



**Maricopa County Community College District
Governing Board Minutes
January 26, 2016**

An Executive Session and 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 ARS §38-431.07, notice having been duly given.

GOVERNING BOARD

Alfredo Gutierrez, President
Johanna Haver, Secretary
Doyle Burke, Member
Tracy Livingston, Member
John Heep, Member
Jane McGrath, Member
Dana Saar, Member

ADMINISTRATION

Rufus Glasper
Felicia Ganther for Maria Harper-Marinick
Debra Thompson
LaCoya Shelton-Johnson
Edward Kelty
Mary O'Connor (Interim)
Lee Combs
Bill Guerriero (Interim)
Ernie Lara
Steven Gonzales
Irene Kovala
Shouan Pan
Paul Dale
Chris Haines (Interim)
Chris Bustamante
Jan Gehler
Janet Ortega for Shari Olson
Gene Giovannini

**CALL TO ORDER OF
EXECUTIVE
SESSION**

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

ADJOURNMENT

The Executive Session was adjourned at 5:58 p.m.

**CALL TO ORDER OF
REGULAR BOARD
MEETING**

The Regular Board Meeting of January 26, 2016 was called to order at 6:30 p.m.

SUBSTITUTIONS

There were two substitutions for members of the CEC.

PLEDGE OF ALLEGIANCE

The assembly pledged allegiance to the United States of America led by Connor Leichtman, Vice President of the Associated Student Government at Chandler-Gilbert Community College.

CLASS

There were no classes present.

ACKNOWLEDGEMENTS**STUDENT LIFE REPORTS**

Mr. Mike Greene, Director of Student Life and Leadership at Chandler-Gilbert Community College (PVCC), provided part one of the student group report by describing the events of the Three Day Student Leadership Summit held September 18-20, 2015. The keynote speaker was Randy Moore, a motivational speaker who is also a Director of Higher Education Programs at Year Up Arizona. The theme for the retreat was *Inspire a Shared Vision* and was intended to help students succeed districtwide. In addition, students had the opportunity to listen to members of a Rotating Leadership Panel which included the following people:

Stephani Fuji Dean of Instruction, Scottsdale Community College

Joni Grover Vice President Student Affairs, Gateway Community College

Chris Haines Interim President, Phoenix College

Eric Leshinskie Dean of Instruction, Academic Planning & Projects

Adrianna Coronel Dental Hygiene Faculty, Department Chair, Glendale Community College

Pamela Hall Art History Faculty, Department Chair, Glendale Community College

Mona Scott Sociology/American Indian Studies Faculty, Mesa Community College

Herschel Jackson Director of Student Life & Leadership/Athletics, Estrella Mountain Community College

Alex Cannell Coordinator of Service Learning, Chandler-Gilbert Community College

Juan Mendez Former House of Representative, Arizona State Legislature

Julia R. Gusse Veteran and Former Councilwoman, Central Arizona College

Herschel Jackson, Director of Student Life and Leadership at Estrella Mountain Community College followed with a report on the learning outcomes of the retreat.

Connor Leichtman, Vice President of the Associated Student Association, provided comments regarding student activities sponsored since last semester. These included family movie nights, holiday season fund raisers to help adopt five families, hot chocolate during student appreciation week, as well school supplies and snacks for finals.

COLLEGE REPORTS

Beth Ells and Pat Severance from Scottsdale Community College, as well as their canine companions from the HOPE Service Dog Program, provided a presentation pertaining to the mission, history, participation and partnerships of this all volunteer non-profit 501©(3) organization. More information about HOPE can be obtained at 1-877-467-3597 (877 HOPE-K9s).

FACULTY EXECUTIVE COUNCIL (FEC) REPORT

Salina Bednarek, President of the Faculty Association, spoke about the past few weeks which had been busy ones for faculty due to the students coming back to campus. The beginning of each new semester is something faculty always looks forward to, however, with the impending departure of Dr. Glasper, this semester will be undeniably quite different. She expressed that Maricopa is an exceptional community college district and each faculty member shares a commitment to student learning and student success. The strength of the District and the benefits of higher education which have been brought about is not a lucky accident but the direct result of quality leadership and a solid understanding of academia, higher education, and the role of the faculty in shared governance. She stated

that in an effort to provide input on the essential qualifications for the next Chancellor, the Faculty Association surveyed all Resident Faculty. Nearly 500 faculty participated in the survey which was designed to ascertain the qualifications faculty believe to be most important for the next Maricopa Community Colleges Chancellor. The top four qualifications were:

1. Demonstrates knowledge of and a commitment to the role of faculty; values and is committed to supporting faculty as professionals who are essential to higher education;
2. Committed to transparency and fairness in all aspects of the system, including allocation of resources and treatment of students and employees;
3. Demonstrates knowledge of and a commitment to shared governance;
4. Exhibits strong communication, interpersonal, and relationship-building skills, especially among employees, students, trustees, legislators, public regulatory agencies, business leaders, public schools, and taxpayers.

These qualifications, when operationalized and practiced, directly impact students and demonstrate a commitment to student success. The faculty of Maricopa believe an individual with a strong academic background, a well-developed interpersonal communication style, and demonstrated experience in shared governance with all employees is what Maricopa needs to flourish. In order to ensure the stability of our District and a continuation of the greatness it has achieved in the past, the faculty advocate for the swift selection of a permanent Chancellor through a fair and open process. Ms. Bednarek urged Board Members to consider their role as trustees of this District – trustees not only of the fiduciary and administrative operations of the District, but of the District’s legacy as an exemplary community college system.

ADJUNCT FACULTY ASSOCIATION (AFA) REPORT

Mr. Leo Valverde, President of Adjunct Faculty Association, came forward to announce the election of a President Elect this semester. He urged the Board to consider having an adjunct faculty member on the Chancellor Search Committee since it is the largest employee group in the Maricopa organization.

EMERITUS, AWARDS, AND RECOGNITION

Four Emeritus Distinction Awards were presented. The following individuals came forward to introduce those being honored:

Daniel Corr, Vice President at Scottsdale Community College, introduced Dr. James Vicich, who was retiring after 21 years of teaching mathematics at SCC. He ended his comments by stating that Dr. Vicich had been a true mentor in every sense of the word. He served as a gentle guide on the side and provided others with opportunities that have greatly impacted them personally and professionally.

Dr. Bill Guerriero, Interim President of Chandler-Gilbert Community College, introduced Gordon Jesse who was retiring after 31 years of teaching performing arts at this college. His wife, Sally Jesse, was also retiring after 27 years. Dr. Guerriero highlighted work they performed individually and collectively to advance the performing arts at the Maricopa Community College District and Chandler-Gilbert Community College.

Dr. Shouan Pan, President of Mesa Community College, called forward Scott C. Russell to

receive his Emeritus Distinction Award for work done at Mesa Community College in assisting students as Chapter Advisor of Phi Theta Kappa, Honors Program Director, International Education Committee, and Programs in African American Indian and Chicano/Chicana Studies.

CITIZEN'S INTERIM

There were eight individuals who signed up to speak during Citizen's Interim. Five individuals spoke and the other three deferred their time to either Donna Winston or Jim Parks. Those requesting to speak were:

Judith Clark
Sally Hervey (deferred to Jim Parks)
Jim Parks
Donna Winston
Terry Ariance,
Elizabeth Buckton
Donna Owens (deferred to Donna Winston)
Chris Hunt (deferred to Donna Winston)

Judith Clark's remarks were as follows:

First, I'd like to comment on the proposed resolution to have conducted an investigation by an external law firm for a confidential report to be prepared related to the signing of a \$400,000 contract prior to receiving GB approval. While I'm glad an impartial review will take place, I'm curious why its results will be revealed in an executive session.

If, as President Gutierrez, indicated during a meeting earlier this month, the investigation is to dispel the perception of a misdeed occurring, why shroud the outcome in secrecy?

We know the action item hasn't been brought before the Governing Board until now. Let us in on why the firm's rep began work – in January 2015 - fully five months before a requisition or purchase order was approved.

As we know, an audit, which generally is the tool used to look into money issues, can be shared publicly. We saw this most recently with the audit conducted on accounts for professional staff. That audit was sent to a wide audience within the district.

Also, while you seek clarification for how a \$400,000 contract came to be approved by district administration prior to GB approval, you may also want to question whether other accounting irregularities exist. Perhaps blanket purchase orders for \$100's of thousands of dollars of professional services which never are presented to the GB for information or approval?

Second, thank you for the opportunity to speak regarding demonstrated employee appreciation.

The Maricopa County Community College District governing board has sent a message loud and clear to its community, to its constituents, and to its employees.

It's a resounding, definite message. It's a message which serves to emphatically remind

employees, daily, that their contributions to student success are of no value as perceived by the governing board and district administration.

This message was delivered at the December 9, 2014 governing board meeting where a motion was passed 4 to 1 to delegate the governing board's statutory powers and duties to a non-elected entity.

This action has been indicated by the Arizona Attorney General's office to be a violation of state law.

This message has been delivered repeatedly by district administration, specifically human resources and the chancellor, from October 2014 when a pattern of interfering in and dominating employee representation began with the assertion that professional staff association members no longer held the voting power to request resignation of its leadership.

This message was delivered, again, in November 2014 when the lines of communication among professional staff were diminished through a district email.

And, again in May 2015, this message was delivered when governing board approved policy was ignored and a declaration was sent advising that professional staff no longer could use district resources to communicate, to meet, or to conduct its business.

This message was delivered July 2015 during a recorded presentation at Phoenix College when a conspiracy was revealed where district administration requested elected and appointed employee group leaders to betray their responsibilities and to turn their backs on their constituents and withhold from their constituents – the employees of this district – the intent to consolidate employee groups by ignoring current Maricopa policy and the framework provided by the constitutions and bylaws of the employee groups.

I implore each of you to demonstrate appreciation for your district employees through your actions and votes..

Thank you for your time.

Jim Park's Remarks were as follows:

Good Evening President Gutierrez, members of the Board, Dr Glasper, members of CEC.

My name is Jim Parks, Executive Director of AZCOPS – AZ Conference of Police & Sheriff's. We represent over 2000 public safety employees and public employees.

We are the lobbyist and legal plan for over 100 local affiliates across the state. We are here tonight to address misinformation that has been disseminated by your administration via an audit that was sent to College Presidents and HR Departments as it relates to Unions, AZCOPS and the Maricopa Employees group.

Your administrators have been nothing but disingenuous when addressing the legalities of unions in the state of Arizona, the status of AZCOPS and its relationship with the Maricopa Employees Association and Donna Winston.

The first thing that I would like to do is educate everyone on the notion that Unions are illegal in AZ. Not only are unions legal in Arizona, they are in fact, recognized. As an example, Public Employees are protected under Arizona Revised Statute 23- 1342

A person who coerces or compels any person to enter into an agreement, either written or oral, NOT to join or become a member of a labor organization, as a condition of the other person obtaining employment OR continuing in the employment of such person, is guilty of a class 2 misdemeanor.

Not only are Maricopa employees covered under this state statute, they are also covered under their 1st amendment rights - Freedom of Association. (That just about covers the union issue)

It has also been brought to our attention that employees are being advised that AZCOPS is for profit and that Donna Winston and The Maricopa Employees group gain financially as a result of their relationship to and with AZCOPS. The individual putting out this information is factually incorrect.

1 - AZCOPS is a not for profit 501 (C) organization.

2 – Neither Donna Winston, Maricopa Employees or for that matter, any AZCOPS affiliate, are financially compensated for their participation/partnership with AZCOPS. 3 – AZCOPS is not a vendor in the Maricopa College system nor were we a vendor at the 2014 PSA Summer Conference as it has been portrayed. AZCOPS was invited to address PSA members and the past PSA Executive Board with a legal plan option/replacement for the AZ Coalition, a service that is desperately needed.

I want to thank PSA for allowing us to present them with this very valuable information. AZCOPS is not here to be adversarial or create issues. In fact, over the last 19 years, we have worked with many employers to help build relationships between employees and administration. All we ask is that our members be treated fairly and with respect.

I would like to quote Chancellor Glasper. On September 10th, 2014, at the Big All MAT Meeting (BAMM), he stated, "...so much of this conversation in the last year has been about the ability to reach people in our organization, to say that there were problems. And I empower every one of you and everyone in our district, that if there is a problem and you find a wall, you figure out a way to go around it. Go under it, go over it or something, but get to someone."

However, when employees do just as you suggest, they are ignored, labeled malcontents, met with retaliation and shunned. If we are not willing to stand behind our principles, employees will shut down and then will seek legal recourse which in the long term creates further divide.

As an example, I have been informed that the Due Process Rights for employees have been significantly altered where the final determiner for all appeals for grievances and employee terminations rests with the Vice Chancellor of HR. That in and of itself creates distrust and a

perception that, employees will no longer be treated fairly when it comes to discipline.

Federal, State, Counties, Cities and Municipalities, utilize Merit Boards or a third party arbiter. Why? B/C they recognize that these kinds of systems are engines of stability where employees feel that they will indeed be treated fairly. We ask that you reevaluate your current position on employee Due Process.

The reason Unions exist is because Organizations, Companies, Administrators and so called leaders, lack integrity, character, a sense of fairness and a moral compass. Only when these individuals are forced to be held to the same standard they hold their employees, will employees become more trusting, cooperative, productive, happier and caring.

Donna Winston's remarks were as follows:

Good Evening President Gutierrez, Members of the Board – CEC – Dr. Glasper As most of you may know - my name is Donna Winston – I started off as a MCCC student who was raising 3 children on my own for many years. During this time I worked two jobs, was taking anywhere from 15 to 21 credit hours a semester and still had to find time to do my homework & take care of my children as well.

My first introduction to MCCC was as an adult reentry student. Through my hard work & good grades I joined Phi Theta Kappa @ EMCC. I overcame my fear but I did it with a support system that was phenomenal. Through tenacity and determination I was able to continue on my journey. My support system included my mom and my children, close friends like Lynn and Marsha, and a higher education system that encouraged my success as a student, again MCCC. Gail Snyder, my psychology instructor and Dr. Anna Solley found solutions where at one time I only saw roadblocks. I was encouraged to submit an essay to USA Today, All Academic Scholarship. I was awarded the scholarship which enabled me to transfer to ASU where I earned my baccalaureate.

The reason I share this with you is to tell you how much I love this organization and what it has done for me. It gave me the strength to move forward in my life when my fears could have silenced me. I was able to teach my children through hard work and perseverance you can and will accomplish goals in your life. Today, I stand before you concerned about the health and vitality of my Maricopa family.

I have been a Maricopa employee for about 20 years and 15 of those years have been housed here at District Office in the same division. I started becoming more and more involved with the employees and got involved with PSA. I went from a member - to District office PSA President for many years – then was fortunate enough to become part of PSA / CPD. I learned so much from Anita Dusek & from that experience I was nominated and was elected as PSA Policy Chair. I found my niche, becoming an employee advocate and learning about policies & law - and I haven't stopped and no matter how much this administration throws at me – I WILL NEVER STOP being an employee advocate. I was placed in a position where false allegations were lodged against me by the then President of PSA, the very

organization that strengthened my advocacy and gave it a voice. She made these allegations early in her administration at a time when I was actively attempting to aid her in her new position. She eventually published her abdication of the Presidency but her allegations had been made and Administration continued to support them. I had to become my own advocate. I had been convicted and forced to prove my innocence & VC HR along with Eddie Genna - violated my due process. I did research, I located missing documents that should have remained as part of PSA's archive, I provided evidence, facts -- not suppositions, not hearsay, not opinion, FACTS that proved my innocence from an event from 1 ½ years ago

I faced many obstacles, cried many nights and days too. I continue to walk with, console, support and advocate for employees that feel threatened or silenced. Employees who were / and are afraid to voice their concerns. Afraid of retaliation by an Administration that shows signs of dictatorial tendencies rather than democratic values. An Administration that prohibits the freedom of association, an Administration that continues to attempt to dissolve or collapse an association that has a long and storied reputation for collaborating and cooperating with both Administration and the Governing Board. I am speaking of the employee groups, especially PSA.

Chancellor Glasper spoke at Scottsdale Community College, during the Big All MAT Meeting (BAMM) on September 10th, 2014, and in this meeting he said, "...so much of this conversation in the last year has been about the ability to reach people in our organization, to say that there were problems. and I empower every one of you and everyone in our district, that if there is a problem, and you find a wall, you figure out a way to go around it. Go under it, go over it or something, but get to someone."

We have more than just hit a wall – This is US getting to someone – to OUR Governing Board members

Administration has announced its intent to dissolve or collapse five employee groups that historically have been very effective as well as cost efficient. Employee groups that have always shared and continue to share commonalities as well as a common interest for each employee group's success. Employee groups that advocate for their employees, employee groups that encourage equity and parity, employee groups that always recognized happy, healthy, productive, successful employees will also make the organization that employs them happy, healthy productive, and successful. And yet Administration wants to dissolve them and create One Maricopa Workforce. One Maricopa Workforce goes hand in hand with the Compensation and Classification study currently on the Governing Board's agenda, Items 17A and 17B. If examined closely you will realize one cannot exist without the other. Administration is attempting to create an administrative -driven employee group. WE ARE PLEADING WITH YOU - PLEASE STOP THIS I have been given permission by many coworkers and colleagues to say the following:

Employees are being faced with conviction without evidence, such as myself; bad managers not held in check by employee groups that advocated for employees and held management accountable for their actions and for adherence to policy; employees stressed to the point of seeking medical attention to cope (creating an additional expense to the

District through the use of prescription anti-depressants or FMLA); reliable, trained employees being forced to resign rather than come in and face another day in a hostile work environment. Scare tactics and bullying are becoming a hushed but common practice & the topic of discussion among employees.

Administration is encouraging the practice of interpreting policy to fit their needs, all too often and especially since the Governing Board voted to support transferring its power of the employees to the Chancellor & ultimately CEC – VC Shelton-Johnson is part of the beginning, middle and end of disciplinary actions & are now often based on personalities instead of fact. This type of unacceptable behavior has started from the top has and cascaded down. If you're liked by this group you may get a raise, you may be awarded a position without having to go through a competitive process or you may get to keep your job for a little while longer. If you are not, your actions will lead to an immediate Corrective Action, violating due process, and potentially culminating in the loss of your job.

Yes I am angry – not because of false allegations but because of the actual dollar value of wasted resources. The PSA audit, published to all PSA, All colleges HR departments and the CEC, addressed to “Former Professional Staff Executive Council Members”, alone cost the District tens of thousands of dollars in labor alone. The allegations caused strife and chaos which in hindsight could be interpreted as an intentional tactic by VC HR & Administration. One Maricopa Workforce has spent hundreds of thousands of dollars in time spent to attend meetings which does not include the cost for transportation or the resources used to conduct all of the meetings attended.

The escalating costs of One Maricopa Workforce and the cost of the Compensation and Classification study currently being discussed, the District has spent well over \$500,000, in an unrestrained and unrestricted manner.

The contract regarding Gallagher Benefits “...\$400,000 appears to have been due to a misunderstanding on the part of MCCC staff,...” really is concerning as employees. In our financial management system – FMS – one has to physically get onto the computer – type in your MEID # along with your password AND APPROVE IT – so to say this is a “misunderstanding” or chalk it off to a “simple mistake” is disingenuous. VC HR knew she had responsibilities that extended past her approving this contract – like writing up an “action item” for this Governing Board to consider PRIOR TO “NOTIFICATION OF AWARD” to the company, She has attended numerous Governing Board Meetings this last year – we are convinced she “knowingly – willingly - intentionally” kept this contract from you for review.

Our questions for you to consider before voting are:

- Isn't a year long enough to get an action item to you?
- Aren't the payments to Gallagher Benefits this last year considered “gifting”?
- Is the process in which this PO is being issued considered “fragmenting”
- Why is the “legal investigation” happening after the ratification?
- Why is this being blamed on a MCCC staff??

In the video – Mr. Lawson stated he worked with her when she worked for the State of AZ – this causes great concern.

I assure you, I am not here in front of you as a disgruntled employee – I am here in front of you as a tax payer & a mother. As a taxpayer, Administration has wasted thousands of dollars looking into false allegations that could have been explained in matter of minutes. As a mother, because they named my children and grandchildren in their attack, which is shocking in and of itself. I allowed you to silence me and to take my power away – but today, I am taking it back, I have once again found my voice. My voice as an employee advocate. I learned a valuable lesson and I won't let anyone treat me the way you have treated me. Most of all, nobody messes with my family and that includes my Maricopa family.

Remember those days Rufus – when we referred to each other as our “Maricopa family? When did you lose sight of us? When did you stop walking the halls to see if we were ok? Most important - When did you stop caring about us?

Facing my fears is no stranger to me with this organization – and I am coming before you with incredible fear – fear of retaliation, fear of abuse from management / administration, fear of being fired for voicing OUR concerns with you – My support system is fully intact, I have an AMAZING husband, an equally amazing boss Alberto Olivas who DID NOT agree with this attack on me from the beginning & put it in writing three separate times (whom the District has lost to ASU and he is indeed a loss), a strong and enduring family as well as great friends and coworkers who continue to stand side by side with me. These people have remained by my side throughout this whole ordeal.

Comments Finished by Terry Ariance:

It is unprofessional to conduct business at MCCCCD without transparency, to work in the dark and to keep things very secretive. It goes against the very core of our Mission, Vision and Values One Maricopa Workforce Committee members have shared they were instructed by the VC Shelton-Johnson & Eddie Genna to keep any discussions private and confidential. Why? We did not give up our rights to you, we did not to turn over our power & our voice to you – and for you employee group leaders who have aligned yourselves with this type of behavior – shame on you – shame on you for not reporting out to the employee groups you have been elected to represent - shame on you for not allowing us to ratify changes made to OUR employee policy manual. It is an interesting phenomenon that VCHR has published the following statement, “Representation requires a certain skill set.” I am not sure secrecy should be included in that skill set. And then we have the latest question of the day – “As an employee, what is your greatest interest in the consolidation of five employee group appendices as it related to the abandonment policy category topics? “Abandonment Policy Category” What is this in reference to and why have you not provided a better analysis along with specific detail. Please publish the results of this survey in its ENTIRETY with all responses so everyone in the District can review. As employee groups we overcame a lot but the one thing we were most proud of was our policy manuals. When I became ALL CPD policy chair – we were given the task to create a “staff common policy” I would like to mention that when I was All CPD policy chair we

accomplished moving common policies over together as a group of employees - overcoming our differences of opinions, we made things happen, we had control of our employee policies, we were transparent, we reported out to our constituents, we ratified new and amended policies together as employees, oh and by the way it was also the last time we received raises. I – WE are begging you to follow the law and take your power back as MCCCCD's Governing Board, as the overseers of YOUR employees and to honor the contract that your predecessors honored us with by endorsing the formation of our employee groups. Our employee groups were identified & became official by the Governing Board in May 1990, sanctioned by your predecessors who approved the employee group associations— a legal – binding contract, by the past board who recognized the need for these groups. We are asking you take your power back and allow YOUR employees to have a fair due process at every level of employment. SUPPORTING DOCUMENTATION OF MAY, 1990 I know I have helped many employees over the years, employees I am happy to now call my friends. I am asking them to stand together – beside ME – We have been instructed to not converse with our Governing Board – we are asking for MCCCCD employees to start sharing their stories and concerns with this Governing Board that WE have elected. Dr Glasper is starting a new job at LEAGUE FOR INNOVATION and we truly wish him well – he has sat on many boards. As a board member of any organization – nonprofit or not– it is the board's responsibility to build membership – create a revenue source for these organizations to continue its mission, vision etc... please don't get me wrong Dr. Glasper, I feel these boards you sit on are a very important part of your mission & vision with MCCCCD and our community, What I am confused about is, why is VC Shelton-Johnson & Eddie Genna can be upset with other MCCCCD employees who sit on boards - Again, the employees don't begrudge this – we just think it's a little UNFAIR / BIASED on why would anyone feel the need to attack me because I sit on the ME / AZCOPS – board, ON MY OWN TIME & the membership fee is our own personal money, not Maricopa's. This is a prime example of bullying and unfair treatment because of personalities, not fact. In conclusion – like Jim said IF JIM GOES FIRST We encourage ALL MCCCCD employees to join ME / AZCOPS – visit us @ www.2014JoinME.org and request your membership packet now – before our administration starts attacking you based on personality – NOT FACT

Elizabeth Buckton: Came forward as a concerned citizen and stated she was angry with this Board over the relinquishing of rights for PSA. Stated that at the State of Arizona, the Vice Chancellor for HR made a mess and called the Vice Chancellor a bully. President Gutierrez demanded she cease the behavior and proceed in a civil fashion. Ms. Buckton indicated too many closed door discussions on this investigation. As a former employee, she was proud to have worked here during those years.

Chancellor Report

Chancellor Glasper requested that Ryan DeMenna with DeMenna & Associates come forward to provide a Legislative Update. Mr. DeMenna reported that January 26 had marked the 16th day of the 52nd Legislature, 2nd Regular Session. The deadline for Senate bills to be introduced would be Monday, February 1, while the deadline for House bills to be introduced would be Monday, February 8. To date, Arizona lawmakers had introduced 860 bills and there are presently 1,702 bill folders open at Legislative Council. Historically there have been roughly 1,200 to 1,400 bills introduced every legislative session. Of those introduced, around 300 are eventually signed into law. The District's 2016 Legislative Agenda consists of five Primary components: State Aid, Enterprise Model, Expenditure

Limitation Relief, Red Tape Reduction, and Defense (bills that would harm the District). The Chairwoman of the Senate Sylvia Allen, will be sponsoring the expenditure limitation legislation, while the Chairman of the House Government and Higher Education Committee, Bob Torpe, will be sponsoring the Red Tape Reduction Measure. Their firm is tracking approximately 50 bills and researching their potential impact on the District. They are also working closely with the other districts to coordinate lobbying efforts.

EMPLOYEE GROUP REPORTS

There were no reports.

APPROVAL OF THE ORDER OF THE AGENDA MOTION

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

Motion 10371

Board Member Burke made a motion to approve the Order of the Agenda. Board Member Saar seconded. Motion passed 7-0.

APPROVAL OF CONSENT AGENDA

President Gutierrez 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:

11.1 APPROVE the minutes of the December 8, 2015 Regular Board Meeting, December 11, 2015 Special Session, and the January 12, 2016 Election of Officers, Special session, agenda review, and retreat

12.1 APPROVE FACULTY EMERITUS DISTINCTION GLENDALE COMMUNITY COLLEGE (GCC)—recommend that the Governing Board award Faculty Emeritus Distinction to Gay Garesche, Faculty, Economics

12.2 APPROVE FACULTY EMERITUS DISTINCTION GLENDALE COMMUNITY COLLEGE (GCC)—recommend that the Governing Board award Faculty Emeritus Distinction to Eileen Johnston, Faculty, Sociology

12.3 APPROVE FACULTY EMERITUS DISTINCTION SCOTTSDALE COMMUNITY COLLEGE (SCC)—recommend that the Governing Board award Faculty Emeritus Distinction to Dr. James Vicich, Faculty, Mathematics

12.4 APPROVE FACULTY EMERITUS DISTINCTION CHANDLER-GILBERT COMMUNITY COLLEGE (CGCC)—recommend that the Governing Board award Faculty Emeritus Distinction to Gordon Jesse, Faculty, Theater

12.5 APPROVE FACULTY EMERITUS DISTINCTION CHANDLER-GILBERT COMMUNITY COLLEGE (CGCC)—recommend that the Governing Board award Faculty Emeritus Distinction to Sally Jesse, Faculty, Dance

12.6 APPROVE EMERITUS DISTINCTION MESA COMMUNITY COLLEGE (MCC)—recommend

that the Governing Board award Emeritus Distinction to Scott C. Russell for his meritorious contributions to the students of the Maricopa County Community College District

13.1 APPROVE CORPORATION FOR PUBLIC BROADCASTING COMMUNITY SERVICE GRANT (KJZZ) — accept a grant from the Corporation for Public Broadcasting totaling \$599,981. Approval of the two-year allowable expenditure period is requested for October 1, 2015 through September 30, 2017.

13.2 APPROVE CORPORATION FOR PUBLIC BROADCASTING COMMUNITY SERVICE GRANT (KBAQ) - accept a grant from the Corporation for Public Broadcasting totaling \$599,981. Approval of the two-year allowable expenditure period is requested for October 1, 2015 through September 30, 2017.

13.3 APPROVE INTERGOVERNMENTAL AGREEMENT BETWEEN MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT ON BEHALF OF MARICOPA CORPORATE COLLEGE AND MARICOPA COUNTY ADMINISTERED BY ITS HUMAN SERVICES DEPARTMENT — approve an Intergovernmental Agreement in the amount of \$102,630.00 to provide and perform Custom Work Solutions training to Maricopa County Department and Program staff which includes workshops and training events that supports the Departments Mission, Vision and Values. This intergovernmental agreement is between Maricopa Corporate College, and Maricopa County The agreement period is from February 1, 2016 through September 30, 2017.

13.4 APPROVE MARLEY FOUNDATION GRANT — accept the grant of \$1,000,000.00 (one million) from the Maricopa Community Colleges Foundation. This grant was made to the Maricopa Community Colleges Foundation by The Kemper and Ethel Marley Foundation. \$700,000 is for expansion of the networking lab at Scottsdale Community College and \$300,000 is for STEM training in rural Arizona in partnership with Yavapai Community College.

13.5 APPROVE INTERGOVERNMENTAL AGREEMENT MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT/ESTRELLA MOUNTAIN COMMUNITY COLLEGE AND CITY OF AVONDALE — approve the Intergovernmental Agreement Between Maricopa County Community College District/Estrella Mountain Community College and City of Avondale to create and facilitate an educational playgroup for their CareFirst facility. City of Avondale will pay Estrella Mountain Community College \$6,000 for these services between February 1 - June 30, 2016.

14.1 APPROVE NAMING RIGHTS AGREEMENT FOR THE COURTYARD WITHIN THE PERFORMING ARTS CENTER AT MESA COMMUNITY COLLEGE – approve a Naming Rights Agreement between Thomas F. Gardner, donor, the Maricopa County Community College District, a political subdivision of the State of Arizona, and the Maricopa Community Colleges Foundation, an Arizona non-profit corporation for the courtyard within the Performing Arts Center at Mesa Community College in honor of the Thomas F. Gardner Family.

14.2 APPROVE UTILITY EASEMENT FOR ELECTRICAL SERVICE TO THE SALT RIVER PROJECT

FOR A NEW VERIZON CELL PHONE TOWER SITE SOUTHERN AVENUE AND PRICE ROAD – RIO SALADO COLLEGE - grant an easement to Salt River Project to provide and maintain new electrical service and related facilities at the Southern Avenue and Price Road site for Rio Salado College.

MOTION**Motion 10372**

Board Member Burke moved for approval of the Consent Agenda. Board Member Haver seconded. Motion passed 6-0.

15.1 APPROVE DESIGNATION OF INTERIM CHANCELLOR — authorize the appointment of Dr. Maria Harper-Marinick as Interim Chancellor of the Maricopa County Community College District effective March 1, 2016 through June 30, 2016 or until a permanent candidate is named to the position.

MOTION**Motion 10373**

Board Secretary Haver motioned for approval of Dr. Maria Harper-Marinick as Interim Chancellor beginning March 1, 2016. Board Member Burke moved for approval of Item 15.1. Board Secretary Haver seconded. Motion passed 5-2 (McGrath & Heep – No)

16.1 APPROVE RESOLUTION OF TAYLOR V. MCCCCD — authorize the Chancellor or his designee to prepare and execute documents necessary to resolve Taylor v. MCCCCD in accordance with the terms provided to the Governing Board and to make the disbursements required by the terms of the agreement.

MOTION**Motion 10374**

Board Member Burke moved for approval of Item 16.1. Board Member Haver seconded. Motion passed 6-1 (McGrath – no)

16.2 APPROVE RESOLUTION OF AL-ALAWI DISPUTE - authorize the Chancellor or his designee to prepare and execute documents necessary to resolve the Al-Alawi dispute in accordance with the terms provided to the Governing Board and to make the disbursements required by the terms of the agreement.

MOTION**Motion 10375**

Board Member Burke moved for approval of Item 16.2. Board Member Livingston seconded. Motion passed 7-0. Legal Counsel Lee Combs commented that similar to Item 16.1, details were provided to Board Members and no executive session was requested. Once agreement is signed, it will be a public document.

16.3 APPROVE CHANCELLOR'S EXECUTIVE COUNCIL (CEC) LEADERSHIP STATEMENT – recommend the Governing Board entertain and endorse the signed CEC Leadership Statement, which will be ready by President Ernie Lara. This statement affirms CEC's commitment to business continuity, sustaining ONE Maricopa activities, and maintaining our focus on student success.

MOTION**Motion 10376**

Board Member Saar moved for approval of Item 16.3. Board Member Burke seconded.

Motion passed 7-0.

17.1 APPROVE RATIFICATION OF GALLAGHER BENEFIT SERVICES CONTRACT - ratify a contract with Gallagher Benefit Services, Inc. in the amount of \$400,000 for the purpose of completing a comprehensive district-wide classification and compensation study; this includes ratification of incurred paid and as yet unpaid expenses as well as future invoiced amounts within the contract terms and total.

MOTION

Motion 10377

Board Member Burke moved for approval of Item 17.1. Board Member Haver seconded. Motion passed 4-1-2 (Mrs. Livingston abstained and Mr. Heep and Mrs. McGrath voted no).

17.1A APPROVE RESOLUTION DIRECTING INVESTIGATION BY EXTERNAL LAW FIRM - adopt the attached resolution directing the hiring of an external law firm to investigate the circumstances surrounding the award of a contract to Gallagher Benefit Services without prior approval of the Governing Board as required by Governing Board Policy 4.1.14-G-iii.

MOTION

Motion 10378

Board Member Burke moved for approval of Item 17.1A. Board Member Saar seconded. Motion passed 7-0. It was explained that an expert in this area would be hired and the firm would thoroughly investigate this incident. The selection would be made and a full investigation would take place. If there is reason to believe that inappropriate actions were taken by staff, it will be turned over to the Attorney General and be made public. If no reason that a violation of law has taken place, no action will be taken.

17.2 APPROVE CONCEPTUAL APPROVAL FOR REMODEL OF SHOP/WAREHOUSE SPACE IN BUILDING A AT THE MARICOPA SKILL CENTER (MSC) - provide Conceptual Approval to remodel existing Shop/Warehouse space in Building A of Gateway Community College's Maricopa Skill Center.

MOTION

Motion 10379

Board Member Burke moved for approval of Item 17.2. Board Member Haver seconded. Motion passed 7-0.

17.3 APPROVE CONSTRUCTION MANAGER AT RISK SELECTION FOR THE NEW COULD SONG CENTER AT SCOTTSDALE COMMUNITY COLLEGE – provide Construction Manager at Risk (CMAR) construction services for the Cloud Song Center Project at the Scottsdale Community College campus. The pre-construction phase services fee is \$87,820 including reimbursable expenses.

MOTION

Motion 10380

Board Member Saar moved for approval of Item 17.3. Board Member Livingston seconded. Motion passed 7-0.

17.4 APPROVAL PARTIAL GMB CONTRACT AWARD FOR REMODELING AND EXPANSION OF

THE SOCIAL BEHAVIORAL & NURSING BUILDINGS AT SCOTTSDALE COMMUNITY COLLEGE - approve a partial construction contract award for a Guaranteed Maximum Price (GMP) in the amount of Three Hundred Twenty-Eight Thousand Four Hundred Forty-Eight and 62/100ths Dollars (\$328,448.62) to Caliente Construction, Inc. to remodel and renovate the Social Behavioral-Nursing (SB-NU) Project at Scottsdale Community College. This is the first of two anticipated GMP awards to Caliente Construction for this project.

MOTION**Motion 10381**

Board Member Saar moved for approval of Item 17.4. Board Member Livingston seconded. Motion passed 7-0.

17.5 APPROVE SALE OF PROPERTY AT NORTHEAST CORNER OF 40TH STREET AND COTTONWOOD LANE, PHOENIX SOUTH MOUNTAIN COMMUNITY COLLEGE - approve the sale of the District undeveloped land located in Ahwatukee, at the northeast corner of 40th Street and Cottonwood Lane, Phoenix AZ, to Wentworth Storage LLC, for the sum of \$3,500,000.-

MOTION**Motion 10382**

Board Member Burke moved for approval of Item 17.5. Board Member Livingston seconded. Motion passed 7-0.

18. APPROVE FY-17 HEALTHCARE Funding - approve EBAC's recommendation for the implementation of the Flex Credit Benefit Proposal to be effective July 1, 2016.

MOTION**Motion 10383**

Board Member Saar moved for approval of Item 18.0. Board Member Burke seconded. Motion passed 7-0.

INFORMATION ITEMS

19.1 REVIEW OF EMPLOYMENTS (NEW HIRES, SPECIALLY FUNDED, AND SHORT-TERM)—in accordance with employee group policies, the listed personnel actions were approved December 1-31, 2015. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

19.2 REVIEW OF SEPARATIONS—in accordance with employee group policies, the listed personnel actions were approved December 1-31, 2015. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

20.1 REVIEW PROPOSED FEE CHANGES FISCAL YEAR 2016-17 BUDGET - review the varied fee changes detailed on the attached submitted as an information item. Course Fee changes will be submitted for final approval at the February 23 Governing Board meeting. These changes relate to course fees at several colleges across the district, detailed by college. -

20.2 REVIEW PROPOSED TUITION & FEES FISCAL YEAR 2016-17 – After several months of reviewing potential resources and budget needs, recommendations were made to the Chancellor through the District's budget development process. The Chancellor has considered the potential impact on Maricopa Community College and therefore recommends \$2.00 increase in the current

county resident tuition rate from \$84.00 to \$86.00 per credit hour. Student taking 30 credit hours will pay \$2,580 annually, for total increase of \$60 for full time student. Also, although not part of the requested action in February, a recommendation on the 2% tax levy increase permitted by the Constitution will be part of the budget proposed by the Chancellor.

Attached is the Proposed FY 2016-17 Tuition and Fee schedule, submitted as information to the Governing Board. Action on the proposal is requested at the February Governing Board meeting in order to ensure that any approved changes are implemented in the Student Information System prior to the start of registration for the Fall 2016 semester.

Graphs 2 and 3 show Maricopa scholarship and Federal financial aid funding. These funds assist students with paying for their education. Institutional Scholarships totaling about \$16 million are made available annually for eligible students; this includes both need-based and merit-based scholarships.

MONITORING REPORTS

21. BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE FOUR MONTHS ENDING DECEMBER 31, 2015—Expenditure analysis indicates 41.6% of the budget has been expended this year as compared to 38.9% expended at this same point last year. 25.3% of the budget remained unexpended or unencumbered compared to 33.1% in the prior year. Revenue analysis indicated that 60.5% of the budget has been recognized as compared to 61.2% in the prior year. The projected fund balance will increase by ~\$4.4M this fiscal year and the projected ending fund balance for June 2016 is \$173.3M. The District should meet its financial stability requirements.

COMMUNITY LINKAGE

BOARD MEMBERS

22. Governing Board Reports:

Mr. Burke reported he and Board Member Saar attended an event at the Chandler Chamber which provided information about the upcoming year.

Mrs. Haver reported attending the Phil Randolph Automotive Event and also visited the temporary Veterans Center that was approved two month ago. She also spent time with the Hope College Readiness Academy that will be built at SMC. She reported that there were many excellent applicants for this academy.

Mr. Heep also attended the Randolph Automotive Event and it was particularly meaningful as he used to be a supplier to Ford Motor Company at this location.

Mr. Saar reported he has been able to visit many of the campuses and spend time with staff and students which is always an enjoyable experience.

VICE CHANCELLORS

23. Vice Chancellor Reports – There were no reports

**EXTERNAL COMMUNITY
AADGB**

24. External Community Reports

Mr. Burke reported he had no report for AADGB.

ASBA

Mr. Saar reported he had no report for ASBA.

ACCT

Mr. Saar reported reported several board members would be attending the upcoming ACCT

National Legislative Summit which would provide an opportunity to meet with legislators in Washington D.C.

NEXT BOARD MEETINGS

President Gutierrez then announced the following future meetings.

February 2, 2016, 6:00 p.m., Work Session, Rio Conference Center

February 2, 2016, 7:00 p.m., Agenda Review, Rio Conference Center

February 23, 2016, 5:00 p.m., Budget and Finance Committee Mtg, Governing Board Room

February 23, 2016, 6:30 p.m., Regular Board Meeting, Governing Board Room

ADJOURNMENT

President Gutierrez adjourned the regular board meeting at 9:00 p.m.

Johanna Haver,
Governing Board
Secretary