C-FAIRR

COALITION FOR ACCOUNTABILITY, INTEGRITY,
RESPECT, AND RESPONSIBILITY
13551 West Manville Road, Tucson, AZ 85743

September 7, 2016

Dr. Barbara Gellman-Danley, President
Higher Learning Commission
230 South LaSalle Street, Suite 7-500
Chicago, IL 60604-1411

RE: Violations of Higher Learning Commission Policies by Pima County Community College District

Dear Dr. Gellman-Danley,

In your letter dated March 9, 2015 to Mr. Lee D. Lambert, Chancellor of Pima County Community College District (the College), you notified the College's Board of Governors and community that the Higher Learning Commission's (the Commission) Board of Trustees placed the College *On Notice* in eleven areas, which were considered at risk of non-compliance with the Criteria for Accreditation and Core Components**.** This letter constitutes a formal complaint of violations by the College of the Commission's accreditation policies. It provides documentation that the College has not complied with three areas contained in the March 9, 2016 Letter of Notice.

- **On Notice area 3:** "evidence of a comprehensive assessment of the human resources office, including structure and staff and an antic plan based on the assessment, including goals, metrics, and key performance indicators. The report should also include the outcomes of the recently-established Human Resources Advisory Committee and documentation of progress toward full implementation of the action plan (Core Component 2.A) [emphasis added]."

- **On Notice area 8:** evidence of the effectiveness of the assessment process for making changes to the teaching and learning process based on learning outcomes, including documentation of the completion of assessment cycles in all programs and of the changes made to improve learning and teaching (Core Component 4.B).

- **On Notice area 11:** "evidence of implementation of the 2014-2017 Strategic Plan including completion of the campus plan, establishment of key performance indicators to assess progress toward completion and direct linkages to the budgeting process in addition to outcomes achieved to date (Core Component 5.C).

However, in this letter the Commission further stated, "*If progress in these areas does not continue or if other compliance issues develop at the College, the evaluation team should carefully consider a recommendation of continued Notice or Probation* [emphasis added]" (Exhibit 1).

The evidence presented in this letter demonstrates that the history of the College's lax governance and mismanagement documented by the Commission in 2013 is ongoing. The College continues to disregard the Commission's accreditation criteria. In addition, serious ongoing issues with the United States Departments of Veterans Affairs and Education in the area of federal financial aid have come to light. All of this delineates an institution, whose practices may have impacted the College's core educational mission. Clearly, at minimum, the institution should remain on Notice, or be placed back on Probation. C-FAIRR categorically does not support the College being placed on Show Cause. Such an action on the part of the Commission would cause irreparable harm to the only metro community college serving the residents of Pima County.

At a recent Board of Governors' Study Session held on August 1, 2016, Mr. Bruce Moses, Assistant Vice Chancellor for Accreditation, presented information that Commission's academic liaison to the College had contradicted your statement. Slide six of his presentation states unequivocally, "According to Karen Solomon there is **no option** for Pima to go back on Probation [emphasis in original]" (Exhibit 2). Mr. Moses' Power Point presentation listed only two possible outcomes for the College: "Pima coming off Notice with Monitoring Reports due in multiple Core Component areas" or "Pima being placed on Show Cause." His presentation indicates that there is a continued lack of communication between the College's senior staff and its accrediting agency. Perhaps you recall your letter of August 19, 2015 to Chancellor Lambert where you deemed it necessary to admonish the College in regard to its interpretation of your agency's accreditation criteria.

> Members of the Pima County Community College District ("Pima" or "the College") community have brought to the Commission's attention questions about the Commission's requirements related to the credentials of staff members and *concerns about the understanding of these requirements within the Pima administration*. We have also received copies of media reports that *indicate some inaccurate communications may be coming from Pima relative to this issue*. I concluded that it was important for me to write to you to set the record straight in this regard [emphasis added].

A review of the videotape from the August 1st study session confirms that both Assistant Vice Chancellor Moses and Chancellor Lambert confidently reassured Governing Board members that of Dr. Karen Solomon's official position on behalf of the Higher Learning Commission—the most likely outcome would be the College being taken off Notice with monitoring reports (accessible at: https://www.pima.edu/meeting-notices/documents.html). They appear to have based their high expectations upon: (1) potentially positive results from the Commission's review of the *Pima Community College Notice Report: Evidence of Effectiveness, June 30, 2016* (Notice Report 2016) submitted by the College on June 30, 2016; (2) anticipated findings from the Commission's peer review team; and (3) a productive follow-up hearing conducted with the Higher Learning Commission's Institutional Action Council.

C-FAIRR finds that the alleged reassurances by Commission staff to Pima Community College are not in conformance with the official position stated in your March 9, 2015 letter. These statements, or the College's misinterpretation of the Commission's position, are highly irregular and prejudicial to the conduct of a fair and impartial Commission peer review process. Pima Community College's Governing Board should have been apprised of the fact that if sufficient progress had not been made in the eleven areas, then, the Commission's peer review team may submit a recommendation of continued Notice or may recommend Probation.

C-FAIRR's letter of complaint is definitely a case in point. It presents evidence that the College has failed to show progress in its overall commitment to openness and transparency with its internal and external constituents. Moreover, its official public documents, including its June 30th report to the Commission, do not present a complete and accurate record of the College's operations, systems, actions and decisions. The June 30, 2016 report's section on the strategic planning process is inaccurate and untruthful. There is a widely held belief within the Pima County community that the College is not open and transparent. This opinion is shared by print media and is confirmed by Board members stating that complaints about transparency are the number one complaint they receive from constituents. In 2013, the Commission's Fact Finding Team found,

> Transparency and openness on the part of the Board is not a part of its working ethic, yet PCCD's core values include "Integrity" and "Accountability." Openness, transparency, and a willingness to discuss and debate various points of view and opinions must be more readily imbedded in the Board's culture and operations. Past actions of the Board indicate that secrecy and protection of individuals is more important than transparency and a willingness to deal openly with difficult and sometimes embarrassing situations.

The evidence concerning the lack of transparency on the part of the College's Board of Governors, the Chancellor, and the senior administration is conclusive. It admits no counter argument. The question is: will the Higher Learning Commission uphold its accreditation criteria, or will the College be allowed to continue to act in an unethical and irresponsible manner as documented by the Commission's 2013 Fact-Finding Team? It is now clear that the 2010 Site Evaluation Team did not uncover many of the serious issues found by the 2013 Fact Finding Team. In fact, the 2010 Team recommended a 10-year accreditation for the College. The failure to discover the serious issues that existed in 2010, which included sexual harassment, a "dysfunctional" Board of Governors, and hostile workplace environment does not speak well of the Commission's Peer Review Process.

We must inform you that C-FAIRR has grave concerns regarding the Commission's ongoing oversight of the Pima County Community College District. Statements attributed to Commission staff raise serious questions concerning enforcement of Commission policies. However, we are hopeful that the Higher Learning Commission will diligently and objectively enforce its accreditation standards relative to Pima Community College in compliance with applicable federal statutes. As you are aware, recent actions by the United States Department of Education concerning the accreditation of post secondary institutions has raised issues with reference to accreditation agencies' enforcement of their standards. Therefore, it is imperative that the Commission's actions comport with its regulatory duties and obligations—this will restore public confidence in the fundamental integrity of the Commission's accreditation processes.

Finally, a new and extremely serious compliance issue has arisen. The College's current Board of Governors and administration have been as dismissive of serious allegations as was the Flores-era Board of Governors. A letter with extensive documentation was sent to the Pima County Attorney's Office and the Arizona State Attorney General's Office for appropriate action (Exhibit 3). It specifically addresses the College's altering of a public record titled, *International Student Programs And Services, Pima Community College Business Plan*. In addition, it documents the College's failure to promptly provide this public record in its native format with associated metadata pursuant to an A.R.S. Title 39 public records request. This letter contains substantial evidence of the College's violation of Higher Learning Commission's Assumed Practices, Criteria of Accreditation, and two key areas currently listed in the On Notice sanction.

The International Education Program (Strategic Internationalization Plan) is but one example that can be cited as evidence that the College has not changed its ways of doing business. This complaint covers a two-year time period and is illustrative of the College's failure to provide ongoing ethical and responsible leadership, demonstrate openness and transparency, and to comply with the State of Arizona's public records and open meeting laws. Compliance issues have developed which violate the following Commission policies:

- **Assumed Practice A. Integrity: Ethical and Responsible Conduct, 6. "The institution assures that all data it makes public are accurate and complete, including those reporting on student achievement of learning and student persistence, retention, and completion."**

- **Assumed Practice C. Teaching and Learning: Evaluation and Improvement, 6. "Institutional data on assessment of student learning are accurate and address the full range of student who enroll."**

- **Assumed Practice C. Teaching and Learning: Evaluation and Improvement, 7. Institutional data on student retention, persistence, and completion are accurate and address the full range of students who enroll.**

- **Criterion One, Core Component 1.D, "The institution engages with its identified external constituencies and communities of interest and responds to their needs as its mission and capacity allow."**

- **Criterion One, Core Component 3. A, "The institution's planning and budgeting priorities align with and support the mission.**

- **Criterion Two, Core Component A., "The institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it established and follows policies and processes for fair and ethical behavior on the part of its governing board, administration, faculty and staff."**

- **Criterion Two, Core Component 2.A, "The governing board reviews and considers the reasonable and relevant interests of the institution's internal and external constituencies during its decision-making deliberations."**

- **Criterion Five, Core Component 5.B, "The institution's governance and administrative structures promote effective leadership and support collaborative processes that enable the institution to fulfill its mission."**

- **Criterion Five, Core Component 5.C, "The institution engages in systematic and integrated planning."**

- **Criterion Five, Core Component 5.D, "The institution works systematically to improve its performance.**

As shown in Exhibit 3, Pima Community College continues its culture of secrecy that was initially exposed to the public in the Higher Learning Commission's Fact Finding Team Report of 2013. In 2015, the College received the *Brick Wall Award* given by the Arizona Press Club for, "...the most deceptive government agency or politician in the state..." In presenting this derisive award, the Arizona Press Club stated that, "Pima Community College had promised much *but delivered little in the area of openness and transparency* [emphasis added]. Under sanction since 2013 for mismanagement and lax governance, the college made a habit of ignoring state laws that protect the public's right to know—all while proclaiming its commitment to public access" (Arizona Press Club: http://azpressclub.org/brick-wallsledgehammer/).

In a letter dated February 29, 2016, Mr. Daniel C. Barr with the law firm of PerkinsCoie in Phoenix, representing the *Arizona Daily Star,* cited four major deficiencies in the College's current public records process and shortcomings in its compliance with the open meeting statute. At the May 11, 2016 Board Study Session, new Board members discussed the findings from the College's Transparency Audit Report prepared and presented by Ms. Lori Cox, Director, Internal Auditor. The recently appointed Board members cited the College's ongoing lack of openness and transparency and its continued failure to respond to requests for public records as their most often heard criticisms or complaints about the College. In a May 28, 2016 editorial, the *Arizona Daily Star* concluded,

> Arizona public records and public meetings law applied to Pima Community College, yet the institution, which is funded by local taxpayers, *has behaved as if its employees and board members, not the law, gets to decide what the public should know* [emphasis added]. This practice is unacceptable" (Exhibit 4).

Despite being under some type of Higher Learning Commission sanction for almost four years, evidence continues to conclusively prove that the College has not improved its effort to be more open and transparent in its communications with its employees, the media or the citizens of Pima County. In March 2015, the College was cited a second time for a violation of Arizona's open meeting statute.

One of the 11 areas listed in the Commission's formal notification of action letter stated that the College must provide,

> [3] evidence of a comprehensive assessment of the human resources office, including structure and staffing and an action plan based on the assessment, including goals, metrics, and key performance indicators. The report should also include the outcomes of

the recently-established Human Resources Advisory Committee and documentation of progress toward full implementation of the action plan (Core Component 2.A) (Exhibit 1)

As recently as August 20, 2016, an *Arizona Daily Star* article noted that two Board members serving on the College's Human Resources Advisory Committee have ignored Arizona's open meeting law by not fully detailing agenda notifications and not posting minutes of advisory committee meetings within three days (Exhibit 5). As to the specific work of the advisory committee, the College's administration neglected to notify the Commission in its *Notice Report 2016* of two important failures. First, the administration did not inform the Board members on the committee that the College took over 200 days to fill key administrative positions; other positions, including the Director of Assessment, were unfilled over multiple listings. The Director of Assessment, the eighth key area under Notice, is critical in leading the College's assessment process for making changes and improvements to the teaching and learning process based on student learning outcomes. Instead, the College's administration chose to inform the Human Resources Advisory Committee that an average of 46 days was needed to fill a College position.

The Board of Governors and Chancellor continue to engage in the suppression of critical information and key facts, which they deem will embarrass them. This diminishes the ability of the public and accrediting agency to effectively assess and evaluate the Board's enforcement of its policies. It further diminishes the Board's ability to assess the level of turnover or current vacancies in its administrative leadership. Consistency in administrative leadership directly affects the College's ability to effectively implement the myriad of changes in its strategic planning, directions, policies and processes and to confidently ensure that sufficient evidence can be gathered and analyzed to demonstrate progress in the eleven areas on Notice.

In addition to these serious issues, the College is now alleged to have altered a public record and has refused to provide the metadata per a request for public records relative to a five-page versus a six-page *International Student Programs and Services Business Plan.* When this conduct was brought to the College's attention, its staff failed to conduct an independent, external investigation into how this occurred and to determine which College employee may have altered an official College record. Altering a public record is a violation of A.R.S. 13-2407 and is a criminal act.

Circumstances regarding this serious allegation of wrongdoing by College staff are detailed in the Exhibit 3. Suffice it to say that the College provided a six-page business plan to an *Arizona Daily Star* reporter but sent a five-page copy of the plan to C-FAIRR. A possible motive for the College having altered the document sent to C-FAIRR is outlined in Exhibit 3.

Finally, substantial evidence is provided in this letter of complaint that corroborates the allegation that the College documents provided to the public fail to present a complete and accurate record of the College's operations. In particular, C-FAIRR draws your attention to the College's *Notice Report 2016* that does not accurately and truthfully record the full circumstances surrounding the development of the Strategic Plan for Internationalization, nor does it link the strategic planning and budgeting processes for the *International Student Programs and Services, Pima Community College* to the College wide strategic plan. However, the evidence in Exhibit 3 shows that the plan for the International Education Program was solely

administrative-driven beginning in early August 2014. It was written primarily by Dr. Lou Albert, former President of the West Campus, and Dr. David Bea, Executive Vice Chancellor for Finance, and was reviewed and approved by Chancellor Lambert.

The *International Student Programs and Services Plan* formed the basis of the Strategic Internationalization Plan (SIP), though it was not made a part of the public record. It contained the strategic components and metrics that resulted in substantive changes to the College's operations which "repurposed" long-term employees in the International Education Program to create vacancies in positions eventually approved by the Board. The public was not provided access to this document. The College states in its *Notice Report 2016* that, "Since 2014, the College has adopted an integrated planning and effectiveness process that includes operational effectiveness, strategic and operational planning and budgeting processes, all of which are guided by the mission." The *International Student Programs and Services Plan* should have been made available to the public for review and input.

As a result of this plan, the College increased resident tuition and lowered international tuition without providing advance information on this change to the internal and external constituencies. By utilizing a closed process the College violated Arizona's opening meeting and public records statutes. It is also not in compliance with three of the Commission's Criteria of Accreditation and the 11th item stated in the March 9, 2015 letter placing the College On Notice. The Commission's accreditation policies have been violated as a result of the College's omission of the facts about its secretive administrative planning process.

The 11th item in the On Notice letter also addresses linking the planning and budgeting processes (Core Component 5). The *Notice Report 2016* indicates that planning and budgeting are now linked through the new strategic planning process, which began early in 2014. It states that current strategic plans have Key Performance Indicators (KPI) as measures of success and effectiveness instead of lists of tasks and activities to be accomplished. The six-page *International Student Programs and Services Plan*, which included a 3-year staffing model and a 5-year financial and enrollment projection model, called for an infusion of $750,000 new dollars into the current program. It appears that no institutional research was conducted to justify the plan, and it did not contain a component to evaluate instruction in the international program or student learning. This approach reminded some community groups of the infamous noncredit Prep Academy established on the fly in 2012 to accommodate local students who were denied access to credit programs based upon their scores on the COMPASS Placement Test, which was not designed as a College entrance exam. This plan also lacked a teaching and learning evaluation component.

Despite the College experiencing an unprecedented decline in enrollments (28% from 2011), the College's administration developed a business plan that assured the Board of Governors that a 600% increase in F1 Visa students (1,000 FTSE) would be attained. At approximately $10,000 per full-time out-of-country student tuition and fees, the College expected to offset declining revenues from local student attendees. It is credible to assert that the College's administration willfully suppressed critical budget and enrollment data contained in the *International Student Programs and Services Plan* from public view. Had this information been provided to the public it is reasonable to conclude that the College's stakeholders would have questioned the premise upon which the enrollment and financial projections were based. In addition, prior to the March

9, 2016 meeting, the public was not provided any information concerning the Chancellor's recommendation to the Board that it approve a lowering of international tuition while raising resident rates. The Board packets prepared for this meeting did not include any information concerning this recommendation.

Drs. Albert and Bea presented the *International Student Programs and Services Plan* to the Board of Governors on November 17, 2014. However, this six-page plan was only contained in the Board members' packets. The Power Point presentations by Drs. Albert and Bea did not display page six of the business model, which contained the enrollment and financial projections over a five-year period. To avoid having this item listed on the Board agenda as an Information or Action Item, it was listed under the Chancellor's report among seven other items that evening. An *Arizona Daily Star* reporter filed a complaint with the Pima County Attorney's Office that Pima County Community College District had violated the state's open meeting law by not including those items on the public agenda. In March 2015, the Pima County Attorney's Office ruled that the College had, indeed, violated the Arizona State's open meeting law.

It appears that the catastrophic decline in enrollments and attendant losses in revenues by 2014, were the driving force for the $750,000 infusion into the budget for the *International Student Programs and Services Business Plan.* However, the College hoped the public and the accrediting body would believe that the development of the high-sounding 2015 strategic plan for internationalization actually drove the College's budget building process. To further confuse the public, a task force to develop a full strategic plan for internationalization was established by Acting Vice President Dr. Salazar in January 2015, well after the initial development of the key components of the *International Student Programs and Services Plan* in August of 2014. No mention of the massive infusion of new College dollars into this program was referenced in the draft strategic plan presented to the Board of Governors as an Information Item on June 8, 2016.

While a new model of enrollment projections was presented in the draft Strategic Plan for Internationalization, it was still based upon an overly optimistic 500% increase in international student enrollments over a five-year period that extended well beyond the College's 2013-2017 time line for its strategic plan. Yet, it is the College's Strategic Plan from which the Strategic Plan on Internationalization attempts to garner its legitimacy. When requested, the College can only provide enrollments in headcount not in FTSE, which was the only metric cited by the College's administration to evaluate the effectiveness of its business plan.

Apparently, the College does not have effective processes in place to expeditiously gather, analyze, and report enrollment data (FTSE) for F-1 visa students and other foreign student visa categories participating in credit instruction, a requirement found in *Assumed Practice C. 6 & 7, Teaching and Learning: Evaluation and Improvement* as well as *Criterion 4. Teaching and Learning: Evaluation and Improvement, C. 1-4.* At this point in time, the public finds it impossible to determine if enrollment projections (FTSE) and revenues for tuition and fees are on target regardless of which plan is referenced or if effective processes to assess and improve student learning for foreign students are occurring.

The *Notice Report 2016* does not accurately and truthfully disclose the circumstances surrounding the development and funding of this administratively driven program. No reports have been provided to the Board of Governors or the public on the College's progress toward

meeting the projected enrollment and revenues from tuition & fees upon which the Board based its tacit approval for the authorization for the infusion of an additional $750,000 in College resources.

Finally, we are exceedingly troubled to learn that student enrollments from among county residents are down another 4-5 percent for fall semester, 2016. The College's Enrollment Strategic Plan has failed to stem the College's catastrophic loss in enrollments for the past five years (2011-2016). It began with the ill-advised Board of Governor's decision to change its admissions policy, which in affect changed the College's mission and the nature and character of its students. This was compounded with another poor public policy decision when the Board set the tuition and fees rates for the 2016-2017 academic year.

The message the College is sending to students and residents of Pima County is undeniable—the Pima County Community College District does not give priority to students from its primary catchment, nor does it care that its students work and live in Tucson, the 6th poorest metropolitan city in the nation. Instead of providing the developmental education courses it provided to this community for over 40 years, the Chancellor and Board of Governors have chosen to focus recruitment efforts on an ill-conceived plan to address declining enrollments by increasing the number of international students. The Mexican American students who have traditionally constituted a significant percentage of the College's enrollment are now denied access to the only community college in this area. The implication for this ill-starred policy should not be lost in the United States of 2016, when the issue of race is at the forefront of our country's problems. The College has steadfastly denied access to pertinent enrollment data. However, it is C-FAIRR's contention that a significant portion of the 30 percent enrollment lost in the past 5 years, was primarily comprised of women and minorities (primarily Mexican Americans)—protected classes under federal law.

We are exceedingly troubled that tuition and fees were increased for county residents, except for those 55 years of age and older while tuition and fees for international students were discounted substantially by comparison for FY 2016-2017. A business in the private or public sector that experiences a 30% loss in its clientele and revenues will find it difficult to keep its doors open for business. No presentation has been made to the taxpayers or the Governing Board about the effectiveness of the rate changes in tuition and fees for 2016-17 on increasing enrollments or College revenues. The Commission's decision in 2013 to allow the College to change its mission and enrollment policies without application to do so continues to reverberate throughout our community.

C-FAIRR believes that it has made the case that Pima County Community College District continues to demonstrate a lack of genuine commitment to openness and transparency in its public communications with its constituents. The evidence provided in Exhibit 3 and in this correspondence has demonstrated that the College has violated three Assumed Practices, six Components of three Criteria of Accreditation and three key items under Notice. Taken together, these violations demonstrate that the College's culture of secrecy continues under the current administration and Board.

Their actions buttress an ongoing effort to communicate to constituents a narrative which omits pertinent facts, suppresses embarrassing information, and spins stories to put the College in the

best light in order to remove itself from the Commission's sanction. These fruitless efforts have been exposed, time after time, by frustrated and frightened employees who out of desperation release confidential information to the media or by community advocacy groups who document and challenge unethical and irresponsible behavior by the Board of Governors, Chancellor and senior administrative staff. C-FAIRR simply expects that the College will live up to its mission and commitment to openness and transparency by exhibiting the highest professional and ethical standards expected of leaders in post-secondary education in their oversight of the delivery of quality instructional and student support services for all students in Pima County.

C-FAIRR would appreciate receiving an acknowledgment of the receipt of this letter of complaint by the appropriate Higher Learning Commission staff. Also, we are officially requesting a meeting with the Commission's peer review team who will be conducting the site visit at Pima Community College this September 26-27, 2016. During the past two visits, C-FAIRR has been granted an hour and a half meeting with representatives from the evaluation teams.

Finally, C-FAIRR is still of the opinion that the peer review team will investigate any new compliance issues, which this letter addresses, and may still be able to recommend that the College remain On Notice or be placed on Probation. If the statement from your letter of March 9, 2015 is not accurate, please inform us as to what options the Higher Learning Commission's peer review team may recommend upon the conclusion of its evaluation this September, 2016.

Respectfully yours,

Mario R. Gonzales, Chairman, C-FAIRR

Exhibit 1

HIGHER LEARNING COMMISSION
A COMMISSION OF THE NORTH CENTRAL ASSOCIATION

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March 9, 2015

BY CERTIFIED MAIL

Mr. Lee D. Lambert, Chancellor
Pima County Community College District
4905C E. Broadway Blvd.
Suite C-234
Tucson, AZ 85709

Dear Chancellor Lambert:

This letter is formal notification of action concerning Pima County Community College District ("the College") by the Higher Learning Commission Board of Trustees ("the Board"). At its meeting on February 26, 2015, the Board removed Probation from the College and placed the College on Notice because, while the College is now in compliance with the Criteria for Accreditation, it remains at risk of being out of compliance with the Criteria for Accreditation and the Core Components identified in the Board's findings as outlined below. This action is effective as of the date the action was taken. In taking this action, the Board considered materials from the comprehensive evaluation, including the institution's report, the team report, the IAC Hearing Committee report, the institution's response to those reports, comments from the College community, and other materials relevant to the evaluation.

The Board required that the College submit a Notice Report no later than July 1, 2016, providing evidence that the College is no longer at risk for non-compliance with the Criteria for Accreditation and Core Components and that it has ameliorated the issues that led to the Notice sanction. The Notice Report should include the following:

- a well-defined, inclusive formal review process of the institution's mission, including description of implementation and resulting outcomes (Core Component 1.A);
- evidence of the effectiveness of newly adopted policies, processes, and procedures, including but not limited to the effectiveness and outcomes of the newly established Governance Council and Board of Governors' Finance, Board Human Resources Advisory Team, and Audit Committees (Core Components 2.A, 5.A, and 5.B);
- evidence of a comprehensive assessment of the human resources office, including structure and staffing and an action plan based on the assessment, including goals, metrics, and key performance indicators. The report should also include the outcomes of the recently-established Human Resources Advisory Committee and documentation of progress toward full implementation of the action plan (Core Component 2.A);
- the number and type of complaints and grievances filed with the Office of Dispute Resolution and the status of each complaint or grievance, as well as a process for assessing the effectiveness of the Office, including appropriate metrics and documented outcomes of its work (Core Component 2.A);
- evidence of a process for reviewing syllabi to ensure that all of them have proper and specific learning goals (Core Component 3.A);
- evidence of a process to coordinate and ensure consistency in review of dual learning courses and dual learning faculty training (Core Component 3.A);

- progress of the Developmental Education Redesign Committee, including evidence of its effectiveness and outcomes resulting from it in addition to the allocation of sufficient resources to developmental education to serve the student population (Core Component 3.D);
- evidence of the effectiveness of the assessment process for making changes to the teaching and learning process based on learning outcomes, including documentation of the completion of assessment cycles in all programs and of the changes made to improve learning and teaching (Core Component 4.B);
- evidence that persistence, retention, and completion metrics are used for making changes in programs, including metrics, action plans, and improvements, and documentation of the development and implementation of a strategic plan that addresses retention, persistence, and completion to support the institution's established goals (Core Component 4.C);
- evidence of stability in leadership including campus presidents and evidence of filling key vacant positions such as the Director of Human Resources position (Core Component 5.B); and
- evidence of implementation of the 2014-17 Strategic Plan including completion of the campus plan, establishment of measurable key performance indicators to assess progress toward completion and direct linkages to the budgeting process in addition to outcomes achieved to date (Core Component 5.C);

The Board required that the College host a focused evaluation no later than September 2016 focused on validating the contents of the Notice Report and on the effectiveness and long-term viability of changes at the College. At the time of the visit, the College must demonstrate that recently implemented policies, plans, functions, and structures meet Commission requirements and that they have been effective and are likely to remain successful. If progress in these areas does not continue or if other compliance issues develop at the College, the evaluation team should carefully consider a recommendation of continued Notice or Probation.

The Board will review the Notice Report and related documents at its February 2017 meeting to determine whether the institution has demonstrated that it is no longer at risk for non-compliance with the Criteria for Accreditation and Core Components and whether Notice can be removed, or if the College has not demonstrated compliance, whether accreditation should be withdrawn or other action taken;

In addition, the Board placed the College on the Standard Pathway and required that it host its next comprehensive evaluation for Reaffirmation of Accreditation in 2018-19.

The Board based its action on the following findings made with regard to the College:

The College meets the Criteria for Accreditation and the Core Components.

The College has addressed the concerns of the Commission related to Criterion Two, Core Component 2.A, "the institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it establishes and follows policies and processes for fair and ethical behavior on the part of its governing board, administration, faculty, and staff," for the following reasons:

- the College has implemented necessary internal controls to provide for oversight of its financial, academic, personnel, and auxiliary functions, including the implementation of a policy to promote communication between management and employees and the establishment of Board committees on Finance and Human Resources along with a College Governance Council;
- the College has adopted new policies in many areas including policies on sexual harassment, discrimination and retaliation;
- the College Board, employees and administrators have been trained on revised policies and procedures, as appropriate for their position;

- a new Office of Dispute Resolution has been initiated under the direction of the internal auditor to investigate and act on complaints;
- the College has made appropriate improvements to its Human Resource function;
- the College has changed its purchasing processes, particularly for non-competitive purchases, and has established an infrastructure for guiding ethical and responsible action;
- the College Board has recently undertaken a review of its bylaws.

While the College has addressed the concerns of the Board, it is still at risk of being out of compliance with Core Component 2.A because many changes, including the adoption of new policies and processes, have been developed and implemented only recently so that there has not yet been sufficient time to test and assess the effect of these changes;

The College has addressed the concerns of the Commission related to Criterion Five, Core Component 5.B, "the institution's governance and administrative structures promote effective leadership and support collaborative processes that enable the institution to fulfill its mission," for the following reasons:

- the College has established a new framework for College governance that emphasizes collaboration, civility, transparency and respect, among other values, the College Board is working within that framework to engage collaboratively with faculty and administration;
- the College Board has established a Governance Council including student, faculty, and staff representatives to empower these constituents to play a meaningful role in governance of the College;
- the College Board has started training on appropriate policy review and formation, and the Board has formed a Finance and Audit Committee and a Human Resources Advisory Team to strengthen its oversight of the College;
- the Board has implemented effective policies on the role of faculty in academics; and
- the team found during its visit that it appeared the College had improved the climate of openness and inclusivity of individual perspectives.

While the College has addressed the concerns of the Board, it is still at risk of being out of compliance with Core Component 5.B because these approaches have been developed and implemented only recently so that there has not yet been sufficient time to test and assess the effect of these changes; rapid turnover in senior administrative positions remains; and the College has additional work to do in documenting the outcome of its links with the community;

The College has addressed the concerns of the Commission related to Criterion Five, Core Component 5.C, "the institution engages in systematic and integrated planning," for the following reasons:

- the College has convened a conference and a committee to initiate a strategic plan; a 2014-17 Strategic Plan has been developed and includes directions and goals for the College and will include plans for each campus along with the development of key performance indicators; and
- the College's strategic planning process engages all constituencies to a greater extent than in the past.

While the College has addressed the concerns of the Board, it is still at risk of being out of compliance with Core Component 5.C because not enough time has transpired to allow the College to fully implement the strategic plan or to demonstrate outcomes and effectiveness; the status of

planning at the campuses remains uneven; key performance indicators for the Plan have not yet been developed; and the College needs to work on continuing the engagement of the community in the planning process.

The College meets with concerns Criterion One, Core Component 1.A, "The institution's mission is broadly understood within the institution and guides its operations," because the College has not conducted a formal review of its mission in over a decade and should do so in alignment with the implementation of its strategic plan.

The College meets with concerns Criterion Three, Core Component 3.A, "the institution's degree programs are appropriate to higher education," because the team found that the College lacks consistency in maintaining program quality and learning goals.

The College meets with concerns Criterion Three, Core Component 3.C, "the institution has the faculty and staff needed for effective, high-quality programs and student services," because the College has increasingly relied on adjunct faculty to teach its classes and should monitor its full-time to part-time faculty ratio.

The College meets with concerns Criterion Three, Core Component 3.D, "the institution provides support for student learning and effective teaching," because the College has recently restructured developmental education and needs to ensure that these changes are supported with appropriate College staff and serve the adult student population well.

The College meets with concerns Criterion Four, Core Component 4.A, "the institution demonstrates responsibility for the quality of its educational programs," because, although the College recognizes that its graduation, transfer and success rates are low, the College has not yet set benchmarks for academic or institutional success and has limited data on graduate employment outcomes.

The College meets with concerns Criterion Four, Core Component 4.B, "the institution demonstrates a commitment to educational achievement and improvement through ongoing assessment of student learning," because implementing the assessment process has been slow, and sustaining progress on program review continues to challenge the institution.

The College meets with concerns Criterion Four, Core Component 4.C, "the institution demonstrates a commitment to educational improvement through ongoing attention to retention, persistence, and completion rates in its degree and certificate programs," because critical metrics on persistence, retention, and completion were added to the institutional dashboard only recently. There is limited evidence of analysis of data collected on course completion and retention and program completion, so the College has not yet established a record of using this data to inform planning and decision making.

The College meets with concerns Criterion Five, Core Component 5.D, "the institution works systematically to improve its performance," because the College lacks evidence that information gathered in other processes informs planning and that planning is linked strongly to budgeting, and the College has not yet had time to demonstrate that its new structures are effective in addressing these gaps.

The Board action resulted in changes to the affiliation of the College. These changes are reflected on the Institutional Status and Requirements Report. Some of the information from that document, such as the dates of the last and next comprehensive evaluation visits, will be posted to the Commission's website.

Information about the sanction is provided to members of the public and to other constituents in several ways. Commission Policy INST.G.10.010, Management of Commission Information, anticipates that the Commission release action letters related to the removal or the imposition of a sanction to members of the public. The Commission will do so by posting this action letter on the Commission website along with the Statement of Affiliation Status and Organizational Profile. Also, the enclosed Public Disclosure Notice will be posted to the Commission's website not more than 24 hours after you receive this letter.

Commission policy INST.E.10.010, Notice, subsection Disclosure of Notice Actions, requires that an institution inform its constituencies, including Board members, administrators, faculty, staff, students, prospective students, and any other constituencies about the sanction and how to contact the Commission for further information. The policy also requires that an institution on Notice disclose this status whenever it refers to its Commission accreditation. The Commission will monitor these disclosures to ensure they are accurate and in keeping with Commission policy. I ask that you copy Dr. Solomon on emails or other communications with campus constituents regarding the sanction as required and provide her with a link to information on your website and samples of related disclosures.

In addition, Commission policy COMM.A.10.010, Commission Public Notices and Statements, requires that the Commission prepare a summary of actions to be sent to appropriate state and federal agencies and accrediting associations, and published on its website. The summary will include the Commission Board action regarding the College. The Commission will also simultaneously inform the U.S. Department of Education of the sanction by copy of this letter.

If you have questions about any of the information in this letter, please contact Dr. Solomon. On behalf of the Board of Trustees, I thank you and your associates for your cooperation.

Sincerely,

Barbara Gellman-Danley

Barbara Gellman-Danley
President

Enclosure: Public Disclosure Notice

cc: Chair of the Board of Trustees, Pima County Community College District
Evaluation team members
Dr. Mary Ann Martinez Sanchez, Vice Provost, Pima County Community College District
Dr. Karen J. Solomon, Vice President for Accreditation Relations and Director, Standard Pathway, Higher Learning Commission
Ms. Karen L. Solinski, Vice President for Legal and Governmental Affairs, Higher Learning Commission
Mr. Herman Bounds, Accreditation and State Liaison, Office of Postsecondary Education, U.S. Department of Education

Exhibit 2

HLC ACCREDITATION

Assuring and advancing the quality of higher learning at Pima Community College

Bruce Moses

bmoses3@pcc.edu

Agenda

- Timeline and Logistics
- What are the Possible Outcomes
- The Peer Review Team

Timeline

1. **September 26-27, 2016** Peer Reviewers representing the HLC will conduct a *Focus Evaluation Visit* ***validating the contents of the Notice Report and on the effectiveness and long-term viability of changes at the College***

2. **December 5–6, 2016** Institutional Actions Council Hearing with Pima Representatives

3. **February 23–24, 2017** the HLC Board of Trustees Meeting. The BOT will review the evaluation results of the Notice Report and Focus Evaluation Visit and make the decision on whether to remove Pima CC from Notice.

Logistics Notice Report

- Draft Report from Peer Review Visiting Team is due to the HLC: **October 25, 2016**

- Pima will have ***two weeks*** to review the report for facts and submit a response

- Final Report from Peer Review Visiting Team is due to the HLC: **November 22, 2016**

Logistics
Institutional Action Council (IAC) Hearing

- Draft Report from Institutional Action Council due to HLC sometime in **mid January 2017**

- Pima will have two weeks to review the report for facts and submit a response

- Final Report from Peer IAC is due to the HLC: **early February 2017**

Possible Outcomes

- Pima coming off Notice with Monitoring Reports due in multiple Core Component areas

- Pima being placed on Show Cause

- According to Karen Solomon there is **no option** for Pima to go back on Probation

The Peer Review Team

Chair, Dr. Sherilyn W. Poole, Associate Vice President for Student Affairs and Dean of Students (Retired) Governors State University

Dr. Brett A. Powell, Director, Arkansas Department of Higher Education

Dr. Scott R. Olson, President, Winona State University

Dr. Lisa H. Gerow, Associate Professor of Nursing, Tulsa Community College

The Peer Review Team

Dr. Russell D. Baker Fax, Vice President of Academic Affairs and University Transfer Division Ivy Tech Community College of Indiana

Dr. Jared Cutler, Assistant Provost of Accreditation and Assessment, Sinclair Community College

Dr. Jennifer Lynn McClure, Managing Director Enrollment Services, Elgin Community College

PCC Standard Pathway Cycle
Year 1 started Sept. 2015

Cycle Year	Institutional Activities		Peer Review	HLC Decision-Making
Year 1	Institution may contribute documents to Evidence File	Submit interim reports and undergo visits if required	Review interim reports and conduct visits if required	Action on interim reports and visits if required
Year 2				
Year 3				
Year 4	Submit **Comprehensive Evaluation Materials**		Conduct **Comprehensive Evaluation** (with visit)	Action on **Comprehensive Evaluation**
Year 5	Institution may contribute documents to Evidence File	Submit interim reports and undergo visits if required	Review interim reports and conduct visits if required	Action on interim reports and visits if required
Year 6				
Year 7				
Year 8				
Year 9				
Year 10	Submit **Comprehensive Evaluation Materials**		Conduct **Comprehensive Evaluation** (with visit)	Action on **Comprehensive Evaluation** and **Reaffirmation of Accreditation**

Exhibit 3

C-FAIRR

COALITION FOR ACCOUNTABILITY, INTEGRITY, RESPECT, AND RESPONSIBILITY

13551 West Manville Road, Tucson AZ 85743

July 11, 2016

Barbara LaWall
Pima County Attorney
32 N Stone Ave,
Tucson, AZ 85701

Re: Violations of A.R.S. §13-2407 C. and A.R.S. §39-121

Ms. LaWall,

This letter serves as an official complaint against the Pima County Community College District (the College) for the following violations: (1) A.R.S. §13-2407 (C. tampering with a public record) and (2) A.R.S. §39-121 failure to promptly provide a requested public record in its native format with associated metadata. These are serious allegations, as it is a Class 6 felony to knowingly alter a public record (A.R.S. §13-2407). The complaint contained herein specifically addresses:

1. The College's altering of the public record titled, *International Student Programs And Services, Pima Community College Business Plan*, hereafter.

2. The College's failure to promptly provide the above document in its native format with associated metadata pursuant to a public records request.

As an Arizona public entity, Pima County Community College District is surely aware that, "Arizona's public records law serves to "open" government activity to public scrutiny" (Griffis v. Pinal County, 215 Ariz. 1, 4 ¶ 11, 156 P.3d 418, 421 2007). Additionally, we are troubled by the College's failure to initiate an independent external investigation of the A.R.S. §13-2407 violation.

BACKGROUND: A CULTURE OF SECRECY

The Pima County Community College District is notorious in our community for operating with a complete disregard for the openness and transparency required by A.R.S. §39-121. The College has been criticized for its lack of openness and transparency by the *Arizona Daily Star* editorial board and received the *Brick Wall Award* in 2015, which is given to, "… the most deceptive government agency or politician in the state…" (Arizona Press Club website). In awarding this dubious honor, the Arizona Press Club stated that,

> Pima Community College has promised much but delivered little in the area of openness and transparency. Under sanction since 2013 for mismanagement and lax governance,

> the college made a habit of ignoring state laws that protect the public's right to know—all while proclaiming its commitment to public access (Arizona Press Club website).

At the May 11, 2016 Board of Governors study session, Ms. Lori Cox, Director, Internal Audit, presented the results of her Transparency Audit Report to the College's Governing Board (Exhibit 1). Representatives from C-FAIRR were in attendance. Ms. Cox reported her findings concerning the open meeting law.

> We found that the College is in compliance with the provisions of the Open Meeting Laws as they pertain to regular Board of Governors Meetings and executive sessions. The depth of information available in the College's agendas and board packets (board meeting supporting documentation) generally exceeded other public bodies with the exception that other public bodies in the Tucson Community include a copy of the contracts to be voted on with their meeting support. The information in the board packet is complete and consistent with both the agenda and minutes. (Exhibit 1).

Ms. Cox's findings with respect to public records was similar, "The College is generally compliant with the provisions of Public Records Laws" (Exhibit 1). She did provide four areas for improvement, though none of her recommendations dealt with solving the problems reported by the public and by members of the College's Board at this meeting.

The fact that her "audit" failed to meet the standards of a thorough evaluation was clearly conveyed to her by members of the Board. Board Member Mr. Demion Clinco raised a serious question about the College's compliance with the opening meeting law relative to Agenda Item 2. Transparency Audit Results. Incredibly, this agenda item specifically dealt with Ms. Cox's transparency report. Mr. Clinco stated,

> There was a change to this agenda from when it was posted to when, what we have in front of us now, and there is no documentation that there was a change made on who was actually conducted the audit. There was an error. I mean, to me, this is sort of -- this is an example of the -- it concerns, the concerns I have heard since arriving at the college in December, this is the single most vocal issue that I hear from multiple parties is about concerns about how information is flowing, how information is made public, how information is public" (Transcript of May 11, 2016 Study Session, https://www.pima.edu/meeting-notices/transcripts/2016-2018/201605-11-bog-study-session-transcript.pdf).

It is disturbing that at a meeting where the College's Internal Auditor presented a report, which absolved the College of non-compliance with the open meeting law—*there appears to have been a violation of this same law on the agenda of this very meeting*. The newest member of the Board also informed Ms. Cox that the agenda notification for the May 11, 2016 meeting was inadequate.

> I'm just looking at our study session agenda, and this item I think for me is illustrative of sort of the issues that we keep hearing about. The entire description is transparency audit results, discuss the results of the transparency audit conducted by internal audit, but that doesn't say what sort of transparency, it doesn't give any details into the type of work being done. It doesn't say this was a special request of the board. The way that this is structured online, you can't actually click a link from the agenda. You have to then back

> out into a different, back a page and then go into attachments to even find the document (Transcript of May 11, 2016 Study Session).

Incredibly, Ms. Cox's conclusions were based on an audit that was incomplete and spurious, and failed to meet even the basic standards of the independence required in this matter. It was limited to a review of the past year's requests for public records. This "audit" only reviewed those requests forwarded to the College's General Counsel, Mr. Jeffrey Silvyn for his response. Mr. Clinco asked, "In this part of the audit, did you look or talk to any of the end users, people who were requesting the records to find out what their experience was?" Ms. Cox responded, "I did not. And what I reviewed was what was discussed in terms of what the scope and objectives were of the audit were" (Transcript of May 11, 2016 Study Session). That she failed to interview individuals who had complained about the College's failure to respond to public records requests demonstrates a lack of objectivity and a failure to understand the most basic research procedures expected of a post secondary researcher. Further, her failure to interview members of the public who had lodged complaints cannot be explained away by reference to scope. A knowledgeable researcher does not use scope as a pretext for limiting evidence that is necessary in forming a thoughtful, honest, and independent report.

Mr. Mark Hanna, Chair of the Board of Governors raised a question concerning a number of emails that dealt with complaints "Did you have access to any of the e-mails that went back and forth concerning those problems [complaints]?" Ms. Cox responded, "I was sent one e-mail, but I did not have any other information about any of the complaints we have received related to public records" (Transcript of May 11, 2016 Study Session). Unbelievably, the scope Ms. Cox set for her "audit" limited her review to information recorded on login or tracking sheets, not the actual documents. The documents that she failed to review were material and certainly would have altered her conclusions. Nonetheless, even though she publicly admitted serious deficiencies in her gathering and reviewing of evidence, she found that the College, "So as I mentioned, in general, I see that the college is in compliance with both of these laws" (Transcript of May 11, 2016 Study Session).

Despite the use of impartial language, it is clear that Ms. Cox's "audit" was nothing more than a whitewash. Its sole purpose was to inform the public that all was well with the College in regard to its openness and transparency. Remarkably, in regard to agenda notifications provided to the public at board meetings she stated, "The depth of information available in the College's agendas and board packets (board meeting supporting documentation) generally exceeded other public bodies with the exception that other public bodies in the Tucson Community include a copy of the contracts to be voted on with their meeting support" (Transcript of May 11, 2016 Study Session). The *Arizona Daily Star* reported that, "[the] Pima County Attorney's Office has made two findings in recent years that PCC's agenda notifications are inadequate." Finally, in regard to the scope of her report, she stated that she was not aware of how many requests for public records had come into other offices of the college district, including campuses.

The fact that her "audit" did not review all of the pertinent evidence available was further demonstrated when Mr. Clinco asked, "As part of the audit, did you review the Perkins Coie [sic] report or letter that was submitted by the *Arizona Daily Star* to the college related to concerns, legal concerns, that they saw in the execution of open meeting laws..." Ms. Cox responded, "*I did not review that. I was not aware of that letter*" [emphasis added] (Transcript of May 11, 2016 Study Session). Mr. Clinco was referring to a letter dated February 29, 2016, from Mr. Daniel C.

Barr, an attorney with the firm of PerkinsCoie in Phoenix, representing the *Arizona Daily Star* (Exhibit 2). He also asked Ms. Cox if she had seen the letter from the County Attorney's office, "When the Pima County attorney civil division, they had sent a letter, and there were a few things that they outlined in there, concerns about how public need to review those at all and look at before and after?" Ms. Cox stated, "*I did not. I wasn't aware of any letters being received regarding those matters*" [emphasis added] (Transcript of May 11, 2016 Study Session).

In his letter, Mr. Barr cited four major deficiencies in PCC's current public records process and shortcomings in its compliance with open the meeting statute.

> (1) PCC's failure to provide the Star with timely access to all the materials that are provided to PCC Board members before Board meetings;
>
> (2) vague or misleading agenda listings that do not provide sufficient specificity of what will be discussed at Board meetings;
>
> (3) slow responses by PCC in responding to public records requests, especially those that seek copies of contracts or other public documents that are routinely produced by other public bodies without delay; and
>
> (4) PCC's attempts to improperly seek the recovery of costs for searching for documents or redacting confidential or private information from documents before they are produced in response to a public records request (Exhibit 2).

Given her role as the College's internal auditor, C-FAIRR was shocked that Ms. Cox stated that she was unaware of Mr. Barr's letter. Was the College's culture of secrecy the factor that prevented Mr. Silvyn from providing the Internal Auditor with copies of the letters from Mr. Barr and the County Attorney? Surely, Mr. Silvyn must have known that the contents of these letters, which questioned the College's compliance with transparency statutes, had direct bearing on Ms. Cox's audit. C-FAIRR obtained a copy of Mr. Barr's letter.

We now draw your attention to the letter from Mr. Barr to Mr. Silvyn. During the past four years C-FAIRR has monitored the performance of the College's Board of Governors, three Chancellors, and numerous senior administrative staff. We have observed the same deficiencies reported by Mr. Barr. The transcript of the May 11, 2016 meeting includes a discussion by Board members, the Chancellor, Mr. Silvyn, and Ms. Cox that reveals the administration's troubling attitude towards open meetings and pubic records request laws.

One disturbing statement by Ms. Cox occurred early in her presentation, "*In terms of public records, records may be inspected at times or in ways that do not disrupt normal business of the college* [emphasis added](Transcript of May 11, 2016 Study Session)." Ms. Cox's statement clearly expresses the attitude C-FAIRR has encountered on nearly all instances when it has filed public records requests with the College. Interestingly, Ms. Cox does not provide a citation for her opinion, but it does not appear to comport with the intent of Arizona statute and case law. The statute in question simply states A.R.S. §39 – 121, "Public records and other matters in the custody of any officer shall be open to inspection by any person at all times during office hours." The Courts have found a presumption of disclosure unless the state offers a compelling argument against providing the record.

> In light of our statutory policy favoring disclosure, we think that the best procedure is that all records required to be kept under A.R.S. § 39-121.01(B), are presumed open to the public for inspection as public records (Carlson v. Pima County, 141 Ariz. 487 (1984).
>
> We think that the objective implicitly expressed in § 39-121.01 is to broadly define those records which are open to the public for inspection under § 39-121, thus obviating the need for any technical distinction between "public records" or "other matters," insofar as the right to inspection by the public is concerned (Carlson v. Pima County, 141 Ariz. 487 (1984)).

We assert that the attitude expressed by Ms. Cox is one of the excuses that the College has offered when it desires to circumvent its obligations pursuant to A.R.S. § 39-121. However, it appears that Ms. Cox's argument that the disruption of an Arizona public entity's operations is dubious. In 2011, the Court of Appeals of Arizona, Division 1, Department B., found for the requestors in a case where the Congress Elementary School District asserted that in response to a public records request by four individuals, "[it had] required review of nearly 9,000 pages of documents and consumed more than 417 hours, thereby diverting staff from teaching and classroom duties." The Court found that this level of expenditure of staff time did not support the District's contention that further requests needed court approval.

> Public records requests are intended to inform the public about how a government is performing its duties. It would defy the purpose of our public records law to deny the public rightful access to information on how the district is conducting its functions on the tenuous ground that requesting such lawful access constituted a public nuisance (Congress Elementary School District V. Warren.)

Therefore, it is clear that the agreement between the Pima County Attorney's Office and the Pima County Community College District, which required training by the Arizona Ombudsman's Office, has failed to substantively change the culture within the College's administration regarding transparency. It is obvious, as stated in the letter by Mr. Barr, that the College has not fully embraced the best practices followed by other governmental agencies in Pima County to comply with the requirements and intent of the open meeting law. In addition, as the College documents and actions have shown, a *siege mentality* that the Higher Learning Commission found to have existed in 2013 persists to the present day. (HLC Fact-Finding Visit To Pima Community College District, January 16-18, 2013).

It is in such an environment that extraordinarily misguided behavior can occur under the guise of "Doing what is best for the College." or "Doing what is right for the student." In this kind of unhealthy workplace and, under certain circumstances, some members of the College staff may undertake inappropriate actions to protect the College against those who are considered the "opposition" or those whose actions might be considered "politically motivated." In the culture of secrecy that currently exists at the College, the intentional altering of a public record may be seen by some administrative staff—***as protecting the College from the unwarranted interference by the citizens of Pima County***. The evidence that supports this contention is cited in the complaint; however, there are many more instances that confirm our allegation. We firmly believe that any independent external investigation will confirm this assertion.

ALLEGATIONS CONCERNING THE ALTERING OF A PUBLIC RECORD.

On March 30, 2016, C-FAIRR received a 5-page copy of a document titled, *International Student Programs And Services, Pima Community College Business Plan*, hereafter (PCCBP). We received this document from the College in response to a request for a public record (Exhibit 3). Subsequently, we became aware that the College had provided *a 6-page copy of above referenced document to Arizona Daily Star* (ADS) reporter Ms. Carol Ann Alaimo (Exhibit 4). At the time of C-FAIRR's request, the College possessed two copies of the same document; one contained 5 pages, the other 6 pages. Subsequently, the College provided each of these documents to two individual requests for public records.

If this had not occurred, the fact that someone had removed one page from this document would never have come to light. As shown in Exhibits 3 and 4, the copy received by Ms. Alaimo *has an additional page*. Ms. Alaimo obtained page 6 on February 23, 2016; it contains the projected enrollment and budget for the International Program. This page was not included in the 5-page document provided to C-FAIRR. It is clear that the document C-FAIRR received was altered.

The College's Board of Governors and Chancellor have often stated their firm commitment to transparency. Nonetheless, in a May 28, 2016, editorial, the *Arizona Daily Star* observed,

> Arizona public records and public meetings law applies to Pima Community College, yet the institution, which is funded by local taxpayers, *has behaved as if its employees and board members, not the law, gets to decide what the public should know* [emphasis added]. This practice is unacceptable" (Exhibit 5).

In this editorial the ADS also stated that, "*The Pima County Attorney's Office has made two findings in recent years that PCC's agenda notifications are inadequate*" (Exhibit 5). On March 24, 2015 the ADS reported on a letter from the Office of the County Attorney informing the College, "That review resulted in findings that require remedial action [by the College] to ensure strict compliance with the OML [Open Meeting Law]" (Exhibit 6).

A review of the copies of the above referenced document provided by PCC in response to two independent public records requests is definitive—*the document the College provided to our organization was altered*. Given our concerns of an A.R.S. §13-2407 violation, we first approached the College to determine why the document we received had been altered. On April 18, 2016, C-FAIRR sent an electronic letter (Exhibit 7) to Ms. Libby Howell, Executive Director, Media, Community & Government Relations concerning the above referenced document. In this correspondence we informed Ms. Howell of our concerns that the College may have violated A.R.S. §13-2407. Additionally, we formally requested the above referenced document in its "native format" with all related metadata. The metadata our organization requested included, but was not limited to, the true creation date, all access dates, the access dates for each time it was accessed, including who accessed the file as well as print dates, etc.

We also informed Ms. Howell that the Arizona Supreme Court held in Lake v. City of Phoenix, 222 Ariz. 547, 218 P.3d 1004, 2009, that, "The metadata in an electronic document is part of the underlying document: it does not stand on its own. When a public officer uses a computer to make a public record, the metadata forms part of the document as much as the words on the page" (Lake v. City of Phoenix, Paragraph 13). The court also noted, "[a public entity]…can

satisfy a public records request by providing the requestor with a copy of the record in its *native format*" (emphasis added) (Lake v. City of Phoenix). Further, we notified Ms. Howell that if the College possesses an electronic copy of this document in its native format (for example, Microsoft Word) that C-FAIRR was entitled to receive it.

In response to our letter to Ms. Howell on April 25, 2016**,** we received an official response from the College's General Counsel, Mr. Jeffery Silvyn with an explanation of the circumstances related to the altering of this document (Exhibit 8). We assert that Mr. Silvyn's explanation regarding the altering of this public record does not comport with the factual record of its creation and modification. Mr. Silvyn provided C-FAIRR with an Adobe Portable Document File (PDF) of the requested record. The data provided clearly indicate that the document was altered on March 30, 2016. Mr. Silvyn did not provide us with the requested record in its native format with associated metadata to allow C-FAIRR to determine who altered it.

C-FAIRR requested emails to and from certain individuals concerning the creation of the document in question and received Exhibit 9 in response to this request. The emails contained in Exhibit 9 clearly indicate that the document was, in fact, created in Microsoft Word and was subject to several revisions as shown in Table 1. As the native format of the document was Microsoft Word, the College should have provided our organization with the requested native format version of this document and not the PDF copy we were provided.

Table 1: Existing versions identified of International Student Programs And Services, PCC Business Plan

1. Page 28, August 24, 2014: IE Business Plan Third Version.docx
2. Page 35, November 17, 2014: Combined IE Business Plan 11 17.pdf
3. Page 36, November 17, 2014: Flexible Staffing Version of IE Plan.pdf
4. Page 37, November 19, 2014: Board Combined IE Business Plan 11 17.pdf
5. Page 39, August 28, 2014: international enrollment prelim model 8 28 14.xlsx
6. Page 41, August 23, 2014: IE Business Plan First Cut.docx
7. Page 43, August 23, 2014: IE Business Plan Second Cut (listed in subject line, no attachment)

Examining Exhibit 9 reveals that the investigations conducted by Mr. Silvyn and Ms. Cox were startlingly incomplete. The records that we received pursuant to an A.R.S. §39-121 request provide evidence that this document was subject to several revisions, and this evidence was available to Mr. Silvyn and Ms. Cox. The conclusion offered by the College concerning the creation and modification of this document was not based on the actual history of this document. The College's failure to truthfully and accurately account for revisions to this document raises fundamental questions concerning its compliance with the transparency required by A.R.S. §39-121.

The first mention in the email trail provided C-FAIRR is in an email from Mr. Albert to Mr. Conover on August 23, 2014 (Exhibit 9). There are 48 pages of emails in Exhibit 9, which trace the modification of this document, primarily by Mr. Albert and Dr. Bea. The College's version of the modification is shown in Table 2. The document was modified on March 30, 2016, nearly one and a half years after its creation, and nearly two months after C-FAIRR requested a copy of this

document. However, the metadata provided to C-FAIRR is incomplete and does not include the metadata from the document in its native format. The evidence provided to C-FAIRR by the College does not permit one to definitively conclude who altered the document and when the alteration occurred.

We are aware that in the creation and altering of an electronic document utilizing word processing software, every keystroke is recorded, whether intended or unintended. In addition, metadata also records the identity of any person who logs into the document, the time and duration of the login, as well as any changes whether addition or deletion to the document. We assert that an external and independent analysis of the native format of this document's metadata— *will reveal who altered this record and when the record was altered. The PCC officer who authorized the alteration will be identified through further investigative review by your office.*

Table 2: Metadata for 5-page and 6-page versions of PDF document

Document 1 (obtained by Ms. Alaimo)		Document 2 (obtained by C-FAIRR)
Author: lsalbert Creator: Adobe Acrobat Pro 10.0.0 Producer: Adobe Acrobat Pro 10.0.0 CreationDate: Mon Nov 17 14:51:18 2014 ModDate: Wed Nov 19 11:48:50 2014 Tagged: yes Form: none Pages: 6		Author: lsalbert Creator: Adobe Acrobat Pro 10.0.0 Producer: Adobe Acrobat Pro 10.0.0 CreationDate: Mon Nov 17 14:51:18 2014 ModDate: Wed Mar 30 13:22:54 2016 Tagged: yes Form: none Pages: 5

FAILURE TO PROVIDE REQUESTED DOCUMENT IN NATIVE FORMAT WITH ASSOCIATED METADATA

Mr. Silvyn disregarded our request for the document in its "native format" with associated metadata. The email trail concerning the document in question confirms that the College administrators used a version of Microsoft word to create this document. The document and metadata provided to C-FAIRR were not in the native format with associated metadata. The document had been converted from the original native format file into PDF files and, thus, it was stripped of its original metadata. We assume that Mr. Silvyn is aware that the Arizona Supreme Court held, "if a public entity maintains a public record in an electronic version, then the electronic version, including any embedded metadata, is subject to disclosure under our public records law" (Lake v. City of Phoenix). It certainly is possible to create a document using Adobe Acrobat as a word processor. However, documents are typically created utilizing a word-processing program. The process of converting a document to a PDF file has the effect of removing the embedded metadata thus altering the original. The purpose of the PDF file is explained on Adobe Systems Incorporated's website,

> Portable Document Format (PDF) is a file format used to *present and exchange documents reliably, independent of software, hardware, or operating system* [emphasis added]. Invented by Adobe, PDF is now an open standard maintained by the International Organization for Standardization (ISO). PDFs can contain links and buttons, form fields, audio, video, and business logic. They can also be signed electronically and are easily viewed using free Acrobat Reader DC software.

If public institutions are permitted to provide a requestor with a PDF version of an electronic document, then the intent of A.R.S. §39-121 and the Supreme Court's decisions concerning transparency will be circumvented. Public oversight of Arizona governmental institutions will be adversely impacted if governmental agencies are allowed to provide only PDF files in response to public records requests. This practice does not conform to the statement of the Arizona Supreme Court, which held, "The core purpose of the public records law is to allow the public access to official records and other government information so that the public may monitor the performance of government officials and their employees" (Lake v. City of Phoenix).

Conversion to PDF format will remove from public scrutiny operations and decisions that would otherwise be recorded in the metadata of the document in its native format. For this reason, we contend that a PDF document cannot be considered an exact copy for the purpose of a public records request. In fact, by converting the requested documents to the Adobe Portable Data File (PDF) format, in effect the College has created a second document that, lacking the original's metadata, cannot be considered an exact copy of the original; therefore both documents are subject to A.R.S. §39-121. In any important document, and the International Business plan certainly may be regarded as such, many revisions are included as the document circulates through staff members tasked with its creation. However, there was no way for C-FAIRR to know that the document in question had passed through a minimum of seven revisions. We had no way of knowing the *various names* given to each revision before it reached its final form. In this case, it is beyond contention that the College knew what C-FAIRR was requesting. *It is also clear that Mr. Silvyn should have known that these records existed.*

It is difficult for C-FAIRR to understand how our assertion can be contested. Given what the College knew or should have known, it is clear that it was intentionally circumventing Arizona's statutes. The College abridged the statute that forms the foundation of the right of the citizens of this state to obtain and review information necessary to monitor the operation and decision-making processes of governmental agencies.

We assert that one motive for Pima County Community College District maintaining and providing two versions of the document in question is that page 6 contains a questionable financial model. At the November 19, 2014 Board of Governors meeting the administration presented Board members with inflated and unrealistic enrollment and budget projections for the International Program. This budget projected a $750,000 increase to the International Program budget, and subsequently the Board voted to lower international student tuition while raising in-state tuition for the residents of Pima County. Thus, by not providing page 6, which contained vital budgetary and enrollment projections, the citizens of Pima County were denied information necessary to understand the expenditure of tax dollars. Mr. Barr referenced this same document in his letter, "Behind Tab F are several documents that were included in the packets that PCC Board members were provided before the November 19, 2014 meeting, but were not included in the packets that were provided to the public" (Exhibit 2).

The College tends to periodically employ the tactic of placing action items under the Chancellor's Report instead of properly noticing them on the Board's agenda. This intentional practice avoids public scrutiny and commentary and limits citizen's access to public records. The College's agenda notifications are at times—*inadequate*. This failure to comply with the open meeting law disenfranchises the public, constitutes a violation of the open meeting law, and necessitates ongoing monitoring by the Pima County Attorney's Office.

According to another College document, Pima Community College has experienced a 28 percent decline in student enrollment since 2011 (Exhibit 10). It is inconceivable that the College's Board of Governors would allocate three-quarters of a million dollars to the International Program based upon a financial model that projects a 600 percent increase (125 to 875 FTSE) in international student enrollment over a five-year period. It is also inconceivable that the College attempted to deny this information to a citizens group. Dr. Ricardo Castro-Salazar, the acting Vice-President of International Development, confirmed this allegation in a February 19, 2016 email when he acknowledged, "I believe that was the plan that Lou Albert presented to the BOG and, unfortunately, I don't have a copy. I want to point out that the PP on our website shows int'l enrollment projections that were later deemed unrealistic" (Exhibit 11). Dr. Castro-Salazar also prepared a second set of projections (Exhibit 11).

The internal administrative investigation conducted by Mr. Silvyn does not appear to have been thorough or complete. His explanation for how the document was altered is specious. Mr. Silvyn states, "Please note that based on the IT Department description of the type of metadata associated with a PDF file, we do not believe this data will identify the change happened as a result of some action Ms. Libby took when she copied and renamed the file or whether it was some sort of a glitch" (Exhibit 8). Mr. Silvyn is confirming the information we provided to Ms. Howell; specifically, creating a PDF file strips all of the native format document's metadata. We have repeatedly informed the College that when a word processing document is transferred to PDF format—*it is stripped of its original metadata*. Therefore, it can be argued that the creation of a PDF file from its native word processing file, may, in some cases be intentionally done to obscure the actual electronic record of the document from the public.

Mr. Silvyn informed C-FAIRR that Ms. Howell copied and renamed the same file twice, once to respond to Ms. Alaimo on February 23, 2016 with a 6-page plan and again on March 30, 2016 to C-FAIRR with a 5-page report (Exhibit 8). We are mystified as to why Ms. Howell would see a need to rename a file that was to be sent in response to an official public records request. Renaming a document is a simple process. Renaming a document will not delete a page from a PDF file; the procedure to do this requires a deliberate selection of the page to be deleted and choosing the deletion function from the edit menu.

On Wednesday, May 18, 2016, C-FAIRR was copied on an email from Ms. Lori Cox, to Ms. Alaimo (Exhibit 12). The attachment was a letter from Ms. Cox to Ms. Alaimo responding to a question Ms. Alaimo had sent Mr. Silvyn. In this email, Ms. Cox purports to trace the history of the document. The first entry in her administrative review of the origin of this document is as follows, "This document was provided to Ms. De Echavarri on 11/19/14 by Dr. Lou Albert, a currently retired Campus President" (Exhibit 12). It is likely that Ms. Cox was aware that her explanation of the history of this document was incomplete.

Ms. Howell was able, "… to receive a copy from Gabriela De Echavarri, Executive Assistant in the Chancellor's Office on 2/22/16."

> Ms. De Echavarri sent this document to Ms. Howell on 2/22/16 from the share drive folder. Ms. Howell downloaded the PDF document provided via email and saved it by clicking and dragging it into a Microsoft share drive folder. On 2/22/16 Ms. Howell sent Ms. Alaimo an email with the document attached as a Microsoft PDF file " (Exhibit 12).

Ms. Cox's narrative then states,

> Mr. Gonzales' request had multiple components so Ms. Howell was not able to gather and send the information until 3/30/16. Multiple attachments were needed to fulfill Mr. Gonzales' request and, for organizational purposes, Ms. Howell named each attachment in accordance with the numbered bullets of Mr. Gonzales' request " (Exhibit 12).

Ms. Cox's narrative then describes the alleged circumstances of how this document was altered.

> Ms. Howell renamed the file originally titled "Presentation IE Business Plan Handout" to "2-Presentation IE Business Plan Handout (I)". Ms. Howell described she did this by opening the original file saved in the share drive and selecting "Save As" and renaming the file. Ms. Howell denies intentionally altering the document in any way. When the file saved, it was somehow missing the last page. Ms. Howell does not know how this happened and denies that it was intentional" (Exhibit 12).

Notwithstanding Ms. Howell's denial, the metadata record of the PDF file of the document provided to C-FAIRR indicates this document was indeed altered on March 30, 2016 at 1:22 pm (13:22:54). Ms. Cox's timeline indicates that the record came into Ms. Howell's possession on February 22, 2016" (Exhibit 12). It appears that the document was altered on the date Ms. Howell received a public records request from our organization. Ms. Cox apparently shared Mr. Silvyn' confidence in Ms. Howell's explanation. In fact, she did not consider it necessary to provide the metadata documentation or request that the College's Information Technology department reconstruct how the missing page was deleted. Although Mr. Silvyn and Ms. Cox undoubtedly had access to the email trail provided to us, they did not include the evidence concerning the existence of this document prior to November 19, 2014—*although they certainly must have been aware of the actual history of this document*.

However, all this is beside the point, unlike failing to conduct meetings per statute or failing to respond to requests for public records. Altering a public record is a *Class 6 felony*. *This fact alone precludes the College's internal administrative investigation as being the definitive account of this matter*. It is clear that an external and independent criminal investigation is required.

We would have thought that Mr. Silvyn would have a heightened ethical responsibility to report a potential felony violation to your office or the appropriate legal authority. We acknowledge that we have no information that he did, in fact, report this possible felony violation. Instead, after he became aware of the alleged violation, he proceeded to conduct an administrative investigation of a possible felony, which not surprisingly, completely exonerated the College's staff. We are troubled by Mr. Silvyn's actions in this matter, as they do not appear to conform to the highest professional standards of the Arizona Bar Association.

In the process of communicating to C-FAIRR that his investigation exonerated Ms. Howell, he did not address our request for the document in its native format, despite his assurances that, "The IT Department is also conducting a search for any additional email related to this record. I will let you know when I have an estimated date for completion. Should you have further questions in the meantime, or after reviewing the materials provided, please do not hesitate to contact me" (Exhibit 8). Furthermore, he factually distorts the history of our public records request dating to early 2012.

> Your letter asserts that C-FAIRR has on several occasions notified the College that it has failed to comply with requests for public records and failed to provide metadata. We are not aware of either. C-FAIRR has made a number of public records requests. With respect to some of these, the College has sought clarification about the information desired…With respect to each request from C-FAIRR, the College believes it has met its obligations and is not aware that C-FAIRR believed a further response was expected (Exhibit 8).

If Mr. Silvyn had taken the time to thoroughly review the file of C-FAIRR's correspondence with the College, records in its possession from 2012 would have conclusively proven that his statement was false. In fact, his failure to follow-up and provide the information as he stated in his April 25, 2016 letter is evidence of the College's lackadaisical attitude concerning its responsibilities pursuant to A.R.S. §39-121. The Arizona Press Club cited Mr. Silvyn's cavalier attitude toward transparency. This is consistent with his failure to provide C-FAIRR with the documents we requested.

The College failed to comply with our A.R.S. §39-121 public records requests; therefore, C-FAIRR is unable to determine who had altered the record. C-FAIRR finds the College's explanation to be not credible. We believe it is important for the public to know which staff member altered this document, which PCC executive officer authorized this document to be altered and the time that the alteration occurred—which may further illuminate the motive for altering this record. The purpose of Arizona's public records statute is to allow the citizen to understand how public officials are discharging their duties. Clearly, the Chancellor and his senior administrative staff do not feel bound by the requirements of A.R.S. §39-121. It is a matter of public knowledge that the College has a well-deserved reputation for stonewalling public records requests and for withholding embarrassing information from the citizens of Pima County.

Evidence in the pubic domain now suggests the College may be deliberately altering its public records for fear that the release of the requested documents may embarrass the Board of Governors and the Chancellor. In order to misdirect the public's attention, the College suppresses, omits, or delays the release of information that is likely to portray the Board of Governors or the Chancellor in a negative light. As a result of these actions by the College, the public is entitled to question the accuracy and truthfulness of information disseminated by the College. It is clear from reports in the media that a culture of obfuscation has and continues to exist at the Pima County Community College District. In fact, the Higher Learning Commission's Fact Finding Team's report, *Higher Learning Commission (HLC) Fact-Finding Visit To Pima Community College District, January 16-18, 2013,* indicated that the College had demonstrated that it was not committed to openness and transparency as mandated by Arizona statute and the Higher Learning Commission's *Criteria for Accreditation* (Exhibit 13).

> Transparency and openness on the part of the Board is not a part of its working ethic, yet PCCD's core values include "Integrity" and "Accountability." Openness, transparency, and a willingness to discuss and debate various points of view and opinions must be more readily imbedded in the Board's culture and operations. *Past actions of the Board indicate that secrecy and protection of individuals is more important than transparency and a willingness to deal openly with difficult and sometimes embarrassing situations some*

> *members of the Board and some of the college's senior leaders have developed what this team describes as a siege mentality.* [emphasis added](Exhibit 13).

Mr. Barr's letter is the latest challenge to the College's compliance with the transparency and openness statutes on the part of the Chancellor and the Board of Governors. In addition the College has refused to honor public records requests for documents involving employee complaints and law suits which is not permitted by statute. This culture of secrecy has created a long-term pattern of behavior, which leads to an inescapable conclusion—the College continues to flagrantly violate Arizona statues mandating transparency and openness in government. When a public agency exhibits this pattern of behavior, we are led to conclude that its sole purpose is to obstruct the public in its right to monitor the decision-making processes, operations, and expenditures of public funds. The comments by Board members at the May 11th study session indicate that the public is justified in not reposing confidence in internal administrative investigations by College staff that purport to be "independent" yet always conclude by vindicating the College's actions.

CONCLUSIONS

The College has failed to provide C-FAIRR the requested documents in its native format with associated metadata, which are necessary to fairly, objectively and thoroughly investigate the altering of this record. C-FAIRR asserts that this document was altered in an effort to shield the International Program from public scrutiny. Based upon the evidence we have provided herein, C-FAIRR reluctantly concludes that filing a complaint with your office concerning this matter is not only our civic responsibility but also the last option available to us. Additionally, we are troubled by Mr. Silvyn's apparent failure to report the alleged criminal violation to your office. The College's actions can only serve to undermine the public's trust in how it adheres to the relevant statutes.

As a result, the obligation to ensure the accuracy and truthfulness of the College's public records and its adherence to Arizona's Public Records Laws now rests with the office of the Pima County Attorney. It is inconceivable that a public institution that has knowledge of an alleged felony violation will be permitted to conduct its own investigation and make its own finding that no felony violation occurred. If this is permitted to stand, C-FAIRR and the general public will undoubtedly lose all faith in the effective process of checks and balances built into our governmental and judicial systems. Therefore, it is imperative that the Office of the Pima County Attorney fulfills its obligation to investigate this alleged violation of the Public Records Laws and to determine if this incident is a singular occurrence or if this event is representative of a pattern of behavior. Furthermore, the College must definitively accept—*that it does not possess the authority to decide when and if it will chose to respond to citizens' requests for public records pursuant to A.R.S. §39-121*. The College must not be allowed to "set the bar" for the public's right to monitor its operation. As no citizen is above the law, it is equally important that no governmental agency is above the law.

The Pima County Community College District's Board of Governors and the Chancellor continue to demonstrate animus toward the media and community members or organizations that raise concerns with the College's operations and expenditures of public funds. The HLC Fact Finding Team also observed,

> They view those who might disagree with them as "the opposition" and refer to others' actions as "being politically motivated". Some members of the Board and some senior administrators describe the actions they have taken or failed to take under the guise of doing "what is right for the college." Some members of the leadership reference the complaints as coming from "disgruntled employees or former employees". When outcomes become more important to a Board and its senior leaders than telling the truth or caring for the people in its employ, then members of that Board and those administrators have been misdirected or fallen into patterns of behavior which do not reflect the levels of integrity expected of higher education leaders (Exhibit 13).

It is clear from ongoing press reports and the evidence presented in this complaint that the College continues to display the same pattern of behavior found by its accrediting agency in 2013. Therefore, we reject the College's continued public relations campaign to convince Pima County residents that it conforms to Arizona statutes when the evidence proves that it does not. The College's efforts would be better spent in correcting the deficiencies brought to its attention, rather than engaging in misdirected efforts to cover up the operational and decision-making processes that are vital to the public in monitoring its performance.

We have reluctantly concluded that the College has acted unethically, irresponsibly, and betrayed the public's trust in this matter. In this particular case, sufficient evidence is available to require your office to discharge its duty to investigate a potential felony violation of A. R. S. §13-2407, and, in concert with the Arizona Attorney General's Office, to take enforcement action, if appropriate. Also, we believe that the violations of the open meeting and public records laws should be investigated.

If any additional rationale is necessary for your office to conduct an investigation, it certainly can be found in the statement by the Chair of the College's Board of Governors, Mr. Mark Hanna,

> Why are so many people telling us they are frustrated by our transparency issues. Where there is smoke, there's fire. *There has to be an issue there* [emphasis added]. I'm very concerned about that.

We appreciate that you are a strong proponent of transparency and openness in government. C-FAIRR, therefore, requests that you provide us with information regarding the action your agency will take in this matter.

Mario Gonzales (signed electronically), Chair, C-FAIRR

Cc:
Karen Friar, Deputy County Attorney
Carol Ann Alaimo, Reporter, Arizona Daily Star
Mr. Daniel Barr, PerkinsCoie

Sally Ann Gonzales, Arizona House of Representatives, District 27
Macario Saldate IV, Arizona House of Representatives, District 27
Mark Brnovich, Arizona Attorney General
Arizona Ombudsman Citizen's Aide

EXHIBITS

1. Ms. Lori Cox, Special Review: Open Meetings and Public Records.
2. Daniel C. Barr, letter to Mr. Silvyn February 29, 2016.
3. International Student Programs and Services at Pima Community College Business Plan (5 page).
4. International Student Programs and Services at Pima Community College Business Plan (6 page).
5. Pima Community College Needs to Stop Hiding, Arizona Daily Star (May 28, 2016), Includes, Pima County Attorney Civil Division, Open Meeting Law Compliance.
6. PCC again violates open meeting law, Arizona Daily Star, By Carol Ann Alaimo Arizona Daily Star Mar 24, 2015.
7. C-FAIRR to Libby Howell, April 18, 2016.
8. Mr. Silvyn to C-FAIRR, April 25, 2016.
9. Folder: IE_Business_Plan_lalbert@pima.edu_0, Pima Community College emails concerning the creation of the document.
10. Pima Community College, Background Information on SB 1322 (no date)
11. Dr. Castro-Salazar projections (email February 19, 2016).
12. Ms. Lori Cox to Ms. Alaimo, Review of Allegations: Tampering with a Public Record, May 17, 2016.
13. Higher Learning Commission, Report Higher Learning Commission (HLC) Fact-Finding Visit To Pima Community College District.

Exhibit 1

PIMA COUNTY COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD OPEN MEETING NOTICE AND AGENDA
May 11, 2016

NOTICE OF STUDY SESSION

12:00 p.m.
District Office
Building C Room 105
4905 E. Broadway Blvd.
Tucson, AZ 85709-1005

AGENDA FOR MEETING*

1. **Call Meeting to Order**

2. **Transparency Audit Results**
   [Discuss the results of the Transparency Audit conducted by Internal Audit]

3. **Higher Learning Committee (HLC) Prep and Readiness Update**
   [Updates on the Office of Dispute Resolution, Syllabi Template, Policies, Processes and Procedures, and the Strategic Plan linked to Budget]

*** Option to recess into legal advice executive session** — Pursuant to A.R.S. §38-431.03(A)(3) the Governing Board may vote to go into executive session for the purpose of obtaining legal advice from its legal counsel with respect to any item listed on this agenda or any addendum thereto.

Members of the Governing Board may participate by telephone, video or internet conferencing.

Meeting presentations will be posted within a reasonable time following the meeting.

To request a reasonable accommodation for individuals with disabilities, a minimum of 5 business days before the event is requested. Contact Phone: (520) 206-4539; Fax: (520) 206-4567.

Note: Other than action taken on the motion to go into the above-referenced executive session and the motion to adjourn the meeting, there will be no action taken by the Governing Board at this special meeting.

Special Review:
Open Meetings and Public Records

From the Office of the Internal Auditor SR.FY16-01

At the request of the Board of Governors, the Office of the Internal Auditor (Internal Audit) has completed a special review of Open Meetings and Public Records practices and processes. The purpose of this review was to assess the College's compliance with legal requirements surrounding Open Meetings (for the meetings of the Board and its committees) and processes for responding to request for public records, and to review open meeting practices at other public bodies in Arizona to gauge best practices.

BACKGROUND

The Arizona Open Meeting Law [Arizona Revised Statutes (A.R.S.) 38.431.09) applies to public bodies and provides that "*it is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided.*" Open Meeting Law requirements also include:

- At least 24 hours advance notice of all meetings to the public body and to the general public including information identifying the public body and the date, time, and place of the meeting.
- The agenda for a public meeting must contain a listing of the "*specific matters to be discussed, considered or decided at the meeting.*"
- Minutes must be taken of all public meetings and executive sessions.
- Minutes may be taken in writing or may be recorded by a tape recorder or video tape recorder.
- The minutes or a recording of a public meeting must be available for public inspection within three working days after the meeting.
- There are seven specific instances in which a public body may discuss matters in an executive session.
- An executive session may be convened solely for the purpose of discussing matters and, in limited instances, giving instructions to attorneys and designated representatives.
- The notice for an executive session must state the specific provision of law authorizing the executive session.
- No legal action may be taken in an executive session.

Arizona Public Records Laws (A.R.S. 39-101 to 161) seek *"to increase public access to government information and to make government agencies accountable to the public."* Unless a record is made confidential by statute, A.R.S. 39 indicates that, "*public records and other matters in the custody of any officer shall be open to inspection by any person at all times during office hours.*" Public bodies are required to respond "promptly" to a record request – promptness varies with the circumstances and includes time necessary to make redactions (if applicable). Public Records Laws also provide that:

- Records may not be inspected at times, or in ways, that disrupt public business.
- An officer or custodian of public records may refuse inspection of public records to protect the best interests of the State where "*inspection might lead to substantial and irreparable private or public harm.*"
- When confidential and public information are commingled in a single document, a copy of the document may be made available for public inspection with the confidential material excised.
- The custodian may require the person requesting the public record to pay in advance for any copying and postage charges.
- If records are available on the web site, the public body or public officer may direct the requestor to obtain copies there.

SCOPE & PROCEDURES

To assess the purposes noted above, Internal Audit:

- Reviewed Arizona Revised Statutes related to Open Meeting Laws and Public Records.
- Reviewed Office of the Arizona Attorney General Agency Handbook Chapter 6 (Public Records) and Chapter 7 (Open Meetings).
- Interviewed the Executive Director of Media, Community, and Government Relations to determine current practices and processes surrounding responding to public records requests.
- Consulted with the College's General Council to determine open meeting law and public records response practices and procedures.
- Reviewed the public records request tracking log for fiscal year 2016 (maintained by the Office of General Counsel).
- Reviewed Board of Governors meeting documents and related resources on the College's website from calendar year 2016.
- Reviewed the Finance and Audit Committee and the Human Resources Advisory Committee meeting documents and related resources on the College's website for fiscal year 2016.
- Researched open meeting law practices and processes at other public bodies within Arizona.

CONCLUSIONS & RECOMMENDATIONS

We found that the College is in compliance with the provisions of the Open Meeting Laws as they pertain to regular Board of Governors Meetings and executive sessions. The depth of information available in the College's agendas and board packets (board meeting supporting documentation) generally exceeded other public bodies with the exception that other public bodies in the Tucson Community include a copy of the contracts to be voted on with their meeting support. The information in the board packet is complete and consistent with both the agenda and minutes. Executive session agendas consistently state the specific provision of law authorizing the executive session, and items discussed in executive session were included on the regular Board meeting agenda for vote as applicable.

The Finance and Audit Committee (FAC) and the Human Resources Advisory Committee (HRAC) are not fully compliant with the provision of the Open Meeting Laws as meeting minutes were not consistently posted to the College's web site, or not otherwise available to the public. In addition, the HRAC agendas are not sufficiently detailed as agendas include a non-descriptive "miscellaneous" category.

The College is generally compliant with the provisions of Public Records Laws. Only requests routed to the General Counsel's office (and logged on the tracking log) were reviewed. Records may have been requested directly from other departments that were not communicated for inclusion in the tracking log. As such, Internal Audit recommends the following to strengthen and clarify records request processes and procedures and help ensure requests are filled accurately and as timely as possible:

- One central point of contact for public records requests.
- The records request process is posted to the College's web site.
- A form is created and implemented to request records (use of the form is optional).
- As appropriate and applicable, update records request tracking log to include the reason for delay of filling requests.

Additional details and recommendations are included in the chart on page 3.

Review Area/Practice	Conclusion	Notes/Comment/ Recommendation
OPEN MEETINGS		
➢ **Agenda Descriptive**		
Pima – Board of Governors	Yes	
Pima – Finance and Audit Committee	Yes	
Pima – Human Resources Advisory Committee	No	Agendas include a non-descriptive "miscellaneous" category.
Tucson Community[1]	Yes	
Arizona Community Colleges[2]	8 of 10 - Yes	
➢ **Board Meeting Support - Descriptive and Complete**		
Pima – Board of Governors	Yes	
Tucson Community	Yes	The Tucson community includes a comprehensive description and the contract with the meeting support.
Arizona Community Colleges	3 of 10 – Yes 7 of 10 – Not Available	
➢ **Recording/Video**		
Pima – Board of Governors	Yes	
Tucson Community	Yes	
Arizona Community Colleges	3 of 10 - Yes	
➢ **Meeting Minutes – Available within 72 Hours**		
Pima College – Board of Governors	Yes	Recommend that Pima specifically add to the web site that Board minutes (meeting video) are available upon request.
Pima College – Finance and Audit Committee	No	Minutes from January 22, March 8, and April 8, 2016 not posted to the website.
Pima College – Human Resources Advisory Committee	No	Minutes from April 14, 2016 not posted to the website.
Tucson Community	Yes	
Arizona Community Colleges	Inconclusive	Minutes were not posted to the website within 72 hours; it is not clear if minutes are otherwise available upon request.
➢ **Contracts Available On-line (Tucson Community Only)**		
Pima College	No	
City of Tucson	Yes	
Pima County	Yes	
Tucson Unified School District	No	
University of Arizona	No	
PUBLIC RECORDS		
Compliance	Yes	Reviewed requests that are routed through General Counsel's office.
Prompt	Yes, but can be improved.	Average time to fill a request is 21 days (not including bid award requests).

[1] City of Tucson, Pima County, Tucson Unified School District, and University of Arizona (Board of Regents)
[2] Arizona Western, Central Arizona, Cochise, Coconino, Diné, Eastern Arizona, Maricopa, Mohave, Northland Pioneer, and Yavapai Community Colleges

Exhibit 2

PERKINSCOIE

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February 29, 2016

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VIA EMAIL

Jeffrey S. Silvyn
Pima County College
9905 E. Broadway Blvd.
Tucson, Arizona 85709-1009
jsilvyn@pima.edu

Re: ***Arizona Daily Star***

Dear Jeff:

It was good to talk with you on the phone a few weeks ago. I look forward to talking with you further about the *Arizona Daily Star's* ongoing concerns about timely access to information from Pima Community College ("PCC") in accordance with Arizona's Open Meetings and Public Records Laws. I am available to meet with you at PCC at your convenience pretty much anytime during the next few weeks. Before we talk further, here is a brief discussion of the *Star's* concerns. As you stated over the phone, you were going to check to see whether PCC already had fixed some of these issues.

As you know, the *Star's* concerns fall into four general areas:

(1) PCC's failure to provide the *Star* with timely access to all the materials that are provided to PCC Board members before Board meetings;

(2) vague or misleading agenda listings that do not provide sufficient specificity of what will be discussed at Board meetings;

(3) slow responses by PCC in responding to public records requests, especially those that seek copies of contracts or other public documents that are routinely produced by other public bodies without delay; and

(4) PCC's attempts to improperly seek the recovery of costs for searching for documents or redacting confidential or private information from documents before they are produced in response to a public records request.

First, with regard to providing the *Star* and other members of the public with timely access to materials to be discussed at an upcoming PCC Board meeting, I direct your attention to how the Tucson City Council and the Pima County Board of Supervisors do so. An example of

how the Tucson City Council notices its meetings is behind Tab A. If someone clicks on the "agenda" on the city's website, the city council's meeting agenda will pop up, along with attachments to supporting documents for specific agenda items. When the agenda for the January 20th city council study session was first posted, there were no supporting documents for an item titled, "Budget Update and Discussion of Potential Election Options for City Funding." The Tucson city council's practice is not to leave the public guessing about why there are not supporting documents. Instead, the city manager posted a note that "[t]he material on this item will be distributed as soon as it becomes available." [Tab B] When the supporting documents for the study session item subsequently were posted on the city's website, an "Addendum #2 Study Session" was posted announcing the "late material has been added to study session item 3." [Tab C] The public does not need to keep checking the original lengthy city council agenda and clicking through to see if late materials have been posted. Instead, each late added document is called an addendum that is easy for the public to spot.

As for the Pima County Board of Supervisors, behind Tab D you can see an example of how the agenda for the Supervisor's January 19th meeting was first posted at 3:00 p.m. on January 12—one week before the meeting. The materials that the Supervisors would consider were posted as well. As more such materials were added throughout the week leading up to the January 19th meeting, those documents are posted online as well. After the conclusion of the January 19th meeting, the Supervisors posted the written documents that speakers had submitted during the "call to the public" part of the meeting. An example of the depth of supporting materials that routinely accompany Board of Supervisor's agendas can be found behind Tab E. For the "Discussion/Action for Renewal of Rillito Racing, Inc. Contract," the public may view (a) a copy of the proposed contract, (b) copies of all correspondence the public and parties wrote to the county about the proposed contract, and (c) a memorandum from the County Administrator Chuck Huckelberry to the Supervisors answering questions that they had asked about the proposed contract.

In contrast to the practices of the Tucson City Council and Pima County Board of Supervisors, PCC often has failed to provide timely access to the documents that the Board will consider at an upcoming meeting. Moreover, the *Star* and other member of the public are often not provided a complete package of all the documents that the Board will consider during an upcoming meeting. Behind Tab F are several documents that were included in the packets that PCC Board members were provided before the November 19, 2014 meeting, but were not included in the packets that were provided to the public. Those documents include (a) the ArizMATYC Fall 2014 Conference and ATF Report, (b) reports from the faculty, adjunct faculty and administrative representatives to the Board and (c) six student reports on the events at PCC's six campuses. [Tab F]

Another example of PCC's failure to provide timely access to documents to be considered at an upcoming meeting can be found in the recent agenda for the PCC Board's

Financial and Audit Committee that was held on January 22, 2016. [Tab G] The final item on that agenda, 6(d), "PCC FY 2017 Budget Update," provided a link to what one would expect to be the documents that the Finance and Audit Committee would consider at the meeting. Instead, the link takes you merely to a list of topics that the Committee might consider, including "Continued Budget Reduction," "Tuition Options," "Adjunct Faculty Pay-Living Wage," "Athletics," "Depreciation/Capital Projects" and "Strategic Initiatives." [Tab H] It is difficult to believe that the Committee would discuss these topics without the benefit of reviewing staff reports providing data and analysis of the potential impact of possible decisions regarding these topics.

Within the past week, the PCC Board has twice conducted study sessions and in neither instance was the meeting agenda accompanied with any supporting documents whatsoever. [Tab I] Again, surely Board members reviewed staff reports, studies and other documents before the study sessions concerning "financial aid," "budget development," the "Arizona Technology Council" and "education and facilities master plan."

Obviously, timely access before a Board meeting to all the materials that Board members will consider during that meeting will better assist the *Star* and all other members of the public attending that meeting to better understand and report upon the discussions and decisions that take place. As you know, the *Star* has submitted a standing public records law request to be provided all materials the PCC Board will consider at a Board meeting before the Board meeting takes place. Such standing public records requests are enforceable under Arizona law. *West Valley View, Inc. v. Maricopa County Sheriff's Office*, 216 Ariz. 225, 165 P.3d 203 (Ct. App. 2007).

Second, there has been a lack of specificity for some items listed on PCC's Board's agenda. The Open Meetings Law requires that "[a]gendas required under this section shall list the specific matters to be discussed, considered or decided at the meeting" and that "[t]he public body may discuss, consider, or make decisions only on matters listed on the agenda and other matters related thereto." A.R.S. § 38-431.02(H).

A recent example is the PCC Board's agenda for the November 2, 2015 meeting, which contained the following language at the end of the agenda:

> *"Note: Other than action taken on the motion to approve Item 4 and to go into the above referenced executive session and the motion to adjourn the meeting, there will be no action taken by the Governing Board at this special meeting."*

Standing alone, this "note" at the end of the November 2 agenda was somewhat strange. What transpired, however, was even worse as the Board not only took action upon Item 4 on its

agenda, but upon another matter as well, Item 2, which the Board agenda had expressly stated the Board would not do. Such deception, whether purposeful or not, is a clear violation of the Open Meetings Law.

Third, the *Star* is concerned with PCC's responsiveness to routine public records requests. Arizona law requires that a public body "*promptly* respond to a request for production of a public record." A.R.S. §39-121.01(E) (emphasis supplied). Obviously, what is "prompt" depends upon the volume of records requested and whether legal review by the public body is necessary to determine if any confidential or private material in those records should be withheld. Some public records requests, however, are so straightforward and simple that they do not require a legal review because there is nothing to redact from the document. Such was the case with *Star* reporter Carol Ann Alaimo's October 21, 2015 request concerning PCC's contract with a management consultant. [Tab J] It took PCC almost two months to comply with this simple request—the type of public records requests to which other public bodies routinely respond within a day or two. In a more recent example, Ms. Alaimo had to wait three days and ask for the intervention of two PCC Board members before PCC provided her with copies of a PowerPoint presentation that a PCC executive had presented in a public meeting concerning the "key performance indicators" that PCC will use to measure whether PCC is achieving the goals laid out in its mission statement.

It is also our understanding that PCC has sought to charge a fee to copy a record in order to redact information. As you know, the Arizona Attorney General opined in 2013 that "[a] public body in Arizona cannot charge copying fees to recoup the cost of copies made internally to allow a member of the public to inspect records." Att'y Gen. Op. No. I 13-012 at 6. The Attorney General based his opinion upon the Arizona Court of Appeals' reasoning in *Hanania v. City of Tucson*, 128 Ariz. 135, 136, 624 P.2d 332, 333 (Ct. App. 1981) that the public records law does not allow a public body to charge a fee for searching for or retrieving a record and the Ohio Supreme Court's holding in *State ex. rel. The Warren Newspaper, Inc. v. Hutson*, 640 N.E. 2d 174, 178 (Ohio 1994) that a public body may not charge a fee for making internal copies to make redactions of the public record before it could be released.

Finally, it is our understanding that in the past PCC has refused to disclose the terms of legal settlements based upon promises of confidentiality. It is our understanding that in 2014, PCC would not disclose the amount of money that was paid as a settlement to a woman who had claimed that PCC's former chancellor had sexually harassed her because the woman did not want the information released. Whatever the woman's wishes may have been, that does not affect PCC's statutory duties to comply with the Public Records Law. Nor would any promise of confidentiality by PCC to the woman to keep the settlement amount confidential be sufficient to prohibit disclosure. *Phoenix Newspapers, Inc. v. Ellis*, 215 Ariz. 268, 159 P.3d 578 (Ct. Ap.. 2007); *Moorehead v. Arnold*, 130 Ariz. 503, 637 P.2d 305 (Ct. App. 1981).

I hope this letter helps frame our discussion going forward. The *Arizona Daily Star* greatly looks forward to improving its dialogue with PCC so that it may be more fully inform the PCC community and the public at large about PCC's activities.

Sincerely,

Daniel C. Barr

DCB:sln
Enclosures

47658-0002/129925580.1

TAB A

Mayor and Council Meeting Agendas & Legal Action Reports (Summaries)

Additions to supporting material for any agenda item may be uploaded to the website up until 5:0 on the day prior to the meeting. Please check back periodically.

Mayor and Council meeting documents prior to August 4, 2010

Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Search Options

Date From:

To:

Keyword Search:

Meeting Types: ☐ REGULAR MEETING
☐ STUDY SESSION

Search

Agendas & Minutes

Meetings Found: 681 << Previous Page · Next Page >>

1. **January 20 , 2016 REGULAR MEETING** Agenda
2. **January 20 , 2016 REGULAR MEETING ADDENDUM** Agenda
3. **January 20 , 2016 STUDY SESSION** Agenda
4. **January 20 , 2016 STUDY SESSION ADDENDUM** Agenda
5. **January 20 , 2016 STUDY SESSION ADDENDUM** Agenda

TAB B

MAYOR & COUNCIL MEMOI

January 20, 2016

Subject: Budget Update and Discussion of Potential Election Options for City Funding (City Wide)

The material on this item will be distributed as soon as it becomes available

Respectfully submitte

Michael J. Ortega, P.E
City Manager

Budget and Internal Audit

TAB C

MAYOR & COUNCIL MEETING NOTICE & AGENI

ADDENDUM #2
STUDY SESSION

WEDNESDAY, JANUARY 20, 2016 - 2:00 PM

MAYOR AND COUNCIL CHAMBERS

CITY HALL, 255 W. ALAMEDA, TUCSON, AZ

The Mayor and Council may discuss, propose or take action on all items listed on this agenda. If you require an accommodatio require a foreign language interpreter or materials in a language other than English for this event, call City Clerk's Office at 79 advance.

LATE MATERIAL HAS BEEN ADDED TO STUDY SESSION ITEM 3

ESTIMATED DURATION		TOPICS
1 hr. 20 min.	3.	Budget Update and Discussion of Potential Election Options for SS/JAN20-16-15(**2**) BUDGET AND INTERNAL AUDIT

Note: Added text is **bold.**

TAB D

21. **Hearing - Rezoning Ordinance**
ORDINANCE NO. 2016 - 8, P15RZ00002, Jewell Revoc
Valley Road Rezoning. Owner: Jewell Revoc TR. (Distric
Attachments: DSD_OrdP15RZ00002

22. ADJOURNMENT

POSTED: Levels A & B, 1st & 5th Floors, Pima County Administration
Pima County Homepage: www.pima.gov
DATE/TIME POSTED: 1/12/16 @ 3:00 p.m.
DATE/TIME REPOSTED (additional attachments only): 1/13/16 @ 8:20 a
DATE/TIME REPOSTED (additional attachments only): 1/14/16 @ 8:40 a
DATE/TIME REPOSTED (additional attachments only): 1/15/16 @ 12:00
DATE/TIME REPOSTED (combined Agenda/Addendum and additional attachments): 1/15/16 @ 4:15 p.m.
DATE/TIME REPOSTED (additional attachments only): 1/15/16 @ 4:30 p
DATE/TIME REPOSTED (additional attachments only) 1/15/16 @ 8:50 p
DATE/TIME REPOSTED (additional attachments only): 1/19/16 @ 4:40 p

TAB E

Board of Supervisors **Meeting Agenda**

Discussion/Action for renewal of Rillito Racing, Inc., Contract N
CT-ED-14-537, for a term dating from June 30, 2015 on the sai
and conditions to conduct racing for the planned Winter Meet w
opening day scheduled for January 30, 2016. (District 3)

Attachments: BOS_RillitoRacing,Inc.Contract_District3Submittal

BOS_CAMemorandum-1-15-16

CT-ED-14-537

BOS_RilltoParkCommentLetters

BOS_RillitoPark_CommentLetters_1-16-16

BOS_RillitoPark_CommentLetters_1-18-16

Bobbie Jo Buel

Editor, News

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Arizona Daily Star
tucson.com

Follow us on:

TAB F

ArizMATYC Fall 2014 Conference and ATF Report

The Fall 2014 ArizMATYC Conference and Articulation Task Force (ATF) Meeting took place at Pima Community College's Northwest Campus on Friday, October 10, 2014. The Conference began early Friday morning with a breakfast and welcome addresses from Pima Community College Norwest Campus President David Doré and AMATYC Southwest Regional Vice-President Kate Kozak. Sessions included topics ranging from learning communities to differentiation tricks.



Attendees listening to Diann Porter's Keynote address

Attendees enjoyed lunch from our local Tucson Tamale Company which was followed by keynote speaker Dr. Diann Porter, sharing her intimate knowledge of the work of William Fogg Osgood at Harvard and the beginnings of a mathematical community in the U.S. Free chair massages, healthy snacks and an early morning walk were provided by the Pearson sponsored Wellness Strand and various publisher representatives also were in attendance throughout the day to discuss technology, textbooks and teaching strategies with attendees.

Over ninety participants hailed from Apache Junction, Avondale, Coolidge, Douglas, Fredonia, Glendale, Gold Canyon, Holbrook, Flagstaff, Kingman, Lake Havasu City, Mesa, Nogales, Phoenix, Prescott, Sells, Sierra Vista, Tempe, Tucson, and Yuma. The ATF meeting was attended by over a dozen higher education institutions who met to discuss articulation alignment and curriculum issues throughout the state.

Recognition and appreciation are extended to the numerous Pima Community College staff members who were instrumental in the success of this Conference; especially support staff, faculty and information technology staff at the Northwest Campus. Gratitude is also extended to all those who participated in the Conference: attendees, presenters, speakers, organizers and supporters. The positive work accomplished will benefit thousands of students and the gains will ripple throughout communities statewide.

Arizona Developmental Education Summit 2014 Report

The third annual Arizona Developmental Education Summit took place at Pima Community College's Northwest Campus on Saturday, October 11, 2014. The Developmental/Transitional Community of Interest has instituted these summits to encourage community college personnel throughout the state of Arizona to discuss challenges, strategies and successes in working with developmental education students.

The Summit began early Saturday morning with a breakfast and welcome addresses from Pima Community College's Chancellor Lee Lambert and Provost Office Representative Dolores Durán-Cerda. Educators from Arizona Western, Mohave CC, Cochise CC, and Pima CC lead the day's activities presenting sessions on topics ranging from learning communities to English grammar to trinomial factoring tricks. Curriculum and articulation forums on reading, writing, mathematics were also held, stimulating conversations on curriculum alignment. Keynote speaker Dr. Gail Gonzales organized an engaging presentation on brain-based learning, and publisher representatives were in attendance throughout the day to discuss technology, textbooks and classroom strategies with attendees.



Attendees focus on Dr. Gail Gonzales' Keynote address.

Over ninety participants hailed from Apache Junction, Avondale, Bisbee, Coolidge, Douglas, Fredonia, Glendale, Gold Canyon, Kingman, Lake Havasu, Mesa, Nogales, Phoenix, Prescott, Sells, Sierra Vista, Tempe, Thatcher, Tucson, and Yuma. A discussion regarding the future of developmental education summits will continue online. Interested parties should contact Jill Loveless jloveless@mohave.edu to be added to the developmental education listserv.

Recognition and appreciation are extended to the numerous Pima Community College staff members who were instrumental in the success of this Summit; especially support staff, faculty and information technology staff at the Northwest Campus. Gratitude is also extended to all those who participated in the Summit: attendees, presenters, facilitators, speakers, organizers and support. The positive work accomplished will benefit thousands of students and the gains will ripple throughout communities statewide.

Notes on the Faculty Senate Meeting Friday November 7, 2014
Held in Amethyst Room Downtown Campus 1:00pm

Items of Note from that meeting: Items in Red will be covered in my report to the Board on 11/19/2014

1.0 National Benchmarking Data – Nic Richmond, AVC PIR – this a similar presentation as was given to the board

2.0 Board Policies – Jeff Silvyn – There were a variety of these sent forward to Senate. Many of these have lately been coming at the last moment, giving Senate little time to review them. Senate has been as flexible as possible on these kinds of things because of HLC. However, it is our request that unless the item is of an emergency nature that all further SPGs and BP be to senate no later than 7 days before the meeting from this point forward. Furthermore we would like to see the Emeritus program approved. That SPG has been languishing for some time now.

3.0 PreReq Committee – Jeannie Arbogast – This is an overview of a faculty initiative that is moving forward

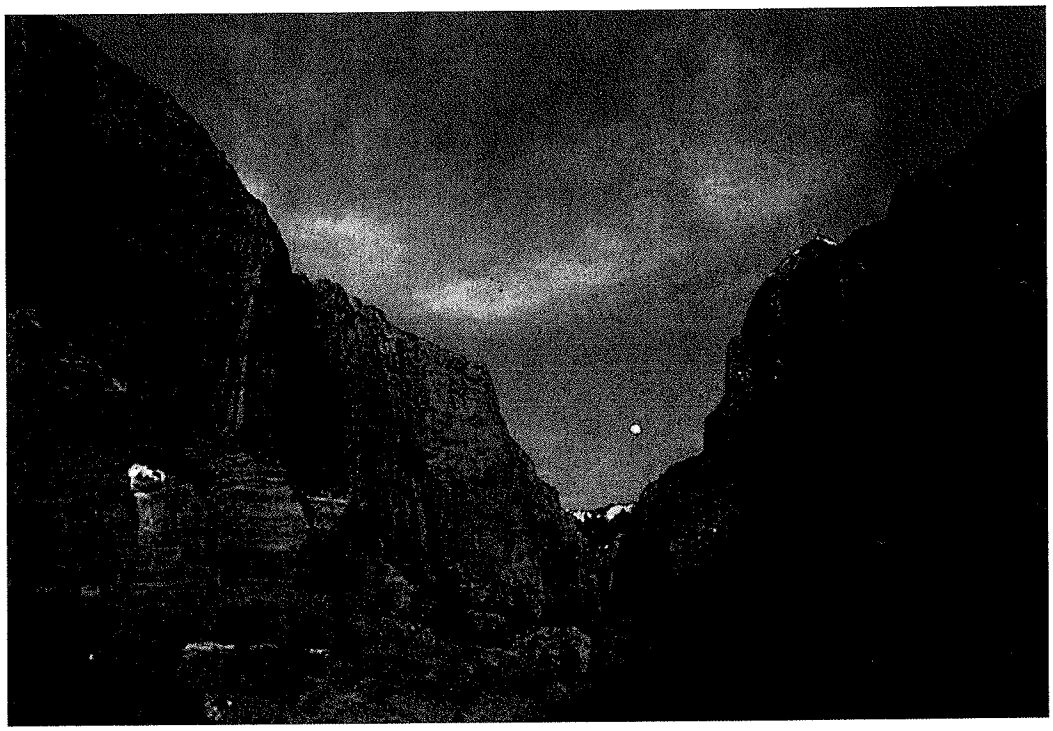
4.0 PCC IDs for Adjunct Faculty – This has been approved and is moving forward

5.0 On Time Registration – This starting in Spring 2015 and faculty are working to be sure that all the proper procedures are in place by start of Spring Semester

6.0 Chancellor's Report given by David Bea, Executive VC for Finance and Administration for Chancellor Lambert – This was a report similar to what has been seen in Board study sessions

7.0 Attendance Task Force – Kimlisa Salazar Duchicela – This is the most pressing issue for faculty at the moment. It is very complex and has very serious consequences for the college. This task force is getting good work done. The complexity of DoED and HLC regulations will make solving this problem a long process

ADMINISTRATORS REPORT TO THE BOARD OF GOVERNORS



11/19/2014

The Pima Community College Administrators, as a collective, present these accomplishments, issues and concerns to the Board of Governors that are summaries of a large body of initiatives, projects, activities and issues that contribute to the vision and mission of the College.

Administrators Report to the Board of Governors

ACCOMPLISHMENTS, CONCERNS AND ISSUES

I. Administrative Services

a. The **Non-Exempt Performance Evaluation and Step Progression Plan task force** has been diligently working to overhaul these two processes under the able leadership of Alison Colter-Mack, Director of Employee Relations and Policies with guidance from Stan Steinman, Academic Dean, Manny Amado, Chief of Police and Bill Howard, AVC of Business Services. Three meetings have taken place since September 18th and the next session is scheduled for November 20th/

b. The first training session from Planning and Institutional Research, (PIR)on department/unit assessment was held on October 15th with a cross section of administrators attending. These trainings will continue into the 14th-15th academic year.

c. A **Wellness Program Manager** has been hired to develop and guide the overarching wellness efforts of the College. Andrea Lightfoot will be joining the Benefits team in the Employee Service Center to coordinate a comprehensive effort at all locations incorporating healthy lifestyles, fitness, nutrition, and health care management.

II. Adult Education

a. Regina Suitt, Academic Dean of Adult Education, spoke about adult education and the High School Equivalency on the Bill Buckmaster show on October 22nd.

b. The East Campus under the leadership of Denise Turner, Advanced Specialist, held a Craft Fair on October 30, 31st and November 1st to continue to raise funds to provide scholarships to indigent students for the High School Equivalency Exam. Almost $800.00 was raised. This compliments the over $4500.00 that was raised earlier this year to support students in the completion of the this Exam.

III. Clery Audit, Training and Compliance

a. College Administrators, Counseling Faculty and members of PCCDPS participated in training on the **Clery** and **Violence Against Women** Acts (VAWA.). The training was held November 5th and 6th at the Amethyst Room with intensive training given to the profession staff and officers of PCCDPS throughout the week. The College is in

process of reviewing and strengthening all procedures, policies, reporting requirements as well as the Student Code of Conduct and education and training that will be made available to students and employees.

IV. Leadership Development and Expectations II

Chancellor Lee Lambert hosted the second session of Leadership Expectations and Business Plan facilitated by Dr. Gary Cruze, Director of Organizational Development and Effectiveness on November 6th. The first session was held on October 2nd and the final session will be held on December 4th. The administrators are working in collaborative teams to develop the core of the **College Student Value Proposition** that will be the centerpiece of the business and financial planning need to ensure the College is relevant now and into the future.

V. Spring Registration

Spring Registration began **November 10th**, supported by **Mandatory New Student Orientation** across the College. Another Student Success initiative that will begin this semester is **On-Time Registration**. Supported by national research, On-Time Registration will require that all students be registered for a class no later than the first day it begins. Later starting sections have been added that begin at 14 and 8 weeks. A marketing and communication campaign has been developed for students, faculty and staff explaining the benefits of being prepared and ready from Day One. Faculty retains the ability to sign students into class after the first day.

VI. Provost Academic Administrators Retreat

Provost Erica Holmes held a retreat for the Vice Presidents of Instruction and Academic Deans November 12th to the 14th. The purpose of the retreat was to review strategic initiatives such as the outcomes of the Developmental Education Redesign and College Student Services Review, Universal Design and Web Accessibility, General Education Outcomes, and the upcoming HLC Report. This group will begin work on an **Educational Master Plan** for the College.

VII. Downtown Campus 40th Anniversary Kick-Off

The Downtown Campus hosted a celebration kick-off on Sunday November 15th with a day of family fun. It was a "homecoming" event for past, present and future members of the Downtown Campus family. A culminating event will be held in the spring to honor the Campus Founders.VI

BOG REPORT 11/12/14

Board of Governors, I'd like to propose a policy change concerning the Adjunct Faculty applying for a vacant FT faculty position, right now an Adjunct faculty has to apply as an external candidate, no matter how many years has been teaching at PCC, or what kind of experience he or she brings to the pool of FT faculty. I have put this question to the HR VC and I was told that the Adjunct Faculty have no preferential treatment at all.

It will be economically beneficial to the College to give a preferential treatment to the Adjunct Faculty, no need to train or having orientation programs, it is a known fact that hiring a new employee will cost about two months of the initial salary, due to reduced productivity and not being able to be integrated into the community right away.

We are not asking to bypass any requirements needed to fill the vacant position, just give the Adjunct Faculty the first shot in consideration of the service to PCC.

We'd like to have a change of the policy limiting the Adjunct Faculty workload to 10.5 hours, many Adjuncts teach a class that has 6 credit hours, and as of now they cannot get another class due the limitation on the workload hours of 10.5, please, give some consideration to this request.

Thank you

Carlo Buscemi

Temporary Staff Report

To: Pima Community College Governing Board

From: Joseph Langlois, Temporary Staff Representative to the Board of Governors and Governance Council.

November 17, 2014

Temporary Staff Representative Report:

At this point in time, some progress is being made in the discussion initiated by the Temporary Staff Task Forces Report:

1) There was some discussion at the October 21, Chancellor's cabinet meeting about some issues raised in the Report. No actions have been taken yet, but it is encouraging that we're still on the radar.

2) As soon as scheduling is worked out, members of the Temporary Task Force will meet with the Chancellor to discuss the Report and our concerns related to the report.

3) I now have a distribution list for all Temporary Staff. Now I can communicate with my constituents and keep all of them informed of the work done and the work still to be done for Temporary Staff.

These are all encouraging events and I'm hoping that the discussions and actions will continue to move forward.

I want to thank the Chancellor and the Board of Governors for this continuing opportunity to represent Temporary Staff and I wish everyone the best for the Holidays.

Respectfully submitted,

Joseph Langlois

BOARD OF GOVERNORS STUDENT REPORT
NOVEMBER 2014
DESERT VISTA CAMPUS

CAMPUS HIGHLIGHTS

Campus Outreach

Cancer Awareness

Student Government Students collected donations for the Leukemia & Lymphoma Society (LLS). They gave out fresh fruit, cheese, pink mechanical pencils, and facts to all that participated in this event. They also created a banner that said "Kiss Away Cancer" collecting kisses from students, faculty, and staff. Participants kissed the banner after putting on lip balm and covered the kiss with glitter. It was a successful and well assisted event.

EVENTS

Cultural Event ***Monday, November 3rd***

Día de Los Muertos

Day of the Dead is celebrated on November 2nd and is also known as All Souls Day. It is the final celebration following All Hallow's Eve Halloween (October 31st), and All Saints Day (November 1st). Day of the Dead celebrates and commemorates the life of loved ones who have passed away through particular rituals and observances. In the Tucson region, variations of this cultural event are practiced by different cultures and families.

Campus Outreach ***Tuesday, November 4th***

Coffee On the Go!

The Desert Vista Campus will host a Student Engagement event. Coffee will be served to students, staff, and faculty in the Atrium to initiate a meet and greet.

- Get a free cup of coffee!
- Meet members of the Desert Vista Community!

Courtesy of the Student Services Center in partnership with the Student Life Office

Campus Outreach ***November 1st-14th***

Holiday Basket give away

The Student Government members will give away a free food basket.

Community Outreach ***November, 21st , 2014***

Tucson Clean & Beautiful

Every second Friday of the month our Desert Vista students volunteer to and partner with Tucson Clean & Beautiful Inc. to pick up trash and recyclables on south Calle Santa Cruz. The Student Life Office provides free breakfast for the students that participate. The purpose of Tucson Clean & Beautiful, Inc., a non-profit organization, is to preserve and improve our environment, conserve natural resources, and enhance the quality of life in the City of Tucson and eastern Pima County.

Campus Outreach

All USA Scholarship

- On-line Application Monday, October 1st.
- ***Friday, November 21, 2014*** - Desert Vista On-line Application Deadline.
- ***Monday, December 1, 2014*** - All applicants will be notified of scholarship status.
- ***Monday, December 1, 2014*** - Two DV Nominees will be submitted electronically to the PTK

Club Meetings

- Student Government: every Friday 12:30-1:30pm
- Student Government Planning Meeting: every Tuesday 12:30 -1:30pm
- Gamers: 9am-12:30pm

University Visits:

- Prescott College
- Northern Arizona University
- University of Arizona
- Grand Canyon University
- University of Arizona South

STUDENT CONCERNS

Campus & Community Outreach

When will the Student Government receive a reply to their concerns?

BOARD OF GOVERNORS STUDENT REPORT
NOVEMBER 2014
DOWNTOWN CAMPUS
HIGHLIGHTS

Downtown Campus 40th Anniversary Celebration - Pima Community College will be celebrating its' 40th Anniversary of the Downtown Campus on **Saturday Nov. 15th from 10am-2pm** in the North Parking lot of the Downtown Campus. Food trucks, games and activities will be a part of the celebration. Celebrity radio personality, RDub will emcee the event. Admission is free.

OTHER EVENTS

Campus Outreach and Activities

Produce on Wheels

The Diversity Club and the Student Veterans of America are helping sponsor Produce on Wheels (POW) on **Saturday November 15, 2014 from 8:00am - 11:00am.** The pick-up site will be in the north parking lot area. Donate $10.00 and receive up to 60 lbs. of produce. Borderlands Food Bank is the primary contributor to this event.

Campus Outreach/Events/Activities

Veterans Day Celebration- Monday, November 10, 11:00am-1:30pm. The event will take place in the West parking lot of the Downtown Campus. The event is being sponsored by the Veterans Center in conjunction with the Student Veterans of America. Program includes speakers, recognition, activities/entertainment, and food. The event is free and open to the public.

Campus Outreach/Events/Activities

Native American Heritage Month November 1st – 30th

Redhouse Dancers

Native American Heritage Month will be celebrated through displays and presentations that will take place in the Student Life area as well as in other areas on campus. The internationally acclaimed **Redhouse Dancers will perform on Thursday November 19th in the Free Speech Area from 12noon to 1pm.** The Redhouse Dancers will perform and educate for audience. Traditional tribal garments and musical instruments are used in the performance. Admission is free however photos are discouraged.

Campus Outreach/Events/Activities

Teatro Chicana Performance

Student Life/Government, Social Science Department and MEChA sponsored the performance and evening with **Teatro Chicana on Thursday, November 6th from 6:30pm-8:00pm**. Mexican American female students from San Diego State forged Teatro Chicana in the 1960s-70s, inspired by the Civil Rights Movements. They continue the tradition of street theater, performing memoirs and telling stories of displaced and working people specifically through Chicana eyes. A reception for students and their families from 5:30-6:30pm. Performance was at 6:30pm with a book signing that followed.

Club Meetings

- Student Government Meet every other Monday. Next meeting Oct. 6th 10:00am – 11:00am
- Frestyle Minds Club: Every other Tuesday. Next meeting Oct 14th , 12:00pm – 1:15pm
- MEChA Club: Meeting on Thursdays at 3:30pm in LB 172
- CRU: Meetings every Thursday 11:00am-12:00am
- Student Veterans of America: Meetings on Wednesdays at 3;00pm in the Veterans Center

Please contact mlopez@pima.eduregarding questions involving clubs and organizations.

BOARD OF GOVERNORS REPORT
NOVEMBER 2014
COMMUNITY CAMPUS

HIGHLIGHTS

Adult Education Student of the year November 7 - The Arizona Association for Life-Long Learning (AALL) has chosen a PCAE student, Brenda Miranda, as Student of the Year. Brenda will be honored at the AALL Awards Conference in Tempe on November 7th.

OTHER EVENTS

Adult Education Ambassador Training November 21-22 - More than 15 new adult education ambassadors will be trained at the EL Rio Learning Center in November. Students will be trained to develop stories about their educational journeys within adult education classes and deliver them to lawmakers and community leaders in order to raise awareness of the necessity and benefits of adult education.

Arizona Town Hall, November 2-5th - Two adult education student leaders will attend the Arizona Town Hall at the Grand Canyon where they will share their insights, experiences and perspectives on the Arizona Economy.

JADE Social Justice Retreat November 14-16th - Two adult education student leaders/AmeriCorps members will join with PCC student leaders for training at the JADE Retreat, sponsored by the Pima Leadership Institute. The retreat covers such topics as race, gender, sexual orientation, disabilities, social economic status, and religion as well as the intersections that occur within these identities.

Recruitment and Orientation - Current Student Leaders at all three adult education learning centers will be recruiting for new leadership council members in the morning and evening HSE and ELAA classes.

Career Week November 3rd - Career Week kicks off at El Rio Learning Center. Students will participate in surveys about their career interests. Based on the results, follow up field trips to PCC campuses will be organized.

VOTE 4 EDUCATION Forums – More than 100 students at the 29th St Coalition and the El Pueblo Learning Center attended 2 forums presented by *Expect More Arizona*. Selena Llamas delivered astounding statistics about Arizona's funding for education and its below-average nationwide ranking.

CONCERNS

Transportation Issues – The El Rio Student leadership Council continues to explore solutions to the limited bus routes and schedules on the west side. Among the student-led initiatives are requests for Sun-Tran to expand the route of the loop bus to include the El Rio Learning Center, and to extend the schedule of the number 5 bus to accommodate evening students. Other concerns are affordability of bus fares and passes. As a result, some students can only afford to attend adult education classes two days a week rather than four.

BOARD OF GOVERNORS STUDENT REPORT
NOVEMBER 2014
WEST CAMPUS

HIGHLIGHTS

Pima Leadership Institute: JADE Retreat **November 14-16, Triangle Y Camp**
This three-day experience will provide meaningful dialogue on leadership, social justice, and empowerment. Participants will have an opportunity to create an action plan that will foster discussion and related activities at Pima Community College and in the Tucson community. This retreat will cover topics of Race, Gender, Sexual Orientation, Disabilities, Socio-Economic status, Religion/Spirituality, as well as the intersections that occur with these identities.

40 Pima Community College students and 9 facilitators (7 Pima Community College staff members, 1 University of Arizona master's student/PCC Student Development intern, and 1 University of Arizona student/past participant) will attend and participate in this social justice retreat.
Participants will receive a certificate and Jade colored honor cords at their campus' end of the year leadership awards ceremonies. Bécalos student participants will receive their certificates and honor cords at the Bécalos award ceremony in mid-December.

OTHER EVENTS

Native American Heritage Month

Events throughout the months of November

- ***NASA (Native American Student Association) Poetry Jam*** *on Thursday, November 6th from noon-2pm in the West Campus Cafeteria*
- ***Redhouse Dancers: Native American Music and Dance*** *on Wednesday, November 12th from 11am to noon in the West Campus Cafeteria*
- ***NASA Fry Bread Sale*** *on Wednesday, November 12th from 11am to 2pm in the HRP Courtyard (West Campus)*
- ***Additional events to be added during the month of November.***

Veterans' Day Brunch **November 6th 9:30 to 11:30am, WC Student Life (A-G20)**

Student Life and Student Government will provide a ***free*** brunch to all active duty and military veterans on Thursday, November 6th from 9:30-11:30am. Veterans/military will be treated to coffee, juice, fresh fruit, sausage, eggs, and other breakfast foods.

Bécalos Activities **throughout November – December**

- International Student Talent Show at UA Gallagher Theater – November 1st
- International Wildlife Museum – November 7th
- International Students Club California Trip – November 7th- 9th: Bowers Museum, Disneyland, Hollywood, the beach(?)
- JADE Retreat – November 14th – 16th
- West Campus Science Tour & Activity Day – November 20th
- Pima Air & Space Museum – November 21st
- A Piece of My Heart (PCC Performing Arts) – November 21st
- Thanksgiving potluck lunch – November 22nd
- Trip to Mt. Lemmon – December 5th
- Dance Signature Selection (CFA) – December 13th
- Bécalos Closing Ceremony – December 17th

Club Meetings

- Student Government: every Wednesday at 3pm
- Student Government Planning Meeting: every Monday at 1:30pm
- The remainder of the club meetings will be added to future BOG reports as the clubs are just reforming for the year and submitting their club renewal applications and deciding on meeting days and times.

University Visits:

- Prescott College
- Northern Arizona University
- University of Arizona
- Grand Canyon University
- University of Arizona South
- Embry Riddle Aeronautical University
- Arizona State University
- Southwest University of Visual Arts

BOARD OF GOVERNORS STUDENT REPORT
NOVEMBER 2014
NORTHWEST CAMPUS

HIGHLIGHTS

NWC SGA: Service Project
Northwest Campus Student Government Association is kicking off the collection of "Campus Pantry" items, collecting nonperishable food and personal hygiene items to redistribute the NWC students in need. This will be an ongoing service project to help the community and will be looking for donations all year.

OTHER EVENTS

Health and Wellness: Movember Beard and Mustache Contest
November aims to change the face of men's health and using the moustache as a catalyst, our goal is to bring about change and give men the opportunity and confidence to learn and to talk about their health more openly and to take action. Students, staff, and faculty are encouraged to stop by Student Life November 3 to get a picture taken of their facial hair, then return for an updated picture on December 1.

Academics Beyond the Classroom: Scholarship Fair and Major Fair

- November 5 from 10:00am-1:00pm Northwest Campus Student Government Association will be sponsoring a fair focused on helping students gain scholarship knowledge and gather information. Participants will include: UofA, ASU, NAU, GCU, and Prescott College.
- Student Development team will be hosting a Major Fair helping students select a major/program of study. "Together we will create a path for success for our students" Wednesday, November 5 from 11:00am-1:00pm

Veteran's Breakfast: November 10
Student Life will be hosting a breakfast from 8:00am to 11:00 am in honor of all veterans. We want to honor and recognize those who are/have serving/served in the U.S. Armed Forces during this event. To receive your free breakfast a military ID must be shown.

Native American Heritage Event:
The Northwest Campus Student Life Center is hosting the Redhouse Dancers Thursday November 13, 2014 from 10:30am-11:15am to show the artistic side of the Native American culture. There will also be fry bread to enjoy with this performance.

Pima Leadership Institute
J.A.D.E. (Justice, Advocacy, Dialogue, Empowerment) retreat. Student Life District-wide will be sponsoring a JADE retreat designed for students that already have a foundation of leadership skills. The retreat takes place off campus, November 14-16. The retreat will cover topics of race, gender, sexual orientation, disabilities, socio-economic status, religion/spirituality, as well as the intersections that occur with these identities.

Community Partnership: NW-YMCA
Student Life will be partnering with the NW-YMCA to host "Monday Movie Mania" in our Student Life Center. These movies are free and open to the Pima Community College students. This will take place every Monday of the week.

Weekly Activities:
Monday through Friday the Student Life Center will be having different activities as an opportunity for students to get involved on campus.
Monday Movie Mania: Every Monday the Student Life Center will be showing a movie related to the event of the week. The topic can vary from a heritage event, awareness and prevention event, or student requests.

- Monday, November 3, 2014
- Monday, November 10, 2014
- Monday, November 17, 2014
- Monday, November 24, 2014

Tour Tuesday: Every Tuesday the Student Life Staff will be available to give campus tours. If there is someone new to campus, an incoming student, or simply just exploring, this is a great opportunity.

- Tuesday, November 4, 2014
- Tuesday, November 11, 2014
- Tuesday, November 18, 2014
- Tuesday, November 25, 2014

Fun Friday: It's the end of the week and it's time to get some homework done or catch up with friends. The Student Life Center will have different activities going on so that students can interact and get involved.

- Friday, November 7, 2014
- Friday, November 14, 2014
- Friday, November 21, 2014

Weekly Displays: Student Life creates a variety of displays focusing on cultural and heritage, health and wellness, educational, social, and seasonal.

Student Development Workshops and Activities:

New Student Orientation:

- November 20, 2014 from 9:00am-11:00am
- November 21, 2014 from 2:30pm-4:30pm

Academic Probation Workshop:

- November 1, 2014 from 1:00pm-2:30pm

2014-2015 Financial Aid Orientation:

- November 13, 2014 from 10:00am-12:00pm

FAFSA Help Session:

- November 15, 2014 from 10:30am-11:30am

University Visits

Northern Arizona University:

- November 17, 2014 from 10:00am-3:00pm

University of Arizona:

- November 3, 2014 from 10:00am-3:00pm
- November 10, 2014 from 3:00pm-5:00pm
- November 17, 2014 from 10:00am-3:00pm

Grand Canyon University:

- November 5, 2014 from 9:00am-3:00pm
- November 6, 2014 from 9:00am-3:00pm

Clubs and Organizations Meetings:

Art Appreciation Club

- Still Pending

CRU Club Meeting (advisor Erica Martin and Emily Halvorson)

- Meetings are every Monday 7:00pm-9:00pm (meeting located in A322)

Health Club (advisor Dr. Thomas Jordan)

- Still Pending

Music Guild Club (advisor Ed Gallagher)

- Meetings are every Monday and Wednesday 6:00-7:00pm (Meeting located in D203)

Student Government Association (advisor Tiffany Hastings-Kibler and Yvonne Venalonso)

- Meetings are every Friday 12:30pm-1:30pm (meeting located in D203)

Super Smash Brothers Gaming Club

- Still Pending

Vendors:

Nova Enterprise

- November 19 from 9:00am-5:00pm (level 2)

BOARD OF GOVERNORS STUDENT REPORT
OCTOBER 2014
EAST CAMPUS

HIGHLIGHTS

Nov. 3 Día de los Muertos Celebration featuring Sunnyside High School Folklórico dancers, singers, poems, elaborate altars constructed by Spanish Faculty and students, and a sampling of cultural food.

OTHER EVENTS

Leadership Activities

Nov. 2-5 Student Government President attending 105th Arizona Town Hall in Grand Canyon

Nov. 14-16 Several East Campus students will be participating in the JADE Retreat (Justice Advocacy, Leadership, and Empowerment) at Triangle Y Ranch, Oracle, AZ

Veterans Appreciation Nov. 12-14

Nov. 12 Veterans Appreciation Pancake Breakfast

Nov. 12 Veterans Resource Fair, showcasing community resources available to veterans, service members, and their families

Nov. 12 Applying for Veterans Education Benefits, Workshop

Nov. 13 Navigating USA Jobs and Creating a Federal Resume, Workshop

Nov. 12-14 Hall of Heroes Display

Astronomy for All Series Nov. 19

Student Life is partnering with Astronomy/Physics faculty to promote the East Campus Observatory and Astronomy program. This consists of a series of lectures followed by guided viewings. Nov 19 topic: Exploring the Architecture of Planetary Systems at Home and Abroad" by Kaitlin Kratter, Ph.D., Assistant Professor University of Arizona Department of Astronomy and Steward Observatory

Diversity Celebration Nov. 19-20

Celebrating our differences with a little bit of everything. Honoring our diversity with music, dance, and informational displays. Featured performers: Tucson Taiko, Redhouse Dancers, FortheLuvva Music Entertainment, 7 Veils Belly Dance, PCC East & West Campus Pride Alliance

Club Meetings

- Student Government: every Thursday 2:40-3:00 beginning Sept. 11
- CRU: every Thursday 7:00-8:30 beginning Sept. 11
- Pride Alliance: every Thursday 3:30-5:00 beginning Sept. 11
- Chemistry Club: every other Friday 2:00-3:00 beginning Sept. 19
- Veterinary Technology Club: TBA

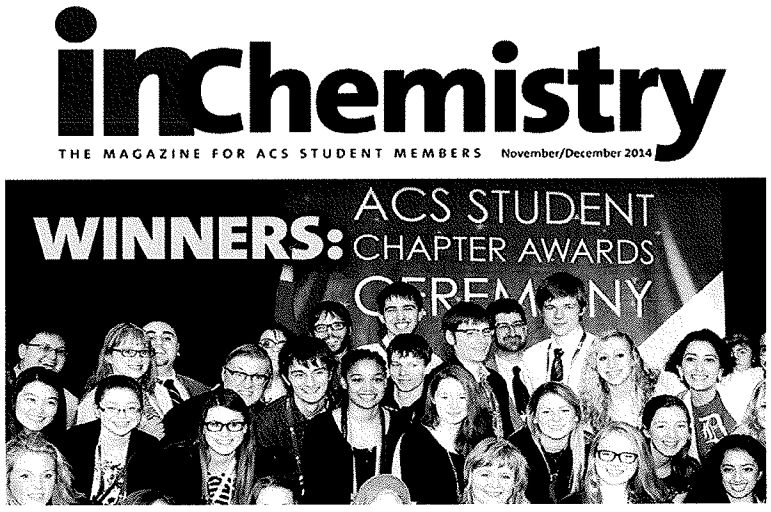
University Visits:

- Northern Arizona University
- University of Arizona
- Grand Canyon University
- University of Arizona South

ACS Chemistry for Life

Pima College East Campus Chemistry Club

Tiffany Bledsoe, Pedro Flores Gallardo and Fellow Students



ACS Chemistry for Life

Pima College East Campus Chemistry Club

Tiffany Bledsoe, Pedro Flores Gallardo and Fellow Students

CHAPTERS Special Recognition *continued*

KEY: ***Winning Institutions*** Faculty Advisors *Chapter Presidents*
= Green Chemistry Student Chapter

COMMENDABLE

Illinois Valley Community College, Oglesby
Matthew Johll & Richard Ault
Christiana Johnson & Ryan Rogers

Jackson State University, MS
Dalephine Davis & Ashton Hamme
Brandon Newton & Georgio Proctor

Los Angeles City College, CA
Terry Boan
Juan Zuniga & Bernice Medrano

Ohio Northern University, Ada
Teyve Celius
Courtney Olson & Lindsay Wiener

Pima Community College, Tucson, AZ
Lonnie Burke & Pedro Flores Gallardo
Tiffany Bledsoe & Connor Stahl

Portland State University, OR
Theresa McCormick
Esteban Rodriguez-Ariza & Derek Wessar

Texas State University, San Marcos
Benjamin Martin
Cassie Deardorff & Michael Spiegel

Texas Tech University, Lubbock
Dominick Casadonte & Michael Findlater
Bryan Wygant & Joel Tuinez

Texas Woman's University, Denton
Nasrin Mirsaleh-Kohan & Kerri Slavens
Mikeal McKim & Christian Sotelo

ACS Chemistry for Life

Pima College East Campus Chemistry Club

Tiffany Bledsoe, Pedro Flores Gallardo and Fellow Students

2014–2015 Community Interactions Grants (CIG)

ACS Chapters	Faculty Advisors	Student Project Directors	Project Title	Amount

For the 2014–2015 academic year, the ACS Society Committee on Education has selected the following nine CIG proposals to receive funding. The ACS Undergraduate Programs Office is pleased to announce the grant recipients.

Barry University, Miami Shores, FL
George Fisher • *Elliott Rodriguez*
Science Outreach to Minority-Serving Elementary & Middle Schools
$500

Saint Francis University, Loretto, PA
Edward P. Zovinka • *Stephanie Ciraulo*
Gloria Gates Partnership
$278

Saint Louis University, MO
Brent M. Znosko • *Lisa Green & Nicholas Schlarman*
$275

Texas Christian University, Fort Worth
Kayla Green • *Caleb Ashbrook*
Bringing the Sick Science Show to the Patients of Cook Children's Hospital
$500

Valdosta State University, GA
Linda De La Garza • *Malcolm McCray*
Fizz, Boom, Read!
$500

West Virginia State University, Institute
Michael Faltz • *Jade Wrinkauf & Brandi Bricker*
Water Sustainability and Societal Needs
$500

Xavier University of Louisiana, New Orleans
Michael Adams • *Lydia Mensah*
Chemistry in a Box
$490

Yakima Valley Community College, WA
Tanya Knickerbocker • *Matthew Ellenberger*
GEAR UP! Science and Engineering Festival
$500

2014–2015 Innovative Activities Grants (IAG)

ACS Chapters	Faculty Advisors	Student Project Directors	Project Title	Amount

For the 2014–2015 academic year, the ACS Society Committee on Education has selected the following nine IAG proposals to receive funding. The ACS Undergraduate Programs Office is pleased to announce the grant recipients.

East Los Angeles College, Monterey Park, CA
Armando M. Rivera-Figueroa • *Julianna Jimenez*
Organic Chemistry Through Smells
$400

Eastern Oregon University, La Grande
Anita Cavinato • *Logan Locsnig*
Measurement of Mercury in Native American Food Items: A Day of Outreach to the Umatilla Tribe
$478

Heidelberg University, Tiffin, OH
Nathaniel Beres • *Lily White*
How Much P Is in the Water? An Interactive Presentation on the Chemistry of Water and the Substances It Contains
$250

Ouachita Baptist University, Arkadelphia, AR
Sara Hubbard • *Dustin Walter & Jessie Meyer*
Science Skits at Children's Hospital
$300

Penn State Berks, Reading, PA
Gregkyn Gibbs • *Kyle Bramble & Katelyn Leets*
Career Preparation and Training for Undergrads
$250

Saint Louis University, MO
Brent M. Znosko • *Xuwei Chaney*
The Power of Liquid Nitrogen and Light
$275

University of the Sciences, Philadelphia, PA
Catherine Bentzley • *Catherine Jarinko & Susan Jones*
University of the Sciences ACS Student Affiliate Elementary School Science Outreach Collaboration
$270

Valdosta State University, GA
Linda De La Garza • *Krina Patel & Ashley Hopkins*
Peer Mentoring for Chemistry Freshmen: Making It ALL Read
$250

ACS Chemistry for Life

Pima College East Campus Chemistry Club

Tiffany Bledsoe, Pedro Flores Gallardo and Fellow Students

- **ACS student chapter objectives:**
  - **Foster student success**
  - **Professional development for Pima Students**
  - **Community outreach**

ACS Chemistry for Life

Pima College East Campus Chemistry Club

Tiffany Bledsoe, Pedro Flores Gallardo and Fellow Students



www.pccchemclub.com

ACS Chemistry for Life

Pima College East Campus Chemistry Club

Tiffany Bledsoe, Pedro Flores Gallardo and Fellow Students

- **Acknowledgments**

THANK YOU VERY MUCH FOR YOUR SUPPORT!

- **ACS student chapter members for participation**
- **Charlotte Fugett,** East Campus President
- **Nancee Sorenson,** Vice President of Student Development East Campus
- **Daniel Soza,** East Campus Business Office Director
- **Nicole Hayes,** East Campus Student Life Coordinator

TAB G

Board of Governor's Finance and Audit Committee
Meeting Notice and Agenda
Friday, January 22, 2016

Notice of Committee Meeting
9:00 a.m.
District Office, Building D
Catalina Vista Room D-225
4905 E. Broadway
Tucson, AZ 85709

AGENDA FOR MEETING*

General Matters

Call to Order

Introduction of New Members

Action Items

1. Approval of Minutes for the following meetings:
    a. Committee Meeting, November 20, 2015

Reports

2. Financial Aid Update

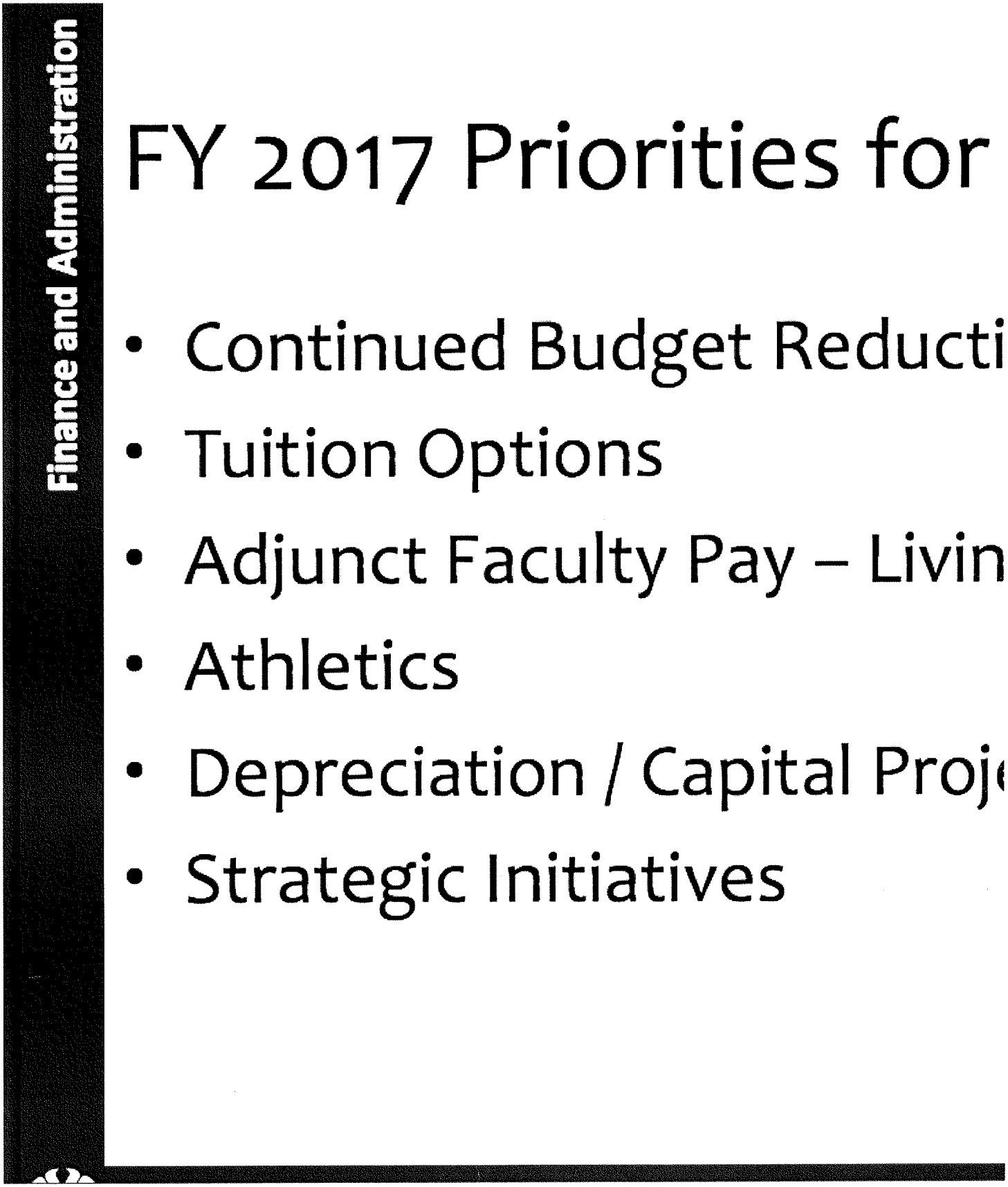
3. Internal Audit Update

4. Committee Chair Comments
    a. Importance of Committee work

5. Committee Co-Chair Comments

6. CFO Executive Summary Updates
    a. Preliminary Fiscal Year 2015-16 results through October 2015
    b. Expenditure Limitation Legislation
    c. PCC FY 2015 Comprehensive Annual Financial Report Overview
        i. https://www.pima.edu/about-pima/reports/finance-reports/docs-annual-financial/PCC-C
    d. PCC FY 2017 Budget Update
        i. https://www.pima.edu/administrative-services/finance/docs-budget/PCC-FY2017-Budget

TAB H



Bobbie Jo Buel

Editor, News

TAB I

PIMA COUNTY COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD OPEN MEETING NOTICE AND AGENDA
February 29, 2016

NOTICE OF STUDY SESSION

4:00 p.m.
District Office
Building C Room 105
4905 E. Broadway Blvd.
Tucson, AZ 85709-1005

AGENDA FOR MEETING*

1. Call Meeting to Order

2. Arizona Technology Council
   [The Arizona Technology Council members invited to discuss and present questions to the Board about their partnership with Pima Community College]

3. Educational and Facilities Master Plan
   [Consultants will provide updates from previous presentation and future goals of the master plan]

*** Option to recess into legal advice executive session** — Pursuant to A.R.S. §38-431.03(A)(3) the Governing Board may vote to go into executive session for the purpose of obtaining legal advice from its legal counsel with respect to any item listed on this agenda or any addendum thereto.

Members of the Governing Board may participate by telephone, video or internet conferencing.

Meeting presentations will be posted within a reasonable time following the meeting.

To request a reasonable accommodation for individuals with disabilities, a minimum of 5 business days before the event is requested. Contact Phone: (520) 206-4539; Fax: (520) 206-4567.

Note: Other than action taken on the motion to go into the above-referenced executive session and the motion to adjourn the meeting, there will be no action taken by the Governing Board at this special meeting.

PIMA COUNTY COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD OPEN MEETING NOTICE AND AGENDA
February 22, 2016

NOTICE OF STUDY SESSION

4:00 p.m.
District Office
Building C Room 105
4905 E. Broadway Blvd.
Tucson, AZ 85709-1005

AGENDA FOR MEETING*

1. Call Meeting to Order
2. Financial Aid
3. Budget Development

*** Option to recess into legal advice executive session** — Pursuant to A.R.S. §38-431.03(A)(3) the Governing Board may vote to go into executive session for the purpose of obtaining legal advice from its legal counsel with respect to any item listed on this agenda or any addendum thereto.

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EXHIBIT J

Subject: Fwd: FW: Public Records Request Oct 21/15
Date: Thursday, December 17, 2015 at 5:26:45 PM Mountain Standard Time
From: Howell, Libby
To: Alaimo, Carol, Record Request
CC: Libby Howell

I have attached the documentation you requested regarding a change management consultant.

Libby

Libby Howell, APR
Executive Director/Media, Community, & Government Relations

4905 E. Broadway Blvd.
Tucson, AZ 85709-1180
Office: 520.206.4778
Cell: 520.909.0601
ehowell1@pima.edu

---------- Forwarded message ----------
From: <recordrequest@pima.edu>
Date: Fri, Oct 23, 2015 at 8:50 AM
Subject: FW: Public Records Request Oct 21/15
To: Libby Howell <ehowell1@pima.edu>

From: Alaimo, Carol [mailto:caalaimo@tucson.com]
Sent: Wednesday, October 21, 2015 4:07 PM
To: Record Request
Subject: Public Records Request Oct 21/15

This is a request under ARS Title 39 to inspect the following public records:

Documentation related to PCC's recent procurement of a change management consultant, including description of work to be performed, total cost and payment terms.

Thanks,

Carol Ann Alaimo, Reporter

Arizona Daily Star
4850 S. Park Ave.
Tucson, AZ 85714
Desk Phone: (520) 573-4138
Newsroom Fax: (520) 573-4107
Email: calaimo@tucson.com

Arizona Daily Star
tucson.com

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Exhibit 3

INTERNATIONAL STUDENT PROGRAMS AND SERVICES AT PIMA COMMUNITY COLLEGE
BUSINESS PLAN

PROBLEM STATEMENT

We live in an interconnected world. College students need knowledge and competencies that will enable them to navigate this "new world." To this end, it is imperative that American colleges and universities develop comprehensive approaches to international education that provide our students with multiple opportunities to become globally competent. **Responding to this imperative is critical to the security and economic well-being of our nation**.

The American Council on Education Center for Internationalization and Global Engagement has published the following case statement for comprehensive international education:

> *In order for the United States to have a truly world-class higher education system, colleges and universities must be globally engaged and prepare students to be citizens of a multicultural community both at home and in a globalized world. Institutions accomplish this by having a multi-dimensional, comprehensive strategy that includes internationalization at home and engagement with global issues and partners.*

NAFSA-the Association of International Educators views a commitment to comprehensive internationalization as an imperative for all sectors of higher education:

> *A core reality that distinguishes current discussion from that of the past is the scale and scope of what internationalization encompasses – the breadth of clientele served, the outcomes intended, and a reshaping of institutional ethos. There is a growing sense that internationalization is an institutional imperative, not just a desirable possibility.*

RESPONDING TO THE IMPERATIVE

To respond to this imperative, the Chancellor will be appointing a taskforce during the fall 2014 semester with the charge of developing a comprehensive plan for internationalizing education at Pima Community College that includes:

- curriculum development for global knowledge and competencies
- language studies and ESL service
- a community lecture series on global issues
- cultural events and programs
- study abroad
- expanding international student outreach and recruitment

STAFFING PLAN FOR PIMA'S INTERNATIONAL PRGOGRAMS AND SERVICES*

Pima was deeply involved in recruiting and serving international students in the late 1990's and early 2000's. In 2004, we served more than 750 international students. Those numbers have decreased significantly due to lack of support from the previous District leadership team. But even without any

recruitment efforts, the College hosted 135 international students from 30+ nations during the 2013-14 academic year and 181 from 20+ nations international students during the fall 2014 semester.

A major focus of our response to the new imperative is to recruit and serve 1,000 international students in the 2017-18 academic year.

To achieve this goal, we need to recruit and hire a Vice President for International Education with a track record of success in leading international education programs and services, and create a staff to support the achievement of this goal. The Vice President will be responsible for overseeing three related lines of work, each of which will be supervised by a director:

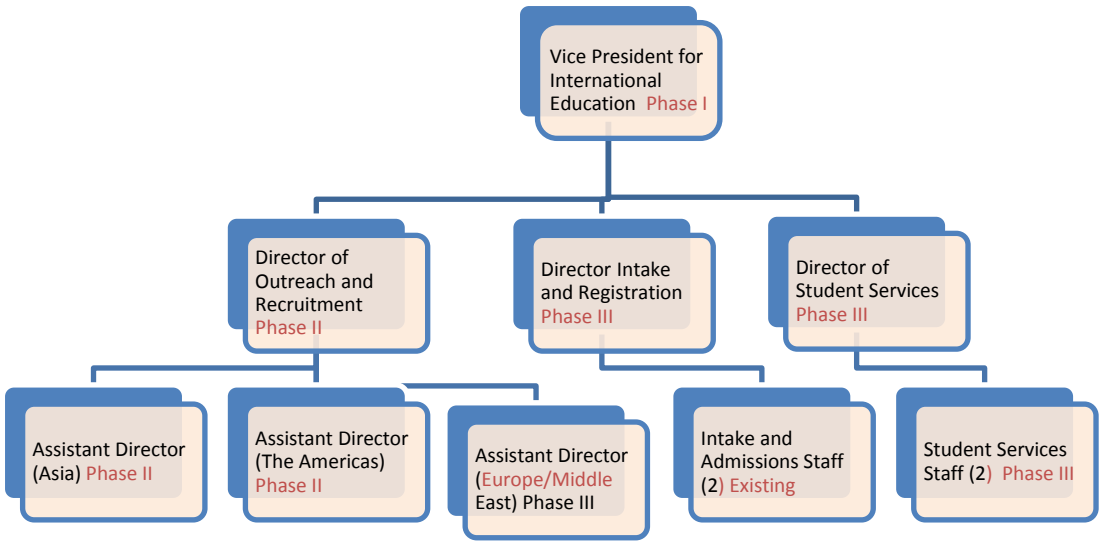
- outreach and recruitment;
- intake and registration including the processing of F1 and J1 visas;
- student services including advising and student activities that create interaction between domestic students and international students.

Outreach and Recruitment: With respect to outreach and recruitment, we propose an initial focus (2014-2016)on two major markets: (1) Mexico, Central America and South America); (2) East Asia including China, Hong Kong, South Korea, Vietnam, and Japan. In 2016, we will add a focus on outreach and recruitment to Europe, the Middle East and Africa. This effort will require a Director of Outreach and Recruitment and three Assistant Directors with responsibility for the three world regions described above.

Intake and Registration: We currently have a staff of two FTE in the West Campus International Student Services Office who are formally trained in SEVIS compliance and processing student visas. We are confident that this staff can handle the intake work generated by at least 250 additional students (beyond the 175 we anticipate serving during the 2014-15 academic year). After we reach an enrollment of 400 international students, we will need to add a Director to oversee expansion of these services to reach our goal of 1,000 students.

Student Services: With respect to student services, we also have some current staff that can provide student services including advising and activities. As our numbers grow, this area will require additional staff including a Director of Student Services.

The staffing process will take place in three phases. *



Phase I (September 1, 2014 through June 30, 2015)

- Recruit and hire a Vice President for International Programs and Services

Phase II (July 1, 2015 through June 30, 2016)

- Recruit and hire a Director of Outreach and Recruitment who will report to the Vice President
- Recruit and hire two Assistant Directors of Outreach and Recruitment who will report to the Director with responsibilities for Asia and the Americas

Phase III (July 1, 2016 through June 30, 2018)

- Recruit and hire a Director of Intake and Registration who will report to the Vice President
- Recruit and hire a Director of Student Services who will report to the Vice President
- Recruit and hire a third Assistant Director of Outreach and Recruitment who will report to the Director with responsibilities for Europe and the Middle East

**Although the timelines for the staffing plan outlined above unfold in three phases over three fiscal years, it may become necessary to adjust those timelines in order to respond promptly and effectively to the many opportunities for international partnerships that have emerged during the current academic year. This is especially the case with phase II staffing with its focus on outreach and recruitment in the Americas and in Asia.*

Staffing Plan Phase I (September 1, 2014 through June 30, 2015)

Vice President for International Education

To put this plan into motion, we will need an experienced senior leader who can provide overall direction for the operation. Until we are able to fully staff the International Programs outreach effort, the Vice President will need to also have specific experience in either the Mexico/Central America/South America market or the Asian market in order to be part of the first and second year recruitment efforts. He or she should be fluent in either Spanish or Mandarin.

Staffing Plan Phase II (July 1, 2015 through June 30, 2016)

Director of Outreach and Recruitment

The Director of Outreach and Recruitment will report to the Vice President and coordinate all outreach and recruitment including the supervision of three Assistant Director's for Outreach and Recruitment. The Director, like the Vice President, will also need to have specific experience in either the Mexico/Central America/South America market or the Asian market. He or she should be fluent in either Spanish or Mandarin.

Assistant Directors of Outreach and Recruitment (2)

Ultimately, we will employ three Assistant Directors who will report to the Director of Outreach and Recruitment. During Phase II, one Assistant Director will be hired and will be assigned to one of three markets depending upon his/her experience: Mexico/Central America/South America, Asia, or Europe and possibly the Middle East.

Staffing Plan Phase III (July 1, 2016 through June 30, 2017)

Director of Intake and Registration

Current staff can handle this work until we achieve an enrollment of 400 international students. We will need to recruit a Director to oversee this work as we move from 400 students to our goal of 1,000 students.

Director of Student Services

Current staff can handle this work until we achieve an enrollment of 450 international students. Beyond 450, we will need to add a Senior Director of Student Services.

Assistant Director of Outreach and Recruitment

This position will be responsible for one of the three recruitment regions described above in the Phase II portion of this plan.

Student Support Positions (2)

As we move beyond Phase II of this staffing plan, we're also going to need a minimum of two additional staff to support the expanded work load in both Intake and Registration and Student Services.

Exhibit 4

INTERNATIONAL STUDENT PROGRAMS AND SERVICES AT PIMA COMMUNITY COLLEGE
BUSINESS PLAN

PROBLEM STATEMENT

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The American Council on Education Center for Internationalization and Global Engagement has published the following case statement for comprehensive international education:

> *In order for the United States to have a truly world-class higher education system, colleges and universities must be globally engaged and prepare students to be citizens of a multicultural community both at home and in a globalized world. Institutions accomplish this by having a multi-dimensional, comprehensive strategy that includes internationalization at home and engagement with global issues and partners.*

NAFSA-the Association of International Educators views a commitment to comprehensive internationalization as an imperative for all sectors of higher education:

> *A core reality that distinguishes current discussion from that of the past is the scale and scope of what internationalization encompasses – the breadth of clientele served, the outcomes intended, and a reshaping of institutional ethos. There is a growing sense that internationalization is an institutional imperative, not just a desirable possibility.*

RESPONDING TO THE IMPERATIVE

To respond to this imperative, the Chancellor will be appointing a taskforce during the fall 2014 semester with the charge of developing a comprehensive plan for internationalizing education at Pima Community College that includes:

- curriculum development for global knowledge and competencies
- language studies and ESL service
- a community lecture series on global issues
- cultural events and programs
- study abroad
- expanding international student outreach and recruitment

STAFFING PLAN FOR PIMA'S INTERNATIONAL PRGOGRAMS AND SERVICES*

Pima was deeply involved in recruiting and serving international students in the late 1990's and early 2000's. In 2004, we served more than 750 international students. Those numbers have decreased significantly due to lack of support from the previous District leadership team. But even without any

recruitment efforts, the College hosted 135 international students from 30+ nations during the 2013-14 academic year and 181 from 20+ nations international students during the fall 2014 semester.

A major focus of our response to the new imperative is to recruit and serve 1,000 international students in the 2017-18 academic year.

To achieve this goal, we need to recruit and hire a Vice President for International Education with a track record of success in leading international education programs and services, and create a staff to support the achievement of this goal. The Vice President will be responsible for overseeing three related lines of work, each of which will be supervised by a director:

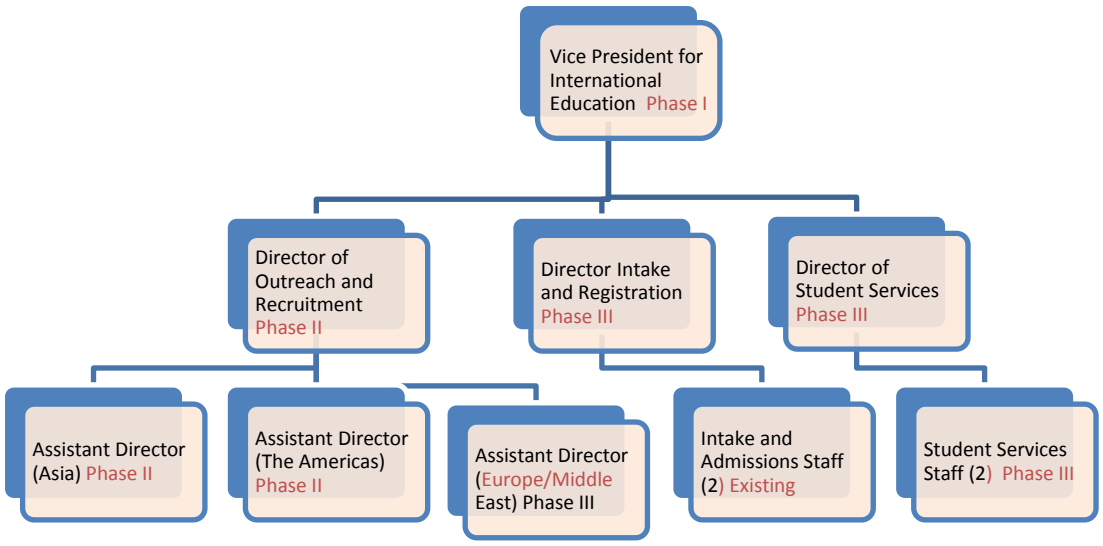
- outreach and recruitment;
- intake and registration including the processing of F1 and J1 visas;
- student services including advising and student activities that create interaction between domestic students and international students.

Outreach and Recruitment: With respect to outreach and recruitment, we propose an initial focus (2014-2016)on two major markets: (1) Mexico, Central America and South America); (2) East Asia including China, Hong Kong, South Korea, Vietnam, and Japan. In 2016, we will add a focus on outreach and recruitment to Europe, the Middle East and Africa. This effort will require a Director of Outreach and Recruitment and three Assistant Directors with responsibility for the three world regions described above.

Intake and Registration: We currently have a staff of two FTE in the West Campus International Student Services Office who are formally trained in SEVIS compliance and processing student visas. We are confident that this staff can handle the intake work generated by at least 250 additional students (beyond the 175 we anticipate serving during the 2014-15 academic year). After we reach an enrollment of 400 international students, we will need to add a Director to oversee expansion of these services to reach our goal of 1,000 students.

Student Services: With respect to student services, we also have some current staff that can provide student services including advising and activities. As our numbers grow, this area will require additional staff including a Director of Student Services.

The staffing process will take place in three phases. *



Phase I (September 1, 2014 through June 30, 2015)

- Recruit and hire a Vice President for International Programs and Services

Phase II (July 1, 2015 through June 30, 2016)

- Recruit and hire a Director of Outreach and Recruitment who will report to the Vice President
- Recruit and hire two Assistant Directors of Outreach and Recruitment who will report to the Director with responsibilities for Asia and the Americas

Phase III (July 1, 2016 through June 30, 2018)

- Recruit and hire a Director of Intake and Registration who will report to the Vice President
- Recruit and hire a Director of Student Services who will report to the Vice President
- Recruit and hire a third Assistant Director of Outreach and Recruitment who will report to the Director with responsibilities for Europe and the Middle East

**Although the timelines for the staffing plan outlined above unfold in three phases over three fiscal years, it may become necessary to adjust those timelines in order to respond promptly and effectively to the many opportunities for international partnerships that have emerged during the current academic year. This is especially the case with phase II staffing with its focus on outreach and recruitment in the Americas and in Asia.*

Staffing Plan Phase I (September 1, 2014 through June 30, 2015)

Vice President for International Education

To put this plan into motion, we will need an experienced senior leader who can provide overall direction for the operation. Until we are able to fully staff the International Programs outreach effort, the Vice President will need to also have specific experience in either the Mexico/Central America/South America market or the Asian market in order to be part of the first and second year recruitment efforts. He or she should be fluent in either Spanish or Mandarin.

Staffing Plan Phase II (July 1, 2015 through June 30, 2016)

Director of Outreach and Recruitment

The Director of Outreach and Recruitment will report to the Vice President and coordinate all outreach and recruitment including the supervision of three Assistant Director's for Outreach and Recruitment. The Director, like the Vice President, will also need to have specific experience in either the Mexico/Central America/South America market or the Asian market. He or she should be fluent in either Spanish or Mandarin.

Assistant Directors of Outreach and Recruitment (2)

Ultimately, we will employ three Assistant Directors who will report to the Director of Outreach and Recruitment. During Phase II, one Assistant Director will be hired and will be assigned to one of three markets depending upon his/her experience: Mexico/Central America/South America, Asia, or Europe and possibly the Middle East.

Staffing Plan Phase III (July 1, 2016 through June 30, 2017)

Director of Intake and Registration

Current staff can handle this work until we achieve an enrollment of 400 international students. We will need to recruit a Director to oversee this work as we move from 400 students to our goal of 1,000 students.

Director of Student Services

Current staff can handle this work until we achieve an enrollment of 450 international students. Beyond 450, we will need to add a Senior Director of Student Services.

Assistant Director of Outreach and Recruitment

This position will be responsible for one of the three recruitment regions described above in the Phase II portion of this plan.

Student Support Positions (2)

As we move beyond Phase II of this staffing plan, we're also going to need a minimum of two additional staff to support the expanded work load in both Intake and Registration and Student Services.

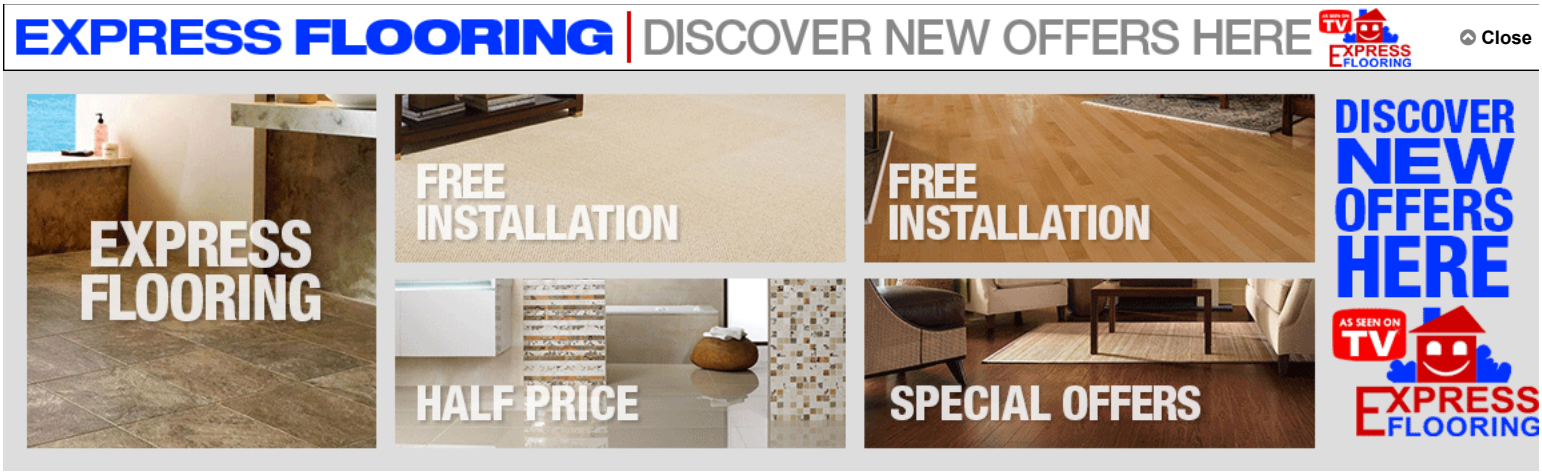
PimaCommunityCollege
Administration

International Student Recruitment Model
10/29/2014

Current Enrollment (FTSE)	125
Regular tuition per unit	$ 70.50
Out of State premium per unit	$ 253.00
Adjunct rate per load hour	$ 800.00

			Incremental Growth Above Base					
		Base	**FY15**	**FY16**	**FY17**	**FY18**	**FY19**	**Notes**
FTSE		125	15	175	375	575	875	Additional FTSE above current level
International Application Fee		2,740	3,069	6,905	15,125	27,729	46,909	
Tuition and Application Fees		**1,213,125**	**145,575**	**1,698,375**	**3,639,375**	**5,580,375**	**8,491,875**	
Adjunct Incremental Cost		-212,686	-25,522	-297,761	-638,059	-978,357	-1,488,804	
Net student revenue		**1,000,439**	**120,053**	**1,400,614**	**3,001,316**	**4,602,018**	**7,003,071**	
Additional Support								
Personnel (with Fringe)								
VP International Programs	E82		72,849	145,699	145,699	145,699	145,699	Starts midway through FY15
Director Outreach/Recruitment	D63			124,034	124,034	124,034	124,034	Starts FY16
Asst Director O/R - Asia	C52			98,033	98,033	98,033	98,033	Starts FY16
Asst Director O/R - Americas	C52			98,033	98,033	98,033	98,033	Starts FY16
Dir Intake and Registration	D63				124,034	124,034	124,034	Starts FY17
Dir. Student Services	D63				124,034	124,034	124,034	Starts FY17
Asst Director Europe	C52				98,033	98,033	98,033	Starts FY17
Student Support Positions	C41				120,045	120,045	120,045	Two in FY17
Student Support Specialists	B23				52,091	104,183	156,274	Add 1FTE in FY17, FY18, and FY19
Recruiting/Relo expenses			14,570	32,010	51,824	5,209	5,209	10% of each new position amount
Subtotal Personnel		**129,000**	**87,419**	**497,809**	**1,035,859**	**1,041,336**	**1,093,427**	
Operations Expenses								
Travel			15,000	92,500	155,000	155,000	155,000	$30K/yr per recruiters; $2.5K per support
Communications (cell, etc.)			1,000	8,000	8,000	8,000	8,000	$2K/yr per person
Supplies			1,000	4,000	7,000	7,000	7,000	$1K/yr per person
Marketing - Printing, supplies			10,000	8,750	18,750	28,750	43,750	$10K start up, $50/student
Marketing - Promotions/fees			10,000	20,000	20,000	20,000	20,000	$5K per fair
Other (memberships, etc.)			1,000	8,000	14,000	14,000	14,000	$2K/yr per exempt position
One Time Equipment (office setup, computer)			10,000	30,000	40,000	10,000	10,000	$5k per person on hire
Subtotal Operations		**14,699**	**48,000**	**171,250**	**262,750**	**242,750**	**257,750**	
Net Revenue		**856,740**	**-15,367**	**731,556**	**1,702,707**	**3,317,932**	**5,651,894**	
Retain for International Prog Suppo	10%			73,156	170,271	331,793	565,189	To ensure continued support for program
Available for College			**-15,367**	**658,400**	**1,532,436**	**2,986,139**	**5,086,705**	**Net to College**
IE Support costs vs. Tuition Revenue			93.0%	39.4%	35.7%	23.0%	15.9%	
IE Support costs vs. Net Student Revenue			112.8%	47.8%	43.3%	27.9%	19.3%	

Exhibit 5





http://tucson.com/news/opinion/editorial/pima-community-college-needs-to-stop-hiding/article_de0c967d-34f9-56ae-be05-8ada3ea934e8.html

Pima Community College needs to stop hiding

May 28, 2016



Mike Christy / Arizona Daily Star

Buy Now

Maurice Brown checks the exterior of the Boeing 727 at the Pima Community College Aviation Technology Center.

Arizona public records and public meetings law applies to Pima Community College, yet the institution, which is funded by local taxpayers, has behaved as if its employees and board members,



Special Review:
Open Meetings and Public Records

PCC transparency audit
May 20, 2016

not the law, gets to decide what the public should know. This practice is unacceptable.

The latest instance involves problems with accreditation of the college's acclaimed aviation center, which is located off campus, near the airport. Students were directly affected, because federal financial aid rules require that the student be enrolled in an accredited program.

According to reporting from the Star's Carol Ann Alaimo, the PCC board discussed it six times behind closed doors in executive session since January, but also talked about it in public at a Feb. 22 meeting.

But there was no way for the public — including the aviation students who weren't told about the problem until May — to know the board would be speaking specifically about the aviation program at that Feb. 22 meeting because it wasn't included on the meeting agenda, as it should have been.

Instead, the Feb. 22 agenda included three items: "1. Call Meeting to Order 2. Financial Aid 3. Budget Development"

Not a word about the aviation program. Unless a member of the public had inside information, there was no way to know the scope of what would be discussed. The aviation program also was never mentioned specifically in the meeting minutes.

Yet PCC contends that "financial aid" was an adequate description of what was to be, and what was, discussed, and that they did nothing wrong.

Some officials and board members appear to believe that's actually true, and this is highly troublesome because it's not the first time they've been caught giving vague two- or three-word descriptions of what the board would discuss.

The Pima County Attorney's Office has made two findings in recent years that PCC's agenda notifications are inadequate. The reason for making board business public is so everyone will know, in advance, what the public entities are doing. Hiding important, but possibly damaging — as with the aviation accreditation — information behind generalities like "financial aid" insults the taxpayers, students and faculty and casts suspicion on everything the college and board does.

PCC also has not given the public real access to background materials on what the board discusses. Many places, including the city of Tucson and Tucson Unified School District, provide materials electronically, usually in advance of the board meeting.

PCC's internal auditor looked at how the college handles public records and found that everything was fine. Yet the auditor didn't receive all the relevant information to make such a

determination. For example, PCC attorney Jeff Silvyn never shared a four-page letter from the Star's attorney that outlined concerns with how the college handles public information — a document that any auditor would need to conduct a true, legitimate examination.

There is reason to hope. Two newer board members, Demion Clinco and Martha Durkin, have prior experience in public institutions that deal often with public records, and Mark Hanna, the board president, says it's one of his top concerns. "Where there's smoke, there's fire," he said.

Fixing this is simple: tell the public, with specifics, what the board will discuss on the agendas. Include complete minutes. Release background materials publicly before the board meetings. Err on the side of providing more information, rather than trying to keep things secret.

It's time for PCC to stop hiding.

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Tucson, Arizona 85701-1412
(520) 740-5750
FAX (520) 620-6556

Barbara LaWall
PIMA COUNTY ATTORNEY

March 18, 2015

Via E-Mail

Jeffrey S. Silvyn, Esquire
Pima Community College
4905C E Broadway Blvd
Tucson, AZ 85709-1005

Re: Open Meeting Law Compliance

Dear Jeff:

As we discussed yesterday, the Pima County Attorney's Office received a complaint alleging that the Pima Community College Board of Governors ("Board") failed to comply with the Open Meeting Law ("OML") at its meeting of November 19, 2014. Our office reviewed the agenda, packet and transcript for that meeting.

That review resulted in findings that require remedial action to ensure strict compliance with the OML. In particular, the agenda (not only for this meeting, but for many others) lacked sufficient specificity to adequately inform the public of what topics were to be considered. Furthermore, lengthy presentations and discussions took place under general items on topics that were not specified on the agenda.

To remedy the deficiencies and maximize public awareness, the following actions will be taken:

1. Agendas for Board meetings will be much more specific. This will include but is not limited to: listing all presentation topics; including the purpose and amount of contracts being considered; listing the names of persons being considered for appointment to various faculty and other positions. (A return to the format used and approved by the Pima County Attorney's Office for the November 9, 2011, will be satisfactory.)

2. The Pima County Attorney's Office will monitor future agendas from time to time to ensure continued compliance.

3. All members of the Board, and appropriate officers and staff, will attend a training on OML presented by the Arizona Ombudsman – Citizens' Aide. I spoke with Kathryn Marquoit, Assistant Ombudsman for Public Access, and she is willing and able to

provide a two-hour training. (If all members and appropriate staff are unable to attend one session, please arrange additional training sessions with Ms. Marquoit.)

4. You will contact me when the members have completed the OML training from the Ombudsman. Training should be concluded on or before the end of the Spring 2015 semester, absent extenuating circumstances.

Thank you for taking the time to talk with me and for your willingness to make improvements. We strongly believe that both the public and the Board will greatly benefit from these actions.

Sincerely,

Karen S. Friar

Karen S. Friar
Deputy County Attorney

cc: Barbara LaWall, Pima County Attorney
Thomas Weaver, Chief Civil Deputy

Exhibit 6

EXPRESS FLOORING | DISCOVER NEW OFFERS HERE Expand



http://tucson.com/news/local/education/college/pcc-again-violates-open-meeting-law/article_c79c1161-9dfe-5032-b036-78aa1ce9469a.html

PCC again violates open meeting law

By Carol Ann Alaimo Arizona Daily Star Mar 24, 2015



County attorney letter to PCC
Mar 24, 2015

For the second time in less than four years, Pima Community College has been found in violation of Arizona's open meeting law.

The latest ruling relates to a recent PCC Governing Board meeting where college executives gave several key presentations that weren't listed on the board's agenda as the law requires.

The board and administrators must now undergo training in the law's requirements, says a decision by the Pima County Attorney's Office. The county attorney also "will monitor future agendas from time to time" to ensure PCC is complying with the law.

The latest violations occurred despite PCC's publicly-stated commitment to openness and transparency.

Deputy County Attorney **Karen Friar** recently reviewed the college's compliance with the law after the Arizona Daily Star filed a formal complaint about PCC's Nov. 19 board meeting.

At that meeting, Chancellor **Lee Lambert** had several members of his Cabinet give presentations to the board that weren't on the agenda.

They included:

- A presentation on a $17,000 trip to China that Lambert and three others made last year to try to lure Chinese students to study at PCC.
- A separate report on the projected long-term cost of a new international outreach effort.
- A report on shortcomings in PCC's online education system and steps to improve it.
- A report on PCC's past failure to link its planning with its budgeting and to measure whether the college is meeting its stated goals.
- An update on a review that found deficiencies in PCC's student services such as advising, career planning and financial-aid support.

In an email to the Star after the November meeting, college officials maintained the presentations were legal, even though they weren't on the agenda because the law gave Lambert discretion to authorize them.

In her March 18 letter to the college, Friar said PCC has routinely failed to "adequately inform the public" about matters to be discussed or decided at board meetings.

The problem isn't limited to the November meeting, she said. The board agendas "not only for this meeting, but for many others" lacked sufficient detail to let taxpayers know what's going on, she said.

That's the same conclusion Friar reached in November 2011, when she last investigated PCC for open meeting law violations in response to a taxpayer complaint.

Back then, Friar provided PCC with an approved format for what its agendas should look like. But the college stopped following the format at some point and instead returned to the practices that got it in trouble the first time, she said.

Sylvia Lee, chairwoman of PCC's Governing Board, who campaigned in 2012 on the need for openness in the college's affairs, defended the board, Lambert and college attorney **Jeff Silvyn**, who is responsible for assessing whether the board's agendas comply with the law.

In an email to the Star on Tuesday, Lee said she hadn't seen Friar's letter but said any mistakes made were unintentional.

"I know that Lee (Lambert) and the Board's intent is always to be transparent and open. If the interpretation is that we deliberately kept information off our agenda then as Board Chair, I apologize. That certainly was not our intent.

"Jeff Silvyn has done a good job as our attorney and has advised the College through difficult times. I know it was never his intent to keep information from the public," she said.

Contact reporter Carol Ann Alaimo at calaimo@tucson.com or 573-4138.

Carol Ann Alaimo

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Exhibit 7

C-FAIRR

COALITION FOR ACCOUNTABILITY, INTEGRITY,
RESPECT, AND RESPONSIBILITY
13551 West Manville Road, Tucson AZ 85743

April 18, 2016

Libby Howell
Executive Director
Media, Community & Government Relations
District Office, Room C 246

Re: Altered public record (International Student Programs And Services At Pima Community College Business Plan)

Ms. Howell,

The College's Board of Governors and Chancellor have often stated their firm commitment to transparency. Nonetheless, on several occasions over the past four years, we have notified the College that it has failed to comply with our requests for public records. In multiple instances, the College has failed to provide the *metadata* for public records we requested. Further, the College has never provided us with an explanation for the denial to public records as stipulated by A.R.S. Title 39.

Now, we are troubled to discover that the above referenced document we received in response to our public records request had been altered prior to being provided to us. At the time, we did not dispute your explanation as to why we were provided an altered public record. However, we now have in our possession another copy of this document in PDF format. It is obvious that the document the College provided to us was altered.

This particular case is different. Altering a public record is a violation of "**A.R.S 13-2407. Tampering with a public record; classification,** C. *altering a public record is a Class 6 felony*." Since altering a public record is a serious matter, we now seek to determine why we were provided an altered public record.

Given the College's record of noncompliance to our requests for public records, the College is clearly obligated to promptly provide to us the *native document's metadata*. We have previously noted the Board of Governors and Chancellor's commitment to transparency, therefore, we presume that the College will expedite this request in order for us to determine who authorized this document to be altered and the time that the alteration occurred—which may shed light as to *why this public record was altered*.

We are informing the College that metadata from a Portable Document File (PDF) version of this record, does not comport with the Supreme Court's decision in Lake V. the City of Phoenix. Please note that we will inspect or the College may provide us with the complete metadata file for each of these documents. The Arizona Supreme Court held in Lake v. City of Phoenix, "The metadata in an electronic document is part of the underlying document: it does not stand on its own. When a public officer uses a computer to make a public record, the metadata forms part of the document as much as the words on the page" (Lake v City of Phoenix, Paragraph 13). In regard to this request for metadata, *we contend that Pima Community College maintains an electronic copy in its native format (for example, Microsoft Word).* Therefore, we are entitled to inspect or receive copies of the original native format electronic document, specifically the embedded metadata.

On several occasions the documents provided us were converted from their original electronic file format into PDF files and were thus stripped of their original metadata. The court held that "if a public entity maintains a public record in an electronic version, then the electronic version, including any embedded metadata, is subject to disclosure under our public records law" (Lake v City of Phoenix). It also noted that, "[a public entity]…can satisfy a public records request by providing the requestor with a copy of the record in its *native format*" (emphasis added) Lake v City of Phoenix). The process of converting a document to a PDF file has the effect of removing the embedded metadata thus altering the original. For this reason we contend that a PDF document cannot be considered an exact copy for the purpose of a public records request. In fact, by converting the requested documents to the Adobe Portable Data File (PDF) format, in effect the College has created a second document that, lacking the originals metadata, can not be considered an exact copy of the original; therefore both documents are subject to A.R.S. §39-121.

This is a formal request to inspect or to be provided copies of public records including metadata related to the document entitled: *International Student Programs And Services At Pima Community College Business Plan.* The metadata we wish to inspect includes, but is not limited to, the true creation date, all access dates, the access dates for each time it was accessed, including who accessed the file as well as print dates, etc. It also includes the revision log for all Microsoft Office software programs containing the names of the individuals who worked with the document and all names used for the documents requested.

1. The original and all subsequent versions of the record in its *native format* (Microsoft Word or other word processor software), and all associated metadata of these documents.
2. The original and all subsequent versions of the PDF file and all associated all metadata of the documents in question.

In addition, this is a formal request for all communications between any of the following individuals, relating to the creation or revision of the document entitled *International Student Programs And Services At Pima Community College Business Plan*: Chancellor Lambert, Mark Hanna, District 1, Chair; Demion Clinco, District 2; Sylvia M. Lee, Ph.D. District 3; Scott A. Stewart, District 4; Martha Durkin, District 5; Dan Berryman, Vice Chancellor for Human Resources; Dr. David Bea, Executive Vice Chancellor for Finance and Administration; Dr.

Ricardo Castro-Salazar, Vice President for International Development; all employees in the International Student Department; Libby Howell, APR, Executive Director/Media, Community, and Government Relations; and all members of the Executive Leadership Team.

1. This request includes all emails, meeting or phone call notes, between the individuals listed above.

The College provided us a public record that was altered. We request that you expedite the delivery of these documents to us, or arrange a time for inspection, by 5:00 PM, Monday, April 25, 2016. As you are aware have the option of exercising our legal rights as pursuant A.R.S 13-2407.

Mario Gonzales (signed electronically)

CC;

Mark Hanna, District 1, Chair

Demion Clinco, District 2

Sylvia M. Lee, Ph.D. District 3

Scott A. Stewart, District 4

Martha Durkin, District 5

Chancellor Lee Lambert

Exhibit 8

District Office

Office of the College General Counsel
4905C East Broadway Boulevard
Tucson, Arizona 85709-1005
Telephone (520) 206-4678
TTY: (520) 206-4817
Fax (520) 206-4990
www.pima.edu

PimaCountyCommunityCollegeDistrict

April 25, 2016

Mario Gonzales
C-FAIRR
13551 W. Manville Rd.
Tucson, AZ 85743

Via mail and email: mariogonzo1960@live.com

Re: Request for records related to International Students Program

Dear Mr. Gonzales:

On behalf of Pima Community College, I am writing in response to your April 18, 2016 letter requesting records related to the International Student Programs business plan. Your letter expresses a variety of concerns which are addressed in turn below.

1. Prior Records Requests

Your letter asserts that C-FAIRR has on several occasions notified the College that it has failed to comply with requests for public records and failed to provide metadata. We are not aware of either. C-FAIRR has made a number of public records requests. With respect to some of these, the College has sought clarification about the information desired. As a result of these communications, in some instances C-FAIRR agreed to modify its request and in others to withdraw or suspend certain requests. With respect to each request from C-FAIRR, the College believes it has met its obligations and is not aware that C-FAIRR believed a further response was expected. If, however, there has been some misunderstanding about a response, please identify the specific records requests and the College will provide an appropriate response.

Your letter also states the College has not provided an explanation for the denial of public records request. Again, we are not aware of any such instance. For example, over the past several weeks, C-FAIRR has requested ethnicity and other demographic data for specific employees. In response, the College provided aggregate information on employee demographics and explained why both for practical and legal reasons the College could not provide the information exactly as requested. However, if there is a specific instance or instances where you believe the College did not explain a limitation on records produced, please provide that information so we can either explain the basis or produce the records.

2. The Records Concerning International Student Programs

There seems to be some misunderstanding regarding the International Student Program business plan document that was provided. Perhaps some additional background regarding this

document and its disclosure will make the additional records more meaningful and help alleviate the concerns.

On February 19, 2016, reporter Carol Ann Alaimo asked Libby Howell via email for a copy of the "International Student Programs and Services at Pima Community College Business Plan" from the November 2014 Board meeting. Libby then sought to identify this record. Chancellor's assistant Gaby De Echavarri had saved this document from around the time of the November 2014 meeting. She had received the document in PDF format. Gaby sent this document to Libby via email. (Email communication and attachment enclosed.) Libby, in turn, made a copy of the document with a new title for easier reference for her email to Carol Ann on February 23, 2016.

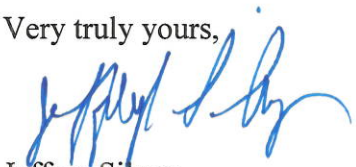
In March, C-FAIRR also requested records concerning the International Students Program. As part of the response, Libby again copied and renamed the same PDF file, for ease of reference in the email she sent you on March 30, 2016.

On April 6, 2016, Carol Ann inquired why the report she received had six pages while the report sent to C-FAIRR had five pages. Libby was not aware of the discrepancy until the notice from Carol Ann. At that point, she sent you another copy of the report that contained all six pages.

Pursuant to your request, the College's Information Technology Department will retrieve the metadata from the versions of the document received and sent by Libby. We will let you know as soon as that information is available and in what format it can be produced. Please note that based on the IT Department description of the type of metadata associated with a PDF file, we do not believe this data will identify whether the change happened as a result of some action Libby took when she copied and renamed the file or whether it was some sort of technical glitch. Presently, the circumstances and information available do not suggest that Libby or any other College employee intentionally tried to alter a record. The version stored by Gaby is complete as is the version Libby produced for the newspaper. As can now verify for yourself, these two versions are the same.

The IT Department is also conducting a search for any additional email related to this record. I will let you know when I have an estimated date for completion. Should you have further questions in the meantime, or after reviewing the materials provided, please do not hesitate to contact me.

Very truly yours,



Jeffrey Silvyn
General Counsel

CC: Libby Howell
Lee Lambert
Pima College Board of Governors

PimaCommunityCollege

Request, Record <recordrequest@pima.edu>

FW: for Monday

1 message

Gabriela De Echavarri <gechavarri@pima.edu> Thu, Apr 7, 2016 at 9:22 AM
To: recordrequest@pima.edu

Per your request.

Gaby

Gabriela Echávarri

Administrative Assistant to the Chancellor

gechavarri@pima.edu

Voice (520) 206-4747

Fax (520) 206-4990

4905 E. Broadway Blvd.

Tucson, AZ 85709-1005

From: Gabriela De Echavarri [mailto:gechavarri@pima.edu]
Sent: Monday, February 22, 2016 8:43 AM
To: David Bea <dbea@pima.edu>; Ricardo Castro-Salazar <rsalazar@pima.edu>
Cc: Libby Howell <ehowell1@pima.edu>; Paul Schwalbach <pgschwalbach@pima.edu>; Jeff Silvyn <jsilvyn@pima.edu>; Angela Wesson <awesson@pima.edu>; Morgan Phillips <mphillips23@pima.edu>; Andrea Gauna <agauna@pima.edu>
Subject: RE: for Monday

I think this is what she is refereeing to, please let me know.

Gaby

Gabriela Echávarri

Administrative Assistant to the Chancellor

gechavarri@pima.edu

Voice (520) 206-4747

Fax (520) 206-4990

4905 E. Broadway Blvd.

Tucson, AZ 85709-1005

From: David Bea [mailto:dbea@pima.edu]
Sent: Friday, February 19, 2016 8:32 PM
To: Castro-Salazar, Ricardo <rsalazar@pima.edu>
Cc: Howell, Libby <ehowell1@pima.edu>; Schwalbach, Paul <pgschwalbach@pima.edu>; Jeff Silvyn <jsilvyn@pima.edu>; Angela Wesson <awesson@pima.edu>; Gabriela De Echavarri <gechavarri@pima.edu>; Morgan Phillips <mphillips23@pima.edu>
Subject: Re: for Monday

I believe I have an early draft but would like the final version to compare the more recent financial information.

In order to summarize the financial info, we need to consolidate a few different orgs together and I want to make sure it is a straightforward and not confusing comparison.

Dave

Sent from my iPhone

On Feb 19, 2016, at 6:20 PM, Castro-Salazar, Ricardo <rsalazar@pima.edu> wrote:

> Hi Libby et al.,
>
> I believe that was the plan that Lou Albert presented to the BOG and, unfortunately, I don't have a copy. I want to point out that the PP on our website shows int'l enrollment projections that were later deemed unrealistic. The Internationalization Task Force did extensive research and, along with our consultant, we developed a more ample vision of PCC's int'l education program as an integral part the College education (attached report and chancellor's blog today). In fact, internationalization is linked to the criteria of the HLC for accreditation (Criterion 5.C.5)... Without

the larger context, it appears that int'l could be an easy target for misunderstanding.

David's office originally developed figures showing the cost of staffing the int'l office, including a budget, which in essence is a reinvestment in an area that was neglected for many years. The original figures have changed as we have evolved, but attached is one of the versions of the funding plan I have.

Just wanted to share this perspective anticipating some further public discussion...

Have a great weekend,

Ricardo

On Fri, Feb 19, 2016 at 4:37 PM, Howell, Libby <ehowell1@pima.edu> wrote:

> She says this is not the document she means. It was six-page paper document that was provided to board members (but not the public) at the BOG meeting and it was far more detailed than the slide show version. It had budget info in it.
>
> I'm copying Gaby and Angie on this email in case they might have a copy in their records.
>
> Libby

Libby Howell, APR

Executive Director/Media, Community, & Government Relations

PimaCommunityCollege

4905 E. Broadway Blvd.

Tucson, AZ 85709-1180

Office: 520.206.4778

Cell: 520.909.0601

ehowell1@pima.edu

On Fri, Feb 19, 2016 at 3:50 PM, Schwalbach, Paul <pgschwalbach@pima.edu> wrote:

> The report is on the website: https://www.pima.edu/meeting-notices/presentations/2013-2015/20141119-international-education-business-plan.pdf

Paul Schwalbach

Marketing & Communications

Pima Community College

pgschwalbach@pima.edu

(520) 206-4850

Follow PCC on Facebook, Twitter, Flickr

"The truth isn't always beauty, but the hunger for it is." Nadine Gordimer

On Fri, Feb 19, 2016 at 3:46 PM, Howell, Libby <ehowell1@pima.edu> wrote:

> Do any of you know anything about this report? When I look at the BOG agenda for Nov. 19, 2014, International is not even on it, that I can see. I wonder if Carol Ann has the date wrong?
>
> Libby
>
> ---
>
> Libby Howell, APR
>
> Executive Director/Media, Community, & Government Relations
>
> PimaCommunityCollege
>
> 4905 E. Broadway Blvd.
>
> Tucson, AZ 85709-1180
>
> Office: 520.206.4778
>
> Cell: 520.909.0601
>
> ehowell1@pima.edu

-------- Forwarded message --------
From: **Alaimo, Carol** <caalaimo@tucson.com>
Date: Fri, Feb 19, 2016 at 12:46 PM
Subject: for Monday
To: "Howell, Libby" <ehowell1@pima.edu>

Hi Libby,

I've misplaced my copy of a report that was part of the BOG packet on Nov. 19, 2014 and I don't see it in the version of the board packet for that meeting that is on PCC website.

The report, a six-page document, is entitled:

"

International Student Programs and Services at Pima Community College Business Plan"

The document details how much the college would have to spend each year until FY 2019, , how many new employee positions will need to be added (a total of 9 by 2017), and how much international tuition revenue would be required each year to cover these extra costs and generate new net revenue for the college.

(FYI: This was the meeting at which PCC was found to have violated AZ open meetings law.)

Thanks

Carol Ann Alaimo, Reporter

Arizona Daily Star
4850 S. Park Ave.
Tucson, AZ 85714
Desk Phone: (520) 573-4138
Newsroom Fax: (520) 573-4107
Email: calaimo@tucson.com

<185F6EA8-7308-4658-9166-0F7CE73BAC2F[2].png>

Follow us on:

<052414AF-7DF6-42FB-859F-0953CF0C207A[2].png><**C56CDFF4-DDD6-4CC4-9FA5-**

3171D77EE7DD[2].png><C5CF1E9F-E1E9-4BB3-A84C-284176A51D41[2].png><D35B7A54-BABD-472D-BAE1-8F187487218C[2].png>

<+Strategic Plan for Internationalization Report Revison 7.pdf>

<v2 international.xlsx>

Presentation IE Business Plan Handout.pdf
477K

INTERNATIONAL STUDENT PROGRAMS AND SERVICES AT PIMA COMMUNITY COLLEGE
BUSINESS PLAN

PROBLEM STATEMENT

We live in an interconnected world. College students need knowledge and competencies that will enable them to navigate this "new world." To this end, it is imperative that American colleges and universities develop comprehensive approaches to international education that provide our students with multiple opportunities to become globally competent. **Responding to this imperative is critical to the security and economic well-being of our nation.**

The American Council on Education Center for Internationalization and Global Engagement has published the following case statement for comprehensive international education:

> *In order for the United States to have a truly world-class higher education system, colleges and universities must be globally engaged and prepare students to be citizens of a multicultural community both at home and in a globalized world. Institutions accomplish this by having a multi-dimensional, comprehensive strategy that includes internationalization at home and engagement with global issues and partners.*

NAFSA-the Association of International Educators views a commitment to comprehensive internationalization as an imperative for all sectors of higher education:

> *A core reality that distinguishes current discussion from that of the past is the scale and scope of what internationalization encompasses – the breadth of clientele served, the outcomes intended, and a reshaping of institutional ethos. There is a growing sense that internationalization is an institutional imperative, not just a desirable possibility.*

RESPONDING TO THE IMPERATIVE

To respond to this imperative, the Chancellor will be appointing a taskforce during the fall 2014 semester with the charge of developing a comprehensive plan for internationalizing education at Pima Community College that includes:

- curriculum development for global knowledge and competencies
- language studies and ESL service
- a community lecture series on global issues
- cultural events and programs
- study abroad
- expanding international student outreach and recruitment

STAFFING PLAN FOR PIMA'S INTERNATIONAL PRGOGRAMS AND SERVICES*

Pima was deeply involved in recruiting and serving international students in the late 1990's and early 2000's. In 2004, we served more than 750 international students. Those numbers have decreased significantly due to lack of support from the previous District leadership team. But even without any

recruitment efforts, the College hosted 135 international students from 30+ nations during the 2013-14 academic year and 181 from 20+ nations international students during the fall 2014 semester.

A major focus of our response to the new imperative is to recruit and serve 1,000 international students in the 2017-18 academic year.

To achieve this goal, we need to recruit and hire a Vice President for International Education with a track record of success in leading international education programs and services, and create a staff to support the achievement of this goal. The Vice President will be responsible for overseeing three related lines of work, each of which will be supervised by a director:

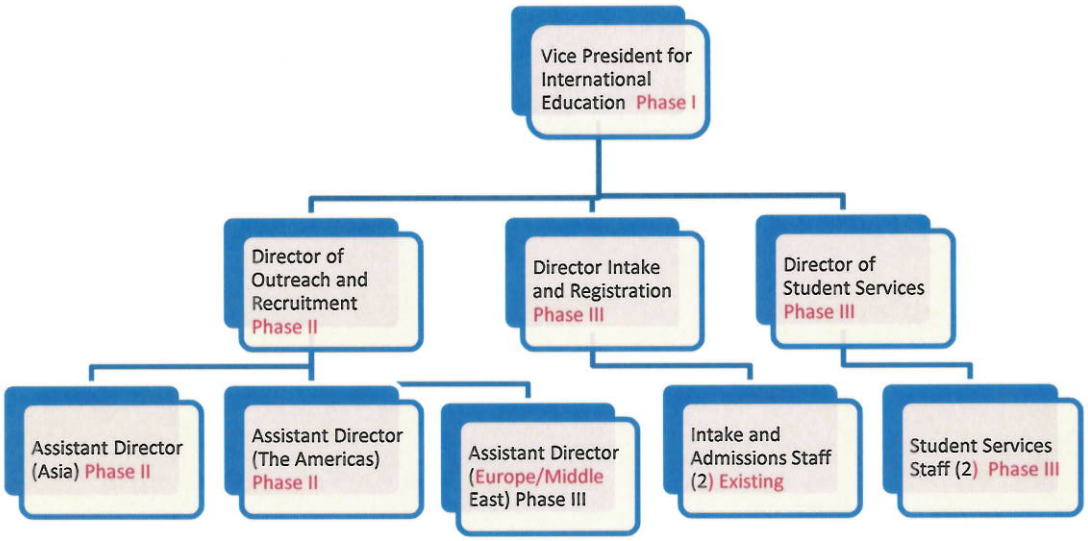
- outreach and recruitment;
- intake and registration including the processing of F1 and J1 visas;
- student services including advising and student activities that create interaction between domestic students and international students.

Outreach and Recruitment: With respect to outreach and recruitment, we propose an initial focus (2014-2016)on two major markets: (1) Mexico, Central America and South America); (2) East Asia including China, Hong Kong, South Korea, Vietnam, and Japan. In 2016, we will add a focus on outreach and recruitment to Europe, the Middle East and Africa. This effort will require a Director of Outreach and Recruitment and three Assistant Directors with responsibility for the three world regions described above.

Intake and Registration: We currently have a staff of two FTE in the West Campus International Student Services Office who are formally trained in SEVIS compliance and processing student visas. We are confident that this staff can handle the intake work generated by at least 250 additional students (beyond the 175 we anticipate serving during the 2014-15 academic year). After we reach an enrollment of 400 international students, we will need to add a Director to oversee expansion of these services to reach our goal of 1,000 students.

Student Services: With respect to student services, we also have some current staff that can provide student services including advising and activities. As our numbers grow, this area will require additional staff including a Director of Student Services.

The staffing process will take place in three phases. *



Phase I (September 1, 2014 through June 30, 2015)

- Recruit and hire a Vice President for International Programs and Services

Phase II (July 1, 2015 through June 30, 2016)

- Recruit and hire a Director of Outreach and Recruitment who will report to the Vice President
- Recruit and hire two Assistant Directors of Outreach and Recruitment who will report to the Director with responsibilities for Asia and the Americas

Phase III (July 1, 2016 through June 30, 2018)

- Recruit and hire a Director of Intake and Registration who will report to the Vice President
- Recruit and hire a Director of Student Services who will report to the Vice President
- Recruit and hire a third Assistant Director of Outreach and Recruitment who will report to the Director with responsibilities for Europe and the Middle East

**Although the timelines for the staffing plan outlined above unfold in three phases over three fiscal years, it may become necessary to adjust those timelines in order to respond promptly and effectively to the many opportunities for international partnerships that have emerged during the current academic year. This is especially the case with phase II staffing with its focus on outreach and recruitment in the Americas and in Asia.*

Staffing Plan Phase I (September 1, 2014 through June 30, 2015)

Vice President for International Education

To put this plan into motion, we will need an experienced senior leader who can provide overall direction for the operation. Until we are able to fully staff the International Programs outreach effort, the Vice President will need to also have specific experience in either the Mexico/Central America/South America market or the Asian market in order to be part of the first and second year recruitment efforts. He or she should be fluent in either Spanish or Mandarin.

Staffing Plan Phase II (July 1, 2015 through June 30, 2016)

Director of Outreach and Recruitment

The Director of Outreach and Recruitment will report to the Vice President and coordinate all outreach and recruitment including the supervision of three Assistant Director's for Outreach and Recruitment. The Director, like the Vice President, will also need to have specific experience in either the Mexico/Central America/South America market or the Asian market. He or she should be fluent in either Spanish or Mandarin.

Assistant Directors of Outreach and Recruitment (2)

Ultimately, we will employ three Assistant Directors who will report to the Director of Outreach and Recruitment. During Phase II, one Assistant Director will be hired and will be assigned to one of three markets depending upon his/her experience: Mexico/Central America/South America, Asia, or Europe and possibly the Middle East.

Staffing Plan Phase III (July 1, 2016 through June 30, 2017)

Director of Intake and Registration

Current staff can handle this work until we achieve an enrollment of 400 international students. We will need to recruit a Director to oversee this work as we move from 400 students to our goal of 1,000 students.

Director of Student Services

Current staff can handle this work until we achieve an enrollment of 450 international students. Beyond 450, we will need to add a Senior Director of Student Services.

Assistant Director of Outreach and Recruitment

This position will be responsible for one of the three recruitment regions described above in the Phase II portion of this plan.

Student Support Positions (2)

As we move beyond Phase II of this staffing plan, we're also going to need a minimum of two additional staff to support the expanded work load in both Intake and Registration and Student Services.

PimaCommunityCollege
Administration

International Student Recruitment Model
10/29/2014

Current Enrollment (FTSE)	125
Regular tuition per unit	$ 70.50
Out of State premium per unit	$ 253.00
Adjunct rate per load hour	$ 800.00

			Incremental Growth Above Base					
		Base	**FY15**	**FY16**	**FY17**	**FY18**	**FY19**	**Notes**
FTSE		125	15	175	375	575	875	Additional FTSE above current level
International Application Fee		2,740	3,069	6,905	15,125	27,729	46,909	
Tuition and Application Fees		**1,213,125**	**145,575**	**1,698,375**	**3,639,375**	**5,580,375**	**8,491,875**	
Adjunct Incremental Cost		-212,686	-25,522	-297,761	-638,059	-978,357	-1,488,804	
Net student revenue		**1,000,439**	**120,053**	**1,400,614**	**3,001,316**	**4,602,018**	**7,003,071**	
Additional Support								
Personnel (with Fringe)								
VP International Programs	E82		72,849	145,699	145,699	145,699	145,699	Starts midway through FY15
Director Outreach/Recruitment	D63			124,034	124,034	124,034	124,034	Starts FY16
Asst Director O/R - Asia	C52			98,033	98,033	98,033	98,033	Starts FY16
Asst Director O/R - Americas	C52			98,033	98,033	98,033	98,033	Starts FY16
Dir Intake and Registration	D63				124,034	124,034	124,034	Starts FY17
Dir. Student Services	D63				124,034	124,034	124,034	Starts FY17
Asst Director Europe	C52				98,033	98,033	98,033	Starts FY17
Student Support Positions	C41				120,045	120,045	120,045	Two in FY17
Student Support Specialists	B23				52,091	104,183	156,274	Add 1FTE in FY17, FY18, and FY19
Recruiting/Relo expenses			14,570	32,010	51,824	5,209	5,209	10% of each new position amount
Subtotal Personnel		**129,000**	**87,419**	**497,809**	**1,035,859**	**1,041,336**	**1,093,427**	
Operations Expenses								
Travel			15,000	92,500	155,000	155,000	155,000	$30K/yr per recruiters; $2.5K per support
Communications (cell, etc.)			1,000	8,000	8,000	8,000	8,000	$2K/yr per person
Supplies			1,000	4,000	7,000	7,000	7,000	$1K/yr per person
Marketing - Printing, supplies			10,000	8,750	18,750	28,750	43,750	$10K start up, $50/student
Marketing - Promotions/fees			10,000	20,000	20,000	20,000	20,000	$5K per fair
Other (memberships, etc.)			1,000	8,000	14,000	14,000	14,000	$2K/yr per exempt position
One Time Equipment (office setup, computer)			10,000	30,000	40,000	10,000	10,000	$5k per person on hire
Subtotal Operations		**14,699**	**48,000**	**171,250**	**262,750**	**242,750**	**257,750**	
Net Revenue		**856,740**	**-15,367**	**731,556**	**1,702,707**	**3,317,932**	**5,651,894**	
Retain for International Prog Suppo	10%			73,156	170,271	331,793	565,189	To ensure continued support for program
Available for College			**-15,367**	**658,400**	**1,532,436**	**2,986,139**	**5,086,705**	**Net to College**
IE Support costs vs. Tuition Revenue			93.0%	39.4%	35.7%	23.0%	15.9%	
IE Support costs vs. Net Student Revenue			112.8%	47.8%	43.3%	27.9%	19.3%	

Exhibit 9

Subject: Re: IE Plan
Date: Sun, 24 Aug 2014 10:24:55 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Lambert, Lee" <llambert@pima.edu>
Message-ID: <5C6E7501-A2E7-4DD1-A61A-23F068643DB1@pima.edu>
MD5: 5300abaeec2dfd062dcdd4a5b2817588

Lee

I will forward to Dave for further input.

There are numerous sources that can back up the strategy for focusing on key markets, the categories of staff required , etc. I'll work on that later this week (turning my attention now to tomorrow's WC Convocation).

Lou

Sent from my iPhone

On Aug 24, 2014, at 10:18 AM, "Lambert, Lee" <llambert@pima.edu> wrote:

Hi Lou, this is a nice draft. Please forward onto Dave for his input. There are a few inconsistencies that can be cleaned up easily. I'm glad you got to the point quickly. We will need to cite to sources that support the strategy outlined. Lee

Sent from my iPhone

On Aug 24, 2014, at 9:43, "Albert, Louis" <lalbert@pima.edu> wrote:

Lee,

I've made considerable progress on the plan. I'm not certain of the salary and fringe benefit costs associated with the key positions: VP, Directors, Assistant Directors but I think I'm in the right ball park. I came up with a three phase staffing plan starting this year with the VP, adding staff in FY16, and completing the key staffing process by FY18. In the short run, I think our existing team, Craig and his 4 staff for intake work and Daisy for services, can handle the next several hundred students.

After you've had a chance to look at the attached, I'd like to get Dave Bea in on the process with special emphasis on the income that could be achieved if we move to a goal of 1,000 international students.

Lou
<IE Business Plan Third Version.docx>

Subject: RE: IE Plan
Date: Thu, 28 Aug 2014 15:17:10 -0700
From: "Bea, David" <dbea@pima.edu>
To: "Albert, Louis" <lalbert@pima.edu>
Message-ID: <74266FC81141894497A301C279383978B86410C27E@DO-MB01.pcc-domain.pima.edu>
MD5: 1a19cd2a4ee77b6d89e0135323f05f3f

Agree with all the points except the first one- I'm assuming that the 125 each year is a base level and the model is projecting a future growth. As in, we are already there without doing anything and I don't want to cloud the numbers with something that is assumed. Does that make sense?

From: Albert, Louis
Sent: Thursday, August 28, 2014 3:14 PM
To: Bea, David
Cc: Lambert, Lee
Subject: RE: IE Plan

Dave,

The Excel document is a great start. It, of course, needs some editing, but your numbers also raise some strategic and operational questions.

First and very quick reactions:

- The numbers: FY15 will see 150+ students including the 50 J1 students from Mexico; so each succeeding year probably should be at least 125 higher
- How to show net revenue (it's currently labeled "per student")
- Some guidance from Lee about "agent recruited students"
- The need for more specificity regarding the phasing in of key staff salary and fringe costs
- The costs associated with student services if we build and run a dorm

I'll ask Patty to find some time on our calendars (at least an hour) to talk through some of these questions.

Thanks,

Lou

From: Bea, David
Sent: Thursday, August 28, 2014 2:51 PM
To: Albert, Louis
Cc: Lambert, Lee
Subject: RE: IE Plan

Lou,

Attached is a first pass at the financial projections based on your international plan. There are likely some semi-dubious estimates but wanted to get something back to you quickly to review. A few notes:

1. The tuition is modeled on FTSE (30 units/year) and includes the additional FTSE for each year compared with current. So "50" = 50 additional FTSE above now.
2. I built in the capability to estimate costs associated with commission based agents but didn't see any in your plan.
3. The incremental instructional costs per student are included (mostly adjunct faculty costs plus fringe for additional courses)
4. The costs per position are added based on your plan. They are included at step 1 of the schedule (VP = E82; Dirs.=D63; Asst Dir = C52) plus fringe.
5. None of the costs inflate as the assumption is that tuition increases would inflate at roughly the same rate (not perfect, but is probably close enough to get going)
6. The operations costs are swagged and I tried to think of obvious costs. You should review these and let me know if they are in the ballpark. The assumptions are in the notes
7. I included a 10% charge to the net revenue line to create an ongoing fund to support the program
8. The Available for the College line is the surplus that could support the other College operations.
9. I compared the direct IE support costs to the revenue to get an idea of the ratio of direct costs to revenue. This figure does not include the marginal instructional cost.
10. I included relocation/recruiting expenses, which are not traditionally included when we are reviewing programs but will be a real expense.

Also, I'm attaching a really instructive powerpoint from a NAFSA 2011 presentation. It includes some really useful tips, including a worthwhile REALITY CHECK on page 15:

> If you are a top tier national university, and are ranked in the Shanghai Jiao Tong you can probably skip this reality check.
> Otherwise, ask yourself the following questions:
> • What does your institution have that would make it attractive for international students?
> • How do your institution's programs, facilities and location relate to the price/value continuum of higher education in your city, region or state?
> • If you have had international students in the past, where did they come from and what did they study?
> • Are there any ethnic communities near your school and have you engaged with them?
> • Do you have the infrastructure in place to support international students?
> • Do you have an intensive English program on or near to your campus?

Pages 17-21 is about agents and commissions, as are p.34-36

Other observations:

1. Need for a strong web presence (may need to invest in more web support at college to make this possible)
2. Performance-based reinvestment (p31) – I included this by adding the 10% fund balance surcharge.
3. There appear to be VERY good resources identified in this presentation.

-Dave

From: Albert, Louis
Sent: Sunday, August 24, 2014 10:36 AM
To: Bea, David
Cc: Lambert, Lee
Subject: FW: IE Plan

Dave,

After meeting with Lee on Friday afternoon, I wrote a new version of an International Education business plan (see attached).

We can use your help with the budget -- better numbers for the staffing cost estimates I made off the top of my head and, more importantly, the income associated with ramping up to 1,000 FTE international students. (I say FTE because most full-time international students will take 15+ credits per semester.) Ultimately, we need to be able to talk about an ROI for this plan.

FYI, most of the fully developed and successful international student operations I'm familiar with spend no more than 30% to 35% of their income on supporting the operation (outreach, intake, services). And, as you and I have discussed, most of the instructional costs associated with the additional students are "sunk costs," a point that Daisy missed in her earlier version of a plan.

My draft is only two days old and, of course, needs further editing.

Let's talk after you've had a chance to review what's been put together so far.

Lou

From: Albert, Louis
Sent: Sunday, August 24, 2014 10:24 AM
To: Lambert, Lee
Subject: Re: IE Plan

Lee

I will forward to Dave for further input.

There are numerous sources that can back up the strategy for focusing on key markets, the categories of staff required , etc. I'll work on that later this week (turning my attention now to tomorrow's WC Convocation).

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<IE Business Plan Third Version.docx>

Subject: RE: IE Plan
Date: Thu, 28 Aug 2014 15:18:00 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Bea, David" <dbea@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C173E3F@DO-MB02.pcc-domain.pima.edu>
MD5: 6ccc64c1a1d18755ef40b47906c6aae3

Got it

From: Bea, David
Sent: Thursday, August 28, 2014 3:17 PM
To: Albert, Louis
Subject: RE: IE Plan

Agree with all the points except the first o n e -I'm assuming that the 125 each year is a base level and the model is projecting a future growth. As in, we are already there without doing anything and I don't want to cloud the numbers with something that is assumed. Does that make sense?

From: Albert, Louis
Sent: Thursday, August 28, 2014 3:14 PM
To: Bea, David
Cc: Lambert, Lee
Subject: RE: IE Plan

Dave,

The Excel document is a great start. It, of course, needs some editing, but your numbers also raise some strategic and operational questions.

First and very quick reactions:

- The numbers: FY15 will see 150+ students including the 50 J1 students from Mexico; so each succeeding year probably should be at least 125 higher
- How to show net revenue (it's currently labeled "per student")
- Some guidance from Lee about "agent recruited students"
- The need for more specificity regarding the phasing in of key staff salary and fringe costs
- The costs associated with student services if we build and run a dorm

I'll ask Patty to find some time on our calendars (at least an hour) to talk through some of these questions.

Thanks,

Lou

From: Bea, David
Sent: Thursday, August 28, 2014 2:51 PM
To: Albert, Louis

Cc: Lambert, Lee
Subject: RE: IE Plan

Lou,

Attached is a first pass at the financial projections based on your international plan. There are likely some semi-dubious estimates but wanted to get something back to you quickly to review. A few notes:

1. The tuition is modeled on FTSE (30 units/year) and includes the additional FTSE for each year compared with current. So "50" = 50 additional FTSE above now.
2. I built in the capability to estimate costs associated with commission based agents but didn't see any in your plan.
3. The incremental instructional costs per student are included (mostly adjunct faculty costs plus fringe for additional courses)
4. The costs per position are added based on your plan. They are included at step 1 of the schedule (VP = E82; Dirs.=D63; Asst Dir = C52) plus fringe.
5. None of the costs inflate as the assumption is that tuition increases would inflate at roughly the same rate (not perfect, but is probably close enough to get going)
6. The operations costs are swagged and I tried to think of obvious costs. You should review these and let me know if they are in the ballpark. The assumptions are in the notes
7. I included a 10% charge to the net revenue line to create an ongoing fund to support the program
8. The Available for the College line is the surplus that could support the other College operations.
9. I compared the direct IE support costs to the revenue to get an idea of the ratio of direct costs to revenue. This figure does not include the marginal instructional cost.
10. I included relocation/recruiting expenses, which are not traditionally included when we are reviewing programs but will be a real expense.

Also, I'm attaching a really instructive powerpoint from a NAFSA 2011 presentation. It includes some really useful tips, including a worthwhile REALITY CHECK on page 15:

> If you are a top tier national university, and are ranked in the Shanghai Jiao Tong you can probably skip this reality check.
> Otherwise, ask yourself the following questions:
> • What does your institution have that would make it attractive for international students?
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Pages 17-21 is about agents and commissions, as are p.34-36

Other observations:

1. Need for a strong web presence (may need to invest in more web support at college to

make this possible)

2. Performance-based reinvestment (p31) – I included this by adding the 10% fund balance surcharge.
3. There appear to be VERY good resources identified in this presentation.

-Dave

From: Albert, Louis
Sent: Sunday, August 24, 2014 10:36 AM
To: Bea, David
Cc: Lambert, Lee
Subject: FW: IE Plan

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We can use your help with the budget -- better numbers for the staffing cost estimates I made off the top of my head and, more importantly, the income associated with ramping up to 1,000 FTE international students. (I say FTE because most full-time international students will take 15+ credits per semester.) Ultimately, we need to be able to talk about an ROI for this plan.

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Let's talk after you've had a chance to review what's been put together so far.

Lou

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Sent: Sunday, August 24, 2014 10:24 AM
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Subject: RE: IE Plan
Date: Thu, 28 Aug 2014 15:13:53 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Bea, David" <dbea@pima.edu>
Cc: "Lambert, Lee" <llambert@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C173E3D@DO-MB02.pcc-domain.pima.edu>
MD5: 89ee99569690ab0e826d73d8a3a79516

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Lou

<IE Business Plan Third Version.docx>

Subject: Re: International Education Business Plan
Date: Thu, 13 Nov 2014 10:08:13 -0700
From: "Lambert, Lee" <llambert@pima.edu>
To: "Albert, Louis" <lalbert@pima.edu>
Cc: "Bea, David" <dbea@pima.edu>
Message-ID: <6270A604-B308-4127-9A6D-6E8A2CEB93C6@pima.edu>
MD5: d5820c5aca61bc3ab723da870eb6b7d8

This looks great.

Sent from my iPhone
On Nov 13, 2014, at 12:06 PM, Albert, Louis <lalbert@pima.edu> wrote:

Lee,

Attached is a revised version of the IE business plan with language inserted about flexibility in staffing especially for phase II regarding outreach and recruitment. The insert is just below the organizational chart.

Lou

From: Lambert, Lee
Sent: Wednesday, November 12, 2014 6:59 PM
To: Albert, Louis
Cc: Bea, David
Subject: Re: International Education Business Plan

Thanks Lou. This looks great. Can you add one additional paragraph about adaptability of the plan depending on conditions on the ground. For example, we may need to begin implementation of phase 2 as early as Spring 2015.

Sent from my iPhone

On Nov 12, 2014, at 4:06 PM, Albert, Louis <lalbert@pima.edu> wrote:

Lee,

Dave and I have developed the attached (and maybe final) version of the business plan for international education. I am also working on a PPT for possible use at the BOG meeting. I'll forward a draft of that document to you tomorrow.

Louis S. Albert, Ph.D.
President
Pima Community College West Campus
2202 West Anklam Road
Tucson, Arizona 85709
Office Phone: (520)206-6752

<International Business Plan Lou Dave Final.pdf>
<Flexible Staffing Version of IE Plan.pdf>

Subject: Re: IE Plan
Date: Sun, 24 Aug 2014 10:18:23 -0700
From: "Lambert, Lee" <llambert@pima.edu>
To: "Albert, Louis" <lalbert@pima.edu>
Message-ID: <3898DB63-DA88-48AA-8282-625CDD825194@pima.edu>
MD5: 5f2624bffe1113274abe183cf9a07b04

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Lou
<IE Business Plan Third Version.docx>

Subject: Re: IE Business Plan
Date: Mon, 6 Jul 2015 12:25:27 -0700
From: "Castro-Salazar, Ricardo" <rsalazar@pima.edu>
To: "Louis (Lou) Albert" <lalbert@pima.edu>
Message-ID: <CAD1+gOqWLxcE=y8n0BM0zmQrnPvXiC+2N9g=10Ksr5wboSXy2A@mail.gmail.com>
MD5: 9c2a53c2ed8c391a072b3262a7254d15

Gracias!On Jul 6, 2015 9:51 AM, "Albert, Louis" <lalbert@pima.edu> wrote:

--

Louis S. Albert, Ph.D,
Pima Community College
West Campus President

Subject: Re: IE Plan
Date: Mon, 25 Aug 2014 21:22:23 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Bea, David" <dbea@pima.edu>
Message-ID: <948719A7-E1A9-4ECF-9DEF-20AD2D78FF29@pima.edu>
MD5: 2cd95c7febc181db10cd497e4a2b7096

Dave

Let's talk briefly tomorrow. The document I wrote was hastily put together after a Friday meeting with Lee.

I spoke again tonight with Lee and the goal is approximately 1000 students taking full loads (30 credits per year) in four to five years. I have some ideas about interim target numbers.

I will call you.

Lou

Sent from my iPad

On Aug 25, 2014, at 5:14 PM, "Bea, David" <dbea@pima.edu> wrote:

Lou,

Can you provide the number of students (FTSE, preferably) that will go with the different phases… or by year to get to the additional 1,000 by 6/30/18?. Also, do we have any commission-based recruiters in the plan? I don't see any on my first pass.

Dave

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Sent: Sunday, August 24, 2014 10:36 AM
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Cc: Lambert, Lee
Subject: FW: IE Plan

Dave,

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Lou

<IE Business Plan Third Version.docx>

Subject: Re: IE Plan
Date: Sun, 24 Aug 2014 10:26:44 -0700
From: "Lambert, Lee" <llambert@pima.edu>
To: "Albert, Louis" <lalbert@pima.edu>
Message-ID: <0B600572-1FB1-4AB1-AA39-298838AAEA47@pima.edu>
MD5: 0e7a7530aee0d634b4df821c54cafcd0

Great work!!!

Sent from my iPhone
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Lou
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Subject: Fwd: Re:
Date: Sat, 23 Aug 2014 18:12:39 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Conover, Aubrey" <aconover@pima.edu>
Message-ID: <4827BC10-8CF8-4C0A-BF4B-CECB0CDA8341@pima.edu>
MD5: 01d3f67fd24dfead1cadab341e929664

Confidential
Aubrey

After an hour plus conversation with Lee yesterday I promised I would write a new business plan this weekend

The attached was only a two hour effort ... more tomorrow

I'm on the right track

It will be two to four pages long

Most of Daisy's usable stuff will be in an appendix

Lou
Sent from my iPhone

Begin forwarded message:

From: "Lambert, Lee" <llambert@pima.edu>
Date: August 23, 2014 at 5:20:40 PM MST
To: "Albert, Louis" <lalbert@pima.edu>
Subject: Re:

Lou, this is a good start. The rationale is clear. Please add South Korea, Taiwan, Hong Kong to the mix of East Asia. Lee

Sent from my iPhone

On Aug 23, 2014, at 16:02, "Albert, Louis" <@pima.edu> wrote:

Lee,

I've done a "stream of consciousness" start on a revised and more streamlined business

plan. I've not edited or fact checked the attached; haven't even looked at my notes from our meeting yesterday. Nor have I looked at Daisy's draft ... at least not yet.

But I would like to know if this is moving in the right direction. If so, I'll do the fact checking and try to complete the document tomorrow.

Lou
<IE Business Plan First Cut.docx>

Subject: FW: IE Plan
Date: Sun, 24 Aug 2014 09:47:56 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Conover, Aubrey" <aconover@pima.edu>
Message-ID: <71D542D2545FB2498C987A8F7A04B6F401B17BB3570A@DO-MB02.pcc-domain.pima.edu>
MD5: fc104d3f321782f25d4abc69ce7dca52
Attachments: IE Business Plan Third Version.docx

Aubrey,

I just sent this to Lee. After I hear from him, I'll get Dave Bea involved with the income side of the ledger.

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From: "Albert, Louis" <lalbert@pima.edu>
To: "Bea, David" <dbea@pima.edu>
Cc: "Lambert, Lee" <llambert@pima.edu>
Bcc: "Conover, Aubrey" <aconover@pima.edu>
Message-ID: <71D542D2545FB2498C987A8F7A04B6F401B17BB3570C@DO-MB02.pcc-domain.pima.edu>
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Subject: IE Business Plan with Background.pptx
Date: Tue, 18 Nov 2014 10:36:59 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Perez, Patty" <pperez@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C177AA0@DO-MB02.pcc-domain.pima.edu>
MD5: ceda59b63d1602988b3bad618d6a6bbf
Attachments: IE Business Plan with Background.pptx

Subject: IE Business Plan with Background.pptx
Date: Tue, 18 Nov 2014 10:30:18 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Perez, Patty" <pperez@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C177A9F@DO-MB02.pcc-domain.pima.edu>
MD5: 15ffe2ab91404793ef34bee04bf9dacb
Attachments: IE Business Plan with Background.pptx

Subject: IE Business Plan with Background.pptx
Date: Tue, 18 Nov 2014 10:39:03 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Perez, Patty" <pperez@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C177AA1@DO-MB02.pcc-domain.pima.edu>
MD5: c81fc42e2000405d3521dc1208d1cf4e
Attachments: IE Business Plan with Background.pptx

Subject: IE Business Plan with Background.pptx
Date: Tue, 18 Nov 2014 10:34:31 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Perez, Patty" <pperez@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C177A9E@DO-MB02.pcc-domain.pima.edu>
MD5: bf5c7dab84351445a23036353a07671e
Attachments: IE Business Plan with Background.pptx

Subject: International Business Plan Corrected 11 17
Date: Mon, 17 Nov 2014 14:52:23 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Perez, Patty" <pperez@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C177A9C@DO-MB02.pcc-domain.pima.edu>
MD5: 2a6e9248391d7f347614d800f63ddfaf
Attachments: Combined IE Business Plan 11 17.pdf

Louis S. Albert, Ph.D.
President
Pima Community College West Campus
2202 West Anklam Road
Tucson, Arizona 85709
Office Phone: (520)206-6752

Subject: RE: International Education Business Plan
Date: Thu, 13 Nov 2014 10:06:55 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Lambert, Lee" <llambert@pima.edu>
Cc: "Bea, David" <dbea@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C177A76@DO-MB02.pcc-domain.pima.edu>
MD5: 7932627b073382d480426897479cdeab
Attachments: Flexible Staffing Version of IE Plan.pdf

Lee,

Attached is a revised version of the IE business plan with language inserted about flexibility in staffing especially for phase II regarding outreach and recruitment. The insert is just below the organizational chart.

Lou

From: Lambert, Lee
Sent: Wednesday, November 12, 2014 6:59 PM
To: Albert, Louis
Cc: Bea, David
Subject: Re: International Education Business Plan

Thanks Lou. This looks great. Can you add one additional paragraph about adaptability of the plan depending on conditions on the ground. For example, we may need to begin implementation of phase 2 as early as Spring 2015.

Sent from my iPhone

On Nov 12, 2014, at 4:06 PM, Albert, Louis <lalbert@pima.edu> wrote:

Lee,

Dave and I have developed the attached (and maybe final) version of the business plan for international education. I am also working on a PPT for possible use at the BOG meeting. I'll forward a draft of that document to you tomorrow.

Louis S. Albert, Ph.D.
President
Pima Community College West Campus
2202 West Anklam Road
Tucson, Arizona 85709
Office Phone: (520)206-6752

<International Business Plan Lou Dave Final.pdf>

Subject: International Business Plan Document and Powerpoint
Date: Wed, 19 Nov 2014 11:46:16 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "De Echavarri, Gabriela" <gechavarri@pima.edu>
Cc: "Perez, Patty" <pperez@pima.edu>
Message-ID: <1486188F3C511C48BC30880E06C22B7101B21C177AA5@DO-MB02.pcc-domain.pima.edu>
MD5: 74f6ac9e06f1d98c7a0e98661dae866d
Attachments: Board Combined IE Business Plan 11 17.pdf; PPT IE Business Plan with Background Final.pptx

Gaby,

Attached are the two documents we spoke of. The first is PDF file for distribution to Lee and the BOG describing the International Business Plan. The second is the PPT I will use to present the plan to the Board. (As we discussed, the PPT does not go into the level of detail contained in the PDF file.) The PPT is slightly revised from the ones I gave you yesterday and is the one we should project on the screen this evening.

Lou

Louis S. Albert, Ph.D.
President
Pima Community College West Campus
2202 West Anklam Road
Tucson, Arizona 85709
Office Phone: (520)206-6752

Subject: IE Business Plan
Date: Mon, 6 Jul 2015 09:51:33 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: Ricardo Castro-Salazar <rsalazar@pima.edu>
Message-ID: <CANb_zJYUaJpWdO0ts_NCYd2b52kUF84n6Cm5xwGkwt+h0oXKRw@mail.gmail.com>
MD5: 024742069ac02982fe119b8933df42ff
Attachments: Flexible Staffing Version of IE Plan.pdf

--

Louis S. Albert, Ph.D,
Pima Community College
West Campus President

Subject: RE: IE Plan
Date: Thu, 28 Aug 2014 14:50:31 -0700
From: "Bea, David" <dbea@pima.edu>
To: "Albert, Louis" <lalbert@pima.edu>
Cc: "Lambert, Lee" <llambert@pima.edu>
Message-ID: <74266FC81141894497A301C279383978B86410C270@DO-MB01.pcc-domain.pima.edu>
MD5: 34154fc7ae9cd188fa26ee55a84e5dd8
Attachments: NAFSA-Global-Partner-Session-ELS-June-2 2011.pdf; international enrollment prelim model 8 28 14.xlsx

Lou,

Attached is a first pass at the financial projections based on your international plan. There are likely some semi-dubious estimates but wanted to get something back to you quickly to review. A few notes:

1. The tuition is modeled on FTSE (30 units/year) and includes the additional FTSE for each year compared with current. So "50" = 50 additional FTSE above now.
2. I built in the capability to estimate costs associated with commission based agents but didn't see any in your plan.
3. The incremental instructional costs per student are included (mostly adjunct faculty costs plus fringe for additional courses)
4. The costs per position are added based on your plan. They are included at step 1 of the schedule (VP = E82; Dirs.=D63; Asst Dir = C52) plus fringe.
5. None of the costs inflate as the assumption is that tuition increases would inflate at roughly the same rate (not perfect, but is probably close enough to get going)
6. The operations costs are swagged and I tried to think of obvious costs. You should review these and let me know if they are in the ballpark. The assumptions are in the notes
7. I included a 10% charge to the net revenue line to create an ongoing fund to support the program
8. The Available for the College line is the surplus that could support the other College operations.
9. I compared the direct IE support costs to the revenue to get an idea of the ratio of direct costs to revenue. This figure does not include the marginal instructional cost.
10. I included relocation/recruiting expenses, which are not traditionally included when we are reviewing programs but will be a real expense.

Also, I'm attaching a really instructive powerpoint from a NAFSA 2011 presentation. It includes some really useful tips, including a worthwhile REALITY CHECK on page 15:

> If you are a top tier national university, and are ranked in the Shanghai Jiao Tong you can probably skip this reality check.
> Otherwise, ask yourself the following questions:
> • What does your institution have that would make it attractive for international students?
> • How do your institution's programs, facilities and location relate to the price/value continuum of higher education in your city, region or state?
> • If you have had international students in the past, where did they come from and what did they study?
> • Are there any ethnic communities near your school and have you engaged with them?

- Do you have the infrastructure in place to support international students?
- Do you have an intensive English program on or near to your campus?

Pages 17-21 is about agents and commissions, as are p.34-36

Other observations:

1. Need for a strong web presence (may need to invest in more web support at college to make this possible)
2. Performance-based reinvestment (p31) – I included this by adding the 10% fund balance surcharge.
3. There appear to be VERY good resources identified in this presentation.

-Dave

From: Albert, Louis
Sent: Sunday, August 24, 2014 10:36 AM
To: Bea, David
Cc: Lambert, Lee
Subject: FW: IE Plan

Dave,

After meeting with Lee on Friday afternoon, I wrote a new version of an International Education business plan (see attached).

We can use your help with the budget -- better numbers for the staffing cost estimates I made off the top of my head and, more importantly, the income associated with ramping up to 1,000 FTE international students. (I say FTE because most full-time international students will take 15+ credits per semester.) Ultimately, we need to be able to talk about an ROI for this plan.

FYI, most of the fully developed and successful international student operations I'm familiar with spend no more than 30% to 35% of their income on supporting the operation (outreach, intake, services). And, as you and I have discussed, most of the instructional costs associated with the additional students are "sunk costs," a point that Daisy missed in her earlier version of a plan.

My draft is only two days old and, of course, needs further editing.

Let's talk after you've had a chance to review what's been put together so far.

Lou

From: Albert, Louis
Sent: Sunday, August 24, 2014 10:24 AM
To: Lambert, Lee
Subject: Re: IE Plan

Lee

I will forward to Dave for further input.

There are numerous sources that can back up the strategy for focusing on key markets, the categories of staff required , etc. I'll work on that later this week (turning my attention now to tomorrow's WC Convocation).

Lou

Sent from my iPhone

On Aug 24, 2014, at 10:18 AM, "Lambert, Lee" <llambert@pima.edu> wrote:

Hi Lou, this is a nice draft. Please forward onto Dave for his input. There are a few inconsistencies that can be cleaned up easily. I'm glad you got to the point quickly. We will need to cite to sources that support the strategy outlined. Lee

Sent from my iPhone

On Aug 24, 2014, at 9:43, "Albert, Louis" <lalbert@pima.edu> wrote:

Lee,

I've made considerable progress on the plan. I'm not certain of the salary and fringe benefit costs associated with the key positions: VP, Directors, Assistant Directors but I think I'm in the right ball park. I came up with a three phase staffing plan starting this year with the VP, adding staff in FY16, and completing the key staffing process by FY18. In the short run, I think our existing team, Craig and his 4 staff for intake work and Daisy for services, can handle the next several hundred students.

After you've had a chance to look at the attached, I'd like to get Dave Bea in on the process with special emphasis on the income that could be achieved if we move to a goal of 1,000 international students.

Lou

<IE Business Plan Third Version.docx>

Subject: IE Business Plan Second Cut
Date: Sat, 23 Aug 2014 19:28:35 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Conover, Aubrey" <aconover@pima.edu>
Message-ID: <71D542D2545FB2498C987A8F7A04B6F401B17BB35707@DO-MB02.pcc-domain.pima.edu>
MD5: 812d64dd0e1505011a5c8edbb5627e31
Attachments: IE Business Plan First Cut.docx

FYI and feedback

I'm going to work on it some more tomorrow with the intention of getting a draft to Lee tomorrow evening. I'm also going to send it to Dave for a "financial massage" (just made up that expression).

Lou

Subject:
Date: Sat, 23 Aug 2014 16:02:21 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Lambert, Lee" <llambert@pima.edu>
Message-ID: <71D542D2545FB2498C987A8F7A04B6F401B17BB35705@DO-MB02.pcc-domain.pima.edu>
MD5: d4c7f9a7a4098c3c973fa58c2b3c6955
Attachments: IE Business Plan First Cut.docx

Lee,

I've done a "stream of consciousness" start on a revised and more streamlined business plan. I've not edited or fact checked the attached; haven't even looked at my notes from our meeting yesterday. Nor have I looked at Daisy's draft ... at least not yet.

But I would like to know if this is moving in the right direction. If so, I'll do the fact checking and try to complete the document tomorrow.

Lou

Subject: IE Plan
Date: Sun, 24 Aug 2014 09:41:01 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Lambert, Lee" <llambert@pima.edu>
Message-ID: <71D542D2545FB2498C987A8F7A04B6F401B17BB35709@DO-MB02.pcc-domain.pima.edu>
MD5: 896cc2410a593b2ce774948e9194c304
Attachments: IE Business Plan Third Version.docx

Lee,

I've made considerable progress on the plan. I'm not certain of the salary and fringe benefit costs associated with the key positions: VP, Directors, Assistant Directors but I think I'm in the right ball park. I came up with a three phase staffing plan starting this year with the VP, adding staff in FY16, and completing the key staffing process by FY18. In the short run, I think our existing team, Craig and his 4 staff for intake work and Daisy for services, can handle the next several hundred students.

After you've had a chance to look at the attached, I'd like to get Dave Bea in on the process with special emphasis on the income that could be achieved if we move to a goal of 1,000 international students.

Lou

Subject: Version III with Org Chart Still Far from finished
Date: Sat, 23 Aug 2014 20:33:22 -0700
From: "Albert, Louis" <lalbert@pima.edu>
To: "Conover, Aubrey" <aconover@pima.edu>
Message-ID: <71D542D2545FB2498C987A8F7A04B6F401B17BB35708@DO-MB02.pcc-domain.pima.edu>
MD5: 37e24c6e9c082194326046f13269e2ba
Attachments: IE Business Plan First Cut.docx







Exhibit 10

PimaCommunityCollege

Background Information on SB 1322:

SB 1322 is the Expenditure Limitation bill supported by the community colleges in the state. It will be on the Senate Education Committee's agenda this Thursday, February 4th at 9:00 a.m. This bill will help community colleges in Arizona to invest in and offer the very sophisticated and high-cost workforce training and education necessary to grow the state's economy and provide the highly trained workforce to meet the needs of business and industry across the state. It also creates a completely accountable and predictable method for the enrollment component of Expenditure Limitation.

We will be proposing an amendment that allows the option of a 10 year average to be used in the calculation of expenditure limitation. It will be especially important for Pima Community College (PCC), which has been disproportionately impacted by the expenditure limitation formula since the beginning of the law as the formula is based on a base expenditure limit established in 1979 just after PCC's budget had been drastically cut. PCC has been penalized ever since, with the lowest per FTSE limit of all the Arizona community colleges (Pima's EL per FTSE is 65% of the average for the Arizona Colleges). This addition to the bill will help the College adapt to the new EL structure without having to implement a drastic and arbitrary reduction.

Background Information on Expenditure Limitation (EL) Formula:

The Expenditure Limitation (EL) formula does not work on a number of levels, including the following:

- Estimating FTSE (Full-Time Student Equivalent) is more nuanced than the rhetoric suggests. Community colleges provide enrollment estimates about 18 months prior to the end of the year at issue. As such, there is a tendency to have estimates that are higher than what the final tally turns out to be as there is 1) a tendency to be optimistic about enrollment growth and 2) the desire to have expenditure capacity to be able to handle a large increase in students should that occur. Also, FTSE, the measure used for expenditure limitation does not constitute full head count of students enrolled and does not represent the true population served by the myriad programs and services at the Colleges. Nor does it address the infrastructure needed to support more students than the formula funds.

- While PCC's enrollments dropped faster than some of the other community colleges, we ratcheted our budget down to be fiscally responsible. If EL capacity was led to tax increases, PCC would not have one of the lowest tax rates in the state. It is important that estimated FTSE allows for exclusions to offset unexpected increases in enrollment, and SB 1322 will increase such exclusions.

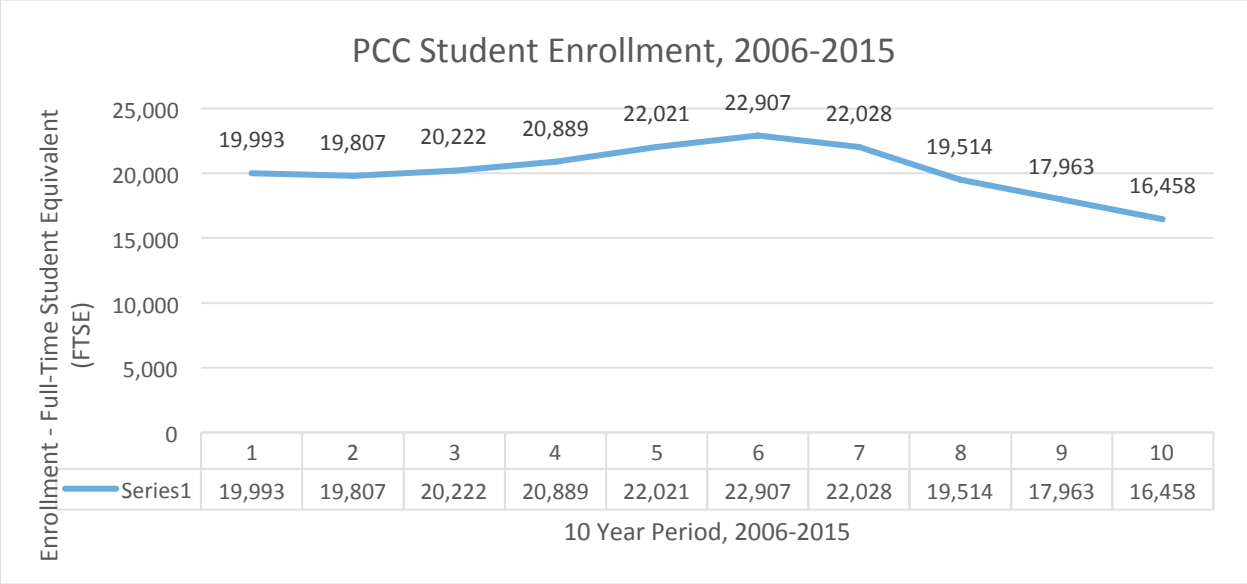
- The formula uses an arcane inflationary index that does not reflect cost increases in higher education. Under the current index—GDP Implicit Price Deflator—PCC's EL is $114 million. If the formula used the commonly referenced Consumer Price Index, PCC's EL would be $144 million. If the formula used the Higher Ed Price Index (HEPI), it would be $185 million. This showcases how sensitive the formula is to relatively minor (and equally justifiable) formula changes.

- In 1980 PCC's base limit was atypically low at $1,728 per FTSE. The highest base level was $3,673. As a consequence, today Pima's EL is $4,976 per FTSE, compared with the highest,

which is $10,578. If in 1980 PCC's EL had been based on the average for Arizona community colleges of $2,666, today the College would have an expenditure limitation of $176.5 million, which is more than a $62 million increase in spending capacity.

- The EL formula does not allow a mechanism for funding high-tech 21st-century programs that can cost 4- and 5-times more to offer than a "traditional" workforce program such as paralegal training or a "traditional" class that is less expensive and has larger student enrollment.

Expenditure Limitation for Community Colleges and Impact on Pima Community College (PCC)



Comparison of Average Audited FTSE (Full-Time Student Equivalent) plus Current EL Limit

Community College	**5 year average**	**10 year average**	**Most Recent**	***Current Expenditure Limitation (EL) Limit***
Cochise	8,009	7,715	6,338	*6,300*
Coconino	2,202	2,156	2,066	*2,091*
Graham	3,143	2,852	2,897	*3,350*
Maricopa	80,678	75,928	76,150	*86,000*
Mohave	3,177	3,218	2,554	*3,200*
Navajo	1,986	2,222	1,853	*1,950*
Pima	19,774	20,180	16,458	*23,000*
Pinal	4,724	4,450	4,069	*5,500*
Yavapai	4,003	3,850	3,849	*4,000*
Yuma/La Paz	5,577	5,122	5,433	*5,648*

PCC 5-Year Average Full-Time Student Equivalent (FTSE) Enrollment: 19,774
PCC 10-Year Average Full-Time Student Equivalent (FTSE) Enrollment: 20,180

As Colleges would be able to select the best option between the 5 and 10 year average, our proposed amendment would not negatively impact any of the other community colleges. A 10 year average option will help PCC transition to an actual enrollment method over the next 2 years (and possibly 3 years with the proposed amendment) under expenditure limitation law. PCC has been disproportionately impacted by the expenditure limitation formula since the beginning of the law because the formula is based on a base limit established in 1979 when PCC's budget had just been drastically cut. PCC has been penalized ever since, with the lowest base limit of all the Arizona community colleges. However, SB 1322 will provide needed relief.

Exhibit 11

Gaby

Gabriela Echávarri

Administrative Assistant to the Chancellor

gechavarri@pima.edu

Voice (520) 206-4747

Fax (520) 206-4990

4905 E. Broadway Blvd.

Tucson, AZ 85709-1005

From: David Bea [mailto:dbea@pima.edu]
Sent: Friday, February 19, 2016 8:32 PM
To: Castro-Salazar, Ricardo <rsalazar@pima.edu>
Cc: Howell, Libby <ehowell1@pima.edu>; Schwalbach, Paul <pgschwalbach@pima.edu>; Jeff Silvyn <jsilvyn@pima.edu>; Angela Wesson <awesson@pima.edu>; Gabriela De Echavarri <gechavarri@pima.edu>; Morgan Phillips <mphillips23@pima.edu>
Subject: Re: for Monday

I believe I have an early draft but would like the final version to compare the more recent financial information.

In order to summarize the financial info, we need to consolidate a few different orgs together and I want to make sure it is a straightforward and not confusing comparison.

Dave

Sent from my iPhone

On Feb 19, 2016, at 6:20 PM, Castro-Salazar, Ricardo <rsalazar@pima.edu> wrote:

> Hi Libby et al.,
>
> I believe that was the plan that Lou Albert presented to the BOG and, unfortunately, I don't have a copy. I want to point out that the PP on our website shows int'l enrollment projections that were later deemed unrealistic. The Internationalization Task Force did extensive research and, along with our consultant, we developed a more ample vision of PCC's int'l education program as an integral part the College education (attached report and chancellor's blog today). In fact, internationalization is linked to the criteria of the HLC for accreditation (Criterion 5.C.5)... Without

the larger context, it appears that int'l could be an easy target for misunderstanding.

David's office originally developed figures showing the cost of staffing the int'l office, including a budget, which in essence is a reinvestment in an area that was neglected for many years. The original figures have changed as we have evolved, but attached is one of the versions of the funding plan I have.

Just wanted to share this perspective anticipating some further public discussion...

Have a great weekend,

Ricardo

On Fri, Feb 19, 2016 at 4:37 PM, Howell, Libby <ehowell1@pima.edu> wrote:

> She says this is not the document she means. It was six-page paper document that was provided to board members (but not the public) at the BOG meeting and it was far more detailed than the slide show version. It had budget info in it.
>
> I'm copying Gaby and Angie on this email in case they might have a copy in their records.
>
> Libby

Libby Howell, APR

Executive Director/Media, Community, & Government Relations

PimaCommunityCollege

4905 E. Broadway Blvd.

Tucson, AZ 85709-1180

Office: 520.206.4778

Cell: 520.909.0601

ehowell1@pima.edu

Table 2. New Interntional Students at Associate's Institutions, 2006/07 - 2013/14

Year	New Int'l Students	Annual % Change
2006/07	20,156	-
2007/08	20,552	2.0
2008/09	28,335	37.9
2009/10	25,294	-10.7
2010/11	24,262	-4.1
2011/12	24,408	1.0
2012/13	26,880	10.1
2013/14	27,672	2.9

Source: IIE 2015



Making projections based on these considerations and the aggressive growth plan presented to the PCC Board of Governors is challenging, but we have no doubt that we will see a robust return on investment. Below are two possible recruitment projections based on the 1,000 recruitment mark presented to the PCC Board of Governors, with an emphasis on F1 students directly enrolled at PCC, and over a longer timeframe.

No. of Students Spg 2014	16% growth Spg 2015	24% growth Spg 2016	36% growth Spg 2017	44% growth Spg 2018	50% growth Spg 2019	48% growth Spg 2020
160	**186**	**231**	**314**	**452**	**678**	**1,003**

No. of Students Fall 2014	16% growth Fall 2015	24% growth Fall 2016	36% growth Fall 2017	44% growth Fall 2018	50% growth Fall 2019	48% growth Fall 2020
174	**202**	**250**	**340**	**490**	**735**	**1,088**

These figures actually include all visa types, but not international students from the University of Arizona or other State universities, which are more volatile enrollments. Group contracts like SEP-Bécalos-Santander students are not included either (see appendix E & F). Therefore, PCC's international student population will be larger and experience fluctuation based on the number of contracted programs we develop.

Exhibit 12

District Office

Office of the Internal Auditor
4905C East Broadway Boulevard
Tucson, Arizona 85709-1300
Telephone (520) 206-4561
Fax (520) 206-4990
www.pima.edu

PimaCountyCommunityCollegeDistrict

TO: Carol Ann Alaimo, Arizona Daily Star

FROM: Lori Cox, Director, Office of the Internal Auditor
Office of Dispute Resolution

DATE: May 17, 2016

RE: Review of Allegation – Tampering with a Public Record

Please see the information below, and the related attachment, in response to your email, dated May 12, 2016 – related to *"the recent case in which PCC provided an altered public record to a citizens' group"* – and your question/request to: *"Please describe the extent of your unsuccessful efforts to gather evidence. Did you, for example, examine the metadata in the file to see when it was changed and by whom? Was that person questioned?"*

Allegation
13-2407.Tampering with a public record; classification

A. A person commits tampering with a public record if, with the intent to defraud or deceive, such person knowingly:

1. Makes or completes a written instrument, knowing that it has been falsely made, which purports to be a public record or true copy thereof or alters or makes a false entry in a written instrument which is a public record or a true copy of a public record; or

2. Presents or uses a written instrument which is or purports to be a public record or a copy of such public record, knowing that it has been falsely made, completed or altered or that a false entry has been made, with intent that it be taken as genuine; or

3. Records, registers or files or offers for recordation, registration or filing in a governmental office or agency a written statement which has been falsely made, completed or altered or in which a false entry has been made or which contains a false statement or false information; or

4. Destroys, mutilates, conceals, removes or otherwise impairs the availability of any public record; or

5. Refuses to deliver a public record in such person's possession upon proper request of a public servant entitled to receive such record for examination or other purposes.

B. In this section "public record" means all official books, papers, written instruments or records created, issued, received or kept by any governmental office or agency or required by law to be kept by others for the information of the government.

C. Tampering with a public record is a class 6 felony.

Interviews
Libby Howell, Executive Director for Media, Community and Government Relations
Gabriela De Echavarri, Executive Assistant to the Chancellor

Analysis

Two requests were received by Libby Howell, Executive Director for Media, Community and Government Relations, for a document titled ***International Student Programs and Services at Pima Community College Business Plan***. The first request was received from Mario Gonzales with C-FAIRR on 2/1/16. Mr. Gonzales directed his first request to the Vice President of International Development, Ricardo Castro-Salazar. Mr. Castro-Salazar forwarded the request to the open records request general email, which was received by Ms. Howell. The second request was received from Carol Ann Alaimo, Reporter with the Arizona Daily Star, on 2/19/16 directly to Ms. Howell.

Ms. Howell worked to locate the document that was being requested and was able to receive a copy from Gabriela De Echavarri, Executive Assistant in the Chancellor's Office on 2/22/16. Ms. De Echavarri described that she found the requested document in a share drive for the Board of Governors. This document was provided to Ms. De Echavarri on 11/19/14 by Dr. Lou Albert, a currently retired Campus President. The document was a PDF document titled "*Board Combined IE Business Plan 11 17"* and contained 6 pages. Ms. De Echavarri saved this document into a Microsoft share drive folder and renamed it to *"Presentation IE Business Plan Handout"* on 11/19/14.

Ms. De Echavarri sent this document to Ms. Howell on 2/22/16 from the share drive folder. Ms. Howell downloaded the PDF document provided via email and saved it by clicking and dragging it into a Microsoft share drive folder. On 2/22/16 Ms. Howell sent Ms. Alaimo an email with the document attached as a Microsoft PDF file.

Mr. Gonzales' request had multiple components so Ms. Howell was not able to gather and send the information until 3/30/16. Multiple attachments were needed to fulfill Mr. Gonzales' request and, for organizational purposes, Ms. Howell named each attachment in accordance with the numbered bullets of Mr. Gonzales' request.

Ms. Howell renamed the file originally titled "*Presentation IE Business Plan Handout" to "2-Presentation IE Business Plan Handout (1)*". Ms. Howell described she did this by opening the original file saved in the share drive and selecting "Save As" and renaming the file. Ms. Howell denies intentionally altering the document in any way. When the file saved, it was somehow missing the last page. Ms. Howell does not know how this happened and denies that it was intentional.

Ms. Alaimo brought to Ms. Howell's attention that Mr. Gonzales' document was missing a page on 4/6/16. Ms. Howell confirmed that somehow the document was missing a page and immediately reported her mistake to General Counsel and the Chancellor. Within the same day Ms. Howell sent Mr. Gonzales the full 6 page document with an apology for her mistake.

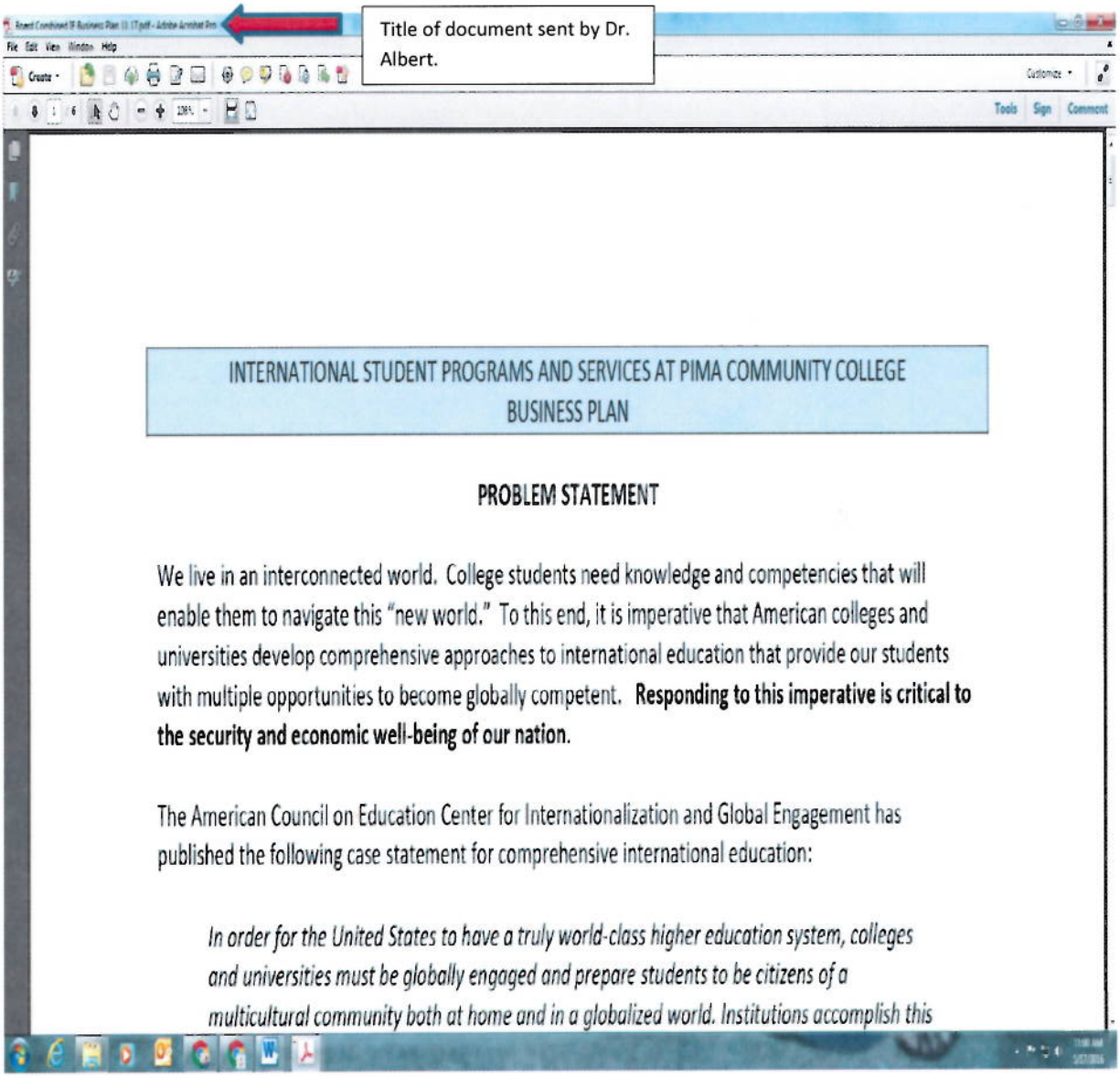
Conclusion

The metadata inspected in the iterations of the PDF are consistent with Ms. Howell's and Ms. De Eschavarri's accounts of how the PDF was handled and distributed. There is no evidence that Ms. Howell intentionally modified this document with the intent to deceive or defraud the recipient of the documents.

CC: Chancellor Lambert
Board of Governors
Jeff Silvyn, General Counsel

Attachment

Original Document Provided by Dr. Lou Albert



INTERNATIONAL STUDENT PROGRAMS AND SERVICES AT PIMA COMMUNITY COLLEGE
BUSINESS PLAN

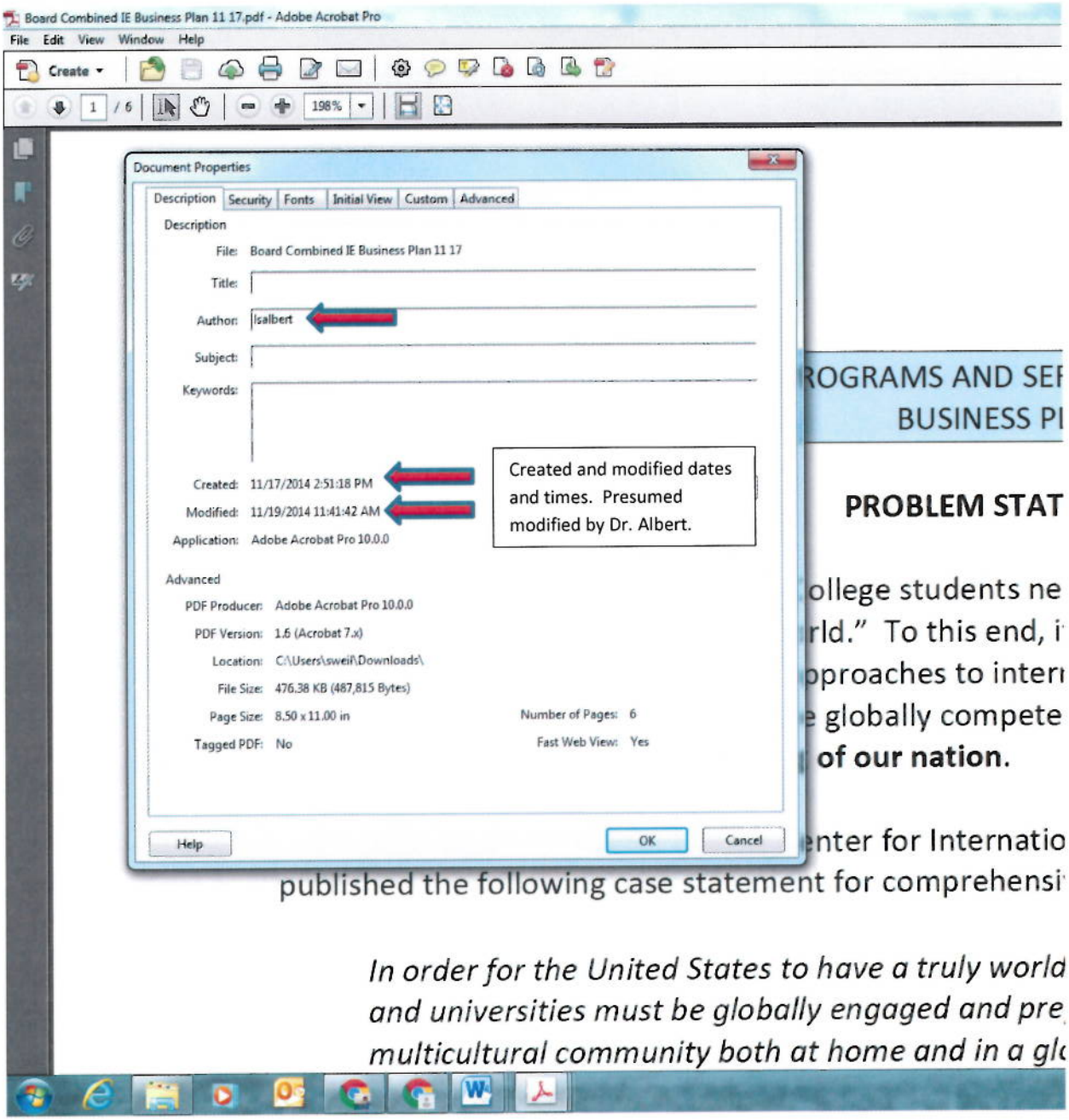
PROBLEM STATEMENT

We live in an interconnected world. College students need knowledge and competencies that will enable them to navigate this "new world." To this end, it is imperative that American colleges and universities develop comprehensive approaches to international education that provide our students with multiple opportunities to become globally competent. **Responding to this imperative is critical to the security and economic well-being of our nation.**

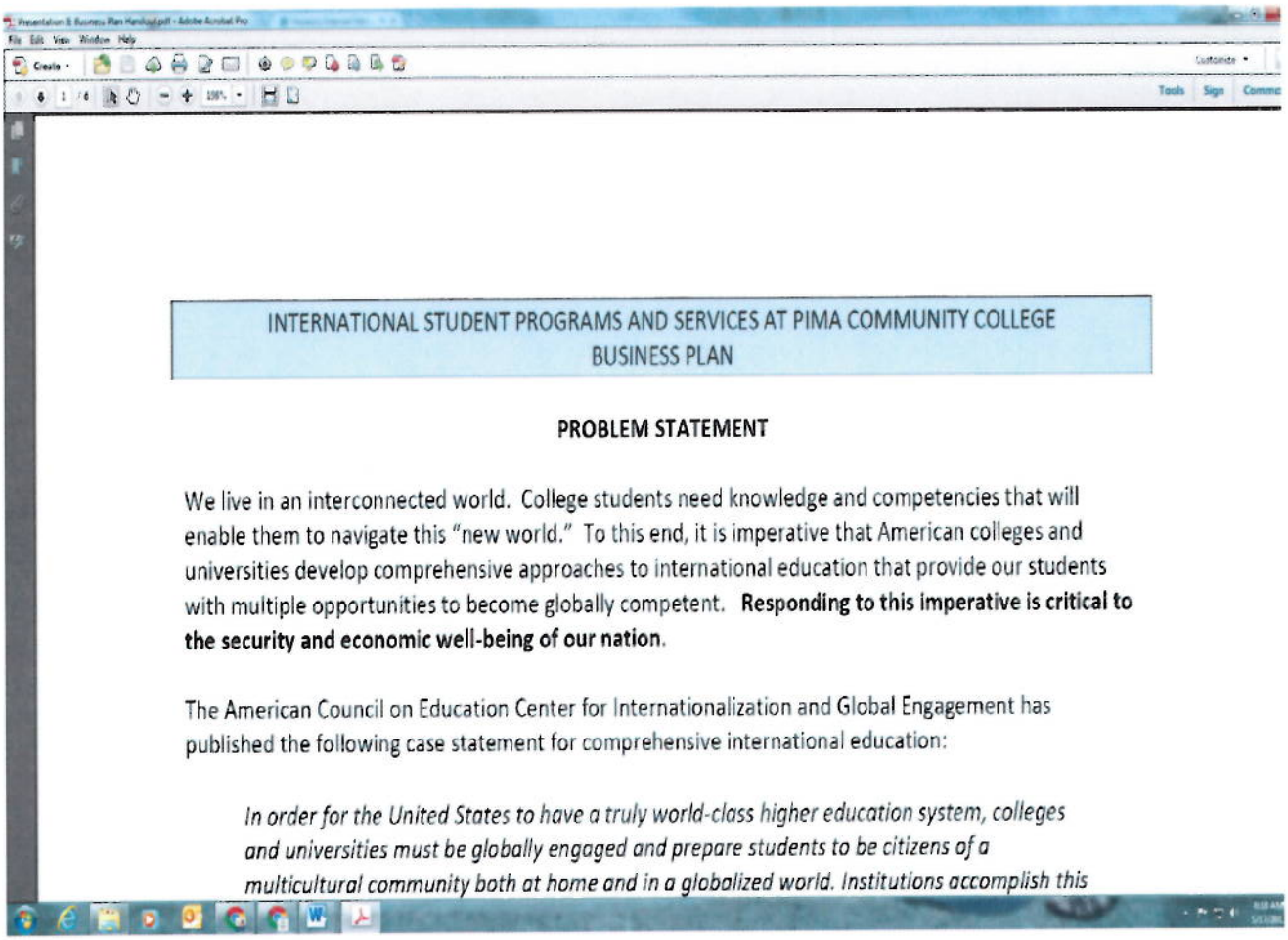
The American Council on Education Center for Internationalization and Global Engagement has published the following case statement for comprehensive international education:

In order for the United States to have a truly world-class higher education system, colleges and universities must be globally engaged and prepare students to be citizens of a multicultural community both at home and in a globalized world. Institutions accomplish this

Metadata of Dr. Albert's Document



Document Sent to Ms. Alaimo



INTERNATIONAL STUDENT PROGRAMS AND SERVICES AT PIMA COMMUNITY COLLEGE
BUSINESS PLAN

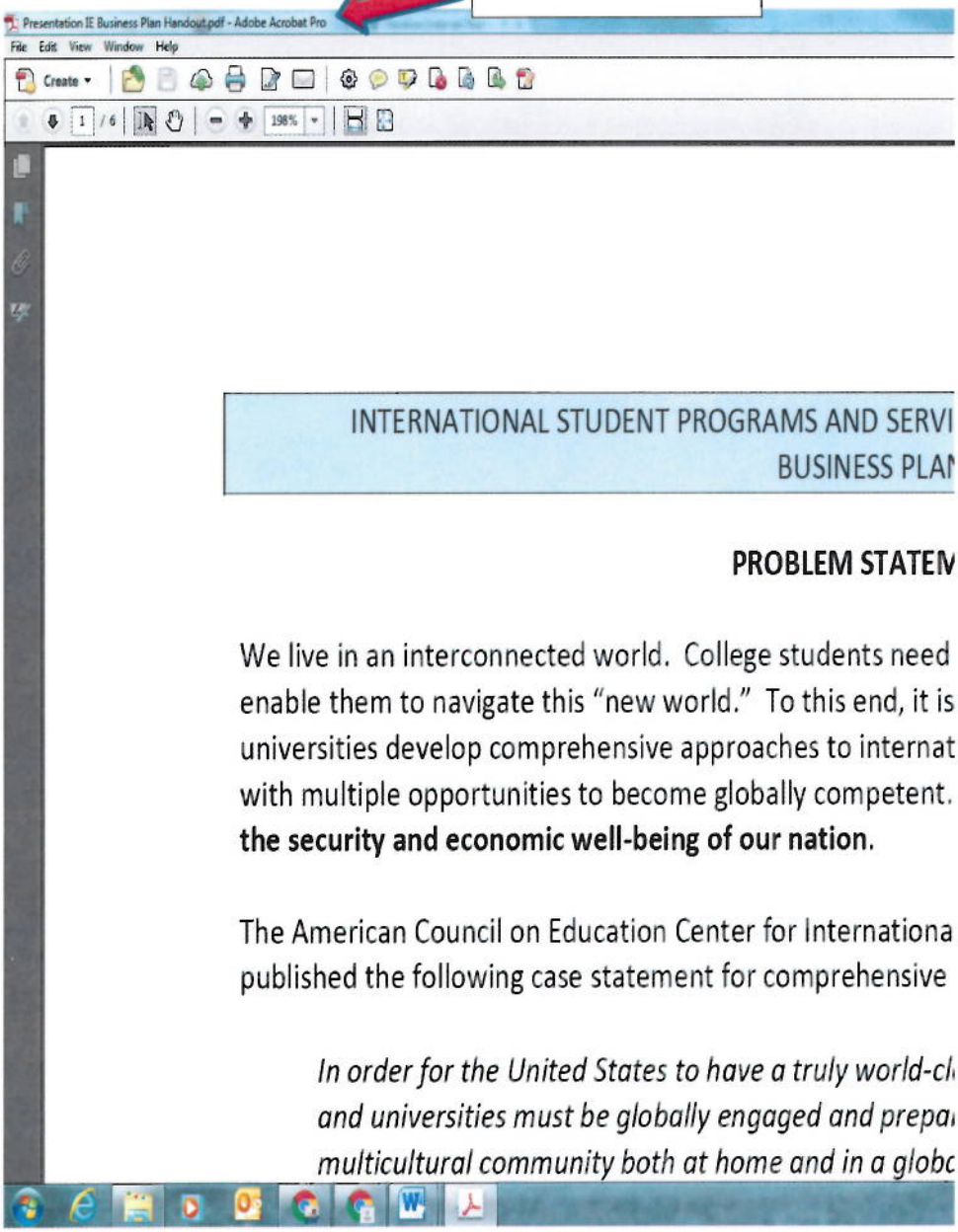
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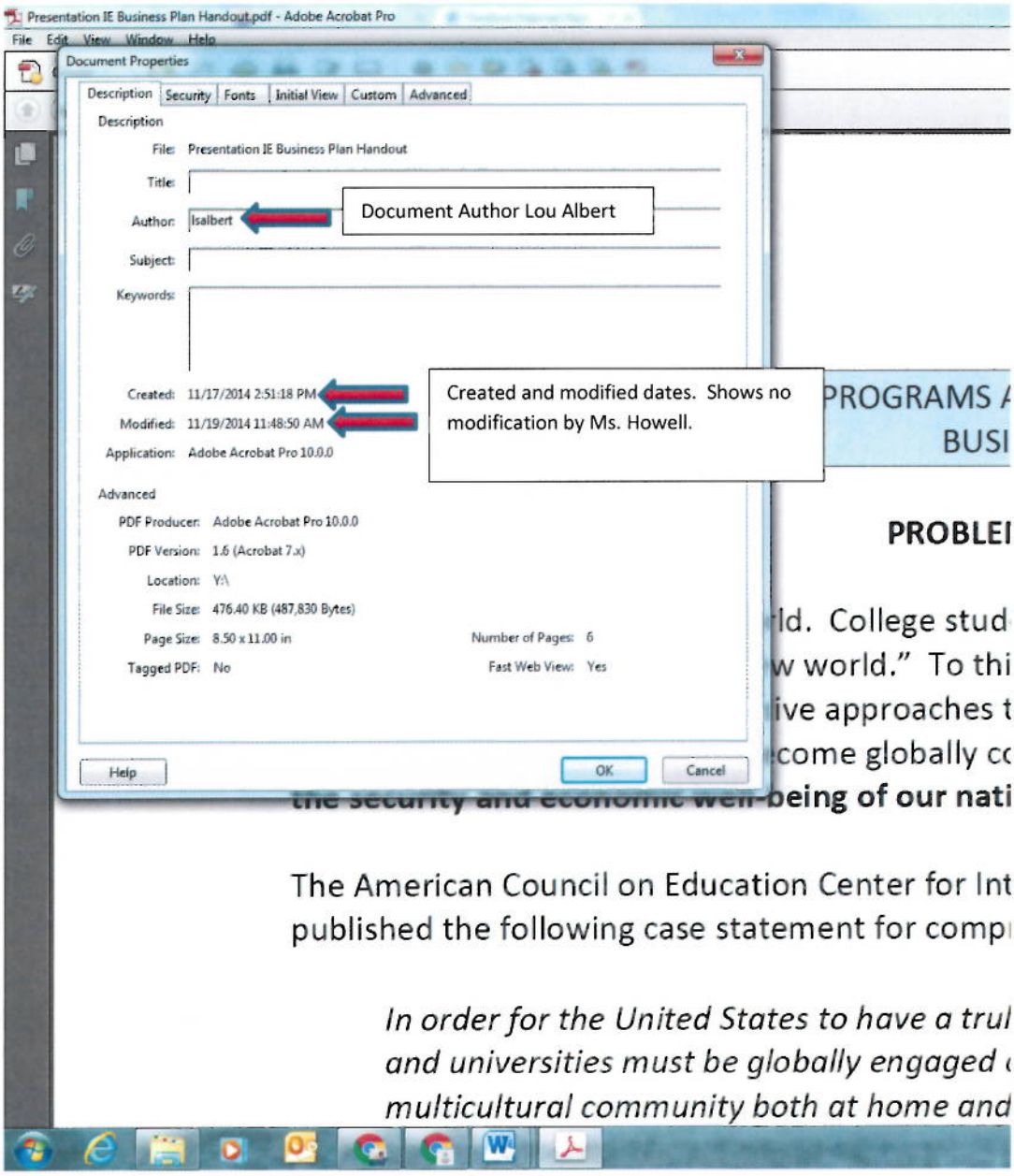
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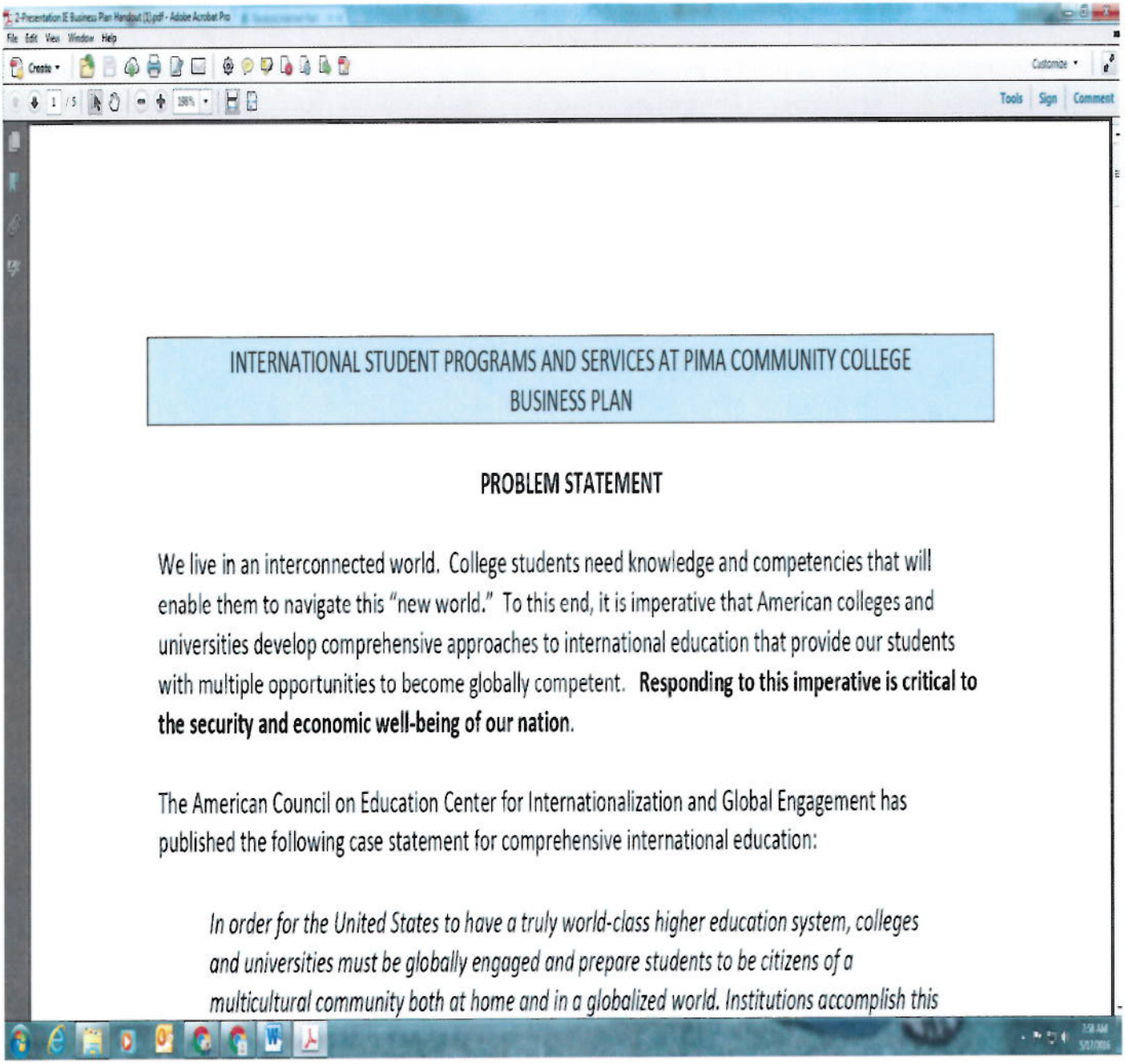
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Document Sent to Mr. Gonzales



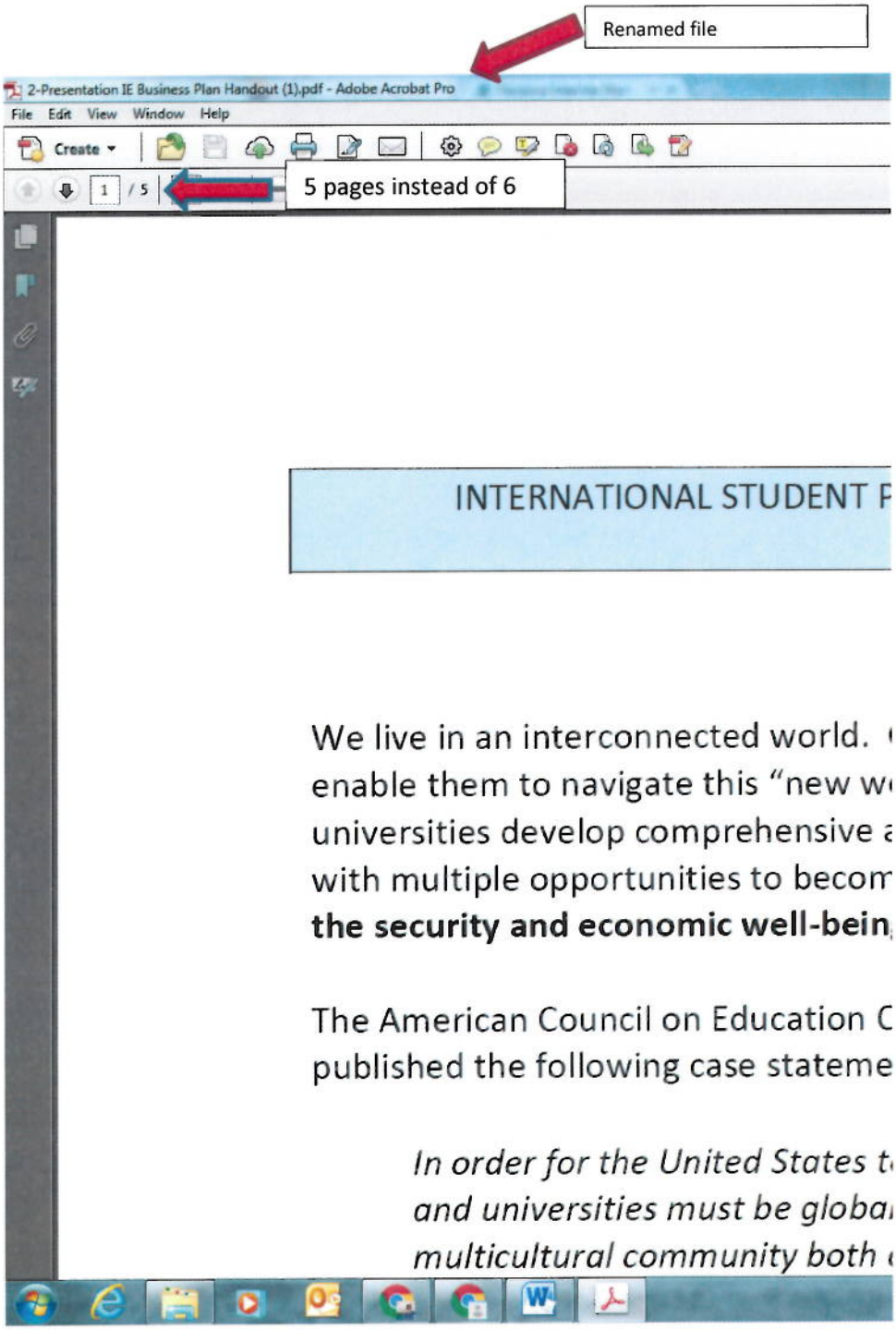
INTERNATIONAL STUDENT PROGRAMS AND SERVICES AT PIMA COMMUNITY COLLEGE
BUSINESS PLAN

PROBLEM STATEMENT

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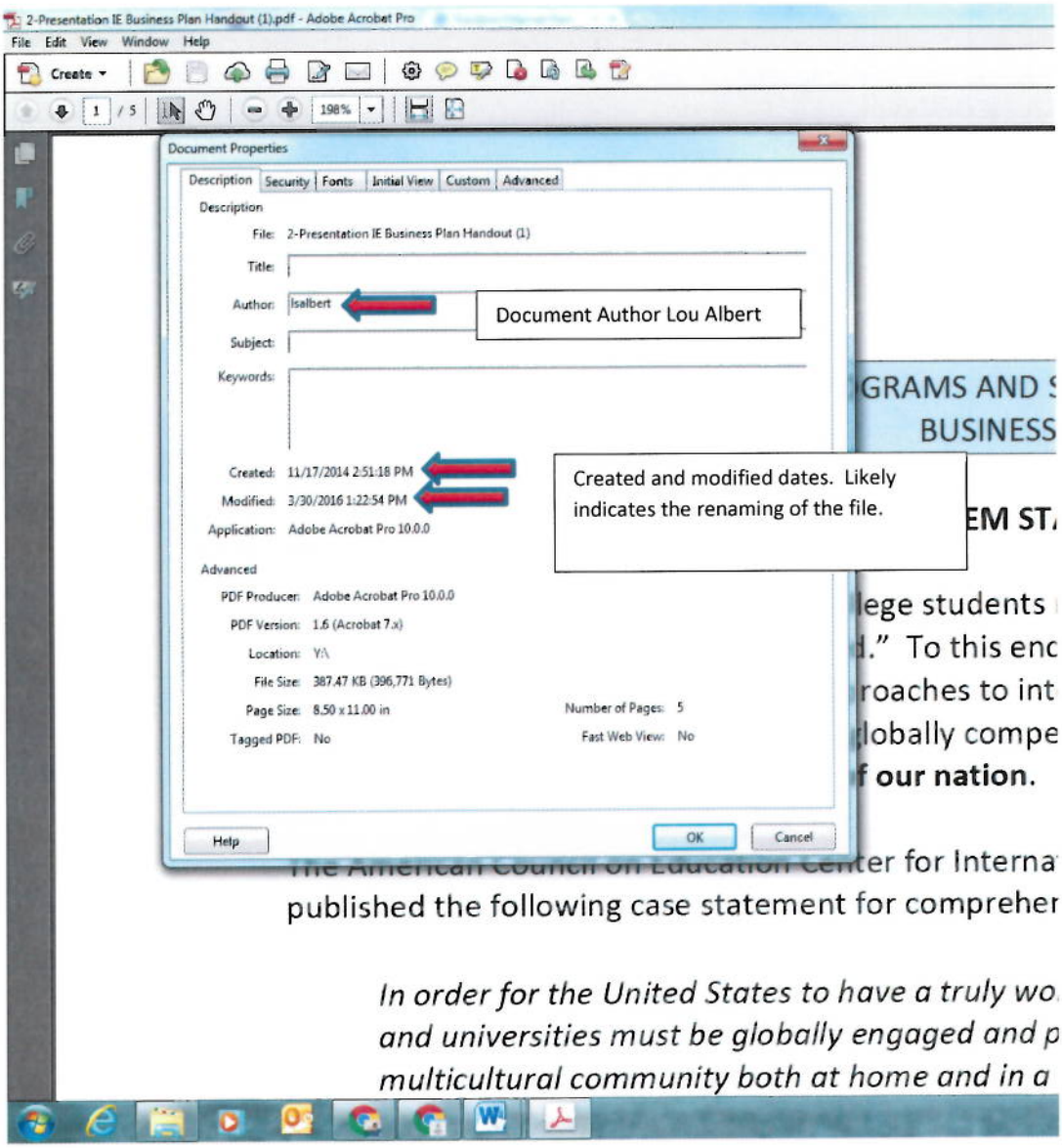


Exhibit 13

Report
Higher Learning Commission (HLC)
Fact-Finding Visit
To
Pima Community College District

January 16-18, 2013

Team Members:

Dr. Carmen Gonzales
Vice President Emeritus, New Mexico State University
Vice President for Student Success,
Santa Fe Community College, NM

Dr. Brian Inbody
President
Neosho County Community College, KS

Dr. David Meabon
Associate Professor of Higher Education
University of Toledo, OH

Dr. Kathleen Nelson (Chair)
President Emeritus
Lake Superior College, MN

Background:

Between April, 2012 and December, 2012, written complaints by individuals and two community groups were received by the Higher Learning Commission concerning issues involving Pima Community College District (PCCD) in Tucson, Arizona. Throughout this time the Commission requested and received written response to some of these complaints from the institution through its Interim Chancellor. The issues raised in these complaints and the response provided by the College signaled to the Commission that further investigation was necessary to determine if the institution was meeting the Criteria for Accreditation and Core Components required of all institutions accredited by the Higher Learning Commission. In November, 2012, the Commission determined that it would send a fact-finding team to PCCD to investigate the complaints and to determine the actual facts underlying them. Additional complaints and phone calls to the Commission throughout the months of December and January of 2012 became a part of the team's deliberations and review.

Issues for Review:

The complaints received by the Commission centered around several themes the fact-finding team reviewed during its on-site visit in January, 2013. These themes included the following:

- Claims of sexual harassment and inappropriate behaviors by the college's Former Chancellor and failure of the Board of Governors to institute an appropriate investigation into these claims.

- Claims that a hostile work environment existed at the college, perpetrated by and/or overlooked by senior administrators. The claims suggested inappropriate use of the institution's discipline and hiring processes, bullying and demeaning actions and comments toward employees, general fear of reprisals and intimidation, and the Board's knowledge of inappropriate behaviors of senior leadership and inaction on their part to stop such behaviors.

- Claims that excessive turnover of administrative positions made continuity of leadership and institutional progress towards goals difficult or impossible.

- Claims that processes within the HR department were unclear and not uniformly followed.

- Claims that the college and its Board violated its own procurement policy in regard to sole sourcing and that it lacked transparency on fiduciary matters.

- Claims that an elemental change in the mission of the college took place impacting the general makeup of the student body of the institution, that the change was not thoroughly discussed within the college and community, and that such a change took place without due notice to and review by the HLC.

- Claims that the college lacks support for developmental education and suggestions that actions were taken to mask changes in the college's initiatives to further develop its developmental education initiatives from the 2010 HLC visiting team. Claims that adequate discussion and debate about changes in the developmental education policy and practices did not take place.

- Claims that the Interim Chancellor has not been candid or honest in her responses to the HLC.

- Claims that the Board of Governors has failed to uphold its responsibility to conduct its work ethically, honestly, and in the best interests of the college, its employees and its students.

Resource Review and Team Preparation:

The fact-finding team prepared for the on-site visit by reading all complaints with complete documentation and responses to some of these complaints from the PCCD's Interim Chancellor. The team also reviewed pertinent institutional documents from the HLC files.

The team met on-site in Tucson, Arizona during January 16-18, 2013. During that time the team members met with individuals who set forth initial complaints with the Commission, all members of the institution's governing Board, the Interim Chancellor, members of the Chancellor's Cabinet, and additional institutional employees as deemed appropriate by the team members. To ensure that members of the learning community had adequate opportunity to speak individually with members of the team, 48 20-minute discussion slots were established (12 at each of 4 campuses) as individual one-on-one meeting times for employees and community members. Notification was provided to the institution's employees and a local news article provided notice that such discussion sessions would be available. Individuals requesting such discussions were asked to contact the Commission to determine a time and place for such meetings. The team conducted 46 individual one-on-one interviews with college employees and community members while on-site. Individuals contacting the

Commission who indicated concerns about meeting on-campus or who were not available for such meetings were provided the opportunity to speak via phone with a member of the HLC team. All individuals requesting such discussions were contacted following the team's January 16-18 visit for phone interviews. Another 12 individual interviews were held with current and former employees and community members either via phone or off-site. The formal agenda (names of the one-on-one meetings are not listed) for the on-site review can be found in Appendix A, and the numbers and general titles of individuals with whom the team met can be found in Appendix B. No titles are provided for those individuals who asked to speak confidentially with the team either on-site or following the site visit.

Findings:

Following a thorough review of extensive printed materials submitted by the institution and the complainants and interviews with a total of 108 individuals representing Pima Community College District (PCCD) and the Tucson community, the team reached its findings of fact as stated within this report section. In all cases the team used evidence-based reasoning to reach its conclusions and, in all but a few cases the team did not make a conclusion based on a single reported incident. If a single incident is used within this findings section, it is so indicated. In all cases, except for the 58 individual interviews on-site, off-site or via phone, team members interviewed individuals within a team of two or more so that team members could cross-reference their notes from the meetings with one another. The team's deliberations centered around the nine major complaint themes previously identified in this report. Patterns of evidence were discussed prior to concluding that a fact should be included in this report. The facts listed in this report are organized around the major complaint themes. Extensive review and discussion led the team members to find facts as indicated below each major issue.

Claims of sexual harassment and inappropriate behaviors by the college's Former Chancellor and failure of the Board to institute an appropriate investigation into these claims.

- Eight female employees came forward to tell their personal stories regarding the fact that they were the recipients of unwelcome and inappropriate attention and advances by the Former Chancellor. These contacts took place both on and off campus. Some of these employees reported these incidents to their superiors and to a member of the Human Resources staff. None of these employees knew, exactly, how many other women, if any, may have been subjected to such inappropriate behavior.

- The recipients of such behaviors suffered physically, financially, and emotionally. They feared and experienced retaliation in the form of

inappropriate verbal communications and employee working condition changes following the employees' refusals of such attentions and advances.

- Several of the women who rejected the Former Chancellor's actions towards them were, within approximately six months, subjected to disciplinary actions through the HR process and were demoted or transferred to another position within the District.

- One employee has settled an EEO claim as a result of her claims involving the Former Chancellor's actions.

- Sexual Harassment training is not required for all employees beyond orientation. Supervisors are required to complete initial sexual harassment training as a part of their training in supervision.

- In 2008 one or more Board members received an anonymous complaint regarding inappropriate behavior by the Chancellor. The Board discussed, in a public meeting, that anonymous complaints (unspecified at the time) had been received by the Board. The Chair of the Board asked individuals to contact him if there were concerns or complaints. Another anonymous complaint was received in 2010, and a third in November of 2011. The Board took no action to investigate these anonymous complaints until December of 2011 when several Board members brought these issues to the attention of their legal counsel.

- The Former Chancellor reported at an executive board meeting in June of 2011 that rumors existed regarding his inappropriate behavior. He vehemently denied such actions. The Board took no additional action at this time to discipline the Former Chancellor or to investigate the rumors as he described them.

- At least one of the Board members described some of the allegations of inappropriate behavior on the part of the Former Chancellor as "minor" and did not take the complaints seriously if he/she believed the employee was not a "good" employee or if the individual making the claim was a former employee who left the employ of the college in disfavor with the college's leadership.

- In February 2012 an individual made public, through a blog, the allegations that eight female staff had come forward with claims of sexual harassment on the part of the Former Chancellor.

- After the blog post came out the Board met frequently in executive session to discuss this situation.

- The Board engaged a member of its legal counsel's firm to investigate the allegations against the Former Chancellor. The Board did not make use of any other alternative source that had no connection to the College to investigate the allegations. The investigator, one of the principals of the law firm contracted by the Board to provide legal advice, is married to the Board's legal counsel. In February, 2012, the legal counsel advised the Board of its findings prior to the Former Chancellor's departure from the college.

- One member of the Board indicated that he/she did not know that the investigator was married to the Board's legal counsel until after the investigation into the charges against the Former Chancellor was completed.

- The Board accepted the Former Chancellor's resignation dated February 29, 2012 with a special assignment granted from March 1, 2012 to June 30, 2012.

- Some of the Board members indicated that the verbal report regarding the investigated actions was an important element in the Board's decision to accept the Former Chancellor's resignation.

- None of the women (other than the individual who filed an EEO complaint and received a settlement) whose accounts to the Board were part of their decision-making in regards to the Former Chancellor's resignation has been financially compensated, apologized to or in any other way addressed by the Board.

- Board members have yet to receive any training on sexual harassment.

- The Harassment (including Sexual Harassment) policy had not been revised since 1999. The first revision since then has received a first reading at the Board meeting on January 9, 2013.

Claims that a hostile work environment existed at the college, perpetrated by and/or overlooked by senior administrators. The claims suggested inappropriate use of the institution's discipline and hiring processes, bullying and demeaning actions and comments toward employees, general fear of reprisals and intimidation, and the Board's knowledge of inappropriate behaviors of senior leadership and inaction on their part to stop such behaviors.

- Nearly all of the employees interviewed during the 58 one-on-one interview sessions and other meetings held throughout the visit stated that there was a culture of fear at the college, that employees dared not speak

their minds for fear of retaliation. Many felt threatened with losing their jobs if they spoke freely. One administrator stated he/she would write "Don't Speak" on his/her notepad before going into an executive meeting with the Former Chancellor, as he/she was afraid of displeasing the Former Chancellor or of being chastised for such comments. Dozens of interviews conducted with individuals at various levels throughout the college indicated example after example of fear, intimidation and perceived retaliation.

- Many individuals indicated that the culture did not disappear following the Former Chancellor's resignation and that the same patterns of intimidation and bullying continue in some areas of the senior administrative structure.

- Many other examples were given by employees who were confronted by their supervisors for offering different opinions than those of senior leadership. Those who gave differing opinions were at times warned by their supervisors that such contrary positions could be detrimental to their employment.

- Many examples were provided which described overly harsh, sometimes belittling feedback from the Former Chancellor, including statements where he would resort to name-calling in meetings, screaming and using profanity when confronting employees.

- Some employees who experienced unprofessional behavior at the hands of some senior leaders became physically ill and emotionally fragile following such interactions.

- Many interviewees described how questioning the Former Chancellor's decision or that of his closest senior leaders would result in verbal abuse and/or perceived retaliation in the form of a position change, cutting off of interactions with leadership, and negative verbal comments.

- Employees believe that such a culture of fear stifled innovation and productivity. New ideas were at times squelched with profanity-laced, demeaning comments by the Former Chancellor made in both private and public meetings.

- One former administrator described how the Former Chancellor blamed him/her for actions outside his/her control and that the pressure threatening to fire him/her led to severe physical ailments and, eventually, to this administrator's decision to leave PCCD as soon as the opportunity arose.

- Under the Former Chancellor's leadership some other senior administrators were allowed to bully and intimidate some college

employees. The pattern was learned and continued into the present culture at PCCD. A current employee described an interaction with a senior administrator where, because the employee would not follow directions to change information he/she was presenting, the employee was threatened and told that, if he/she didn't like being a team player, he/she could look for another job. The threat, according to this employee, was direct and clear.

- Several faculty voiced the belief that under the Former Chancellor's leadership there was a significant change on their parts from feeling supported by administration to feeling as if they, the faculty, were merely being kept in line.

- At least one individual in a supervisory position was given orders from the top senior administrators to find negative evidence of performance against a subordinate so that the college's disciplinary system could be employed to either justify transfer within the college or to force the individual's choice to make an employment change by leaving the college's employ. Several interviewees speculated that similar actions had been taken against them, but they could not offer evidence to support this belief. Some supervisors expressed their own fear of reprisal or loss of employment should they not comply with the senior leaders' requests.

- Prior to and following the Former Chancellor's departure from the college, some senior administrators were allowed to demote, transfer, or reassign individuals. The authority to make these changes rested with the Former Chancellor and Interim Chancellor. At times little substantial reasoning was provided for such changes in employment conditions, though reasons were given to the transferred employee indicating that he/she needed to help fix issues arising at the new campus assignment or that the new assignment was an "opportunity" for the transferred employee.

- Employees described how the lack of transparency in decision-making by the administration created a cloud of suspicion when major organizational or college changes occurred. Efforts to understand the rationale behind these choices often caused uncomfortable confrontations between employees and the decision-makers. Silence was considered an expected response from senior leaders and the Former Chancellor. Staff at various levels noted that they had become jaded about attempts to understand directives; they learned to acquiesce to administrative instructions from superiors without question.

- During the past 8-10 years PCCD has undergone significant organizational change. Most of the individuals that were interviewed expressed an appreciation for the direction and focus of many of the changes. Employees stated, however, that a climate of distrust was

created as these institutional changes took place. On a regular basis, changes were dictated, according to interviewees. They believe that deviation from proscribed administrative directives was not tolerated. It was unacceptable professional behavior to exercise individual judgments that might lead to a different pathway or direction to achieve the organizational objective or goal. One former administrator described how he/she was asked for an opinion regarding an issue at the College. When the idea was presented to the Former Chancellor, he yelled at the employee in the presence of his/her supervisor and was told that the opinion (a different view than that of the Former Chancellor) was not wanted and that the employee should not give an opinion again unless expressly asked by the Former Chancellor to do so.

- Collectively, members of the Interim Chancellor's Cabinet, most of whom were also members of the Former Chancellor's Cabinet, expressed few concerns about the communication style of the Former or Interim Chancellors and did not express any sense of urgency regarding the claims of the culture of fear and intimidation expressed by many employees.

- Official leaders of the PCCD Faculty Association presented information to the Board in 2007 which highlighted the faculty responses to three questions on an annual faculty culture survey. The presentation brought about silence from the Board and an angry outburst from the Former Chancellor, who later apologized. One statement in the survey queried: "Faculty can express their views openly without fear of recrimination." The PCCD results indicated that 49% of the respondents said "false" and an additional 28% said "more false than true". Nationally in that year faculty responded with 13% "false" and another 22% "more false than true". The Board never officially responded to this finding.

- One Board member indicated that he/she was fully aware of complaints against the Former Chancellor' leadership style and his use of belittling and derogatory comments. However, the Board member was happy with the direction of the College and did not want to jeopardize that through disciplining the Chancellor.

- One employee stated to a Board member, "We are firing on all eight cylinders, but it is an unhappy place." A member of the Board told the HLC team that he/she was only concerned that the college was firing on all eight cylinders and not whether employees were happy.

- The Board was aware of the Former Chancellor's unprofessional behavior as far back as 2004. At that time the concern was about his "tough" demeanor and his strong verbal language. The Board held "coaching sessions" for the Former Chancellor regarding the Board's expectations

that he "soften" his approach. Some of the leadership team indicated that he would appear to change his demeanor but that he would soon go back to his previous behavior. The Board never disciplined him for these actions.

- The Board accepted the Former Chancellor's letter of resignation and completed an early-contract-exit agreement with him effective June 30, 2012, two years before his formal contract end date of June 30, 2014.

- In September of 2012 the college contracted with EthicsPoint to provide an additional, confidential resource for employees to report concerns of any type. Between September and the end of December, 2012, thirteen concerns were listed on the EthicsPoint site. All were reviewed by the college's Internal Auditor.

- Several employees expressed that their sessions with the HLC's visiting team was the first time they have had to express themselves at PCCD without fear of retaliation.

Claims that excessive turnover of administrative positions made continuity of leadership and institutional progress towards goals difficult or impossible.

- The college's administrative roster demonstrates employment movement within the college as evidenced by the following data:

    - In July of 2007 the college had 56 administrative positions. In January of 2013 they had a total of 55 administrative positions. During this time a total of 94 individuals were listed as holding administrative assignments at the college.

    - 20 of these 94 administrators represented ethnic/racial diversity. In 2013, 10 of the 55 administrators on the official roster were ethnically/racially diverse.

    - During these 5.5 years 39 individuals were once employed as administrators but were no longer on the administrative roster in 2013. Reasons for such departure from administrative positions were listed in the official file and included retirement, return to home position, voluntary transfer to faculty position, voluntary transfer to staff position, reassignment, other employment and resignation.

    - 28 of the 55 administrators on the employee roster in 2013 were employed as administrators in 2007 or earlier.

- Of these 28 administrators, 7 of them were hired directly into their administrative positions. All others were employed at the college in some other capacity prior to becoming an administrator.

- 15 of the 28 administrators who were on the administrative roster in 2007 and still administrators in 2013 held the same administrative category title in 2013 as in 2007. The remaining 13 administrators had 2-4 different administrative position titles during their tenures as administrators. It is impossible to determine how many actual different positions within one title category were held by any one administrator during his/her tenure.

- Many employees found the rate of turnover in administrative leadership to lead toward discontinuity of strategic direction and inconsistent policy interpretation. They believed that the excessive administrator movement negatively impacted their individual effectiveness, student services and other areas that impact student success. With this constant movement of administrators, faculty felt they had to continually mentor and teach new administrators about their areas of new supervision, thus taking time away from their faculty duties. One individual described having four campus presidents in four years with just as many direct supervisory changes.

- The 2010 report from the Office of Auditor General to PCCD stated, “High turnover of experienced employees within the District’s Budget and Reporting Department and time constraints made it difficult for the District to ensure that less experienced employees had adequate information to help prepare the financial report. In addition, because of the loss of employees, the financial information was not always adequately reviewed by someone knowledgeable.”

- Concerns exist from faculty and other employees that the college is losing institutional memory and foregoing the opportunity for relationship-building due to the administrative shuffle in place at PCCD. They are concerned about salary inequity and a lack of appropriate employee training.

- The Board has three standing agenda items which allow them to become knowledgeable about a portion of the leadership change in the college. One item, under an information section of the agenda, allows them to learn about separations from employment. The second item, under the consent agenda allows them to hear about new appointments, administrative appointments, and temporary appointments as well as other related personnel actions. The third agenda item provides them with the opportunity to approve new administrative hires.

- There is no annual review of the administrative component of the institution with the Board in a setting where in-depth conversation can take

place regarding how the administrators are deployed in their roles, what changes have taken place during a particular year and what changes are anticipated for the upcoming academic year.

- The Board does not have a designated Human Resources committee charged with overseeing personnel policies and becoming knowledgeable about the college's leadership structure and change to any greater extent than the three standing agenda items on its agendas.

Claims that processes within the HR department were unclear and not uniformly followed.

- Many employees challenged the fair and equitable placement of employees within particular salary ranges and called into question the fair and deliberate treatment of employees as they have attempted to understand such discrepancies.

- Many complaints were offered in interviews with employees about the HR department and the manner by which vacancies are filled at PCCD. Many gave examples of individuals hired who had fewer years of experience or academic credentials which did not fit the position descriptions for the jobs within which they were placed. Leadership in the HR Department asserts this is not true and that all candidates for positions are screened by the HR Department for qualifications and experience.

- The HR Department leadership claims that all positions created at PCCD go through the same level of scrutiny and the creation of a job description with equal opportunity for college employees to apply for open positions. The HLC team heard several examples of employees being offered "new" positions or positions which were coming open before the actual HR process took place. Often these employees were told by senior leaders and individuals "in the know" to not tell anyone about the personal conversations about the positions.

- There is a prevailing perception that senior administrators at PCCD manipulated college employment policies to reward or punish employees. The word "cronyism" was often used. For example, the upper level administration was described as proficient at using search committees and paper work to provide the appearance of following institutional policy to control the final outcome of filling vacant positions. Many individuals stated that search committee recommendations were often ignored. This employment practice was described as occurring frequently enough to create skepticism about the validity of job openings. Comments by various interviewees were particularly critical of extremely quick career advancements for individuals moving up the PCCD administrative

structure only to be reassigned after short tenures or displays of disagreement with the administration.

- Several current and former employees described how they were approached by senior administrators or their representatives and offered new positions at higher pay ranges and were told not to tell anyone about the offers. These employees had come into conflict with the senior administrators and believed the offers to be "payment" for not causing additional problems, as these offered positions were not open to others on any type of competitive basis. Some employees noted that they did not have an opportunity to compete for some positions into which others were transferred or for newly created positions.

- The team also received two complaints that accommodations for disabilities are not properly executed. Some employees are required to get proper documentation many times, while other accommodations are given without the same level of documentation. One of these complainants alleged that the failure to grant accommodations was another example of retaliation for expressing a contrary opinion to upper administration.

- Many employees experienced frustration with and lack of support from members of the HR staff while attempting to understand disciplinary actions being taken against them.

- The HR department maintains two files on employees, their personnel files and second files housing investigative and disciplinary matters. An employee was told at first that he/she could not see the second file. The HR department relented and allowed the employee to review the investigative/disciplinary file, though the employee was told that he/she could not copy any of the materials in the file.

- The Interim Chancellor posted and hired a new Provost for PCCD in the summer of 2012 and reassigned herself to a college presidency rather than return to the position she held prior to her move into the Interim Chancellor's position (Provost). This action took place simultaneously with the Interim Chancellor's move into the interim position and the Board's discussion regarding whether or not the Interim Chancellor would be promoted to the position permanently. Many individuals questioned why the Provost position was not left vacant until a new Chancellor arrived at PCCD and why the current Interim Chancellor reassigned herself to a position other than the one from which she most recently came.

- At the same time Campus Presidents and other Executive Administrators were offered two-year rather than one-year contracts, a move allowed within new Arizona law. The Board approved the two-year contracts for

this group on February 8, 2012, effective July 1, 2012. Other administrators were not, by law, allowed the two-year contracts.

Claims that the college and its Board violated its own procurement policy in regard to sole sourcing and that it lacked transparency on fiduciary matters.

- Over the course of approximately 7.5 years, PCCD paid a total of $586,986 to two contractors who were offered annual contracts through the college's sole source process.

- In 5 of 6 completed contract years and 6 of 7 contract years for these two vendors, the total contract amounts surpassed the amount of $30,000.01 in college policy which requires either sealed bids or RFP's unless sole source justification is provided and approved.

- The justifications on file for both contractors for all years but 2012-13 for one of the contractors (justification written by the Interim Chancellor) did not address the standards required in the college's policies. The Interim Chancellor's justification for hiring a consultant brought to the Board on 6-20-12, while more extensive than previous justification statements, did not meet the requirements of "justification" as outlined in college policy.

- The Former Chancellor personally ordered members of the Business Office to issue these contracts each year, and justification sections often referred to the Chancellor "sanctioning" them.

- No formal annual evaluation of services rendered was completed for either of the two contractors during the tenure of their work on behalf of the college.

- The Board has no standing agenda item which provides an opportunity for them to review sole source contracts unless the amount exceeds $100,000. Board members did indicate that they reviewed sole source contracts as a part of the overall budget allocation, though the allocated amounts were not identified by individual contractor, so it was not possible for them to adequately oversee the annual contracts for these two contractors.

- Some members of the college's leadership suggested that the State Auditor might indicate that the sole source policy at PCCD is inadequate and must be greatly strengthened as it completes its 2012 annual audit. It is believed that the Auditor General will conclude that while the college may not have technically violated its own policy with the hiring of outside consultants using the sole sourcing procedures, the policy itself is not in

alignment with state requirements and may represent a lack of proper responsibility. (Results from this audit were scheduled for public announcement following the team's review and report.)

- In FY2005 and FY2006 the College was made aware of and negotiated repayment for an $8,000,000 overpayment of financial aid to its students. The College reimbursed the Department of Education $2,000,000 in FY07. This payment was discussed only in a Board retreat, with few if any members of the public in attendance and in the Board's executive session. The general public was not notified of this significant payment during the public portion of a regular Board meeting.

Claims that an elemental change in the mission of the college took place impacting the general makeup of the student body of the institution, that the change was not thoroughly discussed within the college and community, and that such a change took place without due notice to and review by the HLC.

- Early in his tenure and consistently through the remainder of his employment, the Former Chancellor discussed his intent to change the nature of the college from a community college to a four-year institution. He often referenced his interest in creating a model similar to the "Florida model" where community colleges became state colleges offering baccalaureate degrees.

- The Former Chancellor reportedly told senior leaders that he wanted to hire only Ph.D.-qualified faculty and leadership and that those with other doctorates such as the Ed. D. would not be considered for upper level positions. This was cited as a reason for the departure of several administrators.

- The recent admission policy change requiring that individuals who did not meet a minimum standard on the COMPASS test not be allowed to enter PCCD was instituted by using the Standard Practice Guide (SPG) process rather than the shared governance process at the institution. The SPG process does not require Board approval but remains within the purview of the Chancellor. The SPG process does require a 21-day comment period and that comment period was held for this change. The Board of Governors did review and supported this change.

- Many individuals expressed concerns that the approval of the change was not sought through extensive discussion with faculty and without the full support of academic and college leadership.

- Evidence exists that presentations were made by the college's leadership on the issue of an admission policy change as early as 2010. However, there exists a tremendous amount of disagreement about whether or not these presentations were enough to garner the needed support for such a major change.

- While various "admissions standards" comments were made by the Former Chancellor and other leadership as early as February of 2010, more specific presentations and discussions were held with various college constituencies (Department Chair Academy, Faculty Senate, Staff Council, Exempt and Non-Exempt Staff Development Days) throughout the first 8 months of 2011.

- Presentations regarding the development of admissions standards were made by the Former Chancellor and college leaders to various public groups (Rotary, Workforce Investment Board, Hispanic Chamber of Commerce, and others) from February, 2011 to August of 2012. Three community forums were held in late August of 2011 and September of 2011 to discuss the admissions standards with the public.

- The administration often claimed that the change in admission policy was faculty-driven. However, the vote by the Faculty Senate to support the new admission policy occurred at a meeting where the proposal was not on the original agenda and was hastily approved in executive session in the late afternoon, without extensive college-wide faculty and academic administrative discussion. Notably, the proposal was brought to the Senate by the Former Chancellor directly, not through Faculty Senate channels. Some members of the faculty were not convinced that this action was legitimate and representative of the fuller faculty voice.

- Throughout the second half of 2011, numerous media essays, editorials, and articles and individual letters written by community leaders voiced deep concerns about the change in the admission policy and its affect on the low-income and minority populations within the District. The Interim Chancellor did meet with members of one of the community groups to discuss the changes in the admission policy and offered, through written emails, to continue to meet with them.

- Representatives from the National Center for Fair and Open Testing challenged, in June of 2012, PCCD's use of the COMPASS exam as a "de facto admissions test". A letter was sent to the Former Board Chair with copies to all Board members and the Interim Chancellor. Nearly four months later the Interim Chancellor and the Former Board Chair responded to the group and explained that "misconceptions" had been created. A representative of this organization made a public statement regarding fair testing and the organization's continued concerns at a

January 9, 2013 Board meeting. They continue to call for holistic evaluation using a set of measures rather than one test result to make a final decision on student admission to PCCD.

- PCCD's leadership has established a special committee scheduled to meet for two hours three times, Feb. 28th, June 20th, and September 26th of 2013 to review the prior semesters' enrollment data. It is unclear whether or not this committee is charged with also reviewing and critiquing the new admission's and registration processes. Interviewees expressed concern about the limited time frame allowed for each meeting to discuss and identify recommendations based on the data reviewed.

- There is no evidence that the college's administration discussed these impending changes with HLC personnel. Commission policy 3.2(a)1 requires institutions to gain approval for changes in "actual or apparent mission of the institution or its educational objectives" and 3.2(a)2 requires institutions to seek approval if there are "significant changes in the character or nature of the student body." The institution did not seek approval of a change of mission or student-body through the official HLC change review process because they did not see the admission policy change as being a mission change nor a change which would significantly change the makeup of the college's student body.

Claims that the college lacks support for developmental education and suggestions that actions were taken to mask changes in the college's initiatives to further develop its developmental education initiatives from the 2010 HLC visiting team. Claims that adequate discussion and debate about changes in the developmental education policy and practices did not take place.

- Enrollment data for the past two years include the following as provided to the team by PCCD's Institutional Research Office:

    - Fall 2011- Fall 2012 Developmental Education (DE) full-time student equivalent (FTSE) dropped **30%**
    - Fall 2011 – Fall 2012 Non-DE FTSE dropped **16.7%**
    - Spring 2012 – Spring 2013 DE FTSE dropped **28.2%**
    - Spring 2012 – Spring 2013 Non-DE FTSE dropped **10%**

    - Fall 2011 – Fall 2012 Developmental Education (DE) full-time faculty equivalent (FTFE) dropped **27.8%**
    - Fall 2011 - Fall 2012 Non-DE FTFE dropped **13.7%**
    - Spring 2012 – Spring 2013 DE FTFE dropped **29.9%**
    - Spring 2012 – Spring 2013 Non-DE FTFE dropped **8.4%**

- Early in his tenure at PCCD, the Former Chancellor was described as noticeably critical of the developmental education program. He openly criticized the developmental education program as problematic and not working. This pronouncement occurred during a Developmental Education Committee meeting presentation of its final report detailing its work over the previous eighteen months.

- During subsequent years, it was perceived that the Developmental Education program received little, if any, administrative support that would sustain or strengthen it, though the HLC 2010 team identified that positive changes had been made to the program and the support shown by PCCD. The timing of the resignation of the program director corresponded with what was perceived as a public effort by the College to change its mission by altering its admission policy.

- A Ph.D.-qualified faculty member was hired to coordinate PCCD's developmental education program on January 1, 2010. His contract ended on June 30, 2010. At that point the responsibility for this coordination was transferred to the Vice Provost's office.

- The college's administration created the Prep Academy to assist students who could not meet the revised admission standard and who were in need of academic support to gain knowledge in order to successfully pass at the required standard. Admission into the Prep Academy is not supported by financial aid, as students are not admitted PCCD students, therefore they cannot receive federal funds that would support living expenses while enrolled in college.

- Individuals who are listed as faculty within the Prep Academy have various undergraduate and graduate degrees. The Director of the Prep Academy holds a Baccalaureate degree in Management.

- The faculty assigned within the Prep Academy are responsible for case management activities, instruction, tutoring, and mentoring individuals enrolled in the non-credit program. They hold part-time temporary appointments at PCCD.

- The Prep Academy uses a software package to allow students to move through basic learning units in a self-paced manner, and the College provides the technology needed for students to work on these units.

- Faculty claim there was not adequate conversation about nor input sought on the software and teaching methodology used in the Prep Academy.

- The original design of the Prep Academy had no formal evaluation process established as a way to determine either the impact of the

program upon the College's developmental education program nor to determine the demographic data of those most affected by the new program and related admission policy changes.

- The HLC comprehensive visit to PCCD was held on September 13-15, 2010. At that time the visiting team praised PCCD's attention to serving the needs of developmental education students and recommended following through with actions planned to enhance their services to this particular student demographic.

Claims that the Interim Chancellor has not been candid nor honest in her response to the HLC.

- There are discrepancies between the Interim Chancellor's letter to the Commission and facts learned during interviews with the Board members and PCCD employees. The letter indicates that the Former Chancellor retired from the Chancellor's position due to failing health. Team member interviews and statements by members of the Board indicate that while his health was a factor, the time table for the Chancellor's retirement was greatly altered due to the allegations pending against him. One Board member indicated that the Former Chancellor was "forced out" due to the allegations.

- The Interim Chancellor indicated in her letter that she was unaware of any administrators who were aware of any complaints against the Former Chancellor. At a meeting with 5 members of C-FAIRR (Coalition for Accountability, Integrity, Respect and Responsibility) in May of 2012, the Interim Chancellor, following an outburst from one of the other administrators, was heard to say, "I wish we could get back into a civil mode. You are doing exactly what we put up with for nine years. We've been threatened like this for nine years."

- The Interim Chancellor's letter focused more on the messengers than the message itself. Those making the claims are discussed more than the claims themselves. This is part of a larger theme often heard in interviews with leadership and the Board - where the term "the opposition" was mentioned many times and information from those filing complaints or with opposing views would be immediately discounted. The Interim Chancellor referred to those who made complaints as being politically motivated or unhappy former employees. The team discovered concerns about the negative institutional culture and actions by the Board and some senior administrators from a range of employees at all levels of the organization and from a host of well-respected community leaders.

- Following the Interim Chancellor's appointment to serve in this role, she undertook a series of actions aimed towards review and change of policies and procedures which had been unclear, misunderstood, or incomplete. It was unclear to the team if these changes were sought through collaborative discussion or through the Interim Chancellor's sole direction. These policy and procedure changes included the following:

    - Personnel policies surrounding issues of personal and professional responsibility for maintaining respect among all employees.
    - Strengthening the reporting processes for employees experiencing unprofessional, unethical, or illegal actions from other college employees or vendors.
    - Changes clarifying processes relating to whistle-blowing reports.
    - Revised policies and practices regarding filling authorized, vacant regular positions.
    - Revision of contracting policies.

Claims that the Board of Governors has failed to uphold its responsibility to conduct its work ethically, honestly, and in the best interests of the college, its employees and its students.

- The Board has never acknowledged in a public meeting nor through an official public statement, anything about the actual charges against the Former Chancellor, their actions to investigate these charges, and why they did not investigate anonymous complaints received as early as 2008. They took no formal action until late 2011 or early 2012 when they asked their legal counsel to look into charges of inappropriate behavior. They have made no public statements regarding how they intend to ensure that such behaviors on the parts of any administrator not recur.

- The Board does not conduct periodic review of all policies and how those policies are translated into regulations and standard policy guidelines, including HR policies, many of which have not been altered since the late 1990s. The Board has no regularly scheduled review of Board policies, institutional regulations or standard practice guidelines established in their operating procedures and annual agenda planning.

- The Board of Governors' Bylaws and Policy Book includes many bylaws which were first implemented in 1978 and revised in the mid-1990's and then not again until the fall of 2011. The Code of Ethics, as an example, was first adopted in 1983 and then revised in 1995. It has seen no revision since that date. It appears that no regular, on-going review process for Board policies is in place in the district, some of which have the latest review dates in the early 1990's. Some of these policies recently underwent review and revision in late 2012.

- One of the Board members described how members of the Board discussed with one another on a one-on-one basis, prior to the Board meeting, the potential of hiring the current Interim Chancellor as the permanent Chancellor and to "ensure we were all on the same page." However, three of the Board members "flipped" (Board member's actual words) at the meeting and voted to hold a national search.

- The Board knew, as early as 2004, that some employees were unhappy with and fearful of the Former Chancellor. They "coached" him on softening his administrative style, but they did not discipline him nor investigate, further, the complaints.

- At least one Board member knew, as early as 2008, that claims regarding the Former Chancellor's inappropriate advances toward some employees, and the Board took no action to investigate the anonymous complaint. The Board learned, again, in 2010 and in late 2011 that similar complaints existed. Some Board members indicated that they could not investigate anonymous complaints.

Conclusion:

The fact-finding team carefully reviewed hundreds of pages of written materials presented to them before, during and after its site visit to Pima County Community College District (PCCD). Members of the team listened carefully in individual interviews with 71 individuals from within the learning community and from the external community as well. A total of 108 individuals participated in either individual or group interviews. The team met with various groups of community leaders and college executives. Team members diligently sought to discover relevant facts within the materials and interviews which were most critical to understanding the initial complaint themes they were charged with reviewing. Additional issues beyond those with which they were originally charged to investigate became known to the team during and after the on-site visit. The team thoroughly discussed the issues and the facts as they saw them and determined, collectively, that the conclusions discussed in this section of the report are accurate and reflective of their fact-finding mission.

The issues raised in the complaints to the Commission prior to the on-site visit by this team and the issues discussed with members of the college's learning community and the community at large are highly complex. The roots of many of these complaints are grounded in historical context which negatively impacts the present culture of the college.

When the Board of Governors hired the Former Chancellor in 2003, the college was faced with an abundance of challenges, both economic and academic. The

Former Chancellor was hired to bring about change, to help to establish accountability, to unify different college cultures into one district, and to maintain fiscal stability. There is no doubt that some of the changes sought were accomplished and praised by both internal and external constituents. However, an unhealthy college culture was established through the use of intimidation, fear and an abuse of executive power. The Former Chancellor engaged in inappropriate, unwanted and unprofessional behavior towards many employees. Board members knew about complaints regarding such behaviors as early as 2008, and the Board failed to act to investigate the complaints. This team believes that the explanation provided by the Board members (that the complaints were anonymous) is not a viable reason for leaving very critical complaints against a senior college officer uninvestigated. Similar complaints went unaddressed by the Board in 2010 and in 2011.

While an explanation was provided by the Board's legal counsel that it was typical in Arizona for a group's legal counsel's firm to conduct such investigations (claims of sexual and inappropriate behavior) on behalf of its clients, this team believes that the relationship between the Board's legal counsel and the investigator (marriage) could be perceived as a conflict of interest. The legal counsel was responsible for advising the Board throughout the time the anonymous complaints were received by the Board, thus the investigation into the complaints could have led to an investigation into both the Board's knowledge of the claims as well as the legal counsel's knowledge and actions. This latter matter was not a part of the investigator's review.

The Former Chancellor's behaviors referenced by some Board members as "strong" and "tough" and by employees as "intimidating, rude, and of a bullying nature" were known by some Board members as early as 2004. Some senior institutional administrators had also experienced or seen these same behaviors on the part of the Former Chancellor but failed to take appropriate actions to ensure that such behaviors would not continue. The institutional culture at PCCD was shrouded in the shadow of silence that was fostered through a pattern of protection created by members of the Board of Governors. The culture persists today. This team sees deep scarring in individuals and in the culture of Pima Community College which is in need of healing and rebuilding.

Personal actions by the Former Chancellor and his general administrative style have had deep and long-lasting negative impacts on many employees. The Former Chancellor's aggressive and combative communication style developed an organization that followed directions with little if any question. The generally-accepted practice of unprofessional behavior on the parts of some administrators has resulted in a severe lack of trust within the college community. The administrative style has not disappeared from PCCD with the exit of the Former Chancellor.

Some personnel have felt fearful of retaliation for disagreements in college governance, policy review, and other college matters. Other administrators have experienced “transfers” or have accepted “voluntary transfers” in order to maintain their employment at the college. Still others have left the college’s employ due to their inabilities to withstand the mounting personal stress and unprofessional treatment within the college. Whether or not the steps in the college’s disciplinary process were adequately followed at all times is difficult to determine, though it is clear that the view of the Human Resources functions from within the department are much different than those expressed by individuals experiencing the processes or observing from outside the department. This team believes there are policies and processes within the Human Resources department which make it difficult for many employees to move through the complex array of standard practices, for them to receive fair and honest treatment, for them to receive appropriate and timely advice and for them to feel supported as a valued employee.

The Former Chancellor and the Board appear to have established a symbiotic relationship which prevented the Board from acting independently and from taking appropriate steps to safeguard the well-being of many of the college’s employees. The team believes that some of the college’s senior leadership, both past and present, have misused and abused the power of their positions. Several senior administrators, by virtual of their positions, were ethically if not legally required to stop inappropriate behaviors or to report those behaviors directly to the Board of Governors. They failed to do so. It is the team’s belief that, with the close working relationship established between the Former Chancellor and the Interim Chancellor, it is highly unlikely that the latter had not heard about claims from others about the former’s inappropriate advances towards some employees. Comments made in a public meeting would suggest just the opposite, that the Interim Chancellor was definitely aware of the threatening nature of the Former Chancellor’s administrative style.

The team is challenged to determine whether or not the loss of 39 administrators within a team of 55 positions over the course of 5.5 years is excessive or not. Without other data with which to compare PCCD’s administrative turnover, the team is not able to make a conclusion about these data. However, the team does believe that the college appears to have used “interim” and “acting” administrative positions excessively, and it is unclear with the data provided how many different actual positions individuals held under the same administrative title. Complaints are common among the employees interviewed regarding the processes used to fill administrative positions or to grant internal movements within the administrative structure. The examples shared with the team by those interviewed provided evidence that administrators were routinely moved within the district’s structure, sometimes on very short notice (from a Friday to a Monday) and at other times for very short periods of time (months). The team believes this churning has caused disturbances within the district’s colleges and programs and that it has proven to be unhealthy for the institution.

The Board has lacked appropriate oversight in personnel policy and general Human Resource matters. It has no formal Human Resources Committee. The Board does not have a standard agenda item calling for an ongoing review of institutional personnel policies and procedures, nor has it routinely used a review by the Internal Auditor as a way to gain knowledge of internal college personnel actions, policies, and procedures. The Board has failed to appropriately review and update many of the college's policies, regulations, and standard practice guide procedures as a matter of routine business or to review these items following administrative action. Example: the Harassment (including Sexual Harassment) policy was not revised since its last revision in 1999, and its Code of Ethics has not been revised since 1995. The Board has yet (as of the date of the on-site visit) to receive updated training in issues relating to sexual and general harassment, and such training is not required (other than in orientation) for all employees. While the Board has attempted to remain in a policy-only position, it has failed to understand how very general Board-approved policy statements (sometimes 2-3 sentences) are translated into actual regulations and standard practices. Without a proper level of public review of such regulations and standards, these operating regulations and guides can be left unchanged for a decade or longer. Without a proper level of public review, these regulations and standards can fall under the total purview of one individual for the length of his/her tenure as Chancellor. This team believes the Board has essentially abdicated appropriate oversight of college operations in personnel policies and actions.

As in any organization, job performance and organizational change can and does affect employee promotions, however, the personnel movement within the PCCD organization occurred so frequently and without explanation that a cloud of suspicion surrounds reassignments and promotions. This team believes that a careful review of HR hiring, promotion, transfer and dismissal policies and procedures is warranted.

Careful, detailed attention to college policy and procedures has been overlooked on several occasions in the past, thus building within the college and external communities a sense of mistrust. Decisions calling for administrative judgment in the continuance of external contracts have not been well-documented and do not follow the standards outlined in college policy. Administrators at the highest levels of the organization signed off on contracts they knew didn't meet the justification standards in institutional policy and did so because they were told to do so by the Former Chancellor. Annual reviews of contracting services prior to contract renewal are nonexistent. There is no annual list of individual external contracted services brought forward to the Board for review and discussion as a matter of routine Board agenda proceedings within the public section of Board meetings. The Board has no Finance Committee to routinely review these contracts as part of its budget-setting process. The highest levels of financial data, including monthly financial statements, are shared with the Board in public

sessions, as are the results of the annual audit from the State Auditor. However, some issues involving financial problems or errors are not brought into full public view during Board meetings. They are, rather, dealt with in executive sessions closed to the public or in executive retreats where few public members are in attendance. This review team believes that more attention to policies regarding contracting, bidding, and procedures involving justification of exceptions to policy must be strengthened at PCCD. An appropriate level of oversight of these activities is needed by the Board, and transparency of all fiscal matters must become the standard for the Board.

The Former Chancellor and other senior leaders have attempted to move forward with a mission model change by incrementally changing its admission policies and the college's preferred minimum qualifications for faculty and administrative hiring as identified by the Former Chancellor. Discussion of the recently designed Prep Academy, the changes in the approach to developmental education over the past two years, and the change of the admissions policy have been examples of these incremental changes. This team believes it was the Former Chancellor's desire to move the College toward becoming a four-year institution and that such a desire influenced the treatment the institution's Developmental Education program received from its administrative leaders. It was reported that, upon receiving a report on the Developmental Education program and recommendations for improving it, the Former Chancellor held up the report in front of staff and said, "You see this report. This is shit!" He then dropped it into a trash can. The team also believes that the lack of consensus-building in issues surrounding developmental education, the admissions change and the Prep Academy is an example of the administration's disregard for campus involvement and input into institutional decision-making. The more robust discussions held through true shared governance rather than the SPG process would have allowed for more meaningful discussions and an opportunity for the college community to reach consensus on these important matters. The team believes that faculty as a whole were not adequately consulted and, on at least one occasion, faculty leadership appears to have been coerced into supporting the college leadership's desire to make such changes.

There is no evidence that PCCD held a discussion with the HLC's leadership regarding these pending changes and the potential impact they might have upon the makeup of the college's student body, and no mission change request was made through the HLC's change process. The team believes that the PCCD leadership should have consulted its HLC liaison about these changes to validate whether or not a "change" was potentially taking place. It is this team's opinion that some of the college's leadership may have failed to understand or respect the basic premise of PCCD's long-standing mission in their community. The team believes that the senior administration used the SPG process, under total administrative control, to short-change thorough input and discussion in the decision-making process.

Whether or not the addition of the Prep Academy is philosophically a sound decision to be made at PCCD is not within the purview of this team to determine. The team does note that the decision to create the Academy and the change to the admission policy was not well accepted by many faculty and other employees. This lack of acceptance centered around the lack of adequate communication and discussion as well as the minimal faculty role in determining the structure of the Prep Academy and the use of software as a central component of the Academy. Concerns about the use of the COMPASS test as "the" measure of acceptance or rejection of students was strongly voiced by employees, community members, and members of the National Center for Fair and Open Testing. The team does not believe enough rich academic conversation took place prior to the implementation of the Academy and the resulting changes to the college's developmental education program and its admission policy. This major change (creation of the Prep Academy) was implemented without any form of pilot program and without a solid evaluation process in place. While data were used in presentations regarding the change in the admission standard and the creation of the Prep Academy, the lack of adequate discussion created a situation where data without perspective prevailed.

The admission policy change was a significant factor in the reduction of both student enrollment and faculty work between FY12 (11-12) and FY13 (12-13). These reductions in FTSE and FTFE were two to three times larger for developmental education students and teaching faculty than for non-developmental students and teaching faculty. The time line for these discussions and decisions in relation to the HLC's 2010 comprehensive visit does not, in itself, suggest any intent to hide the discussion of the admission change from the 2010 HLC team, though the major public presentations took place in the winter and spring of 2011 following the fall, 2010 HLC visit. The comments made in that 2010 report suggest that the team had no conversation with individuals about the admission policy change and how that might affect developmental education at PCCD. It is this team's belief that the 2010 team was not aware of the upcoming conversations about the admission policy change and that the senior administrators did not openly address this potential change with them.

Transparency and openness on the part of the Board is not a part of its working ethic, yet PCCD's core values include "Integrity" and "Accountability." Openness, transparency, and a willingness to discuss and debate various points of view and opinions must be more readily imbedded in the Board's culture and operations. Past actions of the Board indicate that secrecy and protection of individuals is more important than transparency and a willingness to deal openly with difficult and sometimes embarrassing situations. Some members of the Board and some of the college's senior leaders have developed what this team describes as a siege mentality. They view those who might disagree with them as "the opposition" and refer to others' actions as "being politically motivated". Some members of the Board and some senior administrators describe the

actions they have taken or failed to take under the guise of doing "what is right for the college." Some members of the leadership reference the complaints as coming from "disgruntled employees or former employees". When outcomes become more important to a Board and its senior leaders than telling the truth or caring for the people in its employ, then members of that Board and those administrators have been misdirected or fallen into patterns of behavior which do not reflect the levels of integrity expected of higher education leaders. Failure to act quickly and with all due diligence on serious complaints against the institution's CEO, lack of a structured review of its institutional policies and procedures, knowledge without action regarding the Former Chancellor's inappropriate and unprofessional actions toward employees, failure to become aware of and to investigate an institutional sense of distrust and fear, and its general sense of being concerned more with fiscal outcomes than with the well-being of its employees all delineate a Board which has become dysfunctional. This team concludes that serious breaches of acting with integrity have been demonstrated by PCCD's Board of Governors, the Former Chancellor and some other senior administrators at PCCD.

The HLC fact-finding team recognizes that this report does not deal with each issue described in the various complaints provided to the Higher Learning Commission or with some issues which became apparent during the on-site visit or in post-visit interviews. It is, rather, a summary report of the major findings and the conclusions of the visiting HLC team around 9 major themes. The team recognizes that serious issues exist at PCCD which are in need of review, attention, and action, and it believes that new leadership is needed to help address these issues. The team's work is intended to inform the HLC of the facts behind the complaints and of the team's conclusions drawn from an examination of those facts. To that end the team submits this report.

APPENDIX A
Pima Community College District
Fact-Finding Visit Agenda

The members of the Higher Learning Commission's (HLC) Fact-Finding Visit Team will conduct its review using the following schedule.

Day	**Time**	**Individual or Group / Activity**	**Location**	**Team**
Wednesday	5:30	Team Dinner and Meeting	Hotel	ALL
Thursday	8:00 – 8:30	Meeting with Dr. Suzanne Miles, Dr. Brenda Even, and Mr. Scott Stewart	DO/C-239	ALL
	8:45 – 9:30	Dr. Suzanne Miles, Interim Chancellor	DO/C-239	A
		Ms. Sherryn Marshall, Board Member	DO/C-228	B
	9:45 – 10:30	Mr. Scott Stewart, Board Chair	DO/C-228	A
		Dr. Brenda Even, Board Secretary	DO/C-239	B
	10:45 – 11:30	Mr. David Longoria, Board Member	DO/C-228	A
		Ms. E. Marty Cortez, Board Member	DO/C-239	B
	11:30 – 12:30	Team Lunch (provided by PCCD)	DO/C-226	ALL
	12:45 – 2:15	C-FAIRR Executive Committee **	DO/A-206	C
	12:45 – 1:15	Dr. David Bea, Executive Vice Chancellor for Finance and Administration	DO/C-239	D
	1:30 – 2:00	Current Cabinet (exclusive of Dr. Miles)	DO/B-218	D
	2:15 – 2:45	Travel		
	3:00 – 5:00	On-Site Open Visits **		
		Northwest (12 20-minute slots)	B213,B214, B215 & B216	E
		East (12 20-minute slots)	L131, L132 L144 & L146	F
	5:00 – 5:45	Dr. Sylvia Lee, Board Member	District Office	F
	6:00	Team Dinner and Meeting	Hotel	ALL
Friday	7:00 – 8:00	Breakfast and Travel		
	8:30 – 10:30	On-Site Open Visits **		
		Desert Vista (12 20-minute slots)	B111, B131, C111 & C112	C
		West (12 20-minute slots)	JG16, JG18, F124 & F125	D
	10:30 – 11:15	Travel		
	11:15 – 12:00	Interviewee A	DO/A-206	E
		Interviewee B	DO/C-226	F
	12:00 – 1:00	Team Lunch and Meeting (provided by PCCD)	DO/C-226	
	1:00 – 1:45	Ms. Janet May, Vice Chancellor for Human Resources	DO/C228	A

		Ms. Charlotte Fugett, President, East Campus; Former Vice Chancellor for Human Resources	DO/C239	B
	2:00 – 2:45	Ms. Doreen Armstrong, Assistant Vice Chancellor for Human Resources	DO/C228	C
		Interviewee C	DO/C226	D
	3:00 – 3:45	Pima Open Admissions Coalition Steering Committee:	DO/A206	F
		Ms. Lori Cox, Internal Auditor	DO/C239	E
	4:15 – 5:00	Mr. John Richardson, Legal Counsel	DO/C228	ALL
		Ms. Alice Callison, Complaint Investigator/Legal Advisor	DO/C238	ALL
	5:15 – 5:45	Exit Meeting with Dr. Miles, Dr. Even, and Mr. Stewart	DO/C-239	ALL
	6:00	Team Dinner and Meeting	Hotel	ALL

KEY:

Team Members:

ALL (Drs. Gonzales, Inbody, Meabon, Nelson)
A (Drs. Inbody and Nelson)
B (Drs. Gonzales and Meabon)
C (Drs. Gonzales and Nelson)
D (Drs. Inbody and Meabon)
E (Drs. Meabon and Nelson)
F (Drs. Gonzales and Inbody)

** The team has set aside time slots to meet with community groups and with other individuals from the community, including any individuals who have filed a complaint about the College with the Commission. In addition to time slots for community groups (C-FAIRR and POACC, as noted) the team has also set aside forty-eight 20-minute sessions for members of the PCCD learning community and/or the community at large to meet with a member of the Fact-Finding Visit Team. Individuals wishing to reserve one of these meeting times should contact Ms. Carrie Caine at the Higher Learning Commission at ccaine@hlcommission.org or 800-621-7440, Ext. 125 for scheduling assistance. The team will maintain confidentiality about the names of individuals or groups who request and participate in a meeting and the remarks of participants provided to the team members unless participants provide their permission to associate their names with specific remarks. The Commission will attempt to balance availability of these individual interview meetings to ensure access by both employees and community members.

APPENDIX B

Titles of Individuals Interviewed

Current Board of Governors' Chair
Previous Board of Governors' Chair
Three Current Board Members
One Previous Board Member
Board Legal Counsel
Investigator/Legal Advisor to the Board

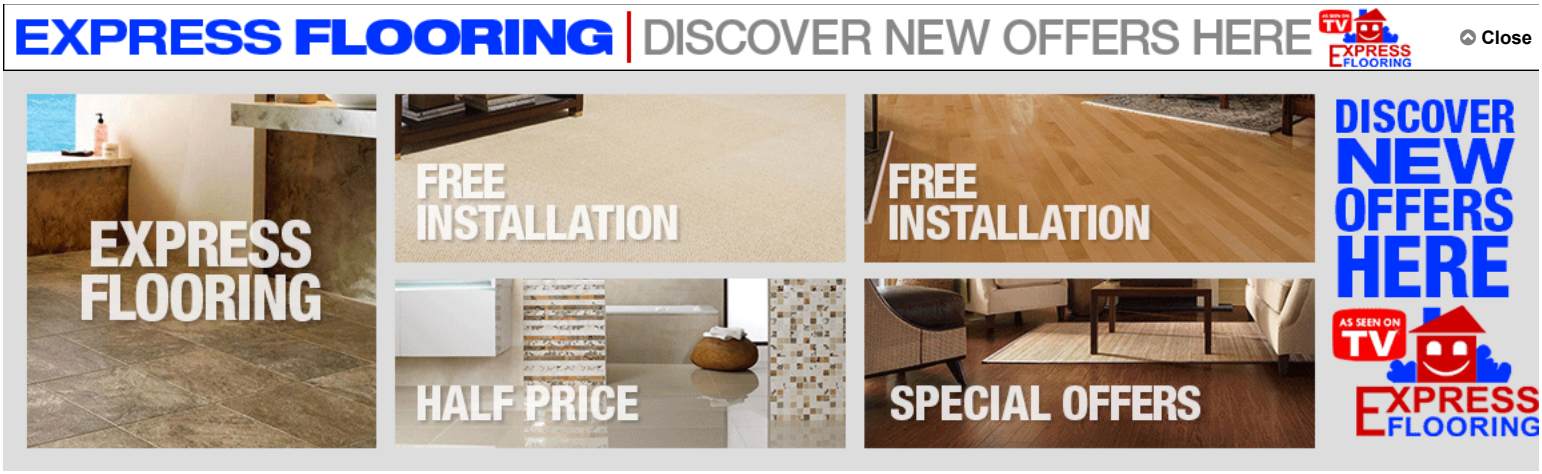
Interim Chancellor
Executive Vice Chancellor for Finance and Administration
Vice Chancellor for Human Resources
Assistant Vice Chancellor for Human Resources
Internal Auditor
~15 members of the Chancellor's Cabinet (all District Administrators)

6 members of the Executive Committee of C-FAIRR (Coalition For Accountability, Integrity, Respect, and Responsibility)

~16 members of POAC (Pima Open Admissions Coalition)

58 members of the college community, including current and former college employees at all levels of the district's organizational structure; community members

Exhibit 4





http://tucson.com/news/opinion/editorial/pima-community-college-needs-to-stop-hiding/article_de0c967d-34f9-56ae-be05-8ada3ea934e8.html

Pima Community College needs to stop hiding

May 28, 2016



Mike Christy / Arizona Daily Star

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Maurice Brown checks the exterior of the Boeing 727 at the Pima Community College Aviation Technology Center.

Arizona public records and public meetings law applies to Pima Community College, yet the institution, which is funded by local taxpayers, has behaved as if its employees and board members,



Special Review:
Open Meetings and Public Records

PCC transparency audit
May 20, 2016

not the law, gets to decide what the public should know. This practice is unacceptable.

The latest instance involves problems with accreditation of the college's acclaimed aviation center, which is located off campus, near the airport. Students were directly affected, because federal financial aid rules require that the student be enrolled in an accredited program.

According to reporting from the Star's Carol Ann Alaimo, the PCC board discussed it six times behind closed doors in executive session since January, but also talked about it in public at a Feb. 22 meeting.

But there was no way for the public — including the aviation students who weren't told about the problem until May — to know the board would be speaking specifically about the aviation program at that Feb. 22 meeting because it wasn't included on the meeting agenda, as it should have been.

Instead, the Feb. 22 agenda included three items: "1. Call Meeting to Order 2. Financial Aid 3. Budget Development"

Not a word about the aviation program. Unless a member of the public had inside information, there was no way to know the scope of what would be discussed. The aviation program also was never mentioned specifically in the meeting minutes.

Yet PCC contends that "financial aid" was an adequate description of what was to be, and what was, discussed, and that they did nothing wrong.

Some officials and board members appear to believe that's actually true, and this is highly troublesome because it's not the first time they've been caught giving vague two- or three-word descriptions of what the board would discuss.

The Pima County Attorney's Office has made two findings in recent years that PCC's agenda notifications are inadequate. The reason for making board business public is so everyone will know, in advance, what the public entities are doing. Hiding important, but possibly damaging — as with the aviation accreditation — information behind generalities like "financial aid" insults the taxpayers, students and faculty and casts suspicion on everything the college and board does.

PCC also has not given the public real access to background materials on what the board discusses. Many places, including the city of Tucson and Tucson Unified School District, provide materials electronically, usually in advance of the board meeting.

PCC's internal auditor looked at how the college handles public records and found that everything was fine. Yet the auditor didn't receive all the relevant information to make such a

determination. For example, PCC attorney Jeff Silvyn never shared a four-page letter from the Star's attorney that outlined concerns with how the college handles public information — a document that any auditor would need to conduct a true, legitimate examination.

There is reason to hope. Two newer board members, Demion Clinco and Martha Durkin, have prior experience in public institutions that deal often with public records, and Mark Hanna, the board president, says it's one of his top concerns. "Where there's smoke, there's fire," he said.

Fixing this is simple: tell the public, with specifics, what the board will discuss on the agendas. Include complete minutes. Release background materials publicly before the board meetings. Err on the side of providing more information, rather than trying to keep things secret.

It's time for PCC to stop hiding.

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(520) 740-5750
FAX (520) 620-6556

Barbara LaWall
PIMA COUNTY ATTORNEY

March 18, 2015

Via E-Mail

Jeffrey S. Silvyn, Esquire
Pima Community College
4905C E Broadway Blvd
Tucson, AZ 85709-1005

Re: Open Meeting Law Compliance

Dear Jeff:

As we discussed yesterday, the Pima County Attorney's Office received a complaint alleging that the Pima Community College Board of Governors ("Board") failed to comply with the Open Meeting Law ("OML") at its meeting of November 19, 2014. Our office reviewed the agenda, packet and transcript for that meeting.

That review resulted in findings that require remedial action to ensure strict compliance with the OML. In particular, the agenda (not only for this meeting, but for many others) lacked sufficient specificity to adequately inform the public of what topics were to be considered. Furthermore, lengthy presentations and discussions took place under general items on topics that were not specified on the agenda.

To remedy the deficiencies and maximize public awareness, the following actions will be taken:

1. Agendas for Board meetings will be much more specific. This will include but is not limited to: listing all presentation topics; including the purpose and amount of contracts being considered; listing the names of persons being considered for appointment to various faculty and other positions. (A return to the format used and approved by the Pima County Attorney's Office for the November 9, 2011, will be satisfactory.)

2. The Pima County Attorney's Office will monitor future agendas from time to time to ensure continued compliance.

3. All members of the Board, and appropriate officers and staff, will attend a training on OML presented by the Arizona Ombudsman – Citizens' Aide. I spoke with Kathryn Marquoit, Assistant Ombudsman for Public Access, and she is willing and able to

provide a two-hour training. (If all members and appropriate staff are unable to attend one session, please arrange additional training sessions with Ms. Marquoit.)

4. You will contact me when the members have completed the OML training from the Ombudsman. Training should be concluded on or before the end of the Spring 2015 semester, absent extenuating circumstances.

Thank you for taking the time to talk with me and for your willingness to make improvements. We strongly believe that both the public and the Board will greatly benefit from these actions.

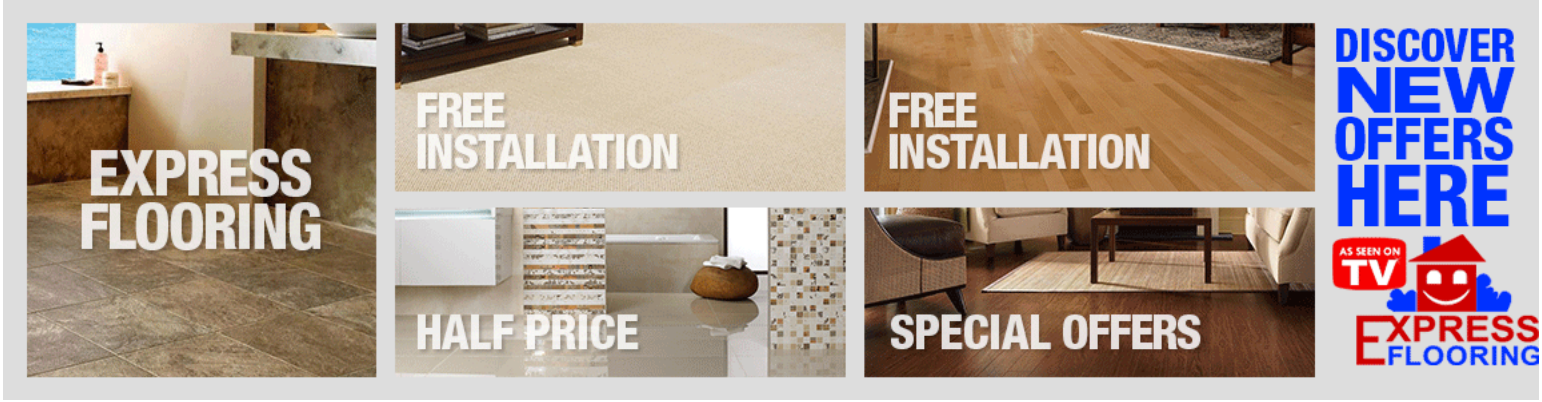
Sincerely,

Karen S. Friar

Karen S. Friar
Deputy County Attorney

cc: Barbara LaWall, Pima County Attorney
Thomas Weaver, Chief Civil Deputy

Exhibit 5

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http://tucson.com/news/local/education/college/pima-community-college-has-trouble-filling-key-posts/article_e16efd20-aaac-5f92-9324-887aff78b63f.html

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Fall semester starts Monday.

Pima Community College has trouble filling key posts

By Carol Ann Alaimo Arizona Daily Star Aug 20, 2016



After nearly four years of accreditation problems, Pima Community College is having a hard time hiring key administrators.

Unsuccessful searches — those in which jobs are advertised but no one is hired — have become common at the college, as have delays of a year or more in filling critical vacancies, Arizona Daily Star research shows.

Mark Hanna
submitted



Martha Durkin
City of Tucson

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Pima Community College picks new police chief



Financial aid freeze may end soon for Pima College aviation program



Next few months are critical to Pima Community College's future

School officials say hiring holdups are to be expected at a complex organization that requires administrators with specific skills. “This is a critical juncture for the college and we’re doing everything we can to make certain that we are hiring the very best people,” PCC spokeswoman Libby Howell said.

Experts say the type of hiring issues PCC faces mirror those that occur in the corporate world when a firm’s reputation has been damaged by problems. A tarnished reputation has “a significant impact on the attractiveness and expense of talent acquisition and retention,” Corporate Responsibility Magazine said last year in the annual survey on the topic.

When 1,000-plus North Americans were asked over the phone about their willingness to work for a firm that is not well-regarded, 77 percent said they weren’t likely to even if they were unemployed, the survey found. Every annual survey since 2012 has had similar results, it said.

A Harvard Business Review survey this year of more than 1,000 professionals found three top factors that create a bad reputation as a place to work: concerns about job security, dysfunctional teams and poor leadership. Nearly half of those polled said they wouldn’t work for such a firm for any amount of money.

PCC has been under public scrutiny since 2012 when eight women accused the school’s former chancellor of sexual harassment. In 2013, the school’s accreditor placed the college on two years’ probation for mismanagement and lax governance. It is now “on notice,” an accreditation status that means the school has improved but remains at risk of ongoing problems. The accreditor, the Chicago-based Higher Learning Commission, will decide early next year whether to lift the notice sanction.

Loss of customers is another well-known negative side effect of a damaged reputation and PCC also resembles the corporate world in that regard. Student enrollment has dropped by more than 30 percent in the past five years and is poised to decline again this fall, public records show.

Howell rejected the idea that PCC’s reputation is a factor in recent hiring delays.

“Actually our applicant numbers are up and many, many of them are incredibly qualified,” she said.

Of 52 administrator jobs listed on PCC’s website last week, 14 of them — 27 percent — were either vacant or filled temporarily on an acting or interim basis. Five others were filled within the past three months.

NO TAKERS FOR $88,000 JOB

One hiring delay in particular could give pause to PCC's accreditor, which is sending a team to Tucson next month to see if the school has improved enough to come off sanctions.

Since April 2015, the college has been trying to hire a director of assessment, responsible for creating systems to better assess the quality of PCC's educational programs. Sixteen months and two unsuccessful searches later, there still are no takers for the post that pays up to $88,000 a year.

The lack of a solid assessment system is a key concern for the accreditor. Without regular quality reviews, schools risk turning out graduates who don't meet the standards for employment in their chosen fields.

Other unsuccessful searches have affected different areas of the college. The finance department, for example, has been without a second-in-command since February 2015, a post that pays up to $128,000 a year.

Recruiting key employees costs money for things like finalists' travel costs, so searches that don't produce new hires add to an organization's overhead. Costs also rise if outside help must be hired to cover a vacant position, as recently happened at PCC.

The college retained a consultant for $125,000 last year to run its financial aid operation for nine months until a new financial aid chief was hired. The consultant ended up staying four more months — at an added cost of more than $70,000 — when the permanent hire was delayed due to an unsuccessful search. PCC's new financial aid boss starts work Monday making $105,00 a year.

THREE TIMES LONGER

Long hiring delays often cause related problems, experts say, such as low morale in affected work areas and stalled progress on major improvement projects.

Howell, the college spokeswoman, cited several causes for PCC's hiring delays. Some candidates drop out, others need time to notify current employers or relocate to Tucson and the process requires time-consuming background checks, she said.

Other public entities face those same hurdles, yet still manage to hire far more quickly.

PCC's recent search for a police chief, for example, took 14 months — about three times longer than it took the city of Tucson to hire a new police chief last year and twice as long it

took the University of Arizona in 2014. Tucson's chief search, like PCC's, was complicated by a candidate dropping out and by the need to relocate the new hire, but that didn't delay the city's search.

The new police chief also starts work Monday at a salary of $105,000, leading a department where morale problems arose under the temporary chief the college installed to keep things running.

On average, PCC takes 216 days to hire a new administrator, Howell said. The city's average is 30 to 75 days depending on the nature of the administrative job, while Pima County's average is less than 60 days, officials there said.

Some of PCC's planned quality improvements are behind schedule in the wake of hiring delays.

For example, a $400,000-plus plan to improve student advising with mobile technology was supposed to launch this fall but is on hold until next fall. The delay coincided with a recent seven-month search for a new head of information technology, but Howell said the events are unrelated.

INFORMATION GAP

PCC's Governing Board formed an advisory committee last year to get help with human resource issues, but it's unclear how well the setup is working.

Board members Mark Hanna and Martha Durkin, who are on the advisory group, told the Star they didn't know PCC was taking an average of 216 days to fill administrative jobs because college officials never mentioned it.

Instead, they said, officials cited a 43-day average — the time it takes PCC to fill all job openings, not just administrative.

The advisory committee also has ignored Arizona's open meetings law, the Star found in a review of agendas and minutes.

The law requires meeting agendas to describe public business in enough detail to let taxpayers know ahead of time what's expected to occur. Most of the advisory committee's agendas include a business item called "miscellaneous" without any specifics.

The law also requires public bodies to post minutes of their meetings within three business days, something PCC failed to do after the committee's last meeting on Aug. 11. The minutes still weren't available as of Saturday, Aug. 20.

Hanna and Durkin said they're satisfied the college is headed in the right direction.

"I have confidence that our HR department and search committees are doing a thorough job in filling critical administrative positions," Hanna said.

Durkin agreed.

"The quality of the employees hired and promoted matters more than the time it takes to complete the process," she said.

Contact reporter Carol Ann Alaimo at calaimo@tucson.com or 573-4138.

Carol Ann Alaimo

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