



# Maricopa County Community College District Governing Board Minutes February 24, 2015

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

## GOVERNING BOARD

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

## ADMINISTRATION (REGULAR BOARD MEETING)

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

## EXECUTIVE SESSION

The meeting was called to order at 5:30 p.m. President Livingston moved to go into Executive Session for discussion with designated representatives for the Board to consider its position and instruct its representatives regarding negotiations for the purchase and sale of real property—ARS §38-431.03.A.7—Purchase of College Properties—Estrella Mountain Community College and GateWay Community College and discussion with designated representatives for the Board to consider its position and instruct its representatives regarding negotiations for the purchase and sale of real property—ARS §38-431.03.A.7—Sale of College Properties—Scottsdale Community College; South Mountain Community College; and Chandler-Gilbert Community College.

## MOTION

### Motion 10275

Board Member Burke made a motion to go into Executive Session. Board Member Saar seconded. Motion passed 7-0.

## CALL TO ORDER

The regular board meeting was re-called to order at 6:40 p.m.

## SUBSTITUTIONS

There was one substitution for a member of the CEC.

## PLEDGE OF ALLEGIANCE

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

## CLASS ACKNOWLEDGEMENTS

There were no classes present.

## STUDENT LIFE REPORTS

Estrella Mountain Community College (EMCC) Student Life Ambassadors approached the podium and reported on activities at the college. Ambassadors included: Alexandra Morgan, Joanna Ticsay, Rafael Arriaga, and Selena Rodriguez. Students noted that the Student Union at EMCC is the central hub for student life at the college. It is where Student Life & Leadership, athletics, wellness, and orientation all are housed. Students reported that Student Life & Leadership hosted forums on campus to get students engaged and keep them informed and also to provide an outlet to students to be heard. SLL members use them to refer students to resources available the them on campus. Students noted their Student Focus Group Forum provided their college's Community College Survey of Student Engagement (CCSSE) results and allowed student participants to interact with presenters using a survey/remote clicker system. Their Do It Yourself forum focused on progress to degrees. Recent events include an MLK luncheon, One Billion Rising, Hispanic Heritage Month, Coffee Talk Series, and a Transfer Fair. Upcoming events include

a Black History Conference, Women's Conference, Spring Fling, Clubs and Orgs Olympics, Student Appreciation Day, and a Student Success Fair. Students highlighted some programs including their Student Food Pantry which collects non-perishable food items for students in need, Estrella job fair and mentoring program, and childcare assistance. Students presented on EMCC's "I will graduate" campaign (they are one of five schools participating in the pilot program) which provides student support in the Student Union, set time schedules with Counselors, advising, student ambassadors. Students highlighted their 20 clubs and organizations which provide around 200 programs and community services such as their Refugee Hygiene Drive, Goodyear Ballpark Clean-Up, Mats for the Homeless, and a Clothing Drive for the Homeless. They reported on their Tale of Two Cities project involving over 100 volunteers and which brought in around 7,500 participants. They promote fitness and wellness on campus, because a healthy body creates a healthy mind. Their Mile Club Challenge had over 226 participants. They provide Chow Shares which promoted healthy eating habits, encouraging the consumption of locally-grown, organic food. They created a cook book with menus for fresh items and information on how to store them. They finished with a review of their athletics programs (Men's/Women's Cross Country and Golf), noting the average student athlete GPA is 3.2. Students then thanked the Board for its time.

**EMERITUS, AWARDS,  
AND RECOGNITION**

Dr. Shouan Pan, President of Mesa Community College (MCC), thanked the Board and presented a Faculty Emeritus Distinction Award to Janet Joransen for her meritorious contributions to the students of the Maricopa County Community College District (MCCCD). Janet has provided over 30 years of service to the Maricopa Community College District (MCCCD) as Residential medical-surgical faculty primarily at the Boswell Nursing Program site of Mesa Community College. She has participated in the Faculty In Progress (FIP) Program as a mentor; participated in three (3) curriculum changes for the district-wide Nursing Program; successfully led the Nursing Department through three (3) successful accreditation cycles; and served as a Peer Assistant Reviewer (PAR) for probationary faculty. Janet has performed numerous services that have provided significant benefit to the students such as serving as a strong advocate for student learning. Janet's students have consistently assessed her teaching as outstanding. Janet has also served on numerous committees along with other Nursing faculty leading the way for the Nursing curriculum design within the Maricopa County Community College District.

Ms. Joransen remarked that her 30 years had gone by quickly. She said it had been an honor and privilege to serve this very fine organization for years. She is proud of every one of her students, noting she's taught over 2,000 in her tenure. She feels any of her students would be competent to take care of her or her family. She said it was her time to step down and let others take over. She reiterated that it had been her honor to serve and thanked the Board.

Dr. Shouan Pan and Dr. Linda Lujan, President of Chandler-Gilbert Community College (CGCC), thanked the Board for its time. Dr. Lujan noted an email announcing the classification went out a few weeks ago about CGCC and MCC being named as Carnegie Community Engaged Colleges but did not think one email was enough for this news. Dr. Pan remarked that it was a remarkable accomplishment for both institutions and was a real 'feather in the colleges' caps.' It is a rare honor for community colleges. MCC is happy to follow in CGCC's lead (CGCC having been named a Carnegie Community Engaged College in 2006). Dr. Lujan remarked that CGCC was once a part of MCC and that it owed a lot of its DNA to Mesa. They thanked their team for their hard work and support. They then introduced Mr. Duane Oakes, Director of Civic and Community Engagement at MCC, to provide more detail. A copy of his complete presentation is included in the appendix.

Dr. Shari Olson, President of South Mountain Community College (SMCC), reported on SMCC's own recognition award, using a peer-reviewed and employee-driven process to determine winners. This year the college extended the award to a colleague in the District and honors Mr. Eddie Genna, Philosophy and Political Science Faculty at Phoenix College, on the work he has done with the college with the Interest-Based Negotiation (IBN) process. They have been able to build a shared-governance model on campus. He taught them to move beyond theory into practice. The award reads, "In appreciation for your time, talent, and dedication to SMCC."

Mr. Genna thanked Dr. Olson and the Board, and said it has been his pleasure to work across the District promoting the IBN process, especially with SMCC. He feels it is a great college with great people.

Chancellor Glasper thanked the Board and asked Dr. Maria Harper-Marinick, Executive Vice Chancellor and Provost, to comment on the 2015 Bellwether nominations. Dr. Harper-Marinick

recognized two Maricopa Community College programs that were chosen as finalists for the 2015 Bellwether Award from over 1,000 entries. The award focuses on three areas: instructional programs and services, planning governance and finance, and workforce development. SMCC was nominated for their "From Rhetoric to Reality: Innovating for Success at a Hispanic and Minority Serving Institution" and MCCCCD was nominated for its work with Open Educational Resources (OERs) and its goal to save students \$5 million in five years.

See press release from MCCCCD Marketing, for more information:

<https://www2.maricopa.edu/press/two-maricopa-community-colleges-programs-are>

#### **CITIZEN'S INTERIM**

There were six requests to address the Board.

1. Dr. Cleopatria Martinez, representing herself
2. Dr. Charles Townsel, representing the NAACP, regarding Dr. Cleopatria Martinez
3. Ms. Joy McLain, representing the Phoenix College (PC) Fitness Center
4. Mr. Michael Weber, representing PC
5. Ms. Julie Jackson, representing PC
6. Ms. Patsy McElmeel, representing PC

Dr. Martinez read a prepared statement, a copy of which is included in the appendix.

Dr. Townsel stated he was the chairperson of the political action committee for the NAACP. He spoke in defense of Dr. Martinez and said he was moved to action when she first addressed the Board the previous year. As a retired educator, he has never seen an instance where a 15-month suspension without pay was ever used as a disciplinary action. He said MCCCCD's own policies do not support such a decision. He does not understand why the Board has not taken the time to speak with Dr. Martinez about her situation in all the time since she brought the injustice to its attention. He hears good things about the District, but sometimes bad things happen, too. He asked the Board to act on Dr. Martinez's request for reinstatement.

Ms. McClain reported that employees of the Fitness Center were just informed they were being given the chance to restructure and the college's Fitness Center would not be closing! She reminded the Board of the incredible outpouring of support given by PC's students and faculty and District administration as they mobilized to save their Fitness Center. Their action has convinced the college to allow it to restructure itself and remain open. She thanked the Board for its support of their action and promised they would make everyone proud.

Mr. Weber introduced himself as a new student to PC, currently in his first semester. He said he recently started using the Fitness Center and was dismayed when informed, at the time he started, that open access to the Fitness Center was going to be terminated. He hopes to become a full-time student in the fall and could not justify adding a for-credit fitness course because of the demands on his schedule (if he couldn't use the Fitness Center on campus, he'd have to go elsewhere, which would necessitate driving time and cut away from his academic success). He has noted he has greater mental clarity when he can exercise and has seen a correlation between his physical and mental health. His own health issues make it vital to have such a resource close at hand. Having the Fitness Center at PC helps him do what he needs to do to succeed.

Ms. Jackson stated she was a registered nurse and a Fitness Center user at PC. She wants to celebrate the college's decision to restructure rather than close. It is in the best interests of the students, faculty, and staff. She said it was gratifying to see what happens when people mobilize to action and when leadership is willing to listen.

Ms. McElmeel said she was a nurse practitioner and has been adjunct faculty for 20 years at PC. Exercise is important to a person's physical and mental well-being. PC has a fabulous Fitness Center with wonderful and passionate employees. She thanked those who listened to their pleas to keep the Fitness Center open and reinforced the need for Fitness Centers at all the colleges.

#### **CHANCELLOR**

Chancellor Rufus Glasper took a moment to thank the Board for attending the Association of Community College Trustees (ACCT) 2015 National Legislative Summer earlier in the month. It provided an opportunity to visit with Arizona congressional delegations. Their talks focused on extending the PEL grant from 12 semesters to 14, with an ultimate goal of reinstating the 18-month time frame. They also spoke about Hispanic Serving Institution support and the expenditure limitation. There was a lot of reciprocity toward veterans. They plan to bring back many ideas to Arizona. In the past week he has

presented to the Arizona Chamber and a couple of community groups to broaden outreach and support for community colleges. The state budget shows support of MCCCCD down to less than half of one percent and he plans to continue to work to release MCCCCD of areas in legislative statutes and work on long-term legislative issues to allow MCCCCD to become more privatized. There is support for public/private partnerships at the federal and local levels in the legislature. He thanked the Board for its continuing support and asks for future considerations on public vs. private.

**FACULTY EXECUTIVE  
COUNCIL (FEC) REPORT**

There was no report.

**ADJUNCT FACULTY  
ASSOCIATION (AFA) REPORT**

Mr. Leo Valverde, President of the Adjunct Faculty Association, reported on two events sponsored by the AFA. The Chancellor supported AFA Board members, faculty development, and staff to attend the Academic Impressions Conference showcasing innovations for adjunct faculty support. He noted that MCCCCD is doing a great job and it was nice to hear ideas from across the nation on how to make services better. He remarked that a number of people came up to him and said MCCCCD was light years ahead in support for adjunct faculty. There is an opportunity for MCCCCD to be a leader in support for adjunct faculty. He then reported on a recent request which came out via email regarding nominations for outstanding adjunct faculty, who would be recognized in an event co-sponsored by the Maricopa Center for Learning and Instruction (MCLI). He told the Board that anyone could recognize individuals. He asked the Board and members of CEC to pass the announcement along to their colleges. The deadline for nominations will be March 9 and the Ceremony will be April 9 in the Rio Conference Center.

**EMPLOYEE GROUP**

There were no reports.

**APPROVAL OF THE  
ORDER OF THE AGENDA**

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

**MOTION**

**Motion 10276**

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

**APPROVAL OF  
CONSENT AGENDA**

President Livingston asked if anyone wanted to remove any items from the consent agenda. Board Member McGrath asked Item 12.3 be removed.

The following items were included in the Consent Agenda:

**10.1 APPROVAL OF THE MINUTES OF THE JANUARY 27, 2015 REGULAR BOARD MEETING, FEBRUARY 3, 2015 RETREAT, FEBRUARY 4, 2015 SPECIAL SESSION, AND FEBRUARY 17, 2015 AGENDA REVIEW AND WORK SESSION**

**11.1 APPROVAL OF FACULTY EMERITUS DISTINCTION MESA COMMUNITY COLLEGE (MCC)—**award Emeritus Distinction to Dr. Deana Gahn for her meritorious contributions to the students of the Maricopa County Community College District (MCCCCD).

**11.2 APPROVAL OF FACULTY EMERITUS DISTINCTION MESA COMMUNITY COLLEGE (MCC)—**award Emeritus Distinction to Janet Joransen for her meritorious contributions to the students of the Maricopa County Community College District (MCCCCD).

**12.1 APPROVAL OF CURRICULUM—**the curriculum proposals attached have been processed through all procedures established by the Maricopa Community Colleges; it is recommended that the proposals be approved as submitted.

**12.2 APPROVAL OF CURRICULUM—ACADEMIC DEGREES AND POLICIES—**approve the updates to Maricopa's academic degrees, general education requirements, and related policies for academic year 2015-2016.

**12.4 APPROVAL OF TITLE I LEA GRANT 2015 – TITLE I LEA—**adopt the annual Title I Grant allocation for GateWay Early College High School (GWECHS) in the amount of \$129,673.21.

**12.5 APPROVAL OF MARICOPA SKILL CENTER AND YEAR UP MOU—**approve a Memorandum of Understanding (MOU) between the Maricopa Skill Center (MSC) and Year Up; terms of agreement are from November 1, 2014 through June 30, 2016, with a possible one-year renewal.

**12.6 APPROVAL OF PROPOSITION 301 WORKFORCE DEVELOPMENT AND JOB TRAINING PLAN FOR FY2015-16—**approve the Proposition 301 Workforce Development and Job Training Plan for

FY2015-16 (FY16). The plan was completed in accordance with the amended ARS §15-1472.

**MOTION****Motion 10277**

Board Member Saar moved for approval of the Consent Agenda, as amended. Board Member Gutierrez seconded. Motion passed 7-0.

**12.3 APPROVAL OF AGREEMENT FOR DUAL ENROLLMENT WITH CHARTER SCHOOL**—authorize entry into an Agreement on behalf of its colleges with the charter school listed below for their dual enrollment programs.

Board Member McGrath asked the Charter School listed was one of Maricopa’s Charter Schools and if MCCCCD needed to have an agreement with every school. Dr. Harper-Marinick clarified that the Charter School was not connected to Maricopa and this represented a typical agreement with any charter school wanting to offer dual enrollment. Maricopa does have to have an agreement with every high school who wants to offer dual enrollment. Usually a blanket action item is presented to the Board, usually in March, listing a comprehensive list of schools and charter schools who have entered into an agreement with Maricopa. Other schools may be added as the year progresses, however, as in this case.

**MOTION****Motion 10278**

Board Member Saar moved for approval of Item 12.3. Board Member Gutierrez seconded. Motion passed 7-0.

**13.1 APPROVAL OF PROPOSED TUITION & FEES FISCAL YEAR 2015-16**—recommend no increase in the current county resident tuition rate of \$84.00 per credit hour. Also, although not part of the requested action in February, recommend NOT to access the 2% increase on the FY14-15 levy as permitted by the Constitution or prior year 2% increases in levy authorization that have not been accessed (the latter is permitted under the Constitution).

**MOTION****Motion 10279**

Board Member Gutierrez moved for approval of Item 13.1. Board Member Burke seconded. Motion passed 7-0.

**13.2 APPROVAL OF PROPOSED FEE CHANGES FISCAL YEAR 2015-16 BUDGET**—approve the varied fee changes detailed on the attached submitted as an action item. These changes relate to course fees at several colleges across the district, detailed by college.

**MOTION****Motion 10280**

Board Member Gutierrez moved for approval of Item 13.2. Board Member Saar seconded. Motion passed 7-0.

**INFORMATION ITEMS**

**14.1 REVIEW OF EMPLOYMENTS (NEW HIRES, SPECIALLY FUNDED, AND SHORT-TERM)**—in accordance with employee group policies, the following personnel actions were approved (January 1-30 2015). Budget approvals have been granted and are on file for the recommended personnel actions in this item.

**14.2 REVIEW OF SEPARATIONS**—in accordance with employee group policies, the following personnel actions were approved (January 1-30 2015).. Budget approvals have been granted and are on file for the recommended personnel actions in this item.

**MONITORING REPORTS**

**15.1 BUDGET ANALYSIS REPORT, FUND 1—GENERAL UNRESTRICTED FUND FOR THE SEVEN MONTHS ENDING JANUARY 31, 2015**—Expenditure analysis indicates 44.4% of the budget has been expended this year as compared to 48.8% expended at this same point last year. 31.3% of the budget remained unexpended or unencumbered compared to 24.6% in the prior year. Revenue analysis indicated that 64.7% of the budget has been recognized as compared to 65.6% in the prior year. The projected fund balance will increase by ~\$2.2M this fiscal year and the projected ending fund balance for June 2015 is \$166.3M. The District should meet its financial stability requirements.

**BOARD MEMBERS**

Mr. Burke provided the following: “I was pleased to attend the Maricopa Council on Black American Affairs luncheon in January at the Rio Salado Conference Center and to hear Rod Ambrose, Prevention Education Coordinator with the City of Phoenix Parks and Recreation Department. In addition, I also attended the annual Champagne and Chocolate scholarship fundraising event held by Chandler-Gilbert Community College on February 6. Along with five

other board members, I attended the ACCT National Legislative Summit, along with trustees from 900 community colleges nationwide to bring attention to the mission of community colleges. Last week, I attended the All-Arizona Academic Awards Luncheon in Mesa. Twenty-six Maricopa students received awards, which entitles them to tuition assistance at the three Arizona universities. The event is sponsored by Phi Theta Kappa, a national academic honorary society.”

Mr. Gutierrez reported he has visited college Veterans Centers and wanted to share his observation on the terrific things being done for veterans across the district. He reminded people that some veterans, for example those returning from Vietnam, did not have such services offered to them once upon a time. He did want to note that he heard all too often that services focused on veterans suffering from post-traumatic stress disorder (PTSD) or other issues. He wanted to make sure Veterans Center staff remembered that many veterans are proud of their service and come back stronger for it, viewing their service as something that helped form their character for the future. Maricopa needs to serve all veterans. He expressed his gratitude to all who have served.

Mrs. Haver reported she has had a wonderful time visiting four colleges, feeling like she has died and gone to education heaven! She is looking forward to visiting the remaining six. She participated in Paradise Valley Community College’s STEAM activities with her husband—who had been reluctant to attend initially so she had to promise they would only spend a brief amount of time there. They ended up spending the entire afternoon because he became enthralled by the presentations. She said he is very supportive of such activities now.

Mr. Heep thanked the college presidents and staff who have given him tours and an introduction to their college cultures and energy. He noted he has toured Mesa Community College, Chandler-Gilbert Community College, and Scottsdale Community College. He also attended a groundbreaking for West-MEC and Glendale Community College’s new automotive building. He also attended a recent Phoenix College’s Leadership Council meeting and enjoyed it very much. He really appreciates the effort and counsel given.

Mrs. McGrath said she would like to add to what Mr. Gutierrez said and declared she was thankful to be alive and free because of their sacrifice. She noted that, while others were attending the NLS Conference in the cold, she went to Paradise Valley Community College’s Black History Month celebration where she was served the most wonderful soul food she’s ever had and which provided a wonderful program.

Mr. Saar reported he also attended the groundbreaking for West-MEC, saying the facility will provide students opportunity to gain education and experience and have jobs lined up waiting for them when they complete their programs. He attended the MLK event at Phoenix College which he found very enlightening. Students did an outstanding job and it was very emotional and impactful to him. He said he went to DC and spoke with members of the Departments of Labor and Education in addition to Arizona legislators. He learned from them and they learned from MCCCDC and discussions generated a lot of value.

Mrs. Livingston reported she enjoyed the camaraderie on their trip to DC, noting that when they walked into a room there was recognition for Maricopa and learned MCCCDC is held in high honor. MCCCDC institutions are amazing! They are amazed that we can offer so much and maintain relatively low tuition and keep taxes at a reasonable rate. She said she felt legislators support MCCCDC and are willing to make change. She reported she just visited GateWay Community College and planned to return soon, wanting to hang out in their high school and child centers. She plans to attend many events in the future.

**VICE CHANCELLOR**

There were no reports.

**COLLEGE**

There were no reports.

**AADGB**

Mr. Burke provided the following: “The Arizona Association of District Governing Boards met on Friday, January 30, here in the District Office Building. Members received an update on the Governance Institute on Student Success scheduled for April 10-11 at GateWay Community College. The Association of Community College Trustees will lead that conference for Arizona community college trustees. In addition, members elected Scott Stewart of Pima Community College to recommend as the ACCT State Coordinator. AADGB is updating our website and working on a strategic plan for the organization. I have asked our Administrative Assistant, Tina

Emmons, to send the program for the Governance Institute for Student Success to board members and encourage members to attend that event.”

**ASBA AND ACCT**

Mr. Saar stated both institutions are heavily involved in establishing or re-establishing bills both nationally and locally. He encouraged individuals to go to their respective websites for more detail as they do a good job of updating on progress.

**NEXT BOARD MEETINGS**

President Livingston then announced the following future meetings.

- March 10, 2015, 3:00 p.m., Board Policy Committee Meeting, M134
- March 10, 2015, 4:30 p.m., Agenda Review, Governing Board Room
- March 10, 2015, 6:00 p.m., Work Session, Governing Board Room
- March 24, 2015, 3:00 p.m., Board Budget and Finance Committee Meeting, M134
- March 24, 2015, 6:30 p.m., Regular Board Meeting, Governing Board Room

**ADJOURNMENT**

President Livingston adjourned the regular board meeting at 8:08 p.m.

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Johanna Haver  
Governing Board Secretary

# **Appendix**

## **Carnegie Community Engaged College presentation Citizen's Interim**

CHANDLER-GILBERT  
COMMUNITY COLLEGE

50 YEARS MESA COMMUNITY COLLEGE

MARICOPA COMMUNITY COLLEGES

Carnegie Foundation  
Elective  
Community Engagement  
Classification

2015 Maricopa Community College District's  
Community Engaged Campuses  
as designated by the Carnegie Foundation  
for the Advancement  
of Teaching

Carnegie Foundation  
Elective  
Community Engagement  
Classification

Why become a Community  
Engaged Campus?

- Institutional Commitment
- Curricular Engagement
- Outreach and Partnerships
- Matches efforts to institutional mission, vision and goals!



**Our Mission:**  
The Maricopa Community Colleges provide access to higher education for diverse students and communities.  
Civic Responsibility    Global Engagement

**Our outcomes include:**  
1.4 - Community Development and Civic and Global Engagement



**The bigger picture**

- Of the 4,599 colleges and universities in the country only 361 (7.8%) currently hold the Community Engagement designation.
- Of the 361 only three are in Arizona  
CGCC (2006 & 2015)    MCC (2015)    ASU (2006 & 2015)
- Only 20 community colleges nationwide hold the designation.



## Partners and Projects

MCCCD 360+ Community Partners

American Cancer Society, local United Way agencies, A New Leaf, Paz de Cristo, Boys & Girls Clubs of the East Valley, Special Olympics as well as local senior centers and school districts



## CGCC & MCC Student Impact

- Over 38,800+ students
- 1.9 million+ combined hours of service
- **Over 37 Million dollars in economic impact\***

\*According to the Independent Sector at the current value



February 24, 2015

Governing Board President Tracy Livingston  
Governing Board Secretary Johanna Haver  
Governing Board Member Alfredo Gutierrez  
Governing Board Member Danna F. Saar

Governing Board Member Doyle Burk  
Governing Board Member John Heep  
Governing Board Member Jean McGrath

Dear President Livingston and Honorable Governing Board Members,

To: Governing Board Members

As Governing Board members you must fully investigate the charges made against me. I will show that all of these fabricated charges lack substance or any validity.

Thirty years ago, in 1985, I received my PhD and I was hired by MCCCDC as a mathematics instructor at Scottsdale Community College. In 1995 I transferred to Phoenix College because I valued diversity and I wanted a more diverse environment. I have always received excellent marks for my work in my evaluations. I love teaching mathematics, and since my students recommend me to other students, my classes fill up quickly, I assume the students like me too. I am an asset to MCCCDC, and I should have never been taken out of the classroom.

In 2010 the Phoenix College administration accused me of violating copyright laws and policies and later accused me of violating the MCCCDC cash handling policy. In December 2010, the Phoenix College administration directed me to *"use only course materials approved by the department, that are available in the bookstore for sale to the students and that are authored by persons other than yourself."* I am now going to provide you with four examples of how this directive was exploited to the extreme.

- 1) I was reprimanded when the administration found that I was using the variable "u" in some math formulas. The administration demanded I use the variable "x."
- 2) After receiving permission from the author, I used the Arabic numbers 1, 2, 3, etc. to identify the chapters I was teaching instead of the Roman numerals used by the author. I was again reprimanded—the administration demanded I use Roman numerals.
- 3) Also per the directive, I was not allowed to make up questions for tests. I inserted two adjectives to better clarify an author-generated question on a test, and the administration again reprimanded me because adding the two adjectives made the question my creation and thus, I was violating the directive.
- 4) I made a list of mathematics formulas for my students to memorize but was not allowed to use the list. I did not create these universal math formulas but the administration refused to allow me to use the list because they said the list was my creation.

There are many, many more similar examples of what the administration refers to as *"violations of district policy and federal law concerning copyright."*

In 2013, the President of Phoenix College and the Chancellor attempted to terminate my employment. I appealed and the appeals committee recommended that I not be terminated because the administration had failed to show I had violated copyright laws and/or the cash handling policy. Per policy, the Governing Board makes the final determination regarding termination (i.e. retention or dismissal) but only after meeting with the employee—me in this case but this never happened. Instead the Chancellor suspended me without benefits or pay for 15 months—April 2014 to August 2015. His reasons for suspension were copyright violation, cash handling violation, and insubordination. I was not allowed to present a defense—a violation of my due process.

In May 2014, I applied for unemployment compensation but was refused because MCCCDC claimed I had walked off the job and had been insubordinate. I appealed and presented my defense in court. The Administrative Law Judge found in my favor. He said I had not be insubordinate, and he said I was terminated from my employment.

In July 2014, I was denied an opportunity to meet with my supervisor to resolve my grievance as provided by MCCCDC policy. District Human Resources (HR) said I could not meet with my supervisor but I could file my grievance upon my return in August 2015. I submitted my grievance as per MCCCDC policy to HR, the Chancellor, and the Governing Board. I did not hear from anyone until I wrote to the current Governing Board asking that the procedure be followed and that an explanation be given for MCCCDC not following the grievance policy. Receipt of my letter was acknowledged by at least two members of this Governing Board.

In short, I have been exonerated of the charges made by the MCCCDC administration. First, the committee hearing evidence regarding my termination found the District did not meet its burden of proof regarding copyright laws and cash handling policy. Second, the Administrative Law Judge concluded that I was not insubordinate and that I was actually terminated.

I want to return to teaching my classes at Phoenix College. I have been wrongly suspended, and I request the Governing Board make me whole (i.e. return me to the classroom and rescind the suspension). I don't want the Governing Board to have any doubt about the fabricated charges made against me, so I request an opportunity to meet with the Board in executive session or in an open meeting to clarify the issues and answer the Governing Board's questions.

Sincerely,

Cleopatria Martinez, PhD