



**Maricopa County Community College District
Governing Board Minutes
February 3, 2015**

A Retreat of the Maricopa County Community College District Governing Board was scheduled to be held beginning at 5:00 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

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

ADMINISTRATION

Rufus Glasper
Maria Harper-Marinick
Debra Thompson
LaCoya Shelton-Johnson
Lee Combs

CALL TO ORDER

The Retreat was called to order at 5:15 p.m.

OPENING REMARKS

President Livingston began by sharing her desire to build a vision for the MCCCDC community for the present and future, stating she wanted to continue the charge of her predecessors. Her vision is for *ONE Maricopa, One Board, and One Vote*. Her overarching hope is to encourage working more as one, keeping issues in house, listening, and embracing her One Board, One Vote, and One System vision. The Board will declare the direction it wants to sail MCCCDC's ship. Her focus would be on students to provide more access, less cost, access to tutors, gain what was missed in high school (fundamental skills).

She remarked that some issues, like developmental education, will be costly endeavors. She reminded the Board that it needs to focus on the ends, not the means. The Board doesn't run the institution, it provides leadership. She hopes to create a team dedicated to students' continued success. She asks Board members to keep informed of events, open meeting timeliness, agenda items, etc. She asks that agenda items be forwarded to the Board Assistant to gather together for ease of use. Items should be on topic. She asked the Board to hold itself to the highest standard.

President Livingston then moved on to Board committees, noting that Board members had been assigned to specific committees but reminded them they were welcome to attend any meetings. Since she will be unable to attend many committee meetings due to her teaching schedule, she asked committee chairs to prepare an executive summary to inform her of what took place.

President Livingston closed with a reminder of her vision for One Board, One Vote and then introduced General Counsel Lee Combs to speak.

GENERAL COUNSEL OVERVIEW

General Counsel Lee Combs shared a handout giving a brief review of Open Meeting Law and referred to the Board's policies listed on the Public Stewardship [website](#).

He then highlighted *3.6 Board/Counsel Relationship*. Mr. Combs said his role as General Counsel is that of an attorney, similar to a county attorney. His client is the entity and organization itself (Maricopa County Community College District). He is supervised by the Chancellor but the entity is his client. He reminded the Board that any attorney employed by the District has the organization as a client, and the Board sits at the top. He can advise individuals in the organization but the organization is his sole client. He disclaimed that he is not able to promise to keep what Board members might share with him private as he may have to

share it with the organization. He has a direct line of access to the Board even though he reports to the Chancellor, as written in policy. He used a recent legal case as an example that showed how the President of the institution did not want General Counsel to go to the Board with evidence of misconduct. The president felt the institution could take care of the issue itself. General Counsel went to the Board anyway, even after being fired. Mr. Combs then informed the Board that this scenario would be true of any attorney hired by the Board.

General Counsel continued on, stating his role also is to provide advice to the Board, usually in Executive Session. His advice usually comes verbally but he can issue formal written opinions upon a vote by a majority of the Board (similar to the Attorney General's office). The Board, as a group, is part of the organization and has his loyalty and due diligence is proffered.

Mr. Combs then moved to discuss the Board's commitment to decorum stating the MCCCCD Board has stated in policy that it will follow all laws and its own policies. He referred to *4.2 Manner of Governing* which details the attitude the Board expects of its members. The Board should always be mindful of its civic trusteeship to the citizens of Maricopa county. The Board must fulfill its fiduciary requirement and follow all laws. The Board will cultivate a sense of group responsibility and conduct its business in a respectful and civil manner. It is Board members' collective responsibility to maintain a good working relationship with each other. The Board speaks with one voice and provides clear direction to the Chancellor and his staff. He then reference *4.10 Code of Conduct* which also binds the Board to conform to basic standards of ethics and lawful conduct. The Board has the same duties as corporate directors—duty of loyalty, due diligence, and fiduciary responsibility. The MCCCCD Board has committed itself to very high standards of ethics and performance.

Mr. Combs continued, stating Board members have an obligation to avoid conflicts of interest. He went on to advise Board members to even avoid the *appearance* of a conflict of interest. Board members risk criminal penalties if a conflict is found. Avoiding conflicts of interest are vital to the organization's reputation and an individual's, as well.

He reminded the Board that it speaks in one voice. A Board member may not attempt to exercise individual authority except as allowed in policy. The Board leads the organization with one voice. No member has authority individually to do anything, the Board must operate as a group and adopt policies and take legal action as a group. Board members who stray outside of bounds create chaos and damage the organization (employee perception of integrity, etc.). He stated Board policies 4.2 and 4.10 are very important policies and are fundamental to the Board's success.

A Board member made a blanket statement advising members to limit speaking about information outside of the Board or to be sure to clearly state that he/she is speaking for him/herself when asked for information. Mr. Combs observed that the Board makes decisions, individuals members may disagree, but each member has a duty of loyalty which asks them to support the final decision. Another Board member asked if a conflict could exist if they attend a class if an instructor has a higher agenda. General Counsel said no and that anything that gives Board members knowledge of the system can be good. Board members must ensure they get information from all sides as part of its fiduciary responsibility. He informed the Board that Maricopa has an anonymous [concernline](#) available as a resource to share with individuals who might contact Board members directly with concerns or problems with the organization.

Mr. Combs then briefly reviewed Open Meeting Law (OML). He reminded Board members to keep in mind when talking about the District with one another that the public wants to hear those conversations. Board members should ask

themselves should the conversation take place without notice or an open meeting. He remarked that OML issues are easy to raise. Keeping a higher purpose in mind when discussing District business is vital. There can be severe consequences to the organization, and individuals, if OML are not met. If the Attorney General investigates, those costs may be imposed and personal counsel fees cannot be reimbursed by the District. Board members may be removed from office or any action taken may be invalidated.

Mr. Combs acknowledged that the Attorney General recognizes some activities in themselves to do not violate OML (i.e., text messaging, email, etc.) but if deliberately used to violate OML they will be considered violations of OML.

Mr. Combs then spoke briefly about Executive Sessions. A special process was created by state statute allowing for very specific discussions to take place outside of an open meeting. Board members must stay on topic and if an issue is not on the agenda, it cannot be discussed. Matters discussed in Executive Session are considered confidential and should remain in session.

Board members wanted to know if they would be defended by the District in case of legal action. Mr. Combs responded that Board members are insured and indemnified by the District and will be defended and legally immune to concerns when Board actions are questioned. For any legal actions outside of Board action, Board members are on their own.

Mr. Combs then addressed the Board's request for alternate counsel. He stated that MCCCCD, generally speaking, provided legal counsel through contracts and procurement processes to help avoid issues of conflict and General Counsel manages the process. If the Board wants outside counsel on a particular issue, MCCCCD would procure un-conflicted outside counsel through established procurement processes. If individual Board members want another set of ears to bounce ideas off, for personal counsel rather than organizational counsel, then an attorney could be procured through established procurement processes—but the *Board* would have to ask its questions and receive a response, not individuals.

CHANCELLOR OVERVIEW

Chancellor Rufus Glasper was invited to share information with the Board about his vision for ONE Maricopa. Dr. Glasper stated the Foundation of any organization is strengthened by a strong code of ethics and by the daily actions of the college President/Chancellor who serves as the face of the institution. In his role as CEO he is often challenged with dilemmas that may serve to distract the district from its mission of teaching and learning. Thus, it is his responsibility to ensure that MCCCCD maintains focus on its mission and its commitment to students, faculty, and staff providing access, opportunity, and dynamic learning environments. His vision is communicated through three pillars that drive his daily actions: 1) Student Success, 2) One Maricopa and 3) Public Stewardship.

Student success is the overall framework in support of effective student recruitment, student retention, and student goal achievement. ONE Maricopa means that dedicated employees work together whenever possible, regardless of which campus they are a part of, to serve our students and our community. It means that we look for additional ways to collaborate with one another, both because collaboration is efficient and because it can promote the success of our students. Public stewardship means that we are stewards of the public trust and will be held accountable to spend resources responsibly and in an effective and efficient manner.

Dr. Glasper showed a map showing the historical perspective of community college service radii. This perspective, where each college has a traditional 6-mile service radius, has driven a very competitive system for over 50 years. Students drive all funding sources. He wants to change from the 6-mile service radius model to one of sharing resources to create ONE Maricopa.

The Chancellor then shared some MCCCDC kudos and needs.

Student Success

Demonstrated excellence in teaching and learning via caring, knowledgeable, and expert faculty support of the Board's goal of increasing completion rates by 50% by 2020. As evidence of increased student success, the total completion of awards increased from 24,449 in 2012-13 to 28,860 in 2013-14; the Fall-to-Fall retention rate increased by three percentage points for the most recent cohort; and the college-level course success rate increased by three percentage points for the most recent cohort.

ONE Maricopa

This became non-negotiable and he expects all endeavors to reflect ONE Maricopa—i.e., work creating a single entry portal, one admissions process, one financial aid process, etc. Seamless Student Experience (SSE) programs, Student Success Initiatives (SSI), Maricopa Priorities, Integrated Marketing, Outreach, Recruitment, and Retention (IMOR2), systemic enrollment, and enterprise management systems (student information system, human resources management system, and financial system) have all been aligned to this vision.

Meeting the Transfer Mission

Dr. Glasper noted that 12% of ASU juniors have credits from one or more Maricopa colleges. MCCCDC has over 35 transfer partners and 8,000 students annually transfer, with more requests received every day.

Meeting the Economic and Workforce Development Mission

Generating an estimated \$3B in annual direct and indirect economic benefits to Maricopa County, the Maricopa Community Colleges provide education and training which increases the skill base of Maricopa County's workforce, including the fact that nearly all of the best paying jobs for community college graduates are fields for which MCCCDC specifically trains. Maricopa offers credit programs in 95% of the highest-demand occupations in the greater Phoenix metropolitan area. The total number of occupational degrees and certificates has increased by almost 46% since FY 09-10.

Long-term Economic Stability

MCCCDC needs revenue sources to replace the third leg of the "three-legged stool." This may include flexibility from Expenditure Limitations or another bond in order to keep capital resources updated and to keep existing buildings safe and build for the future. [The timeframe includes both short-term and long-term considerations.]

Continued Momentum of ONE Maricopa

MCCCDC needs to maximize the strengths and potential.

Developmental Education

MCCCDC needs to scale best practices and catch students sooner so it can spend less on the front end. This includes stronger partnerships with K-12.

Technology Upgrades

The process of upgrading many facets of MCCCDC's IT enterprise systems is critical to the support of students, employees, and connections to the community. [The timeframe includes both short-term and long-term considerations.]

Strengthened Business Partnerships

MCCCDC wants to expand outreach to include public and private partnerships and focus on high quality training.

Stabilize and Modernize the HR System

A performance-based funding model is still needed. MCCCCD also needs HR technology upgrades, consistency in employee group policies, a culture of accountability, and more professional development opportunities. He wants to look at workforce measurements and metrics and create a ONE Maricopa workforce. Ongoing efforts at standardization include the classification and compensation study, performance compensation, and consistent HR practices.

Increased Marketing and Public Relations

While MCCCCD has a stellar reputation amongst those who know it, too many do not know it. In the face of enormous expenditures on marketing by “competitors,” Maricopa needs to better understand marketing as an essential function and make an appropriate investment in marketing activities. [The timeframe under consideration is one to three years.]

Increased Opportunities and Support for Leadership

MCCCCD leadership needs to change the face of its colleges. In the past, college presidents could expect to spend about 5% of time out in the community building partnerships; now it’s more realistic to expect 35-40%.) Maricopa will need even more to sustain and build resources. Employees are extremely receptive to this ONE Maricopa way.

Some Board members were hesitant to support an increase in marketing, seeing no benefit in purchasing new signs and logos. Dr. Glasper remarked they would build a value proposition which, if it could not be sustained, would be dropped and another option considered. Other Board members remarked that Maricopa does not own the market anymore and if MCCCCD isn’t out there, it’s going to lose. They just want to ensure the product meets market needs.

BOARD PROCESSES

President Livingston asked if any Board members had items they wished to be discussed in future meetings. Hearing none, Mrs. Livingston asked they forward future considerations her way as they came up, recommending discussions begin in committee.

Board Liaisons

- Hope Charter School Board of Directors: Gutierrez / Saar
- Audit and Finance Committee: Burke / Heep
- Maricopa Foundation: Haver / Gutierrez

CLOSING REMARKS

President Livingston said she was excited to be sitting with all her fellow Board members. She asked Board members to be careful to “stay out of the weeds” and “stay in the clouds.” She wants to make sure this ship stays afloat and sails around the world.

ADJOURNMENT

The Retreat was adjourned at 7:08 p.m.