



# Maricopa County Community College District Governing Board Minutes October 28, 2014

An executive session and a regular meeting of the Maricopa County Community College District Governing Board were scheduled to be held beginning at 5:30 p.m. at the District Support Services Center, 2411 West 14th Street, Tempe, Arizona, pursuant to A.R.S. Section 38-431.02, notice having been duly given.

## GOVERNING BOARD

Dana Saar, President  
Randolph Lumm, Secretary  
Doyle Burke, Member  
Alfredo Gutierrez, Member  
Debra Pearson, Member

## ADMINISTRATION (REGULAR BOARD MEETING)

Rufus Glasper  
Maria Harper-Marinick  
Debra Thompson  
LaCoya Shelton-Johnson  
Steve Helfgot  
Lee Combs  
Linda Lujan  
Ernie Lara  
Steven Gonzales  
Irene Kovala  
Shouan Pan  
Paul Dale  
Anna Solley  
Chris Bustamante  
Jan Gehler  
Shari Olson  
Brianna Bendotti for Gene Giovannini

## EXECUTIVE SESSION

Executive Session was called to order at 5:30 p.m.

## MOTION

### **Motion 10234**

Board Member Gutierrez made a motion to go into Executive Session. Board Member Burke seconded. Motion passed 5-0.

## CALL TO ORDER

The regular board meeting was re-called to order at 6:31 p.m.

## SUBSTITUTIONS

There was one substitution for a member of the CEC.

## PLEDGE OF ALLEGIANCE

The assembly pledged allegiance to the United States of America led by Mr. Lumm.

## CLASS ACKNOWLEDGEMENTS

President Saar welcomed Dr. Maria Hesse's HED634 *American Community College* class from ASU.

## STUDENT LIFE REPORTS

Rico Moran, President of Glendale's Associated Student Government (ASG) presented an overview of events planned for the year, along with other members of the ASG. Students shared that the ASG represents 33,000 stakeholders and that they would be sharing their experiences with the Board that night. They reported that student government is more than just a funding source in support of campus events; members also serve on hiring committees, MEN's group, and other campus initiatives. Student Life at GCC reaches far beyond the border of the campus with trips and conference competitions. This week the college will focus on the issue of human trafficking. The group members are also proponents of District initiatives such as Breathe Easy, MEN, and sustainability—yet student representatives all feel that academics must come first. Representatives all easily maintain the 3.0 GPA required. The number of student clubs has grown from 22 clubs when they first started to over 60 clubs, six years later. They initially didn't have enough representatives for a full student governing board but now they have more than enough. They have moved from merely attending events towards hosting and facilitating them, including a three-day leadership retreat. Students thanked the Board for its time and invited members to attend events on campus regarding human trafficking.

**ASG Members:** Rico Moran, President; Anthony Lee, Vice President; Victoria Moreno, Treasurer; Jessica Mateo, Secretary; and John Garduno, Public Relations

## EMERITUS, AWARDS, AND RECOGNITION

Dr. Shari Olson, President of South Mountain Community College, thanked the Board and reported that she and Mr. Bruce McHenry, Economics faculty member and Director of the SMCC Community

Entrepreneurship Center, were awarded \$15,000 from the Coleman Foundation for their elevator pitch to further develop entrepreneurial student worker positions at SMCC at the recent National Association of Community College Entrepreneurs (NACCE) conference in Phoenix, October 12-15, 2014. She then invited faculty members Mr. Bruce McHenry and Ms. Maria Bailey-Benson to speak. Ms. Baily-Benson reported that, of the four awards presented at the NACCE conference, three were awarded to SMCC students. Mr. McHenry called himself an entrepreneurship champion and reported SMCC had received a fourth grant opportunity from NACCE that year. He also reported that Dr. Shari Olson was named NACCE's President of the Year. He noted that three of the student award winners were recipients of seed money from last year's grant.

#### CITIZEN'S INTERIM

There were three requests to address the Board.

1. Dr. Cleopatria Martinez, representing herself. Statement included in the Appendix.
2. Mr. Santos Vega, representing Dr. Cleopatria Martinez
3. Dr. Charles Townsel, representing the NAACP State Conference

Dr. Martinez' statement in its entirety is included in the Appendix.

Mr. Vega informed the Board he was there to speak on behalf of Dr. Cleopatria Martinez who taught for 30 years at Phoenix College. He said she lost her teaching position on allegations that subsequent investigations found unsubstantiated. He feels that keeping her from working is an injustice. He remarked that during her suspension, she applied for unemployment and was initially denied, but subsequent investigations upon her appeal found claims against her to be unsubstantiated. He said the Board would not hear her case. He called for her suspension to be ended and that she be reinstated to her former position. He said the students needed her back in the classroom.

Dr. Charles Townsel remarked he was concerned about an injustice to Dr. Martinez. He said he came before the Board that night because he did not see any Black presidents represented in MCCCC. He said with 12 colleges in the system it was a disgrace for the community colleges, and all institutions of higher education, to be so prejudicial that no Black presidents could be found. He returned to the topic of Dr. Martinez and said he'd attempted to communicate about the situation with the Faculty Executive Council president but was informed that the FEC attorney advised him not to speak about the case. Dr. Townsel also said this Board was the least responsive and worst model of how a good board should operate. He then remarked that there were initially two candidates running for the District 5 seat, one Black and one Hispanic, and what he considered inappropriate actions were employed to ensure the Black candidate was defeated before his campaign could begin. He concluded that the Board needed to strongly consider what its duties to its employees were and to be aware of the number of suits against the District. He advocated for Black representation on the Board, as well, as he left the podium.

#### CHANCELLOR

Chancellor Rufus Gasper said he wanted to piggy-back on the awards to SMCC and asked Dr. Olson to share with the Board about activities that led to her nomination for the NACCE President of the Year award. Dr. Olson remarked that the evidence of her students' award winning work speaks to the reason why she was honored for the award. She said she was surprised by the nomination. Her focus has always been on students attending college and experiencing business in a new way by learning together and doing business together. She said her faculty were engaged in providing a myriad of opportunities for students and the college supported them completely.

Dr. Gasper said the Board should take note of the number of presidents involved in the NACCE conference. He remarked he had visited a number of cities and town across the country and one of the leading themes he has seen is small business development. Community colleges can take the lead and role of developing the economy by focusing on this. The theme is global, as well. There are more and more centers for entrepreneurship and small business development. He also hears from employers that they want to be connected with employees with soft skills (i.e., critical thinkers, solution seekers, etc.) in addition to technical skills. The colleges are creating stackable credentials in programs such as cyber security and energy, among others, which can eventually result in a Bachelor's degree. He wants to look at the curriculum and infuse the notion of soft skills—that can be the community college footprint. Employers need to know that MCCCC can apply it, deliver it, and can be relied upon to provide it. He wants MCCCC and community colleges to be a primary leader nationwide in such efforts.

**FACULTY**

There was no report.

**EMPLOYEE GROUP**

Mr. Leo Valverde, President of the Adjunct Faculty Association, provided the following. "President Saar, Members of the Board, Chancellor Gasper, members of the CEC, and Guests, I am Leo Valverde, President of the Adjunct Faculty Association. I am pleased to announce the selection of two new Adjunct Faculty College Representatives. Dr. Wilfred McFadden at Estrella Mountain and Ahmed Daniels at South Mountain. Both men have contributed to adjunct faculty, the district, and the community at-large for years. We are in the process of recruiting College Representatives for Phoenix College, Mesa Community College, and Scottsdale Community College as current reps move on to other responsibilities. The AFA is currently working in conjunction with MCLI toward the creation of an online, districtwide orientation for all new adjunct faculty hires. This orientation would not replace any campus orientation, but is meant to be used as both a training tool and a resource for all new adjunct faculty. It is our hope to have the course fully developed and ready to go fall, 2015. In addition, the AFA has submitted a proposal for a presentation to the Academic Innovations nationwide conference to be held here in Phoenix this spring. The focus of conference is adjunct faculty."

Mr. Ted Georgas, President of the Crafts Employee Group, remarked he wanted to talk about excellence. He noted that people who are excellent often don't think they are. On behalf of the Unified Crafts Association, he congratulated all the excellence in Maricopa as a whole. He then said the Crafts association would be making a donation to the Maricopa Foundation in the name of the MCCCCD Governing Board. He then thanked the Board for all the work it does for Maricopa.

**APPROVAL OF THE ORDER OF THE AGENDA**

President Saar then requested a motion to approve the Order of the Agenda.

**MOTION****Motion 10235**

Board Member Burke made a motion to approve the Order of the Agenda. Board Member Lumm seconded. Motion passed 5-0.

**APPROVAL OF CONSENT AGENDA**

President Saar asked if anyone wanted to remove any items from the consent agenda. No items were removed.

The following items were included in the Consent Agenda:

**9.1 APPROVAL OF THE MINUTES OF THE SEPTEMBER 17, 2014 BUDGET AND FINANCE RETREAT, SEPTEMBER 23, 2014 REGULAR BOARD MEETING, SEPTEMBER 30 SPECIAL SESSION, AND OCTOBER 14, 2014 AGENDA REVIEW AND WORK SESSION**

**10.1 CONSIDERATION OF EMPLOYMENTS**—approve the personnel actions as proposed. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

**10.2 CONSIDERATION OF SPECIALLY FUNDED EMPLOYMENTS**—approve the personnel actions as proposed. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

**10.3 CONSIDERATION OF SHORT TERM EMPLOYMENTS**—approve the personnel actions as proposed. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

**10.4 CONSIDERATION OF SEPARATIONS**—approve the personnel actions as proposed.

**10.5 CORRECTION TO PREVIOUS BOARD ITEMS**—approve the personnel actions as proposed.

**11.1 APPROVAL OF CURRICULUM**—approve as submitted; the curriculum proposals have been processed through all procedures established by the Maricopa County Community College District.

**11.2 APPROVAL OF NATIONAL SCIENCE FOUNDATION MATHEMATICS AND SCIENCE PARTNERSHIP (PROMOTING EXCELLENCE IN ARIZONA MIDDLE SCHOOL MATHEMATICS: INCREASING STUDENT ACHIEVEMENT THROUGH SYSTEMIC INSTRUCTIONAL CHANGE)**—accept a Mathematics and Science Partnership Grant continuing award in the amount of \$1,920,675 for Year 4 of a 5-year project (totaling \$8,748,267) from the National Science Foundation. The NSF Promoting Excellence in Arizona Middle School Mathematics: Increasing Student Achievement through Systemic Instructional Change (DUE 1103080) project commenced on March 15, 2012 and will conclude on February 28, 2017.

**11.3 APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE WESTERN MARICOPA**

**EDUCATION CENTER (WESTMEC) AND THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT ON BEHALF OF ESTRELLA MOUNTAIN COMMUNITY COLLEGE AND THE SOUTHWEST SKILL CENTER FOR EMT, PRECISION MANUFACTURING, AND FIRE SCIENCE PROGRAM TRAINING**—approve the Intergovernmental Agreement between West MEC and the Maricopa County Community College District for Educational Programs with Estrella Mountain Community College and the SouthWest Skill Center, which includes use of the West MEC Central Campus Facility located at 6997 N. Glen Harbor Blvd., Glendale, AZ. 85307.

**11.4 APPROVAL OF SUBAWARD AGREEMENT BETWEEN CENTRAL ARIZONA COLLEGE AND GATEWAY COMMUNITY COLLEGE/MARICOPA SKILL CENTER**—accept the subaward agreement from Central Arizona College to GateWay Community College/Maricopa Skill Center in the amount of \$1,264,970 for Year 1 of this four-year project with effective dates of October 1, 2014 through September 30, 2015.

**11.5 APPROVAL OF SUBAWARD AGREEMENT BETWEEN CENTRAL ARIZONA COLLEGE AND ESTRELLA MOUNTAIN COMMUNITY COLLEGE/SOUTHWEST SKILL CENTER**—accept the subaward agreement from Central Arizona College to Estrella Mountain Community College/SouthWest Skill Center in the amount of \$988,430 for Year 1 of this four-year project with effective dates of October 1, 2014 through September 30, 2015.

**11.6 APPROVAL OF DIVERSE PERSPECTIVES – ARIZONA SCIENCE TECH DESK**—accept a two year grant award for Diverse Perspectives – Arizona Science Tech Desk from the Corporation for Public Broadcasting totaling \$350,000. This project will commence on October 1, 2014 and conclude on September 30, 2016.

**12.1 APPROVAL OF LEASE AGREEMENT BETWEEN CHANDLER UNIFIED SCHOOL DISTRICT (CUSD) AND CHANDLER-GILBERT COMMUNITY COLLEGE (CGCC)**—approve a Lease Agreement with CUSD. The agreement will provide for the lease of Javelina Hall, a 3,950 square foot building containing three classrooms, offices and restrooms at the CGCC Pecos campus. CUSD will pay monthly for the period of July 1, 2014 through June 30, 2019 the sum of \$10,961.67 (\$32 per square foot) for the lease of the building. Beginning July 1, 2015 the rate will increase based on a national index. CUSD will reimburse CGCC quarterly for office supplies, copying services, and postage. The lease includes 4 one-year extensions.

**MOTION****Motion 10236**

Board Member Burke moved for approval of the Consent Agenda. Board Member Lumm seconded. Motion passed 5-0.

**13.1 APPROVAL OF 4.9 BOARD COMMITTEE STRUCTURE**—approve the proposed changes to Board Policy 4.9 to include the scope of the three Board committees: Board Policy, Budget and Finance, and Charter Schools.

**MOTION****Motion 10237**

Board Member Lumm moved for approval of Item 13.1. Board Member Burke seconded. Motion passed 5-0.

**13.2 APPROVAL OF AUTHORIZATION OF EXPENDITURES OF LEGAL FEES**—authorize the expenditure of legal fees and expenses in the amount of \$1,726,850 through December 31, 2014 to pay for legal fees and expenses incurred with the law firm of Greenberg Traurig, LLP, for consultation and representation related to data security issues that arose with the security incident of 2013.

**MOTION****Motion 10238**

Board Member Burke moved for approval of Item 13.2. Board Member Gutierrez seconded. Motion passed 5-0.

**14.1 APPROVAL OF CONCEPTUAL APPROVAL FOR ADDITIONS TO THE JOHN PAUL THEATER PHOENIX COLLEGE**—provide Conceptual Approval for additions and renovations to the existing John Paul Theater at Phoenix College.

**MOTION****Motion 10239**

Board Member Lumm moved for approval of Item 14.1. Board Member Pearson seconded. Motion passed 5-0.

**14.2 APPROVAL OF JOB ORDER CONTRACTING PURCHASE ORDER TO REPLACE MECHANICAL**

**SYSTEM FAN COIL UNITS IN THE NORTH GYM PHOENIX COLLEGE**—approve a Job Order Contract (JOC) purchase order in the amount of Three Hundred Seventy One Thousand, Four Hundred Ninety-Seven Dollars and Eighty-Five Cents (\$371,497.85) to Jokake Construction for installation of new mechanical system fan coil units in the North Gymnasium at Phoenix College.

**MOTION****Motion 10240**

Board Member Pearson moved for approval of Item 14.2. Board Member Burke seconded. Motion passed 5-0.

**14.3 APPROVAL OF PARTIAL GUARANTEED MAXIMUM PRICE NUMBER ONE PHASE 1 SITE WORK FOR THE NEW INTEGRATED LEARNING BUILDING AT PARADISE VALLEY COMMUNITY COLLEGE BLACK MOUNTAIN CAMPUS**—approve the partial Guaranteed Maximum Price (GMP) Number One for the site work package with a not to exceed price of One Million Two Hundred Thousand and 00/100ths Dollars (\$1,200,000.00) to Austin Commercial LP for the new Integrated Learning Building at Paradise Valley Community College, Black Mountain Campus.

**MOTION****Motion 10241**

Board Member Pearson moved for approval of Item 14.3. Board Member Burke seconded. Motion passed 5-0.

**MONITORING REPORTS**

**15.1 BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2014**—Expenditure analysis indicates 16.8% of the budget has been expended this year as compared to 19.3% expended at this same point last year. 39.6% of the budget remained unexpended or unencumbered compared to 36.0% in the prior year. Revenue analysis indicated that 28.8% of the budget has been recognized as compared to 26.3% in the prior year. The projected fund balance will increase by ~\$3.4M this fiscal year and the projected ending fund balance for June 2015 is \$167.6M. The District should meet its financial stability requirements.

**15.2 2004 GENERAL OBLIGATION BONDS SERIES A (2005), SERIES B (2007), SERIES C (2009), SERIES D (2011) AND SERIES 2013 2004 CAPITAL DEVELOPMENT PLAN SUMMARY AS OF SEPTEMBER 30, 2014**—As of September 30, 2014, \$823.5 million, representing approximately 87% of proceeds from the Series A, Series B, Series C, Series D, and Series 2013 issuances of the 2004 bond have been expended or encumbered and \$127.8 million remains available. Bond proceeds are invested until expended.

**15.3 BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE TWELVE MONTHS ENDING JUNE 30, 2014 (FINAL-UNAUDITED)**—Expenditure analysis indicated 89.5% of the budget was expended this year as compared to 91.6% expended at this same point last year. 10.5% of the budget remained unexpended or unencumbered compared to 8.4% in the prior year. Revenue analysis indicated that 96.4% of the budget was recognized as compared to 97.6% in the prior year. The fund balance increased by ~\$4.1M to \$164.1M. The District met its financial stability requirements.

**15.4 2004 GENERAL OBLIGATION BONDS SERIES A (2005), SERIES B (2007), SERIES C (2009), SERIES D (2011) AND SERIES 2013 2004 CAPITAL DEVELOPMENT PLAN SUMMARY AS OF JUNE 30, 2014**—As of June 30, 2014, \$796.0 million, representing approximately 84% of proceeds from the Series A, Series B, Series C, Series D, and Series 2013 issuances of the 2004 bond have been expended or encumbered and \$155.3 million remains available. Bond proceeds are invested until expended.

**BOARD MEMBERS**

Mr. Burke reported he was pleased to have attended Rio's Welcome Lunch for Dr. Rita Cheng, new president of Northern Arizona University. He attended the Student Success Conference and was pleased with the offerings. He attended the dedication of the new Performing Arts Center at Mesa Community College.

Mr. Gutierrez reported he had attended the ACCT Conference in Chicago. He found the seminars very helpful and focused on the ones concerning developmental education. He also reported a coming tsunami of change should be expected as aging executive leaders in community colleges retire.

Mr. Lumm reported he attended similar meetings and events as Mr. Burke. He congratulated MCC on its new facility and his expectation it would greatly contribute to Mesa's arts. He also congratulated Dr. Maria Harper-Marinick on an excellent Student Success Conference.

Mr. Saar reported He attended the ACCT as well and learned about what was happening throughout the country. He focused on workforce development sessions and will keep pushing

that agenda at MCCC. He also congratulated MCC on its new PAC—with 460 seats!

Mrs. Pearson reported she also attended ACCT and found it be an emotional experience as she handed the reins of the Asian, Pacific Islander, Native American Trustee Association (APINATA) over to a new chair. She said she focused on sessions dealing with poverty in education. The conference served as a mirror to help her see where MCCC fits in the scheme of things and she felt renewed appreciation for all the work being done in Maricopa. She thanked SMCC for stepping up to the challenge of focusing on entrepreneurship—community colleges could do this better than anyone! She noted entrepreneurship can be applied in more than business classes—art, tutoring, technology, civic engagement—all areas can encourage someone in how to set up a business. She then concluded her remarks with a request the Board secure outside, independent counsel, to review findings in a recent lawsuit the Board was not previously made aware of. She said the Board needed an unbiased review to ensure all actions were proper.

**VICE CHANCELLOR**

Dr. Maria Harper-Marinick, Executive Vice Chancellor and Provost, welcomed the MCCC Women's Leadership Group Mentor Program participants. She said the group was created in support of professional development for the women of MCCC. This was the 15<sup>th</sup> year of the program with 34 mentees representing all the colleges and District. Since its inception, the program has had 369 graduates. She thanked everyone for participating and asked the mentees to stand and be acknowledged by the Board.

**COLLEGE**

There were no reports.

**AADGB**

There was no report.

**ASBA**

There was no report.

**ACCT**

Mr. Saar reported the conference was well worth attending and he looked forward to the National Legislative Summit in February, 2015.

**GOVERNMENT RELATIONS**

Ms. Dawn Wallace, Director of State and Local Government Relations, provided the following, "Good evening, Mr. President, Members of the Governing Board, Chancellor, Members of CEC, and all in the audience. Thank you for allowing me to present on a variety of government relations topics tonight. First, I'll speak on the elections next week. All U.S. House seats are up for election. Six of the nine congressional districts have predictable outcomes, however CD-1 (Tobin/Kirkpatrick), CD-2 (Barber/McSally) and CD-9 (Sinema/Rogers) are classified as potential swing districts and are somewhat close to call. These three races have generated a tremendous amount of out of state money. All Statewide offices are up for grabs and Maricopa continues to watch all races; the Governor (Ducey, DuVal), State School Superintendent (Garcia/Douglas), and Attorney General (Brvonich/Rotellini) are the offices with whom Maricopa interacts. Most of the Legislative districts in Maricopa County are predictable; however, there are some swing districts that could have ramifications to the makeup of the House and Senate. This is particularly true for the State Senate. For example, if LD18 (Chandler-Ahwatukee) or LD28 (Central Phx/PV), which are currently Republican incumbents, shift to the Democratic candidates, and LD(6) goes to the Independent candidate (who will likely align with the Democrats), the Senate could be 15-15. The County seats include county assessor, judges, the election of our board, and the \$935 million bond approval for Maricopa Integrated Health System. There are three ballot propositions for voters to consider. The first two are referendums: 1) Prop 122 allows the state to opt out of federal laws deemed unconstitutional by the voters or the state legislature and if this happens, the state would be prohibited from devoting any resources toward enforcing the law (Crandell); 2) Prop 303 would allow investigational drugs, biological products or devices to be made available to eligible terminally ill patients. (Lovas, Allen, etc., and some Dems); and 3) Prop 304 increases legislative salaries from \$24,000 to \$35,000.

Earlier this month, the Financial Advisory Committee met to discuss the economic outlook for the State. We know that FY 2014 has come in below projections. That does not mean there was negative growth, rather when you build a budget, you assume revenue levels that are then used to budget expenditures. If the revenues don't come in, the expenditures remain the same you end up with a deficit. In some years, ending balances have helped the deficit, like in 2015, but ending balances are only one-time solutions. The area that was most significantly below projections is corporate income taxes. Possibilities for the decrease could be tax credits (like R&D), or prior year liabilities that were carried from one year to another, and tax cuts. JLBC estimates that over the three year budget period there was a \$226m loss in revenues due to tax cuts. We know FY 2015 revenues continue to be below

forecast—which only makes the outlook grimmer. The fiscal impact of the K-12 litigation continues to be a black cloud over the budget outlook. One positive piece of news, the economists did not indicate that we were in recession mode; compared to the rest of the country, our recovery out of the 2009 recession is slower.

Here is a quick visual on the state budget. The FY2015 has been updated to show a \$189m deficit, leading to a \$667m deficit in 2016. With the K-12 reset, the numbers increase to \$520m and \$1b, respectively. These are dire numbers, however, the FY 2015 deficit will not be that difficult to solve with one-time solutions. FY 2016 will be more difficult. There are several solutions: Rainy Day fund has \$460million; Debt Financing might be an option but there is not much left to mortgage; perhaps some lottery proceeds. Revenue enhancements are the most creative solution and I have heard a variety of solutions including the sweep of the Permanent School Fund, which is the corpus of the state trust lands. These can include increased fees (which are used generally to help supplant general funded agencies). Budget reductions are much more likely in FY2016 than in FY2015. As I mentioned before, we are vulnerable. In the past, there have been rollovers in K-12, Universities, DES, and AHCCCS. \$900m still remains in K-12, \$200m at Universities, but DES and AHCCCS are available. Finally, a tax increase is possible but unlikely and will depend on the makeup of the Executive and Legislative leadership.

#### State Budget Request

- Due on September 1 but extended to October 1.
- Historically, a letter (with calculations) submitted to Governor by Community College System. Operating, STEM/Workforce and Equalization Aid formulas provided to JLBC.
- Legislature no longer holds budget hearings for community college budgets.
- Adjustments to operating and equalization aid formula seen as “technical.”

Our total request to the Legislature, assuming we keep our baseline funding, is \$10.1 million. We will be submitting another letter the middle of next month that provides potential STEM and workforce related projects that would be funded if funding is fully realized.”

#### NEXT BOARD MEETINGS

President Saar announced the following future meetings.

- November 13, 2014, 1:00 p.m., Board Orientation: Open Meeting Law, Rio Conference Center
- November 18, 2014, 1:00 p.m., Agenda Review, Rio Conference Center
- November 18, 2014, 2:30 p.m., Annual Outcomes Monitoring Retreat, Rio Conference Center
- November 25, 2014, 4:30 p.m., Agenda Review, Rio Conference Center
- November 25, 2014, 6:30 p.m., Regular Board Meeting, Rio Conference Center
- December 4, 2014, 1:00 p.m., Board Orientation: Maricopa Governance, Rio Conference Center
- December 9, 2014, 6:30 p.m., Regular Board Meeting, Rio Conference Center

#### ADJOURNMENT

President Saar adjourned the regular board meeting at 8:01 p.m.

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Randolph Elias Lumm  
Governing Board Secretary

# **Appendix**

## **Citizen's Interim Report to the Board (Martinez) Government Relations Report**

October 28, 2014

Governing Board Member, Dana F. Saar  
Governing Board Member Doyle Burke  
Governing Board Member Alfredo Gutierrez  
Governing Board Member Randolph Elias Lumm  
Governing Board Member Debra Pearson

Dear Governing Board Members,

On August 13, 2014 I emailed you a grievance. As of today I have heard nothing in response. According to the RFP, grievances at your level need to be responded to within 30 days of receipt. I request that the matter of my suspension be an Executive Session item at the next meeting of the Governing Board.

The reason I am pursuing this matter is that it is the most recent example of the conduct that I have been experiencing since 2009.

In August 2013, the Phoenix College administration attempted to terminate me for copyright violation, cash-handling violation, and insubordination. I appealed pursuant to the Residential Faculty Policies (RFP). In December 2013, the MCCC internal Termination Hearing Committee found that MCCC had not met its burden of proof with respect to copyright violation and cash-handling violation and recommended that I not be terminated. The Chancellor then suspended me in March 2013 without pay for over 14 months for my alleged insubordination.

In May 2014 I applied for unemployment compensation. MCCC advised the Department of Economic Security (DES) that I should be denied unemployment compensation benefits because I had walked off the job in anticipation of termination and because I had been suspended for gross misconduct. Initially the DES denied my claim but on appeal, the DES Administrative Law Judge decided in my favor. Among other things the Administrative Law Judge wrote in his decision that (1) I "did not sell the documents or otherwise make a profit," (2) the order to return the money to the students was not reasonable, (3) that I was discharged not suspended as contended by MCCC, and (4) I was not discharged "for willful or negligent misconduct."

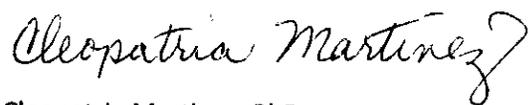
Consequently, MCCC's claims of copyright violation, cash-handling violation, and insubordination have **not** been substantiated by either independent reviewing authority (i.e., MCCC's own internal Termination Hearing Committee or the DES Administrative Law Judge).

In order to right this wrong, in July 2014 I attempted to follow the grievance process which requires that I first present the grievance to the Vice President of Academic Affairs (VPAA). The VPAA secretary advised that I could only speak to Human Resources (HR) about the grievance. HR told me I could not file while I was suspended although I could file the grievance upon my return in August 2015, some 12 months away. On August 13, 2014, I submitted my grievance to the Vice Chancellor for Human Resources, the Chancellor, and the Governing Board members. No one has responded.

There are no substantiated claims against me but I remain suspended without pay. My grievance has not been addressed. The Governing Board is the final decision maker in the District. I respectfully request that the Board immediately make me whole by reinstating me to my former position with back pay to the day I was suspended, reimbursing me for attorney fees and costs, and pay me the dollar value

of any and all other benefits I lost as a result of this prejudicial, damaging "suspension." Finally, I request that the Chancellor's dictatorial authority to suspend employees without cause, without pay, and without due process for any length of time be eradicated and a policy be written to include guidelines, process, checks and balances. Paying lawyers to continue pursuing an administrative abuse of power is not what MCCCCD should represent. This type of irresponsible fiduciary behavior must be eliminated.

Respectfully,

A handwritten signature in cursive script that reads "Cleopatria Martinez". The signature is written in black ink and is positioned above the typed name.

Cleopatria Martinez, PhD  
Professor of Mathematics

November 4, 2014

Governing Board Member, Dana F. Saar  
Governing Board Member Doyle Burke  
Governing Board Member Alfredo Gutierrez  
Governing Board Member Randolph Elias Lumm  
Governing Board Member Debra Pearson

Dear Governing Board Members,

Re: Erratum in my letter dated October 28, 2014, to the Governing Board and during Citizens' Interim

In discussing the dates of events in response to Governing Board Member Debra Pearson's question, I incorrectly referred to a date in 2013 which should have actually been 2014. The same error was made in the letter dated October 28, 2014. The correct answer to Governing Board Member Debra Pearson's question concerning the date I was suspended is:

"I was suspended with pay on August 12, 2013. I was suspended without pay on **March 1, 2014**. Later Chancellor Gasper changed the date to **April 15, 2014** and my pay will resume in August 2015."

Sincerely,

Dr. Cleopatria Martinez

**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS



**Maricopa Community College  
Governing Board Meeting  
Government Relations Update  
October 28, 2014**

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

**Nov. 4 Elections**

- Federal – all U.S. House seats
- Statewide Offices
- County (non-partisan)
  - County Assessor
  - Superior Court Judges
  - Community College Governing Board
  - Special Health Care District \$935 million Bond Approval

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

**Nov. 4 Elections**

- State Ballot Propositions
  - Proposition 122 – Rejection of Unconstitutional Federal Actions
  - Proposition 303 – “Right to Try”
  - Proposition 304 – Legislative Salaries

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

**State Budget Outlook**

- FY 2014 revenues came in below projections – main driver was Corporate Income Tax (13.1% decrease).
  - Tax Credits (R&D).
  - Prior Year liabilities.
  - Tax Cuts (since 2011) - \$226m loss from FY 2016-2018.
- FY2015 1<sup>st</sup> Quarter revenues (\$65)m below forecast.
- K-12 Litigation - “Cave Creek USD v. Ducey”

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

**State General Fund  
Estimated Ending Balances**

After:	FY2015	FY 2016
• May Special Session	\$130m	\$(237m)
• October Update	(189m)	(667m)
• October + K-12 Reset*	(520m)	(1,002m)

- Does not include the Rainy Day Fund of \$460 million.
- Does not reflect K-12 litigation retroactive payments of \$1.3 billion.

\*K-12 Reset is \$236 per student totaling \$336 million.

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

**K-12 Lawsuit  
Impact on State Budget**

- Reset of Per Pupil Funding (prospective) - \$336 million annually.
- Retroactive payments – potentially \$1.3 billion.
- October hearing to consider retroactive payments.
- Settlement may reduce part of the FY 2016 budget deficit but certainly not all.

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

### Potential Solutions

- Rainy Day Fund – one-time, not permanent.
- Debt Financing – one-time, not permanent.
- Revenue enhancements.
- Permanent Budget Reductions.
- Rollovers.
- Tax Increase – temporary or permanent – if agreed, on the general election ballot 2016 – would only partially solve FY 2016 (collections would not begin until January 2017).

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

### FY 2015-2016 State Budget Request Maricopa

	2015 <u>Appropriation</u>	2016 <u>Formula</u>	<u>Incremental Change</u>
M&O*:	\$7,409,500	\$6,680,100	\$(729,400)
STEM/Workforce:	1,400,000	12,207,100	10,807,100
Equalization:	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<b>Net Increase:</b>	<u>\$8,809,500</u>	<u>\$18,887,200</u>	<u>\$10,077,700</u>

Note: Decrease is due to net decrease of 2,777 FTSE.

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

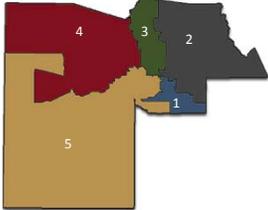
### MCCCD Governing Board Candidate Forums September 2014

At Large: Rio Salado Community College  
September 26, 2014 – Rio Conference Center  
<http://www.youtube.com/watch?v=67OJKSAQJEI&list=PLWrdmci-HgZeOCM4LF78E977nGI3QHxHx>

District 3: Paradise Valley Community College  
September 3, 2014 – East KSC-1000B  
<http://www.youtube.com/watch?v=Yv8ZcFAGbb8&list=PLWrdmci-HgZeOCM4LF78E977nGI3QHxHx&index=4>

District 4: Glendale Community College  
September 12, 2014 – Student Union  
<http://www.youtube.com/watch?v=TeRHoi3znE8&list=PLWrdmci-HgZeOCM4LF78E977nGI3QHxHx&index=3>

District 5: South Mountain Community College  
September 17, 2014 – Library Community Room  
<http://www.youtube.com/watch?v=m7sTD4E6dm0&list=PLWrdmci-HgZeOCM4LF78E977nGI3QHxHx&index=2>



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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

### Congresswoman Kyrsten Sinema Mesa Community College – Veterans Students September 5, 2014



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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

### State of the Americas with Vicente Fox September 23, 2014

GCC Staff, Faculty and Students  
Teresa Leyba Ruiz, V.P. Student Affairs  
Dr. David Miller, Faculty  
Rico Moran, President, Associated Student Government  
Anthony (Buddie) Lee, Vice-President, Associated Student Government  
Luis Velazquez – President, M.E.Ch.A.  
Jesus Saldana – Secretary, M.E.Ch.A.



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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

### Chandler-Gilbert Coyote Center Grand Opening September 24, 2014

Attendees:  
Mayor Jay Tibshraeny, Chandler  
Mayor John Lewis, Gilbert  
Mayor Gail Barney, Queen Creek  
Supervisor Denny Barney  
Chandler City Council Members  
Senator Steve Yarbrough  
Representative J.D. Mesnard  
Representative Tom Forese  
Offices of Senator Jeff Flake, Senator John McCain and Congressman Matt Salmon



Pictured above: (starting from left)  
Governing Board Member Alfredo Gutierrez, Mayor Gail Barney, Chancellor Rufus Glasper, President Linda Lujan, Governing Board member President Dana Saar, Mayor Jay Tibshraeny, Mayor John Lewis, Supervisor Denny Barney, Governing Board Member Doyle Burke.

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

Senator John McCain  
Marshall Trimble Tribute  
Scottsdale Community College  
October 9, 2014



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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

OSPB/JLBC Tour  
GateWay CC - District  
September 25, 2014



Tom Ritland, JLBC

Brandon Nee, OSPB

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

Paradise Valley Community College  
1st Annual Veterans Summit  
October 3, 2014



Dr. Paul Dale, PVCC President, Lt. General Rusty Findley (retired), S.E.4Vets Vice President (and Veterans Summit event moderator), Mr. Jim Waring, Vice Mayor City of Phoenix (gave welcome address on behalf of City), Mr. Ray Torres, S.E.4Vets Executive Director

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

Arizona Chamber of Business & Industry Manufacturing Summit  
October 3, 2014



Attendees from left to right: Joe Rubio, Valley Interfaith Project, Randy Kimmens, Director of Workforce Development, MCCC, Leonard Landwehr, Operations Manager, TRW Automotive, Leah Palmer, Director of Workforce Community Partners, Mesa Community College, Randy Edington, Chief Nuclear Officer at Palo Verde, Arizona Public Service, Clay Goodman, Vice President of Occupational Education, Estrella Mountain Community College, Dawn Wallace, Director of Government Relations, MCCC, Brianna Bendotti, Vice President of Workforce Solutions, Maricopa Corporate College, Nario Wright, IS Software Development Manager, Republic Services.

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

HOUSE OF REPRESENTATIVES



Hoop of Learning  
AZ Capitol Tour  
Representative Jamescita Peshlakai  
October 8, 2014

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

Legislative Staff Tour  
Virtual Incident Command Center  
October 9, 2014





Arizona State Senate  
Carolyn Sperioli - Director of Research  
David Fernandez - Assistant Research Analyst for Finance and Govt. & Environment  
Arizona House of Representatives  
Michael Huckins - Director of Research  
Courtney McKinstry - Research Analyst for Insurance & Retirement  
Ingrid Gorney - Research Analyst for Reform & Human Services  
Amanda Barnes - Asst. Research Analyst for Commerce  
Michael Madden - Asst. Research Analyst for Higher Education  
Rick Hazelton - Asst. Research Analyst for Judiciary  
Jennifer Harris - Democrat Policy Adviser for Government and Public Safety, Military & Regulatory Affairs  
C. Murphy Herberts - Democrat Communications Director

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS



Welcome Lunch for  
 Dr. Rita Cheng, NAU President  
 Rio Salado Community College  
 October 15, 2014

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS



East Valley Veterans Center  
 Veterans Healthcare, Benefits and  
 Resources Clinic  
 October 17, 2014

Rep. Kyrsten Sinema, Tempe Mayor Mark Mitchell, and  
 Tempe Councilmembers Robin Arredondo-Savage and Corey Woods.

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS

Arizona Get Into Energy Expo  
 Arizona Science Center  
 October 24, 2014



Pictured (left to right): Bob Bement, Sr. Vice President of Site Operations, APS Palo Verde Nuclear Generating Station, Rep. Jeff Dial, President Ernie Lara, Estrella Mountain College, Daniel Froetscher, Sr. Vice President of Transmission, Distribution & Customers at APS.

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**MARICOPA COMMUNITY COLLEGES** OFFICE OF GOVERNMENT RELATIONS



Mesa Community College  
 Performing Arts Center  
 Opening  
 October 24, 2014

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