



Maricopa County Community College District Governing Board Minutes November 26, 2013

Agenda Review, an executive session, and a regular meeting of the Maricopa County Community College District Governing Board were scheduled to be held beginning at 3:00 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

- Doyle Burke, President
- Dana Saar, Secretary
- Randolph Lumm, Member
- Ben Miranda, Member (1949-2013)
- Debra Pearson, Member (Absent)

ADMINISTRATION

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

AGENDA REVIEW

A quorum was not reached so President Doyle Burke just began the meeting at 3:03 p.m. He then took the assembly through the proposed agenda for the December 10, 2013 Regular Board Meeting. Shortly after the review began, a third Board member joined the meeting and President Burke called the meeting to Order at 3:07 p.m. No questions came up during Agenda Review that required additional input.

ADJOURNMENT

Agenda Review adjourned at 3:08 p.m.

OPENING AND EXECUTIVE SESSION

The regular board meeting was called to order at 5:30 p.m. and President Burke welcomed everyone to the meeting.

MOTION

Motion 10120

Board Member Burke made a motion to go into Executive Session. Board Member Saar seconded. Motion approved 3-0. President Burke reported the general session would reconvene in the Governing Board Room after Executive Session at approximately 6:30 p.m.

CALL TO ORDER

The regular board meeting was re-called to order at 6:30 p.m.

IN MEMORY OF MR. BEN R. MIRANDA

Chancellor Rufus Glasper announced the passing of Mr. Ben R. Miranda and asked for a moment of silence in his honor. A video memorial was shared (<http://www.youtube.com/watch?v=Kld52TNSnCs>).

NOTICE OF BOARD VACANCY

Dr. Glasper then announced the vacancy of the District 5 seat on the Board and let the Board President know that arrangements will be made to work with Dr. Don Covey, Maricopa County Superintendent of Schools, to begin the process of selecting a replacement.

PLEDGE OF ALLEGIANCE

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

CLASS ACKNOWLEDGEMENTS SUBSTITUTIONS

There were no classes present.

There were three substitutions for members of the CEC.

STUDENT LIFE REPORTS

Mr. Mike Ho, Director of Student Life and Leadership at Paradise Valley Community College (PVCC), welcomed and introduced the 2013-14 Student Leadership Council to speak.

- Geneva Patterson, SLC Chairperson
- Leah Goldberg
- Claire Goldberg
- Patrick Orion
- Megan Oleno
- Dan Rivera
- Robyn Park
- Ryan Dominick

Ms. Patterson offered sincere condolences to the family and friends of Mr. Ben Miranda on his passing before beginning her portion of the presentation. She then mentioned that the Kranitz Student Center had recently been remodeled and their new Welcome Center was now open. She thanked the Board for their dedication to the initiative. After that, the rest of the SLC speakers spoke on upcoming events and initiatives at the College. It was reported that November 14, 2013 PVCC celebrated Native American History Month with a celebration on campus arranged by PVCC's Native Puma's Club. PVCC is currently working with their Annual Adopt-a-Family Project actively seeking donations and broadcasting efforts college-wide. They had a Run Dead 5K benefit run in October to benefit the Phoenix Children's Hospital, over 80 students used it as a service learning opportunity and they were able to raise over \$1,000 in donations. They sponsored a Civic Engagement presentation "Who is Bayard Rustin" and introduced people to his groundbreaking work. Bayard Rustin was an American leader in social movements for civil rights, socialism, pacifism and non-violence, and gay rights (Wikipedia). They have also had other presentations on civic engagement topics such as the Voting Rights Act. In November, PVCC's student leaders met with the IMRO2 Team to speak about the Student Success Initiative, the Seamless Student Experience, college mascots, and other student success topics to share their ideas with the IMOR2 Team's Connect to College campaign. Finally, the students of PVCC have expressed an interest in a week long fall break to mirror the spring semester. They are researching the pros and cons of the initiative to prepare their argument for consideration. They are currently polling faculty, staff, and students for their opinion. The students thanked the Board for its time.

President Burke thanked the students and responded the Board is hearing from students about all the service they are providing to their communities and he wanted them to know the Board appreciates it very much. Board Member Lumm commended the students on their outstanding work.

EMERITUS, AWARDS, AND RECOGNITION

Dr. Irene Kovala, President of Glendale Community College, recognized the Glendale Community College Forensics Team, a national and international elite level speech and debate squad that competes in over 10 tournaments each academic year. "For the past three years on the national level, the forensics team has consistently been nationally ranked as a top 20 community college speech and debate program. This year alone the forensics team has compiled multiple top three sweepstakes finishes in San Diego and Los Angeles. Additionally, the forensics team competes in over 15 events and this is the first year the debate team has been nationally ranked for all colleges and universities in the nation! The team has grown to almost 20 members with over 40 distinct speeches qualifying for national tournaments. At the international level, the forensics team has top three finishes at the International Forensics Association tournaments in Bruges, Belgium; Rome, Italy; Budapest, Hungary; and Berlin, Germany. A list of some of our award-winning speeches this year include:

- Jacee Cantler: 1st place in Communication Analysis at the Watson-Lancer Invitational in Pasadena, CA.
- Nate Gerhart: 1st place in Impromptu Speaking at the Aztec Invitational in San Diego, CA.
- Taric Watts: 1st place in Communication Analysis at the Griffin Invitational in El Cajon, CA.
- Kelsey Bernal: 1st place in Speech to Entertain at the Watson-Lancer Invitational in Pasadena, CA.
- Kyle Backer: 1st place in Dramatic Interpretation at the Aztec Invitational in San Diego, CA.
- Evelyn Michaud: 2nd place in Prose Interpretation at the Griffin Invitational in El Cajon, CA.
- Miriam Wheeler: 2nd place in Communication Analysis at the Watson-Lancer Invitational in Pasadena, CA.
- Seth Fromm: 1st place in Speech to Entertain at the Griffin Invitational in El Cajon, CA.
- Evelyn Michaud and Kyle Backer: 1st place in Duo Interpretation at the Griffin Invitational in EL Cajon, CA.
- Parliamentary debate: Gold and Silver place finishes at the Ray Dahlin Invitational and the Aztec Invitational in San Diego, CA."

Students Nate Gerhart and Jacee Cantler then performed “Impromptu Speaking” after President Burke randomly chose a quotation from a box of quotations for each of them to address. Both students did a remarkable job with their respective quotes and Board members were impressed with their skill. Board members were invited to attend a Forensics Teams Showcase scheduled for December 4, 2013 at GCC from 3:00-5:00 p.m.

Mr. James Bowers, Interim Vice Chancellor of Human Resources, provided the following. “Maricopa Community Colleges hosted the North American Council of Staff, Program and Organizational development (NCSPOD) annual international conference from Oct. 23 -25. Dr. Patricia Honzay, our District Director for the Center of Employee and Organizational Development and her department were the lead organizers for this event. Pat also served as NCSPOD’s Western Regional Vice President. Each year, NCSPOD recognizes model staff and, this year, four Maricopa Community Colleges employees received this honor. Our Executive Vice Chancellor and Provost Dr. Maria Harper-Marinick was given the College Chancellor’s Award for the development and advancement of faculty and staff through collaborative sharing of expertise and resources. Michaelle Shadburne, Manager of Organizational Development at Paradise Valley Community College received the Roland Terrel Leadership Award given to strong supporters of developing faculty and staff so they can discover their strength, passion, and connection to Maricopa Community Colleges’ mission and vision. An award for sustainability integration and innovation was given to two faculty members: Roy Schiesser, a Geology faculty member and Paul Petrequin, a History faculty member, both from Chandler-Gilbert Community College. The award recognizes innovations and successes of the integration of sustainable development into education and learning. We extend our congratulations to each of the award recipients and to the Center of Employee and Organizational Development for hosting a successful conference.”

CITIZEN’S INTERIM

There was one request to address the Board. Mr. Lucas Bodine, President of the Associated Students of Mesa Community College (ASMCC) expressed, on behalf of ASMCC, condolences to Mr. Miranda’s family, friends, and students. He said it was always evident the Mr. Miranda had the students’ perspectives in mind as he worked. Mr. Bodine informed the Board that, last week, students at MCC offered a moment of silence in Mr. Miranda’s honor.

APPROVAL OF THE ORDER OF THE AGENDA MOTION

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

Motion 10121

Board Member Saar made a motion to approve the Order of the Agenda. Board Member Lumm seconded. Motion approved 3-0.

APPROVAL OF CONSENT AGENDA

The following items were included in the Consent Agenda:

A1. APPROVAL OF THE MINUTES OF THE OCTOBER 22, 2013 REGULAR BOARD MEETING AND NOVEMBER 12, 2013 AGENDA REVIEW AND ANNUAL OUTCOMES RETREAT

B1. 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.

B2. 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.

B3. 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.

B4. CONSIDERATION OF SEPARATIONS—approve the personnel actions as proposed.

C1. APPROVAL OF CURRICULUM—recommend that the proposal be approved as submitted.

C2. APPROVAL OF GOODWILL INDUSTRIES OF CENTRAL ARIZONA/MARICOPA SKILL CENTER MOU—enter into a Memorandum of Understanding with Goodwill Industries of Central Arizona to provide career services to MCCC students and the community for both MSC and MSC Northwest Campus.

C3. APPROVAL OF SALT RIVER PIMA-MARICOPA INDIAN (SRPMIC) GRANT—accept the grant of

\$125,000 from the Maricopa Community College Foundation. This grant was made to the Maricopa Community Colleges Foundation by the Salt River Pima-Maricopa Indian Community to benefit American Indian students. The grant will be used to support and service American Indian students via the MCCC District Office American Indian Outreach office, Mesa Community College American Indian Institute, and Scottsdale Community College American Indian Program office. The grant will also provide scholarship funds for American Indian students who do not qualify for tribal funding.

D1. APPROVAL OF LETTER OF AGREEMENT BETWEEN RIO SALADO COLLEGE AND NORTHERN ARIZONA UNIVERSITY FOR THE COMMUNIVERSITY @ QUEEN CREEK—approve the letter of agreement between Rio Salado and Northern Arizona University that details the terms and conditions for the use of the Communiversity @ Queen Creek facility.

D2. APPROVAL OF LETTER OF AGREEMENT BETWEEN RIO SALADO COLLEGE AND SOUTHWEST COLLEGE OF NATUROPATHIC MEDICINE FOR THE COMMUNIVERSITY @ QUEEN CREEK—approve the letter of agreement between Rio Salado and Southwest College of Naturopathic Medicine that details the terms and conditions for the use of the Communiversity @ Queen Creek facility.

D3. APPROVAL OF LETTER OF AGREEMENT BETWEEN RIO SALADO COLLEGE AND OTTAWA UNIVERSITY FOR THE COMMUNIVERSITY @ QUEEN CREEK—approve the letter of agreement between Rio Salado and Ottawa University that details the terms and conditions for the use of the Communiversity @ Queen Creek facility.

D4. APPROVAL OF LEASE OF SUITE AT RIO SOUTHERN TO INNATE LIFE CENTER, LLC—authorize the lease of Suites 109-10 in Building D located at Rio Salado College - Southern, 3330 Price Rd., Tempe, AZ 85282 to Innate Life Center, LLC, a limited liability company in the State of Arizona. The lease term begins January 1, 2014 and is for 60 months. The monthly rate will be \$13.00 per SF, triple net.

D5. APPROVAL OF LEASE OF SUITE 101-102 AT RIO SOUTHERN TO ARIZONA SANDWICH SHOP, INC. DBA DILLY'S DELI—authorize the lease of Suites 101-2 in Building D located at Rio Salado College - Southern, 3330 S. Price Rd., Tempe, AZ 85282 to Arizona Sandwich Shop, Inc. dba Dilly's Deli, a corporation residing in the State of Arizona. The lease term begins January 1, 2014 and is for 60 months. The monthly rate will be \$14.00 per SF, triple net.

D6. APPROVAL OF LETTER OF AGREEMENT BETWEEN RIO SALADO COLLEGE AND COLLEGE OF ST. SCHOLASTICA FOR THE COMMUNIVERSITY @ SURPRISE—approve the letter of agreement between Rio Salado and College of St. Scholastica that details the terms and conditions for the use of the Communiversity @ Surprise facility.

D7. APPROVAL OF LEASE OF SUITE AT RIO SOUTHERN RANDY SWENSON AND HI CHING SWENSON DBA PONG PONG CHINESE RESTAURANT—authorize the lease of Suite 103 in Building D located at Rio Salado College - Southern, 3330 S. Price Rd., Tempe, AZ 85282 to Swenson & Hi Ching Swenson a married couple dba Pong Pong Chinese Restaurant. The lease term begins January 1, 2014 and is for 60 months. The monthly rate will be \$7.30 per SF, triple net.

D9. APPROVAL OF CONSTRUCTION MANAGER AT RISK SELECTION FOR ALLIED HEALTH AND DENTAL PROGRAM REMODEL AT 3144 N 7TH AVENUE, PHOENIX, AZ FOR PHOENIX COLLEGE—approve the selection of Okland Construction to provide Construction Manager at Risk (CMAR) construction services for the Allied Health and Dental Program remodeling for Phoenix College at 3144 N 7th Ave Phoenix, AZ. The pre-construction phase services fee is \$69,480, including reimbursable expenses.

MOTION

Motion 10122

President Burke reported that **Item IV.D.8** was mistakenly placed in the Consent Agenda and needed to be moved to Non-Consent and renumbered as **Item V.C.1**. President Burke then asked for approval of the Consent Agenda. Board Member Lumm moved for approval of the Consent Agenda. Board Member Saar seconded. Motion was approved 3-0.

V.A.1 APPROVAL OF AUTHORIZATION OF INCREASED EXPENDITURE FOR WEB REMEDIATION

CONSULTING SERVICES—authorize an expenditure of up to \$2.6 million for the services of Eagle Creek Software Service inclusive of the \$326,825 previously approved by the Board.

MOTION**Motion 10123**

Governing Board Member Saar moved for approval of Action Item V.A.1. Board Member Lumm seconded. Motion was approved 3-0.

V.A.2 APPROVAL OF AUTHORIZATION FOR FEES AND COSTS FOR WILSON ELSEY MOSKOWITZ EDELMAN & DICKER, LLP—authorize the expenditure not to exceed an additional \$7 million (and the issuance of purchase orders in support of the expenditure) through the end of the calendar year in fees and costs solely for a consultant (and not for additional legal fees) contracted through Wilson Elser Moskowitz Edelman & Dicker, LLP to provide services relating to MCCC'D's One Maricopa Security Enhancement Project.

MOTION**Motion 10124**

Governing Board Member Lumm moved for approval of Action Item V.A.2. Board Member Saar seconded. Motion was approved 3-0.

V.B.1 APPROVAL OF CHANCELLOR'S CONTRACT OF EMPLOYMENT 2013-2016—approve the proposed Chancellor's Contract of Employment for a three year term. The Contract is dated November 26, 2013.

MOTION**Motion 10125**

Governing Board Member Saar moved for approval of Action Item V.B.1. Board Member Lumm seconded. Motion was approved 3-0.

V.C.1 APPROVAL OF FINAL CONTRACT AWARD FOR THE CONSTRUCTION OF THE NEW STUDENT PORTAL AND REMODELING OF BUILDINGS 37, 38, 38A, AND 39 AT MESA COMMUNITY COLLEGE—approve the final construction contract award for the Guaranteed Maximum Price (GMP) of Eleven Million Four Hundred Thirty Two Thousand Four Hundred Two and 00/100ths Dollars (\$11,432,402) to SD CRANE/CORE, a Joint Venture for the balance of the construction and remodeling for the new Student Portal project at Mesa Community College. This is the final GMP award to SD Crane/CORE for the construction of this project.

MOTION**Motion 10126**

Governing Board Member Lumm moved for approval of Action Item V.C.1. Board Member Saar seconded. Motion was approved 3-0.

INFORMATION ITEM

VI.A. REVIEW OF CHANCELLOR'S INTERPRETATIONS—since January 2013, the Governing Board has scheduled a series of discussions designed to review their own policies. Work Sessions were also held to discuss proposed amendments to Board Policy. At the October 22, 2013 meeting, the Board adopted revisions to its own policies, which included the Chancellor's Limitations. The Chancellor's Limitations are policies that provide the prudent and ethical boundaries of acceptable Chancellor acts, practices, and circumstances. These are used as part of the annual executive monitoring process, and the Chancellor provides his reasonable interpretation of the Limitations. The Chancellor's Interpretations will be used during the 2013-14 monitoring report cycle. As monitoring reports are presented to the Governing Board, the Board will determine at that respective time whether: the report was submitted when due; the report included the Chancellor's Interpretation; and the data presented substantiates compliance with the Chancellor's Limitation policy as presented through the Chancellor's Interpretation of that particular policy. Monitoring reports have been scheduled to be presented to the Board via the Board's annual planning calendar. It is through this process that the Board determines whether it will accept or reject what the Chancellor has presented in terms of evidence of compliance.

MONITORING REPORTS

VII.A BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE FOUR MONTHS ENDING OCTOBER 31, 2013—Expenditure analysis indicates 26.5% of the budget has been expended this year as compared to 26.4% expended at this same point last year. 33.0% of the budget remained

unexpended or unencumbered compared to 33.6% in the prior year. Revenue analysis indicated that 45.9% of the budget has been recognized as compared to 47.4% in the prior year. The projected fund balance will increase by ~\$3.6M this fiscal year and the projected ending fund balance for June 2014 is \$161.1M.

DISCUSSION

VIII.A RESPONSE TO CITIZEN RESOLUTION REQUESTS

President Burked remarked that, at a previous meeting, several citizens requested the Board adopt a resolution in support of DACA students and a second to ask the Arizona Attorney General not to oppose in-state tuition for DACA students. This led to the consideration whether the Board should entertain resolutions that are political in nature. Mr. Burke asked fellow Board members their opinion. Mr. Lumm said the issues presented by citizens to the Board were important. He felt that everyone in Arizona should be allowed to have driver's licenses and that this particular issue he felt was very discriminatory. He believes all citizens should be treated fairly. He thinks community leaders need to take a stand on important issues. Mr. Saar remarked that, while he agreed completely with Mr. Lumm's sentiments, he questioned whether a political body, like a Governing Board, should make political statements. Mr. Burke said the request was for the Board to take a stand on a political issue. He sees a number of potential areas where individuals might come to the Board to request support or condemnation of a particular political issue (i.e., Affordable Care Act, abortion, economic issues, etc.). The question remains, should the Board be asked to respond to political issues. Where in MCCC'D's Board Policy does it justify such action? Mr. Lumm questioned what policy had to do with it. Mr. Burke simply stated that he doesn't recall anything in the Board's policies that deal with political issues. Mr. Lumm felt strongly the Board should show the community is involved in this issue even though the Attorney General is not. Mr. Burke asked for additional comments and then remarked he was not certain where to go from there. Since no action was required he moved on to the next agenda item.

BOARD MEMBER REPORTS

Mr. Lumm reported he had attended several events and that, in this time of giving thanks, he wanted to thank the faculty and staff who have put together such awesome events. He attended the Allied Health Summit and enjoyed seeing Maricopa lead Arizona in setting health/safety standards and work force. He attended the Student Success Conference and was very impressed with the workshops. He attended the Arizona Commission on Postsecondary Education's (ACPE) conference and was able to attend the first meeting of all state community college Board members in attendance. He is proud to see how Maricopa is leading the state in so many ways.

Mr. Saar remarked that he went to many of the same events as Mr. Lumm and had the same reaction. He said the events he attends involve MCCC'D students and showcases how well they do—from academics, to athletics, to performances, and more. He believes students' talents and efforts are amazing. He said he really enjoyed the Chancellor's Walk up South Mountain and was pleased to report he made it! He said it was good exercise and he looked forward to next year's hike.

President Burke reported he attend a reception for GateWay Community College's president, Dr. Steven Gonzales. The event was on the new building patio and it was a very beautiful site. He also attended a donor appreciation dinner for Mesa Community College which was also an entrepreneurship program showcase. He attended the Veteran's Center dedication at Mesa Community College and said it was a wonderful facility and a great place for veterans to get help. He attended the NACCE Summit at Rio Salado College which was very well attended—in fact, of all the area meetings, NACCE said this was the best attended. He also attended the ACPE conference.

CHANCELLOR'S REPORT

Dr. Glasper reported that he has also attended quite a few events and he echoes what he has heard about students—MCCC'D has some awesome students! Students say it better than MCCC'D can ever say. He said he's been on several panels the past few months and was pleased to report that MCCC'D is being asked to the table more often now. The Arizona Ready Council recently recognized that community colleges were "missing" in their planning so they recommended community colleges come up with their own goal. Dr. Glasper is pleased to have that opportunity. He thanked the Board for its continued support for activities around the District. He reported that Rio has stepped forward in exemplifying the empowerment zones Dr. Glasper had alluded to several years previously. The college is the focal point of efforts but is bringing in community partnerships to help break down walls, share resources, and share the same sites (i.e., CommUniversities). Studies show that universities are doing a great job with students but then those students leave the state. Community colleges allow for

stackable credentials which allow students to come in and out of school as they progress in their [local] jobs. He is being asked to sit on more boards and he plans to continue to step-up.

FACULTY REPORT

Dr. Patricia Finkenstadt, President of the Faculty Executive Council, offered condolences on the death of Mr. Miranda. She said the FEC's thoughts and prayers are with the family and friends during this difficult time. She reported that the FEC had made a donation in Mr. Miranda's name to the Maricopa Foundation in honor of Mr. Miranda.

EMPLOYEE GROUP REPORTS

The Adjunct Faculty Association Employee Group also extended condolences on the passing of Mr. Miranda.

VICE CHANCELLOR REPORTS

There were no reports.

COLLEGE REPORTS

Dr. Shouan Pan, President of Mesa Community College, reported in 2009 the City of Mesa, Mesa Public Schools, and Mesa Community College were asked by the Bill and Melinda Gates Foundation to apply for a grant and became one of four sites to receive a three-year, \$3.0 million grant they called Mesa Counts on College. The focus of the grants was on transforming systems to increase the number of low income students who graduate from college. Although the grant has ended, Mesa is committed to continuing the work, along with its partners. The City of Mesa will take leadership over the next two years in a shared partnership program. It will be a collaborative alliance and they will be inviting other key organizations in the community to participate. He then introduced Ms. Cathleen Perales to speak on the program. Ms. Perales shared some statistics (75% MPS high school graduation rate; 660% MPS college enrollment; 29.5% graduate with degree/certificate or transfer—only residents of the City of Mesa) and their new mission: Mesa Counts on College, a collaborative alliance cultivates college completion and workforce readiness in our community, through partnerships, to empower individuals and to improve the quality of life in our community. Target population: Low income Mesa residents with limited or no post-secondary credentials. She shared some 2013 successes: Mesa's Healthcare Learn to Earn internships, Mesa's Urban Corps, GED to MCC program, and Pathways to Completion unveiled. They plan to focus on resource development and community engagement.

Board members were pleased about the program and remarked they were excited to hear the work would continue after the grant's end.

Dr. Shari Olson, President of South Mountain Community Colleges, spoke next. "For the NACCE Entrepreneurial College in Action grant in 2013-14 SMCC Faculty members Bruce McHenry and Liz Warren will create an internal team and process dedicated to entrepreneurship. The purpose of the team is twofold: creating an internal Entrepreneurship Advisory Council (EAC) and having the EAC develop a process to manage and provide venture funds to students to create micro-enterprises. The EAC will be an inter-disciplinary team with membership of faculty, staff, and administration. It will be a catalyst for all areas of the college becoming entrepreneurial. Activities undertaken by the EAC will be training and development, bringing entrepreneurship speakers to campus, and fund raising activities." She asked Mr. McHenry to come to the podium to offer additional information. Mr. McHenry said the process of entrepreneurship is: build / fail / iterate and this program exemplifies that. With \$12,000 as a venture capital seed fund, 40 students will be given \$250 to create microenterprises and they must take two classes (entrepreneurship and storytelling). Students will compete for two, \$500 and one, \$1,000 additional seed fund dollars to move their microenterprise forward. They have established a partnership with GWCC's CEI. They will take the students to CEI and the top 20 students will earn a six-month membership to the incubator.

Board members expressed appreciation for their award, complimenting them on their winning pitch. They loved the idea of mixing storytelling with business because storytelling gets to the root of who people really are.

AADGB REPORT

President Burke reported the group met during ACPE conference last week where 17 Board members from across the state joined them. It was the first time such a meeting took place. The group will meet on December 5, 2013 to discuss the legislative agenda. Two provisional districts will be joining them (Gila and Santa Cruz).

ASBA REPORT

Mr. Saar reported that the ASBA-ASA annual conference would be held in December. He also noted that the ACCT National Legislative Summit will be in February and they will be bringing a full agenda to the DC meeting in order make sure funding is attainable and sustained for the state.

LEGISLATIVE UPDATE

Ms. Dawn Wallace, Director of Government Relations, provided the following: "For fiscal year 2015, on October 1, the Arizona Community College Coordinating Council (AC4) made a request to the Governor for \$17.8 million to fund the community college systems three statutory state aid formulas—M&O, equalization, and STEM workforce, formerly referred to as Capital Outlay. If fully funded, the impact to Maricopa would be roughly an incremental increase of \$12.1 million in additional STEM workforce dollars. On November 15, the AC4 sent a follow-up letter requesting additional resources of \$35 million. The request had two parts: 1) \$1.5 million increase to each District's base budget for a total of \$15 million and b) \$20 million in programmatic funding to address the Governor's Arizona Ready Goals related to college degree completion and degree attainment. As the Chancellor reported to you at your last meeting, we are currently working with the Governor's office to add a new Arizona Ready goal specific to the community college system related to AA degrees, certificates, and in-state university transfers. The \$20 million in programmatic funding would fund this initiative through programs that would mitigate developmental education, provide financial assistance to students, expand dual enrollment, and emphasize student retention through more robust academic advisement. It was clearly delineated in the letter that this request was a system-ask, as has been the practice of both the Presidents' Council and AC4 for the last two years. However, the letter did recognize the unique character of each District and the need to distribute equity funding in a manner that allowed for flexibility in each District. As you know, the Legislative Session will commence Monday, January 13, 2014. While the target date is 100 days, conversations are mixed between whether it will be short or long. I believe that as always, budget deliberations will dominate the work of the Legislature. We know, through conversations with the Governor's office and certainly through media accounts that DES, and the funding of CPS specifically, will be the focal point of the Governor's budget. Another important point is that while there is a reported \$1.3 billion ending balance, neither the Governor's office nor the Legislature seems likely to spend those dollars in an ongoing permanent fashion. We will likely see recommendations for one-time expenditures—such as transportation infrastructure. As of today, there were nine bills that were dropped; eight are vehicle or technical corrections, all by one sponsor, presumably for future legislative ideas."

NEXT BOARD MEETINGS

President Burke announced the following future meeting:

- December 10, 2013, 6:30 p.m., Regular Board Meeting, Governing Board Room

ADJOURNMENT

President Burke adjourned the regular board meeting at 7:55 p.m.

Dana G. Saar
Governing Board Secretary

Appendix

Proposed Chancellor's Interpretations

Governing Board Policies - Chancellor Interpretations

QUADRANT 2 OF POLICY GOVERNANCE CHART– RECENTLY ADOPTED LIMITATIONS and the CHANCELLOR’S INTERPRETATIONS

DEFINITIONS:

LIMITATIONS: Policies that provide the prudent and ethical boundaries of acceptable Chancellor acts, practices and circumstances.

INTERPRETATIONS: The Chancellor makes a reasonable interpretation for the boundaries that the Board has set forth in policy.

Note: The Board does not revise the Chancellor’s Interpretations – instead the Board either rejects or accepts them; if rejected, then the Chancellor shall rewrite and resubmit.

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.0 - General Chancellor Constraint	INTERPRETATION/NEW LANGUAGE
The Chancellor shall not cause or allow any practice, activity, decision, or organizational circumstances that are unlawful, imprudent, or in violation of commonly-accepted higher education, business, and professional ethics and practices.	<p>I interpret this policy to mean that the District shall implement internal controls for expected professional and ethical practices and will conduct oversight to mitigate the occurrence of unlawful and imprudent activity.</p> <p>Compliance will be demonstrated when:</p> <p>90% of all employees have completed mandatory training on Public Sector Employment and Public Stewardship & Ethics.</p> <p>Practices, activities, decisions or organizational circumstances that are found to be unlawful, imprudent or in violation of law, policy or regulation are addressed accordingly as outlined by law or the respective job policy group manual.</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.1 Treatment of Students	INTERPRETATION/NEW LANGUAGE
<p><i>With respect to treatment of students, or those applying to enroll as students, the Chancellor shall not cause or allow conditions that are unfair, undignified, unsafe, untimely, or unnecessarily intrusive.</i></p>	<p>I interpret this policy to mean that compliance will be demonstrated when:</p> <ul style="list-style-type: none"> • The District operates with written policies and procedures for all students regardless of race, gender, ethnicity, age, orientation, religion, disability or other protected status and that set forth student conduct expectations and responsibilities while providing for effective handling of grievances and appeals. • 100% of students shall have access to the written policies and procedures (either electronically or in hard copy format) of the district that set forth expectations for student conduct and responsibilities, and that address the treatment of students including regulations for Student Rights & Responsibilities and that provide for effective handling of grievances and appeals, Student Records, Non-Discrimination policies. These relevant policies that directly impact students are referred to as the Catalog Common Pages. • 100% of employees that have access to student data and information as part of their job duties and responsibilities shall be trained in the provisions of the Family Educational Rights and Privacy Act (FERPA) and other rules that pertain to the protection of personally identifiable information such as Red Flag Rules. <p>Compliance will also be demonstrated when conditions that are unfair, undignified, unsafe, untimely or unnecessarily intrusive are dealt with quickly and effectively. [Evidence: Demonstration of proactive measures related to operational internal controls or appropriate due diligence action taken when compromising events occur.]</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.2 - Treatment of Faculty and Staff	INTERPRETATION/NEW LANGUAGE
<p><i>With respect to the treatment of faculty and staff and in compliance with all federal and state laws, the Chancellor may not cause or allow conditions or procedures that are unfair, unsafe, or undignified.</i></p>	<p>I interpret this policy to mean that it is the responsibility of Maricopa executives, supervisors and employees to work together to create, and maintain a workplace where all employees feel safe, supported, able and accountable to do their best work.</p> <p>Compliance with this interpretation will be demonstrated when:</p> <ul style="list-style-type: none"> • Written policy manuals for all employee groups are adopted through a collaborative process. • Policies and Regulations are adopted that govern a fair and equitable workplace including those related to equal employment opportunity, workplace violence, whistleblower protection and disability accommodations • The District follows an Affirmative Action Plan • Employees have access to an ombudsman and anonymous reporting service • Employees are provided with access to relevant policies that relate to equal employment opportunity, Title IX, OSHA, sexual harassment and general employee and District policies and procedures. <p>Compliance will also be demonstrated when conditions that are unfair, unsafe, or undignified and that have been noticed and substantiated through established grievance and notification processes are addressed in a timely and effective manner. [Evidence: Quarterly trend reporting of Employee Relations, EEO, OSHA and Ombudsman issues]</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
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2.3 - Interactions With the Public / Other Constituents	INTERPRETATION/NEW LANGUAGE
<p>With respect to the District's interactions with constituents in its respective communities, the Chancellor shall not cause or allow procedures, decisions, or interactions that are unfair, undignified, or unresponsive.</p>	<p>I interpret this policy to mean that the District Office and the Colleges will engage with the citizens of Maricopa County and community partners as appropriate through such measures as community advisory councils/committees and community forums that seek to gather input; and shall respond to concerns and complaints through formal and informal mechanisms that are either outlined in policy or via web allegations such as the Chancellor's webpage or the informal services of the Citizen's Ombudsperson.</p> <p>Compliance will also be demonstrated when procedures, decisions or interactions that are unfair, undignified or unresponsive have been noticed through established and substantiated through established grievance processes are addressed in a timely and effective manner.</p> <p>[Evidence: Quarterly reporting of concerns submitted to the Governing Board Office, the Chancellor's Office and the Office of Public Stewardship.]</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.4 - Financial Condition and Activities [DEFINITION: FINANCIAL CONDITIONS THAT THE BOARD WANTS THE INSTITUTION TO AVOID]	INTERPRETATION/NEW LANGUAGE
<p>With respect to the actual, ongoing financial condition and activities, the Chancellor shall not cause or allow the development of fiscal jeopardy, non-compliance with local, state or federal laws, or a material deviation of actual expenditures from the Board’s Outcomes priorities.</p>	<p>I interpret this policy to mean that the District will operate within a system of internal controls. Compliance is demonstrated by following Generally Accepted Accounting Procedures and when the following activities occur:</p> <ol style="list-style-type: none"> 1. No expenditure for funds of more than has been received and carried forward in the fiscal year. [Evidence: Monthly BURN Report with certifications on Board Agenda Item] 2. No occurrence of inter-fund transfers in amounts that would cause a deficit fund balance in any fund. [Evidence: Monthly BURN Report with certifications on Board Agenda Item] 4. No transfers from Governing Board contingency without Governing Board approval. [Evidence: Monthly BURN Report] 5. No occurrence in any fiscal year of District expenditures or indebtedness in an amount that reduces the ending General Fund balance to less than eight percent of General Fund revenues recognized during the fiscal year without Governing Board approval. [Evidence: Monthly BURN Report] 6. Payroll and other District debts or obligations are settled in a timely manner. Timeliness is contingent upon the transaction. [Evidence: Monthly BURN Report as certification on Board Agenda Item, no fines or penalties. Timeliness is contingent upon the transaction.] 7. Tax payments or other government-ordered payments or filings are submitted accurately and on time. [Evidence: No late notices or penalties throughout the year]

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.5 - Asset Protection [DEFINITION: ESTABLISHES SPECIFIC INSTANCES TO AVOID THAT WOULD PLACE INSTITUTIONAL ASSETS AT RISK OF LOSS]	INTERPRETATION/NEW LANGUAGE
<p>The Chancellor shall not cause or allow institutional assets to be unprotected, inadequately maintained, or unnecessarily risked.</p>	<p>I interpret this policy to mean that the MCCCDC will be operated with an adequate system of internal controls, both accounting and administrative and that are sufficient to meet generally-accepted accounting principles and auditing standards. Compliance will be met when:</p> <ul style="list-style-type: none"> • An organizational governance structure is implemented that allows for independent assessment & reporting to the Chancellor or the Board as appropriate. This includes mechanisms to identify when conditions exist and processes for the institution to respond appropriately. • Investment or reinvestment of moneys received by the District will occur in a manner allowed under the laws of the State of Arizona. [Evidence: Quarterly Investment Report to the Audit & Finance Committee] • The District’s public image, its credibility are not endangered. [Evidence: Proactive measures related to internal controls and appropriate due diligence response measures if compromising events occur]

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
<p>2.6 - Financial Planning and Budgeting [DEFINITION: IDENTIFIES THE CONDITIONS THAT WOULD MAKE THE BUDGET UNAPPROVEABLE]</p>	<p>INTERPRETATION/NEW LANGUAGE</p>
<p>Financial planning for any fiscal period may not deviate from the Board’s Outcomes priorities, risk fiscal jeopardy, and/or fail to be derived from a multi-year strategic/operating plan focused on Outcomes achievement.</p>	<p>I interpret this policy to mean that that the financial planning and budgeting – decision-making process will align with the Governing Board Outcomes to ensure implementation and monitoring at a level with expected performance and within the established financial goals for the institution. Further, the monthly, quarterly and annual finance reports to the Governing Board will provide evidence that by establishing and monitoring specific and measurable financial strategic goals on a coordinated, integrated basis, we enable the Maricopa Community Colleges to operate efficiently and effectively to insure financial viability and stability. [Evidence 15-year Financial Plan updated annually and Annual Budget presented multiple times in the Spring and adopted in May/June]</p> <p>In addition, I interpret this policy to mean that expenditures will not occur in any fiscal year of more funds than are conservatively projected to be received or carried forward in that period. [Evidence: Monthly BURN report, Annual Budget]</p> <p>I will maintain a General fund balance of at least eight percent of projected General Fund revenues and address the identification and pursuit of new and existing revenue sources, and enhancement of cost-effectiveness, as part of multi-year planning. [Evidence: Monthly BURN report, Annual Budget, 15-year Financial Plan updated annually]</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTEPRETATIONS
2.7 - Staff Compensation and Benefits	INTERPRETATION/NEW LANGUAGE
<p>The Chancellor shall not implement an employee compensation and benefit plan that fails to comply with local, state or federal laws, nor fails to make MCCCCD a competitive higher education employer. Further, the chancellor shall not fail to attract and retain a high quality and diverse workforce through competitive and progressive pay and benefit practices that are externally competitive and internally equitable and support a fiscally responsible pay and benefit program.</p>	<p>I interpret this policy to mean that it is the responsibility of the District to create and maintain externally competitive and internally equitable classification, compensation plans that are in compliance with applicable laws, are fiscally responsible and that attract and retain a high quality and diverse workforce, along with an employee benefits program that is externally competitive, fiscally responsible and encourages and supports wellness and well-being.</p> <p>Compliance with staff compensation will be demonstrated through internal or external assessment of best practices and regularly scheduled review and analysis of our identified peer comparators. Compliance will also be demonstrated by instituting internal controls to monitor allowance of additional compensation earned by employees (i.e., secondary pay lines).</p> <p>Compliance with employee benefits will be demonstrated through benefit survey participation and review in conjunction with counsel of our employee benefits consultants who advise on best practices related to plan design, cost analysis and wellness program offerings.</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.8 - Communication and Counsel to the Board	INTERPRETATION/NEW LANGUAGE
<p>The Chancellor shall not allow any practice, activity or condition that causes the Board to be uninformed or unsupported in its work.</p>	<p>I interpret this policy to mean that I will inform the Governing Board of matters that directly impact their statutory responsibilities as policy makers and trustees.</p> <p>Compliance will be met through a variety of means such as holding one on one meetings with Board members, by distributing quarterly reports and newsletters, operational reporting at monthly Board meetings and as appropriate, guidance during Executive Sessions.</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.9 - Operational Succession Planning	INTERPRETATION/NEW LANGUAGE
<p>The Chancellor will not permit the organization to be without sufficient capacity for the competent operation of the District—including, but not limited to, its management and governance—to continue in the event of sudden loss of services of the Chancellor or other key personnel.</p>	<p>I interpret this policy to mean that in order to protect the Board from unexpected loss of chief executive services, I shall have no fewer than two other senior staff sufficiently familiar with Board and Chancellor issues, plans, problems, and processes to enable either to take over with reasonable proficiency as an interim successor.</p> <p>Compliance will be met by the formation of a succession team comprised of two College Presidents, the Executive Vice Chancellor & Provost, the Vice Chancellor for Business Services, the Vice Chancellor for Human Resources and through quarterly meetings with that team.</p>

CHANCELLOR LIMITATIONS	CHANCELLOR INTERPRETATIONS
2.10 - Public Safety	INTERPRETATION/NEW LANGUAGE
<p>With respect to maintaining a safe learning and working environment, the Chancellor may not operate without a department of public safety.</p>	<p>THE CHANCELLOR PRESENTS A REWRITE OF HIS INTERPRETATION FOR THIS POLICY:</p> <p>I interpret this policy to mean that District standards of practice for the Department of Public Safety will be established and adhered to at each college. The Department of Public Safety and particularly sworn officers will not violate professional standards as set forth under Arizona law and those promulgated by the Arizona Peace Officer Standards and Training Board (AZPOST).</p> <p>Employees, students, and, as appropriate, visitors, will receive communications that violence, threats, harassment, intimidation, and other disruptive behavior in District facilities will not be tolerated, and it is the responsibility of all members of the Maricopa Community Colleges to report any occurrence of such conduct, or threats, or acts of physical violence of which he/she is aware.</p> <p>Compliance will be demonstrated when Public Safety Manuals are accessible to all Public Safety staff, College Presidents and Vice Presidents of Administration and the number of sustained complaints and law suits against Public Safety employees reported to colleges, the hotline, HR Department, and Legal Services is routinely maintained and reported on a quarterly basis.</p> <p>Compliance will also be demonstrated when threats to public safety have been identified and substantiated through established processes and are addressed quickly and effectively.</p>