



Maricopa County Community College District Governing Board Minutes January 28, 2014

An executive session of the Maricopa County Community College District Governing Board was scheduled to be held on Friday, January 24, 2014 beginning at 10:00 a.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. An executive session and regular meeting of the Maricopa County Community College District Governing Board were scheduled to be held on Tuesday, January 28, 2014 beginning at 4:30 p.m. at the District Support Services Center, 2411 West 14th Street, Tempe, Arizona, pursuant to A.R.S. Section 38-431.02, notice having been duly given.

GOVERNING BOARD

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

ADMINISTRATION

Rufus Glasper
Maria Harper-Marinick
Debra Thompson
James Bowers
Steve Helfgot
Lee Combs
Linda Lujan
Ernie Lara
Steven Gonzales
Greg Rogers for Irene Kovala
Shouan Pan
Paul Dale
Anna Solley
Chris Bustamante
Jan Gehler
Shari Olson
Susie Pulido for Gene Giovannini

OPENING AND EXECUTIVE SESSION

An executive session was called to order at 10:10 a.m. on Friday, January 24, 2014. No business was discussed nor any action taken.

MOTION

Motion 10132

Board President Saar made a motion to go into Executive Session. Board Member Lumm seconded. Motion approved 4-0.

CALL TO ORDER

The Executive Session called for Tuesday, January 28, 2014 was canceled. The regular board meeting was called to order at 6:35 p.m.

PASSING OF THE GUARD

President Saar then presented a plaque to Mr. Doyle Burke commemorating his service to the Board as President in 2012 and 2013. Mr. Saar thanked him for his hard work and informed participants that his leadership in the AADGB group has helped make it a very active organization for the state community college districts. Mr. Burke graciously thanked the Board for its acknowledgement.

PLEDGE OF ALLEGIANCE

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

CLASS ACKNOWLEDGEMENTS

There were no classes present.

SUBSTITUTIONS

There were two substitutions for members of the CEC.

STUDENT LIFE REPORTS

Mr. Mike Greene, Director of Student Life and Leadership at Chandler-Gilbert Community College, along with student leader Mr. Mark Bernal, presented on the Three-Day Leadership Retreat. Mr. Greene described the Three-Day Leadership Retreat which took place at Pine Summit, September 21-22, 2013. Participants came from several MCCCDC colleges along with Central Arizona and Coconino Colleges. Ms. Felicia Ganther, Associate Vice Chancellor for Student Affairs, was the keynote speaker. Participants shared their favorite leadership books (27) with one another, participated in workshops,

and a survey of participants showed high satisfaction with the format and content. Mr. Bernal mentioned he belonged to CGCC's Male Empowerment Network (MEN) chapter and was a member of the college's Hispanic student organization. He attended the leadership retreat and was able to connect and network with the other students across colleges. He was inspired by words from Ms. Ganther, "Live your life, have a purpose, and continue your endeavors." He takes those words to heart. He thanked the Board for its time and attention.

Hands Enriching Lives Program (HELP) club members then shared some of their community service projects for the year. Students Ms. Julie Nguyen, Ms. Wendy Suarez, and Ms. Whitney Vizzini shared that their club has been responsible for building houses and socializing with adults with developmental issues, among other things. Ms. Nguyen noted that HELP club advisor, Ms. Diane Travers, and student Mr. Ceasar Garay, created the student service club in 2008. Ms. Suarez noted the college had participated in Poverty 101 and a Hunger Banquet which shared information about poverty and hunger issues in Arizona. The club participants also participated in a one-day service learning opportunity designed to help them become leaders and they assisted faculty advisors to help lead and serve their communities. HELP also brought Into the Streets and a Boys and Girls Club Baby Drive. The drive raised nine boxes of baby supplies and, close to Thanksgiving, the club served dinner at the Boys and Girls Club to needy families. HELP also worked with Habitat for Humanity and helped build a home. They were able to meet the homeowners at the dedication of the home in January. Ms. Vizzini shared that students who want to join the club must attend three HELP meetings and participate in two HELP activities. Their club has donated over 425 hours to their community this past year and over 520 hours total since inception. HELP was awarded the 2012 Spirit Stick for being the most active and most spirited club on campus. They won the 2012 and 2013 Golden Coyote leadership award, and they received a plaque from Habitat for Humanity in 2013. They hope to win the Golden Coyote award again this year. The students thanked the Board for its time. Ms. Nguyen remarked that if Board members were interested in serving, to call them and they would HELP get them started.

President Saar thanked the students and Mr. Greene and sent his thanks to all the advisors and staff that helped put together the leadership retreat. Mrs. Pearson asked if the list of books shared by the advisors at the leadership retreat could be shared with the Board.

EMERITUS, AWARDS, AND RECOGNITION

Dr. Shouan Pan, President of Mesa Community College, thanked the Board for its attention and presented two Emeritus awards. Dr. Marquez has dedicated over 30 years of service to the Maricopa county Community College District. Juan began his information technology career at Scottsdale Community college and quickly moved throughout the organization to serve as a computer programmer at the District Office. While at the District Office, some of the many roles include working within Human Resources, college Financials, Budget Development and Student Information Systems. After 14 years at the District Office, Juan became residential faculty at Mesa Community College. Student Success has always been Juan's priority. Additionally, as an early adopter of online learning, Dr. Marquez was a leader and champion for his department. Dr. Marquez is respected by his colleagues for his extensive experience and knowledge and is known for his distinguished and dedicated service to MCCCC.

Mr. Marquez thanked Dr. Pan and the Board for the special recognition. He said it had been an honor to serve the college and students for the past 30 years. He was really proud of what he and the District have been able to accomplish during his tenure.

Dr. Pan then presented an Emeritus award to Mr. Jack Peterson. Jack Peterson has been a full-time board approved employee of the Maricopa County Community College District for forty-five years and have served over 26,000 students during that time. Jack served as Faculty Advisor to Omicron Beta Chapter of Phi Theta Kappa in 1988-1989. Jack served as one of the original founders of the International Chair Academy. Additionally, Jack served as department chair for five consecutive terms in the Cultural Science Department. Previously served as Faculty Senate President and was instrumental in the development and implementation of the MCC/ BYU Transfer Partnership Agreement. Jack currently serves as a member of the Board of Directors at Banner Desert Medical Center and Cardon Children Medical Center overseeing the "Spiritual Care" and hospital chaplaincy programs.

Mr. Peterson said he was really humbled by the award. He informed the Board that he'd received two job offers when he graduated from college, one in Twin Falls, Idaho, and the other at Mesa Community

College—he chose Mesa even having never set foot in the city. He said it had been a tremendous opportunity and had been his dream job. He was grateful for the opportunity to have worked in Maricopa and to receive this award.

Dr. Linda Lujan, President of Chandler-Gilbert Community College, thanked the Board and presented an Emeritus award to Mr. David Weaver. She then asked Dr. Bill Guerriero to share some details of Mr. Weaver's career. David Weaver has been an exceptional instructor, educational leader, and innovator his entire career here at Maricopa. David's professional objectives have always been to improve numeracy and scientific thinking locally and globally. David has taught college physics, electronics, semiconductor manufacturing, study skills, computer programming, computer art, and a general studies capstone course over the last 32 years. In addition, he has worked with K-12 teachers over the years to improve their abilities to teach math and science and he has also given hundreds of lectures and workshops to colleagues locally, regionally, and nationally on a wide range of topics including active learning strategies, project based physics, computational physics, and uses of instructional technologies. David has served as a division chair, occupational program designer and director, occupational dean, faculty senate president, member and chair of our campus Instructional Technology committee, chair and co-chair of district-wide instructional technology initiatives, curriculum design facilitator, staff development coordinator, district-wide chair of the physics instructional council, president, vice-president, two year college representative, and section representative of the Arizona section of the American Association of Physics Teacher (AAPT), chair of the Two Year College Committee of the national AAPT, among other positions. David Weaver has had a remarkable career and has earned the honor of Emeritus distinction.

Mr. Weaver thanked Drs. Guerriero and Lujan and the Board. He said it was a privilege to be at Maricopa and he couldn't have accomplished all he'd done without help. He noted that Mr. Doyle Burke was one of the first mentors he had at Maricopa, meeting him in 1983. He noted with pride that he help create the first competencies for Physics while he was chair of the Physics Instructional Council, working hand-in-hand with a new employee in the Maricopa Center for Learning and Instruction, Dr. Maria Harper-Marinick, now the Executive Vice Chancellor and Provost for Maricopa. He said he had been blessed to be able to work with the best. He said he'd still be working part-time for Maricopa, still teaching online and working on the Maricopa Priorities initiative.

Two emeritus items from Glendale Community College were on the agenda, but due to scheduling issues, the awardees were not able to attend. They will be acknowledged at a future date. Scottsdale Community College also noted they would need to postpone the announcement of their award to a future meeting.

CITIZEN'S INTERIM

Prior to hearing from citizen's requesting to address the Board, Mr. Saar made the following statement: "The board respects the right of citizens to appear before us in Citizen's Interim to speak on any topic. However, as you know, the open meetings law of Arizona prevents us from making statements in response. I note that some of you are here to comment on allegations related to personnel that are in the dispute resolution process. The truth or falsity of those allegations will be tested in a hearing where all the evidence can be examined in context. Board members who may be asked to make the final decision in the process must refrain from premature comment on such matters to protect the rights of all the affected employees."

There were two requests to address the Board. Remarks are included below.

1. Beto Soto, Arizona Hispanic Community Forum
2. Rosie Lopez, Arizona Hispanic Community Forum

Mr. Soto said he was at the meeting on behalf of his colleague, Ms. Linda Brown, who was not able to attend. He wanted to insure her remarks were added into the record and shared a copy of her statement with the Board. Note: her original remarks are included in the appendix of these minutes. (Documents referred to as attached were not included in submissions to the Board Office.)

Dear Maricopa Community Colleges Board Members, President Saar pointed out that the email of my remarks came to you last Tuesday without proper attribution. My name is Linda Brown and I am a Board Member of the Arizona Hispanic Community Forum, and a long-time community activist. The Arizona Hispanic Community Forum was founded more than 25 years ago to advocate for the rights and concerns of Latinos. We are very careful about choosing issues to champion based on

thorough research of their merit and importance to the community. When members of the MCCC IT department approached us with their concerns more than 18 months ago, we conducted lengthy interviews with several staff members to determine if their issues were well grounded. We found they had done an admirable job of trying to resolve concerns about mismanagement and dysfunction in the department using standard procedures and following proper channels. Unfortunately, they were stymied in every attempt to remedy the issues. Now the same staffers that have been elevating concerns about vulnerabilities in the department are being retaliated against. The accusations and actions taken against them are baseless and reflect a campaign to bury the evidence and the people who had the courage to raise red flags, long before the data security breach occurred. Below and attached are my remarks. I am attaching a chronology of events which references more than 30 attached documents which, as you will see, demonstrate the staffers' attempts to warn the District at the highest levels that serious breakdowns were occurring that could jeopardize the District and the security of critical data. As you can see, these staffers are professional and have done a superb job of documenting their efforts to elevate concerns up the chain of command. Now Chancellor Gasper, rather than embracing and addressing the issues they've raised, has joined in retaliating against them. Because of this we are asking that you put a halt to any and all administrative and disciplinary actions against these staffers until a thorough investigation can be conducted. Because Chancellor Gasper is involved, we are asking that you place the Chancellor on Administrative Leave and investigate his role in burying these issues. Millions of dollars have been wasted because these staffers' repeated warnings were not heeded. The solution is NOT to further gut the department, losing precious institutional knowledge, experience and loyalty. You have the power and responsibility to stop this. Please take action now. Thank you very much for your time and attention. Respectfully, Linda Brown, Arizona Hispanic Community Forum.

Ms. Rosie Lopez shared the following statement.

Mr. Chairman, Members of the MCCC Board: Over \$14 million taxpayer dollars have now been allocated to dealing with one of the biggest IT fiascos in MCCC. Millions more will have to be allocated to defend class action lawsuits. This entire incident could have been avoided had the Chancellor taken the time to "read" and "act" upon information presented to him as early as 2011. As Board members, you should be asking the following questions: Why did the Chancellor ignore over 12 written warnings regarding security problems in the computer systems? Numerous warnings of financial risks to the institutions, IT security issues, fear in the workplace and discrimination came from IT employees, MAT and PSA presidents and even the Office of Public Stewardship to no avail. Why were employee grievances ignored by the Chancellor for nearly a year and a half? These grievances contained critical information about IT security issues that could have prevented the 2013 security breach. Why is Executive Leadership denying the existence of security reports from both IT leaders and even companies they hired to conduct investigations after 2011? Don't they care to follow-up on major security incidents? Why didn't consultants in charge of IT since 2012 conduct periodic security checks of their systems? Why aren't those highly paid consultants, who were responsible for IT at the time of the incident, being held accountable? Why are they still here? Why are IT employees, some with over 25 years of service to MCCC and exemplary performance reviews, targeted for termination? Why is the Vice Chancellor for Human Resources creating new policies and applying them retroactively to events in the past and using these brand new policies to terminate long-time/near retirement employees? Why were these policies created about the same time that the IT investigation was conducted? Why did the Chancellor waste millions of dollars on consultants to learn they systems before they could perform a questionable investigation rather than involve Maricopa staff? Why did Maricopa wait nearly seven months to protect the public after hearing from the FBI? Is MCCC secure today or did the consultants simply apply a Band-Aid to the current systems? It is advisable for you to look into their Palo Alto Firewall solution and look back a couple of years. Why wasn't IT staff involved in the 2011 security incident not contacted during the investigation? Their contact information was provided to investigators. Krill conducted the investigation, which concluded that 2.5 million people needed protection. Krill is also the company offering protection. Isn't that a conflict of interest? Do you see a pattern? Ignoring over 12 written warnings and IT security reports. Conducting a biased investigation with potential conflict of interest. Delaying protection to the public unnecessarily. Avoiding responsibility and scapegoating. Denying access to information readily available. Promoting chaos to justify their

actions to hire expensive consultants who brought us this mess. It appears that leaders opted to use millions of taxpayer dollars to protect themselves with expensive lawyers and consultants rather than listen to existing staff and members of the community. Now, instead of spending millions of dollars to hire faculty and help students, will may have to set all this money aside for expensive lawyers and consultants. I urge this Board to take the following steps and save our District from further damage: Stop all disciplinary actions against IT employees who went above and beyond to communicate their concerns with this Administration. Place the Chancellor on administrative leave so an investigation into his conduct can take place without bias, obstruction or interference. Place the Acting VC of HR on administrative leave for wrongful termination attempts and misuse of Board policies to execute personal agendas. It is time for a change—where transparency rules—and a change that can restore the public's trust in one of the best educational institutions in the country. I urge this Board to help us avoid what happened at Pima Community College. You, the Board of MCCCCD, represent us, the taxpayers—not the administration. It is your job to ensure that the administration is accountable to you—you are in charge. You, the Board of MCCCCD, are the only ones who can drive this change. You, the Board of MCCCCD, now have all the information you asked for to make the right decisions. It is time to start leading by example. Again, I reiterate, this entire incident could have been avoided! Rosie Lopez, Founder, Arizona Hispanic Community Forum.

**APPROVAL OF THE
ORDER OF THE AGENDA**

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

MOTION

Motion 10133

Board Member Burke made a motion to approve the Order of the Agenda. Board Member Lumm seconded. Motion approved 4-0.

**APPROVAL OF
CONSENT AGENDA**

President Saar asked if anyone wanted to remove any items from the consent agenda. Mrs. Pearson requested the entire employment section be removed. Mr. Saar noted it would be renumbered as Item IV.C.

The following items were included in the Consent Agenda:

A1. APPROVAL OF THE MINUTES OF THE DECEMBER 10, 2013 REGULAR BOARD MEETING AND JANUARY 14, 2014 AGENDA REVIEW AND BOARD RETREAT

B1. RECOMMENDATION FOR EMERITUS DISTINCTION—MESA COMMUNITY COLLEGE—recommended that the Governing Board award Emeritus Distinction to Dr. Juan Marquez for his meritorious contributions to the students of the Maricopa County Community College District (MCCCCD).

B2. RECOMMENDATION FOR EMERITUS DISTINCTION—MESA COMMUNITY COLLEGE—recommended that the Governing Board award Emeritus Distinction to Jack Peterson for his meritorious contributions to the students of the Maricopa County Community College District (MCCCCD).

B3. RECOMMENDATION FOR EMERITUS DISTINCTION—CHANDLER-GILBERT COMMUNITY COLLEGE—recommended that the Governing Board award Emeritus Distinction to David Weaver, Physics Faculty at Chandler-Gilbert Community College, with the Maricopa County Community College District.

B4. RECOMMENDATION FOR EMERITUS DISTINCTION—GLENDALE COMMUNITY COLLEGE—recommended that the Governing Board award Faculty Emeritus Distinction to Dr. Carmela Arnoldt, Faculty, English.

B5. RECOMMENDATION FOR EMERITUS DISTINCTION—MESA COMMUNITY COLLEGE—recommended that the Governing Board award Faculty Emeritus Distinction to Dr. Stephen Williams, Faculty, Biology.

B6. APPROVAL OF AN INTERGOVERNMENTAL AGREEMENT WITH NORTHERN ARIZONA UNIVERSITY RELATION TO SPEAK OUT ARIZONA—approve an intergovernmental agreement with Northern Arizona University to conduct an assessment on the future of a civic involvement program, Speak Out Arizona, which was initiated through but is being discontinued by The O'Connor House Project.

D1. APPROVAL OF CORPORATION FOR PUBLIC BROADCASTING COMMUNITY SERVICE GRANT (KBAQ)—accept a grant from the Corporation for Public Broadcasting totaling \$182,409. Approval of the two-year allowable expenditure period is requested for October 1, 2013 through September 30, 2015.

D2. APPROVAL OF CORPORATION FOR PUBLIC BROADCASTING COMMUNITY SERVICE GRANT (KIZZ)—accept a grant from the Corporation for Public Broadcasting totaling \$475,245. Approval of the two-year allowable expenditure period is requested for October 1, 2013 through September 30, 2015.

D3. APPROVAL OF CORPORATE TRAINER FOR FORD MOTOR COMPANY MARICOPA CORPORATE COLLEGE—approve a one-year extension of the contract agreement in the amount of \$98,935 to provide technical training for Ford Motor Company dealership automotive technicians throughout the state. This contract agreement is between Ford Motor Company and the Maricopa County Community College District, delivered through the Maricopa Corporate College (MCOR). The contract period will be from January 13-December 31, 2014.

D4. APPROVAL OF 2014-2015 SABBATICAL RECOMMENDATIONS—recommend that sabbatical leaves for the faculty members on the attached list be approved for the academic year 2014-2015.

MOTION

Motion 10134

President Saar asked for approval of the Consent Agenda. Board Member Burke moved for approval of the Consent Agenda, as amended. Board Member Lumm seconded. Motion was approved 4-0.

IV.C. EMPLOYMENTS

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.

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.

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.

CONSIDERATION OF SEPARATIONS—approve the personnel actions as proposed.

Mrs. Pearson stated she had campaigned for election to the Board on HR statutory matters. The state legislature gives the Board the responsibility for the budget and hiring and firing. She was witness to the frustration past Board presidents had with HR matters, including allegations of hostile work environments and other Stone Age approaches to HR that no longer work in this new, more collegial era. This Board needs to recognize that new approaches are needed and that old hierarchy rules and the use of coercion and intimidation are no longer acceptable. She feels this Board needs to take more responsibility in HR matters. The legislature gave that responsibility to the Board so they must have thought it was important. This Board has to get a handle on the HR process in MCCC because things need to change. Mrs. Pearson also remarked she thought Employments should be removed from the Consent Agenda in future meetings.

MOTION

Motion 10135

Governing Board Member Lumm moved for approval of Action Item IV.C. Board Member Burke seconded. Motion was approved 3-1 (Pearson).

V.A.1 APPROVAL OF CONTRACT AWARD FOR JANITORIAL SERVICES AT GATEWAY COMMUNITY COLLEGE—award a contract in the amount of Four Hundred One Thousand Eight Hundred Twenty and no/100 Dollars (\$401,820) to C & D Crystal Cleaning, Inc. for Janitorial Services at Gateway Community College, Maricopa Skill Center, Maricopa Skill Center Cutting Edge and Maricopa Skill Northwest Center. This RFP will become effective February 1, 2014, and will remain in effect through July 31, 2016. The contract may be renewed for additional one (1) year periods, not to extend beyond July 31, 2018.

MOTION

Motion 10136

Governing Board Member Burke moved for approval of Action Item V.A.1. Board Member Lumm seconded. Motion was approved 4-0.

MONITORING REPORTS	V.I.A BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE SIX MONTHS ENDING DECEMBER 31, 2013 —Expenditure analysis indicates 42.7% of the budget has been expended this year as compared to 43.2% expended at this same point last year. 27.6% of the budget remained unexpended or unencumbered compared to 29.2% in the prior year. Revenue analysis indicated that 64.2% of the budget has been recognized as compared to 64.8% 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 \$163.6M.
BOARD MEMBER REPORTS	<p>Mr. Burke reported he had the opportunity to attend the MCC convocation where the President of De Anza College in California presented. MCC is part of the community activity along with De Anza. He and Mr. Saar attended a meeting with Dr. Maria Hesse, ASU, to learn the university perspective for working with community colleges to encourage transfers. He attended an O'Connor House presentation with Mr. Dave Gergin who talked about people being bi-partisan and working together.</p> <p>Mr. Lumm wished everyone a Happy New Year and said he was proud of the work seen by tonight's awardees and students. He wants Maricopa to continue to inspire and motivate away from using fear and intimidation. He noted he had gone to several activities this past month including the Male Empowerment Network (MEN) kickoff. He congratulated Ms. Felicia Ganther and Mr. Ray Ostos for their work in growing the MEN program. He went to the Virtual Incident Command Center where MCCCDC teaches fire department emergency command procedures—it's an awesome program! He went to EMCC for a discussion with the feeder high schools to encourage more interaction with the college including bringing college classes to the high school campus. He recently toured the GateWay Early College High School, GWCC's charter school, and will be taking a tour soon of the Phoenix College Preparatory Academy (PCPA), PC's charter high school. He attended the grand opening of GCC's High-Tech I remodel—it is amazing what tools are available now! He also attended the O'Connor House presentation.</p>
CHANCELLOR'S REPORT	Chancellor Rufus Glasper had no report.
FACULTY REPORT	There was no report.
EMPLOYEE GROUP REPORTS	Ms. Lysia Hand, President of the Adjunct Faculty Association, introduced two new adjunct faculty association representatives: Mr. Leo Valverde, SMCC, and Ms. Rose Margarelli, MCC. She then asked Ms. Roxanne Beckstrom-Sternberg to present some information on last month's Outstanding Adjunct Faculty Celebration. The celebration featured 34 adjunct faculty from around the District, each with a unique and inspiring story to share. She thanked the Board for the opportunity to speak on behalf of adjunct faculty and also from the Adjunct Faculty Association for their help in proactively solving issues as they come up.
VICE CHANCELLOR REPORTS	There were no reports.
COLLEGE REPORTS	There were no reports.
AADGB REPORT	Mr. Burke reported the next AADGB meeting would be on March 6, 2014 at the District Office.
ASBA REPORT	President Saar reported he attended the state annual conference in December and learned a lot about what is going on, not only in K-12, but in post-secondary education, as well. The K-12 folks are well aware of what they need to do prepare students for college. Later this year, the group will speak on legislative issues.
LEGISLATIVE UPDATE	Ms. Dawn Wallace, Director of State and Local Government Relations, reported the Governor's fiscal 2015 budget did not include any funds for Maricopa. It included full funding for STEM in rural counties but that was off-set by cuts in the two lines that affect Maricopa. She said Maricopa is engaged with community partners to talk about the economic value and quality of life that community colleges provide when they speak with legislators. They will be showcasing Maricopa's All American students at a future hearing and plan to introduce some of the 73 scholars to the higher education committee. To date, 773 bills have been introduced, 521 in the House and 252 in the Senate, with 52 memorials or resolutions. Of the 773, 177 are technical corrections. Maricopa will not know the full scope of bills

presented until February 3 (Senate) and February 10 (House). Ms. Wallace noted that the previous two bills she had informed them of at the January 14, 2014 update regarding firearms do not apply to community colleges. However, HB2186 was recently introduced proposing to allow faculty to carry a weapon, which will impact the colleges. There is also a higher education voucher bill being presented which would prevent entrance to universities to any students who test into development education level courses or who cannot pass the admissions tests (thus promoting remedial education at community colleges). Ms. Wallace thanked the Board and took questions.

NEXT BOARD MEETINGS

President Saar announced the following future meetings:

- February 4, 2014, 4:00 p.m., Agenda Review, Governing Board Room
- February 4, 2014, 6:00 p.m., Work Session, Governing Board Room
- February 25, 2014, 6:30 p.m., Regular Board Meeting, Governing Board Room

ADJOURNMENT

President Saar adjourned the regular board meeting at 7:43 p.m.

Randolph Elias Lumm
Governing Board Secretary

Appendix

Original Statement from Linda Brown presented at the January 14, 2014 Board Retreat

In July of 2012 I came before this board to alert you to serious dysfunction in the IT department and to urge you in the strongest possible terms to launch an independent investigation into the department, Vice Chancellor George Kahkejian and serious concerns raised by current and former IT staff. Had you moved forward with an investigation I am confident last year's security breach would not have happened.

Now, the personal data of millions of Maricopa residents' personal information has been released and we are already \$14 million into the cleanup. I am here today as a taxpayer to ask you to take action to stop the bleeding, to stop the gross waste of taxpayer money, and to take steps necessary to clean up this dysfunctional department.

The staff was acutely aware of the potential for such a breach. In fact, they warned Chancellor Gasper in multiple red-flag letters, begging him to address their concerns. Just as Chancellor Gasper ignored their alarms, this board chose to ignore citizen calls for an independent investigation into this department.

As soon as FBI informed the district that the personal information of anyone who touched the Community College system was up for sale, you should have taken action to inform and protect the public. But stunningly, that's not what happened. Instead there was a seven month delay during which countless people's personal information most assuredly got into the hands of criminal elements. Clearly, basic lessons from the history of crisis management have eluded the Chancellor, his inner circle (which includes Jim Bower whose contract I believe is up for review this week) and this board. The fact that the District chose NOT to do the right thing speaks volumes. Have you not heard the adage—It's not the crime it's the cover up?

More than \$14 million in taxpayer funds has already been spent to deal with this fiasco, and surely millions more will be spent before it's over. We haven't begun to see the spate of lawsuits sure to arise when people find their credit has been trashed or identities stolen.

I shouldn't need to mention this, but the public (and trial lawyers) will soon realize that loyal IT staffers had been raising alarms well in advance of the breach. And those alarm bells, some raised as early as mid-2011-- were not only ignored by Vice Chancellor K and Chancellor Gasper, but now the hard working and dedicated staffers who raised those alarms are facing retaliation. They are being placed on administrative leave and/or terminated.

In the interest of halting what appears to be a cover-up, I am asking you today to place a hold on all disciplinary actions against the whistle blowers. Remove them from Administrative Leave and rescind termination notices. I promise you they have great wisdom to share. You need to hear from them. Had these employees been listened to we would not be in this mess. Had you taken the slightest interest in the concerns I raised more than a year and a half ago we would not be in this mess.

The District was warned of the security risks over 12 times in 2012 alone.

Millions of dollars may also have to be allocated to fight wrongful termination lawsuits and EEOC should the District decide to retaliate against employees.

Events like the 2013 security incident happened under the watch of very expensive consultants, most of them people who do not pay property taxes in our state. We have spent over \$20 million dollars in consulting salaries, incidents and other consultant related expenses and we have little or nothing to show for, only a big promise of more millions to be spent.

The top District leadership is ultimately responsible for what happened in Maricopa IT. The District Administration failed to listen to their own employees, failed to follow their own processes, ignored requests from community leaders, attempted a cover up operation and is now looking for scapegoats to avoid accountability and save themselves.

The responsibility of all issues related to IT ultimately rests with the Chancellor and his direct reports-- not with employees whose voice has been suppressed with intimidation and fear and whose input has been ignored. This is not only an act of negligence on the part of the District Administration but potentially an act of malfeasance as well.

Again, I urge this Board to take the following steps and save our District from further damage,

- Place all employment/disciplinary actions against IT employees on hold until a fair and unobstructed investigation is completed.
- Place the Chancellor on administrative leave so an investigation can proceed without bias obstruction or interference
- Appoint an outside Acting Chancellor that can be impartial in assisting with an investigation
- Request information directly from employees and review all documentation regarding employee complaints and letters on IT issues to date

Please listen this time and save us all money.

REMARKS TO MCCCED GOVERNING BOARD JULY 24th, 2012
CONCERNS ABOUT MCCCED IT DEPARTMENT

My name is Linda Brown. For the past ten years I was a board member and executive director of the Arizona Advocacy Network. I was a founder of Maricopa Citizens for Safety and Accountability. After examining the MCSO's misplaced priorities and misuse of funds, we decided we had no choice but to organize and take action through the Board of Supervisors. I am here today to tell you that I have very similar concerns about gross mismanagement at MCCCED, and I plan to pursue this issue until we in the community can feel confident that proper action has been taken.

I come here today as a concerned citizen and community advocate and my request is straightforward. I am asking that you order an independent investigation into the ITS department.

There is ample evidence that this department is grossly dysfunctional and wholly out of compliance with MCCCED's vision and values. Last month you received a letter from Joyce McQueen, a longtime employee with a distinguished record who was so demoralized by the hostile working conditions that she chose to resign three years shy of her retirement. That should have been enough to launch an investigation.

Since then I have spoken with a number of people close to the department and learned that the list of reasons to hire an external investigator to review this department is mind-bogglingly long. It seems there is no area of this department that is operating effectively.

Among the concerns:

- Disregard for following required management procedures and processes in dealing with staff
- Disregard for following required policies and procedures regarding project management.
- Disregard for sound fiscal management bordering on reckless with multiple projects being delayed, having cost over-runs, or in some cases, being scrapped upon completion with Vice Chancellor George Kahkedjian requesting funds to start over again.
- Violation of copyright and licensing agreements
- Absence of due process, especially when Vice Chancellor George Kahkedjian wants to elevate cronies and demote or run out those he doesn't like.
- Rampant discrimination

Since that time, Vice Chancellor George Kahkedjian has stepped up his campaign of demoralizing, mistreating, demoting and otherwise abusing key staff members. He gives plum promotions to his pet employees even when they are not up to the tasks. Cronies who lack the required training and experience are put in charge of major costly projects that they have no business running while capable, experienced staffers are shunted aside. Vice Chancellor George Kahkedjian bullies and demotes those he doesn't like, regardless of their competence. What's most disconcerting - and I daresay, likely actionable-- is that the employees he has targeted are women and people of color.

Vice Chancellor George Kahkedjian is running his department in direct contradiction to our core values. This is not only deeply troubling on its face, there are potentially very serious consequences for this breach. I remind you that re-accreditation by the Higher Learning Commission is determined by whether an institution's actions are consistent with its mission, goals and values. In addition, his mismanagement of the department has resulted not only in tremendous waste, but in violations of software licenses, something that could cost the district dearly if it is not resolved quickly.

It is not all that surprising that the ITS department is in such disarray. I have worked in large corporations and I can tell you that most people's eyes glaze over when IT department budgets and operations are being discussed. This is all the more reason to hire an external investigator who can ferret out the issues and recommend a sound course of action. When departments are not scrutinized, and when those managing them feel their knowledge base is inadequate to properly judge what's going on, you create the perfect laboratory for dysfunction, waste and abuse. That's what we've got here. And I am asking you today to take these concerns very seriously. Please. Hire an external investigator and save all of us a lot of money.