

Board backs Lambert, holds off on possible rights-case sanctions

By Carol Ann Alaimo

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Pima Community College's Governing Board isn't ruling out disciplinary action against the school's CEO for violating the civil rights of a former employee, the board's chairman says.

The board remains supportive of Chancellor Lee Lambert because there's nothing to suggest his actions — which could cost taxpayers — were anything other than a one-time mistake, Chairman Mark Hanna said.

"Without a clear indication that the chancellor has engaged in a pattern of unfair or illegal personnel actions, the board will continue to support him" Hanna said in an email to the Arizona Daily Star.

A federal judge found that Lambert, an attorney with a civil-rights background, violated the civil rights of former PCC chemistry instructor David A. Katz, who was let go in 2014 without an opportunity to defend himself against misconduct

allegations, contrary to the Fourteenth Amendment.

Hanna, who as chair speaks on behalf of the board under PCC policy, said the board will wait until the court case concludes before deciding whether it's appropriate to discipline Lambert.

"The issue concerning a reprimand to the chancellor really can't be answered yes or no until we know the final outcome," he said.

The judge denied requests from Lambert and two former PCC administrators for immunity from personal liability in the case, meaning they may have to pay damages to Katz out of their own pockets.

The judge also refused immunity to the college district as a whole, meaning taxpayers also could be on the hook for damages.

PCC agreed to settlement talks with Katz four days after the July 25 order by U.S. District Court Judge Cindy K. Jorgenson. He filed suit in late 2014.

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Last week, a few hours after discussing the Katz case in a closed-door executive session, the board gave Lambert a positive job review at its public meeting and voted unanimously to extend his \$299,000-a-year contract to 2019.

As of earlier this week, it wasn't entirely clear whether PCC had disclosed the July court ruling to its accreditor,

the Chicago-based Higher Learning Commission.

Commission spokesman Steve Kauffman told the Star the college was required to report it and did so "in a timely manner."

But PCC spokeswoman Libby Howell said the college hadn't notified the accreditor because it isn't obliged to do so while the court case is pending.

"The College reports to HLC matters relating to institutional accreditation, and not individual employ-

ee or student matters. In addition, in this particular instance, even if it were appropriate to report an individual employee matter to HLC, there is no final decision to report," Howell said.

The college has been under accreditor sanctions since 2013 over numerous shortcomings in its governance and administration.

An accreditation review team is to visit Tucson next week to see if PCC has improved enough to be taken off sanctions.

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