witness O and asked her for any complaints against Witness E  
06/25/2019 Witness H sent group email to identified witnesses  
06/27/2019 Witness A filed complaint against Knight

## **B. Allegation: Inappropriate Behavior**

### B.1. Witness Statements

Investigator's Note: First-hand statements are indicated with an \*

#### Witness J

- President Knight often refers to women of color as “trouble” or “troublemakers”. \*
- When I was at a CTCLD Meeting with President Knight, a president from another college approached me about a position at her college. President Knight walked up and interrupted saying, “You don’t want to hire her, she’s a troublemaker!” The other president quickly ended the conversation and I was not contacted about the job.\*
- In public forums, he referred to [REDACTED] Witness P as the [REDACTED], which I find to be very diminishing. He has characterized serious community work as just getting together to have fun.\*
- At a farewell party for Person 10 (African American) in March 2018, President Knight arrived toward the end of the party and sat down at a table with Person 10 and several women of color. He demanded to know why Person 10 had not been willing to do an exit interview with him. I told President Knight that it was not an appropriate time or setting for him to bring that up.\*
- President Knight’s individual comments and actions may not be considered oppressive, but it is alarming when his micro-aggressions are so pervasive. He cultivates a façade of cluelessness and says he is just kidding, but he has repeatedly been made aware of the impact of his words and actions.

#### Witness R

- I have heard President Knight say “Here comes trouble!” to Witness J, Person 3, and other women of color, even after these women have said they felt uncomfortable with that phrase.\*
- During the going-away party for Person 10 (Black female), everyone was giving speeches and wishing her the best. President Knight came in late and sat with a group of women of color. While sitting around a table, President Knight asked Person 10 why she declined an exit interview with him, she became visibly upset. When he asked her why she was

becoming emotional, Person 10 responded that she did not feel comfortable or safe talking to him and began to cry.\*

- Other women of color at the table shared their experiences of feeling unwelcome and also got emotional. President Knight said he needed specific examples of how he makes people feel unsafe or causes harm. Someone told him that his constant use of “troublemaker” and other allegedly joking comments were hurtful and traumatizing to women of color.\*
- Someone pointed out to the President that he was constantly talking over women rather than listening, as he was doing now. Someone else finally told him that it was not appropriate for him to bring up these volatile issues at a going-away party.\*

#### Witness E

- President Knight continuously makes inappropriate and/or tokenizing comments and does not respond to related feedback with humility. He minimizes and deflects responsibility by saying that is not what he meant or he was just joking or we are too sensitive.\*
- When President Knight sees a person of color, he often says, “Here comes trouble!” When he sees persons of color talking to each other, he says something like, “Oh, oh, trouble!” or “What are you scheming?” He has repeatedly been told that calling persons of color trouble is offensive, but he continues to do it.\*
- I have heard President Knight make these statements about “trouble” multiple times throughout the past year, though I cannot specifically recall dates. He shared with me in several 1:1 sessions that people have said they were not comfortable with him saying this, though he stated he does not mean anything by it. I recall these conversations starting around the time of the OPB articles being published. Whenever he brought this up, I would agree that statements like this could be taken as offensive and advised him not to say those things. \*

#### Witness I

- President Knight commits micro-aggressions against women in general and women of color. For example, President Knight asked Witness P who helped her write a particular document. I know that Witness P can write very well. It was a paper-cut but still offensive.\*

#### Witness P

- President Knight says whatever he wants without filters and then just laughs about it or denies it when he is called out. In April 2018, Witness D (Hispanic female) joined a conversation I was having with President Knight about social equity issues. Witness D took notes and gave President Knight feedback on a long list of what she called cringe-worthy comments, but his behavior did not improve. His lack of thought or censoring of his words continued even after he was repeatedly given feedback on how offensive his words can be.\*

## Witness D

- I recognize that President Knight talks over people and says things jokingly that are culturally insensitive or otherwise inappropriate. He has a disconnect and often does not realize he has done anything wrong. His comments do not seem to be out of hatred or bigotry; they seem to be out of ignorance. These comments do not offend me, but I can see how others would be offended.\*
- In an Executive Cabinet meeting, I offered to mediate issues of race for him, as long as he was open to learning and growing. I said I would not be going in with his arm over my shoulder as his minority cabinet member. I said I would be there as an observer and would follow up with him, highlighting what he is doing wrong.\*
- On 04/12/2018, I mediated an equity conversation President Knight was having with Witness P. I took notes and gave him feedback on a list of what I considered to be cringe-worthy statements he made. The cringe-worthy statements happened when he became visibly agitated, stopped listening, and started defending the college's record. Immediately after the meeting, we reviewed my notes and I gave him my feedback.\*

## Witness O

- President Knight is consistently disrespectful to women on campus. He talks over them, shuts them down, and says derogatory comments like "If you wanted more money, you should have married better."\*

## Witness Q

- President Knight does not joke around with me, which I attribute to his military sense of hierarchy and rank. He does seem to tease certain women (e.g., Person 17, who mutually engages in what another Dean has described as "ball-busting" humor with him). I have also heard him say his catch phrase "Here comes trouble!" to a White female (Person 25).\*

## B.2. Respondent Statements

### Bob Knight

- I have used the phrase "here comes trouble" during the first 13 years I worked at Clark College. I used the phrase as a term of affection when comfortable with a person or group of people I knew well regardless of their race or color.
- Several years ago, at a Washington Faculty and Staff of Color Conference, I was listening to a presentation by two Clark College employees, Witness P and Person 3. Both are African American. They were speaking about Employee Resource Groups (ERGs) that we had recently started at Clark College. An audience member asked, "How were they able to start these ERGs at the college?" Person 3 replied by saying, "Ask our president, he is in the audience." I responded in jest stating that I do not control them, that they are trouble.

- Several weeks later, Person 1, [REDACTED] and member of the Social Equity Council, met with me in my office to share that someone in the audience was offended by my comments. This was the first time in 13 years at the college that I was told people of color may take offense to this phrase.
- I approached Person 3 to apologize if I offended her. She told me that she was not offended. I approached Person 2, an African American who works in Student Affairs and a person I had a good relationship with, about the use of the word. She told me that she was not offended by the word. I told her that I would apologize to Witness P. Person 2 recommended that I not do so to avoid making Witness P uncomfortable.
- After recognizing that my colleagues may be offended by the use of the word “trouble,” I stopped using the comments. I have not called anyone at the college “trouble” since my conversation with Person 1 [approximately 2 years ago].
- The investigators asked about an allegation that I interrupted a conversation Witness J was having with another college president. They stated that I said that Witness J should not be hired because she is trouble. This is incorrect. I did not call her trouble, and especially did not do so while interrupting her conversation with another school president. The questioning during the interview was the first time I had heard about this allegation.
- I was asked by D Diamond if I walked up to Witness P, Witness M and Witness E at a recent legislative breakfast and said they “looked like trouble.” I do not recall saying that nor did anyone bring it to my attention until D Diamond asked me about it in the interview.
- I was asked about a mix-up with participant nametags at the same legislative breakfast. Several of the breakfast attendees, executive cabinet members and trustees did not have pre-made nametags. At a following executive cabinet meeting, Witness P complained that she did not have a pre-made nametag and inferred that it was because she was a person of color. This is unequivocally false. Person 14, a white male and Ms. Jane Jacobsen, a white female and trustee, among others, did not receive pre-made nametags. A new employee in the Office of Communications and Marketing organized the legislative breakfast and made mistakes with the nametags due to confusion with the RSVP process.
- I was asked to speak about the conversation I had at the farewell reception I attended for Person 10. I attended Person 10’s farewell reception as I try to do with all employees who leave the college and have a farewell reception. My purpose to attend the farewell reception was to thank her for her service to students.
- I joined a table where Person 10 and several other employees were talking. I asked Person 10 if she was going to stop by my office for an exit briefing with me before she left. The conversation turned into a heavy discussion about concerns she and other people of color had about the college.
- I met with a couple of women who were at the table a few weeks later to obtain a clearer understanding of the concerns. I brought the insight gained from those conversations back to the Executive Cabinet for discussion and action.
- I also followed up with Witness C, who Person 10 worked under. Person 10 only wanted to work three days a week in order to allow her to develop her own counseling business. This was an issue with her supervisors and the college, as they hired her to work five days a week.
- I was accused of making various inappropriate comments during my presidency. The investigators mentioned that there have been complaints that I have made miscellaneous

comments that were inappropriate or insensitive. During my 13 years as president of Clark College, I have spoken publicly hundreds of times. If I have said things that made people feel uncomfortable, I have apologized, learned from it, and resolved to do better. I have learned a great deal over the years and will continue to learn.

- Some vague allegations were made about inappropriate comments I made over 13 years as president:
  - The investigators mentioned a complainant said that I told a faculty member to marry better if they wanted more money when talking about salary. I do not recall making that kind of comment.
  - A complaint alleged that I joked about filing a #MeToo complaint. I do not recall making that kind of comment.
  - A complaint was that I questioned Witness P about a particular document that she provided and whether she wrote it herself or had help. I do not recall any specific document I questioned her about but would not be surprised if I did ask her if she had help. I encourage all employees to get help and have another set of eyes look at any written document before it goes final. I certainly do that with my written documents. If I did ask Witness P about a document in email it certainly was not to disparage her. (D Diamond questioned me about an email I sent to the screening committee cancelling the search. The investigators said it was well written and did not look like my writing. I did not take offense to their questioning.)

### B.3. Documentation

[Investigator's Note: Relevant sections of documents are excerpted.]

- Exhibit 1: Complaint filed by Witness P 05/24/2019.
- Exhibit 2: Complaint filed by Witness E 05/24/2019.
- Exhibit 3: Complaint filed by Witness M 05/28/2019.
- Exhibit 4: 06/14/2019 email from Person 8 to Witness M:

“On Monday, June 10, I attended the LGBTQ Graduation Reception at Clark College. After the reception, I was speaking with a colleague, Person 9, [REDACTED] for MESA...[she] reminded President Knight that he hugged her at graduation that year. President Knight immediately responded by tapping her on the shoulder and saying, “Oh you’re not going to accuse me of one of those Me Too’s now are you?”...We both found this comment to be out of touch with Clark College’s values and mission regardless of President Knight’s clearly humorous intentions.”

- Exhibit 5: Witness D’s notes from 04/12/2018 discussion with Witness P

“Witness H did a great job listening and responding to questions appropriately in the beginning of the meeting. Noting he understands the challenges and was open to discussing how we can make changes in our environment. There was a definite shift in

Bob's behavior and demeanor towards the end of the meeting. I noted above with cw where it was clear Bob stopped listening and was just noting how everyone else outside of Clark thought we were doing great with E&I.

Witness D note: cw comments Bob K seems to have stopped listening and moved to defending college, seemed agitated and annoyed. These comments are not what is needed in this moment. I explained to Bob, he needs to listen, support our staff and assist with resources and an action plan going forward. Clearly there are challenges he needs to acknowledge. His inconsistency is what is feeding the mistrust.”

#### B.4. Analysis and Conclusions

- Despite repeated feedback, President Knight made comments which were inappropriate, unprofessional, and offensive. Many of the comments were micro-aggressive and related to race and sex.
- Witness Q indicated that President Knight also used the catch-phrase “trouble” to refer to a White female.

### C. Allegation: Discriminatory Actions

#### C.1. Workplace Environment

##### C.1.1. Witness Statements

###### Witness C

- I have observed President Knight showing support of students and faculty of color and genuinely trying to engage and support diversity. There have been difficult moments when his actions and words were not aligned with our value of social equity.
- President Knight expressed support and enthusiasm for the hiring Witness D, Witness E, and Witness M, each are women of color and the top candidates for the positions. However, there is really not a system for intentionally mentoring new leaders. President Knight’s early support of new cabinet members is not sustainable/sustained beyond the initial onboarding process.
- The new members, four women (three women of color), are asking important questions and challenging Cabinet to address/view past practices differently. There are new ideas and opinions about the future direction of the college. I am aware that members of EC feel that President Knight has questioned concerns about a hostile environment for women of color.

###### Witness H

- When I first joined the Executive Cabinet (EC) in 2009, I was surprised by how President Knight treated ██████████ Person 11, an African American female. As Person 11 was presenting the Cultural Pluralism Plan, President Knight ignored her or barked at her

(e.g., for using the word “charged”, which he said was only appropriate in a military context). Person 11 was clearly distressed by this disrespectful treatment.

- I have also observed over the years that President Knight marginalized Witness I, a White female. He would talk over Witness I and not make eye contact with her, modelling disrespectful behavior and enabling several other White males on the EC to feel free to treat her the same way.
- President Knight clearly needs Witness I’s expertise and respected her intelligence, but he tends to run out of patience with her and audibly sighs. He was very disrespectful during Witness I’s difficult pregnancy and had no rational reason for not allowing her to work at home.
- President Knight listens to men on the EC (other than me) deferentially, grants them respect, and finds ways to promote them. He seems to favor as leaders tall, White extroverted men who share his locker-room, slap-on-the-back, Rotarian humor (e.g., Witness C, Person 13, and Person 12).
- President Knight was very excited about adding four women of color to the EC (Witness D, Witness E, Witness M, and Witness P) within the last year, but it was clear that his excitement was self-focused, i.e., “Check that box! Look at me! I’m wonderful!” President Knight introduced them to internal and external audiences as examples of how he personally was moving diversity initiatives forward, rather than acknowledging that they were the most qualified candidates for the positions.
- President Knight initially treated Witness E and Witness M with a great deal of respect in EC meetings. However, as they began to push the EC on equity issues, he made it clear that their input was only welcome if they stayed in their lanes. He bristled whenever one of them challenged a decision through an equity lens and countered by rattling of all of his diversity accomplishments to date.
- President Knight gets combative whenever equity issues are brought up. He minimizes the messengers and marginalizes their voices. He showed that he was not interested in self-reflection and did not want to engage in difficult conversations about race, equity, or social justice. He cannot admit that he is not culturally competent and therefore will not commit to growing and learning.

#### Witness J

- Originally, the direct interactions I had with President Knight were friendly. He would say hello and ask how I was doing. Over time, his attitude changed as I voiced my concerns about equity issues on campus.
- When President Knight was speaking at a public forum and said that women of color were leaving for better pay. I responded by saying that they were not leaving for higher salaries elsewhere but rather because of the structure of our organization and the institutional inequities that created a hostile environment for women of color.
- At an Instructional Council leadership meeting, President Knight joined a discussion several women were having about the college climate. He encouraged us to share our frustrations. We asked for assurances that we would not be retaliated against for expressing ourselves. He said there would be no retaliation. We talked about his jokes and his culturally insensitive comments having real consequences. When he again

asserted that women of color were leaving because Clark could not pay higher salaries, I repeated that women were leaving because of the hostile environment.

#### Witness N

- My interactions with President Knight have been limited to a few conferences and a few activities on campus. He often seems overly familiar and makes inappropriate jokes, but he was not overtly disrespectful to me until I started pushing equity issues.
- At an October 2016 faculty breakfast-group meeting, President Knight avoided answering my pointed questions about equity issues on campus.
- In May 2018, President Knight arrived at my tenure-track interview 16 minutes late, rushed me, and stared at the clock the whole time. He was clearly not listening and ignored my questions regarding equity issues on campus. Strangely, he avoided all eye contact. I cannot help but think that my being an openly queer woman who was 38-weeks pregnant at the time did not comply with his idea of a tenure-track professional. I was not selected.
- At a Guided Pathways conference in January 2019, President Knight actually pretended not to know me and then made a hasty escape when I reminded him who I was.
- On 06/10/2019 at the LGBTQ+ graduation, after the ceremony was wrapping up, President Knight grabbed the microphone and shifted the conversation to his accomplishments. He seemed tense and talked over the heads of the graduates, not really connecting. It was inappropriate and awkward.
- President Knight is particularly inappropriate with women of color. He cross-talks, interrupts, and is rude. He pointedly ignores Witness P and other employees in her Office. At meetings with the Board of Trustees, President Knight ignores the women of color, although he interacts freely with White attendees like Person 14 and Witness I.
- President Knight's comments and behavior create an oppressive and disrespectful climate for women of color at Clark College.

#### Witness G

- President Knight and I typically had friendly interactions. However, things felt more distant for a while after a farewell reception for a faculty member, who had resigned largely because she did not feel welcome as a Black, queer femme.
- President Knight arrived at the function late and joined several women of color and others sitting with the departing faculty member. He told her that he would have liked to do an exit interview with her. When she declined, one of the other attendees suggested that maybe not everyone felt safe having that conversation with him. President Knight seemed reluctant to believe that there were women of color who did not feel safe on campus. He did not initially seem to understand the factors involved in their concerns since they were referencing other types of "safety," and not necessarily physical threat. He asked what could be done to change this, and people provided ideas and suggestions while expressing frustrations.
- Within the next couple of weeks, President Knight stopped by to see me and another colleague (who had also been involved in the previous discussion). He wanted to talk to us more about why people of color were leaving the college. We both agreed to go to

lunch and discuss it with him. I asked for his assurance as to whether he was truly open to honest feedback. He said yes, stating he really wanted to learn, and he wanted us to speak freely. My colleague and I shared examples and concerns with him.

- My colleague also reminded him that repeatedly calling people of color “trouble,” (i.e. “here comes trouble”) even in a teasing way, can be triggering and disrespectful. I know he had already heard this from others on multiple occasions. However, to my knowledge he did not stop doing this until much later. This was problematic, particularly since these comments were often made in front of students or other colleagues, which can create reputational concerns coming from a person with such a high level of authority.
- President Knight had also insisted on multiple occasions that women of color were leaving Clark to accept “great job opportunities”. My colleague and I told him this was not the entire story. Many of these women really wanted to stay at Clark, but they did not feel it was a healthy or welcoming environment for them. By denying the real reasons for their departure, it minimized the existing climate issues on campus. Unfortunately, President Knight continued to share the same narrative, even at an open forum that was held shortly thereafter. At this forum, he mentioned two former staff members by name (both women of color) and said that they are gone and people just need to get over it and move on. Again, this effectively brushed aside underlying issues and concerns.
- Although I was mindful of being constructive and respectful in our conversation, I later experienced anxiety about having spoken freely, despite being specifically asked to do so.
- At his retirement event, President Knight mentioned in a speech that Clark has been working to give a voice to those who have not had one, but stated that “it’s been hard and it’s been painful.” People have commented that this statement created a perception of insensitivity surrounding the difficulties endured by those whose voices have historically been suppressed.
- I used to defend President Knight, saying he was well intentioned and still learning. However he cannot claim ignorance forever.

#### Witness P

- President Knight engages in a pattern of bullying behavior and uses his positional power in harmful ways. As the [REDACTED] I had a responsibility to mitigate the college’s potential liability in pending matters. I also repeatedly came to him to talk to him about how micro-aggressions affect the culture and climate of the college and how his negative engagement with the community is harmful.
- What President Knight values is checking the box of having a DEI office and making himself look good in the community. He prides himself on the diverse hires he made within the last year but makes it sound tokenizing when he focuses exclusively on the hire’s racial diversity rather than them being the best candidates for the jobs.
- When the Oregon Public Broadcasting (OPB) article dropped in October 2018, President Knight wanted to deny the statements made and defend himself. I advised that instead of defending, we should listen to the community and try to ensure that we do better in the future.
- Instead, President Knight hired a PR firm. They acted more like a vacuum cleaner hired to clean up the mess, rather than acknowledging the missteps and focusing on efforts

moving forward. President Knight continued to make comments such as, “People keep saying we aren’t doing anything, we are doing something – there is now an Office of Diversity, Equity & Inclusion with five full-time employees, we now have a diverse EC”. He does not understand that although these are great accomplishments, they are only focused on the Diversity aspect of DEI. The issue is how included people feel when they are at Clark College.

- Before I applied for the [REDACTED] position in February 2019, President Knight seemed open to my feedback about comments he made that were culturally insensitive. After I applied, his attitude toward me totally changed. He said he had taken social justice as far as it can go at Clark College.
- President Knight does not value the DEI work or the position. Throughout my [REDACTED] assignment, he referred to me as the [REDACTED] rather than the [REDACTED]. He never gave me written expectations or goals. I only had four 1:1 sessions with him over the course of the year.

#### Witness M

- When I initially hesitated about relocating to the area to accept the position, President Knight went to great lengths to persuade me to take the job. He said we had some work to do and Clark College’s social-equity plan provided an exceptional opportunity for me to have an impact. He said “we” like he was fully invested in operationalizing the social equity plan and reducing barriers to “systemically non-dominant (SND)” student success and employee retention at the institution.
- Soon after I started, I realized that President Knight’s actions and behavior were contrary to moving the College’s social equity plan forward and/or removing barriers to both SND student success and employee retention. I quickly learned that he becomes upset, defensive, and/or agitated when anyone vocalizes concerns about how his behavior and/or actions were contrary to social equity and/or considered micro-aggressions, micro-invalidations, or micro-assaults.
- President Knight expressed frustration with people saying that he was not doing anything about diversity. He would say, “Look, I’ve done something. I hired Witness E, Witness D, Witness P, and Witness M”, minimizing us in front of our peers. In essence, he was saying that he did not hire us because we were talented individuals in our field or the most qualified candidates but hired us just because we are women of color.
- I did not fully begin to realize the extent of the issues facing persons of color on this campus until Witness P and I were asked to review Communications’ culturally tone-deaf draft response to the Oregon Public Broadcasting (OPB) reporter who was writing an article on the subject. Witness P and I had to drop everything and worked until midnight rewriting the talking points to meet the deadline.
- Writing responses to the media is not my job, unless it relates to HR matters. I know that the reason I was tasked with this is because I am Black. This was another example of how President Knight tokenizes persons of color, assigning us anything that relates to race, regardless of our areas of subject-matter expertise. The issues covered in the response involved several areas of the College, yet he did not engage the other members of EC in charge of them.

- When the OPB article came out, I was highly offended by the statement at the end stating, that many “would be watching closely” to see how long Witness E and I last. I found it very disturbing when President Knight’s focus was on how the College could spin this, without seeming to care about how Witness E and I may have been blindsided by the article, any personal harm to me and/or my reputation, or this idea people were waiting for us to fail.
- When the second OPB article came out 01/28/2019, it referenced raw data from a survey conducted by the Office of Planning and Effectiveness. President Knight told various EC and Board of Trustees members that he suspected that either Witness E or I, women of color, had leaked the information. When this information came out in the 02/12/2019 EC meeting, he acted stunned and surprised. He requested to meet with us individually to get specifics. When I told him that he was the originator of the rumor, he denied implicating us. However, there are credible statements from an EC and BOT member stating otherwise.

#### Witness E

- It was a big change when Witness D (Hispanic female), Witness M (African American female), Witness P (African American), and I joined the EC in the last year. President Knight did not welcome our regularly examining the policies, practices, and barriers within the institution from an equity framework. He would regularly take equity-related items off the EC agenda and say we were not going to get into that or that other issues were of priority.
- There were many instances where President Knight reflexively looked to persons of color, when everyone on the EC should have been involved in and responsible for social-equity issues that related to their functions. If the issue related to my function, then I could understand me being asked to review curriculum related issues or HR reviewing hiring practices but often the issues were global in nature and related to equity issues across the college. This leads to an increased workload for persons of color, while others are not held accountable.
- When the first scathing article was published by OPB in October 2018, I was alarmed when it ended with taking bets on how long Witness M and I would last. President Knight made it sound like it was just a few disgruntled employees who had personality conflicts with others, but it was clearly more than that. President Knight would insist that the college was doing things and say, “That’s why I hired you, Witness E and Witness M and Witness D, and Witness P.”
- The PR firm hired to handle damage control from the first OPB article coordinated a campus climate survey. The raw data was compiled by Planning & Development and later after EC received the raw results, the themes were summarized by Witness P to send to the college community. President Knight had communicated to the college community that he would share the raw results. The EC knew that this would not be a good idea. The results of the survey were almost solely focused on discontent with President Knight’s leadership, indicating that many respondents felt he was biased or worse.
- When OPB published a follow-up article in January 2019, it included raw data from the survey. President Knight immediately stated to other EC members that he suspected that Witness M and I were the ones who leaked the data. Witness M and I brought the issue

up at EC without naming him personally, stating that there were rumors that she and I were the leakers. He seemed shocked and asked if we knew who would say that. We both stated that yes, we were aware. I later followed up with him that day in his office to let him know that I heard he was the source of these allegations. He denied it and stated that actually, others had come to him to state that they thought it was me and that he vigorously denied it.

#### Witness I

- I was excited when three women of color were hired because of the changing demographics of our community and the students we serve and the importance of having an executive leadership team that is reflective of the community we serve. I had been the only woman on the EC for years. I hoped we could get beyond the White-male EC and engage the College in real social equity work to better serve our community.
- The first OPB article published in October 2018 was accurate in terms of the specific incidents for the women of color in the article. The College responded by hiring a PR firm who recommended that we conduct a survey. I thought the purpose of the survey was to minimize the allegations and show that it was only a few people who were disgruntled. I did not have the opportunity to advise whether to conduct this survey because this survey was proposed during the accreditation visit. Between the accreditation visit and my vacation, I worked with Witness P and one of my staff to revise the questions. My office presented the data in raw form broken out by people of color and White people. Witness P and Witness M summarized the results.
- When the 01/24/2019 OPB article came out referencing raw data from the survey, it was clear that someone had leaked the information to the reporter. Initially, I was concerned that someone on my staff was responsible, but I confirmed that that was not the case when I read the OPB article.
- I saw President Knight a few days after the January OPB article. I assured him it was not my staff and pointed out that the SharePoint files could be accessed by the EC members and their Executive Assistants. He suggested it could have been Witness M. I said I was sure it was not Witness M.
- A few days later, in a meeting with Witness E and Witness Q, Witness E told me she thought Witness H was the leaker. Witness Q asked if he should leave and Witness E told him, "No, this pertains to you too." I told Witness E that I was concerned that President Knight had concerns about Witness M. Witness E wanted to alert Witness M, but I thought that Witness M was already hurt. I thought she was doing a good job and this would cause a distraction from the good work she was doing. I thought we agreed that Witness E would not to tell Witness M about this.
- That night Witness E texted me and told me she had reached out to Witness M and told her that President Knight suspected her. I was upset and told Witness E that if anyone was going to tell her it should have been me and that I thought Witness E's behavior was very divisive.
- I knew Witness M was mad at me for not telling her. I wanted to talk with her, but I decided I needed to step back.
- About three weeks later in an EC meeting, Witness E expressed outrage that she had been accused of leaking the information. I do not know where she was coming from,

because I never heard anyone say anything about Witness E. Witness M got so upset that she stormed out of the meeting and then came back in. Witness M emotionally told EC about how another member of EC was accusing her of being the leak. All of the details pertaining to the circumstance of what Witness M was talking about were different from what actually happened.

#### Witness Q

- During a 1:1 meeting with Witness E on 01/28/2019, Witness I joined us. A second article published by OPB on 01/24/2019 included sensitive, internal raw data about Clark College that only the Executive Cabinet had seen. Witness I told Witness E that President Knight had told her that he suspected Witness M had leaked the information to OPB. Witness E seem surprised and frustrated that President Knight would immediately suspect a woman of color rather than one of the White males on the Cabinet.

#### Witness F

- After the 01/24/2019 OPB article, President Knight asked Witness D to search EC members emails to see who had leaked raw survey data to the reporter. Witness D told me that the President thought it might be Witness M.
- I have not seen President Knight treat Witness M or Witness E any differently from anyone else on the Executive Cabinet. Whoever is talking, he usually just wants only the facts and a superficial level of discussion.
- I have observed that President Knight is dismissive of Interim Witness P's input on the issues she brings to the EC meetings. He tends to shut her down and move on.

#### Witness D

- Public Disclosure Requests for records come through my office. After the first OPB article was published in October 2018, President Knight told me he suspected someone on EC was leaking to the press. He asked me to pull the Executive Cabinet (EC) members' emails, so he could determine who was communicating with the OPB reporter. Nothing came up.
- On or around January 2019, he requested another search of EC emails when it was clear that raw data from a climate survey had gone to the press. He told me that he felt "someone was after him" and he wanted to know who was responsible for the leak and if it was someone from EC. I prepared a thumb drive for him but he did not look at the files, he said it did not matter anyway.

#### Witness B

- I have dealt with White men in positions of power throughout my career and feel as though I am able to have direct discussions to resolve issues. I also recognize that I am a white woman of power and privilege. I cannot say what it is like for my colleagues in similar situations.

## C.1.2. Respondent Statements

### Bob Knight

- I was asked to talk about the OPB articles published about people of color at Clark College and the selection of Clark College's spokespeople. The investigators expressed that the complainants had a concern with overuse of people of color in responding to the OPB reporter.
- I first met with a reporter from OPB to discuss issues with people of color departing Clark College in June 2018. The article was not published until October 2018. As I explained to the reporter, people of color were leaving the college at a lesser rate than white people. People of color were leaving the college for a myriad of reasons.
- The reporter focused on the people of color who were complaining about Clark College and had left as a result. Two of the individuals in the story criticizing Clark College, Person 10 and Person 26, left full time jobs at Clark College but continued on at Clark College as part-time instructors. Two other African American employees left the college, Person 23 and Person 24. They left because of significant promotions to universities. This was not reflected in the OPB story.
- When the OPB reporter reached out again late fall with additional questions for a second article, I solicited help from other members of the executive cabinet. Witness P offered to help our [REDACTED], Person 16, with draft responses to the reporter's questions.
- Witness P solicited support from Witness M. I later learned during a discussion in executive cabinet that Witness M felt like I was asking her, a person of color, to bear a heavier load to respond to the OPB questions. I do not recall asking Witness M to get involved in drafting OPB responses. I knew she was working with Witness P but it was my understanding that she was joining in to help as a team player. I am not aware of Witness M helping with any other media responses since she voiced her concern.
- The OPB articles did not provide a balanced perspective. There was misinformation presented and the reporter focused on the disgruntled employees' perspectives rather than the facts. For example, they falsely linked my recently announced retirement to issues raised in the first article released in October 2018. This is not true. In May of 2018, I met with Board Chair Jack Burkman about my plan to retire in the summer of 2019 well before the 2018 OPB article.
- I was questioned by the investigators about why I chose to hire a public relations firm in the fall. I explained that we had an inexperienced interim chief communications officer and we needed professional assistance in getting the facts out about our diversity work. I was taken aback when the investigators asked me why I hired the PR firm to work on the "spin." I clarified that we were not spinning anything. Many public institutions work with outside public relations firms to share information about their organizations. This should be no surprise.
- I was asked by the investigators about concerns I had with leaking inside information to OPB. It became clear after the January 2019 article that someone within the college was leaking raw survey data to OPB. Several members of executive cabinet, including Person 22, Person 21, and Person 14, suggested the information must be coming from someone on executive cabinet.

- I did not think the leak came from inside executive cabinet. I did ask Witness I, who oversees Institutional Research and gathers our raw data, who she thought may be leaking the data. She denied being the source of the leak or knowing who was leaking information.
- Witness I had a subsequent discussion with Witness E and mentioned that I was asking about who was leaking information to OPB. Witness E misconstrued the conversation she had with Witness I and told Witness M that I was accusing Witness E and Witness M of leaking information to OPB. Any allegations that say otherwise are incorrect. This misunderstanding led to a very difficult executive cabinet meeting where Witness M and Witness E accused an individual in executive cabinet, without naming the individual, of blaming them for the leaks.
- I subsequently met with Witness E and Witness M separately about the accusations. During this meeting, I heard for the first time they thought that I was accusing them of the leak. I told them both that this was not true. I also spoke to the Executive Cabinet at our next meeting and clarified that I never accused either of them of leaking information.
- D Diamond asked me to respond to an allegation that I was distracted when I was conducting a tenure-track interview with faculty member Witness N when she was pregnant. I vaguely recall this interview as it occurred several years ago. I certainly do not remember being distracted. I take tenure-track faculty interviews very seriously. I do recall encountering Witness N again for the first time in years a few months ago at a guided pathways training. I had trouble remembering her name at first because I had not seen her in a few years. I apologized for not remembering her immediately.
- Admittedly it is not easy to remember the names of every one of Clark College's 1,100 employees, especially when I do not see them regularly. I had not heard of this concern about being distracted in the interview until being interviewed by the investigators.
- I was asked about hiring people of color on executive cabinet as "token" employees. I have never hired anyone at the college to serve as a "token." I am proud of the school's efforts to increase diversity and be more inclusive during my tenure at the college. We have increased employees of color from 11% to 17% in the last four years.
- I knew that to build on our progress, our organization needed to increase diversity on the executive cabinet and lead by example. When our four most recent hires on executive cabinet were people of color, I was proud to mention it whenever I had the opportunity. When the investigators told me that some interviewees felt that I was simply "checking the box," I was taken aback. It has been critical to me that Clark College continues to push forward with diversity, equity and inclusion initiatives since I became president 13 years ago.
- During my tenure, our institution opened an Office of Diversity, Equity and Inclusion because of my strong belief. That office now has five full-time employees with a budget in excess of \$500,000. Additionally, the school also has a Vice President of Diversity, Equity and Inclusion on the Executive Cabinet. This was implemented during my tenure as well.
- When developing CC's strategic plan, one of the core themes was social equity. As a result, the first Social Equity Plan was developed. As part of my annual evaluation of

every executive cabinet member, I hold them accountable for the diversity of their departments.

- This fall we received our 10-year accreditation evaluation by an independent team of peers from higher education institutions in the Northwest. This is the most important evaluation a higher education institution receives. One of the six commendations we received was for the work we have done on social equity.
- This is not a college that is checking the box on diversity, equity and inclusion. For those to say that these efforts are “token” is more than just disingenuous, it is harmful to the progress we have made and should build on.

### C.1.3. Documentation

[Investigator’s Note: Relevant sections of documents are excerpted.]

- Exhibit 1: Complaint filed by Witness P 05/24/2019.
- Exhibit 2: Complaint filed by Witness E 05/24/2019.
- Exhibit 3: Complaint filed by Witness M 05/28/2019.
- Exhibit 6: Emails related to responding to OPB reporter’s questions September 26-28, 2018.
- Exhibit 7: Emails and documents emails related to Bias-Based Incident (BBI) response.
- Exhibit 8: 10/16/2018 and 01/11/2019 emails from President Knight related to the climate feedback survey.

### C.1.4. Analysis and Conclusions

- Witness P, Witness M, and Witness E felt tokenized when President Knight implied that they were diversity hires and referred to them individually and collectively as his personal diversity accomplishment (“Look what I’ve done for diversity...I hired you”).
- Complainants and witnesses indicated that President Knight marginalized them after they pushed social-equity issues beyond his comfort level.
- Complainants and witnesses indicated that President Knight dismissed their assertions that persons of color were leaving because they felt they experienced a hostile work environment at Clark College.
- Witness I told Witness F and Witness E that President Knight said he suspected that Witness M leaked the raw survey data to OPB. President Knight subsequently denied that he said anything about suspecting Witness M.

## C.2. Vice President Position

### C.2.1. Witness Statements

## Witness P

- When I was appointed to the [REDACTED] position in July 2018, President Knight said he expected to fill the position permanently within a few months. I continued to perform my duties as the [REDACTED] and was given a \$10,000 per year (\$833 per month) increase to account for the additional duties.
- I accepted the [REDACTED] assignment because I knew I was good at building relationships in the college and external community. I knew that it would take considerable effort to heal the wounds from all this department has been through with three different leaders who each left in an abrupt manner, leaving the office in a state of mistrust (of leadership) and distress.
- In the beginning, President Knight assigned me and a small task force to work on the job description. I turned over all of the taskforce recommendations to the hiring committee chair, Witness E and EC taskforce representative on 09/14/2018. I participated in Executive Cabinet (EC) discussions about the job title change. I did not know what the final description would look and did not know when the job would be posted until it appeared online.
- Initially, I did not want to apply for the position because I knew it was very contentious. People got into that position, and they always left on bad terms. I did not want my career and reputation to suffer at the hands of President Knight.
- After a few months, I decided I really liked the work and was having a positive impact on the community. I got a lot of positive feedback from my team and the community about my performance. I was encouraged by this support and decided to apply for the position. I knew that President Knight does not do well with people within the social equity field, but for some reason I thought it would be different. In December 2018, I sent an email to EC that I was recusing myself from any further EC discussions since I intended to apply for the position.
- In a one-on-one with President Knight on 02/21/2019, he stated that he thought it was “funny” that I decided to apply for the position only after I found out that it was a VP position and knew the salary (which I did not and do not know). He told me that I needed to be more transparent and I needed to tell all of EC that I decided to apply for the position. I sent the email to the team stating that “Per protocol and transparency, I am letting you all know I am applying for the position”. (After that email, I followed up with other Interims who applied for the permanent position and they stated that they were not required to do so.)
- President Knight also told me that he did not want my hiring process to turn out like Person 26’s. I was very distressed that President Knight acted as if I were somehow being shady in the way I handled the application process. It felt that he was already counting me out of the position, before I had a chance to apply. I was never told that, if I served as the [REDACTED] or participated in related discussions, I could not apply for the permanent position. I felt like President Knight was questioning my integrity and trying to dissuade me from applying.
- On 05/28/2019, President Knight asked me to step out of the EC meeting because he was going to talk about the search. He asked if I would meet him at 11:00AM in his office. In our 1:1 meeting, he announced that he was cancelling the search because of various alleged inequities in the process, including my pre-recusal involvement.

- When I heard this, I was livid. The search process had dragged on so long, I had no idea what was happening throughout the entire process. I felt it was so disrespectful to me. He alluded to me not being qualified for the position and told me that I had an unfair advantage because I was in the meetings when EC discussed the title change. President Knight asked me three different times if I wanted to stay as interim. I confirmed three times that I wanted to stay in the role. I also told him that I needed a pay adjustment.
- I immediately left that meeting and sent him an email stating that I wanted to stay in the role but needed a pay adjustment. President Knight replied that he had already notified HR about the pay raise, but I still have not seen it reflected in my paycheck.

#### Witness L

- In January 2019, as I was moving Witness P's salary to the office of her [REDACTED] position, I noted that her salary was inequitable compared to that of other members of the Executive Cabinet (EC), the prior incumbent, and the anticipated permanent position.
- I discussed the issue with Witness H, who was supportive of my addressing the issue. When I met with President Knight, I explained that Witness P's salary was approximately \$25,000 below that of other comparable positions and that she should receive compensation that was equivalent to others on the EC. President Knight said that was not a change he wanted to make at this time. He did not give me any further justification for his decision.
- After I briefed Witness H, I provided the comparative salary data I gathered to Witness M, in case she wanted to pursue this issue from the HR perspective. My understanding is that President Knight told Witness M that, because Witness P's position was interim, the salary level was solely at his discretion.
- The college does not have a policy standardizing the pay for interim positions. The EC has resisted my efforts to institute a policy that would confine their ability to set pay.
- The 2018 recruitment contract went through the RFP process and Company B was selected as the vendor. The EC erred in approving Company B to work on the 2019 recruitment without going through a new RFP process. After the first bill came in and the error was discovered, the contract should have been cancelled. Since a significant amount of work had already been completed, the EC decided to proceed with Company B. I documented what happened in case of a future audit.

#### Witness H

- I recommended Witness P as the [REDACTED], based on her excellent work building community with the Black Student Union and the Employee Resource Group. President Knight appointed her to the Interim position in July 2018. Witness P continued to perform her duties as the [REDACTED] and was only given a \$10,000 salary increase for taking on the additional duties, rather than the more substantial salary increase given to men who were appointed to other EC-level Interim positions.
- Witness P was doing an outstanding job in the [REDACTED] position. I urged President Knight to just appoint Witness P to the permanent position, as he basically had done for Person 13 in the [REDACTED] position and Person 12 in the [REDACTED] paying them the full salary while they were gaining the experience to even qualify for the

positions. He said he did not want to create what he called another Person 26 situation with a popular internal candidate.

- By October 2018, Witness P's time was primarily devoted to the Interim work. With my support, [REDACTED] Witness L approached President Knight about the inequity of Witness P's salary compared to that of other EC members, the prior incumbent, and the anticipated permanent position. President Knight refused to approve the approximately \$20,000 salary adjustment proposed.
- The fact is, when President Knight wants to, he will ignore all of the policies to slot someone in to a position (even if they do not meet the minimum qualifications) and pay them accordingly. I could only surmise that President Knight's unwillingness to pay Witness P equitably or appoint her to the permanent position was based on her not being one of his favored White males.
- On 05/28/2019, President Knight told the EC that he was failing the recruitment because various procedural missteps and mismanagement. He called out Witness E for improperly influencing the search committee; he called out Witness M for failing to screen candidates for minimum qualifications; he called me out for not going through an RFP process to select the recruitment firm (I accept responsibility for that error); he called out Witness P for her involvement in the search process (even though Person 13 sat in on all of the EC discussions about the VPI process and I did so when I was competing for the VP HR position).

#### Witness I

- When President Knight announced at the 05/28/2019 EC meeting that he was cancelling the recruitment, he came in with a prepared script and read from it. It outlined a number of process issues such as not going out for an RFP, changing minimum qualifications, not all screening committee members had participated in the equity in hiring training, etc. He said he could look the other way on the internal applicant's early involvement on preparing the job description and salary, but he failed the search because of the other multiple factors.
- President Knight did not specifically call anyone out. He read down a list of process issues. If I were to interpret the list, most of the problems lie with the [REDACTED] (illegal contract due to NOT going out to bid) and the chair of the search committee (not making sure everyone had taken their equity training, reducing the minimum qualifications, etc.). From my perspective, the only thing that was the responsibility of HR was not having the confidentiality agreements signed and the HR introduction for the screening committee. I believe that the rest of the process issues are the responsibility of the [REDACTED] and the chair of the screening committee, who were both in attendance at that EC meeting.

#### Witness M

- I raised concerns about Witness P continuing as the [REDACTED] after she was appointed as the [REDACTED] in July 2018. I stated that she should not be expected to do two jobs and that it was inequitable that Witness P only received a \$10,000 pay increase, rather than raising her salary to the level of her predecessor and ensuring she

had “EC-level pay.” President Knight said the \$10,000 “bump” is the “way we’ve always done it.” I came to learn that was not true as another interim EC member received a \$24,818 “bump” to bring his salary in alignment with EC pay. President Knight was not willing to readjust her salary and implied that I was only advocating for Witness P because she was another Black person.

- I asked President Knight if he would be supportive of hiring an executive recruitment firm to handle the recruitment as it was an extremely political and volatile issue for the College. I did not want HR to manage the recruitment process in order to preclude any perception of a conflict of interest. President Knight agreed. I brought the issue to EC and we unanimously agreed to engage a vendor to handle the recruitment.
- After Witness P decided to apply for the position, President Knight tried to discourage Witness P from applying, claiming it was because of her pre-recusal involvement in EC discussions about the job description, job title, and salary. When President Knight told me about his concerns in this matter, he specifically told me that Witness P “was disingenuous” because she did not “opt out” of discussions.
- While I was out of the office between mid- and late-April 2019, I left Witness R as the point person on the recruitment. President Knight instead contacted Person 19 with concerns that Witness P did not meet the minimum qualifications of the position. Person 19 determined that Witness P did not appear to meet the 3-year senior-level work requirement. It was negligent of Person 19 to only look at the job title and not the substance and/or scope of Witness P’s work outlined in her application. Additionally, Person 19 was not privy to EC conversations about the position qualifications, the executive recruitment firm’s recommendations (ultimately adopted by EC), or the successful candidate profile developed by the hiring committee and the executive recruitment firm.
- President Knight called the vendor and threatened to cancel the recruitment if Witness P’s name was not removed from the list of applicants selected for interview. The vendor refused. It later became apparent that President Knight went to great lengths to come up with other reasons to avoid considering Witness P for the position.
- On 05/28/2019, when he knew I would be late to the EC meeting, President Knight chose to notify the EC that he was cancelling the search for the position. I was told that President Knight alleged several inequities in the process and specifically cited HR for several and described in great detail how Witness P did not meet the minimum qualifications for the position. President Knight never alleged any process or procedure errors by HR in our 04/29/2019 conversation or any time before the 05/28/2019 EC meeting. He focused on Witness P’s application, his belief that the committee chair (Witness E) was unduly influencing the committee (when I asked for clarification, he stated he “misspoke” and “it was a single voice” that was influencing the committee), and finally stated he believed the executive recruitment firm was “unethical.”
- I believe President Knight did not want Witness P in the permanent position because in the interim role, she had to have some difficult conversations with him surrounding the work.

## Witness R

- In late April 2019, Witness M told President Knight to contact me while she was gone if there were any questions about the recruitment, since I was on the search committee.
- On 04/26/2019, President Knight instead contacted Person 19 and asked for copies of the candidates' applications to review.
- Person 19 said President Knight questioned why some of the candidates were considered qualified for the position when they did not have the minimum 3 years of experience at the senior level.
- Person 19 had Witness P's application up on both monitors. She said she had reviewed Witness P's application and was not finding senior-level experience.
- I asked Person 19 what President Knight was asking her to do. She said he wanted to call the recruiting firm. I had no further involvement.
- As an HR professional, I was concerned that Person 19 may have only been asked to scrutinize Witness P's application and not the applications of all the other candidates (as I did not see any other applications in review). I began to wonder whether the job description might have been written to elevate or preclude a particular candidate.

## Witness K

- In November 2018, Company B was hired to conduct a search for Clark College. The Executive Cabinet (EC) asked Company B to do market research and recommend the appropriate job title, Title IX Coordinator responsibilities, education requirements, and academic vs. private sector qualifications for the position.
- On 12/18/2019, Company B made a presentation to the EC recommending a Vice President title, a Master's degree OR equivalent level of experience qualification, and to include candidates from diverse industries (outside of education).
- On 01/29/2019, Company B had a kickoff meeting with the Search Committee, chaired by Dr. Witness E. Witness P was not present, nor was any reference made to her by name or title.
- From 01/29/2019 until the end of April 2019, Company B reached out to potential candidates and reviewed the NEOGOV applications of the internal and external candidates whom Clark College Human Resources determined met the minimum-education requirement.
- Based on her application, written assessment, and preliminary interview, Witness P had a 
- On 04/23/2019, Company B presented the resumes and written assessments for 10 viable candidates to the Search Committee. The Committee anonymously ranked the candidates in six competencies: Trustworthy Relationship Building/Communication, Strategic Mindset, Leadership and Influence, Accountability, Professional/technical background and Culture/Fit and voted to advance five candidates as finalists. Interviews were scheduled.

- On 04/24/2019, President Knight called me unscheduled and said that he and other stakeholders would be very upset if Witness P was included in the list of finalists. It was clear from his tone that he was disappointed and not happy with the outcome.
- President Knight stated that he called me directly because of the Witness M's absence. He could have contacted the internal point of contact (the Search Committee Chair) but chose to call me even though we had no contact outside of Company B's market research presentation to the Executive Cabinet in December 2018.
- President Knight then questioned how Witness P and one external candidate met the qualifying-experience requirement. He was quickly satisfied with my justification of the external candidate's experience. He continued to dispute Witness P's collateral-duty experience and wanted to know if she had been paid extra for those duties. I stayed calm and stuck to the facts and the methodology used.
- It was certainly not standard for the Appointing Authority to be involved at this point in the process. President Knight did not have the contextual information that was discussed in detail with the Search Committee.
- On 04/25/2019, Person 19 called from Clark College Human Resources and told me that President Knight wanted written justification for how the top five candidates met the minimum qualifications. I prepared this document and sent it directly to President Knight.
- On 04/29/2019, President Knight called me and revisited the issue of the qualifications of the same two candidates he questioned earlier. Once again, he was quickly assured about the external candidate, but continued to question Witness P's qualifying experience.
- In this call, I explained that the Search Committee also felt that Witness P met minimum qualifications. I said that out of the candidates shared in our presentation to the Search Committee, there was a strong opinion that Witness P was qualified and a good fit for the position. There was no influence for us to include her in the process; only validation of her skills was discussed in this meeting.
- President Knight said he wanted to speak to my manager. He said this could mean an ethical issue for Company B if we were not objective in conducting the recruitment process. President Knight said he was guided by the West Point principle of doing the harder right rather than the easier wrong. He asked that we regroup and retract our stance on Witness P meeting the minimum qualifications. His tone was angry, accusatory, and unprofessional. His voice was elevated and hurried.
- I told President Knight that Company B did not have the authority to remove a finalist selected by the Search Committee. I said that we would need to discuss the issue with the Search Committee and let them decide.
- On 04/30/2019, Company B suggested a meeting between the Search Committee Chair, Witness M, and the President to discuss the recruitment. President Knight's response was to schedule the meeting with the Assistant Attorney General present and wrote "not as a threat, but to guide me and the college through our decision making".
- On 05/01/2019, I received a request to meet with the Search Committee Chair, President, Witness M, and Assistant Attorney General to discuss the recruitment on 05/23/2019.
- On 05/23/2019 I received a meeting cancellation, a few hours prior to the scheduled meeting.

- On 05/28/2019, Witness E sent an email to me and the Search Committee, indicating that President Knight was cancelling the recruitment because he did not feel it was fair and equitable.
- There was never any contact, verbal or written, to me about canceling our contract. We received our middle milestone payment on 05/30/2019, after the 05/28/2019 EC meeting.
- I did not have any 1:1 contact with Witness E outside of the full Search Committee meetings. I deny that she exerted any undue influence over the process.
- In my mind, the issue is that President Knight tried to circumvent the collaborative process with the Search Committee in an attempt to remove Witness P as a finalist.

### C.2.2. Respondent Statements

#### Bob Knight

- I was accused of improperly stopping the hiring process for the position. The college began the process of hiring a permanent vice president beginning late fall 2018. The process did not progress smoothly from the beginning for two reasons and had many other problems.
- First, the Office of Human Resources entered into a contract with a company named Company B, an outside hiring firm to assist with the search process, without going out to bid. As a state agency, we are required to go out for bid on contracts that exceed \$10,000, which this did.
- Second, when the Executive Cabinet first met with Company B, a great deal of time was spent discussing job criteria, job experience, title of the position and salary for the position. Witness P was involved in those discussions and had not declared any intent to apply for the position. Within 48 hours of our Executive Cabinet meeting to discuss the position, I was copied on an email that was sent to Witness M and Witness E from Witness P stating she may be interested in applying for the position.
- I met with Witness P and Witness M about the email and told them I was concerned that Witness P had an unfair advantage to other applicants because she had access to Executive Cabinet discussions about what we were looking for in a candidate. Witness P should have declared her interest in the position and removed herself from the executive cabinet discussion.
- I asked Witness P to send an email to the Executive Cabinet when and if she decided that she would apply for the position. Witness P eventually sent an email to Executive Cabinet indicating her intent to apply for the position.
- As the process moved slowly forward in the spring, I checked in with HR periodically on the status of the search. When I found out from HR staff that final interviews were going to be scheduled for the following week, I asked HR staff to provide me the applications of the finalists. I wanted to look through the applications to prepare for my eventual interview of the finalists.
- When I reviewed the applications, I became concerned when I determined some of the finalists did not meet minimum qualifications that the executive cabinet had set. Since Witness M was on vacation that entire week and the interviews were being scheduled for the next week, I reached out to the most senior person in HR, Person 19.

- I told Person 19 that I had concerns about some finalists and needed to talk to the point of contact at Company B. Person 19 put me in contact with Witness K. I spoke with Witness K several times over the phone about the process and minimum qualifications. She could not convince me that two of the five finalists met the minimum requirements.
- I put the final interviews on hold and waited until Witness M returned from vacation. After speaking with Witness M, we agreed to a meeting between Company B and the college before we moved forward with the search. The day before the meeting with Company B Witness M had to leave town for several days due to a family emergency so the meeting with Company B was canceled.
- It was then, after talking with board members Jane Jacobsen and Paul Speer, that I decided to stop the search and allow the next president the opportunity to hire this position. Trustees Jacobsen and Speer were in support of my decision to stop the process.
- This was likely the worst hiring process that I had seen at the college in 15 years. There were eight issues I clearly outlined in an email to the screening committee for why I decided to stop the process. At the May 28, 2019, executive cabinet meeting I explained my reasoning for stopping the hiring process.
- I was told by the investigators that there was a complaint made that I intentionally discussed the hiring process at Executive Cabinet when Witness M was not at executive cabinet. This is not true. Executive Cabinet begins at 9:00 am. I received an email from Witness M the morning of Executive Cabinet at 8:37 a.m. informing me that she would be late coming into the office that day. The Executive Cabinet meeting proceeded as usual. All of the topics on the agenda, including the hiring process, were discussed before Witness M came to work. Witness M could have arranged an additional meeting with me at any time to make up for the one she missed.
- The investigators asked me why I did not just appoint Witness P to the permanent position as I did for Person 13, former [REDACTED] and Person 12, former [REDACTED]. D Diamond is misinformed. Person 13 and [REDACTED] were hired into their positions through full searches and hiring practices.
- I was asked about my decision to have Witness M develop a systemic policy on how we pay interim employees. The impetus of this question is the assumption that I was only asking to develop a policy about interim pay because there was a request to increase the interim pay by Witness M for Witness P, a person of color. The accusation is that I was delaying interim pay for Witness P unfairly, by asking for a policy to be in place first.
- This is not true. We were increasingly putting employees at the college in interim positions without any systemic policy on how much we paid the interims and how long they could be in an interim role. It would be appropriate to develop a school-wide policy to ensure fairness.
- There were several other individuals in the same situation as Witness P such as Witness F, Person 15, and Person 16, to name a few. Two other individuals, Person 17 and Person 18 were also being placed in interim positions on July 1, 2019.
- A point of note is that Witness M did not advocate for increased pay for any of the other interim positions. It was determined that this interim policy would be retroactive, so that if interims were eligible to receive a pay increase they would still receive compensation regardless of how long it took to develop a policy.

### C.2.3. Documentation

[Investigator's Note: Relevant sections of documents are excerpted.]

- Exhibit 1: Complaint filed by Witness P 05/24/2019.
- Exhibit 2: Complaint filed by Witness E 05/24/2019.
- Exhibit 3: Complaint filed by Witness M 05/28/2019.
- Exhibit 9: Emails and documents related to the recruitment.

Clark College Board of Trustees discussions with President Knight re: the recruitment (email from Jennifer Mankowski-Dixon to the Investigator 08/07/2019):

April 30, 2019 – In a meeting with President Knight and Trustee Speer, President Knight shared concerns he had relative to the process for the position selection and qualifications of two candidates. President Knight shared that he had been in direct contact with the search firm to discuss these concerns. He shared that he was considering a range of options on how to proceed, including pausing the process for the next president to restart. President Knight stated that he was working on setting up a meeting with the search firm, Witness E, Witness M, and the AAG to discuss. Trustee Speer indicated that had President Knight asked for input prior to contacting the search firm, he would have advised against doing so, and to trust the process. Trustee Speer advised him that since he had contacted them, and given he was in the last few months in office, that it might be best to extract himself from the HR decision making, pause the process, and hand it off to the next president. He also suggested President Knight confer with Trustee Strong given her HR background.

May 3, 2019 – Trustee Strong discussed the VP of position selection process with President Knight. She recommended he consider pausing the process for the next president to pick up.

May 6, 2019 – Trustee Speer had a brief meeting with President Knight and reiterated his inputs from the April 30, 2019 meeting.

May 13, 2019 – Trustees Speer and Jacobsen met with President Knight and expressed their concern about input they were getting regarding the climate between Executive Cabinet (EC) and President Knight, which included President Knight's involvement in the selection process. Trustees Speer and Jacobsen encouraged President Knight to discontinue any HR related actions and pause in the hiring process until the next president was in position. Trustees Speer and Jacobsen stated that if President Knight did not find a way to deescalate the exchanges taking place between he and the EC, they would be duty bound to take the issue to the full Board for consideration. President Knight expressed concern about the integrity of the selection process with the search firm,

including how qualifications had been applied, communications between the college and the firm, and risk issues for the college.

May 27, 2019 – In an email to the Board of Trustees, President Knight indicates, “I am also recommending that the next president start the process over and that the current Interim remain in that the position if she wants to until a permanent is decided with a new process.”

May 28, 2019 – Trustee Rupley (by phone) and Trustee Speer met with President Knight for a monthly meeting. President Knight reviewed his email from May 27, 2019 and indicated that he had announced his decision to EC on pausing the process, met with the Interim to let her know he wanted her to remain in the acting role, was working to increase her pay to align with responsibilities, and that the new president would resume the selection process when they arrived. Trustee Rupley and Trustee Speer strongly encouraged President Knight to recuse himself from any HR related activities.

- Exhibit 10: Emails and documents related to Witness P’s salary as Interim.

#### C.2.4. Analysis and Conclusions

- President Knight did not approve an EC-equivalent salary for Witness P as the Interim role, as he had done for White males (Person 13 and Person 12) when they were in Interim roles. President Knight only asked Witness M to come up with a standard policy for Interim salary-increases when a Black female (Witness P) was involved.
- The 12/18/2018 EC minutes show that President Knight was present when the EC agreed that Witness E would chair the Screening Committee of 8-10 members, including two staff. (The Student Affairs appointee to the Screening Committee [Person 28] did not join the staff until 04/15/2019.)
- Industry best practices and Clark College past practice included direct reports on Screening Committees for the prior AVP HR position (2 HR employees), prior VPI position (3 employees), current CIO position (2 IT employees), and current CCO position (1 employee as Chair).
- President Knight required Witness P to give written notice to the EC that she was applying for the position and told Witness P she was shady for participating in earlier, related discussions. President Knight did not require White males in Interim roles (Person 13, Person 12, or Witness H) to give written notification or recuse themselves from related discussions.
- President Knight interfered with the process for selecting finalists for the position. President Knight challenged Witness P’s qualifying experience and pressured Company B to remove Witness P from the list of finalists, circumventing the role of the Screening Committee.
- The Board of Trustees directed President Knight to pause the process for the recruitment and leave this decision (and any other HR decisions) to the Interim or new President.
- Rather than communicating that the recruitment was being paused (as per the BOT’s direction), President Knight told the EC that he was cancelling/failing the recruitment. He cited inequities in a process he agreed to and EC decisions which he was party to (per

the EC minutes). Although there were some procedural issues, President Knight's focus on precluding Witness P from the finalists was, more likely than not, his primary intent.

- Confidential personnel information about Witness P was disclosed in the 05/28/2019 EC minutes that were published on the Clark College intranet ("They were not objective in... [moving] an inside candidate forward who did not meet minimums.")

### C.3. Budget Cuts

#### C.3.1. Witness Statements

##### Witness E

- I heard from a union member that they were under the impression that I or the "new people" were responsible for the budget cut being 5%. I thought that was strange. I then received an email from an interim EC colleague (Witness F) letting me know that when she had a meeting with President Knight and another EC colleague (Witness I), he stated to them that it was the new people behind the 5% cuts. Witness F thought that was odd and wrote to ask me for clarification. I brought this up at EC as an issue that there were again rumors that unfairly and inaccurately put the blame on the new people on the EC and that this needs to be cleared up. President Knight appeared shocked and said that he wanted to get to the bottom of it. After the EC meeting, I spoke with Witness H and discussed my frustration with these statements. He told me that President Knight had made this same statement to him in a meeting blaming the new people for the 5% budget cut.

##### Witness F

- In a meeting on 05/13/2019 with President Knight and Witness I, I was taken aback when President Knight said that he did not want a 5% budget cut but "the new people" on the EC wanted it.
- I emailed Witness E (my mentor) to ask for some clarity around the issue of whether we should proceed with the 5% cut which was to be discussed at EC the next day and asked for her thoughts. Witness E said she felt discouraged and undermined by President Knight blaming "the new people" for a consensus decision of the EC.
- It felt wrong that President Knight was blaming the four new EC members (Witness E, Witness D, Witness M, and Witness P, all women of color).
- Witness E asked if she could forward my email to the Board of Trustees and I said yes.
- At the 05/14/2019 EC meeting, President Knight said there had been some pushback about the 5% cut, but everyone seemed to be ready to move forward.

##### Witness M

- In mid-May 2019, President Knight further undermined the women of color on the EC by spreading the false narrative that "the new people" were the ones behind the 5% budget cut. Ultimately, this narrative was repeated by a union faculty member at a public forum. She was also one of the members on the labor negotiation team.

- President Knight acted surprised and reassured Witness E and me that he would “get to the bottom of who made the statements” even though two credible EC members attested to his making the comments in private meetings with them.

#### Witness P

- President Knight is also diminishing and demeaning toward Witness E (multiracial female). He treats her like she lies; for example, when she asked him about saying “the new people (all women of color) were the ones supporting the 5% budget cut”, he denied ever saying that, although there were first-hand witnesses.

#### Witness H

- President Knight has also made several other attempts to undermine Witness E. He told the faculty union that “the new people” were to blame for the 5% budget cuts, when in fact the EC had come to consensus on a 5% cut (initially proposed by Witness E). This statement in early May 2019 was especially damaging and undermined Witness E credibility in faculty salary negotiations.

### C.3.2. Respondent Statements

#### Bob Knight

- I was asked to explain my discussion with Witness E about her complaining to Executive Cabinet about her being blamed for the 5% college-wide budget cut.
- The Executive Cabinet had been in serious discussions about budget cuts due to the continuing decline in enrollment. The Executive Cabinet initially discussed a 3% cut. Witness E and Witness M advocated strongly that we should take a more significant 5% cut so that we could reallocate funds to new initiatives and higher priorities at the college. There was some reluctance in Executive Cabinet to the more stringent measures, but we all agreed to support it.
- During an Executive Cabinet meeting in May, Witness E informed us that she was confronted by Person 4, the incoming faculty union chair, at a faculty forum about the 5% budget cut. Witness E alleged that Person 4 accused the “new people” on Executive Cabinet for the 5% cut. I understood and so did the rest of the cabinet, that the term “new people” as Witness E referred to it, was really referencing people of color.
- I was determined to quell that rumor and confronted Person 4, after the Executive Cabinet meeting, about her alleged claim that the “new people” on cabinet were to blame for the 5% cuts. I made it clear to Person 4 that the 5% cut decision was a decision made by the entire Executive Cabinet.
- Person 4 denied using the term “new people”. I asked her about other faculty who attended the forum and she gave me several names. I contacted three faculty members who attended the forum, Person 5, Person 6, and Person 7 and none of them heard the term “new people” mentioned by Person 4 in the forum.
- I then sent an email to Witness E about what I had found out. Witness E became very defensive and then included Witness P and Witness M into the email conversation. The

conversation turned into a conversation about why I was questioning people of color. My sole purpose for looking into this allegation was to get to the truth and negate any rumors, nothing more.

### C.3.3. Documentation

[Investigator's Note: Relevant sections of documents are excerpted.]

- Exhibit 1: Complaint filed by Witness P 05/24/2019.
- Exhibit 2: Complaint filed by Witness E 05/24/2019.
- Exhibit 3: Complaint filed by Witness M 05/28/2019.
- Exhibit 11: Emails related to the 5% budget cut

05/14/2019 email from Witness M to President Knight, Witness P, and Witness E: "...the larger issue is, that for some reason through the rumor mill, we (Witness E, Witness P, and I) continue to be identified as the genesis of un-popular decisions and controversies which in turn call our professional integrity into question. These continued rumors clearly center us as "the bad guys" and have the potential to permanently and negatively impact our relationships with colleagues, direct reports, and/or our departments. For clarity, I am referring to the previous "leaker" allegations and now this 5% issue. This latest rumor is extremely concerning and frankly detrimental, given that Witness E and I are currently at the negotiation table... that does not help the college resolve this issue."

05/15/2019 email from Witness M to President Knight, Witness P, and Witness E: "I continue to be concerned that these outlandish rumors and character assassinations are directed at us. I feel both personally and professionally attacked and it is not missed on me that we are all Women of Color. As a new member of the Clark College and Vancouver community, these rumors attack my professional credibility and integrity and have the potential to permanently damage my personal reputation and professional relationships. I have no idea why there are rumors that we are OPB "leakers" with Molly Solomon on speed dial or going rogue spearheading 5% cuts to the dismay of EC. Both are not true. At this point, I am just interested in public clarification and correction. Hopefully, Bob, with your influence at the college and in the community, you can assist us with this efforts because ultimately, these rumors also negatively impact Clark College. Thank you for your consideration and assistance to that end."

05/15/2019 email from President Knight to Witness M, Witness P, and Witness E: "Your assertion and bias towards me about discrediting Witness E is completely unfounded. If anything it would be the discrediting of Person 4 who I feel has made many false assertions over the past several months. Ironically, your last statement about being vigilant around rumors is exactly what I was trying to do. Witness E told the cabinet that Person 4 made a statement about the "new people" causing the 5% cut. I was striving to be diligent to quell the rumor and go to the source and stop it. When I met with Person 4

she denied making the statement. I then told Person 4 that the 5% cut was a collective decision by the cabinet.”

#### C.3.4. Analysis and Conclusions

- Several witnesses heard President Knight attribute the 5% budget cuts to “the new people”. Even President Knight questioned the credibility of the person who denied making this statement at a public forum.
- President Knight’s comments about “the new people” had the effect of undermining both the individuals and important efforts in which they were engaged.

#### C.4. Company A Training

##### C.4.1. Witness Statements

###### Witness P

- I was entirely transparent with the EC about the fact that my sister worked for a separate division of the vendor I recommended hiring to conduct cultural sensitivity training. I felt diminished and demeaned when President Knight later implied that I had been shady in contracting with the vendor, even though the EC was aware of the fact when they came to consensus on the decision. He stated, “Rumor has it your sister works for the vendor”. I told him it was not a rumor, she does work there and had nothing to do with this area of the company. There were only two vendors that could do this type of training and the other had a waitlist. He asked if I had told anyone. I told him that I told EC. He said I should have told the purchasing department. I had no idea that I should tell the purchasing department since my sister, in no way, was paid or even had anything to do with the training provided.
- President Knight arrived late to the 03/26/2019 training and took offense at the language and example the trainer used in talking about having a sexual relationship with a Black person. President Knight did not understand the concept and context the trainer was trying to convey. The trainer was asking us what comes up for us when we think about having a more intimate relationship with a Black person. It is all fun and games to just play with someone and be friendly, but racism sneaks in when we think about more intimate relationships. He did not show up for the next training at all. President Knight mentioned to me that he told the Board about how unprofessional the trainers were and they were absolutely shocked. I felt as if he was creating a narrative about my judgement to the Board with these statements.
- In the first training, there was a comment made about “plantation pie” by an Executive Cabinet member. This comment was so impactful on everyone else in the room that people followed up with the person. President Knight never followed up with any of the impacted members of EC. In fact, he did not seem bothered at all by the comment.

## Witness B

- I have been involved in diversity and other trainings in my previous work and would have taken a different approach. Given there is a perceived trust issue on the EC. I thought it was more damaging to accentuate the differences and it would have been more beneficial to dig down and look for shared values and commonalities.
- I had a very strong reaction to the trainer trying to create an emotionally charged environment to (I assume) provoke deeper discussion. I did not feel safe when he was (what I would call) ranting and raving to ramp things up.
- In the first session, I shut down. In the second session, I was very guarded. My reaction may have been compounded by my personal history and how close I was sitting to where the trainer was standing.
- About a week after the second session, I told President Knight that I had been very uncomfortable in the training.

## Witness C

- The first session of cultural sensitivity training on 03/26/2019 was aggressive and in-your-face. It was uncomfortable at first and a bit intense. President Knight and [REDACTED] Person 22 arrived at the session 2 hours late, at a very intense part of the training. Their arrival disrupted the flow and discussions of the group.
- By the end of the first session and into the second session on 04/26/2019, I saw the trainers' model evolving as they pushed us past our comfort zone. President Knight and Person 22 did not attend the second session and did not have to the opportunity to experience the shift.
- After the second session, I told President Knight that I thought the training was beneficial and that members of EC were supportive of engaging in further sessions. I told him that I learned and grew from the experience. President Knight said that some members of the EC had expressed extreme discomfort. He indicated that he did not support further work with this particular facilitation team based on discomfort and controversial language used in the session.

## Witness E

- President Knight and [REDACTED] Person 22 showed up 2.5 hours in to a 4-hour Institutional Equity training facilitated by Company A. The race-conscious work we were doing was reflective, encouraged open dialogue, and delved into our own identity and our responsibilities as leaders. Their arrival was disruptive and their presence and behavior felt highly dismissive of the purpose and content of the work sessions. This was especially evident when the facilitator worked to foster a basic understanding within the group of the impacts of power and privilege within institutions. The facilitator had to review elementary terms like Caucasian with President Knight and provide Person 22 multiple opportunities to reflect on her offensive reference to "plantation pie".
- Based on attending 1.5 hours of the 8-hour training, President Knight cancelled any future work with Company A because he took offense at the facilitator's questions about what constituted "a Black friend" and his use of some profanity.

## Witness M

- On 03/26/2019, the EC participated in a training arranged by Witness P with an outside vendor. President Knight and [REDACTED] Person 22 arrived 2.5 hours late and disrupted the progress the group was making. As they answered the introductory questions, one trainer educated President Knight on the history of the term “Caucasian” after he identified himself as “Caucasian” versus White and questioned Person 22 about her reference to “plantation pie”.
- I later heard that President Knight was offended by the trainer’s discussion about the cliché, “having a black friend”, saying that you do not have a Black friend if you have not had a romantic relationship with a Black person, have not been into their homes, and/or done more than hang out in a public place after work. President Knight apparently objected to the trainer’s use of profanity at times for shock value, yet was unconcerned when everyone in the room (except President Knight and Person 22) gasped or physically recoiled at Person 22’s “plantation pie” comment.

## Witness F

- On 04/26/2019, I attended the second session of the cultural sensitivity training with Company A. There was discussion about President Knight’s resistance to the training and about [REDACTED] Person 22 being clueless about the impact of her talking about “plantation pie” at the first session.
- I felt encouraged coming out of the training because everyone seemed to want to work together to improve the campus environment. I think that can happen, now that President Knight is leaving.

## C.4.2. Respondent Statements

### Bob Knight

- I was asked to explain my decision to not allow Company A to conduct any further diversity training at Clark College.
- Company A was contracted by Witness P to conduct cultural sensitivity training for executive cabinet in the Spring of 2019 as part of our ongoing professional development and Social Equity Plan.
- I was able to participate in some of the training. During that time, I felt one of the instructors was very unprofessional and unnecessarily provocative. One trainer used expletives throughout the class. He also asked very inappropriate questions including, “How many of you white folks have had a long-term intimate relationship with a black person?”
- When I questioned Executive Cabinet members individually about the second training session that I missed, two of them broke down crying (Person 21 and Witness B) and said it was the worst training they had ever attended. At least five members of executive cabinet told me they felt the training was offensive.
- I later heard a rumor that Witness P’s sister worked for Company A. When I confronted Witness P, she admitted that her sister worked for the company. This is an ethics violation

by Witness P since she was the person who contracted for the training. I did not file an ethics violation but let Witness P know that her relationship with her sister created a conflict of interest.

- Consequently, due to the unprofessional manner of training and conflict of interest issues I informed Witness P that I did not want to use Company A for any more training at the college.
- D Diamond said that there was an allegation made by a complainant that I intentionally avoided the training. This is not true. Witness P failed to coordinate the training with my schedule.
- Unfortunately, I was only able to attend two of the eight hours of training that were held in two 4-hour blocks over a couple of weeks. I missed the first two hours of the first session because I was called away to Olympia at the last minute to testify in a capital budget hearing. I missed the entire second 4-hour session because there was a conflict in my schedule that had been on my calendar for a year. I served as the Chair of the Community College Presidents monthly meeting this past year. These meetings are held around the state at other colleges. Our monthly meeting was scheduled at another community college at the same time this second training session was scheduled.

#### C.4.3. Documentation

[Investigator's Note: Relevant sections of documents are excerpted.]

- Exhibit 1: Complaint filed by Witness P 05/24/2019
- Exhibit 2: Complaint filed by Witness E 05/24/2019.
- Exhibit 3: Complaint filed by Witness M 05/28/2019
- Exhibit 12: Emails and documents related to EC approval of contracting with Company A for Deep Equity training.

07/05/2019 email from Witness H to the Investigators: "I recall Witness P telling Executive Cabinet that her sister worked at Company A but in an area unrelated to training. I believe she said her sister work in the restorative justice side of the organization. She made this declaration before we had entered a contract with Company A for diversity training for EC."

- Exhibit 13: Emails related to Person 22's "plantation pie" comment:

03/29/2019 email from Person 22 to the EC: "It was just brought to my attention that my answer to the "food I would bring to a picnic" elicited some concern within the EC. Having gotten to the training late and not knowing some "south' history had been discussed prior to our arrival, I had no idea that a gourmet pie bearing the name "plantation" would have such an impact. I apologize to anyone who might have been offended. I just know that these southern pies are something everyone I have made these pies for love them while satisfying their sweet tooth. Obviously a teachable moment for me. I can now see that the

dessert should be renamed, but I really was just thinking of the answer to the question. What I have learned is that the subtle or not so subtle references to racism can be found everywhere and I need to be more aware of how they might turn up in places I might not expect them. This is part of my journey and I am hopeful that all of you can support me as I grow my competency. I appreciate having this brought to my attention and I know now how insensitive it might have looked. For that, I apologize.”

03/29/2019 email response from Witness P: “Thank you for the apology, Person 22. I thought about it quite a bit this week and was very impacted. Plantations were places in which my ancestors were, enslaved, tortured and defiled. The plantation represents a painful part of our past and I was shocked and in disbelief by the statement. This is a good reminder that sometimes intent doesn’t always match the impact and it’s important for us all as leaders to continue to grow and learn, build and lean into those equity competencies. This way we become good examples for our teams”.

#### C.4.4. Analysis and Conclusions

- Minutes of the 12/04/2018 EC meeting show President Knight was in attendance when the decision was made to hire Company A.
- Witness H recalls Witness P disclosing that her sister worked for a different division of Company A at the 12/04/2018 EC meeting where President Knight was present.
- In order to avoid the appearance of a conflict of interest, it would have been prudent for someone other than Witness P to sign the contract with Company A.
- President Knight and Person 22’s late arrival at the first session was disruptive.
- The participants of color thought the training was appropriately challenging. Some of the White participants found the training too confrontational. This discrepancy presents an opportunity for further discussion.

#### C.5. Facebook Posting

##### C.5.1. Witness Statements

###### Witness A

- My complaint relates to President Knight continuing to retaliate against me by telling people that I posted a negative message about Clark College to my Facebook page on 11/28/2017, which I never did.
- The post, President Knight was referring to, had to do with racial development for women of color and decisions about how transparent to be in dominant-culture situations.
- I refused President Knight’s invitation to discuss my post that was totally unrelated to my work at Clark College. I felt he was questioning my integrity. In addition, it felt as if President Knight was purposefully searching to find something negative and untrue to associate with me. I did not feel safe meeting with President Knight face-to-face.
- In any case, the college does not have a right to govern my Facebook page, as there is not a college policy against speaking out against the college on a personal Facebook page.

- Unfortunately, President Knight has not stopped discussing with people this false claim regarding my Facebook page.
- In 2018, I was informed by Person 3 that, during her presentation to the Executive Cabinet regarding social-equity initiatives, President Knight asked, “So what is up with Witness A and her Facebook posts against Clark College?”
- On June 10, 2019, Witness P informed me that President Knight also mentioned to her that I had placed inappropriate content against Clark College on my Facebook page.
- Throughout his tenure, President Knight has referred to me as a troublemaker and has been rude and discounting towards me in my presence. For example, when I was thanking President Knight for honoring me as an Outstanding Alumni in 2017, he said, “Don’t thank me. I never would have chosen you.” He was not joking.
- I do not think President Knight cares about of the impact of how his positional power in alignment with his lack of any racial and gender sensitivity might offend a woman of color. He only seems comfortable with those who do not challenge his biased behavior.

### C.5.2. Respondent Statements

#### Bob Knight

- I was asked about a conversation with Witness A, a person of color, regarding a negative Facebook posting about Clark College.
- Trustee Jack Burkman sent a text message to me concerning a negative Facebook post about Clark College, dated November 28, 2017, that tenured faculty member Witness A had posted.
- I sent Witness A an email and asked her to meet with me about the content of her post. She refused to meet with me.
- I discussed the issue with Witness I because she is a friend of Witness A. Witness I advised me to let it go and I did.
- I have not had any other discussion about this Facebook posting nor have I ever met with Witness A about it.
- If there were concerns about singling out a person of color about Facebook posts, this is completely unfounded. I was alerted about the posting by a Trustee and simply wanted to discuss with the employee the genesis of her negative posting.

### C.5.3. Documentation

[Investigator’s Note: Relevant sections of documents are excerpted.]

- Exhibit 14: Complaint filed by Witness A 06/27/2019.
- Exhibit 15: 07/05/2019 email from Witness P confirming Witness A’s statement.

#### C.5.4. Analysis and Conclusions

- It was not appropriate for President Knight to discuss Witness A's issues with anyone other than Witness A.

#### **D. Allegation: Retaliation**

##### D.1. Witness Statements

###### Witness P

- I feel impacted by President Knight's tokenizing, and disrespectful treatment.
- I did not want to file a complaint, but I felt compelled to do so after President Knight's discriminatory and retaliatory behavior was allowed to continue unchecked. I was not the first woman of color to complain about this behavior. He has quite the history with women of color, especially the ones who value social equity.
- I am very concerned about President Knight briefing the incoming Interim President with his false, self-serving narratives and implying to her that I am not qualified for the position.
- I have consistently faced discrimination, tokenization and bias being on this Executive Cabinet. I fear for whomever comes into the position after me. I worry about how Black and Brown people will be treated when they come into this institution. This is more than I can handle. I do not know that I can stay in this hostile work environment.

###### Witness M

- I believe President Knight purposely chose to hold this discussion when he knew I would not be there to defend myself, the HR Office, or provide facts. This action was clearly retaliatory, since Board of Trustees member Rekah Strong had just asked me to submit my complaint in writing on 05/24/2019 and during that conversation advised me that BOT Chair Royce Pollard would be contacting President Knight.
- In the 06/11/2019 EC meeting, President Knight made an offhand comment that contracts should not go out with his electronic signature without his written authorization. He was laughing when he made the comment and did not say anything else on the subject, so I thought he was joking. I laughed politely as did others in the room.
- In contrast, shortly after in the same meeting, he specifically announced an action item for me to create an interim policy to ensure equitable pay practices and he was going to meet with me to "talk about what it should look like." He did not laugh, his tone was businesslike, and he said we were going to meet offline to discuss specifics.
- On 6/21/2019, he emailed requesting to speak with me before noon, then told me that I used his signature without his authorization and said he needed to contact the AAG to "determine if there was any liability" even though he said "he was going to authorize use [of his electronic signature] anyway."
- Based on this conversation, I immediately contacted the HR staff who worked on the contracts and discovered there was no written procedure to that effect, there was no written authorization documented in two years, and that President Knight never requires written authorization for contracts bearing his electronic signature for new hires,

reallocations, and off-cycle raises. Moreover, the employee who used to send out these contracts for over ten years recently retired and I specifically hired her back to train the person now responsible for the work and she never mentioned any written authorization process during the training or to the HR leadership team. I believe his pursuit of this issue is his attempt to impugn my competence and is clearly retaliatory.

- Ultimately, I feel like I was glad-handed and sold a bill of goods by President Knight. He is not committed to making the College an equitable and inclusive place for all Clark College students and employees. I have not been allowed to make progress on the HR part of the social-equity plan, implementing the DEHPD model for improving outcomes, hiring, and retention and have been retaliated against for persisting in raising equity issues. During my 11 months at Clark College, I have been tokenized, my expertise discounted, and given assignments outside of my job scope by President Knight because I am a Black female.

#### Witness E

- Shortly after I filed my complaint with the Board of Trustees that addressed my serious legal and ethical concerns related to President Knight's interference in the search process, President Knight announced that he was failing the recruitment for various procedural reasons. This included the false allegation that as the Chair of the hiring committee, I should have screened the applicants for minimum qualifications and had insinuated that I unduly influenced the independent search firm and/or the hiring committee to include Witness P as a finalist. He shared his reasoning with EC and again in writing with the hiring committee, despite my addressing each of his inaccurate reasons in EC.
- Since I filed my complaint, President Knight will not make eye contact with me. I feel like he is scrambling to deflect the impact of my legitimate complaints against him.
- I understand that President Knight has alleged that I manipulated other women of color to come forward. This is a false allegation. The only other formal complaints against the President that I am aware of were those of my EC colleagues. It is insulting and minimizing to me and to them to allege that they were influenced to come forward, when their experiences made them decide to come forward on their own.
- I am also aware that President Knight contacted [REDACTED] (Witness O) and asked her to solicit complaints from her constituents because "the Board of Trustees is openly investigating Witness E (me)", another false claim.
- President Knight thrives on his local status and networks well with the City of Vancouver and the statewide college community. I am concerned that President Knight's damaging words are an affront to my personal integrity and that his repeated retaliatory actions will impact my professional reputation.

#### Witness O

- I have been a [REDACTED] since January 2016.
- I avoid President Knight to the extent possible and only interact with him in my role as [REDACTED]

- Last fall at a classified-employees open forum, people raised concerns that none of the Executive Cabinet members were listening to their concerns. I shared with President Knight that several people were having issues with Witness E not communicating openly or transparently with staff.
- At the 06/20/2019 graduation ceremony, President Knight sat down while others spoke, but pointedly stood behind Witness E (a woman of color) when she spoke.
- On 06/20/2019 President Knight called me out of the blue and told me that the Board of Trustees was investigating Witness E's interactions with staff and was interested in hearing any complaints against her. He said that his was not an official request, but the Board was officially looking at it. He said that any complaints I could provide would be helpful. I said I would let [REDACTED] Person 20 know.
- It troubled me that this request was coming directly from the President. I called Person 21 to ask how I would get this information to the Board. She told me to send it to President Knight and he would get it to the Board.
- I spent the entire weekend thinking about President Knight's request and felt horrified that he had put me in this position. I had a bad feeling about it, so on Monday 06/24/2019, I spoke with Witness E and told her about the President's request and the Board's alleged investigation and followed up with an email
- I am very concerned that President Knight and his supporters on the Executive Cabinet will retaliate against me for my participation in the investigation.

#### Witness D

- Both Witness E and Witness M have approached me about their concerns with President Knight and asked whether he behaved in this manner with everyone. Witness P has also approached me with concerns about the college culture and environment in her role as the [REDACTED].
- About a month ago, while I was out on extended leave, I touched base President Knight. He told me that Witness M might not come back to work until he retires due to complaints that had been filed. Although he did not state it, it appeared he had knowledge that Witness M had filed a complaint.

#### D.2. Respondent Statements

##### Bob Knight

- I was asked to identify the race, sex and sexual orientation of all members of the Executive Cabinet.
  - I identified myself as a white heterosexual male along with Witness H, Witness C and Person 14.
  - I identified Witness I, Person 21 and Person 22 as white heterosexual females.
  - I identified Witness P and Witness M as African American heterosexual females.
  - I identified Witness E as a heterosexual female of color.
  - I identified Witness D as a Hispanic homosexual female.

- I was accused of gravitating towards or favoring white males. This complaint is completely unfounded. I have hired more females than males to serve on Executive Cabinet. I do not gravitate or favor anyone because of their race or sex.
- This extends to social activities. Witness M, Witness P and Witness E have been to my home for social events. I have included Witness E and Witness M in many activities over the past year. I climbed Camelback Mountain in Scottsdale with them earlier this year. I have great pictures of us all smiling, enjoying the day together.
- I have attended out of state conferences with both of them. I travelled to England to visit a university and advanced manufacturing site with Witness E.
- I invited Witness E and Witness M, along with their significant others, to join my wife and I on a dinner train ride down the Columbia River Gorge last fall. No other executive cabinet members were invited on the train ride. I invited and paid for a golf outing for Witness E's mother-in-law who was visiting from out-of-state.
- I spent two hours on the phone helping Witness M work through contract issues concerning the purchase of her new home shortly after her arrival. I made five phone calls to three realtors, a lawyer and home builder to help her through her contract issues.
- It is disingenuous to suggest that I only gravitate towards or favor white males.
- D Diamond asked me to respond to an allegation that I am less warm with someone after a difficult discussion with them. I will not deny that I tend to give people space after a difficult discussion, but I am always professional and cordial.
- I affirmed there is a personality conflict between Person 14 and Witness E who are both on the Executive Cabinet. I initiated an investigation on Person 14 concerning allegations that a former employee made about work conditions and comments he made about other employees. I hold all Executive Cabinet members accountable for their actions to the same extent.
- D Diamond was asked about a meeting I had with Board Chair, Royce Pollard on May 23, 2019. During that meeting, Mr. Pollard notified me that there were complaints made against me that the board would need to investigate. He could not and did not tell me who the complainants are or what the complaints were about.
- D. Diamond asked about a phone conversation that I had with Witness O who works under Witness E. On June 20, 2019, I called Witness O as a follow-up to a conversation she initiated with me several months earlier. Witness O had approached me in the hallway one day after a meeting had just completed. She said that she had received dozens of complaints about Witness E and her leadership methods.
- I encouraged her to go to Witness E with the complaints so that Witness E had the opportunity to deal with the complaints first. She told me she did not feel comfortable approaching Witness E. I then told her to go to HR with her complaints. She told me she did not feel comfortable going to HR with the complaints because of the close relationship between Witness E and Witness M. I then told her to have the complaints put in writing and send them to me or the board.
- The June 20 phone call was to remind her that if she had any written complaints, as the board chair has asked for them and I had not seen any written complaints come in from her.
- Following the June 20 phone call to Witness O, I received a call from Board Chair Jacobsen describing an email from Witness O telling Witness E about my June 20<sup>th</sup> phone call to her. Witness O misrepresented that the Board and I were doing an

investigation on Witness E and were encouraging employees to file complaints about Witness E.

- I was initially confused why Witness O was now sharing this with Witness E as a few months prior she was not comfortable approaching her. It became clear when I recently received a Personnel Action Form from Witness E to increase Witness O's salary by 22% and give her back pay from Feb. 15, 2019. This \$11,000 increase in annual salary and \$4,000 plus in back pay likely contributed to is why Witness O no longer has any issue with Witness E's leadership.
- I was contacted by incoming [REDACTED] Person 20 on June 21, 2019, via email about the phone call I had with Witness O on June 20. She said she had been contacted by Witness O and asked whether the board was doing an investigation on Witness E. I responded with no, but the board was encouraging employees to put any complaints in writing.
- D Diamond asked me to respond to an allegation that I retaliated against women of color. There has been no action, disciplinary or otherwise, that would constitute as retaliation toward any woman of color.
- The allegation that I cancelled the recruitment to retaliate against Witness P for speaking up about issues is completely unfounded. I placed Witness P in the [REDACTED] position in order for her to speak out about issues. The recruitment process was put on hold because the process was very flawed and inequitable.
- D Diamond asked me to respond to the allegation that I questioned Witness M about sending out contracts with my electronic signature without my authorization to retaliate against her for advocating for Witness P. This is totally unfounded. It is simply illegal to use my electronic signature without my authority and I told her so. Stopping this illegal activity was the appropriate course of action.
- D Diamond asked me to respond to the allegation that I did not give Witness E goals and guidance when she began at the college. This is not true. I scheduled a meeting with her the first week at the college and gave her notes from my presidential memo pad concerning things that I wanted her to accomplish. I also told her that I wanted to meet with her weekly until she became more comfortable at the college. Early on we met weekly and then shifted to bi-weekly meetings. As my retirement date approached, she increasingly avoided meetings with me.
- During my 15-year career at Clark College I have never had a complaint filed against me.
  - Under my leadership, Clark College developed a Social Equity Plan for 2015-2020 and we've accomplished a great deal.
  - We're working on tackling all aspects of this evolving issue.
  - Social equity was established as a core theme within the college's strategic plan, and we worked to institutionalize practices that challenge systems of power, privilege and inequity.
  - As part of addressing all aspects of life at Clark College through our Social Equity Plan
    - including requiring Equity in Hiring training for all screening committees,
    - creating employee resource groups,
    - and utilizing principles of universal design and social justice so that all students can achieve equitable outcomes.

- I worked to make this a college for everyone, was committed to ensuring that our college is a safe, welcoming and a supportive environment where all our diverse members could grow.
- I believe that the genesis of the complaints against me are driven by an attempt to cover up performance issues by complainants. I hold all employees accountable for their actions regardless of their gender, race, and sexual orientation with the utmost fairness and equity in mind.
- When it comes to employees of protected groups, I attempt to be even more deliberate in my decision-making, knowing the potential extra scrutiny of my decision. However, I have never shied away from doing what I felt was the harder right than the easier wrong. I have always prioritized the best interests of the students and the college.
- I have recently received dozens of complaints about Witness E's toxic interactions, bullying behavior, poor work ethic, lack of leadership, lack of investment in the college and lack of transparency, ethics and truthfulness. These complaints have come within the college and outside the college.
- I have received numerous complaints about Witness M cutting back service hours in HR, being unfriendly, and promoting Witness R from a Level 3 to Level 9 position as the [REDACTED] without going through an appropriate hiring process.
- I have concerns about Witness P and nepotism as she hired a family member's company to provide the cultural sensitivity training for Clark College.
- I notified Board Chair Jane Jacobsen about the complaints against Witness E, Witness M and Witness P. She responded that I needed individuals to document their complaints and forward them to me or the board. I took no action with these complaints as I was nearing my retirement date and Board Chair Jacobsen requested I not take any action.
- It seems clear that I am being targeted so that the complainants can benefit. That my reputation and Clark College's financial resources could be attacked through deceit and false accusations is untenable. A fair and just investigation will demonstrate that these allegations are completely unfounded. I also believe there is collusion among some of the complainants.

### D.3. Documentation

[Investigator's Note: Relevant sections of documents are excerpted.]

- Exhibit 1: Complaint filed by Witness P 05/24/2019.
- Exhibit 2: Complaint filed by Witness E 05/24/2019.
- Exhibit 3: Complaint filed by Witness M 05/28/2019.
- Exhibit 16: Email re: President Knight's contacts with WPEA

06/21/2019 email from President Knight to Person 20: "To be clear, I did not make the initial request for information about Witness E. Witness O spoke to me a couple of months ago and informed me that there were complaints from many employees about the

Witness E. I told her what the options were. I first encouraged her and the others to go to the Witness E to express their concerns but she did not feel nor did she feel others would be comfortable doing that. I then told her she should and others should go to HR and inform HR what their complaints were. Witness O informed me that they didn't feel safe going to HR either. I told her and anyone else that had complaints that they should put those in writing when they went to HR and express their concern about retaliation in writing so that there would be documentation to protect them when they made the complaint. I did not have another conversation with Witness O about this topic until yesterday when I informed her that I had not heard of any formal complaints and I reminded her of her options."

- Exhibit 17: Emails and documents related to Witness M's use of the President's electronic signature on 2019/2020 contracts.

Office of The President Signature Request Form: For authorization to use the Chief Clark College Executive Officer's Signature on High Volume Correspondence: If you would like to utilize Bob Knight's signature on a form letter or any printed material, please fill out completely the information below then submit it to Bob Knight at Mail Stop #09 for approval. Once approved, Bob Knight's office will contact you regarding release of the digital signature for your use.

06/21/2019 email from Person 27 to Witness M: "Attached is the form that we used up until 2017-18 to obtain authorization to use the president's signature in the faculty and admin/exempt contracts. In looking at our archives, we used this form until 2017-18. There is no record of the form being used for contracts issued on 2018-19. Per our conversation, I was unaware of such requirement prior to sending the contracts for 2019-20. Currently, there is no written procedure to document that step in the process or a policy that reflects that requirement. In looking at my training notes, there is no indication that I needed to have that before generating contracts."

06/24/2019 email from Witness M to President Knight: "I appreciated you sharing with me what the authorization process was during our conversation this past Friday (6/21). That orientation was helpful."

- Exhibit 18: 06/25/2019 email from Witness H to identified witnesses. [Investigator's Note: Witness H acknowledged that he erred in sending the investigatory-interview email in a way that disclosed other witnesses who were being interviewed.]
- Exhibit 19: Emails and documents related to a personnel action for a retroactive salary increase for Witness O.

07/08/2019 email from Person 27 to President Knight: "Person 30 and Witness O requested reallocation out of the bargaining unit on February 15, 2019. Person 19 completed the [preliminary assessment 03/14/3019 and] allocation analysis in April and our Labor negotiator advised us to wait before notifying the union."

07/12/2019 email from President Knight to Ms. Jacobsen: "I have one action that I am leaving behind for the Interim President to sign off on. I do not feel comfortable signing it. I received a personnel action form from Witness E this past week to increase the salary of Witness O by 22% retroactive to Feb 15, 2019. This entails roughly an increase in salary by \$11,000 and back pay of approximately \$4000. This did go through HR. I do not think this is a coincidence that this is the same Witness O who came to me unsolicited complaining about Witness E's leadership She actually stated that there were a couple of dozen others who had similar complaints across the college...a few months ago and then had a change in tune a couple of weeks ago sending an email to Witness E saying that I was doing an investigation on Witness E when I called Witness O to remind her that I had not seen any of the written complaints she had offered. Something smells on this one."

08/01/2019 emails from Person 27 to the Investigator: "Witness O's position request was the only one during the period between February and April of 2019 that was intended to be reallocated out of the bargaining unit...After the HR director left in May 2019, I was assigned pending position reviews. I noticed that Witness O position request was still pending and most likely passed the 60 days. I reached out to our OFM Labor Negotiator via email to check on the status of the position allocation and subsequent notification to the union; as I believed we may have not sent such notification, but I needed to confirm. Labor Negotiator was out on vacation until the end of May and upon his return, he confirmed no union notification had been sent. I spoke to Witness M on 6/5 during our one on one meeting. I explained that Witness O's position request was significantly delayed and we needed to provide an update on her request. During this discussion, I explained the timeline of the entire process and she authorized me to move forward with the process, and to notify the WPEA of our intent to reallocate your position out of the bargaining unit, which I submitted on 6/7. We needed to wait 21 days for the union to respond before we could move finish the allocation, which we did on 7/2/19."

Timeline:

02/15/2019	Position Reclassification Request submitted by Person 30
03/14/2019	Preliminary analysis done by Person 19
April 2019	College Labor Negotiator advised Person 19 to wait to notify WPEA
05/01/2019	Person 19 retired without completing the reallocation process
Early May	Person 27 reviewed files/contacted OFM Labor Negotiator (on vacation)
End of May	OFM Labor Negotiator confirmed no notification re: position
06/05/2019	Person 27 briefed Witness M who authorized Person 27 to notify WPEA
06/07/2019	WPEA notified of intention to reallocate position out of WPEA
06/27/2019	WPEA confirms no intent to bargain the impact
07/02/2019	Witness M authorized Person 27 to issue reallocation report
07/08/2019	Reallocation completed
07/15/2019	Contract signed by Interim President

#### D.4. Analysis and Conclusions

- Witness P, Witness M, and Witness E each engaged in protected activity throughout the past 12 months by expressing opposition to discrimination.
- It is more likely than not that, as of 05/23/2019, President Knight knew that Witness P, Witness M, and Witness E were the EC members who were filing complaints.
- President Knight did not fail the search for procedural issues and alleged inequities until 05/28/2019, after being informed that complaints were being filed.
- More likely than not, President Knight would have handled the electronic-signature issue with Witness M more collaboratively if he had not known that she filed a complaint. Witness M acknowledged that a training gap led to the error. There is no evidence that President Knight was retaliatory in raising this issue.
- It is not credible that President Knight did not know that Witness O was [REDACTED] when he contacted her on 06/20/2019.
- It was not appropriate for President Knight to contact Witness O and ask her to forward any complaints against Witness E, when he knew that Witness E was a complainant.
- Although President Knight told Witness O to have people express their concern about retaliation in writing so that there would be documentation to protect them when they made a complaint, he is critical and suspicious of Witness P, Witness M, and Witness E doing exactly that.
- Although (as a best practice) reallocations are generally completed within 60 days, there appear to be legitimate business reasons (union negotiations, employee retirement) for the delay in processing a reallocation of Witness O's position. There is no evidence that Witness E and/or Witness M had Witness O's position reallocated or salary adjusted to get her to make false statements about President Knight's contacts with her.
- Witness P, Witness M, and Witness E claimed that they were each adversely affected, or feared they would be adversely affected, by President Knight's treatment.
- Witness P was adversely affected by President Knight's decision to cancel the recruitment by her private personnel information being disclosed in the 05/28/2019 EC minutes published on the Clark College intranet.
- To date, there is not sufficient evidence that Witness M and/or Witness E have in fact been adversely affected by President Knight's words and/or actions in direct relation to their prior protected activity.

#### V. Policies and Other References

[Investigator's Note: Relevant sections of references are excerpted.]

- Clark College Policy 622.000 Discrimination and Harassment

Clark College is committed to freedom from discrimination for all members of the College community. The College expressly prohibits discrimination on the basis of race, color, national origin, age, perceived or actual physical or mental disability, pregnancy, genetic information, sex, sexual orientation, gender identity, marital status, creed, religion...In addition, the College is committed to freedom from all forms of harassment including

sexual harassment, domestic violence and harassment in the workplace. All claims of discrimination and harassment will be investigated by the designee of the president.

Examples of conduct that could rise to the level of discriminatory harassment include but are not limited to the following:

- Epithets, “jokes,” ridicule, mockery or other offensive or derogatory conduct focused upon an individual’s membership in a protected class.

#### Non-Retaliation, Intimidation and Coercion

Retaliation by, for or against any participant (including complainant, respondent, witness, presidential designee, or investigator) is expressly prohibited. Retaliatory action of any kind taken against individuals as a result of seeking redress under the applicable procedures or serving as a witness in a subsequent investigation or any resulting disciplinary proceedings is prohibited and is conduct subject to discipline. Any person who thinks he/she has been the victim of retaliation should contact the presidential designee immediately.

#### **DISCLAIMERS**

The information in this report is based on statements made by the persons referenced and the documents made available to me in the course of this investigation from 06/14/2019 to 08/26/2019. This report is intended to provide you information to ascertain what corrective actions, if any, are appropriate in response to the allegations against President Knight.

Witness P [REDACTED]

4[b] [REDACTED]

[REDACTED]

[REDACTED]

Work Email: [Witness P@clark.edu](mailto:Witness P@clark.edu)

Personal E-mail: [Witness P@clark.edu](mailto:Witness P@clark.edu)

### Which college area is this grievance about?

An Administrator

## Grievance Details

I hesitate to write this grievance due to the seriousness of this claim and the power President Knight holds. I have seen many instances of harm in the past, but it has never happened to me until now.

Although there have been other instances of bias and discrimination, I will start with February. I was appointed Interim [REDACTED] in July. I was given no real direction or vision, so I have taken it upon myself to listen to the community, learn from the community and repair deep harm for the community. People of color have not felt comfortable, included or welcomed at Clark College and we need to face this, but since I have been in this position, I have understood why people of color leave this college. They do not feel supported or heard, and every time we start to speak up a bit, there is retaliation. The position of [REDACTED] has been an important position that has not gotten respect needed from Bob or the community.

In February, I had a one on one with President Knight. In this one on one, he stated that he thought it was "funny" that I decided to apply for the position [REDACTED] only after I found out it was elevated to a VP and after I knew the salary. I explained to him that I was applying for the job because I was qualified for it. I told him that in December, I sent him an email stating that I may want to apply so I would recuse myself from all meetings that we were talking about the position. I further explained that I do not know the salary at all and only found the job was listed by checking LinkedIn. Bob K. then told me that he did not want this to turn out like a [REDACTED] situation. I was very offended by these statements, one, because it felt that he was, first, implying that I was doing something shady, and I also found it to be a slap in the face because it felt that he was counting me out of the job, even before I had the chance to apply for the position. He told me that I needed to be more "transparent". I asked him what his idea of transparency was. He said I needed to send an email to all of EC letting them know that I decided to apply for the job. I told him that if it was normal protocol, I would do it. I sent out the email to all of EC, however, I did follow up with some people I knew on EC that had been in

interim roles. They stated they never had to do that before. Again, I felt like he was saying that I was doing something shady.

I know that he has the final say and from what I can see as of late, he may have a personal thing against me, so I am sure he would not choose me for the position. I have worked in this position, dealt with a broken and fractured team, repaired community (internal and external) relationships, revived the department, cranked out some awesome trainings and opportunities for Clark College and am getting paid \$75,000 per year and I know that every other executive cabinet member makes at least \$25K more than this. When I agreed on this salary, it was under the assumption that it would just be a few months. It has turned into almost a year, and I love it. This is a labor of love, essentially and I have NEVER been given the respect I deserve. Two times in front of the community (State of the College AND Opening Day) he referred to me as Interim **Director** [REDACTED]. To date, I have had only four one-on-ones with Bob Knight since July and he has asked me the same exact questions in each one-on-one. When he announced his retirement, he came into my office and stated that he has taken this "social justice thing" as far as he could take it.

May 10<sup>th</sup>, I had another one-on-one with Bob and in this meeting, he told me that he would not ask **Company A** [REDACTED] to come back due to the facilitator who made a crude sexual comment and cursing. I was shocked because I knew the "sexual" comment he was talking about he took completely out of context. He then told me that he told the board and the board was very shocked.

For context, in an Executive Cabinet meeting, we talked about bringing in a consultant to help us continue the work we started in the 8 hours of training we received from **Company A** [REDACTED] and the EC thought they wanted to bring **Company A** [REDACTED] back. For further context, Bob came to the first training 2 ½ hours late and did not show up for the next four hours. He was only there for less than 2 hours of the full eight hours of training. When Bob walked in with **Person 22** (2 ½ hours late), we had already completed quite a bit of team/trust building. The questions that the facilitator asked when we first started was: 1. What is your name? 2. What are your pronouns? 3. What is your race? And 4. We're having a cookout; what are you bringing and why? They asked these same questions of **Person 22** [REDACTED] and Bob. Bob said: Bob, he/him and then he said "Caucasian". The facilitator explained why Caucasian was not a race, he went through the history and back story on Caucasian. Once he corrected him, Bob said "White" and this was the answer the facilitator wanted because he was framing the way that we think about labels and race in America. I believe Bob felt defensive from this moment. Right after Bob, **Person 22** [REDACTED] went. Her answer for #4, "We're having a cookout..." Her answer was "Plantation Pie!" She said it very happily. When the facilitator gave her an out, he said, "what plantation is that from?" she said, "some place in Georgia!". This was never addressed from Bob at all and many were impacted on Cabinet by that blatant racist statement. He was more upset about a comment the facilitator made which was taken out of context. The comment that he was upset about was when the facilitator was talking about how we can all get along when we're playing on the playground together, but he wanted to know what comes up for us when we talk about having a sexual relationship with a

Black person. None of us batted an eye at that comment, because we understood what that meant.

After he told me about how they were not coming back, he said, "rumor has it that your sister works for [Company A] I told him it was absolutely no rumor, and that I had this conversation in Executive Cabinet when I talked about initially bringing them there. She doesn't even work in the equity facilitation department and had nothing to do with this training. Again, I felt that this was implying that I was doing something shady. I have nothing to hide because everything I do, I do with integrity and ethics. When he mentioned to me that the board knew about the training, I realized that I needed to start to defend myself. In that meeting, he also stated that the board was concerned that I was conducting equity training for them and he didn't want me to do training.

I am concerned, because I feel like I am now starting to be blocked from everything I try to do to further social equity at the college and targeted. He doesn't want me to move forward with social equity training with [Company A] he doesn't want me to train the board, he told me that I could not shut my department down for the week for my department to attend NCORE (National Conference on Race and Ethnicity in Higher Education). This conference is usually in New Orleans, but is in Portland this year. I paid for my entire team to go because this was an opportunity to get five days of professional development for us as the social justice professionals on campus. This, for me, was a no-brainer that we would shut down our office for the week to attend. The policy is that we do not shut down student-facing departments. Because we are a small team of 4, we have no one to watch the office while we are gone.

Bottom line, I have never felt that Bob sees me as a professional in my position. This affects my reputation because I have heard many things in the community that people have "heard" about me that confirms he does not see me. This is not my first formal position in social equity. I have experience. I have never had a manager that leads with intimidation and fear as much Bob Knight does. Many on Cabinet feel the same way. I am worried that my [redacted] and career have now suffered under his leadership. 4(c) [redacted]

Not to mention, I have been blamed (with the other people of color on Cabinet) of leaking the raw equity survey results to Molly Solomon as well as for being one of the new people that suggested we should do 5% budget cuts instead of this being an executive cabinet decision. The people I heard this information from mentioned Bob was the one that said it to them. I think this is extremely unprofessional. I have consistently faced discrimination, tokenization and bias being on this cabinet and I fear for whomever comes into the position after me. I worry about how black and brown people will be treated when they come into the institution. I feel like Clark College, specifically Bob, wanted to have people of color on cabinet, however, they did not really want to have us open our mouths for any reason. He told all of executive cabinet that he does not want a climate survey until the new president comes in. This is more than I can handle, and I do not know that I can stay in this hostile work environment.

What would you prefer as an acceptable resolution to your grievance?  
Formal Dispute Resolution



# Non-Student Discrimination and Harassment Grievance Complaint Form

Clark College will use the information you provide to assist with resolving your grievance. By signing this document and submitting a grievance, you consent to Clark College's disclosure of any protected or confidential information that may be needed to review your grievance, including referring grievances to another organization with jurisdiction and authority over the issue.

The information given in this grievance is true and accurate to the best of my knowledge and I understand that if I fail to respond to requests for additional information or to questions about this grievance, the college may dismiss my grievance. Please note: Your submission of this document serves as an electronic signature and indication that the information you have submitted is true and accurate to the best of your knowledge.

## Reporter Information

Enter your Name

First name

Witness E

Middle initial

Last name

Witness E

Enter your Phone Information

Daytime phone number

Evening phone

Cell phone 4(b)

Enter your Address

Address line one

4(b)

Address line two

City

State

Zip code<sup>4b)</sup>

[Redacted]

Enter your E-mail Address

Work E-mail

[Redacted] Witness E 4[b]

Personal E-mail

[Redacted] 4[b]

## General Grievance Information

Which college area is this grievance about?

- An Administrator
- An Instructor
- A Staff Member
- Facilities
- Policy or Procedure
- Services

Other college area: [Redacted]

Where did this incident happen? Repeatedly since my date of hire on July 2.

Where did this incident happen? Type a building or field name, or use the up and down arrow keys to navigate through a full list of buildings. [Redacted]

Who was involved? See below

What is the name of the person that this complaint is against? [Redacted] Bob Knight

Was anyone else involved, or did anyone else witness this incident? [Redacted] Below

Many EC members have witnessed this, including Witness H [Redacted] Witness F [Redacted] Witness M [Redacted] Witness P [Redacted]. There were others, though for fear of retaliation, they may not be willing to share information.

IF YOU HAVE documents that pertain to this grievance, you may either mail them to or drop them off at:

Human Resources, ATTN Discrimination Grievances  
1933 Fort Vancouver Way

## Grievance Details

What were the circumstances?

Explain the circumstances of this grievance. Be specific in explaining your concerns; include dates and the names of individuals who may be involved.

Please submit any supporting documentation or additional information you think is relevant to

Human Resources.



Since I was hired on July 2, 2018 there have been many situations and circumstances at the college when I have had to address Clark College's cultural climate and the inequitable policies and practices as it pertains to my job as the [REDACTED] & Executive Cabinet member. Consistently, when I have addressed these issues either at the EC table or with Bob Knight 1:1, Bob's response and resulting behaviors have had significant consequences that have impacted my professional integrity, professional relationships with colleagues, and has created additional barriers for me to overcome in successfully completing my job responsibilities.

There are several specific instances that I will share as part of this complaint, but I would like to make it clear that there have been pervasive patterns of minimization, tokenization, inconsistent levels of accountability for different EC members (more for some and substantially less for others), creation and the source of harmful misinformation, and side bargaining that have impacted negotiations. One such example was in the Fall after a board meeting. We were in the room with the Board of Trustees and all of EC and we had been discussing the recent attention with the OPB articles and the increased tensions at the college with white supremacists. Bob was attempting to explain to EC in that moment that we have to share with the college that we have been addressing the cultural climate and stated, "I mean, I am doing something. That's why I hired you, **Witness E** and **Witness M**, **Witness P** and **Witness D**." The value of our skillsets and professionalism in our fields felt like it was being diffused, (inferring that our hire was due to our racial and ethnic identities). This example of tokenization/minimization can be corroborated with the individuals mentioned as well as **Witness H** and **Witness C** as this has been an event that we have all returned to in discussion over the months since.

Another example was during my "expectations" meeting on December 20, that should have been done at the start of my hire in July. I had been asked (and without guidance) to complete documents that clearly stated my goals for the upcoming year, the basis for my annual evaluation. The document was complex in areas and I had asked for clarification many times, but Bob told me to just ask my colleagues. I came ready to discuss the completion of the 10+ page document that highlighted my job responsibilities, indicators of achievement, and the multiple ways in which each of these would be assessed according to the templates. Though he had received my document weeks before, he told me that had not read it. When the meeting began, he pulled out a piece of paper with three general areas to work on (1. Establish

Relationships with Key Leaders and Departments, 2. Comprehensively Assess All Instructional Functions and develop a long-term plan, 3. Lead effort for Guided Pathways implementation). Of course, the accountability for any of these areas requires shared and coordinated efforts but there was no discussion about this. These categories on Bob's list were analyzed in the larger document that I submitted and specifically illustrated my specific areas of accountability, something that he did not do in his brief list. For months, I have felt that the president has overlooked the shared responsibilities in these areas and instead, held me to a different level of accountability than some of my EC colleagues (specifically, those related to ECD). In most of my 1:1 meetings, he would put the accountability and responsibility of the need for ECD to bridge their work with Instruction on to me. In response, I continuously reminded him of the many meetings I have had with Person 14 since I arrived at the college and the many opportunities I have facilitated to assist with this work with little to no success. I have also asked him for other strategies he would like to me to implement, while also having reminded him that the work of ECD and the accountability for that effort lies with Person 14. Bob has not only provided no additional guidance, but he has continued to indicate to me, to my colleagues (Witness D former Person 13 Witness I and others) that the issue might still be my fault. All of the above individuals have told me that their feedback to Bob was that Person 14 has a longstanding pattern of ineffective practices and that this was an issue that the previous Person 13 has faced as well. Person 14 department is over \$300,000 in the red and has been in a severe deficit for years and from what was shared at EC during budget conversations, this number has grown each year. This can be confirmed with Witness H as to the deficit, as well as the lack of accountability that he has witnessed with regard to ECD.

Most of the time I spent with Bob on December 20 in my "evaluations" meeting was spent discussing a separate issue. Specifically, he wanted me to know that just the day before, he was stopped "by someone" in the Geiser building who stated that "the new [redacted] cared more about faculty voice than staff voice." His response was that he told them to go to HR with any concerns.

As with microaggressions and microassaults, it can often be difficult to ascertain with some of these circumstances what is due to poor supervision and lack of leadership skills and what is due to biased, racist, sexist beliefs that result in inequities, bullying, harassment, and retaliation. My experience is that these are all intertwined, but will focus on the events that have specific evidence and individuals privy to these experiences.

On January 27, there was an OPB article that was published and indicated that a recent survey that had been sent to the college community was anonymously given to the reporter, Molly Soloman. This survey had been viewed and the results clustered by many within the Planning and Effectiveness office, had been seen by many of the Executive Assistants who print our agendas/materials, and had been viewed/discussed by all of Executive Cabinet. I was approached by one EC member (Witness I) who shared in front of one of my deans that Bob had called her in to discuss the situation and the survey, was angry, and stated that my colleague, Witness M must have been "the leak." Soon after, I heard from other colleagues on EC that Bob had shared with them and possibly the Board of Trustees that I was "the leak." Similarly, I had heard from colleagues that Witness P had been blamed by Bob as "the leak." At a subsequent EC meeting, the article was discussed, as was the suggestion that the new brown women on EC were "the leaks." Bob appeared shocked that anyone would say this and asked if we knew where this was coming from. I told him that I did and I would discuss

it with him later. I did not want to address him as the source of these statements publicly. Later that afternoon, I went to his office and shared that I had heard it was him. He denied it, stated that other EC members had come to him to say that I could have been the leak, but he had defended me. His version of the story did not match the consistent reporting of my EC colleagues. As stated earlier, his behavior has damage to my professional reputation, integrity, and relationships with my colleagues.

On Tuesday, May 14 at EC, Bob had asked if I had any information about the faculty and their response to the budget, as he had heard they might be gathering outside of the room during our EC meeting. I shared with EC that the day before (May 13 in the morning), I had an informal visit with faculty, one of multiple opportunities to sit in a public space and discuss any issues, concerns, or information that they've heard. At that informal meeting on May 13, the future union president continuously relayed incorrect information and a harmful narrative regarding the college's intentions with the budget, reductions, etc. One narrative that was expressed was that the 5% budget reductions were all of my doing and that she was "told" that it was me, specifically stating "You were behind this" and then "the new people." I shared with EC that I was confused and disturbed that this was a running narrative, as it targets the brown women on EC (the other new individuals on EC were not at the college when the 5% required reductions were planned/discussed/communicated). As had happened before with the OPB leak conversation at EC, Bob appeared shocked that this would be stated. In an attachment, you will see an email from May 13 in the evening sent by my colleague, **Witness F**. Her intent was to state her support for my efforts to meet with faculty regarding the issues we were all facing and in that email, had asked for my understanding of the budget conversation for the next day. She is new to EC and is an interim for **Witness D**. In that email, she stated, "At the beginning of my meeting today with Bob K and **Witness I** he said that "he didn't want a 5% cut but the "new" people on EC wanted it ..."! It's like roulette trying to figure out where things are going to land and how to contribute to the conversation."

Later on that same day (May 14) during the break, I talked with **Witness H** in the hallway and expressed my frustration with these narratives. He shared that Bob Knight had expressed to him in a meeting that it was the "new people" behind the 5% reductions. So, at this point, I now knew that he had stated this in a meeting that he had with **Witness F**, **Witness I** and now in a separate meeting with **Witness H** and may have also shared this with the union during one of their frequent conversations, as the narratives matched.

On Wed, May 15, I received an email from Bob asking me to forward the email communication from the faculty member that stated the "new people" were behind the 5% reductions. As you will see in the attached thread of emails, I reminded him that this was done in person. He then wrote me later to say that he went to see the future union president, she denied it, he had then contacted other faculty present, and no one could confirm or deny that this statement actually happened. My response that included my colleagues ( ) was to ask why he was doing this, as it seemed to me that he was not trying to stop the false, harmful narrative but instead trying to determine if what I had reported at EC actually happened.

I was also told on April 29 by **Person 21** that Bob wanted to start meeting again every two weeks. At our meeting on April 30 (he insisted on it being the next day), he told me that we had met every week for 6 months and "then I was ready to let you fly but now I need to know what you are

doing.” The inference was that I need to be watched closely, though I haven’t had any complaints or performance evaluation issues.

Although we were assured that we would be protected from retaliation by submitting a formal complaint, today at EC I and others (specifically **Witness M** and **Witness P**) were on the receiving end of retaliation. During our EC meeting, Bob had asked **Witness P** to leave and **Witness M** had not yet arrived. He started with sharing specific details with EC that he was going to stop the [REDACTED] search process, as it was “fraught with inequities and problems from the very beginning.” His message was clear: HR was at fault, I was at fault as chair, and **Witness P** was at fault for being an interim. Below are my notes that I took:

“Fraught with inequities and problems from the beginning”

Didn’t do an open transparent process with firm

When cabinet met, we had interim in room

Master’s or equivalent in years of experience (believes that the firm inappropriately downgraded the requirement to bachelors)

Three years of senior level experience

2/5 of finalist candidates didn’t meet min requirement

One candidate that moved forward used Trio as an example of their work and the other, **Witness P**, used internal experience and he believes she isn’t qualified.

Many of 10 didn’t meet minimum qualifications

Not all on the hiring committee received the diversity in training

No briefing up front on confidentiality or process (**Not sure why he would say this, as he wasn’t in the committee meetings. We did discuss confidentiality and process with the hiring committee and furthermore, EC members selected who sat in the interviews in their area. We agreed to have two representatives from [REDACTED], acknowledging the trauma and harm inflicted by the last hiring process).**

**[REDACTED] wasn’t very objective” (EC as a whole unanimously selected [REDACTED])**

“strong internal voice within the committee to move internal candidate forward.” This was apparently a quote from **[REDACTED]**. **(I shared that this is true, as the committee had a discussion to ensure that all biases are in check and that the candidate was moved forward due to her experience and resume. He brought this up multiple times, asking if I can share information, seeming to insinuate that I may have been the “leading” voice as he called it.)**

Strong **[REDACTED]** office presence on the committee **(this was discussed at EC as to the required configuration of the committee members based on past practice)**

Wanted to know if the committee checked to make sure candidates met qualifications. **(I stated that no, because the applicants were already screened. That was not our place to discuss if they met**

minimums... [Person 2] started to argue and cut me off that this was my responsibility and Bob agreed. I disagreed, as this is not the role of the hiring committee. That is an inequitable practice.)

From Bob, as I asked what he would like me to communicate with the hiring committee: Bob isn't comfortable and didn't feel the process was fair and equitable and not an indictment on any individual applicants. He will encourage [Witness P] to stay as interim, board is supportive, and he asks that people support his decision.

I could continue this document for several pages, but the bottom line is that working under Bob Knight and trying to navigate his frequent microaggressions, microassaults, and retaliation for simply doing my job has had a toll on my [redacted]. [redacted] He continues to behave in ways that have harmful implications to my professional integrity and reputation.

Are any other organizations involved?

If you filed a grievance with any other organization or entity related to this formal grievance, please provide us with the name of the organization(s) and the outcome. [redacted]

What would you prefer as an acceptable resolution to your grievance?

- Informal Dispute Resolution
- Formal Dispute Resolution
- Information Only

Is there any additional information? I would ask the board to investigate my complaints by speaking with [Witness P] [Witness M] [Witness H] [Witness F] [Witness G]

Is there any additional information we should consider as we plan an appropriate interaction or outcome? Given the EC meeting, I am fearful of continued retaliation and am taking a significant risk submitting this formal complaint. I'm not sure what else to do at this point, as this has to stop.



From: Knight, Robert

Sent: Monday, September 17, 2018 2:54 PM

To: Witness With [REDACTED] <Witness E@clark.edu>; Person 14 <Person 14@clark.edu>

Cc: Person 22 <Person 22@clark.edu>; Person 21 <Person 21@clark.edu>; Person 34  
[REDACTED]

Subject: Sheffield Trip

[REDACTED] Person 14

Just got off the phone with the Governor's office. Lieutenant Governor Habib wants to attend the trip. They have asked if there is a way that we can subsidize his trip costs. The Lieutenant Governors' travel budget is maxed out. We need to find a way to get him funded and on the trip. This could help us lock down our funding for the construction of the advanced manufacturing facility. As you know it will be a hard push for the legislature to fund our project this next biennium because it is way down on the capital list. Getting Lt. Gov. Habib to attend the trip will be significant. Since he is visually impaired he always travels with an aide. We need to come up with about \$4000 to cover both of them. State law allows private companies to fund trade mission trips for government officials. Boeing has funded the Governor on trips in the past. We need to discuss among the group how we go about asking either Boeing or Siemens or both for funds to subsidize the Lt. Gov's trip. Let me know if you have thoughts about how or if we should go to Boeing and Siemens. Both of you know [REDACTED] Gerry and Brian Taylor better than me. Maybe we start with them.

Brad or [REDACTED] please chime in if you have ideas too.

Bob

From: Person 14 <Person 14@clark.edu>

Sent: Tuesday, September 18, 2018 8:06 AM

To: Knight, Robert <rknight@clark.edu>; [REDACTED] <Witness E@clark.edu>

Cc: Person 22 <Person 22@clark.edu>; Person 21 <Person 21@clark.edu>; Person 34  
[REDACTED]

Subject: RE: Sheffield Trip

Hi Bob,

It would be great to have Lt. Governor Habib along—he is a strong advocate for education. [REDACTED] and I can talk this over and come up with a path forward.

Best Regards,

[REDACTED] Person 14

I, **Witness M** started at Clark College on August 16, 2018. During my first week at Clark, Bob Knight stated that we would meet every week for the first six months as the new **Witness P** to make sure that I was in alignment with his expectations and get up to speed with various initiatives. While he met with me early on, he did not meet with me each week for 6 months. It got to the point where I would have to catch him in his office, set up impromptu meetings, or chat at breaks during EC. I say this because at times, when I would bring issues or concerns to his attention via email, he'd respond "let's discuss at our next one-on-one" but there wasn't one scheduled. The most recent example is **Witness P** pay.

Background: I had raised concerns with **Witness P**'s interim appointment early on in my tenure when I discovered that she was still working as **Witness P** plus the Interim **Witness P** with only a small pay increase. Bob dismissed my concerns as "this is the way we've always done it." After pressing a few times, it is my understanding that eventually most of the **Witness P** duties were removed but her pay was not fully increased for her EC level work. Bob K compared her increase to **Person 11** and **Witness H**. However, they are not appropriate comparators because **Person 11** was already on EC **Witness P** when he took on **Witness H** and **Witness H** when he took on HR. Both were already receiving EC level pay plus a "bump" for taking on these additional areas. Additionally, other Clark College employees came to me with concerns about **Witness P** interim pay, namely **Witness H** and **Witness L** **Witness L** [Email from **Witness L** entitled "comparison of interim EC member pay"]. I broached the issue gently a few more times as Bob K., who from early on, viewed my association with **Witness P** as "friends" and at times would imply that I was making these statements because I was her "friend" vs doing my job as **Witness P** and letting him know potential points of liability or inequity. Bob K. has only been willing to reconsider **Witness P** salary once his involvement in the **Witness P** search surfaced and I voiced my concerns to BOT [See Bob K's email RE Interim role – **Witness P** from May 22, 2019]. In **Witness P** regular position, she is the lowest paid **Witness P** professional in the entire Washington State Board Community & Technical Colleges (SBCTC) system [SBCTC Salary Survey].

Doing work for others - After **Person 11** left, **Person 16** was named as the interim **Witness P**. When issues pertaining to social equity and the climate surfaced (and resurfaced), Bob K. asked for **Witness P** and I to look at drafts of messaging (email and interview/statement prep) that **Person 16** had written for him [Emails from Bob Knight 9/27/18 at 3:23pm and 4:38pm]. While I did not mind assisting with review, the scripts were poorly written, entirely culturally insensitive, and would cause further consternation if released to the community as written. As a result, **Witness P** and I wound up re-writing much of this work, spending hours on **Person 16** drafts – to the neglect of our own duties. For example, I was at Central Washington University on September 27, 2018 for a College and University Professionals Association **Witness P** Board Retreat. At ~~3:19~~ 3:23 pm, I received a message from Bob K. asking for my assistance in a response to some questions from OPB. **Witness P** and I did not finish a draft for him and **Person 16** until roughly midnight [Email chain from **Person 16** September 28, 2018 at 12:05 am]. This caused me to sit in the CWU conference room until a class came in at 5 pm, then us talking through the draft while I was on the road. We finalized the draft and then finally submitted it back to **Person 16** at approximately 7 8:15 am the following morning [Email chain from **Person 16** September 28, 2018 at 6:52am]. This is only one example. This practice even continued when Bob K. hired an outside PR firm to write this messaging. The firm's messaging was inflammatory referring to what was going on at the college as a little social justice situation. No other EC members were asked to take on extensive additional tasks for another EC member **Person 16** was interim

on EC at the time)... and our requests for more culturally competent, cohesive responses prior to asking for our input went unheard. We were tasked with this additional “oversight” because we were African-American women. The expectations went well beyond a request to review based on our subject matter expertise. Instead of holding this individual responsible for their culturally insensitive and poorly written work products, he continued to give it to us to fix.

Proud Boys and Patriot Prayer - On Wednesday, October 17, 2018, The college community responded to news that Patriot Prayer (and possibly the Proud Boys) may be on campus the following Monday, September 22, 2018. Students, Faculty, and Staff attended the BOT meeting. The majority of the public comments asked for the college to be closed. EC and the BOT had a difficult decision to make: whether or not to close the college. When the BOT called an executive session, EC discussed whether or not to close the college. Bob K was still speaking with the Trustees and was not a part of this discussion. We unanimously agreed to ask Bob K and the BOT to close the college. When Bob came over, EC asked him to close the college. During the conversation, **Witness P** stated that we needed to take a stand and that systemically non-dominate folx need to feel supported at the College and it’s been reported to her and other **██████** employees that the perception from SND folx is that EC is not doing anything. Bob K expressed frustration that people were saying that he wasn’t doing anything about diversity. He said, “Look, I’ve done something, I hired **Witness E**, **Witness D**, **Witness P** and **Witness M**. He minimized us in front of our peers. In essence, he didn’t hire us because we were talented individuals in our field or the most qualified. He just hired us because we were women of color. I attempted to reframe **Witness P** initial comment because Bob K. appeared agitated, saying instead that “People acknowledge that you have done things towards diversity, equity, and inclusion but I think folx are feeling that it has not been effective.” In the end, the college closed on September 22<sup>nd</sup>. This statement was not lost on members of EC as some approached us and apologized on behalf of Bob K. It was an incident that came up regularly in individual conversations. Bob K. never apologized. However, it is important to note that this was the first time I directly heard **Witness P** share information that Bob seemed to perceive as critical of him. He was very irritated.

@ EC Protest – 10/2/18 - **██████** proposed an idea to respond differently to bias-based incidents. EC protest and reward campaign [**10.02.18 EC response to bias based incidents GPS**]. Body agreed, then I put together a task force group to plan the events [**See BBI Response Calendar invite from 10/3/18**]. Shortly thereafter, according to reports from Foundation Staff: **Person 20** told Foundation staff it’s OK to be White and we’ve hired some diverse folks. We had X (can’t remember the employee’s name she referenced) and even another person with breathing difficulties (information reported to me by staff member at the meeting) [**See ██████ email chain subject EC BBI Response from 10/10/18**], **Person 14** told staff they were required to protest (not the case), According to reports from MarComm staff: **Person 16** went back to MarComm staff and spoke negatively about the proposal and how it would never work (reported to me by a staff member present)—even though she was supposed to assist with the project (EC minutes). Bob K tracked me down and said “Jack Burkman (former BOT) told us not to do it, it’s gonna be a disaster!” Ultimately, in a special meeting on or about October 10<sup>th</sup>, Bob K put me in the awkward position to make the decision— to cancel or not. I was very upset. I said since there are multiple cabinet members who reported incorrect and/or negative information about the event and its purpose, that there was not a united front so we shouldn’t move forward. Bob asked me to meet with him afterward to provide specifics which I did. Affected staff came to me regarding **Person 16** and **Person 22**

comments—both were fearful for their jobs so I told Bob the content of what was stated but did not give their names. I referenced Person 14 email since it went to everyone [October 10, 2018 at 3:36pm email from Person 14 – RE:OPB/Protest Feedback]. Bob K said he'd look into the concerns raised. Ultimately, Bob K shared that he'd removed Person 16 from EC for speaking negatively to her staff about an EC initiative, he'd spoken to Person 2, and did not indicate any follow up with Person 14

Witness P also brought up other issues related to that were uncomfortable to Bob because they involved him directly or he had to have uncomfortable conversations with BOT:

Savoring Excellence – Witness P and I were talking at the event. Royce Pollard walked up to us, he recognized me and then looked at Witness P and asked, "Are you a student?" She said no. He then asked "Don't I know you?" Witness P said yes you do and reminded him who she was adding, "we've been working together for about 4-5 months now." He told her "you look different" ... she said "well, I've styled my hair differently [she was wearing braids/extensions, but before had been wearing her natural curly hair]." He told her to "keep doing what she was doing because she looked better now than the last time he saw her." I was shocked and all I could do was reach out and grab Witness P hand to show support and let her know I witnessed this. Royce continued talking for a few more minutes, trying to clean up his comment and finally said, "I guess I should stop talking and go away now." Right after the incident with Royce happened, I mentioned the interaction to BOT Jane J. who was at the same table as Witness E and I that night. She was very sympathetic. At an EC meeting, when we were debriefing the event, Witness P reported this incident and Bob K. said he would take care of it.

Legislative Breakfast - EC members were given an Outlook Calendar invite to attend the Legislative Breakfast on December 10, 2018. I recall being advised by Bob K. that we were expected to attend. When I got to the event, there was not a printed name tag for me and I did not have a table to sit at. When I went to sit at a table near the front, I was told there was assigned seating. While other tables had Clark College swag and information about the college as well as the opportunity to sit with legislators and community members, the table where I wound up sitting appeared to be an extra set up at the last minute near the buffet line. As it turned out, it was me, Witness P Person 35 and Witness D. All women of color. The only table at the event where all women of color were seated in the back. At the end of the function, Royce came by and asked what we were doing back there and "when [I] was in the military, they'd call this a mutiny." "What are you doing back here plotting?" When we brought the issue up in an EC meeting, Bob remarked that he thought it was "weird too" and asked Person 21 to follow up. Person 21 did so and followed up with me and said there was also another link we were supposed to respond to (not just the calendar invite we accepted) and that could have been why we didn't have printed name tags and a place to sit. However, the response (in the moment) to us sitting at the back of the room by the food, in the corner was not acceptable nor culturally responsible. At another EC meeting, Witness P shared her concerns about the situation and I confirmed the events as described. Bob K. agreed to provide feedback to BOT.

OPB articles – shortly after my arrival at Clark College, OPB published an article about the climate for women of color at the college. The final paragraph noted that Witness E, SS E and I were also women of color and people were taking bets as to how long we would stay at the College. I was angry and embarrassed to read this information. I felt ambushed by the article and upset that Molly Solomon did

not call me for a comment or give me a courtesy head's up. I spoke openly about this upset on a few occasions at EC. I was not a fan of Molly Solomon.

A few months later, Molly Solomon published a follow up article after receiving raw data from a survey and incorrectly referenced an 80K settlement (vs offer of judgement) with a former faculty member. Bob K. immediately began referring to someone at EC "being a leaker." It came to my attention that he believed that I "was the leaker" and he wanted to get to the bottom of who was leaking this information to OPB. On January 28, 2019, **Witness E** shared with me that **Witness I** (now **Witness I** told her that Bob K. thinks I was the leak. **Witness I** told her this at a Guided Pathways Event in front of a least one other person. I was so upset... this was my professional reputation and this was being said to others and spread to others. Shortly thereafter, BOT Paul and Jane set up a meeting to interview each member of EC about an unrelated matter. During this meeting, I divulged that Bob K. thought I was the "leaker" and I was very concerned about my job and professional reputation. That the selfish part of me wanted the investigation to clear my name and receive a public apology but the CHRO in me knew if the college community became aware that he was trying to find out who said what that it would create an overall chilling effect and the community would be less likely to respond to climate surveys and/or provide candid information. During this conversation, BOT Jane shared Bob K. told her that he believed **Witness E** was the leaker. I shared I thought it was interesting that only the WOC on EC were suspected as the "leakers." I believed that it was discriminatory. Just because I am a woman of color, doesn't mean that I cannot make decisions for myself or that I can't do my job or I'm willing to risk my job solely because I'm a WOC. BOT Jane and Paul assured me that they'd find a way to broach the subject with Bob K. without putting my name in it.

On February 12, 2019 – There was an EC agenda item called "EC Culture" if I recall the title correctly. During that topic, this particular issue came up. Bob K. pretended that he had no idea that this "leaker" rumor was out there. I specifically spoke to "EC members spreading gossip" and that this was my professional reputation on the line and that I moved my family and life across the state and did not have a dog in the OPB fight—until now, after being called the "leaker." **Witness E** also shared that she was aware of the rumors about her being the leak. Bob K. asked us to share where we got that information and he wanted to meet with us separately because he took these allegations seriously. After that meeting, **Witness I** left me a message saying that she heard me and the impact of her actions. She was tremendously sorry and would never do that again **[Screenshot of text message from Witness I** was the EC member who Bob K. told that I was the leaker. It is my understanding that later in the day on 2/12, **Witness E** spoke with Bob and told him that he was allegedly the origin of the rumor. **Witness E** shared that Bob K. denied he named her as a "leaker."

I met with Bob on February 19, 2019 – I told him that he was the EC member who allegedly originated the rumor that I was the "leaker." He denied it and repeatedly said it wasn't him. Near the end of our conversation, he said that spoke with the BOT and only one EC member told them about the "leaker" accusations and he thought he knew who it was. I got the sense he was insinuating that he knew that I was the one who expressed those concerns to EC.

Climate survey - Bob K. came to my office to discuss the upcoming climate survey. He said that he wanted to postpone it and asked if I had concerns. I said that I did: If this is what the practice is—why are we changing that? The community does not have a high level of trust in the institution and that would feed into it. He felt it would not be fair to the new president. I told him that it would be a good

baseline for the new president to be evaluated against. To see whether there was improvement. He said I was the only one who felt that way. In speaking with others EC members, I learned that was not the case. Apparently Bob K. was the one who wanted to hold off. **[Bob K 1on1 re Climate Survey 3/11/19 at 3:40pm notes]**

5% percent – Bob K. has shared with members of EC that “the new people” were the ones who made the decision for the 5% budget cut. **Witness E** raised this issue at EC (without mentioning Bob K. as the originator). Bob K. said that he was surprised and asked for details. **Witness E** recalled how she was caught off guard during a faculty open forum. In a follow up email to the conversation at EC, Bob K. claimed he followed up with that particular faculty member and they denied it. He chalked it up to “he said, she said.” **Witness F** and I were copied **[Email from Witness P May 15, 2019 11:22 am – RE: Email follow up]**. I shared my concern that these types of rumors tended to be directed to the WOC on EC and this was not missed on me **[email dated May 15, 2019 at 10:37 am – RE: Email follow up and Bob K’s response at 12:04 pm]**. I forwarded this email chain to BOT Paul and Jane already so I will not go into too much detail here **[forwarded on May 15, 2019 at 11:01 am – FW: Email follow up]**. It is also important to note that Bob K. specifically made this comment in a meeting where **Witness F** was present and she documented it in an email. In the email, **Witness F** noted that **Witness I** was also present. Additionally, sharing these comments with EC members-- and possibly faculty on the union negotiation team—further strained an already tenuous relationship at the negotiations table as **Witness E** and I (me as the designated “chief negotiator”) were part of the “new people” who were blamed for the 5% budget cut. Moreover, throughout negotiations, Bob K. continued to meet with the union president **Person 36** and discussed negotiations. This is known as “side bargaining.” This also came up at a BOT meeting in an AHE report where **Person 36** discussed a meeting where Bob K. said that he was not willing to bargain a contract for multiple years... In a subsequent conversation with me, Bob K. acknowledged having this conversation and attempted to provide context. However, these conversations should not be happening as they could be construed as unfair labor practices AND he should not be undermining the management labor negotiations team or me as the assigned chief negotiator. Finally, for several months, Bob K. refused to give me parameters to negotiate salary. Over several months, I repeatedly asked Bob K. to let me know what he was comfortable with negotiating. Every contract or salary negotiation I have ever managed, I was provided a financial threshold. In other words, as chief negotiator, I was empowered to engage in good faith bargaining. This was not the case here. Bob K. has undermined me, the management negotiation team, and the process. Sending a team to the table without the authority to negotiate in good faith is also an unfair labor practice. **[Bob K. 1on1 re AHE neg and [redacted]]**

March 26<sup>th</sup> and April 26<sup>th</sup> **Company A** – **Witness P** in her role as [redacted] [redacted] arranged for EC to have diversity, equity, and inclusion training for EC. Prior to moving forward, **Witness F** disclosed that her sister worked in mediation and restorative justice, a separate arm of the organization. EC agreed to move forward. The training was 4 hours long on two separate days for a total of 8 hours. Bob K. and **Person 22** missed the first two and a half hours of the training on March 26<sup>th</sup> (and did not come at all on April 26<sup>th</sup>). When they walked in, they were asked the ice-breaker questions we were asked at the beginning of our time together: name, racial identity, and what dish you’d bring to a celebration. Bob K. shared his name, he was Caucasian, and that he’d bring ribs. The facilitator explained the history of the word Caucasian and why it was problematic. Bob then said he was white but was clearly annoyed with the training from that point. When it was **Person 22** turn, she said, “Plantation Pie.” Everyone in the

room audibly gasped and/or physically recoiled. The facilitator asked, "I'm sorry, what did you say?" Person 22 repeated it. The facilitator asked "I've never heard of that, what is it?" Person 22 described it. The facilitator asked where it came from, Person 22 replied, "Georgia." The facilitator gave Person 22 every opportunity to back down. She didn't. I was shocked. Others in the room were shocked. We continued with the training and were having some difficult and uncomfortable, but necessary conversations. One conversation was about the cliché, "having a black friend." One of the facilitators said that if you haven't had a romantic relationship with a black person, haven't been to their homes, and/or done more than hang out in a public place after work, you do not have a black friend. They did use some profanity for shock value. There were hard, uncomfortable conversations about policies giving the outcomes that were intended. If we didn't like the outcomes, then we needed to change the policies. We had a debrief conversation at EC where the majority of EC members enjoyed and learned from the training. It is my understanding that Bob K. does not plan to bring them back because he was offended by the discussion about the black friend and the profanity used. However, he never followed up with any of us about the effect of Person 22 comment. It negatively impacted many of us in the room-- not just the WOC-- as it was a topic of conversation for several weeks afterward. It strikes me that he was only concerned about his discomfort with conversations he'd taken out of context because he was not there for the entire training. [Person 22 apology and Witness P response email chain dated March 29, 2019 at 7:04 pm – RE: My apologies]

Person 22 – This position has been a highly political position where the college community has had a keen interest in next steps.

@ In an August 7, 2018 email sent at 11:38 am, Subject – Message from the President: Changes in the Person 22, Bob addressed several changes. In this email, he states Witness P "will oversee the other functions that fall under the Office of Diversity, Equity and Inclusion... and providing leadership on issues related to power, privilege, and inequity." He further stated that "She will also serve on the Executive Cabinet and as EC's liaison to the Social Equity Council." Finally, he advised the college that he'd "asked a small team consisting of" Witness P, Witness E, Witness D, Person 37, and Person 38 to "conduct a thorough review of the Associate Vice President position and to present recommendations to the Executive Cabinet." Therefore, from the beginning, Bob K. inserted Witness P in the development and evolution of the Person 22 position. It is disingenuous for him to claim several months later that he was concerned that she had "insider information" when he appointed her to the committee tasked with presenting recommendations on the Person 22 position to the Executive Cabinet. In fact, any appointee to an interim role would have "insider information" by the virtue of performing the role on a temporary basis.

Due to the high visibility, I raised the possibility of using an Executive Recruitment firm to fill the position. I raised this possibility at an EC meeting. Everyone in attendance (including Bob Knight) agreed. We also all agreed (including Bob K.) to ask Company B the firm that the college retained for the VP of Human Resources and Compliance position, to come in to present to EC [October 23, 2018 EC minutes and Person 22 GPS form]. They agreed to do so [October 31, 2018 at 8:40 am email thread between Person 22 and Witness K from Company B] came to an EC meeting and presented their vision and how they could help. They recommended some modifications that Bob K. had been reluctant to implement, most notably, the VP title, increased salary, and the degree requirements. It is important to note that these were issues that some members of EC had been trying to convince Bob K of

prior to **Company B**. Based on their presentation, we all voted (including Bob K.) to use their recommendations. We also all voted (including Bob K.) to move forward with retaining **Company B**

@ **Person 29** notified **Witness H** that we needed to go out for bid because this recruitment was going to cost more than \$10K. Advised that it was a misstep but Bob K. allowed it to move forward. [Bob K. 1on1 re AHE neg and ██████████]

**Company B** started working on the recruitment by conducting market research and interviewing folks in the field. [December 18, 2019 email from **Witness K** at 1:55 pm – Subject [EXTERNAL] Follow up – Recruitment Sources & 12.18.18 EC Minutes]. I asked EC to identify a representative from their units to sit on the hiring committee [see ██████████ follow up reminder email from December 26, 2018 at 2:57pm – Subject ██████████ Hiring Committee]. **Witness P** asked that two members of ██████████ sit on the panel given the lingering trauma from the last process [12.18.18 EC Minutes]. We all agreed. **Company B** cited the Diversity & Equity in Hiring and Professional Development (DEHPD) framework (created by faculty in the SBCTC system) and planned to align their search with this framework. ██████████ email to **Company B** on December 26, 2018 – Subject: RE: [EXTERNAL] Follow up – Recruitment Resources with embedded email between ██████████ and **Witness P**. As a part of the Guided Pathways presentations, the Office of Instruction had planned to have one of its creators, Vik Bahl, present at the college. I coordinated having the identified committee members, as well as the senior recruiter for **Company B** attend this equity in hiring training. The committee members and **Company B** attended [see ██████████ email dated February 13, 2018 at 11:28 am – FW: Guided Pathways Winter Event Friday, February 22]. Due to the nature of this training, ██████████ counted it towards our Equity in Hiring training requirement so each member met the requirements to be on a hiring committee [See emails: Training Records for Transforming Hiring Processes for Equity and Student Success, 2-22-19, Equity in Hiring Login\_Application Records, and Bob K. training record.pdf]. @ Also on February 22, 2019 at 7:52am, **Witness P** sent an email – Subject; VP of Diversity, Equity, and Inclusion to EC regarding her intend to apply. She cited “protocol and transparency” as the reason for her email there is no such protocol. Sometime after the email, **Witness P** shared that Bob K. wanted her to send an email to EC citing those reasons.

**Company B** also held a “kick off” meeting with the hiring committee where they created a successful applicant profile. HR only worked with logistics and applicant tracking system information, but very intentionally left the recruiting to **Company B** given the sensitivities and political nature of the position. I believed that Bob K. was onboard with this because he told me that he was. While I was out of the country from April 18 – April 26<sup>th</sup>, I learned that Bob K. reached out to HR on or about April 23<sup>rd</sup> or April 24<sup>th</sup> with concerns that **Witness P** did not qualify for the position. I was told that he reached out to **Person 19** even though I left **Witness R** on point. However, ██████████ was not involved in the process nor any of the committee conversations or contact with **Company B**. **Witness R** was. I discovered that he asked **Person P** to review **Witness P** application but did not ask her to do so of other applicants [Witness R 1on1.pdf]. Bob K. wanted to halt the process – I was advised of this by a call from one of my HR staff and **Witness E** (the committee chair) as I was clearing customs and returning to the country on or about April 25<sup>th</sup>. I told them that I would be in the next day. Bob and I met on Monday, April 29<sup>th</sup> [see ██████████ meeting notes, Bob 1on1.pdf]. He started out saying that 2 candidates did not meet but our conversation mostly focused on **Witness P**. He believed that **Witness B** “influenced” the committee to select **Witness P**. When I asked for specificity, he said that he “misspoke” and “the committee was influenced.” He believed that **Witness P** decided to apply because she heard the salary and title. He believed that **Company B** was “being unethical” but didn’t provide any specificity. I attempted to warn Bob K. that his

actions were highly unusual and could negatively impact the college and/or perception of the process. I mentioned that it was my understanding that the community still had some sensitivities about the way the prior process played out and folks believed Person 21 (the last internal candidate) wasn't hired because she'd had difficult conversations with Administration as well. I told Bob K. that several EC members had been encouraging Witness P to apply because she was doing great work vs just because the salary and title changed. He acknowledged that Witness H had approached him about making Witness P permanent. — but Bob K. said he believed that Witness P was “untrustworthy” because she stayed at the table during EC conversations about the permanent position. However, it is my understanding that Witness H and Person 21 were both at the EC table during similar conversations when they were serving in their interim roles. However, it is important to note that Witness P was only in on a part of the early conversations about the position. In December 2018, she sent an email stating she would take herself out of the conversation as she decided to apply [redacted] email to Company B on December 26, 2018 – Subject: RE: [EXTERNAL] Follow up – Recruitment Resources with embedded email between [redacted] and Witness P. And she did so. Bob K. also argued that it was unethical that [redacted] employees were on the hiring committee [See EC meeting minutes previously provided where EC agreed]. However, that has been the past practice. For example, Witness H recalled that members of HR were on the hiring committee when Witness H was interim HR VP and applying for the permanent position. When Person 13 was Interim [redacted] Witness H recalled there were [redacted] employees on his hiring committees. Bob K. objected to Witness P candidacy for the position because she is not qualified (which Company B I, and the hiring committee all seem to dispute), yet I was advised that when Person 13 was Interim [redacted] and he initially applied for the permanent position, the first hiring committee attempt was a failed search (and Person 13 was a candidate). However, Bob K. left Person 13 in the interim role until he was the successful candidate in a subsequent permanent search.

\*\*However, it is also important to note that prior to this issue with Company B Witness P shared a conversation she had with Bob K. that troubled her. This conversation happened sometime before she went to Paris. In my conversation with her, she stated Bob K. was disrespectful to her implying that she would not be considered and he was comparing her to the Person 20 situation” but wasn't sure what the Person 20 situation was. She believed he was questioning her integrity and her qualifications. She wanted the opportunity to follow up with Bob K. directly. I am not sure if she did.

Shortly after my conversation with Bob K. on April 29<sup>th</sup>, I spoke with Witness K [redacted] from Company B. She shared she felt threatened by Bob K. and he was upset because Witness P wasn't screened out. He told her Company B was being unethical. Witness K said she kept trying to explain how Witness P (and initially another candidate) met the minimum qualifications. Witness K sounded very shaken by her conversation with Bob K.

@ On or about May 1, 2019, I notified Witness R [redacted] that the process had been placed on hold, per Bob K. until a meeting with Witness E me, Jennifer Mankowski-Dixon, and Bob Knight occurred. [email between Witness R [redacted] and [redacted] on May 1, 2019 at 12:56pm subject: RE: VP – [redacted]

On May 3<sup>rd</sup>, I shared my concerns with BOT Jane and Paul in my official capacity as [redacted]. I was not sure what to do next. I had attempted to speak with Bob K. about the [redacted] search situation (as well as some of the other situations identified above to no avail). They told me that they'd follow up with me. When we connected again, they suggested that I call Jennifer Mankowski-Dixon. I spoke with Jennifer

on May 15<sup>th</sup> and shared most of these concerns. She said she'd need to speak with the BOT and she or someone on the BOT would get back to me.

On May 16<sup>th</sup>, I conducted an exit interview with an employee resigning from [REDACTED] [REDACTED] Exit Interview.pdf]. She shared that she felt compelled to do an exit interview with Bob K. and then me because of the statements Person 14 has been making about Witness E in the [REDACTED] office, to the leadership team, and to business community partners (specifically Company C). She shared that she's never met Witness E (and this was my first and only conversation with her) but was concerned enough to come forward because of the amount of continuous negative comments made by Person 14 about Witness E. She says she decided to speak with Bob K. and then me because Person 14 told her that he'd let Bob K. know "we lost another employee due to Witness E. He allegedly blamed Witness E for this employee's departure... which she absolutely denied. This exit interview is worth noting in this complaint because Witness E has shared with me on several occasions that Bob K. blames her for the strained relationship between OOI and [REDACTED] and has tasked her with repairing it—even though the strain predated Witness E. I was concerned that Person 14 had not been held accountable for the troubled relationship and that Person 14 had been bad mouthing her in the community. Over a period of conversations, Witness E shared that Bob K. continued to allow this to happen and continued to blame her for Person 14 behavior and lack of collaboration. I attempted to talk through strategies to work with Person 14 without Bob's support.

Finally, during the exit interview, the off-boarding employee also noted Person 14 "accused certain members of EC of weaponizing racism" and "he and Bob K. were under attack because they are white men." The employee also shared she told Bob K. everything that she said to me. This comment was particularly disturbing to me as one of the WOC on EC who have been raising equity issues at the leadership table and is another example of us being "othered" at the table. It also supports this theme of blaming WOC on EC.

On Friday, May 24<sup>th</sup>, BOT Rekah Strong contacted me and advised me that the BOT wanted my complaint in writing. She said I would be protected from retaliation. Monday was the Memorial Day holiday. On Tuesday, May 28<sup>th</sup>, I emailed Bob and Person 21 to let them know I would be late to the EC meeting... arriving by approximately 10 am. Both acknowledged receiving my message. I arrived at 9:55am to Bob and Witness I walking out of the meeting. Bob K. quipped that I had "just got here in time" and the meeting was over. I said "Oh, OK" and continued walking toward the conference room, speaking to EC members as they passed me. When I got into the conference room, both Witness E and Witness F were there and proceeded to relay the brief meeting to me. I was told: Bob K. asked Witness P to leave the meeting and then proceeded to talk about "all the missteps" in the [REDACTED] recruitment process and that it was "fraught with inequities from the start." He made misstatements about the process that I led, knowing that I was not going to be there to correct the record. He also spoke in depth about how Witness P did not meet the minimum qualifications for the [REDACTED] position. He poisoned the process against Witness P who if/when the process moves forward will have to interview with the EC that Bob K. shared this information with. He slandered the process I led, even though there was buy-in (including HIS) and updates at every step during EC. This action was extremely retaliatory, given I had just been asked by the BOT to provide a written complaint regarding all the concerns I'd already shared verbally, including his actions during the [REDACTED] search with Company B. I immediately emailed BOT Rekah with an overview what was shared with me by my peers and asked her to call me.

@ Rekah did call me at approximately 2pm on Tuesday/May 28<sup>th</sup> and I shared my concerns about the above meeting. I asked what the BOT was going to do as he's clearly taking retaliatory action from him being notified on 5/24. I recapped our 5/24 conversation where she told me that she was in charge of calling **Witness E** **Witness P** and me to advise us on how to make a formal complaint then Royce Pollard would call Bob Knight to advise there was a complaint. She denied she told me that and she Bob did not know there was a complaint. I asked if they were going to step in and look at reassignment since BK's behavior is escalating. She said that it would be too complicated. I asked then if you can't put him out on admin leave, then put me out until he's gone. She asked if that was something I wanted to do. I was quiet. She told me to think about it. She said that she had a meeting with Bob and Royce "in like 30-mins" and would find out what was shared during their 5/24 conversation then follow up with me later in the day. When she followed up, she said they denied discussing there was a complaint. During the second conversation, I opted not to take the leave given the HR Department was already down an HR Director.

However, a few days later, **Witness E** checked in on me to find out how I was doing because she heard that I was taking leave until Bob K is gone? Bob K told another EC member that I was going to take leave until he was gone. **Witness E** can provide more specificity.

Based on Bob K.'s behavior at the May 28<sup>th</sup> EC meeting, I'm wondering what are the protections being afforded to any EC members who have formally raised these issues or have relevant information? How does **Witness P** compete for the **Witness E** position after her colleagues were incorrectly told that she was not qualified (at length and in great detail)? How is my professional integrity restored after Bob's allegations at this meeting? Or the other comments I've detailed above? How is our reputation restored in the community—especially **Witness E** and I who are new to the area? How is the BOT ensuring that the "briefing sessions" that Bob is having with the interim president candidates are not being used to plant seeds of discord against those who brought forward these serious concerns? Or when the permanent president is identified and Bob K. is responsible for the new president's on-boarding and transition? These are questions that I'd absolutely like the BOT to answer.

I have done the best I can in writing down and relaying information to the BOT between the sudden illness of my mother and hosting the interim presidential search process for the last two weeks. However, there have been so many other examples of micro-aggressions, -assaults, and -invalidations they have just become par for the course as a WOC on EC. I have outlined the most egregious examples/incidents and those where there are witnesses or supporting documentation for your consideration. I would welcome further conversation and/or an opportunity to speak in more detail if the BOT deems it necessary or helpful. However, I do believe that I have given sufficient and significant information demonstrating the tokenizing, discriminatory, retaliatory behaviors I have been directly subjected to or witnessed or opposed to Bob K. directly. The environment is untenable.

Sincerely,

**Witness M**

From: **Witness M** <**Witness M**clark.edu>  
Sent: Tuesday, May 28, 2019 10:42 AM  
To: Rekah Strong <[Rekah.Strong@eocfwa.org](mailto:Rekah.Strong@eocfwa.org)>  
Cc: Jennifer Mankowski Dixon <[jenniferm1@atg.wa.gov](mailto:jenniferm1@atg.wa.gov)>  
Subject: Re: [EXTERNAL] complaint form

**Caution:** This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Good morning— I want to report further retaliation by Bob Knight. It took place this morning during EC. The topic was “mismanagement” of the [REDACTED] ( [REDACTED] search process. “Fraught with inequities and problems” from the beginning and proceeded to slam me, **Witness E** and **Witness P** most concerning, publicly outlining how he believes **Witness P** does not meet the minimum qualifications. He chose to do this when he knew I’d be late to EC so I could not share the truth and any documentation. It is interesting how he knew I wouldn’t be at the meeting until 10am because i am caring for my very ill mother— but went forward on this slander anyway. I would also point out the “issues” he named are standard practices at the college. I would identify **Witness H** and **Person 13** as comparators.

Now I am further concerned about filing an internal complaint as we are NOT being protected from retaliation as indicated. If you need additional information, **Witness H** and **Witness E** were present at the meeting.

~ **Witness M**

From: **Witness M** <**Witness M**clark.edu>  
Sent: Wednesday, June 19, 2019 11:48 AM  
To: Rekah Strong <[Rekah.Strong@eocfwa.org](mailto:Rekah.Strong@eocfwa.org)>  
Cc: Mankowski Dixon, Jennifer L. (ATG) <[jennifer.mankowskidixon@atg.wa.gov](mailto:jennifer.mankowskidixon@atg.wa.gov)>  
Subject: FW: VP of [REDACTED] Search Committee Meeting

**Caution:** This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Good morning,

Forwarding this email to include as an addendum to my discrimination and retaliation complaint. At the end of my written complaint sent on June 5th, I asked several questions, but relevant here is: How is the BOT going to restore my professional reputation after Mr. Knight’s factually incorrect comments at EC regarding the [REDACTED] search—where I was not there (nor **Witness P** to defend myself, my office, or provide documentation to the contrary? Or **Witness P** to defend her qualifications and ultimately the ability to be considered for this position.

I have not heard back from the Board and since that time, he has made these same comments at the Classified Employees’ Forum on Monday (6/17/19) and now in writing to the hiring committee (below).

This behavior is retaliatory and is continuing. Unfortunately, I am not getting the relief that I'd hope for by submitting this compliant.

Thank you,

Witness M

From: Knight, Robert <rknight@clark.edu>

Sent: Wednesday, June 19, 2019 9:03 AM

To: Person 39

Cc: Jacobsen, Jane <JJacobsen@clark.edu>; Person 21 <Person 21@clark.edu>; Person 32 <Person 32@clark.edu>; Person 2 <Person 2@clark.edu>; Witness M <Witness M@clark.edu>; Witness E <Witness E@clark.edu>; Witness R <Witness R@clark.edu>; Person 41 <Person 41@clark.edu>; Person 40 <Person 40@clark.edu>; Person 42 <Person 42@clark.edu>; Person 28 <Person 28@clark.edu>; Person 31 <Person 31@clark.edu>

Subject: RE: Search Committee Meeting

Person 39

My responses to your questions are listed below in black.

Bob

From: Person 39

Sent: Tuesday, June 18, 2019 4:38 PM

To: Person 2 <Person 2@clark.edu>; Witness M <Witness M@clark.edu>; Knight, Robert <rknight@clark.edu>; Witness E <Witness E@clark.edu>; Witness R <Witness R@clark.edu>; Person 40 <Person 40@clark.edu>; Person 42 <Person 42@clark.edu>; Person 28 <Person 28@clark.edu>; Person 32 <Person 32@clark.edu>

Cc: Jacobsen, Jane <JJacobsen@clark.edu>; Person 21 <Person 21@clark.edu>; Person 32 <Person 32@clark.edu>; Person 31 <Person 31@clark.edu>

Subject: RE: Search Committee Meeting

Hi,

Thank you for the explanation.

My questions to Bob, HR, Witness E and Witness M (and anyone who has the answer) would be...

- Why did we not go out for bid? Witness M or Witness H can answer that question. We should have gone out for bid.
- What are the things in the documentation that don't align with Bob's concern?
  - Does the documentation of equity training show that all members attended the training? The documentation shows that not all members of the screening committee received the Clark College HR "diversity in hiring" training.

- If **Company B** informed Bob that they received pressure from the committee, why does it make **Company B** not objective? Objectivity refers to a process that is purely based on hard facts. Subjectivity refers to a process that allows personal perspectives, feelings, or opinions to affect the process. Item #1 in our contract, referring to responsibilities required of **Company B** was to “maintain objectivity regarding a candidate qualifications”. **Company B** did not remain objective by allowing committee perspectives rather than hard facts to influence who they moved forward in the process. Subjectivity would come into play through the screening committee work not with **Company B**
- Do we still work with **Company B** or hire someone else? We will need to go out for bid if we move forward using an outside source to assist with the next search. **Company B** can compete for the bid.
- Will we be forming a completely new committee or do we continue with the same people? That decision will be up to the next president.

Thank you,

**Person 39**  
4[b]  
[Redacted]

From: **Person 2** <**Person 2**clark.edu>  
 Sent: Tuesday, June 18, 2019 2:37 PM  
 To: **Witness M** <**Witness M**clark.edu>; Knight, Robert <rknight@clark.edu>; **Witness E** <**Witness E**clark.edu>; **Witness R** <**Witness R**clark.edu>; **Person 39** <**Person 39**clark.edu>; **Person 41** <**Person 41**clark.edu>; **Person 40** <**Person 40**@clark.edu>; **Person 42** <**Person 42**@clark.edu>; **Person 28** <**Person 28**clark.edu>; **Person 31** <**Person 31**clark.edu>  
 Cc: Jacobsen, Jane <JJacobsen@clark.edu>; **Person 21** <**Person 21**clark.edu>; **Person 32** <**Person 32**clark.edu>  
 Subject: RE: [Redacted] Search Committee Meeting

Bob,

Thank you for the option to speak with you one-on-one, however, the point of having the meeting today was to be able to talk through the process. I was hoping for an open honest back and forth conversation, but I see that you have your concerns and that is that per your email. So I respectfully decline.

Thank you,

**Person 2**

From: Witness M <Witness M@clark.edu>  
Sent: Tuesday, June 18, 2019 2:31 PM  
To: Knight, Robert <rknight@clark.edu>; Witness E <Witness E@clark.edu>; Witness R <Witness R@clark.edu>; Person 39 <Person 39@clark.edu>; Person 2 <Person 2@clark.edu>; Person 40 <Person 40@clark.edu>; Person 31 <Person 31@clark.edu>; Person 31 <Person 31@clark.edu>; Person 42 <Person 42@clark.edu>; Person 28 <Person 28@clark.edu>; Person 21 <Person 21@clark.edu>; Person 32 <Person 32@clark.edu>  
Cc: Jacobsen, Jane <JJacobsen@clark.edu>; Person 21 <Person 21@clark.edu>; Person 32 <Person 32@clark.edu>  
Subject: RE: Search Committee Meeting

Bob,

Thank you for your email and specificity regarding your reservations about the hiring process. I was surprised to read some of the concerns given that many of the decisions identified below were made at Executive Cabinet (with full EC participation) before implementation and others have full documentation to the contrary (e.g. documentation of equity training).

I am disappointed to read the assessment and wished I had had the opportunity to go through these concerns item by item with you. Perhaps that would have alleviated some of your apprehension.

Thank you for your transparency and candor.

Witness M

From: Knight, Robert <rknight@clark.edu>  
Sent: Tuesday, June 18, 2019 1:34 PM  
To: Witness E <Witness E@clark.edu>; Witness M <Witness M@clark.edu>; Witness R <Witness R@clark.edu>; Person 39 <Person 39@clark.edu>; Person 2 <Person 2@clark.edu>; Person 40 <Person 40@clark.edu>; Person 42 <Person 42@clark.edu>; Person 28 <Person 28@clark.edu>; Person 31 <Person 31@clark.edu>; Person 31 <Person 31@clark.edu>; Person 42 <Person 42@clark.edu>  
Cc: Jacobsen, Jane <JJacobsen@clark.edu>; Person 21 <Person 21@clark.edu>; Person 32 <Person 32@clark.edu>  
Subject: Search Committee Meeting

Screening Committee,

I am cancelling my scheduled meeting with you today to discuss why I stopped the process. As stated previously, the reason I stopped the process because the process was not conducted properly and it was not a fair and equitable process. My detailed explanation for stopping the process is listed below. If individuals still have questions or concerns feel free to arrange a one-on-one meeting with me.

1) **Process issue:** We did not go out for bid on the contract. The contract was over the \$10,000 threshold and we were required to go out for bid. We did not have an open and inclusive process to select a search firm.

2) **Fairness and Equity issue:** The internal candidate, who had not declared intent to apply for the position was privy to the entire executive cabinet (EC) discussion when EC met with the search firm,

Company B to discuss job description, title, salary and minimum qualifications. None of the outside candidates had access to this inside information.

3) **Fairness and Equity issue:** Company B informed HR recruiters via email to only screen for a bachelor's degree when the minimum qualifications advertised for were "master's degree or equivalent experience" and "3 years of progressively responsible experience in a senior-level diversity-related position". This becomes a fairness and equity issue when we are moving candidates forward with qualifications lower than the minimum qualifications advertised. Other potential candidates may have applied had they known we were only screening for a bachelor's degree.

4) **Fairness and Equity issue:** I was informed by Company B that they received pressure from a strong voice within the screening committee to be inclusive and include the internal candidate in the final pool of candidates. One of the responsibilities Company B agreed to in their contract with Clark College was to maintain objectivity regarding a candidate's qualifications. They did not remain objective.

5) **Process issue:** All members of the screening committee did not receive diversity in hiring training prior to the process beginning. Clark College requires all members of hiring committees to receive diversity in hiring training prior to serving on the committee.

6) **Process issue:** The screening committee did not receive a process and confidentiality briefing from an HR recruiter at the beginning of the process which is standard procedure for screening committees.

7) **Process issue:** The screening committee members did not sign a confidentiality agreement in order to participate in the process.

8) **Fairness and Equity issue:** All three employees of the Office of [REDACTED], at the time of the hiring process, were on the screening committee. Their direct supervisor is a candidate.

Thank you for your understanding. Please do not assume that my decision to stop the process means that any of the final candidates could not perform the duties of [REDACTED].

Bob Knight  
President

From: Person 8 [REDACTED]@clark.edu>  
Sent: Friday, June 14, 2019 2:33 PM  
To: Witness M [REDACTED] <Witness M@clark.edu>  
Cc: Person 9 [REDACTED] Person 9 [REDACTED]@clark.edu>  
Subject: RE: Email

Hi Witness M [REDACTED]

On Monday, June 10, I attended the LGBTQ Graduation Reception at Clark College. After the reception, I was speaking with a colleague, Person 9 [REDACTED]. We were approached by President Knight who introduced himself to Person 9 [REDACTED]. Vicky mentioned to President Knight that the two had met before when she was a student. Person 9 [REDACTED] also mentioned that she worked as a peer mentor under Person 2 [REDACTED] in 2011. I observed President Knight visibly react to this appearing to be uncomfortable. Vicky then reminded President Knight that he hugged her at graduation that year. President Knight immediately responded by tapping her on the shoulder and saying, "Oh you're not going to accuse me of one of those Me Toos now are you?" President Knight left the reception shortly after making this comment at which point I spoke with Vicky about reporting this to HR. Person 9 [REDACTED] agreed to let me report this on her behalf as we both found this comment to be out of touch with Clark College's values and mission regardless of President Knight's clearly humorous intentions.

Another issue I observed at the reception happened after the ceremony concluded. Without consulting the team who put the event together, President Knight took the microphone at the end to thank various people in the room for coming (a board member, a city councilman, and the head of the Clark College Foundation). Now, normally this isn't something I would take issue with, but considering this was an event to celebrate LGBTQ graduates I found it inappropriate to be thanking cisgender and/or heterosexual people in positions of power. We were there to celebrate queer graduates not powerful people for doing the very basic thing of showing up for queer students. True allyship and accomplishment needs no thank you.

I appreciate your time and attention to these issues. Please feel free to contact me if you need any other information from me.

Best,  
Person 8 [REDACTED]

04/12/2018 - Bob K, **Witness P** **Person 43**

Thursday, April 12, 2018

4:07 PM

### Meeting Notes:

Attendees	Representing
<b>Witness D</b>	<b>Person 43</b>
Bob Knight	College President
<b>Witness P</b>	<b>Person 43</b>
<b>Person 43</b>	UKN

#### Discussion topics:

1. We need to track employee retention stats
  - a. Compare to POC employee retention
2. Equity work is exhausting
  - a. Non-stop for people in roles to make change
  - b. and emotional for students coming to those staffers for assistance
  - c. **Witness P** is one of those staffers
  - d. She has a line of students of color that come to her with concerns
3. Changes we make need to be impactful to the community
4. EC meeting discussions
  - a. Need real changes in our hiring process
    - i. Discussed process
  - b. Path for promotion
    - i. Is there a path for POC

#### **Witness P**

1. Clark needs to be a place where everyone feels valued
2. There is a feeling that people of color should be seen and not heard
3. A lot of mistrust
  - a. Form students and staff of color
4. People of color need to be put in positions to make decisions
  - a. Black men are not at the table
  - b. We need to make an effort to get black males into decision making positions
5. Who is at the core council level
  - a. **Witness P** commented on looking at all the pictures of people holding decision making positions around campus and our website online (most all NON-POC)
    - i. Board of Trustees
    - ii. Executive Cabinet
    - iii. Prior Presidents

- iv. Photos on walls throughout the campus
- 6. The work needs to start at the EC
  - a. We need to have consulting and coaching
- 7. Missed opportunity with Person 33
  - a. She did not do a listening tour (like Person B did)
  - b. She could have went out just to listen to people and she chose not to

Bob Knight

- 1. National guided pathways (and developmental levels)
- 2. Acknowledging #'s addressing student needs we can address
  - a. Discussed 3 levels, students below college level learning
  - b. Students in this group are given zero percent chance they will pass college
  - c. Bob - sees it as an opportunity gap
- 3. Acknowledged we need to create the conditions for success
- 4. Grant from the NEA community
  - a. To help educate
  - b. Brought 2 articles on topic
  - c. DEHP diversity and equity in hiring p?
  - d. How do we create the conditions to hire and retain

*Discussion continued:*

- 1. Social equity council roles
- 2. Person 3 - did a lot of work that was not part of her job
- 3. You used comfort zone, means different to different people
- 4. Anti-Semitic flyers posted (does not instill comfort)
- 5. How can we expand the bubble and be intentional with actions
- 6. Clark does good at diversity but bad at inclusion
- 7. Ideas on what you think we should do
  - a. Mentorship
- 8. Person 33 is awesome with her activism however is missing the personal connection part
  - a. She is all business, not what this college needs
  - b. Very linear

**Wit**

- 1. Discussed alternative models
  - a. Northwestern University (change makers)
    - i. Grass roots/personal connection efforts
    - ii. I was nominated for employee of the year for my work at Northwestern around issues of E&I
    - iii. I can share links to help Person 33 with direction
  - b. Portland Community College model
    - i. Division Leaders Diversity Council
    - ii. Discussed my role at PCC in DLDC and in Co-chairing sub groups
- 2. How do we move forward
  - a. What can we do?
- 3. Bob: at the state level and at other colleges they say Clark is doing great

- a. cw = implies we are doing enough
- 4. Bob: We are doing the most out of any other college in the state
  - a. cw = ignoring the specific challenges we are experiencing
- 5. Bob: other people say positive things in the community about E & I work
  - a. cw = not at all relevant to this discussion
- 6. Bob: We need to do a better job of celebrating our successes that's what we need to do
  - a. cw = again not addressing the challenges at hand... Bob is on the defensive
- 7. We have many affiliation and resource groups there
- 8. Bob will have follow up discussion with Loretta
- 9. Meeting adjourned

Post meeting notes:

Witness D & Bob 1-1 (after Witness P and Person 43 left office)

Summary discussion:

Bob did a great job listening and responding to questions appropriately in the beginning of the meeting. Noting he understands the challenges and was open to discussing how we can make changes in our environment. There was a definite shift in Bob's behavior and demeanor towards the end of the meeting. I noted above with cw where it was clear Bob stopped listening and was just noting how everyone else outside of Clark thought we were doing great with E&I.

Witness D note: cw comments Bob K seems to have stopped listening and moved to defending college, seemed agitated and annoyed. These comments are not what is needed in this moment. I explained to Bob, he needs to listen, support our staff and assist with resources and an action plan going forward. Clearly there are challenges he needs to acknowledge. His inconsistency is what is feeding the mistrust. I noted he has my support with any initiatives going forward. I will also follow up with Person 33 in person and will share links via email discussed.

Action Items:

Assigned to	Description	Opened	Target	Closed
Witness D	Follow up with Person 33 on NU & PCC resources and support			
Bob	Follow up with Person 33 on general discussion and next step plans			

From: Molly Solomon <[msolomon@opb.org](mailto:msolomon@opb.org)>  
Sent: Wednesday, September 26, 2018 1:34 PM  
To: Person 16 <Person 16@clark.edu>; Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
Subject: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Hi Person 16 and Bob,

I just wanted to give you a quick head's up that the story on Clark College will air soon – either later this week or early next. It was supposed to run on Monday – but our pledge drive plus all the national news this week threw a wrench in our local feature slot.

I had a couple last minute fact check things I wanted to run by Bob quickly by phone. Does he have time later today or early tomorrow? I can also just email over my questions if that's easier!

Molly

--

Molly Solomon  
SW Washington Bureau Chief, OPB  
Twitter: @solomonout  
O: 360-695-6255 | C: 510-501-0634

From: Person 16 <Person 16@clark.edu>  
Date: Wednesday, September 26, 2018 at 1:36 PM  
To: Molly Solomon <[msolomon@opb.org](mailto:msolomon@opb.org)>, "Knight, Robert" <[rknight@clark.edu](mailto:rknight@clark.edu)>  
Cc: Person 21 <Person 21@clark.edu>  
Subject: RE: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Hi Molly,

Could you email them to myself, Person 21 (who is cc'd on this email), and Bob? That way we can make sure whoever is best able to help with fact-checking can do so.

Thanks,

Person 16

Person 16  
4[b]

From: Knight, Robert [mailto:[rknight@clark.edu](mailto:rknight@clark.edu)]  
Sent: Thursday, September 27, 2018 3:19 PM  
To: Witness M <Witness M@clark.edu>  
Subject: OPB report on diversity at Clark College

Witness M

I would like for you to read and provide comment on an email response to questions that I will be sending to OPB this afternoon. Witness P Person 16 and I have been working on this. Witness P can fill you in on the details. Thanks

Bob

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From: Person 16  
Sent: Thursday, September 27, 2018 3:24 PM  
To: Knight, Robert <rknight@clark.edu>; Witness P <Witness P@clark.edu>; Witness M <Witness M@clark.edu>; Strong, Rekah <RStrong@clark.edu>  
Subject: RE: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Dear Rekah, Bob, Witness P and Witness M

Below in red please find my draft answers to Molly Solomon's questions. She is expecting a response by the end of the day so if you could provide feedback at your earliest convenience, that will help us get this to the reporter in time to make her deadline.

Thanks,

Person 16

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Person 16 4[b]

Person 16

Hours: 9 a.m. – 4:30 p.m. Mon – Fri

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From: Molly Solomon <msolomon@opb.org>  
Sent: Wednesday, September 26, 2018 2:23 PM  
To: Person 16 Knight, Robert  
Cc: Person 21  
Subject: Re: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Follow up questions are highlighted in bold!

In an interview with Person 10 she describes Clark as no longer a safe space for her as a woman of color. She described feeling like she was constantly being monitored by her supervisors and that everything was scrutinized, from the number of students she saw per day to the time spent during her lunch break. She also described passive aggressive emails and how she had to fight to get a POC on her tenure committee. She says that she also felt targeted by Bob Knight, and that he frequently called her a

“troublemaker.” She also said her supervisor declined a request to go to a black employee resource group event and that she was never offered a formal exit interview. **I’d like to know if the college wants to respond to any of these claims.**

**I am truly saddened to hear that one of our former employees has such unpleasant memories of her time here at Clark. Some of what she describes sounds like a personal conflict with a supervisor. But I would like to address the complaint specifically about my behavior. It’s true that for many years I had a habit of calling people “troublemakers” or saying, “Here comes trouble” when they approached. I meant it as a term of affection, but I have since learned that it was causing people I worked with to feel minimized or disparaged. I truly regret any pain that created and I changed my language as soon as I realized it was a problem. I know our Office of Diversity and Equity is planning a new series of workshops on micro-aggressions and intent-versus-impact, and I look forward to learning more about these topics along with the rest of the college. I want all our employees to feel safe and valued everywhere and every time they are at Clark.**

In a couple different interviews with Bob, he highlights how the recruitment at Clark has increased over time, with a handout he gave me showing that the percent of employees of color at Clark have gone up from 10.8 % in 2007-08 to 15.6% in 2017-18 (although those numbers were preliminary) – **What has Clark College done to recruit differently in recent years that they can attribute to these numbers improving?**

**In 2014 Clark hired a Diversity Outreach Manager who worked with our offices of Human Resources and Diversity and Equity to expand our ability to reach diverse candidates. This has involved everything from going to diversity-oriented job fairs to examining the way we handle the hiring process and recommending changes. This is important, because we understand that changing our recruiting processes isn't enough to get where we want to be as an institution--we need to revise our whole hiring process. One important step is that we have pursued a goal that all hiring pools must be at least 25 percent made up of diverse candidates. Another is to ensure that all employees who serve on a hiring committee first take an Equity in Hiring training. We also moved our Non-Discrimination Statement to the top of our job postings so that it is immediately visible to applicants.**

**All this work is ongoing—we have recently elevated that original Outreach Manager position to one of Associate Director of Diversity, Outreach, Recruitment & Retention, and that position is responsible for making additional recommendations to make our hiring process more accessible and equitable.**

Several people who worked in the diversity center claim that **Person 33** created a toxic work environment. She has since been let go by the college and is finishing out her contract which ends Sept. 30. **Does Bob Knight agree that Person 33 created a toxic work environment? Is there any reason that the college is giving for the unexpected departure of Person 33?**

**That is a personnel matter and we cannot discuss personnel matters.**

Bob listed a series of things that he and leadership has done to improve diversity recruitment and retainment at Clark College:

- employee resource groups
- hiring practices that involve diversity training for the hiring committee and at least one POC on the hiring committee
- making social equity a core part of the college's strategic plan

When did all of these initiatives start? And was it in response to something? Am I missing other things the college has recently implemented?

(First, one fact-checking thing: Clark does not mandate that each hiring committee have a Person of Color on it. This would become too cumbersome for our employees of color. However, we are moving toward a model in which each committee will be required to have one Diversity Ambassador on it. And it is true that all hiring committee members must take an Equity in Hiring workshop.)

This has been ongoing work at the college, and there is no one event that inspired it. Every other year, the college conducts a Climate Survey of its employees; in the data we received from those surveys, one trend we began to see was that there was some tension and dissatisfaction among employees around issues of diversity and equity. We realized we needed to respond to this, so in 2011, we created a position of Special Advisor for Diversity and Equity. In developing our 2015-2020 Strategic Plan, feedback from the collegewide visioning process led to making Social Equity a core theme of the plan, which in turn led to the creation of our current Social Equity Plan. In 2017, we elevated the Special Advisor position to an [REDACTED] [REDACTED] because we realized that position needed to be part of our Executive Cabinet. Much of this work began as we created key positions that could advise us on best practices: the Special Advisor to the President [REDACTED] (which later became the [REDACTED] [REDACTED] as well as the Outreach Specialist. But truly, all of this comes out of the college's fundamental mission to strengthen our community, which has always been part of Clark College. And we know this work is ongoing. We will continue to evolve and improve as an institution—not in response to any specific incident, but because it is part of our core values and mission.

How did Clark College respond to the 2010 neo-nazi flyers?

The flyers were removed as soon as they were discovered by our Facilities Services staff. A collegewide email was sent out within a day letting people know about the incident and saying that the college found the ideas in the flyer reprehensible. Shortly thereafter, the college hosted an open forum to discuss the concerns and feelings the incident had prompted.

And finally, what has Clark College leadership learned from past bias-based incidents and what are they doing differently today?

We have created a Bias-Based Incident Response Team that responds quickly to all such incidents. We also communicate about these incidents much more than we did in the past—and much more quickly. We know that our community needs to feel informed and to understand that the college takes these incidents seriously in order to feel safe. With each incident, we learn things that help us improve our processes. Sadly, given the often contentious times in which we currently live, Clark--like other college campuses around the country--will experience more such incidents, and we intend to continue learning from them so that we can find new ways to make our community strong and whole. [Witness P] TO IMPROVE ON THIS.]

From: Person 16  
Sent: Thursday, September 27, 2018 3:58 PM  
To: Knight, Robert <rknight@clark.edu>; [Witness P] <[Witness P]@clark.edu>; [Witness M] <[Witness M]@clark.edu>; Strong, Rekah <RStrong@clark.edu>  
Subject: RE: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Hi everyone,

I reached out to Molly and asked if I could get her a response by first thing tomorrow morning—she said that was fine, so that gives a little breathing room on this.

Thanks,

Person 16  
From: [Witness P]  
Sent: Thursday, September 27, 2018 4:13 PM  
To: Person 16 <Person 16@clark.edu>; Knight, Robert <rknight@clark.edu>; [Witness M] <[Witness M]@clark.edu>; Strong, Rekah <RStrong@clark.edu>  
Subject: RE: [EXTERNAL] Follow up -- Clark College story airing this week or early next

We're workin' [Witness M] and I). We'll have the edits soon.

From: Person 16  
Sent: Thursday, September 27, 2018 4:26:57 PM  
To: [Witness P]  
Cc: [Witness M]  
Subject: RE: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Thanks, I appreciate you ladies putting your fabulous minds together on this! I do have to leave at 4:30 today, but I'll check in this evening after I've gotten my kid fed to see what we have and get it ready to send to the reporter.

Person 16

From: **Witness M** [mailto:**Witness M**clark.edu]  
Sent: Friday, September 28, 2018 12:05 AM  
To: **Witness P** <**Witness P**clark.edu>  
Subject: RE: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Hi **Witness P**

Sorry for the late night email... I just wanted to make sure I sent you my thoughts in preparation for our continued discussion in the am. Chat at 8am—please call me on my cell!

G'nite!

**Witness M**

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From: **Person 16**  
Sent: Friday, September 28, 2018 6:47:49 AM  
To: **Witness P**  
Cc: **Witness M**  
Subject: Re: [EXTERNAL] Follow up -- Clark College story airing this week or early next

Hi I wanted to check in on this--I haven't received anything yet.

Thanks,

**Person 16**

From: **Witness P**  
Sent: Friday, September 28, 2018 6:50:07 AM  
To: **Person 16**  
Cc: **Witness M**  
Subject: Re: [EXTERNAL] Follow up -- Clark College story airing this week or early next

We will send by 8:15 if that's ok. We have it pretty much done, just need to refine. If that's too late, I can see if we can send out what we have.

From: **Person 16** [mailto:**Person 16**clark.edu]  
Sent: Friday, September 28, 2018 6:52 AM  
To: **Witness P** <**Witness P**clark.edu>; **Witness M** <**Witness M**clark.edu>  
Subject: Re: [EXTERNAL] Follow up -- Clark College story airing this week or early next

OK. I won't be able to look at it until 9, but I'll turn it around asap once I'm at my desk.

Thanks,

**Person 16**

10:04 ↗

◀ SiriusXM

📶 LTE 🔋



Witness I

Great!

Tue, Jan 29, 4:54 PM

I'm still in my afternoon mtg.... I'll head over to your office right after.

Delivered

Tue, Feb 12, 12:22 PM

I listened to you and I heard the impact of my actions and I am tremendously sorry. I commit to never engaging in that kind of behavior again. I hope we can connect soon and begin to work on a path forward.



iMessage



# EC GPS FORM

**INFORMATION**

**DISCUSSION**

**DECISION**

Date Submitted:	October 1, 2018		10/2/18
Agenda Topic:	EC response to Bias Based Incidents		
Scope/Impact <i>(organization, individuals affected)</i> College-wide			
College-wide			
Initiator:	Witness M	Budget Affected: <i>(Yes/No)</i>	No
Individuals/ Organizations Involved <i>(who is bringing the issue forward):</i>	Witness M	EC Sponsor:	Witness M
Desired Outcome/ Recommendation	There have been 3 Bias Based incidents within the last two weeks. It is important to discuss if and how EC can make a unified statement to the campus community.		
Alignment w/ Scorecard:	Social equity plan: improve the student and employee experience for the entire Clark College community.		
Discussion:	<ul style="list-style-type: none"> <li>There have been three bias-based incidents in last two weeks, and Witness M received another one during the meeting. Graffiti was found on a building in 23 Acres; there were neo-Nazi stickers in a men's room in Gaiser, on a parking sign by AA5; and an all-gender restroom sign was torn off the wall.</li> <li>This type of activity targets several of the communities at Clark College.</li> <li>The college follows a protocol in the wake of all bias-based incidents. The President also sends an email message following each incident. Despite repeated messages, these incidents have continued and Witness M feels EC should take a strong public stance against these actions by staging a public protest at the chime tower. The college community would be invited to attend and listen to EC's demands.</li> <li>Witness M challenged each EC member to contribute their personal funds to create a reward for anyone that reports suspicious activity that results in the identification of an individual(s) who is vandalizing college property and targeting the college communities with hateful messages.</li> <li>Furthermore, signs could be posted outside of staff offices refuting the messages. Commark branded, laminated signs with EC's public message could be made available to the college for posting.</li> <li>There could also be a "see something say something" campaign.</li> <li>It's time to clearly express that EC is taking a stand against messages of hate and standing behind positive change.</li> <li>It is difficult to get students on their path and help them stay on their path when they are faced with hate. It is frightening and prohibits them from receiving an equitable opportunity for an education. It can affect their schoolwork and their feelings of belonging to the Clark community.</li> <li>A public protest will get the college and local communities' attention. It will take the power away from those who are trying to make people fear Clark by seeing people publicly protest their behavior.</li> <li>Regardless of what the college does, this type of behavior is not likely to stop.</li> </ul>		
Decision: <i>(Approved/Not Approved)</i>			
For Action/Follow-up:	<ul style="list-style-type: none"> <li>EC taking a leadership stance is in line with the social equity mission.</li> <li>Two asks: <span style="float: right;">041</span></li> </ul>		

	<ul style="list-style-type: none"> <li>o EC chime tower event.</li> <li>o Financial support.</li> <li>• If a person is identified as vandalizing property, who will do the investigation? Local authorities as vandalism is a crime.</li> <li>• Committing to fast-tracking the placement of security cameras across campus makes a strong statement.</li> <li>• EC is supportive of making a strong public statement to the community, the see something say something campaign, and some kind of reward for identifying the perpetrators, and investing in cameras.</li> <li>• The Foundation could create a fund, similar to GoFundMe, to which anyone could contribute; the Foundation could match the contributed funds.</li> <li>• Bob K said the most impactful way to make a statement would be to invite the mayor, county officials, representatives from the NAACP, LULAC, and YWCA, and invite them to speak. Clark could take the lead for the local community. It will take more effort if everyone is included. The AAG's office would need to be consulted about the possibility of corporate sponsorships in support of this effort. The VPD should also be consulted prior to anything taking place.</li> <li>• A policy and procedure should be developed outlining how to go about this process and how to determine reward compensation if two or more people make a report and make a claim for the reward.</li> <li>• Put task force together to plan the protest. <b>Witness M</b>, <b>Witness H</b>, <b>Person 16</b> and <b>Witness F</b> will plan the protest. It must be scheduled when Bob K is here.</li> <li>• <b>Witness H</b> will contact the AAG's office and the VPD about offering a reward and determining police assistance and response with the protest and reporting.</li> <li>• <b>Witness H</b> will obtain the cost for camera installation.</li> <li>• Val will determine any impact on bandwidth and alleviating any speed issues.</li> <li>• <b>Witness H</b> and <b>Witness M</b> will look at a parking card proposal for all staff and faculty.</li> <li>• <b>Witness F</b> will talk to the ASCC leadership about arranging a quarterly student gathering to discuss bias-based incidents and how they affect students.</li> </ul>
<b>Attachments:</b>	

**Budget Impact**

EC MEETING DATE	DESCRIPTION	FUNDING SOURCE	AMOUNT	PERMANENT	ONE-TIME	DURATION OF COMMITMENT

-----Original Appointment-----

From: **Witness M**  
Sent: Wednesday, October 3, 2018 11:48 AM  
To: **Witness M**; **Witness P**; **Witness H**; **Person 16**; **Person 37**  
**Person 44**; **Person 28**; **Person 40**; **Person 2**; **Person 45**; **Person 47**  
; **Person 46** <[Person 46@clark.edu](mailto:Person 46@clark.edu)>; **Witness E**  
Subject: EC BBI Response  
When: Monday, October 8, 2018 3:30 PM-5:00 PM (UTC-08:00) Pacific Time (US & Canada).  
Where: President's Conference Room - Baird Hall

Good afternoon everyone,

I need your help! Most recently we have been dealing with a number of bias-based incidents at the College. In the past, we have notified the college community and provided a list of resources for those impacted and how to report these incidents. Given the recent increased activity, yesterday I brought forward a proposal to the Executive Cabinet for a stronger response. EC enthusiastically agreed. Therefore, I am putting together a workgroup made up of representatives from different areas of the college. I have strategically selected each of you for your voice and area of expertise. I am asking each of you to bring your authentic selves, voice, and candor as we discuss the proposed response.

And snacks will be provided! Thank you everyone and I look forward to our work together.

~ **Witness M**  
[Redacted]  
**Witness M**  
[Redacted]  
4[b]  
[Redacted] email **Witness M** <[Witness M@clark.edu](mailto:Witness M@clark.edu)>  
<http://www.clark.edu>

From: **Person 37**  
Sent: October 9, 2018 8:50 AM  
To: **Witness M** <[Witness M@clark.edu](mailto:Witness M@clark.edu)>; **Witness P** <[Witness P@clark.edu](mailto:Witness P@clark.edu)>; **Witness H**  
<[Witness H@clark.edu](mailto:Witness H@clark.edu)>; **Person 16** <[Person 16@clark.edu](mailto:Person 16@clark.edu)>; **Person 44**  
<[Person 44@clark.edu](mailto:Person 44@clark.edu)>; **Person 28** <[Person 28@clark.edu](mailto:Person 28@clark.edu)>; **Person 40**  
<[Person 40@clark.edu](mailto:Person 40@clark.edu)>; **Person 2** <[Person 2@clark.edu](mailto:Person 2@clark.edu)>; **Person 45** <[Person 45@students.clark.edu](mailto:Person 45@students.clark.edu)>; **Person 47**  
<[Person 47@clark.edu](mailto:Person 47@clark.edu)>; **Person 46** <[Person 46@clark.edu](mailto:Person 46@clark.edu)>; **Witness E** <[Witness E@clark.edu](mailto:Witness E@clark.edu)>  
Subject: RE: EC BBI Response

Thank you, **Witness M** for bringing us all together. I'm grateful for your inclusive leadership and listening style. I was impressed with the level of knowledge, open dialogue and commitment in the room last night.

I referenced a few of these resources last night, so wanted to share them here, as well:

1. I've attached an excellent tool for school/colleges in responding to bias-motivated/hate crimes. This resource from the Southern Poverty Law Center is also excellent:

<https://www.splcenter.org/20170814/ten-ways-fight-hate-community-response-guide>

2. Last night I referenced the training by Rabbi Debra Kolodny on 'Interrupting Hate in Public Spaces' that I attended last spring. Here's a description of the workshop: "The vast majority agree that we must ensure the safety of our communities. Yet we are living in a moment when public vitriol is skyrocketing, tensions flare at a moment's notice and Oregon leads the nation in hate incidents per capita. This workshop provides an opportunity to successfully address this crisis. Using tools and methodologies proven over decades from the foundational text: Training Active Bystanders by Dr. Ervin Staub, participants will leave confident of their ability to support and empower targets by:

Identifying and tapping into skills, experiences and values they already have

Identifying, understanding and overcoming what inhibits them from actively supporting targets

Learning and practicing specific tactics for interrupting verbal hate in public, centering the experience of the target and empowering the target to create safety for themselves

Learning specific tactics for protecting themselves from verbal abuse

Understanding the risks inherent in any hostile situation

Discerning what NOT to do to escalate the situation"

3. If there is interest in a "Teach in Against Hate" organized by Clark faculty, I'd be interested in helping with logistics.

4. Here's a link to the Kellogg Foundation's "Truth, Racial Healing & Transformation" program that I mentioned: <http://healourcommunities.org/> San Antonio Community College was funded by Kellogg to develop a Racial Truth, Reconciliation and Healing Center. I'd be willing to reach out to San Antonio Community College to see if they have information/resources to share.

5. Finally, I mentioned that I'm part of a group at the Vancouver Unitarian Universalist Church who is doing a 2 hour/week curriculum called "Examining Whiteness" : <https://www.uua.org/racial-justice/curricula/whiteness> It's an 8 week class that is focused on individual white people doing their own individual learning/unlearning about race. Our group has used the UU national curriculum as foundation, then updated it to include more current events and local issues. I'd be open to facilitating/co-facilitating a similar group at Clark, if there is interest/support.

Thank you all again,

Person 37

From: Person 47

Sent: Tuesday, October 9, 2018 3:59:30 PM

To: Person 37, Witness M, Witness F, Witness H, Person 16

Person 44, Person 28, Person 40, Person 2, Person 45

Person 46, Witness E

Subject: RE: EC BBI Response

Thank you very much for sharing this information, Person 37.

I'm eager for us to meet again as a group before this protest happens. Now that the word is spreading across campus I'm having some concerns about how some members of the EC may be thinking about this protest and messaging it to their staff members. I'm increasingly concerned that it will simply end up as another opportunity for lip service without measurable change and accountability from all EC members. I want to know that the effort that we are putting in and feedback we are giving as work group members is actually heard and acted upon. I don't want to overstep my position or speak harshly and at the same time I'm genuinely concerned given some stuff I've heard today directly from the mouth of at least one EC member. I will make myself available this week and next. I look forward to our next meeting.

Respectfully,

Person 47  
4[b]

From: Witness C

Sent: Wednesday, October 10, 2018 2:45 PM

To: Witness C <Witness C@clark.edu>; Witness M <Witness M@clark.edu>; Witness I <Witness I@clark.edu>; Person 16 <Person 16@clark.edu>; Person 22 <Person 22@clark.edu>; Witness E <Witness E@clark.edu>; Person 21 <Person 21@clark.edu>; Person 30 <Person 30@clark.edu>; Knight, Robert <rknight@clark.edu>; Witness D <Witness D@clark.edu>; Witness P <Witness P@clark.edu>; Witness H <Witness H@clark.edu>; Person 14 <Person 14@clark.edu>

Subject: OPB/Protest Feedback

Colleagues,

We had a long conversation at Student Affairs Council today about the OPB story and planned protest. There are a number of concerns about moving forward, which I am trying to summarize for your consideration.

- The original focus of the protest was focused on bias-based incidents, not on the climate issues leading to employees feeling unsafe/unwelcome. There is concern a protest is not the way to address the internal problems that we need to address.
- The timing of the story makes our actions /potential protest look reactive to the OPB story. We are not in a position to articulate a clear path forward and need to have more time before we hold a public event focused on external audiences. We need to focus internally now on training.
- Concerns were raised about safety at a public protest and the audiences external to Clark who may counter protest. Recently, a Vancouver group canceled a protest because of threats of violence <https://www.wweek.com/news/2018/08/11/vancouver-activists-cancel-rally-after-threats-from-patriot-prayer/>
- Concerns were raised about expecting/requiring staff to participate in the protest – citing potential trauma for individuals who could be exposed to messages of hate.
- SAC members advocate for training and engagement over protesting, suggesting we need to focus internally and intentionally on how we move forward to address the college climate. This training (perhaps a Teach-in like Starbucks <https://starbuckschannel.com/thethirdplace/> and Emory U did [https://news.emory.edu/stories/2014/10/er\\_teach\\_in\\_against\\_hate/campus.html](https://news.emory.edu/stories/2014/10/er_teach_in_against_hate/campus.html))

- Student comments related to their concerns about the future of Clark College are being shared with our staff.
- SAC does not support a 'listening session' where the community is asked to share their struggles. Instead, the college must create and articulate a clear action plan of change with accountable action steps and a timeline. This will take some time. Perhaps the BOT statement could express this commitment.
- SAC supports an educational campaign, but advises that we should avoid using the terminology 'see something, say something' campaign. This is the tagline from Homeland Security and has been used in immigration enforcement.

Commitments we discussed moving forward with.

- Frequent all staff training (2 or 3 per quarter) for all student affairs staff focused on diversity, equity, and inclusion – must have specific learning outcomes and build on core themes over the entire year. Focused on learning that is reinforced at staff meetings and through consistent action. Ideally, this training would include the entire college community.
- Expand PPI training requirement beyond the once per year – creating a program that focuses on holistic growth and development.
- Explore external consulting support to help the college manage through this challenging time, ensuring we develop a thoughtful plan of action to move the college forward.
- Designate meeting-free times once per week to allow designated times for training.

This is a quick overview of the conversation – please let me know if you have any questions,

Witness C

Witness C Witness C

Clark College

Witness C [clark.edu](mailto:clark.edu)

From: Person 14 [mailto:Person 14@clark.edu]

Sent: Wednesday, October 10, 2018 3:36 PM

To: Witness C <Witness C@clark.edu>; Witness M <Witness M@clark.edu>; Witness I <Witness I@clark.edu>; Person 16 <Person 16@clark.edu>; Person 22 <Person 22@clark.edu>; Witness E <Witness E@clark.edu>; Person 21 <Person 21@clark.edu>; Person 30 <Person 30@clark.edu>; Knight, Robert <rknight@clark.edu>; Witness D <Witness D@clark.edu>; Witness P <Witness P@clark.edu>; Witness H <Witness H@clark.edu>

Subject: RE: OPB/Protest Feedback

Hello All,

I feel a little uncomfortable sending this out, but I just finished my team leadership meeting where this was the major topic of conversation and my team also had some concerns. I was sort of pushing a hard line on we just need to do this, but my staff pushed back hard. What everyone agreed was:

- We need to work hard to make everyone feel they are welcome at Clark and Clark is THEIR school
- As a team we need to be part of that fix
- All agreed we should spend at least half of each of our all-staff meetings working on diversity and improving our knowledge/acumen/behavior
- Basically everyone was for being active and working to make this a better place for everyone

The concerns were pretty strong about the protest though:

- Most of my staff was very concerned about their safety. One person, who is a serial protester for social issues, said she would never willingly go to this type of protest as she felt it likely the Proud Boys would show up—or some similar group—and not only create a personal safety risk but risk giving the bad people a platform to spread their message.
- One person point blank said, I come to Clark College to do a job. My job description does not include putting my safety at risk by being ordered to protest in a situation I am highly uncomfortable with. If you order me to, I will go, but you need to know I think you are risking my safety.
- Another person asked if it was legal to order people to do something against their will that they felt contained a safety risk.
- My entire team felt there was a serious potential this will go sideways and create more fear at Clark College, rather than minimize it.
- Another person expressed the fear that pictures would be taken of them and show up in the Columbian or social media that would make them a target in their private life.
- A couple mentioned that if this does escalate it could be pretty traumatic for people who have been victims of hate crimes.
- There was a question of whether this would feel insincere to the community given the nearness to the release of the article—would we be better taking time and coming up with something that seemed more thoughtful?
- Not one of my staff felt this was a good idea all worried about the potential to establish Clark College as a racial battle ground for the two sides—which would likely make people feel far less safe in their view.
- Finally, a couple people said they do protest social injustice, but they do it in a non-confrontational way, this is not the way they would approach the issue.

I felt I needed to let you know how people where feeling. I want to stress that this is not to say my team are not supportive of making changes and working toward positive improvements, they just do not want to do it this way—at all.

Person 14

From: Witness M

Sent: Friday, October 12, 2018 2:16 PM

To: Witness P <Witness P@clark.edu>; Witness H <Witness H@clark.edu>; Person 16 <Person 16@clark.edu>; Person 37 <Person 37@clark.edu>; Person 44 <Person 44@clark.edu>; Person 28 <Person 28@clark.edu>; Person 40 <Person 40@clark.edu>; Person 2 <Person 2@clark.edu>; Witness E <Witness E@clark.edu>;

**Person 45**; **Person 47** [clark.edu](mailto:clark.edu); **Person 46** [s.clark.edu](mailto:s.clark.edu)  
Subject: EC BBI Response Update

Good afternoon team,

I wanted to provide you with an update on the status of the EC Bias Based Incident Response. The events envisioned for next week have been placed on hold. In the interim, EC members were tasked with creating action plans that meaningfully address equity and inclusion and to ensure there is a clear path for next steps prior to an EC BBI response. Thank you again for your time, insight, and wisdom. If you have any questions/concerns, please let me know.

~ **Witness M**

**Witness M**  
[Redacted]  
4[b]  
[Redacted] | email: **Witness M** [clark.edu](mailto:clark.edu)  
<http://www.clark.edu>

From: **Person 44**  
Sent: Friday, October 12, 2018 2:53 PM  
To: **Witness M** <**Witness M** [clark.edu](mailto:clark.edu)>  
Subject: RE: EC BBI Response Update

Hi **Witness M**

This makes me so sad. Your idea and vision is the response this campus needs. I was so excited, which is why I was so focused on the logistics.

**Person 44**  
4[b]  
[Redacted]

From: **Witness M** [mailto:**Witness M** [clark.edu](mailto:clark.edu)]  
Sent: Friday, October 12, 2018 3:27 PM  
[Redacted]  
Subject: RE: EC BBI Response Update

Thank you, **Person 44**! I'm viewing this initiative as being on hold pending additional pre-work for EC. It will not fall off the radar. Have a wonderful weekend!

~ **Witness M**

From: Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
Sent: Tuesday, October 16, 2018 12:02 PM  
Subject: Message from the President

College Community,

Over the past few weeks there have been many conversations concerning the past and present social equity climate at Clark College. I am sure that all of you have spent a great deal of time and thought processing and listening to these conversations. As your president, I have done the same.

Although these conversations are difficult, they are necessary to deepen our awareness around these issues. It is important to be uncomfortable as we engage in this important dialogue.

One of the goals in the Social Equity Plan is to demonstrate improved intercultural competency among employees and students. Our hope is that the listening and learning opportunities currently offered about power, privilege and inequity instill courage to still engage, even in discomfort, when we have caused harm, and to practice humility as we move through this space with one another.

To that end, please be sure to take advantage of additional listening and learning opportunities. It is important not to just check a box, but really engage in the trainings and events offered.

Last week, **Person 48** led a powerful session called "The Crown I Wear", and we also heard stories facilitated by the Queer Employee Resource Group on National Coming Out Day Story Sharing Hour.

The Office of Diversity and Equity is inviting you to a **College Community Kick-Back on Friday, October 19<sup>th</sup> from 1:00 pm-2:30 pm in Gaiser Hall Room 205**. An important part of meaningful dialogue is building trust. In order to build trust, we must establish relationships across differences. This will be an opportunity for all employees to come, see other faces and get to know one another. There will be music, mindfulness activities and snacks.

Additionally, **we hear you**, and we have set up place for self-care activities for employees who identify as People of Color. If you are interested in this and would like more details, please reach out to **Person 49**

Lastly, I am linking a survey for employees to share anonymous feedback to the College leadership. This feedback will be shared with Executive Cabinet exactly as it is presented. Please click this link to take the survey:

<https://www.surveymonkey.com/r/BarriersToInclusiveEnvironment>. The survey will be open until Friday, October 26<sup>th</sup>.

As I said before, we have work to do; and I am committed to making Clark College an inclusive and safe environment for all.

Sincerely,

Bob Knight  
President

**From:** Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
**Sent:** Friday, January 11, 2019 5:24 PM  
**To:** College Master List <[CLARK@clark.edu](mailto:CLARK@clark.edu)>  
**Subject:** Message from the President: Themes from Feedback  
**Importance:** High

College Community,

In October, I asked for your feedback on the barriers to creating an inclusive environment for People of Color here at Clark College. Thank you for being vulnerable enough to share your thoughts with me and the Executive Cabinet. The results from the feedback given will be used to inform work and actions moving forward. In the spirit of transparency and shared governance, I am taking the time to close the loop and communicate out some of the themes from the survey.

**Training:** There was a call for deeper training around intercultural competency. While we have provided power, privilege and inequity trainings over the years, we are exploring ways to assess the efficacy of these trainings and continue to improve. Executive Cabinet has contracted with **Company A** to provide equity training, coaching and consultation for the college community. For Executive Cabinet to effectively connect and build trust with our colleagues and employees, we must have a foundation of cultural humility. This training is not a one-off; it will be followed up by consultation to ensure accountability. Additionally, the Board of Trustees and Executive Cabinet have also agreed to attend equity training during a Board work session. The first iteration of this training will focus on the impact of microaggressions.

**Listening:** Many expressed the need for leadership to stop “hearing” and to start listening; and to specifically listen to the experiences of People of Color. To us, this means action. We are committing to ensuring stories and experiences are listened to, and action is taken as a result. Each Executive Cabinet member has committed to going back to their departments to conduct listening sessions with their staff, and from those sessions create action plans that will move us forward in this work. We will continue to have these important conversations at Executive Cabinet to keep us working toward our mission and goals.

**Representation:** We recognize how crucial it is for our faculty and staff to reflect the students we serve, and it was clear through the feedback that there are still gaps. We are working to work on strategies to hire and retain People of Color. [REDACTED]

**Witness E** [REDACTED] our [REDACTED] has invited **Person 50** to discuss the "17 Steps in the Hiring Process" as part of our Diversity & Equity in Hiring program. This work will help us align with our Guided Pathways model as we explore ways to make this a more inclusive process.

I want to again express my appreciation to everyone who gave feedback. Every comment submitted was acknowledged and read. A consistent theme clearly emerged from your feedback: our ongoing work in diversity, equity and inclusion is critical and foundational to reaching our institutional goals. We are committed to operationalizing and embedding social equity in all of our policies, practices and procedures – and we expect you to hold us to this.

Sincerely,

Bob Knight  
President

From: Knight, Robert [mailto:rknight@clark.edu]  
Sent: Tuesday, August 7, 2018 11:38 AM  
Subject: Message from the President: Changes in the [REDACTED]

Importance: High

College community,

As you know, Executive Cabinet is going through a period of transition. In July, we welcomed [REDACTED] **Witness E** as our new [REDACTED]. Next week, **Witness M** will join us as the new [REDACTED]. Additionally, we have two Cabinet vacancies to fill: the [REDACTED] and the Associate [REDACTED]. I would like to share with you our plans for addressing those vacancies in both the short and long term.

[REDACTED] **Person 11** last day as Clark's [REDACTED] was July 27. On an interim basis **Person 16** Senior [REDACTED] Specialist, will oversee the day-to-day operations of that office with support from Executive Cabinet members as needed.

As a result of this change, I have asked three Executive Cabinet members—**Witness I**, [REDACTED] and **Person 14** to relook the current [REDACTED] job description, gather input from staff in [REDACTED] assess our needs and opportunities, and then submit to Executive Cabinet a recommendation for how communication and marketing services should be organized and provided in the future. My goal is to complete this process during the summer in time for a hiring process to be conducted in the fall.

[REDACTED]  
Several interim decisions have been made to carry forward the work of diversity, equity and inclusion while we consider our long-term options for filling the [REDACTED] position. These decisions include:

- **Person 38** [REDACTED] will be assigned to [REDACTED].
- [REDACTED] **Person 49** our recently hired [REDACTED] will be assigned to [REDACTED].
- **Witness P** [REDACTED] will oversee the other functions that fall under the [REDACTED], including implementing our training program for faculty, staff and students, planning multicultural events and activities, and providing leadership on issues related to power, privilege and inequity. **Witness P** will report directly to me on all matters concerning her work in [REDACTED].

diversity, equity and inclusion. She will also serve on Executive Cabinet and as EC's liaison to the Social Equity Council.

These interim measures will ensure continuity of our work, but fulfilling the college's commitment to the Social Equity Plan will require a long-term solution. To that end I have asked a small team consisting of **Witness P**, **Witness E**, **Witness D**, **Person 37** and **Person 38** to conduct a thorough review of the Associate Vice President position and to present recommendations to Executive Cabinet.

This effort will begin during the summer, but because it must include college wide conversations with faculty, staff, the Social Equity Council, and other key stakeholders, it cannot be completed until the fall. The hiring process will be delayed as a result, but I believe it's important to take all the time we need to make the right decision.

As we navigate through these changes I want to express my appreciation to every member of the college community for working together, stepping up where needed, and maintaining our focus on serving students. I know change can be difficult, even unsettling, but I remain optimistic about what the future holds for Clark College.

Thank you,

Bob Knight  
President

\_\_\_\_\_  
\_\_\_\_\_

# EC GPS FORM

**INFORMATION**

**DISCUSSION**

**DECISION**

Date Submitted:	10/09/2018		10/23/2018
Agenda Topic:	[REDACTED]		
Scope/Impact (organization, individuals affected)			
Initiator:	Witness M [REDACTED]	Budget Affected: (Yes/No)	No
Individuals/ Organizations Involved (who is bringing the issue forward):	Witness M [REDACTED]	EC Sponsor:	Witness M [REDACTED]
Desired Outcome/ Recommendation	Update concerning recruitment for [REDACTED] Position at Clark College.		
Alignment w/ Scorecard:	Social Equity Plan: Facilitate Student Learning by providing the conditions that improve educational outcomes and eliminate systemic disparities among groups.		
Discussion:	<ul style="list-style-type: none"> <li>Witness M met with the recruiting firm that filled Clark's [REDACTED] position to discuss the job description and functions of the position.</li> <li>The firm can be as involved in the recruiting process as the college wants it to be; the cost of the engagement would depend upon the level of involvement they have.</li> <li>Two schools of thought:                             <ul style="list-style-type: none"> <li>Look at [REDACTED] candidate pool to see if one of the applicants could fill the [REDACTED] position.</li> <li>No known recruiting firm specializes in diversity officers.</li> <li>This firm is very successful at sourcing diverse candidates.</li> </ul> </li> </ul>		
Decision: <i>(Approved/Not Approved)</i>	<ul style="list-style-type: none"> <li>EC agreed to use the same firm to hire the [REDACTED] as the college used to hire Witness M [REDACTED]</li> </ul>		
For Action/Follow-up:	<ul style="list-style-type: none"> <li>The college will engage firm to source, screen, and interview candidates and forward those who are viable to the college; the college will make the final hire.</li> <li>Witness M will invite the firm to come in and discuss the engagement and the contract. She will invite the recruiter to an EC meeting.</li> </ul>		
Attachments:			

## Budget Impact

EC MEETING DATE	DESCRIPTION	FUNDING SOURCE	AMOUNT	PERMANENT	ONE-TIME	DURATION OF COMMITMENT

Executive Cabinet  
December 18, 2018

Attendees: Bob Knight, Witness C, Witness H, Person 14, Person 22, Witness P, Witness E, Witness I, Witness M, Person 21  
Absent:  
Guests:

TOPIC	DISCUSSION	ACTION
Agenda Review & Adjustments	<p>N/A</p> <ul style="list-style-type: none"> <li>Company B will assist the college in recruiting the [REDACTED]. They have joined EC today to present their initial research into industry standards and candidates who are interested in [REDACTED] positions. The research results will define the position description.</li> <li>A formal kick off meeting to present the success profile and their recruitment strategy will take place during January 2019.</li> <li>Company B researched 50 peer groups throughout OR/WA community colleges that have [REDACTED] positions of AVPs, VPs, and directors and spoke with 15 respondents.</li> </ul> <p><u>Findings:</u></p> <ul style="list-style-type: none"> <li>This position should have a direct line to the president and sit at a vice president/executive cabinet level. The position should have the authority to make changes. Although equity work is pushed out to every individual in the college, a VP level provides credibility.</li> <li>This position should own their own budget and have staffing authority.</li> <li>Some respondents support the position to act as a Title IX Deputy Coordinator, but others do not.</li> <li>Ten of fifteen organizations contacted had this position the most senior diversity person.</li> </ul>	<ul style="list-style-type: none"> <li>Of the community colleges Company B spoke with, the ratio of [REDACTED] to staff ranged from a being a one-person office to a staff of four or five. University staffing levels are different. Company B did not discuss the organizational budgets during their research, but will include this as part of the discussion when they are actively recruiting candidates.</li> <li>The position title, Title IX responsibilities (if any), and the make-up of the search committee must be decided first. Posting of the position description will be targeted for January, advertising will take up to two months, with a 45-day minimum.</li> </ul>

TOPIC	DISCUSSION	ACTION
<p>██████████</p>	<ul style="list-style-type: none"> <li>• Title IX activities are largely administrative and can limit the time spent on strategic diversity initiatives whereas D&amp;E work is prevention-focused. Opinions on where to house Title IX were not consistent within the organizations contacted and location of the function depends greatly on the volume of incidents that have to be investigated.</li> <li>• All of <b>Company B</b> research pointed to the ██████████ having an advanced degree of an MA, MS, Ed.D., or Ph.D. EC recommended advertising for a Masters or equivalent experience so that people who do not yet have an advanced degree are not excluded from consideration.</li> <li>• Academic or Private Sector Experience? Higher ed is complex and there may be slower buy-in from faculty and administration than a private sector candidate is used to. Interviewees who came up through higher ed or K-12 said a person in this position will be more successful if they understand higher ed. Those who were supportive of private sector hires said the candidates could be more skilled in conflict resolution along with an ability to navigate tension. A private sector candidate would also provide a new lens for an institution of higher ed. All interviewees recommended prior experience and deep a knowledge of complex organizations.</li> <li>• Everyone they spoke to was excited about Clark making this position an institutional priority and there were some who were potentially interested in applying.</li> </ul>	<ul style="list-style-type: none"> <li>• EC decision: <ul style="list-style-type: none"> <li>○ Title—Vice President</li> <li>○ Title IX Coordinator—No</li> <li>○ Must have an understanding of an academic environment.</li> <li>○ Search committee—between eight and ten individuals, one EC member, and two ██████████ staff.</li> <li>○ <b>Company B</b> will select the top candidates to put forward.</li> <li>○ The committee will be finalized by the end of the year.</li> <li>○ Each EC member will send their recommendations to <b>Witness E</b> and she will compile and provide recommendations to Bob.</li> </ul> </li> </ul>
<p>Enrollment</p>	<ul style="list-style-type: none"> <li>• Students have been coming in to register as a result of the outreach Student Affairs has been conducting over the past few weeks.</li> <li>• Enrollment is now only one percent off the budget target. A lot of gaps have closed; although the numbers are not good enough, they are better than they were two weeks ago.</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

TOPIC	DISCUSSION	ACTION
College Themes	<ul style="list-style-type: none"><li>• <b>Witness P</b> presented, and EC discussed, the themes that were developed from the employee feedback forms.</li></ul>	<ul style="list-style-type: none"><li>• The themes will be used to create action items that will be communicated to the college.</li></ul>

**INFORMATION****DISCUSSION****DECISION**

Date Submitted:	October 29, 2018	December 18, 2018	
Agenda Topic:	Chief Diversity Officer Position		
Scope/Impact (organization, individuals affected)	College-wide		
College-wide			
Initiator:	Witness M [REDACTED]	Budget Affected: (Yes/No)	Yes
Individuals/ Organizations Involved (who is bringing the issue forward):	[REDACTED]	EC Sponsor:	[REDACTED]
Desired Outcome/ Recommendation	Presentation and Q&A by [REDACTED] Recruitment Firm regarding sourcing/hiring for CDO position. Recommendation: Retain [REDACTED] for CDO search.		
Alignment w/ Scorecard:	Social equity plan: improve the student and employee experience for the entire Clark College community.		
Discussion:	<ul style="list-style-type: none"> <li>▪ Person 51 [REDACTED] Partner, and Witness K [REDACTED] Sr. Search Consultant from Company B met with EC to discuss the recruitment process for the Chief Diversity Officer, what the college is looking for in candidates, and some of the challenges the college has had in retaining individuals who have held this position.</li> <li>▪ There are four stages to the Search: <ul style="list-style-type: none"> <li>○ Define/understand the position needs; facilitate discussions across the college— whoever needs to be involved. Then put together a candidate's success profile and assessment. <ul style="list-style-type: none"> <li>▪ Compensation will determine the level of candidate that the college will see, but it needs to be kept relative to salaries in the college.</li> </ul> </li> <li>○ Research and Source candidates: Company B will identify candidates through networking.</li> <li>○ Assess/evaluate the candidates. Company B will conduct the assessments and present successful candidates to the college after which they will manage the interview process and candidate criteria. The candidates will complete a survey of eight to ten question.</li> <li>○ Offer development and negotiation. This phase is often taken more lightly than it should be. This is a delicate time and if not managed correctly, there can be hurt feelings surrounding candidate expectations.</li> </ul> </li> <li>▪ Many people who do equity work come from private industry rather than higher ed.</li> </ul>		
Decision: (Approved/Not Approved)			
For Action/Follow-up:	<ul style="list-style-type: none"> <li>▪ Company B will review the position assessment that was done two years ago. There must be a clear understanding that everyone is in alignment with the job description.</li> <li>▪ They will need to assess compensation levels from the marketplace. Currently, equity is a candidate-driven market.</li> <li>▪ Company B will develop a proposal for each phase of the search and the college can use the firm for whichever stage they like.</li> </ul>		

**From:** Witness M [mailto:Witness M@clark.edu]  
**Sent:** Monday, July 29, 2019 1:07 PM  
**To:** D Diamond Consulting <ddiamondconsulting@msn.com>  
**Subject:** RE: [EXTERNAL] Screening Committee?

Hi Deborah,  
Please see the below responses to your questions. If I can be of further assistance, please let me know. Thank you!

~ Witness M

**From:** D Diamond Consulting <ddiamondconsulting@msn.com>  
**Sent:** Monday, July 29, 2019 7:12 AM  
**To:** Witness M <Witness M@clark.edu>  
**Subject:** [EXTERNAL] Screening Committee?

Please respond to the questions below:

1. Was anyone from HR a member of your screening committee? Who? As I was not an employee at the time, it is my understanding that Company B was the initial screener and brought forward 6 “viable” candidates to the Executive Cabinet for consideration. EC conducted Skype interviews with 5, then decided on 3 finalists to bring to campus. This process was agreed to by EC – see scan.pdf for April 24, 2018 EC minutes.

2. How are members of screening committees selected? Provide any written policy/procedure. Typically, in practice recruitments conducted by Clark College HR, the recruiter asks the hiring manager who they want to be on the hiring committee (see hiring manager checklist). In this case, the recruitment and screening process was conducted by Company B (similar to my search). In the search, EC identified who would sit on the hiring committee, chair it, and that the hiring committee would decide who to bring forward for interviews. It was critical that representatives from the college community (vs just EC) had a voice on the hiring committee due to community concerns raised about the last two hiring processes. We specifically did not want the committee weighted heavily with EC members.

With that said, there is no specific written policy or procedure containing selection criteria for how members of hiring committees are selected, just that they are appointed by the president or the appropriate EC member.

### **1. Screening (from Admin Policy 610.040 – full text at bottom of this email)**

a. Screening committees for administrative/exempt positions will be appointed by the president or the appropriate Executive Cabinet member. A minimum of a chair and three members from the College community will be appointed. A student representative and/or additional representatives from the College or community may be appointed as deemed appropriate.

b. The screening committee will draft criteria to be used in evaluating all applicants. The AA/EEO officer or the associate [REDACTED] or designee must approve these criteria.

c. The screening committee will evaluate and interview applicants according to the same standards. The committee will normally interview at least five applicants. The appropriate Executive Cabinet member or president will normally interview those applicants interviewed in person by the screening committee for whom returning for another interview will constitute a hardship for the applicant or the College.

d. References will be checked by the committee and the president or designee to verify the information on applications.

e. A minimum of three candidates will be recommended, in alphabetical order, to the vice president or president. Strengths, weaknesses, and anticipated contribution to the College shall be included in the recommendation of all finalists. If the screening committee is not able to forward three candidates, the chair of the screening committee will work with the appropriate Executive Cabinet member, who will make the final decision on the next steps in the process.

f. The appropriate Executive Cabinet member or AA/EEO officer may meet with the screening committee at any time to discuss the diversity of the applicant pool. Records of all screening committee actions will be turned over to and kept on file in Human Resources.

3. Who selected the members of the steering [screening] committee for the [REDACTED] position? EC cabinet selected who would be on the hiring committee and also selected the chair [REDACTED] Witness E [REDACTED] – see EC minutes from December 18, 2018 included in scan.pdf.

4. Is it typical to have one or more screening committee members from the function the selectee will be supervising? Yes. It is best practice... they have the best sense of the department as well as the work. In tracing the history of the [REDACTED] and other EC level searches (my position used to be an [REDACTED] instead of [REDACTED]). I believe I am the first [REDACTED] hired at the VP level), I learned the following: in the Spring 2016 search, Person 19 and Carrie Gallagher (both in HR and direct reports to the [REDACTED]) were on the hiring committee when Witness H was the [REDACTED] and an internal candidate for the permanent [REDACTED].

The [REDACTED] hiring committee for Witness D hire included Foster Nostrand and Ian Thomas, both ITS employees (and Foster for sure would be a direct report).

The [REDACTED] hiring committee for Person 13 hire (who was also an internal candidate and the Interim [REDACTED] at the time) included three Instruction employees who were all direct reports to Tim (the internal candidate/interim [REDACTED] Michelle Bagley, (now former) Dean of Libraries; Blake Bowers, (now former) Dean of Business and Health Sciences; and Barbara Miller (now former) Executive Assistant.

The [REDACTED] ([REDACTED] position that resulted in Witness B hire included Person 16 [REDACTED] [REDACTED] on the hiring committee and she was the committee chair. She would also be a direct report of the [REDACTED]

5. Was there any EC discussion of there being 3 [REDACTED] staff on the screening committee, before the recruitment was cancelled? No. Initially there were two representatives from [REDACTED] – Person 2 & Person 40 [REDACTED] Person 28 [REDACTED] was not selected by [REDACTED], she was the representative selected by Student Affairs (see attached email). During the course of the [REDACTED] search, Person 28 [REDACTED] was promoted to a position in [REDACTED] (See Farewell email). We would not stop a search or remove someone from a hiring committee just because they were promoted to another position in a different area.

## 610.040 APPOINTMENT PROCEDURES FOR FULL-TIME PERMANENT ADMINISTRATIVE AND EXEMPT STAFF

Selection standards for administrative and exempt employees are outlined in Chapter 131-16 WAC.

No exceptions will be made to the appointment procedures for the recruitment, screening, and selection of full-time permanent administrative and exempt staff, except in cases of extreme emergency.

### Authorization to Begin

If an administrative or exempt position is vacated, the appropriate administrator must refer the request to the appropriate Executive Cabinet member for approval prior to requesting Human Resources to begin a search. The job description may be changed only on approval of the Cabinet and the associate [REDACTED]

For new positions, the dean, director, or other supervisor must submit a written request to the appropriate Executive Cabinet member, clearly stating necessary or desirable qualifications for the position. The vice president will refer the request to the Cabinet. Normally, new positions are initiated as part of the budget process.

### Recruiting

Upon receiving authorization to begin an active search for eligible candidates to fill the approved position, the following administrative procedures apply:

1. Job announcements will be prepared by Human Resources and approved by the appropriate Executive Cabinet member, the AA/EEO officer, the associate [REDACTED] [REDACTED] and the president or designee before distribution.
2. Human Resources will distribute job announcements to agencies on the appropriate affirmative action and recruitment mailing lists. Human Resources will be responsible for placing position advertisements and distributing announcements to the appropriate degree-granting institutions in Washington and Oregon. Positions will be posted on the College website.

3. An announcement of the opening will be published via e-mail and the College website.
4. Vacant or new positions will be announced to faculty as per the CC/AHE Agreement.

### **Pre-Screening**

1. During the application period, Human Resources will retain all materials submitted in response to the job announcement. These will include:
  - a. Letter of application. A written document indicating interest in the position.
  - b. Current résumé.
  - c. Clark College Application for Faculty and Administrative Positions.
  - d. Transcripts. Unofficial transcripts are acceptable during the selection process; official transcripts must be provided when employed. Placement files are not a substitute for transcripts. The terminal degree required for the position must be indicated on the transcript.
  - e. Any other materials required by the job announcement, such as written responses to specific questions, or letters of reference.
2. All materials, including letters of reference and transcripts, received after the closing date will be marked with the date they arrived and added to the applicants' files. The College is not obligated to consider materials submitted more than seven days after the closing date.
3. An applicant tracking system will be maintained by Human Resources and a copy of applicant rosters made available to the AA/EO officer.
4. Human Resources will identify documents received from each applicant.
5. Workforce profile forms will be available to the AA/EO officer for review. Human Resources will record the method by which applicants learned of the position opening.
6. The applicant pool will be reviewed to determine whether a formal extension of the closing date is necessary.
  - a. A formal extension may be made if an insufficient number of persons have applied. The recommendation for extension of the recruitment period will be made by the AA/EO officer and/or Human Resources after consultation with the screening committee and the appropriate Executive Cabinet member; the president or designee must approve the extension.
  - b. A formal extension may also be made if an insufficient number of persons from protected groups have applied. The AA/EO officer may recommend to the president, in writing, that the recruitment period be extended. If the president approves the extension, he/she will notify the AA/EO officer and the associate [REDACTED] the screening committee, and the hiring administrator or division chair, in writing.

- c. If the closing date is formally extended, the extension will be publicized appropriately.
7. Assuming an adequate pool of candidates, Human Resources will conduct the pre-screening, eliminating those who do not meet the minimum qualifications. At the request of the committee, Human Resources may conduct further screening using criteria established by the screening committee.

### **Screening**

- a. Screening committees for administrative/exempt positions will be appointed by the president or the appropriate Executive Cabinet member. A minimum of a chair and three members from the College community will be appointed. A student representative and/or additional representatives from the College or community may be appointed as deemed appropriate.
  - b. The screening committee will draft criteria to be used in evaluating all applicants. The AA/EEO officer or the associate [REDACTED] or designee must approve these criteria.
  - c. The screening committee will evaluate and interview applicants according to the same standards. The committee will normally interview at least five applicants. The appropriate Executive Cabinet member or president will normally interview those applicants interviewed in person by the screening committee for whom returning for another interview will constitute a hardship for the applicant or the College.
  - d. References will be checked by the committee and the president or designee to verify the information on applications.
  - e. A minimum of three candidates will be recommended, in alphabetical order, to the vice president or president. Strengths, weaknesses, and anticipated contribution to the College shall be included in the recommendation of all finalists. If the screening committee is not able to forward three candidates, the chair of the screening committee will work with the appropriate Executive Cabinet member, who will make the final decision on the next steps in the process.
  - f. The appropriate Executive Cabinet member or AA/EEO officer may meet with the screening committee at any time to discuss the diversity of the applicant pool. Records of all screening committee actions will be turned over to and kept on file in Human Resources.
8. The screening process will be coordinated by Human Resources.

### **Selection**

The appropriate Executive Cabinet member and president will normally interview all finalists, except for positions reporting to the president.

The appropriate Executive Cabinet member will make a recommendation to the president. If none of the applicants recommended are acceptable, the president may ask the screening committee to make further recommendations or ask Human Resources to reopen the recruitment. The president or designee will make the final selection. The president or designee may consult with the screening committee chair before making an appointment.

Thanks,

Deborah Diamond  
D Diamond Consulting  
(206) 200-3236  
[www.seattlefactfinding.com](http://www.seattlefactfinding.com)

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From: Witness K <Witness K@Company B.com>

Sent: Tuesday, December 18, 2018 1:55 PM To: Witness M <Witness M@clark.edu>

Subject: [EXTERNAL] Follow up - Recruitment Resources

Hi Witness M Thank you for setting up the meeting for us today. We thought it went well and hopefully the information we shared was useful. Please do let us know if there is anything else you need to help finalize the position description. How was the conversation with the group after we left? Please feel free to call me if there is anything you'd like to discuss. I've attached the PowerPoint we used for our discussion today as well as the DEHPD 17 Steps for Hiring resource to be shared with the search committee as you see fit. I will be in the office the next two weeks should you need anything. We look forward to kicking this recruitment off officially and seeing you in the new year!

Thank you! Witness K

**Witness K**

From: [redacted] **Witness P**  
Sent: Thursday, December 20, 2018 10:23 AM  
To: **Witness M** <**Witness M**@clark.edu>; **Witness E** <**Witness E**@clark.edu>  
Cc: Knight, Robert <rknight@clark.edu>  
Subject: [redacted]

Hello All,

I didn't think that I was going to apply for the [redacted] position initially, but as I have continued to work in this role, I am finding that this work speaks to a passion of mine.

I still do not know if I will apply, but I want to be given the option if eligible. With that, I will be removing myself from conversations at EC about the job.

I will continue to do the work as before, even if I go back to my role as [redacted]

Thank you all for understanding.

**Witness P**

From: **Witness M** [mailto:**Witness M**@clark.edu]  
Sent: Wednesday, December 26, 2018 1:38 PM  
To: [redacted] **Witness P** <**Witness P**@clark.edu>; [redacted] <[redacted]@clark.edu>  
Cc: Knight, Robert <rknight@clark.edu>  
Subject: RE: [redacted]

Hi **Witness P**

Thank you so much for your thoughtful email... You've done some great work on behalf of the College and I'm glad to hear you are considering! I agree with your position (removing yourself from future conversations at EC about the position) so please let me know if you have any questions.

**Witness M**

From: **Witness M** [mailto:**Witness M**@clark.edu]  
Sent: Wednesday, December 26, 2018 2:19 PM  
To: **Witness K** <**Witness K**@Company B.com>  
Subject: RE: [EXTERNAL] Follow up - Recruitment Resources

Hi **Witness K**

Happy Holidays and thank you so much for the thorough presentation! We had a robust conversation and decided to accept **Company B** recommendation of VP level, remove Title IX Deputy Coordinator duties, and incorporate the language from the Qualifications Advanced Degree slide. Our last task is for EC members to submit names to **Witness E** [redacted] and the EC member on

the hiring committee). The committee will probably be between 8-10 members. Due to the holiday season, we will not have another EC meeting until 1/8/19.

Also, I've attached an email exchange between me and **Witness P** that is relevant to this topic.

If you have any questions or need additional information, please let me know. Oh! As an FYI, I'll be out of the office next week (12/31/18 – 1/4/19) on vacation so if we don't chat before then, have a wonderful New Year and see you in 2019!

**Witness M**

From: **Witness P** [mailto:**Witness P**@clark.edu]  
Sent: Friday, February 22, 2019 7:52 AM  
To: **Person 21** <**Person 21**@clark.edu>; **Witness C** <**Witness C**@clark.edu>; **Witness I** <**Witness I**@clark.edu>; **Person 22** <**Person 22**@clark.edu>; **Witness E** <**Witness E**@clark.edu>; Knight, Robert <rknight@clark.edu>; **Witness D** <**Witness D**@clark.edu>; **Witness M** <**Witness M**@clark.edu>; **Witness H** <**Witness H**@clark.edu>; **Person 14** <**Person 14**@clark.edu>  
Subject: [REDACTED]

Hello All,

Per protocol and transparency, I am informing you all that I am choosing to apply for the [REDACTED] position. If you have concerns or questions, please let me know.

Thanks,

**Witness P**

**From:** Mankowski Dixon, Jennifer L. (ATG) [mailto:jennifer.mankowskidxon@atg.wa.gov]  
**Sent:** Wednesday, August 7, 2019 2:03 PM  
**To:** D Diamond Consulting <ddiamondconsulting@msn.com>  
**Cc:** Jacobsen, Jane <JJacobsen@clark.edu>  
**Subject:** Clark College BOT dates

Good afternoon,

Below is a list of additional dates and meetings involving the trustees. If you have any questions, please feel free to contact me or Chair Jacobsen.

April 30, 2019 – In a meeting with President Knight and Trustee Speer, President Knight shared concerns he had relative to the process for the [REDACTED] position selection and qualifications of two candidates. President Knight shared that he had been in direct contact with the search firm to discuss these concerns. He shared that he was considering a range of options on how to proceed, including pausing the process for the next president to restart. President Knight stated that he was working on setting up a meeting with the search firm, [REDACTED] Witness E Witness M and the AAG to discuss. Trustee Speer indicated that had President Knight asked for input prior to contacting the search firm, he would have advised against doing so, and to trust the process. Trustee Speer advised him that since he had contacted them, and given he was in the last few months in office, that it might be best to extract himself from the HR decision making, pause the process, and hand it off to the next president. He also suggested President Knight confer with Trustee Strong given her HR background.

May 3, 2019 – Trustee Strong discussed the [REDACTED] position selection process with President Knight. She recommended he consider pausing the process for the next president to pick up.

May 6, 2019 – Trustee Speer had a brief meeting with President Knight and reiterated his inputs from the April 30, 2019 meeting.

May 13, 2019 – Trustees Speer and Jacobsen met with President Knight and expressed their concern about input they were getting regarding the climate between Executive Cabinet (EC) and President Knight, which included President Knight's involvement in the [REDACTED] selection process. Trustees Speer and Jacobsen encouraged President Knight to discontinue any HR related actions and pause in the hiring process until the next president was in position. Trustees Speer and Jacobsen stated that if President Knight did not find a way to deescalate the exchanges taking place between he and the EC, they would be duty bound to take the issue to the full Board for consideration. President Knight expressed concern about the integrity of the selection process with the search firm, including how qualifications had been applied, communications between the college and the firm, and risk issues for the college.

May 22, 2019 – Board of Trustees Meeting

May 27, 2019 – In an email to the Board of Trustees, President Knight indicates, "I am also recommending that the next president start the process over and that the current interim [REDACTED] remain in that the position if she wants to until a permanent is decided with a new process."

May 28, 2019 – Trustee Rupley (by phone) and Trustee Speer met with President Knight for a monthly meeting. President Knight reviewed his email from May 27, 2019 and indicated that he had announced

his decision to EC on pausing the process, met with the Interim [REDACTED] to let her know he wanted her to remain in the acting role, was working to increase her pay to align with responsibilities, and that the new president would resume the selection process when they arrived. Trustee Rupley and Trustee Speer strongly encouraged President Knight to recuse himself from any HR related activities.

Thank you,

Jennifer Mankowski Dixon  
Section Chief/Assistant Attorney General  
1220 Main Street, Suite 510  
Vancouver, WA 98660  
Ph: 360-759-2100  
Fax: 360-759-2109

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**From:** Witness K <Company B>  
**Sent:** Thursday, April 25, 2019 3:34 PM  
**To:** Knight, Robert  
**Subject:** [EXTERNAL] Recruitment Information

Hi Bob,

Thank you for reaching out to me directly yesterday, as it's important to keep the lines of communication open for such an important recruitment. Person shared with me today that you would like to see more detail around how the top 5 candidates were determined. It's the same process we used for Witness M recruitment and I'd be more than happy to outline our firm's methodology around candidate selection. I've attached documents you can review, which will illustrate our decision-making process. I'd also be happy to hop on the phone to discuss how these all tie together.

1. For access to resumes, cover letters, and the very important written assessments, please follow this link for a DROPBOX folder (no username or password is needed): <https://www.dropbox.com/sh/gn9ebn0b7d2ln5o/AAA5fK-HWeMnuZqnggNz0QEfa?dl=0>
2. Our team led a meeting with Clark's internal search committee to define success, i.e. creation of the "Success Profile"; a tool we use to drive objectivity in our screening process. You can find definitions along with how the written assessment questions correlate attached via PDF.
3. We capture notes from our evaluations in the **Candidate Assessment Matrix** (attached) based on several data points: interviews, cover letter, resumes.

To address Witness P specifically, please see the following position description qualifications and our interpretation:

Qualifications:

- [REDACTED]
- [REDACTED]

How this experience was Interpreted:

[REDACTED]

In terms of best practice, we highly recommend letting Clark’s Search Committee carry out the work of continued candidate vetting. After all, there was a reason these members were selected to represent the college and its stakeholders in this recruitment, and ultimately ensure success and accountability for this hire after your transition.

Please let me know if you’d like to discuss further.

Witness K

**From:** Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
**Sent:** Thursday, April 25, 2019 3:49 PM  
**To:** Witness K Company B  
**Subject:** Re: [EXTERNAL] Recruitment Information

Witness K

Thank you for the follow-up. I did not see the [REDACTED] as a senior level position. It appears to be a voluntary position with no salary and no evaluation. Do you have any idea how many initiatives she led a year? It was also listed as 40 hours a week which coincided with a 40 hour week for her paid job. Do you have more clarity on this? It does not appear to be feasible. 80 hours a week for over 4 years. More clarity would help. Thank you again for working to answer my questions.

Bob

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**From:** Witness K <Company B>  
**Sent:** Friday, April 26, 2019 9:15 AM  
**To:** Knight, Robert  
**Subject:** RE: [EXTERNAL] Recruitment Information

Hi Bob,

With regards to if Witness P meets the 3-year requirement, it seems that this a bit of a gray area based on your, our and the Search Committee's interpretation of what should be included or excluded in meeting the 3-year requirement. Obviously, we and the Search Committee feel that her experience at along with the time at Clark College in the role satisfies this requirement, but you see it differently. I wish it was more cut and dry than this, but unfortunately, it's the circumstances.

You expressed to me on the phone that you foresaw pushback if Witness P was considered for the opportunity, and based on what I've heard from the Search Committee, I believe there could be pushback if she is not considered at this point. Based on this, we have two stakeholder groups with two different points of view on candidate qualifications and how to move forward with a specific candidate.

I don't believe the decision of including or excluding Witness P candidacy at this point based on the circumstances is one that should be made without consulting the Search Committee Chair or the entire Search Committee (it's part of why Search Committees are formed in the first place). Perhaps it would be best if you spoke with the Search Committee Chair and maybe the regarding the best way to proceed.

Thank you,

Witness K

**From:** Knight, Robert <rknight@clark.edu>  
**Sent:** Friday, April 26, 2019 11:06 AM  
**To:** Witness K <Company B>  
**Subject:** Re: [EXTERNAL] Recruitment Information

Witness K

Thanks for your additional input. My only point of concern at this time is meeting minimum requirements and what you and your company position is. I don't think committee position or any support one way or the other from others should come into play until the meeting of minimum requirements is met. You mentioned on the phone, as part of the argument to move her forward, that there was strong support from the committee. That shouldn't come into play at this time.

For the record, I had issue with a couple of candidates. You alleviated my concern for one but not for the other, Witness P

I would like you/ your company to make a clear definitive stand one way or the other whether you believe [REDACTED] constitutes senior level leadership in the field of diversity and equity. Your previous email indicates your position is in the gray area.

Thanks for your attention and assistance for this important matter to the college.

Bob

**From:** Witness K <Company B>  
**Sent:** Tuesday, April 30, 2019 12:32 PM  
**To:** Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
**Subject:** [EXTERNAL] [REDACTED] - Follow up

Hi Bob,

We think the best way to move forward would be to schedule a meeting between yourself, the Search Committee Chair, The VP of HR, and with us.

Please let us know if there is someone we can work with to get this scheduled this week.

Thank you,

Witness K  
[REDACTED]

**From:** Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
**Sent:** Tuesday, April 30, 2019 2:13 PM  
**To:** Witness K <Company B>  
**Cc:** Person 21 <Person 21@clark.edu>  
**Subject:** RE: [EXTERNAL] [REDACTED] - Follow up

Witness K  
[REDACTED]

I will ask Person 21 to arrange the meeting. I will be inviting legal counsel, our Assistant Attorney General, to the meeting, not as a threat but to guide me and the college through our decision making.

Thanks

Bob



5/6/19

Salary difference - Person left contracts in her office. Explained difference in why 11A vs 11B.

Person: "if no one has integrity," I will step in. Only one name was given (internal candidate). Looking and mining through the information. Just mentioned one candidate. Witness M: We need to let know because a high profile issue. Person didn't listen to that advice and got involved. Person: What if an EEOC complaint? Witness: What if there's an EEOC complaint because we are honing in on one candidate? Person: The issues were raised about only one candidate. Witness: why is only one candidate being targeted... that's risky. Why is there a deeper dive going onto one candidate? All said met minimum qualifications through app process but no one is double checking into all. On hiring committee, nothing jumped out about quals. Committee and Company B independently came up with same 5 candidates to move forward. Believes personal vendetta against internal candidate's work/voice in equity work. Or because of Black woman. Or because this is what an EC member is supposed to look like.

PARs & PAFs - checking math??? Shouldn't this be at program level? Vs just copying HR to keep in the loop.

Reference check policy - had recruitment look. Follow up questions. Will follow up with Heidi to get additional clarification and then move to finalize.

Just need to notify EC of changes for HR structure.

Executive Cabinet  
May 28, 2019

Attendees: Bob Knight, Witness C, Witness H, Person 14, Person 22, Witness E, ess E, Witness I, Person 21  
 Absent: Witness M  
 Guests:

TOPIC	DISCUSSION	ACTION
Agenda Review & Adjustments	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Add Strategic Plan</li> <li>• Add Operational Planning</li> <li>• Add Public Records Request</li> </ul>
Academic Excellence— Witness Q	<ul style="list-style-type: none"> <li>• The council is working on an outcomes assessment proposal to bring to EC. It has taken longer than expected</li> </ul>	
Social Equity— Person 18	<ul style="list-style-type: none"> <li>• The committee is currently updating its indicators of achievement.</li> </ul>	
Environmental Integrity— Person 53	<ul style="list-style-type: none"> <li>• The council is retooling the strategic planning workgroup.</li> <li>• The council would like to request an employee climate survey be scheduled.</li> </ul>	<ul style="list-style-type: none"> <li>• Witness said the college will conduct a survey and it will be scheduled once the interim is in place.</li> </ul>
Economic Vitality— Witness O	<ul style="list-style-type: none"> <li>• The council is looking at program sustainability to determine which programs are viable. They are taking into account the total costs which include student fees. Student fees were not on their list of items to look at but they are doing so given the budget situation. The council wants to find alternative ways and new revenue streams to help fund the college's operational budget.</li> <li>• The strategic plan group is working to transform the prior mission fulfillments into core theme objectives.</li> <li>• The Economic Vitality council is a little different. The business community understands that our programs and their needs must be aligned.</li> <li>• The EVC tracks whether students get a job after leaving Clark, but not necessarily what job. The council believes the jobs students obtain after Clark should be a living wage jobs, but they don't have the tools to determine whether this is happening. The council needs to know if the programs they are in set them up for success.</li> </ul>	

TOPIC	DISCUSSION	ACTION
Pillar 1— Person 25	<ul style="list-style-type: none"> <li>The subgroups have taken data from excel spreadsheets and transferred it to internal templates where they are being compared to templates in the catalog to ensure accuracy.</li> </ul>	
Pillar 2— Person 54	<ul style="list-style-type: none"> <li>New student orientations have begun. All new students starting during the summer/fall quarters are required to attend.</li> <li>The group is working through the onboarding and streamlining process in a very thorough process.</li> <li>Some of the pillar subgroups are reforming to be ready to start up again next year. Their final meeting is on June 17, where they will wrap up this year's activities and accomplishments and set the stage for next.</li> <li>Student Affairs is conducting eight orientations per week. Overall, it is going well and they are adjusting presentations as they go. Orientation helps the students feel more connected to Clark and familiar with the college before classes start.</li> <li>Registration for summer/fall 2019 starts on June 3.</li> </ul>	
Pillar 3	<ul style="list-style-type: none"> <li>A student focus group was held last Friday, and the group is awaiting results.</li> <li>The subgroups are meeting weekly and continuing to gather data on available resources that students need to know that will help them stay on the path.</li> </ul>	
Pillar 4— Person 31	<ul style="list-style-type: none"> <li>The pillar group is no longer meeting but have broken out into instructional and non-instructional programming outcomes assessment. Person 32 and Witness P are working on the non-instructional programs.</li> <li>ECD would have a similar process for their assessments.</li> <li>All programs regardless of if they are credit/non-credit must have OA per accreditation rules.</li> <li>Person 32 group would like all EC units to create purpose statements and five-year goals that would help create a culture of evidence and inquiry. They will work with Witness P to incorporate equity into all departmental planning and assessments, based on the work Witness P has done with departments.</li> </ul>	

TOPIC	DISCUSSION	ACTION
CtcLink— Person 55	<ul style="list-style-type: none"> <li>The first six sets of user acceptance/training are underway by the finance department staff. They are going into year-end very soon and will no longer be able to focus on ctcLink.</li> <li>SBCTC spent a week here working on fall course scheduling. Most of the fall schedule is now in PeopleSoft and classes will have to be assigned to classrooms. We are still determining how to get the curriculum into PeopleSoft.</li> <li>Clark has raised concerns about PeopleSoft’s accessibility. There is an RFP out for companies who can test for accessibility; this will be done as part of user acceptance testing. The SBCTC has said they will do whatever they can to accommodate and work with Oracle to make sure accessibility is integrated into PeopleSoft.</li> <li>ECD still has not resolved the software issues for registration. The SBCTC update will not meet all the needs of the OSECI software. The state is in negotiations about the Campus CE product. We don’t know what the enhanced OSECE product will look like as this was not in the SBCTC plan to support. Clark could stick with Campus CE but would have to double enter the information into PeopleSoft until a solution is found. The state’s version still will not be the same version as the college uses.</li> </ul>	
Enrollment Report	<ul style="list-style-type: none"> <li>The comparison of numbers is still not working and is part of the whole reporting issue the college is having.</li> </ul>	
Budget Update	<ul style="list-style-type: none"> <li>The 5% cuts will be put on ClarkNet. Witness H is going to take what he was given and post it. If you want your department entries to be reported in a different format, please update and send to him by the end of business on Wednesday, May 29.</li> <li>The BOT requested the details of personnel budget reductions during the work session last week. Witness H will send a spreadsheet to EC with information that needs to be populated with unit information</li> </ul>	<ul style="list-style-type: none"> <li>Witness H will send out the form in next couple of days.</li> <li>Please break your departmental information out for clarity and have it completed by the end of day on May 29.</li> <li>If your information is ok in its current format, please send him quick email and let him know it’s ok to go as is.</li> </ul>
Public Records Request	<ul style="list-style-type: none"> <li>Witness H has received two more records requests from Molly Solomon.</li> <li>She is requesting copies of EC minutes from January 1-May 23, 2019 as well as all communications between search firm Company B and EC, Bob K, and the hiring committee</li> </ul>	

	members including the contract of the hired search firm.	
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TOPIC	DISCUSSION	ACTION
<p>Search</p>	<ul style="list-style-type: none"> <li>• Bob K is immediately stopping the [REDACTED] search. He will turn the hiring process over to the new president.</li> <li>• He shared his reasoning with the EC as follows:               <ul style="list-style-type: none"> <li>○ The college did not go out to bid on the contract although it was above the \$10,000 threshold thus not providing for an open and inclusive search. He learned this after the fact but allowed the process to move forward. He asked that Purchasing document the process including the error.</li> <li>○ The entire EC and the search firm met to discuss the position’s job description, responsibilities, and expectations, title, salary, and minimum qualifications. The college agreed to elevate the position to a full VP and increase the salary to widen the net and attract a candidate with three years of executive level equity experience.</li> <li>○ In April, Bob learned from HR that the screening committee had narrowed the candidate pool to ten. He asked for copies of the finalists, so he could review them. After reviewing the resumes, some finalists did not meet the minimums that EC agreed upon. In [REDACTED] absence, he contacted the search firm to discuss his concerns. He spoke to [REDACTED] and asked about the process and she informed him that the pool had been narrowed to five – questions existed about two of the five finalists meeting minimum qualifications.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

TOPIC	DISCUSSION	ACTION
	<ul style="list-style-type: none"> <li>• Bob then talked to Person 19, Person 56, and Person 57 in HR, and they thought the pool was still at ten. Two of the five finalists did not meet the minimum requirements for three years of progressively responsible experience in a senior-level diversity position. Witness K asked Bob what he wanted, and he said a fair and equitable process. He asked the firm to provide in writing that each candidate met minimums. She said that she heard a strong voice from within the screening committee that she should be inclusive and include the internal candidate.</li> <li>• At this point, he put the process on hold until he could speak with Witness M. They decided to get everyone together for a meeting—Witness M, Witness K, Witness E, Bob, and Clark’s Assistant Attorney General. The meeting was scheduled for May 23 but cancelled.</li> <li>• In preparing for the meeting, Bob then discovered: <ul style="list-style-type: none"> <li>o All full-time employees in the [redacted] is on the screening committee.</li> <li>o HR processes were not followed in that not all screening committee members were given the “process and confidentiality” briefing before the process. The screening committee members had not signed confidentiality agreements.</li> <li>o Per Clark’s policy, all screening committee members must receive “diversity in hiring” training before serving on a committee. Two members did not have the training prior to the start of the committee. One received it after the committee started and the chair of the committee hasn’t yet received it.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

TOPIC	DISCUSSION	ACTION
	<ul style="list-style-type: none"> <li>• Bob is fully supportive of and appreciates the work <b>Witness P</b> is doing as interim but does not believe the process has been fair and equitable for everyone applying for the position.</li> <li>• Bob has decided to cancel the search firm's contract as he does not feel they performed to the contract's specifications. They were to have pre-qualified candidates but moved candidates forward who did not meet minimums. <b>They were not objective in allowing a strong voice within the screening committee to influence the process and move an inside candidate forward who did not meet minimums.</b></li> <li>• He is recommending that the next president start the process over and that <b>Witness P</b> remain in the position if she agrees to until a permanent VP is decided upon with a new process.</li> </ul>	

Executive Cabinet  
May 28, 2019

TOPIC	DISCUSSION	ACTION
<p>Search</p>	<ul style="list-style-type: none"> <li>• Bob K is immediately stopping the [REDACTED] search. He will turn the hiring process over to the new president.</li> <li>• He shared his reasoning with the EC as follows:               <ul style="list-style-type: none"> <li>○ The college did not go out to bid on the contract although it was above the \$10,000 threshold thus not providing for an open and inclusive search. He learned this after the fact but allowed the process to move forward. He asked that Purchasing document the process including the error.</li> <li>○ The entire EC and the search firm met to discuss the position's job description, responsibilities, and expectations, title, salary, and minimum qualifications. The college agreed to elevate the position to a full VP and increase the salary to widen the net and attract a candidate with three years of executive level equity experience.</li> <li>○ In April, Bob learned from HR that the screening committee had narrowed the candidate pool to ten. He asked for copies of the finalists, so he could review them. After reviewing the resumes, some finalists did not meet the minimums that EC agreed upon. In [REDACTED] absence, he contacted the search firm to discuss his concerns. He spoke to [REDACTED] and asked about the process and she informed him that the pool had been narrowed to five – questions existed about two of the five finalists meeting minimum qualifications.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

**Witness K** Bob could have/should have contacted the Search Committee Chair to discuss.

TOPIC	DISCUSSION	ACTION
	<ul style="list-style-type: none"> <li>• Bob then talked to Pers Pers and Per in HR, and they thought the pool was still on 56 two son the five finalists did not meet the minimum requirements for three years of progressively responsible experience in a senior-level diversity position. Witness K asked Bob what he wanted, and he said a fair and equitable process. He asked the firm to provide in writing that each candidate met minimums. She said that she heard a strong voice from within the screening committee that she should be inclusive and include the internal candidate.</li> <li>• At this point, he put the process on hold until he could speak with Witness M. They decided to get everyone together for a meeting—Witness M, Witness K, Witness E, Bob, and Clark’s Assistant Attorney General. The meeting was scheduled for May 23 but cancelled.</li> <li>• In preparing for the meeting, Bob then discovered: <ul style="list-style-type: none"> <li>○ All full-time employees in the [redacted] is on the screening committee.</li> <li>○ HR processes were not followed in that not all screening committee members were given the “process and confidentiality” briefing before the process. The screening committee members had not signed confidentiality agreements.</li> <li>○ Per Clark’s policy, all screening committee members must receive “diversity in hiring” training before serving on a committee. Two members did not have the training prior to the start of the committee. One received it after the committee started and the chair of the committee hasn’t yet received it.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>

**Witness K** The search committee determined that the five finalists met the minimum qualifications. The strong voice was not an individual, but rather the search committee unanimously indicating that Witness F was a very strong and qualified candidate.

TOPIC	DISCUSSION	ACTION
	<ul style="list-style-type: none"> <li>Bob is fully supportive of and appreciates the work <b>Witness P</b> is doing as interim but does not believe the process has been fair and equitable for everyone applying for the position.</li> <li>Bob has decided to cancel the search firm's contract as he does not feel they performed to the contract's specifications. They were to have pre-qualified candidates but moved candidates forward who did not meet minimums. They were not objective in allowing a strong voice within the screening committee to influence the process and move an inside candidate forward who did not meet minimums.</li> <li>He is recommending that the next president start the process over and that <b>Witness P</b> remain in the position if she agrees to until a permanent VP is decided upon with a new process.</li> </ul>	

**Witness K** **Company B** has not received any communication from Clark College that "the contract" has been cancelled. In addition, Clark College paid an invoice on May 30<sup>th</sup> (2 days later from this May 28<sup>th</sup> meeting) related to a milestone that Bob is intimating was not performed to his satisfaction.

**Witness K** Both candidates Bob brought up met the minimums.

**Witness K** This was not how **Witness P** was moved forward. Search committee members submitted their rankings of candidates after reviewing resumes and candidate written assessments. There wasn't a VOICE



**From:** Witness M [mailto:Witness M@clark.edu]  
**Sent:** Wednesday, July 17, 2019 9:05 PM  
**To:** D Diamond Consulting <ddiamondconsulting@msn.com>; pia@thomasbloomconsulting.com  
**Cc:** Strong, Rekah <RStrong@clark.edu>; Jennifer Mankowski Dixon <JenniferM1@atg.wa.gov>  
**Subject:** RE: EC Minutes 5.28.19

Hi Deborah, Pia, and Rekah,  
I have removed Witness P and Witness E from my response per your request. With that said, I do have significant concerns about Bob Knight's decision to publicly post these highly inflammatory, inaccurate descriptions of the recruitment process in the May 28<sup>th</sup> EC meeting minutes. I believe this was intentional as none of the previous EC minutes have this much detail and specificity. Additionally, these minutes confirm the same pretextual comments that I alleged occurred in my discrimination complaint as being retaliatory, calling my professional reputation and credibility into question. Now he is sharing this inaccurate information with the entire Clark College community. All faculty, staff, and students have access to these minutes. I also wonder if our new interim president has read these minutes and if/how they will impact my effectiveness and chance for success in my role—even after Bob's departure.

Sincerely,  
Witness M

**From:** D Diamond Consulting <ddiamondconsulting@msn.com>  
**Sent:** Thursday, July 18, 2019 7:02 AM  
**To:** Witness M <Witness M@clark.edu>  
**Cc:** Pia Bloom <pia@thomasbloomconsulting.com>  
**Subject:** [EXTERNAL] RE: EC Minutes 5.28.19

I will add this to your retaliation allegation.

Questions:

1. Are draft EC minutes circulated for comment before they are finalized and posted?
2. Did you read the draft and/or final minutes for 05/28/2019 when they were issued? Or just when Witness P brought them to your attention yesterday?
3. Is this the first you have seen personnel information about a particular person published in EC minutes?

Thanks,

Deborah Diamond  
D Diamond Consulting  
(206) 200-3236  
[www.seattlefactfinding.com](http://www.seattlefactfinding.com)

**From:** Witness M [mailto:Witness M@clark.edu]  
**Sent:** Thursday, July 18, 2019 1:38 PM

**To:** D Diamond Consulting <ddiamondconsulting@msn.com>  
**Cc:** Pia Bloom <pia@thomasbloomconsulting.com>  
**Subject:** RE: [EXTERNAL] RE: EC Minutes 5.28.19

Hi Deborah and Pia,

In response to your questions, please see the below screenshot from our EC sharepoint. Person 21 and Bob normally post the minutes shortly after each EC meeting. You will note that while there is an agenda for 5.28.19, these particular meeting minutes were not placed in the folder where I was told to look for minutes after my first EC meeting. We do not use a process similar to Robert's Rules of Order, where draft minutes are circulated and then corrected (as necessary) and adopted through a series of motions at the next meeting.

I've been hearing buzzing on campus about the 5.28.19 EC meeting but did not engage in conversations to find out details because I did not want to be accused of any wrong doing or pressuring people through my positional authority. I have also had experiences where people were talking and abruptly stopped when I walked by. Little did I realize the "buzzing" was coming from EC meeting minutes that were published to the campus community but *not the EC sharepoint site*. I believe this is yet another attempt to slander me to the Clark College community behind my back and professionally discredit me as woman of color and as someone who has been at the table advocating for social equity. Additionally, our new president Sandra Fowler-Hill, has been very detailed in reading information about the college (including meeting minutes from various groups) so again I wonder has she read these meeting minutes? I believe Bob Knight is trying to discredit me with the new interim president as well.

I have *never* seen this level of detail about a personnel matter or EC level recruitment provided in our EC minutes (I was heavily involved in the [REDACTED] search where Witness B was the successful incumbent). Moreover, our minutes are not this detailed for any topic. Publishing information that an "inside candidate [was moved] forward who did not meet minimums" would be damaging to the Clark College employee as well as the community's faith in the hiring process. It is even more disturbing that the information is intentionally and knowingly false. Moreover, as an HR professional, I would have strongly recommended that Person 21 & Bob *not* publish any of the information they chose to disseminate, no matter who the identified individuals were.

I hope this helps, if I can be of further assistance, please let me know.

~Witness M

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[Exit classic experience](#)

-  05.14.19 GPS form - Budget Committee recommendations and feedback
-  05.21.19 GPS 2019-21 Minor Capital Requests
-  05.21.19 2019-21 Capital Summary Sheet
-  05.21.19 EC Agenda
-  05.21.19 EC Minutes
-  05.21.19 ERG Caring for Loved one Application (002)
-  05.21.19 GPS ECD Summer Move to CTC
-  05.21.19 GPS New Employee Orientation
-  05.21.19 GPS Personnel Action Form & Request
-  05.21.19 GPS SJLI Applications
-  05.21.19 Personnel Action Form
-  05.21.19 Personnel Action Request
-  05.21.19 SJLI App and Information
-  05.28.19 EC Agenda

Drag file

From: D Diamond Consulting <[ddiamondconsulting@msn.com](mailto:ddiamondconsulting@msn.com)>  
Sent: Wednesday, July 17, 2019 5:52 PM  
To: Person 21 <[Person 21@clark.edu](mailto:Person 21@clark.edu)>  
Subject: [EXTERNAL] 05/28/2019 Minutes?

1. Who wrote the notes in the excerpt attached from the 05/28/2019 EC meeting?
2. If it was you, did President Knight provide you with any written notes or outline?

Thanks,

Deborah Diamond  
D Diamond Consulting  
(206) 200-3236  
[www.seattlefactfinding.com](http://www.seattlefactfinding.com)

From: Person 21 [mailto:[Person 21@clark.edu](mailto:Person 21@clark.edu)]  
Sent: Thursday, July 18, 2019 8:15 AM  
To: D Diamond Consulting <[ddiamondconsulting@msn.com](mailto:ddiamondconsulting@msn.com)>  
Subject: RE: [EXTERNAL] 05/28/2019 Minutes?

I write the draft EC minutes and EC edits electronically after reviewing them if they see anything missing. Bob edited these electronically, did not give me any notes.

Person 21

Person 21

Clark College  
1933 Fort Vancouver Way  
Vancouver, WA 98663

From: D Diamond Consulting <[ddiamondconsulting@msn.com](mailto:ddiamondconsulting@msn.com)>  
Sent: Thursday, July 18, 2019 8:31 AM  
To: Person 21 <[Person 21@clark.edu](mailto:Person 21@clark.edu)>  
Subject: Re: [EXTERNAL] 05/28/2019 Minutes?

The minutes appear to contain confidential personnel information about a particular individual. Do you normally post a redacted version of the minutes when there is confidential personal information? If so, what happened here?

Thanks,

Deborah Diamond  
D Diamond Consulting  
(206) 200-3236

----- Original message -----

From: "Person 21" <Person 21@clark.edu>  
Date: 7/18/19 4:27 PM (GMT-08:00)  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: RE: [EXTERNAL] 05/28/2019 Minutes?

Depending upon the meeting topic and whether it is specifically called an "executive session" for a specific discussion or if someone says "don't include this discussion in the minutes", statements made can and may be redacted, but these minutes were posted to the internal intranet (not the public website).

Person 21

Person 21

4[b]

From: D Diamond Consulting <ddiamondconsulting@msn.com>  
Sent: Thursday, July 18, 2019 5:10 PM  
To: Person 21 <Person 21@clark.edu>  
Subject: Re: [EXTERNAL] 05/28/2019 Minutes?

I do not see that they were posted to the Executive Cabinet SharePoint site, where I see that other minutes were posted. Any comment on that?

Thanks,

Deborah Diamond  
D Diamond Consulting  
(206) 200-3236

From: Person 21 [mailto:Person 21@clark.edu]  
Sent: Friday, July 19, 2019 11:13 AM  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: RE: [EXTERNAL] 05/28/2019 Minutes?

No, I don't recall why they didn't get posted.

Person 21

Person 21

4[b]

From: Knight, Robert <rknight@clark.edu>

Sent: Tuesday, June 18, 2019 1:34 PM

To: Witness E <Witness E@clark.edu>; Witness M <Witness M@clark.edu>; Witness R <Witness R@clark.edu>; Person 39 <Person 39@clark.edu>; Person 2 <Person 2@clark.edu>; Person 41 <Person 41@clark.edu>; Person 40 <Person 40@clark.edu>; Person 42 <Person 42@clark.edu>;

Person 28 <Person 28@clark.edu>; Person 31 <Person 31@clark.edu>

Cc: Jacobsen, Jane <JJacobsen@clark.edu>; Person 21 <Person 21@clark.edu>; Person 32 <Person 32@clark.edu>

Subject: Search Committee Meeting

Screening Committee,

I am cancelling my scheduled meeting with you today to discuss why I stopped the process. As stated previously, the reason I stopped the process because the process was not conducted properly and it was not a fair and equitable process. My detailed explanation for stopping the process is listed below. If individuals still have questions or concerns feel free to arrange a one-on-one meeting with me.

1) **Process issue:** We did not go out for bid on the contract. The contract was over the \$10,000 threshold and we were required to go out for bid. We did not have an open and inclusive process to select a search firm.

2) **Fairness and Equity issue:** The internal candidate, who had not declared intent to apply for the position was privy to the entire executive cabinet (EC) discussion when EC met with the search firm, Company B to discuss job description, title, salary and minimum qualifications. None of the outside candidates had access to this inside information.

3) **Fairness and Equity issue:** Company B informed HR recruiters via email to only screen for a bachelor's degree when the minimum qualifications advertised for were "master's degree or equivalent experience" and "3 years of progressively responsible experience in a senior-level diversity-related position". This becomes a fairness and equity issue when we are moving candidates forward with qualifications lower than the minimum qualifications advertised. Other potential candidates may have applied had they known we were only screening for a bachelor's degree.

4) **Fairness and Equity issue:** I was informed by Company B that they received pressure from a strong voice within the screening committee to be inclusive and include the internal candidate in the final pool of candidates. One of the responsibilities Company B agreed to in their contract with Clark College was to maintain objectivity regarding a candidate's qualifications. They did not remain objective.

5) **Process issue:** All members of the screening committee did not receive diversity in hiring training prior to the process beginning. Clark College requires all members of hiring committees to receive diversity in hiring training prior to serving on the committee.

6) **Process issue:** The screening committee did not receive a process and confidentiality briefing from an HR recruiter at the beginning of the process which is standard procedure for screening committees.

7) **Process issue:** The screening committee members did not sign a confidentiality agreement in order to participate in the process.

8) **Fairness and Equity issue:** All three employees of the [REDACTED] at the time of the hiring process, were on the screening committee. Their [REDACTED]

Thank you for your understanding. Please do not assume that my decision to stop the process means that any of the final candidates could not perform the duties of [REDACTED]

Bob Knight  
President

From: **Witness M** <**Witness M**clark.edu>  
Sent: Tuesday, June 18, 2019 2:31 PM  
To: Knight, Robert <rknight@clark.edu>; **Witness E** <**Witness E**clark.edu>; **Witness R** <**Witness R**clark.edu>; **Person 39** <**Person 39**@clark.edu>; **Person 2** <**Person 2**clark.edu>; **Person 41** <**Person 41**@clark.edu>; **Person 40** <**Person 40**@clark.edu>; **Person 42** <**Person 42**@clark.edu>; **Person 28** <**Person 28**clark.edu>; **Person 31** <**Person 31**clark.edu>  
Cc: Jacobsen, Jane <JJacobsen@clark.edu>; **Person 21** <**Person 21**clark.edu>; **Person 32** <**Person 32**clark.edu>  
Subject: RE: [REDACTED] Search Committee Meeting

Bob,

Thank you for your email and specificity regarding your reservations about the [REDACTED] hiring process. I was surprised to read some of the concerns given that many of the decisions identified below were made at Executive Cabinet (with full EC participation) before implementation and others have full documentation to the contrary (e.g. documentation of equity training).

I am disappointed to read the assessment and wished I had had the opportunity to go through these concerns item by item with you. Perhaps that would have alleviated some of your apprehension.

Thank you for your transparency and candor.

**Witness M**

From: **Person 2** <**Person 2**clark.edu>  
Sent: Tuesday, June 18, 2019 2:37 PM  
To: **Witness M** <**Witness M**clark.edu>; Knight, Robert <rknight@clark.edu>; **Witness E** <**Witness E**clark.edu>; **Witness R** <**Witness R**clark.edu>; **Person 39** <**Person 39**@clark.edu>; **Person 41** <**Person 41**@clark.edu>; **Person 40** <**Person 40**@clark.edu>; **Person 42** <**Person 42**@clark.edu>; **Person 28** <**Person 28**clark.edu>; **Person 31** <**Person 31**clark.edu>  
Cc: Jacobsen, Jane <JJacobsen@clark.edu>; **Person 21** <**Person 21**clark.edu>; **Person 32** <**Person 32**clark.edu>  
Subject: RE: [REDACTED] Search Committee Meeting

Bob,

Thank you for the option to speak with you one-on-one, however, the point of having the meeting today was to be able to talk through the process. I was hoping for an open honest back and forth conversation, but I see that you have your concerns and that is that per your email. So I respectfully decline.

Thank you,

From: Witness E [REDACTED] <Witness E@clark.edu>  
Sent: Tuesday, June 18, 2019 4:10 PM  
To: Rekah Strong <Rekah.Strong@eocfwa.org>; Mankowski Dixon, Jennifer (ATG) <JenniferM1@atg.wa.gov>  
Subject: Fwd: [REDACTED] Search Committee Meeting

Fyi. Want to make sure you are aware of the exchange today. This email is full of inaccuracies from BK and you may recall he stated many of these to all of EC prior to speaking with Witness P or Witness M. At the time of his statements, I attempted to correct the inaccuracies. As the hiring committee chair, he never made any attempts to speak with me regarding these concerns, especially given his insinuations to EC that I was the single voice that influenced the group. This behavior continues to be retaliatory, as it calls our integrity and professional acumen in question.

Please include this with the written complaint you asked me to forward.

Thank you,

Witness E [REDACTED]

"When they go low, we go high." ~Michelle Obama

Witness E [REDACTED]  
She/Her Pronouns  
[REDACTED]  
Clark College  
Witness E@clark.edu

From: Person 39 [REDACTED]@clark.edu>  
Sent: Tuesday, June 18, 2019 4:38 PM  
To: Person 2 [REDACTED] <Person 2@clark.edu>; Witness M [REDACTED] <Witness M@clark.edu>; Knight, Robert <rknight@clark.edu>; [REDACTED] <Witness E@clark.edu>; Witness R [REDACTED] <Witness R@clark.edu>; Person 40 [REDACTED]@clark.edu>; Person 42 [REDACTED]@clark.edu>; Person 28 [REDACTED] <Person 28@clark.edu>; Person 31 [REDACTED] <Person 31@clark.edu>; Person 41 [REDACTED]@clark.edu>;  
Cc: Jacobsen, Jane <JJacobsen@clark.edu>; Person 21 [REDACTED] <Person 21@clark.edu>; Person 32 [REDACTED] <Person 32@clark.edu>  
Subject: RE: [REDACTED] Search Committee Meeting

Hi,

Thank you for the explanation.

My questions to Bob, HR, **Witness E** and **Witness M** (and anyone who has the answer) would be...

- Why did we not go out for bid? **Witness M** or **Witness H** can answer that question. We should have gone out for bid.
- What are the things in the documentation that don't align with Bob's concern?
  - Does the documentation of equity training show that all members attended the training? The documentation shows that not all members of the screening committee received the Clark College HR "diversity in hiring" training.
- If **Company B** informed Bob that they received pressure from the committee, why does it make **Company B** not objective? Objectivity refers to a process that is purely based on hard facts. Subjectivity refers to a process that allows personal perspectives, feelings, or opinions to affect the process. Item #1 in our contract, referring to responsibilities required of **Company B** was to "maintain objectivity regarding a candidate qualifications". **Company B** did not remain objective by allowing committee perspectives rather than hard facts to influence who they moved forward in the process. Subjectivity would come into play through the screening committee work not with **Company B**.
- Do we still work with **Company B** or hire someone else? We will need to go out for bid if we move forward using an outside source to assist with the next search. **Company B** can compete for the bid.
- Will we be forming a completely new committee or do we continue with the same people? That decision will be up to the next president.

Thank you,

**Person 39**  
4[b]  
[Redacted]

From: Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>

Sent: Wednesday, June 19, 2019 9:03 AM

To: **Person 39** <[Redacted]@clark.edu>

Cc: Jacobsen, Jane <[JJacobsen@clark.edu](mailto:JJacobsen@clark.edu)>; **Person 21** <[Redacted]@clark.edu>; **Person 32** <[Redacted]@clark.edu>; **Person 32** <[Redacted]@clark.edu>; **Person 2** <[Redacted]@clark.edu>; **Witness M** <[Redacted]@clark.edu>; **Witness E** <[Redacted]@clark.edu>; **Witness M** <[Redacted]@clark.edu>; **Witness E** <[Redacted]@clark.edu>; **Witness R** <[Redacted]@clark.edu>; **Witness R** <[Redacted]@clark.edu>; **Person 41** <[Redacted]@clark.edu>; **Person 40** <[Redacted]@clark.edu>; **Person** <[Redacted]@clark.edu>; **Person 28** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>

**Person 32** <[Redacted]@clark.edu>; **Person 2** <[Redacted]@clark.edu>; **Witness M** <[Redacted]@clark.edu>; **Witness E** <[Redacted]@clark.edu>; **Witness M** <[Redacted]@clark.edu>; **Witness E** <[Redacted]@clark.edu>; **Witness R** <[Redacted]@clark.edu>; **Witness R** <[Redacted]@clark.edu>; **Person 41** <[Redacted]@clark.edu>; **Person 40** <[Redacted]@clark.edu>; **Person** <[Redacted]@clark.edu>; **Person 28** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>

**Person 41** <[Redacted]@clark.edu>; **Person 40** <[Redacted]@clark.edu>; **Person** <[Redacted]@clark.edu>; **Person 28** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>

**Person** <[Redacted]@clark.edu>; **Person 28** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>; **Person 31** <[Redacted]@clark.edu>

**Person 31** <[Redacted]@clark.edu>

Subject: RE: [Redacted] Search Committee Meeting

**Pers**  
on 39

My responses to your questions are listed below in black.

Bob

From: Witness M <Witness M@clark.edu>  
Sent: Tuesday, May 21, 2019 2:06 PM  
To: Knight, Robert <rknight@clark.edu>  
Subject: [REDACTED]  
Importance: High

Hi Bob,

I just wanted to follow up with you on your question about Witness P salary. Based on our discussion and looking into interim appointments and best practices—as well as Witness P current salary, I would recommend paying Witness P at least the same salary as her predecessor which was \$93,515 retroactively to the effective date of Witness P appointment. Also, as an FYI, based on the latest SBCTC Admin/Exempt Salary Survey, Witness P is significantly underpaid for her [REDACTED] [REDACTED] work as compared to her peers in the system.

If you have any questions, please let me know. I am also happy to generate the appropriate paperwork for your signature if you approve.

Please let me know how you'd like to proceed.

Witness M

Witness M  
[REDACTED]  
4[b]  
[REDACTED] | email: Witness M@clark.edu  
<http://www.clark.edu>

From: Knight, Robert  
Sent: Wednesday, May 22, 2019 8:02 PM  
To: Witness M <Witness M@clark.edu>  
Subject: RE: Interim role - Witness P  
Witness M

Let's discuss further in our next one on one. I am not saying no but want to discuss this in the context of Person 16 and Person 15 and possibly others who may have deserved more pay along with retroactive pay. I think the discussion about her pay as [REDACTED] [REDACTED] is a separate issue. Thanks

Bob

From: [REDACTED] Witness P <Witness P@clark.edu>  
Sent: Tuesday, May 28, 2019 12:23 PM  
To: Knight, Robert  
Subject: [REDACTED]

Hi Bob,

Just for clarity, I wanted to let you know I am still interested in continuing on as interim. I am hoping to have my salary re-evaluated. I would like to be at range of an EC member.

Thank you for your consideration,

Witness P

**From:** Witness P  
**Sent:** Tuesday, May 28, 2019 4:30 PM  
**To:** Rekah Strong <[Rekah.Strong@eocfwa.org](mailto:Rekah.Strong@eocfwa.org)>  
**Subject:** RE: [EXTERNAL] Complaint form

Also,

I wanted to let you know that I had an impromptu one on one with Bob today in which he said he told me that he has halted the entire hiring process. In this meeting, he said that there have been too many holes in this process. HR had missteps, The committee didn't have the proper training and there was too many issues with Company B. He also said that I had an unfair advantage, I was there when they did the job description and I knew the salary. AGAIN, I did NOT know any of this information and recused myself in December. He told me that some people were moved in without the proper experience. He told me that there needed to be 3 years of experience in a role such as this. I told him that wouldn't apply to me because I had 3 years of experience. He then said that he was not "saying anything about anyone's experience". He then told me that this could work in my favor, because I could get more experience with the new President making the choice. He told me how much he really liked me and he hopes I know he likes me (which felt very patronizing). Lastly, I told him that I wanted to continue on as Interim, but I need a salary review. He went into how if he gave me a review, he'd have to talk to Person 15 and back pay her, and then he'd need to talk to Person 16 and when Witness C and Witness H took on more responsibilities, they only got 5%. I explained to him that they were already at VP level pay before their 5%. He made up some weird story about how I am being paid at 85% of what Loretta is being paid and HR told me that. I never once consulted with HR about my pay; He told me what my pay was, and I took it because I knew what state that department was in.

This is a lot.

Witness P

4[b]

Witness P

**From:** Knight, Robert

**Sent:** Tuesday, May 28, 2019 7:39:23 PM

To: Witness [redacted] Witness P [redacted]

Subject: Re: [redacted]

Glad to know you want to stay on as interim and have already emailed Witness M [redacted] about looking at your salary.

	year	Base Pay	Additional Pay	total pay
Witness H - taking on [redacted] role	2015	105,292	5,000	110,292
Person 58 - filling in interim [redacted] role	2017/18	114,520		114,520
Person 11 - [redacted] taking on [redacted] role	2014	89,583	10,417	100,000
Person 30 - Associate [redacted]	2018	76,369	24,818	101,187
Witness SP - interim [redacted] role	2018/19	65,207	10,000	75,207

vacant position  
salary

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107,520 replacement hired in 2017

119,687 replacement hired in 2018

115,914 received progressive increases to \$104,854 in 2017, replacement hired in 2017  
faculty- helping in transition of [REDACTED] no vacant position per se

97,296 **Person 33** salary

# Administrative & Mid-Level Professional Salary Survey

March 2019



ADMINISTRATIVE AND MID-LEVEL PROFESSIONAL SALARY SURVEY

2019

**196070 Chief Campus [REDACTED] Administrator**

Responsible for the protection of the institution from fortuitous loss. Advises senior management on all potential sources of loss and on how to best reduce or eliminate loss. Represents the institution to the insurance market.

Previous job title: [REDACTED]

College/District	Annualized Salary	Years of Service in		Reporting Relationship
		Present Position	Substantial Other Duties	
Clark	66,512	2		Chief Business Officer
Clover Park	95,216	5	Y	Chief Business Officer
Shoreline	140,000	V	Y	CEO, Single Institution
Tacoma	132,600	1	Y	CEO, Single Institution
Whatcom	131,798	7	Y	CEO, Single Institution
	<b>2019</b>		<b>2018</b>	
	<b>Average</b>	<b>113,225</b>	<b>Average</b>	<b>107,120</b>
	<b>Median</b>	<b>131,798</b>	<b>Median</b>	

From: Witness H  
Sent: Monday, May 13, 2019 3:39 PM  
To: Witness C, Witness F, Witness M, Person 22, Witness I, Witness E, Person 21, Knight, Robert, Witness B, Witness D, Person 14  
Subject: May 14 budget discussion  
Attachments: Updated allocation of budget cuts with .5%.xlsx

EC –

Two hours have been set aside for budget discussion at tomorrow’s EC meeting. We are at the point where we need to make decisions. Following a discussion with President Knight this afternoon, I propose organizing our meeting time as follows.

1. We will operate with the understanding that we have **\$1,425,489 in funding to discuss** (as reflected in the draft 2019-20 projections distributed last week). While we know additional state funding is coming (e.g., Guided Pathways, Nurse educator salary increases, high demand faculty salary increases, etc.) we have to deal with what we have right now. Budget discussions around new funding can be reopened once we get our allocation from the state.
2. Consistent with feedback we’ve received from the Budget Committee and elsewhere across the college, the first question to address is: **do we want to buy back any of our 5% cuts?**
  - a. No, the cuts are the cuts and were necessary to help reallocate funding into other priority areas.
  - b. Yes, we now have unanticipated funding available to restore cuts in vital areas. Attached is the budget cut allocation spreadsheet with a new column reflecting what each EC department would receive if .5% of their cuts were restored. Buying back cuts, of course, reduces the amount of funding available for reallocation.
3. Is there a certain amount of the \$1.425 million we want to set aside as “**unallocated contingency**” for future use?
4. Are we prepared to support the Budget Committee’s top five recommendations on the reallocation list (two items are tied at #4)? These requests consume \$342,536 of the \$438,009 available for reallocation.
  - a. No, there are other priorities that need to be funded first (please be prepared to identify your rankings and why).
  - b. Yes, the top five reflect strong support from committee members and their constituent groups.
5. How do we want to rank the remaining 16 requests on the reallocation list? How many more do we want to fund with our anticipated available funding?

The goal of tomorrow’s meeting is to reach decisions on these questions so that we can finalize next week’s budget presentation to the Board and provide an updated message to the college community.

Thanks.

Witness H

4(b)

Witness H [clark.edu](mailto:clark.edu)

From: **Witness F**  
Sent: Monday, May 13, 2019 7:58:46 PM  
To: **Witness H**  
Subject: Re: Let's do it again!

haah...yes. I only have it set up for "new" email. Reply emails default to the old generic one.

Have you had a chance to look at **Witness H** email about the budget conversation for tomorrow's EC?

I'm not sure what to think about all of that, since I wasn't part of the earlier conversations that led to the decision to do a 5% cut.

Do you have a direction that you're thinking of leaning?

At the beginning of my meeting today with Bob K and **Witness I** he said that "he didn't want a 5% cut but the "new" people on EC wanted it ..."! It's like roulette trying to figure out where things are going to land and how to contribute to the conversation.

I am trying to get better clarity for myself on the budget reduction numbers that everyone presented in February.

I think you have a GP meeting before EC so I probably won't have a chance to connect before.

We'll just do our best.

**Witness F**

From: **Witness E** <**Witness E**clark.edu>  
Sent: Monday, May 13, 2019 8:05 PM  
To: **Witness F**  
Subject: Re: Let's do it again!

He said the new people wanted it? What a lie! Wow...I heard from the union today that they heard I was behind the 5%... it was Bob. Now I suspect where that came from.

**Witness E**  
She/Her Pronouns  
Clark College  
[Witness E@clark.edu](mailto:Witness E@clark.edu)

From: **Witness F**  
Sent: Monday, May 13, 2019 8:06:24 PM  
To: **Witness E**  
Subject: Re: Let's do it again!

So frustrating. !!!!!

And divisive. And just wrong.

Witness F  
4[b]  
[Redacted]

Sent: Monday, May 13, 2019 8:07 PM  
To: Witness F  
Subject: Re: Let's do it again!  
Follow Up Flag: Follow up  
Flag Status: Flagged

He's setting us up. This is awful and wrong.

Witness E  
She/Her Pronouns  
[Redacted]  
Clark College  
Witness E [clark.edu](mailto:clark.edu)

From: Knight, Robert  
Sent: Tuesday, May 14, 2019 3:54:03 PM  
To: Witness E  
Subject: Email follow-up

Witness E

Would you please track down the email that you mentioned Person 4 had that blamed the budget cuts on the "new people". I would like to get to the bottom of that one. Thanks

Bob

From: [Redacted] <sup>ss E</sup> <Witness E [clark.edu](mailto:clark.edu)>  
Sent: Tuesday, May 14, 2019 3:56 PM  
To: Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
Subject: Re: Email follow-up

She said it verbally during my "meet and greet faculty" yesterday. No emails.

Witness E  
She/Her Pronouns  
[Redacted]  
Clark College  
Witness E [clark.edu](mailto:clark.edu)

From: Knight, Robert  
Sent: Tuesday, May 14, 4:44 PM  
Sub mail follow-up  
To: [Redacted] <sup>ss E</sup>

Witness  
S E

I just went over to Person 4 office to find out who she heard the statement about the "new people" from. She told me that she didn't make that statement. I have since spoken to Person 5 and Person 6 and they didn't hear her make that statement. I am waiting on Person 7 Person 7 to call me back to find out what she said. Probably won't hear from Person 7 until tomorrow.

Bob

From: [REDACTED] <Witness E@clark.edu>  
Sent: Tuesday, May 14, 2019 4:59 PM  
To: Knight, Robert <rknight@clark.edu>  
Cc: Witness M <Witness M@clark.edu>; [REDACTED] Witness P <Witness P@clark.edu>  
Subject: Re: Email follow-up

Bob, Person 4 told me that she heard that I was the person behind the 5%. I said that wasn't true and then she said yes, she heard it was me, the new people. I'm not sure what else I can say. I'm confused as to why you are questioning the other faculty. Is it to confirm that I heard her accurately?

I am now hearing from others that there are statements going around about the new people. Should we bring this to EC? Including Witness M and Witness P as the other new people on EC.

Thank you,

Witness E

[REDACTED] Witness E  
She/Her Pronouns

[REDACTED]  
Clark College  
Witness E@clark.edu

From: Knight, Robert <rknight@clark.edu>  
Sent: Tuesday, May 14, 2019 5:14 PM  
To: [REDACTED] E <Witness E@clark.edu>  
Cc: Witness M <Witness M@clark.edu>; [REDACTED] Witness P <Witness P@clark.edu>  
Subject: RE: Email follow-up

Witness E

I am trying to nip this in the bud and find out who is spreading these rumors since you brought it up in EC today for a reason. I don't want this to fester. Person 4 gave me names of others who would confirm or deny what was said at the forum. I don't know what the new people reference means because no one appears to be taking ownership for the statement. I would assume that Witness B would be considered as one of the new people too since she is our newest. Witness F could be thrown in also but don't have the source of the new people to confirm. I don't know what the point of bringing it to EC again would be until we find the source.

Bob

From: Witness M <Witness M@clark.edu>  
Sent: Tuesday, May 14, 2019 5:46 PM  
To: Knight, Robert <rknight@clark.edu>; Witness E <Witness E@clark.edu>  
Cc: Witness P <Witness P@clark.edu>  
Subject: RE: Email follow-up

Hi all,

Thank you for including me in this important conversation. I believe the “new people” on EC at the time the 5% budget cut was decided were only me, Witness E and Witness P. Witness B had not been hired yet (remember we rejected Person 16 proposal in favor of allowing the new [redacted] to decide) and Witness F just joined EC a few weeks ago.

But the larger issue is, that for some reason through the rumor mill, we (Witness E, Witness P and I) continue to be identified as the genesis of un-popular decisions and controversies which in turn call our professional integrity into question. These continued rumors clearly center us as “the bad guys” and have the potential to permanently and negatively impact our relationships with colleagues, direct reports, and/or our departments.

For clarity, I am referring to the previous “leaker” allegations and now this 5% issue.

This latest rumor is extremely concerning and frankly detrimental, given that Witness E and I are currently at the negotiation table... that does not help the college resolve this issue.

I would not recommend following up with faculty to see who heard or said what. It does not resolve the issue and does not correct the misinformation swirling across the college. Instead, I believe it would be more effective to send a message from the President’s Office addressing the rumor and advising the college community that this was a decision made by EC as a whole.

I hope this information is helpful, if I can be of further assistance, please let me know.

Thanks everyone!

Witness M

From: Knight, Robert <rknight@clark.edu>  
Sent: Wednesday, May 15, 2019 10:02 AM  
To: Witness M, Witness E  
Cc: [redacted]  
Subject: RE: Email follow-up

All,

I would argue then that Witness S.D. could be considered one of the “new people” but since there is no verification that the statement was even made it is a mute point. The first I recall hearing the term “new people” was when Witness E mentioned it in EC. I don’t think there is any further need to discuss. Thanks

Bob

From: [REDACTED] Witness P <[REDACTED]clark.edu>  
Sent: Wednesday, May 15, 2019 10:18 AM  
To: Knight, Robert <rknight@clark.edu>; [REDACTED] Witness M <[REDACTED]clark.edu>; [REDACTED] Witness E <[REDACTED]clark.edu>  
Subject: Re: Email follow-up

I just want to acknowledge that it seems that there may be a bit of discrediting of what [REDACTED] Witness E said is truth. "No verification that the statement was even made". I don't think she would have said it if it wasn't said.

I think the reason why [REDACTED] Witness E brought it up in the first place was to address that this rumor is circulating so that we all are aware that it's going around. I appreciated the awareness so that we can be vigilant and a united front as Executive Cabinet members.

Maybe there's no other action needed but we definitely needed to be aware since this has the potential to be damaging to some of the "new" EC members whether it's [REDACTED] Witness E [REDACTED] Witness M [REDACTED] Witness D me or [REDACTED] Witness M [REDACTED] Witness D

I just ask that at the very least we acknowledge this and strive to be vigilant around rumors that may or may not be going around in the community.

[REDACTED] Witness P

From: [REDACTED] Witness M  
Sent: Wednesday, May 15, 2019 10:36:45 AM  
To: Knight, Robert; [REDACTED] Witness E  
Cc: [REDACTED] Witness P  
Subject: RE: Email follow-up

Good morning Bob,

I must respectfully disagree. I have no reason to doubt [REDACTED] Witness E or her experience at the faculty open forum. For what it's worth, I have also heard the same rumor and others have confirmed the statements were made at that forum. But I agree we should not dwell in the weeds. My larger concern, again, is how this particular rumor may further deteriorate our already strained relationship with the faculty union given two of the "new people" are at the bargaining table. So, I would suggest and request this rumor is addressed in a specific message and/or incorporated into any upcoming budget update from the President's Office.

On a personal note: I continue to be concerned that these outlandish rumors and character assassinations are directed at us. I feel both personally and professionally attacked and it is not missed on me that we are all Women of Color. As a new member of the Clark College and Vancouver community, these rumors attack my professional credibility and integrity and have the potential to permanently damage my personal reputation and professional relationships. I have no idea why there

are rumors that we are OPB "leakers" with Molly Solomon on speed dial or going rogue spearheading 5% cuts to the dismay of EC. Both are not true. At this point, I am just interested in public clarification and correction. Hopefully, Bob, with your influence at the college and in the community, you can assist us with this efforts because ultimately, these rumors also negatively impact Clark College. Thank you for your consideration and assistance to that end.

All my best,

Witness M

From: Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
Sent: Wednesday, May 15, 2019 11:09 AM  
To: Witness P, Witness M, Witness E  
Subject: RE: Email follow-up

Witness P

Your assertion and bias towards me about discrediting [redacted] is completely unfounded. If anything it would be the discrediting of Person 4 who I feel has made many false assertions over the past several months. Ironically, your last statement about being vigilant around rumors is exactly what I was trying to do. [redacted] told the cabinet that Person 4 made a statement about the "new people" causing the 5% cut. I was striving to be diligent to quell the rumor and go to the source and stop it. When I met with Person 4 she denied making the statement. I then told Person 4 that the 5% cut was a collective decision by the cabinet.

Bob

From: Witness P, Witness P <[Witness P@clark.edu](mailto:Witness P@clark.edu)>  
Sent: Wednesday, May 15, 2019 11:22 AM  
To: Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>; Witness M, Witness M <[Witness M@clark.edu](mailto:Witness M@clark.edu)>; [redacted] <[Witness E@clark.edu](mailto:Witness E@clark.edu)>  
Subject: Re: Email follow-up

Hi Bob,

I'm sorry you feel that way, I was definitely not being bias toward you, but only responding to the statement you made. I'm glad to see you state that you were referencing Person 4 and not Witness E. While I appreciate your efforts to identify the source, the larger issue is that the rumor has been spread across the college. Solely identifying the source does not address the latter. I think the next steps, then, would be to publish a statement as Witness M suggested.

Thanks for talking this through,

Witness P

From: Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
Sent: Wednesday, May 15, 2019 11:34 AM  
To: Witness M, Witness M <[Witness M@clark.edu](mailto:Witness M@clark.edu)>; [redacted] <[Witness E@clark.edu](mailto:Witness E@clark.edu)>  
Cc: [redacted], [redacted] <[Witness P@clark.edu](mailto:Witness P@clark.edu)>  
Subject: RE: Email follow-up

Good morning to you **Witness M**

I will begin by saying I appreciate everyone's thoughts in this matter. I think this discussion goes to the underlying core of some of the issues we are facing as a cabinet. We (I include myself in this) are all receiving and perceiving communication in different ways. I believe the lack of trust in each other is where it comes from. Somehow we need to find a way to gain that trust. I don't know if it will happen before I depart but I am willing to help lead that effort to begin the process to develop trust in EC. I think this would be a good discussion at EC. I solicit your ideas.

Concerning your comments below, I don't even want to use and say the term "new people". Since we don't know the source or definition of "new people" I am not accepting your assumption about the two "new people" at the bargaining table because the alleged comment was made in context of the 5% budget cuts as I remember.

Based on your recommendation, I will look to add into the budget email a clear statement that the 5% cut was a unanimous decision by all of Executive Cabinet.

Respectfully, I will now disengage from this conversation via email and would be willing to discuss in EC or in person with you further.

Thanks for your thoughts,

Bob

**From:** **Witness M**  
**Sent:** Wednesday, May 15, 2019 12:04 PM  
**To:** Speer, Paul <PSpeer@clark.edu>; Jacobsen, Jane <JJacobsen@clark.edu>  
**Subject:** FW: Email follow-up

Hi Paul and Jane,  
I hope you are having a great week thus far! I just wanted to share the following email chain (the attached is **Witness P** response in the same chain). Please start from the bottom and read up. The context for the 5% cut: Bob specifically made this comment to 3 EC members (not us)-- and there is supporting evidence if that's of interest to you-- yet he is working hard to get to the bottom of who started the rumor. The retaliation is becoming untenable and I am increasingly concerned that this is my reputation and professional integrity.

On a related note, I am hopeful that I will connect with Jennifer today as we previously discussed.

Thank you so much and my apologies for the disruption to your day!

Best,  
~ **Witness M**

Executive Cabinet  
December 4, 2018

Attendees: Bob Knight, Witness C, Witness H, Person 14, Witness P, Witness E, Witness I, Witness M, Person 21  
 Absent: Person 22  
 Guests: Person 59, Person 60, Witness O

TOPIC	DISCUSSION	ACTION
Agenda Review & Adjustments		<ul style="list-style-type: none"> <li>• Welcome to Person and Witness C</li> <li>• Add PDP son 60</li> <li>• Add Public Records</li> <li>• Delete Grandmaster Keys</li> </ul>
Enrollment	<ul style="list-style-type: none"> <li>• Running Start enrollment is up by 400 FTES. There is a higher proportion of RS students who have turned in their verification forms this year than same time last.</li> <li>• State enrollment is 14% behind last year which is a very large gap. Returning students are down by 850 FTES. Student Affairs are doing contact and outreach to the continuing students.</li> <li>• International enrollment is down by 9 FTES.</li> </ul>	
Person 60 Visit	<ul style="list-style-type: none"> <li>• Guided Pathways Coach, Person 60, reviewed yesterday's guided pathways sessions and shared her takeaways. She advised EC to think deliberately as they continue to work through themes she heard yesterday:               <ul style="list-style-type: none"> <li>○ There is still need for more communication and an overarching narrative to share with the college community. There must be a GP elevator speech that is clean and crisp. There has to be a common, simple message that can be carried throughout the entire organization. The pillar co-leads must be able to share the message and be explicit about using it.</li> <li>○ All college communications have to include why the change to guided pathways is being made and what it will look like.</li> <li>○ Make a simple graphic that lists all of the groups, their members, and the members' roles /responsibilities.</li> </ul> </li> </ul>	

TOPIC	DISCUSSION	ACTION
Lori Suddick Visit	<ul style="list-style-type: none"> <li>○ There should be a centralized location where the pillar groups' work can be placed; <b>Witness</b> said it should be ready this week.</li> <li>○ People will continue to say there is no communication from the college while leadership feels there is a lot. The strategy to use is to tell people of all of the places they can go for information; tell them where it is, what's been shared, and how to get to it. Constant repetition will eventually stick and will smooth out over time as the structure is put into place.</li> <li>○ Have a conversation in core group on what support and empowerment look like. Are there parameters around the pillar groups for decision-making? When do they need to go to EC? Tell them when they do need EC and make sure they know their check-in points.</li> <li>○ The pillar co-lead model is going well. People understand why it is important.</li> <li>○ Infuse the growth mindset language in all interactions; it will be very important moving forward.</li> <li>○ EC must be open and honest in their commitments to and communications with each other; people outside will do the same if this is modeled.</li> <li>○ Change management leadership principles are required. Put an effort into EC's professional development as well as the core group and pillar leads.</li> <li>○ Ask if people have the capacity to get the work done. EC may have to decide what work can stop or be put on hold while this change is implemented. If people are feeling overwhelmed with work, things will slow down.</li> <li>○ Student engagement—communicate with student government and do a presentation to them and let them get the word out about the change.</li> </ul>	

TOPIC	DISCUSSION	ACTION
<p>Removing Barriers and Creating Equity</p>	<ul style="list-style-type: none"> <li>• EC members continued to share the strategies they learned about during their research on how to remove barriers and create equity for systemically non-dominant groups.</li> <li>• A diversity council that looks into how inequity or potential inequity is addressed by the college.</li> <li>• Assess board and cabinet minutes and results/decisions made to see whether equity was considered in those decisions.</li> <li>• Creation of a diversity council takes place over a two-day weekend offsite retreat where individual biases are identified and broken down and the group is then built back up to discuss how to change college culture.</li> <li>• Embed diversity council members into other college committees so all topics could be discussed through an equity lens.</li> <li>• HR is responsible for guiding the culture of the college and setting up its infrastructure. They have built space into their work for training and to see the impact of equity work in their roles.</li> <li>• HR's closure to walk-ins on Friday is part of this change in order to have specific PPI trainings around issues.</li> <li>• Development of communication protocols on how HR interacts with each other and with the public.</li> <li>• HR is building out an employee development function that will be presented to EC within the next couple of weeks.</li> <li>• Implementation of a mentorship program, additional PPI training, shaping the culture, building community with a new employee orientation.</li> <li>• Find out what is going right in the areas that are doing well and have little turnover. Try to cross-pollinate their strategies with those areas not doing so well.</li> <li>• Encourage staff to attend social equity council meetings and report back.</li> </ul>	

<p>Removing Barriers and Creating Equity</p>	<ul style="list-style-type: none"> <li>• “Speaking Truth and Acting with Integrity Study” on the University of Missouri and what they did during a racial crisis. The discussion touched on highlights of the report.</li> <li>• How to facilitate learning and trust within EC itself? EC must do this if staff is to do this. Multnomah County equity plan is a good start.</li> <li>• The Social Equity Plan has specific steps to address issues and owners of the steps should be identified.</li> <li>• In addition to equity in hiring, have search committees take unconscious bias training.</li> <li>• Interrupt the usual—reexamine customs that appear to be diversity neutral but are actually exclusionary.</li> <li>• Conduct a review of policies and procedures through a social equity lens. Systems may be in place that unintentionally marginalize groups within your organization.</li> <li>• Work with the outside community to build a faculty and staff of color network and connect your employees with the network.</li> <li>• Give Presidential Coins in recognition of diversity work.</li> <li>• Invest budget resources into succession planning for faculty and staff.</li> <li>• Bring the ERG resource groups to EC meetings for updates on their activities.</li> <li>• Look at how diversity can be incorporated into the Facilities Master Plan in design, signage, art, etc.</li> <li>• Each area can have its own diversity and recruitment plan. A college-wide plan is great, but each department might have trouble recruiting diverse candidates.</li> <li>• Recruit diverse employees the way star athletes are recruited. Go out and find them.</li> <li>• Encourage people to move past training and try self-reflection—how do you incorporate other cultures into your work? How do you build empathy? What is your role in creating an inclusive environment?</li> <li>• Disaggregate data to look at retention of students and employees. It is different across groups. Be cognizant of the data. Demand intercultural competency of leadership. You need a tool that would assist in doing this.</li> <li>•</li> </ul>	
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TOPIC	DISCUSSION	ACTION
Removing Barriers and Creating Equity	<ul style="list-style-type: none"> <li>• Green dot training—how to step into and stop situations where someone is being harassed or if someone is using offensive language and disrupting it.</li> <li>• Need practical tips on disrupting offensive behavior we are seeing at the college.</li> <li>• How to keep diversity in the forefront of EC? Weave into meetings, goal planning, and modeled. What did we do and how was equity mindedness involved?</li> <li>• Go through the Social Equity Plan, update it, and publish what EC members are committing to do in their own areas. EC is responsible for the plan. Everyone on EC is responsible, not the diverse membership.</li> </ul> <p>Address bias with empathy and resolution. Bring bias-based incidents to cabinet as a standing item. Address specific issues that come up on campus to stop the churn so that issues don't become paralyzing.</p>	
Public Records	<ul style="list-style-type: none"> <li>• [Redacted] is ready to release the first batch of requested emails pending a conversation with the AAG today on protected information.</li> </ul>	

[ ] [OBJ]

[ ] [OBJ]

[ ] [OBJ] **DECISION**

Date Submitted:	11/29/18 for 12/4/18 EC	Guests would be <b>Witness O</b> and <b>Witness L</b> . <b>Witness L</b> can only be there at <del>9:00</del> 9:30 . <b>Witness O</b> will present with <b>Witness L</b> providing help answering any detailed budget questions.	12/4/18
Agenda Topic:	Approval of Budget Subcommittee Recommendation		
Scope/Impact (organization, individuals affected)			
All of Clark College			
Initiator:	<b>Witness O</b>	Budget Affected: Yes (Yes/No)	All Budgets
Individuals/Organizations Involved (who is bringing the issue forward):		EC Sponsor: <b>Person 14</b>	
Desired Outcome/Recommendation	Approval of the budget subcommittee—approval is needed to stay on the budget timeline.		
Alignment w/ Scorecard:	Economic Vitality—Maximize the college’s return on investment by responsibly allocating available resources.		
Discussion:	<ul style="list-style-type: none"> <li>The Economic Vitality Council is continuing last year’s efforts to bring more shared governance and transparency into the budget process. The first step was taken last year when the process was opened up to the college community.</li> <li>This year, the EVC would like to formalize a budget sub-committee that would collect and review the budget proposals and forward them on to EC for the final decision and approval. The responsibility would be on the committee rather than EC to put forward the proposals made by the college.</li> <li>NWCCU wants the budgets formed in alignment with the strategic plan rather than having proposals solicited without any context.</li> <li>The college will need to take this parameter into consideration when they make their proposals.</li> </ul>		
Decision: (Approved/Not Approved)	<ul style="list-style-type: none"> <li>Approved—continuing on the proposed timeline.</li> <li>Approved—establishment of a budget sub-committee.</li> <li>Approved—<b>Witness H</b> will chair the sub-committee for the first year; <b>Witness L</b> will serve as SME.</li> </ul>		
For Action/Follow-up:	<ul style="list-style-type: none"> <li>The council will solicit member applications now for EC approval.</li> </ul>		
Attachments:			

**INFORMATION****DISCUSSION****DECISION**

Date Submitted:	November 20, 2018		12.4.18
Agenda Topic:	Art in Baird Hall		
<b>Scope/Impact</b> ( <i>organization, individuals affected</i> )			
The Art Selection Committee is recommending replacing the building drawings and bios in the Baird rotunda with a rotating display of cover art from the Independent to showcase student talent. Covers would be enlarged and framed, with each new cover replacing the oldest one on display. Building drawings and bios would be displayed in the appropriate facility.			
Initiator:	Witness H	Budget Affected: <i>(Yes/No)</i>	No.
Individuals/ Organizations Involved ( <i>who is bringing the issue forward</i> ):	Art Selection Committee	EC Sponsor:	Witness H
Desired Outcome/ Recommendation	Approve Art Selection Committee recommendation for art for Baird Hall.		
Alignment w/ Scorecard:	Create and sustain an accessible and inclusive environment by using principles of universal design and social justice so that all students can achieve equitable outcomes.		
Discussion:			
Decision: <i>(Approved/Not Approved)</i>	Approved.		
For Action/Follow-up:			
Attachments:			

**INFORMATION****DISCUSSION****DECISION**

Date Submitted:	November 20, 2018		12.4.18
Agenda Topic:	EC Change Management Consultant		
<b>Scope/Impact</b> ( <i>organization, individuals affected</i> )			
Three finalists were interviewed as a result of the RFP issued to identify a change management consultant for EC. It has been determined that none of the three fully meet EC's needs. We recommend that this be declared a failed search. We are working with Purchasing to see whether the state already has a consultant under contract. Failing that, we propose reissuing a new RFP.			
Initiator:	Witness H	Budget Affected: <i>(Yes/No)</i>	Yes
Individuals/ Organizations Involved ( <i>who is bringing the issue forward</i> ):	Witness H, Witness E, Witness M, Witness C and Person 14	EC Sponsor:	Witness H
Desired Outcome/ Recommendation	Determine next steps in identify a change management consultant for EC.		
Alignment w/ Scorecard:	Integrate principles of mutual respect, collaboration, clear communication, and inclusivity in all interactions.		
Discussion:	Once a consultant has been hired, work will be delayed until the two new EC members have been hired.		
Decision: <i>(Approved/Not Approved)</i>	Approved.		
For Action/Follow-up:			
Attachments:			

**INFORMATION****DISCUSSION****DECISION**

Date Submitted:	11/21/2018		12/4/18
Agenda Topic:	PDP Spreadsheet From Each Area		
Scope/Impact <i>(organization, individuals affected)</i>			
Initiator:	Witness M	Budget Affected: <i>(Yes/No)</i>	No
Individuals/ Organizations Involved <i>(who is bringing the issue forward):</i>	Witness M	EC Sponsor:	Witness M
Desired Outcome/ Recommendation	Discuss PDP spreadsheet to track and maintain current records of required PDPs for staff.		
Alignment w/ Scorecard:	Academic Excellence: AE5 – Ensuring PDPs are completed as required creates an incentive for staff and celebrates their accomplishments while also providing an opportunity for improvement in areas that are challenging for them. This is also a chance for them to be engaged in their own success and advancement at Clark.		
Discussion:	<ul style="list-style-type: none"> <li>• Witness M distributed the outstanding PDPs to each EC member, by unit, that still are to be completed.</li> <li>• The WPEA has made a request for information on the status of outstanding PDPs for classified staff.</li> <li>• In the current system, when a classified person starts a new position, PPMS wipes out all of their existing data so it can look like they didn't receive a PDP when, in fact, they had.</li> <li>• The union was under the impression EC received this report annually, but this is not the case.</li> <li>• This will most likely be a standing request from the union.</li> </ul>		
Decision: <i>(Approved/Not Approved)</i>			
For Action/Follow-up:	<ul style="list-style-type: none"> <li>• EC will send updated information back to HR.</li> </ul>		
Attachments:			

INFORMATION

DISCUSSION

DECISION

Date Submitted:	November 28, 2018		December 4, 2018
Agenda Topic:	Main campus heating system		
Scope/Impact (organization, individuals affected)			
Person 61 will share information about the status of the main campus heating system. The leak in the transite pipe near Baird Hall is not patchable. EC will need to consider options about how to either prevent or respond to another possible leak that could shut down heating services for the entire main campus.			
Initiator:	Witness H	Budget Affected: (Yes/No)	No.
Individuals/ Organizations Involved (who is bringing the issue forward):		EC Sponsor:	Witness H
Desired Outcome/ Recommendation			
Next steps to address heating system problem on the main campus.			
Alignment w/ Scorecard:			
Improve the college's physical and virtual environment to maximize access and appropriate use of space and technology.			
Discussion:			
<ul style="list-style-type: none"> <li>The leak will take two days to repair.</li> <li>The repair can be completed over a weekend and scheduled events will be without heat, or the college can be shut down for two days during a week day and employees will be without heat.</li> <li>The first weekend with only one event is December 29. Is it worth taking the chance of a catastrophic failure and waiting until December or doing the work as quickly as possible.</li> </ul>			
Decision: (Approved/Not Approved)			
<ul style="list-style-type: none"> <li>The repairs will be made the weekend of December 8 and 9.</li> </ul>			
For Action/Follow-up:			
<ul style="list-style-type: none"> <li>Witness B will move classes from main campus to STEM and CTC.</li> <li>Witness C will move the basketball games to a different location.</li> <li>Person 14 will move ECD classes.</li> <li>Witness H will let the private events know there will no heat in the buildings.</li> </ul>			
Attachments:			

**INFORMATION****DISCUSSION****DECISION**

<b>Date Submitted:</b>	November 20, 2018		12.4.18
<b>Agenda Topic:</b>	2019-20 Must Fund and Other Funding Needs		
<b>Scope/Impact</b> ( <i>organization, individuals affected</i> )			
As requested, [redacted] <b>Witness L</b> has begun compiling a list of must fund and other funding needs for the 2019-20 budget. This list has been posted on Share Point. Please keep in mind that at this early stage, many of the must fund items are estimates.			
<b>Initiator:</b>	<b>Witness H</b>	<b>Budget Affected:</b> (Yes/No)	Yes
<b>Individuals/ Organizations Involved</b> ( <i>who is bringing the issue forward</i> ):	<b>Witness L</b>	<b>EC Sponsor:</b>	<b>Witness H</b>
<b>Desired Outcome/ Recommendation</b>	Review and update list of must fund and other funding needs.		
<b>Alignment w/ Scorecard:</b>	Maximize the college's return on investment by responsibly allocating available resources.		
<b>Discussion:</b>	Items to discuss at legislative breakfast on 12/10. <ul style="list-style-type: none"> <li>• Capital funding—need \$422M to get our project funded</li> <li>• Regional pay</li> <li>• Largest group of legislators to have ever attended our breakfast next week.</li> </ul>		
<b>Decision:</b> ( <i>Approved/Not Approved</i> )			
<b>For Action/Follow-up:</b>	<ul style="list-style-type: none"> <li>• Add the new part-time hourly FMLA leave that is effective 1/1/19.</li> <li>• <b>Witness M</b> will provide numbers for this benefit.</li> <li>• <b>Witness I</b> will get data for differential pay in King County vs Clark County</li> <li>• Give any needed budget items to <b>Witness H</b> for addition to the list.</li> </ul>		
<b>Attachments:</b>			

**INFORMATION****DISCUSSION****DECISION**

Date Submitted:	11/19/2018		12.4.18
Agenda Topic:	Revise Current Administrative Procedures		
Scope/Impact ( <i>organization, individuals affected</i> )			
Initiator:	Witness M	Budget Affected: <i>(Yes/No)</i>	No
Individuals/ Organizations Involved ( <i>who is bringing the issue forward</i> ):	Witness M	EC Sponsor:	Witness M
Desired Outcome/ Recommendation	Approval of requested changes to current Administrative Procedures to ensure compliance, consistency and intent.		
Alignment w/ Scorecard:	Environmental Integrity – E13 – Integrate principles of mutual respect, collaboration, clear communication, and inclusivity in all interactions.		
Discussion:			
Decision: <i>(Approved/Not Approved)</i>	<ul style="list-style-type: none"> <li>Approved.</li> </ul>		
For Action/Follow-up:			
Attachments:			



INFORMATION



DISCUSSION



DECISION

Date Submitted:	11/21/2018		12.4.18
Agenda Topic:	<b>Company A</b> – Equity Leadership Training		
Scope/Impact ( <i>organization, individuals affected</i> )			
EC, College Community (outcomes)			
Initiator:	<b>Witness P</b>	Budget Affected: (Yes/No)	Y
Individuals/ Organizations Involved ( <i>who is bringing the issue forward</i> ):	EC	EC Sponsor:	<b>Witness P</b>
Desired Outcome/ Recommendation			
Deep Equity Training for EC – starting with the leadership.			
Alignment w/ Scorecard:			
Demonstrate improved intercultural competency among employees and students through comprehensive professional development and curricular transformation.			
Discussion:			
<ul style="list-style-type: none"> <li>• <b>Witness P</b> recommends EC training.</li> <li>• Hold off on faculty training as there is another vendor who will do PPI training.</li> </ul>			
Decision: (Approved/Not Approved)			
<ul style="list-style-type: none"> <li>• Approved EC training.</li> <li>• Approved student training.</li> </ul>			
For Action/Follow-up:			
Attachments:			

Exit

PO 200874 (3/4/19) - #1  
#2

 <b>CLARK COLLEGE</b> <small>EST. 1913</small>	Order	// 200875 // Requisition Number <b>NA00-24-0</b>
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Ship To: CLARK COLLEGE CLARK COLLEGE 1933 FORT VANCOUVER WAY VANCOUVER WA 98663-3598 UNITED STATES OF AMERICA	Ship To: CLARK COLLEGE CLARK COLLEGE 1933 FORT VANCOUVER WAY VANCOUVER WA 98663-3598 UNITED STATES OF AMERICA
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Final Destination: CLARK COLLEGE CLARK COLLEGE 1933 FORT VANCOUVER WAY VANCOUVER WA 98663-3598 UNITED STATES OF AMERICA	Date: 02/25/19 Time: 13:58:22 Entered: 02/22/19 Due: 02/22/19
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Approval: NONE Date: 02/25/19 NONE Requestor: Person 2 Person 2 Commodity: Status: REQ Date: 02/25/19 REQ READY TO PRINT Buyer: 930881865 Vendor: [Redacted] 930716419	Due: 02/22/19 St Cont #: Req #: Budget #: Misc RBP Code 1: Misc RBP Code 2: Work Order No.: Distribution: NONE Currency: USD U. S. DOLLAR
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Line Number	Item Number	Description	Quantity	UM	Unit Price	UM	Total Price
1		Request payment for Company A to provide various training for Executive Cabinet. Please see attached documentation	1.00	EA	9,500.0000	EA	9,500.00
	Misc Field 1:						
	Buyer:	Person 29 Person 29 Person 29					
	Expense: Prior Balance	0.00					
	Percent 100.00000%	FND PRG ORGN SOBJ RC 101 081 NA00 EA					
	Attachments:	20190222191053840 1.3.19 revised bid - min.docx ✓					

2		Request for payment to Company for the White Aly conversation they provided on our campus. The invoice is in route, and will be added to this request once received.	2.00	EA	600.0000	EA	1,200.00
	Misc Field 1:						
	Buyer:	Person 29 Person 29 Person 29					
	Internal Notes:	We're requesting a PO now for this due to vacations of department head coming up, and we will add the actual invoice once it is received so					

		there will be no delay in payment for services already rendered.								
Expense: Prior Balance	0.00									
Percent 100.00000%	FND PRG ORGN SOBJ RC 101 081 NA00 EA									
Approvals:	Order 1 1	<table border="1"> <tr> <th>Approver</th> <th>Date</th> <th>Approval Status</th> </tr> <tr> <td>Witness</td> <td>02/25/19</td> <td>Approved</td> </tr> </table>	Approver	Date	Approval Status	Witness	02/25/19	Approved		
Approver	Date	Approval Status								
Witness	02/25/19	Approved								
		<table border="1"> <tr> <td>Total of Line Items</td> <td>10,700.00</td> </tr> <tr> <td>Tax</td> <td>0.00</td> </tr> <tr> <td>Freight</td> <td>0.00</td> </tr> <tr> <td><b>Grand Total</b></td> <td><b>10,700.00</b></td> </tr> </table>	Total of Line Items	10,700.00	Tax	0.00	Freight	0.00	<b>Grand Total</b>	<b>10,700.00</b>
Total of Line Items	10,700.00									
Tax	0.00									
Freight	0.00									
<b>Grand Total</b>	<b>10,700.00</b>									

2/27 Emailed for W9  
 Jump to Line:  [Jump to Line](#)  
 Last Line:

Company A  
 Top of Page

[Previous](#) [Next](#)

----- Original message -----

From: "Witness H" <Witness H@clark.edu>  
Date: 7/5/19 10:24 AM (GMT-08:00)  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: Re: [EXTERNAL] Follow Up Question

Deborah -

I recall Witness P telling Executive Cabinet that her sister worked at Company A but in an area unrelated to training. I believe she said her sister work in the restorative justice side of the organization. She made this declaration before we had entered a contract with Company A for diversity training for EC.

Thank,

Witness H

From: Witness H [mailto:Witness H@clark.edu]

Sent: Friday, July 5, 2019 11:47 AM  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: Re: [EXTERNAL] Follow Up Question

According to college policy, any contract under \$25k can be signed by the EC member. Anything \$25k or higher must be signed by the president.

From: Witness H [mailto:Witness H@clark.edu]  
Sent: Friday, July 5, 2019 11:53 AM  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: Re: [EXTERNAL] Follow Up Question

It would only be an issue if Witness P signed it without the authorization of the President. It could be that she felt authorized to sign it since EC approved moving forward.

From: Person 22 <Person 22@clark.edu>  
Sent: Friday, March 29, 2019 1:34 PM  
To: Knight, Robert; Witness E; Witness M; Witness P; Witness H; Witness C; Witness I; Witness B; Witness D; Person 21  
Cc: Person 22  
Subject: My apologies

It was just brought to my attention that my answer to the “food I would bring to a picnic” elicited some concern within the EC. Having gotten to the training late and not knowing some “south’ history had been discussed prior to our arrival, I had no idea that a gourmet pie bearing the name “plantation” would have such an impact. I apologize to anyone who might have been offended, I just know that these southern pies are something everyone I have made these pies for love them while satisfying their sweet tooth. Obviously a teachable moment for me. I can now see that the dessert should be renamed, but I really was just thinking of the answer to the question. What I have learned is that the subtle or not so subtle references to racism can be found everywhere and I need to be more aware of how they might turn up in places I might not expect them. This is part of my journey and I am hopeful that all of you can support me as I grow my competency. I appreciate having this brought to my attention and I know now how insensitive it might have looked. For that, I apologize.

Sincerely,

Person 22

Person 22 4(b)

4(b)

Person 22

From: Person 22 [mailto:Person 22@clark.edu]  
Sent: Friday, March 29, 2019 7:04 PM  
To: Person 22 <Person 22@clark.edu>; Knight, Robert <rknight@clark.edu>; Witness E <Witness E@clark.edu>; Witness M <Witness M@clark.edu>; Witness H <Witness H@clark.edu>; Witness C <Witness C@clark.edu>; Witness I <Witness I@clark.edu>; Witness B <Witness B@clark.edu>; Witness D <Witness D@clark.edu>; Person 21 <Person 21@clark.edu>  
Cc: Person 22 <Person 22@clark.edu>  
Subject: Re: My apologies

Thank you for the apology, Person 22 I thought about it quite a bit this week and was very impacted. Plantations were places in which my ancestors were, enslaved, tortured and defiled. The plantation represents a painful part of our past and I was shocked and in disbelief by the statement.

This is a good reminder that sometimes intent doesn't always match the impact and it's important for us all as leaders to continue to grow and learn, build and lean into those equity competencies. This way we become good examples for our teams.

In community,

Witness 

[Skip to main content](#)

Non-Student Discrimination and Harassment Grievance Complaint Form

# Non-Student Discrimination and Harassment Grievance Complaint Form

Clark College will use the information you provide to assist with resolving your grievance. By signing this document and submitting a grievance, you consent to Clark College's disclosure of any protected or confidential information that may be needed to review your grievance, including referring grievances to another organization with jurisdiction and authority over the issue.

The information given in this grievance is true and accurate to the best of my knowledge and I understand that if I fail to respond to requests for additional information or to questions about this grievance, the college may dismiss my grievance. Please note: Your submission of this document serves as an electronic signature and indication that the information you have submitted is true and accurate to the best of your knowledge.

## Reporter Information

Enter your Name

First name

4[b]

Middle initial

4

Last name

b  
Witness A

Enter your Phone Information

Daytime phone number 4[b]

Evening phone Same

Cell phone Same

Enter your Address

Address line one

4[b]

Address line two

City

4[b]

State

4[  
b]  
Zip code

4[b]

Enter your E-mail Address

Work E-mail

Witness A clark.edu

Personal E-mail 4[b]

## General Grievance Information

Which college area is this grievance about?

- An Administrator
- An Instructor
- A Staff Member
- Facilities
- Policy or Procedure
- Services

Other college area:  N/A because Jack Berkman has retired from the Board

Where did this incident happen? By email to me and in person to the Executive Cabinet and  
Witness P

Where did this incident happen? The incident began on November 28, 2017.

Type a building or field name, or use the up and down arrow keys to navigate through a full list of buildings.

Who was involved? Robert Knight and Jack Berkman

What is the name of the person that this complaint is against?  Robert Knight

Was anyone else involved, or did anyone else witness this incident?  Person 13 and  
Person 58

If you have documents that pertain to this grievance, you may either mail them to or drop them off at:

Human Resources, ATTN Discrimination Grievances  
1933 Fort Vancouver Way  
BRD 133  
Vancouver, WA 98663

## Grievance Details

What were the circumstances? Explain the circumstances of this grievance. Be specific in explaining your concerns; include dates and the names of individuals who may be involved.

4[b] Witness A

June 27, 2019

### Circumstances of formal complaint/documentation

I am filing this complaint because Robert Knight continues to tell people that I posted a negative message about Clark College to my Facebook page when I never did. He has shared regarding my Facebook page with the Executive Cabinet, Person 13, Witness P, and Person 3.

I was informed by Person 13 on December 6, 2017 that Jack Berkman was the city official who had contacted Robert Knight. At this time, Jack Berkman was an active member of the Board of Trustees for Clark College. I had formerly friended Jack Berkman on my Facebook page and blocked him after being notified of his participation in this circumstance.

On December 1, 2017 I reported the incident to Rekah Strong. I was waiting to see if Robert Knight would stop contacting me; however, he did not and on December 4<sup>th</sup>, 2017, I contacted Rekah Strong again to share that Robert Knight was still contacting me regarding my Facebook. She shared that she would connect with Robert Knight. On December 6<sup>th</sup> 2017, I informed Rekah Strong that it was Jack Berkman who had forwarded a Facebook post to Robert Knight. She shared that she would connect with each of them. After she spoke with Robert Knight and Jack Berkman she shared that she informed them that she as someone friended on my Facebook page that she had not seen a post that spoke against Clark College. They shared with her (not with me) what post Robert Knight was referring to. She had also informed them that the post they were referring to had to do with women of color racial development stating that developmentally she also has to make decisions of how transparent she has to be in dominant culture situations as all women of color must do. She also informed each of them that although she had not seen anything against the college on my page that the college also does not have a right to govern my Facebook page as there is not college policy against speaking out against the college on a Facebook page. Therefore, Robert Knight was not within his rights to request I see him to have a discussion about my page nor to appear punitive or dismissive towards me regarding my own Facebook page.

Unfortunately, Robert Knight has not stopped discussing with people this claim regarding my Facebook page. I desire to take formal action against Robert Knight because his claims are untrue, unfounded, and once again he is perceiving me to be as he has told me throughout his tenure here at Clark that I am a trouble maker and being rude and discounting towards me when in my presence.

I have included the initial message forwarded to me and the follow up discussion. It can be seen that Robert Knight did not defend me as the president of an women of color employee who has had the best interest of the college at heart during his tenure instead he supported the assertions of Jack Berkman. In addition, neither Robert Knight or Jack Berkman ever apologized to me for their behavior.

I was informed by **Person 3** who had made a presentation to the executive cabinet regarding social equity initiatives, that Robert Knight stated in front of the executive cabinet, "So what is up with **Witness A** and her Facebook posts against Clark College?" This was inappropriate for him to do. Additionally, most recently, **Witness P** informed me that he had approached her and also mentioned that I had placed inappropriate content against Clark College on my Facebook page. This remains inappropriate for him to do.

On November 29, 2017 **Robert Knight** emailed the following message:

**From:** Knight, Robert  
**Sent:** Tuesday, November 28, 2017 2:13:02 PM  
**To:** **Witness A**  
**Subject:** Student of Color Luncheon

**Withn**  
**ess**

**A** had a community leader send me your posting on Facebook about the Students of Color Luncheon you presented at on November 14<sup>th</sup>. I would like to have a discussion with you about those comments. If you agree to meet I would like to invite **Person 13** into the discussion.

Sincerely,

Bob

I responded with the following message:

**From:** **Witness A**  
**Sent:** Tuesday, November 28, 2017 5:49 PM  
**To:** Knight, Robert <rknight@clark.edu>  
**Cc:** **Person 13** <**Person 13**@clark.edu>  
**Subject:** Re: Student of Color Luncheon

Hello Bob and **Person 13**,

Thank you for your email. I must say that I am quite shocked to hear this. I find it interesting that in all of the years that I have worked at Clark that such an assumption would be made about me. Fortunately, the community leader is in error. You can let the leader know that I have a business where I do public speaking including with students at other institutions to share my journey

through various venues in the context of diversity and equity with many groups outside of CLARK College. I find the response from this community leader to be quite ethnocentric and quite limited to assume that I was referring to CLARK College. My Facebook page is one used to share Social Justice Moments. I think that the climate and this response to my Facebook is a perfect example of the PPI challenges we have here for people of color. I never mentioned CLARK College or the Student of Color luncheon because I was not referring to either of these rather a different venue and population. Therefore, with all due respect I do not see a need for a meeting and if you could reconnect with the community leader and ask the leader if they are viewing my Facebook page and care enough to report a concern they should respect me enough to take the time to message me on Facebook and ask for clarification before making such assumptions. I would be more than happy to make that bridge and prevent miscommunication and misguided assumptions from becoming a part of my work environment.

Warm Regards

**Witness A**

### Robert Knights response

From: Knight, Robert

Sent: Wednesday, November 29, 2017 11:44:59 AM

To: **Witness A**

Cc: **Person 13**

Subject: RE: Student of Color Luncheon

**Witness A**

Thanks for responding. I am disappointed that you are not willing to have a discussion face to face. I feel your response is disingenuous but will not continue further discourse via email or social media.

Sincerely,

Bob

### I responded with the following message

From: **Witness A**

Sent: Wednesday, November 29, 2017 3:46:57 PM

To: Knight, Robert

Cc: **Person 13**

Subject: Re: Student of Color Luncheon

I am confused as to why I am needing to have a conversation about something that is not real. What will we talk about? What I shared about CLARK was positive not negative. I shared that I wanted to

Share the Flame with the through the gifts I have to give based on what my grandmother instilled in me to do, which I never said anything negative about Clark. What I find concerning is your insistence, belief, and naming me a trouble maker and trying to find and create evidence to support your bias. I have not, do not and never plan to cause trouble even though you continuously call me (for years) a trouble maker my heart is with CLARK and doing harm to a place I care so much about is not in my heart to do. saying whenever you seem to choose to believe someone else over me because of this bias and continue to call day to me, "here comes trouble." I am not a trouble maker as you call me rather I have done good work for this campus for over 20 years. This bias you have against me is unfair.

I resent the email and said:

From: **Witness A**  
Sent: Wednesday, November 29, 2017 3:52:49 PM  
To: Knight, Robert  
Cc: **Person 13** **Person 58**  
Subject: Re: Student of Color Luncheon

I am resending this note and adding **Person 58**

I then sent the following email

t: Wednesday, November 29, 2017 4:07:17 PM  
To: Knight, Robert  
Cc: **Person 13** **Person 58**  
Subject: RE: Student of Color Luncheon

I am confused as to why I am needing to have a conversation about something that is not real. What will we talk about? What I shared about CLARK was positive not negative.

Here is what I shared below:

I am so excited to share the flame with Clark College students today. Please keep me in your heart, thoughts and prayers! I love nurturing the souls of students!! Cannot wait to gift to them what has been gifted to me!! In the words of my grandmother **Witness C** "No one has the right to die and take with them the gifts they were suppose to leave on this earth to others! Know what you are here for and don't die without giving it! To do so is just selfish" I do not want to be selfish in any form or fashion! So, based on the words of my grandmother I must share the flame!!



[Like](#) Show more reactions

[Comment](#) [Share](#)

 and 59 others

As you can see, I shared that I wanted to Share the Flame with them with the gifts I have to give based on what my grandmother instilled in me to do. I never said anything negative about Clark.

What I find concerning is your insistence, belief, and naming me a trouble maker and trying to find and create evidence to support your bias. I have not, do not and never plan to cause trouble even though you continuously call me (for years) a trouble maker, my heart is with CLARK and doing harm to a place I care so much about is not in my heart to do. You seem to find it very comfortable saying that I am trouble whenever you see me. You even said it loudly in front of visiting faculty and members of the community. You have not only said it to me but you have also called other people of color on campus "trouble" whenever you choose. You chose to believe someone else over me because of this bias and continue to call say to me, "here comes trouble." I am not a trouble maker rather I have done good work for this campus for over 20 years and will continue doing so. This bias you have against me is unfair. I must ask that you please stop.

Warm Regards

Witness

Robert Knight forwarded the following email:

Sent: Monday, December 4, 2017 11:54:17 AM

To: Witness A

Subject: RE: Student of Color Luncheon

Witness A

I am still hopeful you will accept my invitation to talk in person. I think a face to face discussion will help alleviate any confusion you have. As I mentioned in my initial email I refuse to carry on a discussion over email or social media. Your comments continue to come across as very disingenuous. You are welcome to include [REDACTED] in the meeting.

Bob

I sent the following emails

From: Witness A

Sent: Monday, December 4, 2017 12:09:16 PM

To: Knight, Robert

Subject: Re: Student of Color Luncheon

Bob

Please stop.

From: "Witness A" <Witness A@clark.edu>

Date: Monday, December 4, 2017 at 12:32 PM

To: "Knight, Robert" <rknight@clark.edu>, Person 13 <Person 13@clark.edu>

Cc: Person 58 @clark.edu

Subject: Re: Student of Color Luncheon

As I stated prior, I am not surprised that you consider my response as disingenuous because of your perception of me as a trouble maker. As I respectfully shared, I will not be meeting with you to discuss this issue because I no longer feel safe with you. I forwarded, in my prior email, the post that I did make on Facebook to you and it says nothing negative about Clark College or the student of color luncheon. If

this is as important as you are sharing, then you would have emailed the post you are speaking about? I am finding the fact that you have neither included the emailed Facebook post from the community leader nor disclosed the person who emailed it to you to be as you state "disingenuous". Please stop.

Respectfully,

**Witness A**

**Person 13** emailed me that evening the following:

From: **Person 13**

Sent: Monday, December 4, 2017 7:20:02 PM

To: **Witness A**

Subject: Re: Student of Color Luncheon

**Witness**

I've been following this thread and think I might be able to provide information. I'm out of the office on Tuesday but if you have time maybe the two of us could talk briefly on Wednesday.

Thanks,

**Person 13**

Please submit any supporting documentation or additional information you think is relevant to



Human Resources.

Please see emails enclosed in this complaint

Are any other organizations involved? **No**

If you filed a grievance with any other organization or entity related to this formal grievance,

please provide us with the name of the organization(s) and the outcome.

What would you prefer as an acceptable resolution to your grievance?

- Informal Dispute Resolution
- Formal Dispute Resolution
- Information Only

Is there any additional information?

Is there any additional information we should consider as we plan an appropriate interaction or



outcome?

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**From:** D Diamond Consulting <[ddiamondconsulting@msn.com](mailto:ddiamondconsulting@msn.com)>  
**Sent:** Friday, July 5, 2019 4:29:19 PM  
**To:** Witness A, Witness P  
**Subject:** [EXTERNAL] Confirm?

Do you confirm this statement by Witness A

- On June 10, 2019, Interim [REDACTED] Witness P informed me that President Knight also mentioned to her that I had placed inappropriate content against Clark College on my Facebook page.

**From:** [REDACTED] Witness P [mailto:[Witness P@clark.edu](mailto:Witness P@clark.edu)]  
**Sent:** Friday, July 5, 2019 4:32 PM  
**To:** D Diamond Consulting <[ddiamondconsulting@msn.com](mailto:ddiamondconsulting@msn.com)>  
**Subject:** Re: [EXTERNAL] Confirm?

Yes. He told me that Witness A and I were in a conversation about something else and she brought up the statement and I told her I knew about it she asked me how, and I told her that he told me about it.

**From:** Person 20 <Person 20@clark.edu>  
**Sent:** Friday, June 21, 2019 8:36 AM  
**To:** Knight, Robert <rknight@clark.edu>  
**Subject:** Re: request for information

Hello President Knight,

I have had a brief conversation with our WPEA steward and classified staff member, Person 20 regarding a request for information that pertains to any possible problematic behavior on the part of the Person 20. We understand the concern and the request.

Unfortunately, due to the current position cuts and the very real possibility of retaliation, it is difficult to for staff to come forward with any specific incidents that they are willing to relate to administration or the Board of Trustees. Further, we are at a loss as to how to communicate the request to the campus classified staff without creating an uproar. Again, we understand the nature of the request and would like to facilitate information flow, but do not see a safe means to do so.

I consider this a confidential matter and if you have any insight as to how we can help facilitate the request for information, please let me know.

Thank you.

Person 20

4[b]

**From:** Knight, Robert  
**Sent:** Friday, June 21, 2019 9:36 AM  
**To:** Person 20 <Person 20@clark.edu>  
**Subject:** RE: Re: request for information

Person 20

To be clear, I did not make the initial request for information about the Person 20. Person 20 spoke to me a couple of months ago and informed me that there were complaints from many employees about the Person 20. I told her what the options were. I first encouraged her and the others to go to the Person 20 to express their concerns but she did not feel nor did she feel others would be comfortable doing that. I then told her she should and others should go to HR and inform HR what their complaints were. Person 20 informed me that they didn't feel safe going to HR either. I told her and anyone else that had complaints that they

should put those in writing when they went to HR and express their concern about retaliation in writing so that there would be documentation to protect them when they made the complaint.

I did not have another conversation with [redacted] about this topic until yesterday when I informed her that I had not heard of any formal complaints and I reminded her of her options.

If you would like to meet in person to discuss I would be willing to do so. My schedule is wide open today.

Thanks

Bob

06/24/2019 at 3:44PM

To: [redacted]  
From: Witness M

Signed, handwritten Note:

I, Witness M [redacted] was has to come to [redacted] (by Witness E [redacted]). When I came to her office, Witness O [redacted] came to [redacted] office and disclosed that on Thursday at 3:04 in the PM Bob Knight called SS and told her that the BOT opened an investigation "into [redacted] and if anyone has complaints/concerns should contact him or the BOT.

I am unaware of any personal investigation into Witness E [redacted]. Moreover, I am unaware of any situation where a president or officer of an organization reaching out to employees soliciting complaints.

From: Witness O [redacted]  
Sent: Monday, June 24, 3:53 PM  
Subject: Phone call  
To: Witness [redacted]

Hello,

I am in a bit of a bind. As a [redacted] I received a call on Thursday from Bob Knight informing me that the Board of Trustees is looking (if memory serves, opening an investigation) into you and that anyone who has complaints or concerns should share it with him or the Board directly. I did agree to pass the request on to my union chief steward but no one else. I refused to call any of the other [redacted] nor have I responded to the request.

Have a great day!!

Witness O [redacted]

She/Her pronouns

[redacted] | Clark College

4[b] [redacted]

1933 Fort Vancouver Way | Vancouver, WA 98663

From: **Witness E** <**Witness E**clark.edu>  
Sent: Monday, June 24, 2019 3:58 PM  
To: Rekah Strong <Rekah.Strong@eocfwa.org>; Jane Jacobsen <janejacobsen@comcast.net>; Speer, Paul <PSpeer@clark.edu>; **Witness M** <**Witness M**clark.edu>  
Cc: Mankowski Dixon, Jennifer (ATG) <JenniferM1@atg.wa.gov>  
Subject: Fwd: Phone call

This is clear retaliation and this needs to stop now. I feel the need to consult with legal representation.

**Witness E**  
She/Her Pronouns  
Clark College  
**Witness E**clark.edu

From: **Witness M** <**Witness M**clark.edu>  
Sent: Monday, June 24, 2019 5:05 PM  
To: **Witness E**clark.edu; Rekah Strong <Rekah.Strong@eocfwa.org>; Jane Jacobsen <janejacobsen@comcast.net>; Speer, Paul <PSpeer@clark.edu>  
Cc: Mankowski Dixon, Jennifer (ATG) <JenniferM1@atg.wa.gov>  
Subject: RE: Phone call

**Witness O** also shared this information with me... she estimated Bob's telephone call to be at 3:04 pm on Thursday. At 2:28 pm on the same day, Bob sent the attached email to an erroneous email address (presumably for me) accusing me of "using his electronic signature without his authorization." In the next attachment, he followed up with me to let me know that he's waiting to hear from you, Jennifer, on how to proceed.

This is clearly retaliatory... and I too plan to seek legal representation.

**Witness M**

From: **Witness E** <[b]gmail.com>  
Sent: Wednesday, June 26, 2019 9:33 AM  
To: **Witness E**clark.edu  
Subject: [EXTERNAL] Call notes from 6/24/19

Had called and texted Rekah Strong, Paul Spear and Jane Jacobsen from 4:00pm with no answer or response. At 5:57pm, I received a call from Jane. She claimed she had been in the presidents conference room looking at interim materials.

I shared with her that Bob Knight had contacted a staff member in the [redacted] on Thursday afternoon 6/20 at around 3:07pm because she is the [redacted] for the classified union. He reportedly told her that the board was opening an investigation on me and he was asked to do a call out to see if anyone had any complaints, concerns, issues about me and if they did, to forward to him or the board. He also asked her to forward to [redacted] of the unions.

Jane stated that she didn't know why he would say that because the board has no open investigation nor would they because they don't involve themselves in personnel issues. She said she did tell him a few weeks ago that if there were any complaints that people should write them down and they can be shared with the interim. She said this was due to the meetings that she and Paul Spear had with EC members and there were some complaints shared but she said none were about me.

I expressed to her that this was retaliation and she said it wasn't because he hadn't read the full complaints. She said that she will not address this tonight because she was tired and "not good at night" but that she would talk to him tomorrow and I should be honest and keep my head up and keep going.

[REDACTED]

DATE: 4/24/19

TOPIC:

3:44pm

I, [REDACTED] was asked to come to [REDACTED] when I came to her office, [REDACTED] came to [REDACTED] office & disclosed that ≈ Thursday @ 3:04 in the pm, Bob Knight called [REDACTED] & told her that the BOT opened an investigation "into [REDACTED]" & if anyone has complaints / concerns should contact him or BOT.

I am unaware of any personnel investigation into [REDACTED]. Moreover, I am unaware of any situation where

TASKS:

a president or officer of an organization reaching out to employees. Soliciting complaints.

[REDACTED]

From: **Witness M** <**Witness M**clark.edu>  
Sent: Thursday, June 20, 2019 10:35 PM  
To: Knight, Robert <rknight@clark.edu>; **Person 21** <**Person 21**clark.edu>; **Person 62** <**Person 62**@clark.edu>; **Person 27** <**Person 27**clark.edu>; **Witness R** <**Witness R**clark.edu>  
Subject: Out of the office on Friday (6/21)

Good evening,  
I plan to be out of the office tomorrow but I will be taking care of a few things remotely. Thank you and have a good weekend.

**Witness M**

**Witness M** 4[b]  
**Witness M**clark.edu  
<http://www.clark.edu>

From: Knight, Robert  
Sent: Thursday, June 20, 2019 2:28 PM  
To: **Witness M** <**Witness M**clarkcoll.onmicrosoft.com>  
Subject: FY 19/20 Contracts

**Witness M**

I was just informed that salary contracts for the next fiscal year have gone out with my electronic signature on them. Would you please update me on how this is happening without my approval? Thanks

Bob

From: Knight, Robert [mailto:rknight@clark.edu]  
Sent: Friday, June 21, 2019 10:00 AM  
To: **Witness M** <**Witness M**clark.edu>  
Cc: **Person 21** <**Person 21**clark.edu>; Jacobsen, Jane <JJacobsen@clark.edu>  
Subject: RE: Out of the office on Friday (6/21)

**Witness M**

I would respectfully ask that you call me before noon today to discuss the contract issue I notified you about yesterday.

Bob

From: **Witness M** [mailto:**Witness M**clark.edu]  
Sent: Friday, June 21, 2019 10:10 AM  
To: Knight, Robert <rknight@clark.edu>

Cc: Person 21 <Person 21@clark.edu>; Jacobsen, Jane <JJacobsen@clark.edu>  
Subject: RE: Out of the office on Friday (6/21)

Hi Bob,

I'm calling right now... FYI - I just double checked my voicemail and email and I don't have any messages/info from you regarding a contract issue.

Witness M

From: Person 27 [mailto:Person 27@clark.edu]  
Sent: Friday, June 21, 2019 10:39 AM  
To: Witness M <Witness M@clark.edu>  
Subject: President Authorization Form  
Sensitivity: Confidential

Hello

Attached is the form that we used up until 2017-18 to obtain authorization to use the president's signature in the faculty and admin/exempt contracts. In looking at our archives, we used this form until 2017-18. There is no record of the form being used for contracts issued on 2018-19.

Per our conversation, I was unaware of such requirement prior to sending the contracts for 2019-20. Currently, there is no written procedure to document that step in the process or a policy that reflects that requirement. In looking at my training notes, there is no indication that I needed to have that before generating contracts.

Let me know if you need additional information.  
Thanks!

Person 27 4[b]  
Person 27

From: Knight, Robert <rknight@clark.edu>  
Sent: Monday, June 24, 2019 1:11 PM  
To: Witness M <Witness M@clark.edu>  
Cc: Person 21 <Person 21@clark.edu>  
Subject: Contracts

Witness M

I have yet to hear back from Jennifer about how we should deal with the contracts that were sent out without my authorization. I will continue to reach out to her today.

Bob

From: **Witness M** [mailto:**Witness M**clark.edu]  
Sent: Monday, June 24, 2019 1:56 PM  
To: Knight, Robert <rknight@clark.edu>  
Cc: **Person 21** <**Person 21**clark.edu>; Jacobsen, Jane <JJacobsen@clark.edu>  
Subject: RE: Contracts

Bob,

Thank you for letting me know... I will await your and/or Jennifer's response. Please let me know if she or Jane needs the documentation I pulled together from HR on this topic. I appreciated you sharing with me what the authorization process was during our conversation this past Friday (6/21). That orientation was helpful.

**Witness M**

From: **Witness M** [mailto:**Witness M**clark.edu]  
Sent: Monday, June 24, 2019 5:05 PM  
To: **Witness E** <**Witness E**clark.edu>; Rekah Strong <Rekah.Strong@eocfwa.org>; Jane Jacobsen <janejacobsen@comcast.net>; Speer, Paul <PSpeer@clark.edu>  
Cc: Mankowski Dixon, Jennifer (ATG) <JenniferM1@atg.wa.gov>  
Subject: RE: Phone call

**Witness C** also shared this information with me... she estimated Bob's telephone call to be at 3:04 pm on Thursday. At 2:28 pm on the same day, Bob sent the attached email to an erroneous email address (presumably for me) accusing me of "using his electronic signature without his authorization." In the next attachment, he followed up with me to let me know that he's waiting to hear from you, Jennifer, on how to proceed.

This is clearly retaliatory... and I too plan to seek legal representation.

**Witness M**

From: Knight, Robert <rknight@clark.edu>  
Sent: Thursday, June 27, 2019 9:31 AM  
To: **Witness M** <**Witness M**clark.edu>  
Cc: **Person 21** <**Person 21**clark.edu>; Jacobsen, Jane <JJacobsen@clark.edu>; Jennifer Mankowski Dixon <jenniferM1@atg.wa.gov>  
Subject: 2019/20 Salary Contracts

**Witness M**

After consulting with our AAG, I can allow the 2019/2020 salary contracts that went out, with my electronic signature on June 18, 2019 without my authorization, to move forward without any liability to the college. Consequently, via this email I give authorization to use my signature on all of the 2109/2020 salary contracts that were sent out on June 18, 2019. Do not recall any of the contracts.

I do have concerns with how this occurred in the first place. When I learned of the contracts going out under my signature without my consent I contacted you. You informed me that the cause of the mistake was that **Person 19** who had recently retired from your office, failed to inform her replacement about the process to handle the contracts with an electronic signature. While that may be true it does not excuse how anyone in HR could reasonably believe it is proper to use anyone's signature on any document without their consent first. Secondly, during the June 11, 2019 executive cabinet meeting you mentioned the 2019/2020 salary contracts would be going out next week. I informed you then that they don't go out without my authorization and you acknowledged.

In the future, please have a process in place that prevents any electronic signature from going out without getting the individual's authorization. I would encourage you to use the standardized form that we have in place in HR. That form only allows the individual's signature to be used for that one specific use that is designated on the form.

Bob

**From:** **Witness M**  
**Sent:** Thursday, June 27, 2019 10:55 AM  
**To:** Knight, Robert <[rknight@clark.edu](mailto:rknight@clark.edu)>  
**Cc:** **Person 21** <[Person 21@clark.edu](mailto:Person 21@clark.edu)>; Jacobsen, Jane <[JJacobsen@clark.edu](mailto:JJacobsen@clark.edu)>; Jennifer Mankowski Dixon <[jenniferm1@atg.wa.gov](mailto:jenniferm1@atg.wa.gov)>  
**Subject:** RE: 2019/20 Salary Contracts

Bob,

Thank you for your message. I have already spoken with **Person 27** and **Witness R** to find out how and when the Admin/Exempt contract template (that has your electronic signature embedded in it) is used. Here are my learnings:

- The last documented record we could find of HR requesting authorization to issue contracts was June 2017.
- In June 2018 – HR has no documentation that your authorization was obtained prior to sending out contracts for the '18-'19 academic year.
- In December 2018 – HR has no documentation that your authorization was obtained prior to sending out contracts reflecting the 3% pay increase effective January 1, 2019.
- HR has never obtained your authorization to send out Admin/Exempt contracts for new hires, reallocations, off-cycle pay increases, etc.

There is no written documentation on how to create and process Admin/Exempt contracts given that one employee was responsible for doing so over the course of at least 10 years. Unfortunately, during

training and information sharing on contracts, Person 19 did not share any authorization requirement with Witness R or Person 27 (or me). Also, as a point of clarification, while Person 19 retired on May 1<sup>st</sup>, I specifically hired Person 27 to come back on an hourly basis to assist with this current contract cycle.

Given the aforementioned inconsistencies in practice and the lack of policy, it was not unreasonable for HR staff (who are all new to the organization and/or to their role in compiling and delivering contracts) to be unaware there was a signature authorization required.

As a result of these learnings, I have spoken with Witness R and Person 27 and asked that no contract be issued and distributed to any employee without your prior authorization. We will use the form we located from June 2017. Additionally, no appointment letters will go out containing VP electronic signatures without prior written authorization.

As a point of clarification: when I was providing the contract distribution update at EC and mentioned “the faculty contracts had already gone out and Admin/Exempt would go out this week” you commented “not without my authorization” then laughed at your statement. There was no further discussion between us (nor did we have any prior conversations during the December 2018 contract distribution process) which was specifically why I expressed shock during our June 21<sup>st</sup> conversation when you asked me if I remembered what you said during EC and it took a minute for me to recall it.

I now have clarity on your expectations and will move forward based on the above information.

Sincerely,

Witness M

**From:** Knight, Robert [mailto:rknight@clark.edu]

**Sent:** Thursday, June 27, 2019 5:36 PM

**To:** Witness M <Witness M@clark.edu>

**Cc:** Person 21 <Person 21@clark.edu>; Jacobsen, Jane <JJacobsen@clark.edu>; Jennifer Mankowski Dixon <jenniferm1@atg.wa.gov>

**Subject:** RE: 2019/20 Salary Contracts

Witness M

Thanks for your response.

The reason there is no record for the 2018 contract is because the legislative budget was approved very late in the year. I believe it was the last day or two of the fiscal year. Employees weren't even signing their contracts until after the new fiscal year started. I recall giving a verbal authorization to use my signature in order to expedite the contract process. Even though I did give verbal authorization best practice should have been to put something in writing in the file but I wasn't concerned because I had given verbal authorization. You should find documentation authorizing my signature the previous 9 years in your HR files.

Concerning your other comments I would applaud and encourage you to put in improved practices that will document authorization when someone's signature is being used.

Despite all of the reasons below that you state about why the authorization was not obtained you admit that I said to you about the contracts, “not without my authorization”. You knew on June 11, 2019 that my authorization was needed and it still didn’t happen. I have yet to hear a reason why authorization was not obtained after you were made aware that authorization was required.

Bob

<b>SIGNATURE REQUEST</b>	For authorization to use the Chief Executive Officer's signature on high volume correspondence	<b>CLARK COLLEGE OFFICE OF THE PRESIDENT</b>
--------------------------	--	--

If you would like to utilize Bob Knight's signature on a form letter or any printed material please fill out completely the information below then submit it to Bob Knight at Mail Stop #09 for approval. Once approved Bob Knight's office will contact you regarding release of the digital signature for your use.

Name: <b>Person 19</b>	Title: <b>[REDACTED]</b>
Department: Human Resources	Mail Stop: BRD133
Phone: 992-2619	
Purpose of Use: Administrative/Exempt contracts for 2017-2018. This is the same process used last year. I have attached the master contract and individual data.  There will be 95 contracts.	
Number of Signatures Requested: 95	Date Requested: 6/20/17

\_\_\_\_\_  
Approved by President

\_\_\_\_\_  
Date

# EC GPS FORM

INFORMATION

DISCUSSION

DECISION

Date Submitted:	06/05/19	Date to EC	
Agenda Topic:	Discussion about 3% increase to Admin/Exempt Salaries, based on WA state legislature		
Length of Time Needed on Agenda:	30-45 minutes		
Scope/Impact ( <i>organization, individuals affected</i> )			
Description & Background: WA State legislature approved a general salary increase of 3% for state represented employees. We need EC to decide if Admin/Exempt employees should get the same salary increase as represented employees. This will have a budget impact on departments. EC needs to approve the increase as part of the budget for 2019-20 so that HR can generate contracts in June of 2019. Historically the college has approved the salary increases percentages for Admin employees to match the percentage as classified for equity and retention purposes.			
Initiator:	Witness M	Budget Affected: Yes (Yes/No)	Yes
Individuals/Organizations Involved ( <i>who is bringing the issue forward</i> ):	HR	EC Sponsor:	Witness M
Desired Outcome/Recommendation	Decision to approve 3% increase for Admin/Exempt employees		
Alignment w/ Scorecard:	Social Equity		
Discussion:	<ul style="list-style-type: none"> <li>Clarification: EC does not need to approve the 3% increase for admin/exempt staff.</li> <li>Witness M reported that HR is working through the contract renewals, they are finding that some admin/exempt being paid above the salary range and they have not been able to determine how the amounts were calculated.</li> <li>As bargaining has not concluded, the faculty contracts for 2019-2020 will reflect the 2018-2019 salaries. Once negotiations are complete, contracts will be reissued with the correct, updated amounts.</li> <li>HR continues to streamline their operations and will be providing information on changes soon.</li> </ul>		
Decision: ( <i>Approved/Not Approved</i> )			
For Action/Follow-up:	<ul style="list-style-type: none"> <li>Witness M requested that EC advise their leadership teams that when they hire new staff, make sure the salaries are within the appropriate salary ranges for the position.</li> <li>Contracts will be sent electronically this year; employees may print them out, sign, and return them or pdf them and return via email after they are signed.</li> <li>Bob and Witness M are having a meeting this week to discuss standardizing processes for interim positions and salary funding.</li> </ul>		
Attachments:			

## Budget Impact

EC MEETING DATE	DESCRIPTION	FUNDING SOURCE	AMOUNT	PERMANENT	ONE-TIME	DURATION OF COMMITMENT
6/11/19	Discussion about 3% increase to Admin/Exempt Salaries,	Dept. salary budget	151			Permanent for 2019-20 academic year

	based on WA state legislature					

*Revised November 2017*  
*Goals/Plan/Strategy*

From: **Witness H** <**Witness H**clark.edu>  
Sent: Tuesday, June 25, 2019 8:31 AM  
To: **Witness L** <**Witness L**clark.edu>; **Witness M** <**Witness M**clark.edu>; Jacobsen, Jane <JJacobsen@clark.edu>; Speer, Paul <PSpeer@clark.edu>; Strong, Rekah <RStrong@clark.edu>; **Witness E** <**Witness E**clark.edu>; **Witness P** <**Witness P**clark.edu>; **Witness C** <**Witness C**clark.edu>; **Witness K** <**Witness K**Company B.com>; **Witness F** <**Witness F**clark.edu>; **Witness Q** <**Witness Q**clark.edu>; **Witness R** <**Witness R**clark.edu>; **Witness** Company A <**Witness** Company A.org>; **Witness E** <**Witness E** Company A.org>; **Witness J** <**Witness J**clark.edu>; **Witness G** <**Witness G**clark.edu>; **Witness O** <**Witness O**clark.edu>; **Witness D** <**Witness D**clark.edu>; **Witness N** <**Witness N**clark.edu>  
Subject: Investigation interviews

All –

You are receiving this message because you have been identified as a witness in three complaints the College is currently investigating. I have been asked to schedule 30 minute interviews with the investigators for Thursday, June 27 and Friday, June 28. Please let me know which of the days and times below work for you. Interviews will be held in PUB 257. If you believe you will need more than 30 minutes with the investigators, 45 minute interviews are available on June 27 from 10:45 – 11:30 a.m., 2:30 – 3:15 p.m., and 3:15 – 4:00 p.m.

The investigators are willing to conduct interviews over the phone if that's the only way you will be to participate.

Let me know if you have any questions.

**Thursday, June 27**

8:00 a.m.  
8:30 a.m.  
9:00 a.m.  
9:30 a.m.  
10:45 a.m.  
11:30 a.m.  
12:00 p.m.  
12:30 p.m.  
1:00 p.m.  
1:30 p.m.  
2:00 p.m.  
2:30 p.m.  
3:15 p.m.

**Friday, June 28**

8:00 a.m.  
8:30 a.m.  
9:00 a.m.  
9:30 a.m.  
12:00 p.m.  
12:30 p.m.

1:00 p.m.

Witness H

[REDACTED]

4[b]

[REDACTED]

[REDACTED]

Witness H [clark.edu](http://clark.edu)

**From:** Person 27  
**Sent:** Monday, July 8, 2019 12:44 PM  
**To:** Knight, Robert  
**Subject:** Response to Question About Contract

**Sensitivity:** Confidential

Hello Bob

I received your questions from Person 30 and I wanted to provide you more information about Witness O Person 30 and Witness O requested reallocation out of the bargaining unit on February 15, 2019. Per completed the allocation analysis in April and our Labor Negotiator advised us to wait before notifying the union. After Per left in May, we moved forward, notified the union of our intent to reallocate the position out of the bargaining unit, and gave the union the required time to respond, which was until July 1, 2019.

Because reallocations are effective the date that the employee filed the forms in HR, the effective date for Witness O is February 15, 2019. I need to generate two contracts. One for 2018-2019 from February 15, 2019 to June 30, 2019 to retroactive pay Witness O for the time she was in an admin position. The second contract is for 2019-2020 from July 1, 2019 to June 30, 2020. This contract will include the 3% salary increase.

Let me know if you have additional questions and if you approve me to use your signature for those contracts.  
Thanks!

P  
e  
r  
Person 27 4[b]  
o  
n Person 27  
2  
7



From: "Knight, Robert" <[rknight@clark.edu](mailto:rknight@clark.edu)>  
Date: July 12, 2019 at 10:09:21 AM PDT  
To: "Jacobsen, Jane" <[JJacobsen@clark.edu](mailto:JJacobsen@clark.edu)>  
Subject: **Witness O**

Jane,

I have one action that I am leaving behind for Sandra to sign off on. I do not feel comfortable signing it. I received a personnel action form from **Witness E** this past week to increase the salary of **Witness O** by 22% retroactive to Feb 15, 2019. This entails roughly an increase in salary by \$11,000 and back pay of approximately \$4000. This did go through HR. I do not think this is a coincidence that this is the same **Witness O** who came to me unsolicited complaining about **Witness E** leadership (She actually stated that there were a couple of dozen others who had similar complaints across the college. **Witness C** stated that she and others did not feel comfortable going to **Witness E** or HR with the complaints for fear of retaliation. I encouraged her to have the complaints put in writing and state in the memo a line about fear of retaliation.) a few months ago and then had a change in tune a couple of weeks ago sending an email to **Witness E** saying that I was doing an investigation on **Witness E** when I called **Witness C** to remind her that I had not seen any of the written complaints she had offered. Something smells on this one.

Bob

----- Original message -----

From: D Diamond Consulting <[ddiamondconsulting@msn.com](mailto:ddiamondconsulting@msn.com)>  
Date: 7/15/19 1:50 PM (GMT-08:00)  
To: "**Witness M**" <[Witness M@clark.edu](mailto:Witness M@clark.edu)>  
Subject: Personnel Action Request (**Witness O**)

Please email me the pending Personnel Action form related to a retroactive salary increase for **Witness O**. I need see the dates it was initiated, approved, etc. and by whom.

Thanks,

Deborah Diamond  
D Diamond Consulting  
(206) 200-3236  
[www.seattlefactfinding.com](http://www.seattlefactfinding.com)

From: D Diamond Consulting <[ddiamondconsulting@msn.com](mailto:ddiamondconsulting@msn.com)>  
Sent: Wednesday, July 17, 2019 6:37 AM  
To: **Witness M** <[Witness M@clark.edu](mailto:Witness M@clark.edu)>  
Subject: [EXTERNAL] Re: Personnel Action Request **Witness O**

I would like to have this by noon on Friday, if possible. Please include the justification narrative, if any.

Thanks,

Deborah Diamond

D Diamond Consulting  
(206) 200-3236

----- Original message -----

From: "Witness M" <Witness M@clark.edu>  
Date: 7/18/19 5:04 PM (GMT-08:00)  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: RE: [EXTERNAL] Re: Personnel Action Request (Witness O)

Hi Deborah,

On or about February 15, 2019 Person 30 then [redacted] wrote to Person 19 then [redacted] requesting a reclassification for Witness O (see attached PDFs). Typically, reallocations are completed in 60 days and employees are paid retroactively back to the initial date of filing. Person 19 former [redacted] who retired effective May 1<sup>st</sup>, completed the analysis sometime in April 2019. I located Person 19's handwritten notes from March on the topic and they are attached... in the notes, Person 19 specifically documents that Person 19 is performing higher level duties. However, Person 19 did not finish the reallocation before she retired. Person 27 ([redacted]) "inherited" the Witness O reallocation, gave a 21-day notice to the Union on June 7<sup>th</sup>, and at June 27<sup>th</sup>'s Labor Management meeting, Person 63 WPEA Rep advised management they did not plan to bargain the impacts of Witness O position being reallocated out of the bargaining unit. On July 2<sup>nd</sup>, I notified Person 27 that the union was not planning to demand to bargain the impacts of removing Witness O position from the bargaining unit. On Monday, July 8<sup>th</sup>, Person 27 completed the reallocation. Because this position became admin/exempt, it is my understanding we use Admin/Exempt contracts moving forward, not PAFs. I have attached both contracts. The first covers 2/15/19-6/30/19 and the second was effective 7/1/19 because of the new academic year (FYI all admin/exempt employees sign new contracts each year). The most recent PAF I could find for Person 19 was when she was still a classified employee and Instruction authorized HR to move her salary to Step M (attached). Person 19 approved that request.

I hope this information is helpful... If I can be of further assistance, please let me know.

Witness M  
[redacted]

From: D Diamond Consulting <ddiamondconsulting@msn.com>  
Sent: Thursday, July 18, 2019 5:28 PM  
To: Witness M <Witness M@clark.edu>  
Subject: Re: [EXTERNAL] Re: Personnel Action Request (Witness O)

President Knight said there was a PAF awaiting his signature giving Person 19 a 22% increase of \$11,000/year with \$4,000 in backpay. What is that?

Thanks,

Deborah Diamond  
D Diamond Consulting  
(206) 200-3236

**From:** Witness M [mailto:Witness M@clark.edu]  
**Sent:** Thursday, July 18, 2019 5:44 PM  
**To:** D Diamond Consulting <ddiamondconsulting@msn.com>  
**Subject:** RE: [EXTERNAL] Re: Personnel Action Request (Witness O)

Hi Deborah, the PAF is a Personnel Action Form. It is my understanding that we do not use them for admin/exempt staff. Person 27 (who would be the subject matter expert on this) is out of the office until Wednesday of next week. I also had our HRCA2 go through our filing and provided the only recent PAF she could find for Witness O which I attached in my previous email. There was also an email between Bob and Person 27 where she was responding to a request to explain the process (which she did) and requested the use of Bob's signature on the contract. The contracts that I provided you also show Witness O new salary and the PAF provided her classified salary when they moved her to M. So, her monthly salary in her classified position was \$3985 and her reallocated salary effective 7/1 is \$5064 which I believe is the increase Bob is referencing. Hope that clarifies...

~Witness M

From: Person 27 [mailto:Person 27@clark.edu]  
Sent: Thursday, August 1, 2019 1:39 PM  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: RE: [EXTERNAL] Questions re: Witness O Reallocation

Hi Deborah

Below are my answers to your questions:

1. Were there other reallocation requests that followed the same/similar timeline/delays? If so, provide a timeline synopsis of each in the format of your 07/08/2019 email.

No, there were no other reallocation requests that followed similar delays. Witness O position request was received in HR on 2/15/19 and the final report was completed on 7/2/19.

2. Did Witness M and/or Witness E ask you to specifically attend to moving Witness O reallocation forward? If so, when, what was said, and by whom?

After the HR director left in May 2019, I was assigned pending position reviews. I noticed that Witness O position request was still pending and most likely passed the 60 days. I reached out to our OFM Labor Negotiator via email to check on the status of the position allocation and subsequent notification to the union; as I believed we may have not sent such notification, but I needed to confirm. Labor Negotiator was out on vacation until the end of May and upon his return, he confirmed no union notification had been sent. I spoke to Witness M on 6/5 during our one on one meeting. I explained that Witness O position request was significantly delayed and we needed to provide an update on her request. During this discussion, I explained the timeline of the entire process and she authorized me to move forward with the process, and to notify the WPEA of our intent to reallocate your position out of the bargaining unit, which I submitted on 6/7. We needed to wait 21 days for the union to respond before we could move finish the allocation, which we did on 7/2/19.

Let me know if you have additional questions.

Thanks!

Person 27 4(b)

Person 27



From: Person 27 [mailto:Person 27@clark.edu]  
Sent: Thursday, August 1, 2019 3:08 PM  
To: D Diamond Consulting <ddiamondconsulting@msn.com>  
Subject: RE: [EXTERNAL] Questions re: Witness O Reallocation

Hi

I forgot to add that Witness O position request was the only one during the period between February and April of 2019 that was intended to be reallocated out of the bargaining unit.

Person 27

Person 27 4(b)

Person 27

## MEMORANDUM

To: Person 19 [REDACTED]  
From: Person 30 [REDACTED]  
Date: February 13, 2019

Subject: Position Reclassification Request for Witness O

This memorandum serves as a formal request to reclassify Witness O from a classified [REDACTED] position to the administrative exempt position of [REDACTED]. A job description for this proposed new position is attached. An Overtime Eligibility Review and Recommendation form is also attached.

In consideration of the request for administrative exemption, two criteria must be met:

1. **Primary duty:** performs office or non-manual work directly related to management or general business operations. Witness O performs these functions in the aligning, planning, developing, implementing, directing, and evaluating of curriculum and instructional program revision and approval processes.
2. **Primary duty includes exercise of discretion and independent judgement with respect to significant matters.** Witness O demonstrates discretion and authority in the following ways:
  - a. Authority to formulate, affect, interpret, or implement management policies or operating practices in accordance with Clark College, Washington state, and federal laws and regulations.
  - b. Performs work that affects business operations to a substantial degree in the management, evaluation, and maintenance of curricular and instructional process documents and databases.
  - c. Provides consultation or expert advice to management and across college units regarding official curricular or instructional program documents and databases.
  - d. Investigates and resolves matters of significance on behalf of management, especially regarding compliance with policies of external bodies such as the SBCTC and NWCCU.

To accommodate a greater administrative focus, the following clerical duties will be shifted from Witness D [REDACTED] job responsibilities to other classified staff positions:

- Creating committee agendas for committees (move to part-time Program Assistant)
- IPT/Curriculum Committee document collection and database maintenance (move to part-time Program Assistant and to Data Processor 3)
- Faculty handbook, OOI Intranet/Internet, instructional committee handbooks, WCB/OIs updating and maintenance (move to Administrative Assistant 3)
  - Instructional Operations Manager would be approver rather than content creator
- One clerical responsibility, taking committee meeting minutes, will remain in Witness O job duties until this responsibility can be moved to a suitable alternative position.

The [REDACTED] position would be 1.0 FTE and would start at a salary of \$\*\*\*\*\*.

## Overtime Eligibility Review and Recommendation

Complete each section below to show that the analysis was done to make a proper determination, as more than one exemption may apply. If none apply, the position will be considered overtime eligible. Disclaimer: This worksheet does not replace the position's full analysis of duties on file.

For more information see Fair Labor Standards Act (FLSA) Sections 13(a) (1) and (17) at:

[http://www.dol.gov/whd/overtime\\_pay.htm](http://www.dol.gov/whd/overtime_pay.htm) and [http://www.dol.gov/whd/regs/compliance/fairpay/fact\\_exemption.htm](http://www.dol.gov/whd/regs/compliance/fairpay/fact_exemption.htm).

Position Information		
Date: 02/05/2019	Class Title: Program Specialist 2	Position Number:
Incumbent's Name (If filled position): <b>Witness O</b>		Supervisor's Name: <b>Person 30</b>
Salary Test		
Is the employee paid on a salary basis (not hourly) of at least \$455 per week, regardless of the number of hours worked? (See Overtime Eligibility Guidance on page 2.) If the answer is No, the analysis is complete. Sign and date on page 2.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Administrative Exemption – Answer to all questions must be yes to qualify for this exemption.		
Do the employee's primary <sup>①</sup> duties consist of office or non-manual work directly related to the management or general business operations of the agency?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the employee's office or non-manual work directly related to management policies or general business operations <sup>②</sup> of the employer?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does the position require the exercise of discretion and independent judgment <sup>③</sup> with respect to matters of significance?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Professional Exemption – Is the primary <sup>①</sup> duty one or more of the following?		
Performance of work requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study <sup>④</sup> . (Work which is predominantly intellectual and requires consistent exercise of discretion and judgment.)		Yes <input type="checkbox"/> No <input type="checkbox"/>
Work requiring invention, imagination or talent in a recognized field of artistic endeavor.		Yes <input type="checkbox"/> No <input type="checkbox"/>
Executive Exemption – Answer to all questions must be yes to qualify for this exemption.		
Does the employee regularly supervise at least two employees? (If the employee supervises part-time employees, they must aggregate to at least two full-time employees.)		Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the employee in charge of a department, division, or other permanent organizational unit?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Are the employee's primary <sup>①</sup> duties managerial or supervisory in nature?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Does the employee have the authority to hire or fire other employees; or, whose suggestions and recommendation as to the hiring, firing, advancement, promotion, or any other change of status of other employees are given particular weight?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Computer Worker Exemption – Is the primary <sup>①</sup> duty one or more of the following? (See FLSA section 13(a) (17))		
Application of systems analysis techniques and procedures, including consulting with users to determine hardware, software or system functional specifications.		Yes <input type="checkbox"/> No <input type="checkbox"/>
Design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications.		Yes <input type="checkbox"/> No <input type="checkbox"/>
Design, documentation, testing, creation or modification of computer programs related to machine operations systems.		Yes <input type="checkbox"/> No <input type="checkbox"/>



Person 19

**From:** Person 30  
**Sent:** Friday, February 15, 2019 12:46 PM  
**To:** Person 19  
**Cc:** Witness O, Witness E  
**Subject:** FW: Position Reclassification  
**Attachments:** Memo\_2019.02.13.docx; JobDescription\_2019.02.15.docx; OvertimeEligibilityReviewRecommendation\_Witness O 2019.02.05.doc

Hi [redacted]

Attached are three documents associated with a position upgrade request for Witness O. Briefly, the position request is to reclassify Witness O position as an administrative exempt position: [redacted]. The three documents are:

1. Memo\_2019.02.13.docx: This memo outlines the administrative functions of the [redacted] as well as where most of Witness O clerical duties will go.
2. JobDescription\_2019-02.15.docx: This is a draft Job Description for the [redacted]
3. OvertimeEligibilityReviewRecommendation\_Witness O 2019.02.05.doc.

Both Witness O and Witness E are informed of this request (you can see they are copied on this email). Please let me know how to proceed from here.

Thank you, Person 30

\*\*\*\*\*

Person 30  
4[b]  
[redacted]  
[redacted]  
[redacted]  
[redacted]

Person 30

Witness O

3/14/19

% of major job duties

Person 64

- ~~Does~~ ~~has~~ ~~been~~ ~~tried~~ ~~into~~ ~~ops~~ ~~of~~ ~~OOI~~

Person 30

more higher level oversight -

Work to PTEE + K Mitchell  
comm members take on some of  
still do minutes

agenda - electronic

Chair - review & approve  
more involved on bringing in topics  
Shift into automated processes  
Active member of comm  
Research state policies

Writing new policies

Does direct rpty to various agencies

Comm mtgs - Chair runs meetings  
skeletal

Person 64

did  
some →

Witness O

runs the meetings context  
to college initiatives

Witness O

owner

Now accountable for the front facing work that RB did.

More of an active role on policies + process  
make recommendations to IC, IPT etc.

Standing member of IC  
communicates directly across depts  
before went thru RB

Outcomes Assessment  
Guided Pathways  
IPT

Curriculum Comm

Will need to make decisions  
on text changes.

Supv resp

CTC - policy changes with  
implementation



June 7, 2019

To: Kent Stanford  
Washington Public Employees Association (WPEA)  
140 Percival Street NW  
Olympia, WA 98502

RE: MANDATORY SUBJECTS NOTICE: Position Reallocation out of Bargaining Unit

Dear Mr. Stanford:

This letter is to provide WPEA with notification that Clark College is considering reclassifying one (1) classified [REDACTED] position to an exempt position. The new proposed exempt position title is [REDACTED]. The description of the new position is attached. This position has responsibilities that meet the exempt definition as described in RCW 41.06.070 (2) (a) "professional employees in an institution or related board having substantial responsibility for directing or controlling program operations and accountable for allocation of resources and program results" and "the formulation of institutional policy".

This position meets the following two criterion for an administrative exemption:

1. Primary duty: performs office or non-manual work directly related to management or general business operations. [REDACTED] Witness O performs these functions in the aligning, planning, developing, implementing, directing, and evaluating of curriculum and instructional program revision and approval processes.
2. Primary duty includes exercise of discretion and independent judgement with respect to significant matters. Wit [REDACTED] demonstrates discretion and authority in the following ways:
  - a. Authority to formulate, affect, interpret, or implement management policies or operating practices in accordance with Clark College, Washington state, and federal laws and regulations.
  - b. Performs work that affects business operations to a substantial degree in the management, evaluation, and maintenance of curricular and instructional process documents and databases.
  - c. Provides consultation or expert advice to management and across college units regarding official curricular or instructional program documents and databases.
  - d. Investigates and resolves matters of significance on behalf of management, especially regarding compliance with policies of external bodies such as the SBCTC and NWCCU.

To accommodate a greater administrative focus, the following clerical duties will be shifted from Witness O job responsibilities to other classified staff positions:

- Creating committee agendas for committees (move to part-time Program Assistant)
- IPT/Curriculum Committee document collection and database maintenance (move to part-time Program Assistant and to Data Processor 3)
- Faculty handbook, Office of Instruction Intranet/Internet, instructional committee handbooks, WCB/OIs updating and maintenance (move to Administrative Assistant 3)

- [REDACTED] would be approver rather than content creator
- One clerical responsibility, taking committee meeting minutes, will remain in **Witness O** job duties until this responsibility can be moved to a suitable alternative position.

We are working under the authority of Article 37 (Management Rights) of the negotiated agreement. Article 37.1.A allows us to determine organizational structure and Article 37.1.J allows us to establish, allocate, reallocate or abolish positions. In addition, the college is notifying WPEA in accordance with Article 41.1.B, "the Employer will notify the Union when a position is being reallocated to a job classification that is excluded from a bargaining unit covered by this Agreement."

If you would like to negotiate impacts of this change, we are prepared to meet our bargaining obligation. Please identify the specific issues and contact Diane Lutz, Section Chief, Labor Relations Section, State Human Resources of the Office of Financial Management by sending your demand to bargain to [labor.relations@ofm.wa.gov](mailto:labor.relations@ofm.wa.gov), no later than 5pm on July 1, 2019.

If you have questions, please contact me at **4[b]** or by email at **Person 27**@clark.edu .

Sincerely,

**Person 27**  
[REDACTED]

Attachment A: [REDACTED] Job Description

CC: **Person 63** WPEA Representative  
Lane Hatfield, WPEA Contract Administration Director  
Diane Lutz, Washington State Office of Financial Management, Labor Relations Section Chief  
John Vencill, Washington State Office of Financial Managements, Labor Negotiator  
**Person 30** Clark College, [REDACTED]  
**Witness M** Clark College, [REDACTED]  
**Witness E** Clark College, [REDACTED]

Person 27

**From:** Witness M  
**Sent:** Tuesday, July 2, 2019 9:24 AM  
**To:** Person 27  
**Subject:** RE: Update -Reallocation for Witness O

**Sensitivity:** Confidential

Hi Person 27

We are good to go...At the last LMCC, Pers said that they are not interested in bargaining the impacts of removing Witness O position from the bargaining unit. At this point, you can move forward with completing the reallocation. If you need any additional information, please let me know.

Thanks!

Witness M

**From:** Person 27 <Person 27@clark.edu>  
**Sent:** Tuesday, July 2, 2019 9:16 AM  
**To:** Witness M <Witness M@clark.edu>  
**Subject:** Update -Reallocation for Witness O  
**Sensitivity:** Confidential

Hello Witness M

July 1 was the deadline for WPEA to request to negotiate impacts of reallocating Witness O to the admin position. I have not received any responses, and want to check with you and see, if you heard anything, or if I need to check with someone in OFM. I also need your guidance on what the next steps are, as I am not familiar with this process.

Thanks!

Person 27

Person 27 4[b]

[Redacted]





July 2, 2019

To: Person 17 [REDACTED]

From: Person 27 [REDACTED]

Re: Position Review Decision

As requested, I have completed a review of Witness O [REDACTED] position classified as [REDACTED] in the Office of Instruction. The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work accomplished, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position.

The following are current and future major duties of the [REDACTED] position:

- Connect the various advisory and decision making bodies both on- and off- campus for the purpose(s) of aligning, planning, developing, implementing, directing and evaluating curriculum and instructional program approval processes.
- Provide leadership, guidance and management of various processes related to curriculum and instruction; manages instructional support; provides administrative and technical assistance to the campus and community;
- Address a wide variety of administrative processes; and ensure this work is done through the lens of PPI and student success.
- Ensure College is in compliance with federal and legislative policies, and in accordance with governing bodies and accreditors.

A classified [REDACTED] position plan, organize, direct and coordinate operations for programs. They oversee day-to-day program operations, function as the program representative and resources, have extensive contact with program participants and outside entities, and resolve problems within a delegated area of authority.

Typical work statements for [REDACTED] include:

- Provides information and technical assistance to program participants, staff and outside entities regarding program content, policies and activities and recommends alternative courses of action; promotes the program with outside organizations and resources;
- Attends meetings and/or conferences as the program representative; develops and makes public presentations on program related topics;

- Confers regularly with staff and outside entities regarding the interpretation and implementation of program policies; participates in establishing program standards and identifying areas for program development;
- Monitors program activities in relation to established program goals; within established program parameters, determines variances from program standards;

While some of the work [redacted] performs is described in the state classification, it does not reflect the change in the level and scope of her current responsibility. In addition, with the departure of the Associate Dean of Instructional Operations and the appointment of an [redacted] [redacted] [redacted] [redacted] has been tasked with performing some of the work for whom the previous Associate Dean was responsible. The current [redacted] has a much higher oversight of the work than the previous Associate Dean. [redacted] has taken on a more active role on committees; she is more involved on bringing in topics for discussion; she researches state policies; and does direct reporting to various state agencies.

The work [redacted] performs meets the criteria described in the Fair Labor Standards Act for Administrative exemption. [redacted] exercises discretion and independent judgment with respect to matters of significance.

This position also has responsibilities that meet the exempt definition as described in RCW 41.06.070 (2) (a) “professional employees in an institution or related board having substantial responsibility for directing or controlling program operations and accountable for allocation of resources and program results” and “the formulation of institutional policy”.

In summary, I have determined that the [redacted] position meets the criteria of an administrative/exempt position and intend to reallocate it to [redacted] effective February 15, 2019. The new exempt title is [redacted]. The salary placement is pay grade/step is 5A \$60,768.

### Review Rights

You may request a Director's review of the results of this reallocation notice to the Director of the Office of Human Resources within (30) calendar days of being provided the notice of reallocation.

- The 30-day time period begins on the date the allocation decision, if provided by *alternate method* such as email, the 30-day time period begins on the date you *receive* the notice (WAC 357-04-105).
- The Director’s review is the first step in the appeal process and your request for review must be received (not postmarked) in the Director’s Review Office within 30 days of service of the position review results or reallocation notice.
- You may file in person, by mail, or by fax (but not by email) to the following address:  
 Office of the State HR Director  
 Director’s Review Program  
 Insurance Building  
 302 Sid Snyder Ave SW

PO Box 40911  
Olympia, Washington 98504-0911  
FAX: 360-586-4694

If you need clarification or have any questions, please contact me at [REDACTED] or email me at [REDACTED] [clark.edu](mailto:[REDACTED]@clark.edu). Thank you for your contribution to the process and your patience.

Sincerely,

[REDACTED] [REDACTED] 4[b]  
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

c: [REDACTED] [REDACTED]  
[REDACTED] Associate [REDACTED]  
[REDACTED]  
Human Resources

## Job Description

### Job Description

#### Purpose Statement

The role of [REDACTED] manager connects the various advisory and decision making bodies both on and off campus for the purpose(s) of aligning, planning, developing, implementing, directing and evaluating curriculum and instructional program approval processes. In addition it provides leadership, guidance and management of various processes related to curriculum and instruction; manages instructional support; provides administrative and technical assistance to the campus and community; addresses a wide variety of administrative processes; and ensures this work is done through the lens of PPI and student success. This role provides an essential function in ensuring College compliance with federal and legislative policies, and in accordance with governing bodies and accreditors.

#### Essential Functions

- Manages and evaluates curricular and instructional process documents and databases including but not limited to curriculum, program, outcome, college articulations, advisory committee(s), and other initiatives as identified by the college.
- Provides leadership, direction and support to ensure all instructional programs are approved by SBCTC, NWCCU, Department of Education, Veterans Affairs, Washington Career Bridge, Oregon Career Bridge and other government and private bodies.
- Works collaboratively and provides a central communication point with Directors, Deans, Division Chairs, Managers, Coordinators and Faculty to ensure effective coordination, support and utilization of all curricular and programmatic processes in accordance with College and government policy
- Assists in planning and coordinating of comprehensive articulations between programs and colleges and universities and ensures compliance with articulation agreements from both the academic and business perspective
- Directs and supports the improvement of curriculum and/or programs through the continuing evaluation and revision of Clark data as it relates to process adoption of materials and artifacts necessary for the continued compliance of programs and the institution.
- Works in collaboration with other evaluative bodies to ensure data remains current and accurate in order to correctly inform policy decision.
- Coordinates with the Outcome Assessment Director to ensure that curricular and programmatic changes are data driven, student centered and include the PPI lens.
- Directs, coordinates, implements and evaluates policies and processes related to the function of instructional operations in accordance with Clark, state and federal laws and regulations, compliance bodies, and other stakeholders as they relate to the Office of Instruction.
- Implements initiatives that relate to curricular and instructional goals and objectives; provides continuous evaluation of the progress related to the Strategic, Academic, and Social Equity plans.

- Oversees revision and maintenance of all materials that relate to instructional operations, curricula and programs (course schedules, catalog, handbooks, training materials, websites, databases and policies).
- Serves as Clark College Liaison for various entities including but not limited to: ICRC and BLC. Provides continuing evaluation of partnerships and external stakeholder expectations.
- Directs, trains, and supports technological advancements such as ctcLink and Courseleaf.
- Responds to questions, complaints and requests for information about curriculum, programs, supporting documentation and procedures; participates on a variety of boards and commissions; attends and participates in professional groups and committees; and assists with challenges and provide problem-solving expertise.
- Coordinates activities within assigned responsibilities with those of other departments and outside agencies and organizations; provides staff assistance to others as needed.
- Collects, analyzes, and presents complex technical data; identifies potential problems and evaluates alternative solutions; prepares sound recommendations.
- Keeps abreast of current and proposed laws and industry/educational trends related to assigned responsibilities.
- Performs personnel supervisory functions (e.g. interviewing, hiring, evaluating, training, staffing, scheduling, supervising, etc.).
- Performs other related duties, as assigned, for the purpose of ensuring an efficient and effective work environment.

### **Supporting Strategic, Academic, and Social Equity Plans**

- A campus culture that embraces evidence-based decision-making
- A campus culture that supports strategic professional development and continuous programmatic improvement
- A transparent, effective, and accessible processes that inform and engage all stakeholders
- Alignment between College Mission, Academic Plan, Strategic Plan, Social Equity Plan, Accreditor expectations, and Guided Pathways Plan
- Efficient, student-centered, and inclusive practices

<b>SIGNATURE REQUEST</b>	For authorization to use the Chief Executive Officer's signature on high volume correspondence	<b>CLARK COLLEGE OFFICE OF THE PRESIDENT</b>
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If you would like to utilize Bob Knight's signature on a form letter or any printed material please fill out completely the information below then submit it to Bob Knight at Mail Stop #09 for approval. Once approved Bob Knight's office will contact you regarding release of the digital signature for your use.

Name: <b>Person 27</b>	Title: [REDACTED]
Department: Human Resources	Mail Stop: BRD 133
Phone: 360-992-[REDACTED]	
Purpose of Use: <b>Witness O</b> is reallocating from a classified position to an admin/exempt role effective February 15, 2019. I need to generate two contracts for her, one for 2018-19 and one for 2019-20 to reflect the salary adjustments. I would like to request authorization to use your digital signature to generate two Admin/Exempt contracts. <i>I approve the contract that goes through Feb 14, 2019. The interim president can approve the one that begins Feb 15, 2020.</i>	
Number of Signatures Requested: 2	Date Requested: 07/02/2019

*Sandra Mueller*  
 Approved by President

7/15/2019  
 Date

*I do not understand this. Are we requesting retro active pay?? Did you intend to make this Feb 15, 2020?*

<b>SIGNATURE REQUEST</b>	For authorization to use the Chief Executive Officer's signature on high volume correspondence	<b>CLARK COLLEGE OFFICE OF THE PRESIDENT</b>
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Number of Signatures Requested: 2	Date Requested: 07/02/2019

Sandra Daruffe  
 Approved by President

7/15/2019  
 Date

Name: **Witness O**

Date: July 15, 2019

This is to notify you of your appointment at Clark College as [REDACTED] for the period beginning February 15, 2019 and continuing through June 30, 2019.

In consideration of appropriate performance of this contract, your salary for the fiscal year, determined in accordance with your position assignment, is \$22,348 (computed on an annual salary base of \$58,998.) Your pay grade and step on the administrative/exempt salary schedule is 5A. Your salary will be paid in semi-monthly installments from July 25, 2018 through July 10, 2019.

This contract may be terminated by the College at any time, provided, the College will provide notice at least 90 days prior to the termination date. Should the College exercise this clause, the College has no further obligation to provide assignments, benefits or future employment. If this contract is terminated before the end of the contract year, your salary will be prorated according to applicable Office of Financial Management procedures. You will also be paid for accrued and unused vacation leave credits not to exceed 240 hours. If you request to be released from this contract, the College requests that you provide a 60-day notice. In the event the College determines that it will not renew this Contract for the following year, the College will provide notice of nonrenewal no later than 90 days prior to the expiration of the term.

This offer of employment is made subject to the following, as now or hereafter amended: the laws, regulations, and procedures of the State of Washington, the rules of the State Board for Community and Technical Colleges, the rules of the Board of Trustees of Clark College and the administrative procedures of the College as set forth in the Clark College Board Policies and Administrative Procedures Manual. Your duties and responsibilities shall be as set forth in said manual as now or hereafter amended. This contract is further subject to the availability of funds.

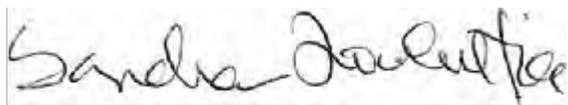
It is mutually agreed that, in the event that funds are made available for the purpose of increasing salaries during the period of this contract, the salary which is provided for herein may be increased subject to the availability of such funds to the College and other such distribution guidelines as may be adopted by the State Board for Community and Technical Colleges and/or the College.

It is understood and agreed that you are subject to assignment of duties and reassignment or transfer by the President or designee.

This writing constitutes the complete agreement between the parties, and there are no other oral or written agreements or parts of agreements except those referred to herein.

To indicate your acceptance of this appointment, please sign this employment contract and return it to Human Resources. This offer of employment expires July 22, 2019 and becomes invalid unless received or postmarked prior to the expiration date, or unless the expiration date is officially extended.

Board of Trustees of Clark College, District 14  
1933 Fort Vancouver Way, Vancouver, WA 98663

By:  Date: 7/15/19  
President

**ACCEPTANCE OF EMPLOYMENT CONTRACT**

I hereby accept this employment contract and the terms and conditions thereof.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Name: **Witness O**

Date: July 15, 2019

This is to notify you of your appointment at Clark College as \_\_\_\_\_ for the period beginning July 1, 2019 and continuing through June 30, 2020.

In consideration of appropriate performance of this contract, your salary for the fiscal year, determined in accordance with your position assignment, is \$ 60,768. Your pay range on the administrative/exempt salary schedule is 5A. Your salary will be paid in semi-monthly installments from July 25, 2019 through July 10, 2020.

This contract may be terminated by the College at any time, provided, the College will provide notice at least 90 days prior to the termination date. Should the College exercise this clause, the College has no further obligation to provide assignments, benefits or future employment. If this contract is terminated before the end of the contract year, your salary will be prorated according to applicable Office of Financial Management procedures. You will also be paid for accrued and unused vacation leave credits not to exceed 240 hours. If you request to be released from this contract, the College requests that you provide a 60-day notice. In the event the College determines that it will not renew this Contract for the following year, the College will provide notice of nonrenewal no later than 90 days prior to the expiration of the term.

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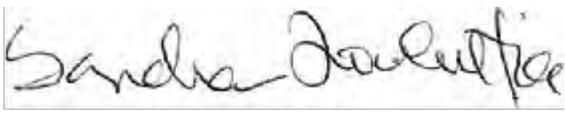
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By:  Date: 7/15/19  
President

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