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**MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD RETREAT
JANUARY 29, 2010
MINUTES**

A retreat of the Maricopa County Community College District Governing Board was scheduled to be held at 10:00 a.m. in the Governing Board Room at the District Support Services Center in Tempe, Arizona, pursuant to A.R.S. §38-431.02, notice having been duly given.

PRESENT

GOVERNING BOARD

Randolph Lumm, President
Jerry Walker, Secretary (Arrived at 10:37 a.m.)
Don Campbell, Member
Debra Pearson, Member
ABSENT: Colleen Clark, Member

ADMINISTRATION

Rufus Glasper, Chancellor
Lee Combs
Gloria Smith
Donna Schober

FACILITATORS

Norm Neilsen
Wayne Newton

CALL TO ORDER

The retreat was called to order at 10:15 a.m. by Governing Board President Randolph Lumm. Mr. Lumm welcomed everyone to this retreat which would include an opportunity for further discussion of the fine points of the report submitted by the Consulting Team for the HLC Complaint, as well as how the organization was going to improve as a Board and as a District. Mr. Lumm called upon the Chancellor to provide further opening remarks and comments.

Chancellor Glasper informed everyone that he had just spoken with Governing Board Member Colleen Clark and that she had just been released from the hospital and was not doing very well. She was scheduled to have surgery the following Thursday. Ms. Clark apologized for not being able to attend.

This retreat was the third in a series of three relative to the Consulting Team's findings on the HLC complaint and would include the Board's input and action for moving forward, as well as progress made. This was the last scheduled meeting on the HLC complaint. Further conversation will be held with the Board through an ACCT facilitated retreat in March. He stated that it was important that the Governing Board be reminded at the end of this session that there will be a written narrative as to what has taken place. He mentioned that he recently had a conversation with Mary Breslin, Vice President for Accreditation Relations, and that she appreciated receiving minutes of the meetings held. A response to the HLC is needed no later than March 1 and should include a summary of the three sessions held, actions taken, and how we will be moving forward. Dr. Glasper stated that on February 2 the Board would be

informed about accreditation at the board meeting scheduled at GateWay Community College and the impact of how we work with each other, the actions that these relationships will take and how to be in compliance with HLC. In the best interest of students and the District, this will be demonstrated. Dr. Glasper stated that the regular business meeting held on Tuesday, January 26, was a very good meeting and the Board's support for the 21st Century Maricopa project provided further evidence of progress made.

Mr. Newton, ACCT Facilitator, expressed appreciation for all the help provided by staff in order to help them help Maricopa. This is the last scheduled time with Maricopa and he stated that if there are issues that had not been addressed, to please feel free to bring these up. Items on today's agenda would be:

- Consulting Team Report on Deficiencies and what has been covered to date
- Code of Conduct Policy and Civility Among Board Members
- Discuss Manner of Governing Policy Changes, as needed
- Review and Evaluation of the Board's Work and Facilitators' Work

Orientation Session

Mr. Newton stated that a new board member orientation session was very important. He suggested that a session should be designed with a lot of detail. It should be organized so that future new board members will not have to go through this.

Mrs. Pearson: Stated she appreciated what was being said and indicated she had a very good orientation. Shortly after coming on the Board she attended a session in Washington D.C. where she met the author of the book on Rogue Trustees. The training she received was very good. What was missing is what happened in December and she felt this needed to be discussed. It was not the lack of training but it was board members not taking advantage and doing it. What happened at the very early stage of this bad situation is that before she was elected she was told how bad this place was and she was to help them get that done. To be bold and willing to be able to do that. She was told "You owe me for helping you get elected." Was told that a promise was broken. Told that another board member was a liar and a thief. Campaign farce. With all of this being played out, I thought it was a strong accusation. So when we get into this session, I thought I wanted to take an opportunity to thank staff and not take anecdotal comments. Loves data and wanted to know the truth. She never experienced the game playing. Nothing proved to be true.

Mr. Newton: Orientation has not been adequate.

Mrs. Pearson: As board members just needed to wait and learn about all this stuff. By January, being pushed as to who would be Board President. All decisions she was told would be done in January.

Mr. Lumm: In January he received training.

Mrs. Pearson: Jerry Walker was insistent that he be Board President and that Colleen Clark and Rufus Glasper needed to go due to financing and stuff under the table.

Dr. Campbell: If you had talked with the previous board member Linda Rosenthal and others, they knew more about the District than Jerry Walker.

Mr. Newton: Lot of pieces that if they were carried out could be added to the orientation piece.

Mrs. Pearson: Code of conduct needs to be addressed and address what new board members come in with. Dr. Glasper and staff did a lot to inform new board members.

Mr. Nielsen: What we need then is to utilize orientation as it is designed and not coercive actions by board members. Keep all opinions at the board level but not use trying to coerce board members into individual thinking.

Mrs. Pearson: Address what predispositions they are coming in with.

Mr. Newton: Assuming a new board member comes in today, is the system firmly in place? Is it sound enough?

Mrs. Pearson: In that it can be avoided in the future. You can't control the behavior and conduct of people with maliciousness when it is part of their soul. Dr. Glasper and staff handled this well. HLC should hear that stuff.

Mr. Lumm: You talk about civility and what have you said to the newspapers for the purpose of bashing a board member? What is your purpose? Everybody has an opinion. You received that information and felt you were misled. Public does not need to know when you hear board members bashing each other.

Mrs. Pearson: Is the information that was given relevant for training? Can they deal with what occurred and prevent it from happening again?

Mr. Walker: When he came on to the Board, it was an old board. He helped Debra Pearson get elected. Contributed \$1,000 for her campaign.

Mr. Newton: 700 boards in this country do this seamlessly. The only reason to provide orientation is to prevent these encounters. How to transfer this power is important. Politics and personalities differ. Check these at the door. Orientation can help. Many hurts need to be healed. HLC is not going to let you off the hook. Spend some time on this. You can be one college. How to better support Chancellor. What aspects of this whole notion are meant to serve the mission?

Self-Monitoring

Mr. Newton: Respectful Communication – how we deal with each other at the meetings is what we are trying to deal with. If there is disagreement at this table, that is okay. As fellow board members we need to respect each other's opinions. You may say you disagree but it does not have to be personal.

Mr. Walker: It is personal when you try to get someone on the Board.

Mr. Lumm: Agree on issues but when you go to the press, this has been difficult.

Mrs. Pearson: Try to say something positive. Allows you to move forward.

Mr. Newton: Need to bury some issues.

Dr. Nielsen: Some trustees that come in from private world say that government is wasteful. Need to get over anxiety. This needs to be a point of that orientation. At least some evidence of this. There needs to be some consistency and the orientation should be done in a timely fashion. Reputation needs to be the goal, and the same for accreditation purposes. Orientation may seem like a brief period in the life of trustee.

Mr. Walker: Orientation was very brief for him.

Mr. Lumm: Had three orientations, both local and national.

Mrs. Pearson: Asked about previous orientation. Had a conversation with Linda Rosenthal and Colleen Clark about orientation. Orientation was good.

Mr. Newton: Make each other look good because people are looking at you.

Rogue Trustee

Dr. Nielsen: These trustees are constantly creating issues outside the board meetings. All of these issues need to be brought to the attention of the staff and placed on the agenda and those decisions are contained at board table. One trustee to another trustee - that is how you deal with rogue trustees. You may have 3-2, 4-1 votes. All we are trying to do is create civility, with proper planning, agendas and bringing issues forward. You would be able to plan reasonable dialogue. Bring issues to attention of staff.

Mr. Newton: Do continue to address progress. I applaud you for bringing policy changes forward for first reading.

Dr. Nielsen: Respect. Bring issues to staff's attention and let them deal with these. As a trustee you should not get involved in that. Chancellor will assign someone to do research.

Mr. Newton: You compromise by not sharing with staff in those matters. Your people here are no different than other staffs across the country. Your role is to be certain for the processes are in place to handle issues. You should be a good listener. There is a process for them to deal with this. You are the court of appeals and you need to bring issues to the Chancellor's attention first.

Mrs. Pearson: When she was being told that corruption existed, that is the reason that she made the comment, "I am going to contact that President and hear their side of the story." We have to meet with these people and get to the heart of the matter. Thank you to the Chancellor and Presidents. They explained this to me. How do you deal with the mentality of conspiracy?

Mr. Newton: Come back to process and see how they are dealing with issues. You take on the big picture approach. Could this be part of board evaluation?

Mr. Newton: For big picture, ask how does this serve students?

Restructure

Dr. Neilsen: You have restructured the process and avoided so many special meetings.

Mr. Newton: Encourage you to over time compare agendas with minutes. In dealing with detail also look at big picture. How often would we address anything dealing with students? How much time would we spend on that? Should be based on student success and not numbers.

Mr. Walker: That team that came from HLC were Chicago-based politicians just like Obama and he had no respect for them.

Mr. Newton: Do not harbor that notion very long.

Calendar

Dr. Neilsen: Is there anything that needs to be placed on agendas?

Mr. Lumm: Asked for vision/mission to be put on calendar. Having opportunity to put things on the agenda. Revised board meeting agenda. He is meeting with Dr. Glasper and managed posting to web five days in advance and not having meetings only 24 hours in advance.

Mrs. Pearson: Now getting agenda five days in advance.

Mr. Newton: Orientation should be in writing and avoid getting back to bad habits. Don't take for granted. When board policies are in place, get them in writing.

Opportunity to Build Relationships

Mr. Newton: No better place than right here to cause staff to do everything they can to help process. Praise them and they will give you more. Don't be bashful about being complimentary. When Dr. Glasper has performed, you can develop Chancellor by encouraging those things to build people up and encourage work that is being done for the best of the students.

Review and Discussion of Recommendations of Consulting Team

Dr. Glasper: Presented the 21st Century Maricopa Implementation Plan at the January 26, 2010 Governing Board Meeting and received 4-0 vote in acceptance of that plan and encouragement of that plan to proceed.

Dr. Neilsen: Good progress to report.

Dr. Glasper: Thanks to Mr. Lumm for praising him and staff on work done.

Mr. Newton: This should be a goal because it is the right thing to do. HLC did not want to scold you. They want to commend you to do this.

Mr. Walker: Chancellor and Staff did an excellent job. However, Colleen Clark pursued this. Others went around and criticized her techniques, including the press. She did a lot of good things. This was the right thing to do.

Mr. Lumm: Agreed on efficiency study. When there are issues it is our job to be upfront and give Chancellor notice. Compliment each other.

Dr. Campbell: Keep in mind that even before the study, the Chancellor had already come up with the idea of One Maricopa. One board member did not come up with that.

Dr. Glasper: Would like to go on record that I, as Chancellor, and members of CEC have never been against the efficiency study but we did object to the way it occurred because it was inconsistent with policy in some ways and that is the reason why HLC became involved. This is an opportunity to have board work with us. We have had the opportunity to work jointly in moving ahead and letting us do our jobs.

Mr. Newton: If there was a difficulty in keeping the board up to speed, spend time on emerging issues. What may have caused this rift? How can we learn from this?

Dr. Glasper: The Chancellor's evaluation coming up in May. Litmus test on 26th will be what metrics we are looking at. Whether the Chancellor is able to accomplish this. Preparing to share our due diligence to make sure that consistency exists across the board. Need to hear from Governing Board that night. Evaluation as a District and Chancellor. That is the way of keeping control. Asking to go back to the process and being held accountable. Link evaluation and accountability.

Mrs. Pearson: Support administration – we are on a good path. Anecdotal information works into this. Data based evidence is important. Rubrics so that it keeps personality out of this.

Mr. Newton: The basis of analysis should be goals set last year.

Dr. Glasper: I suspect that this evaluation will be amended to include 21st Century study. Would hope that Mr. Lumm will work with Board to see how evaluation tool will be changed including what pieces merit evaluation.

Code of Conduct & Civility Among Board Members

Mr. Newton: Make sure there is consensus on what code of conduct policy states -- “The Board expects of itself, as a whole and of its members, ethical and professional conduct. This commitment includes proper use of authority and appropriate decorum in group and individual behavior when acting as Board Members.”

Are there things that you don't believe here?

Mrs. Pearson: Ask Dr. Glasper to help with this. What is authority as Board? So that we don't end up again with a board member coming up with a plan to set up something that does

not go through channels, and how things need to be implemented. So that the Chancellor's position is not usurped.

Mr. Newton: There is no one size that fits all. Develop awareness about those things that can happen. Have Chancellor tell you when you are out of line. As a Board if you are into a topic, ask whether it is administrative or policy. As a Board empower Chancellor to be as effective as he can be.

Mrs. Pearson: Authority needs to have parameters.

Mr. Newton: Look at past practices and back down.

Dr. Glasper: My suggestion would be that the Board is aware of its own policies. We should have a meeting with the Board and go through all policies. As part of the Board calendar, we need to schedule a full meeting to update on board policies, to talk about their understanding and for them to own the policies.

Mr. Newton: When board as a whole has reviewed policies then misunderstandings can be avoided. Orientation and process. Must deal with this on an annual basis.

Mrs. Pearson: Nowhere does it state that we cannot appoint one of our own to administrative positions.

Dr. Neilsen: (Referencing Code of Conduct Handout)

1. (1 and 2A) Conflict of Interest Policy. Elected on a non-partisan basis. You are here to represent an entire district and not express personal prejudices.
 - a. Mr. Newton: At Kirkwood full disclosure statement required. You might want to consider.
2. (2B) Employment Opportunities For People Board Members Know:
 - a. Mrs. Pearson stated whenever anybody approaches you, they need to be referred to the appropriate area. Position as a board member is not a pulpit for causes he/she believes. Language is 2B needs to be stronger to better define conflict of interest. Determine what is legitimate on behalf of constituents.
3. (3) Board Members May Not Attempt to Exercise Individual Authority Over the Organization. . . :
 - a. Mrs. Pearson: In 3A very strong sense that this does not apply to us and we must understand our boundaries as board members.
 - b. Mr. Newton: If the Board had a habit of reviewing with frequency, we would get quickly that this was inappropriate. Orientation for that policy would have prevented this. Encourage entire Board to participate in orientation. Need to see where boundaries are. Language is very general and board must decide how to define it.
 - c. Dr. Neilsen: You are acting as the administration of the college. This is coming back to administration and policy-making. You are only policy makers.
4. (4) Board Members Must Deal Positively And Respectfully With Each Other, Including the Use of Open and Honest Communication:
 - a. Add language "Conduct in Public should always be professional and constructive." Bring back as an action item.

5. (5) The Board As a Whole Will Provide Sufficient Opportunities for Open, Respectful, and Honest Communication With Their Internal and External Communities:
 - a. Most errors come back to lack of communication and information overload. When staff sends you a packet, see how it can be reduced. Know what you want them to understand.
6. Be careful that you don't put too much responsibility on Chancellor. He should not be charged with disciplining a board member who may be in violation of board policy. Cannot be put responsibility of disciplining trustees on shoulders of Chancellor. Board discipline is a board process. As a Board, the discipline is up to the Board. Would do a rewrite on #6. Chancellor should not be the disciplinarian.
 - a. Mrs. Pearson: Would like to suggest that it not be the Board President. If rogue trustee is violating policy, what is the role of the board's attorney? "
 - b. Mr. Lumm: Should be a legal matter. The Board should remind themselves of bad behavior.
 - c. Mr. Newton: If you adopt a small part of this, progress has been made. You could go to an ethics department of a state agency or ACCT
 - d. Dr. Neilsen: Dr. Glasper can identify someone and then an outside source should evaluate.
 - e. Mr. Newton: System lacks form of discipline and then good judgment of all Board Members.
 - f. Dr. Neilsen: Misbehavior is violation of policies and not necessarily violating law.

Discussion of Manner of Governing Policy Statement

Revised Version with Agreed-Upon Changes:

Maricopa Community College
Manner of Governing

8. When requesting any information, must make that request through the Chancellor's office. ~~A Board member may also make a request for information from the Chancellor's designee, who shall coordinate the request with the Chancellor.~~ IN THE CHANCELLOR'S ABSENCE, REQUESTS WILL BE MADE TO THE ACTING CHANCELLOR.

Mr. Walker: If we wait for requests to be filtered back to Chancellor, there will be too long a delay. I want it right away.

Mr. Newton: Things that are not that serious

Mr. Walker: In absence of Chancellor, this information could be obtained from a college president.

Mr. Newton: Fine line on how to interpret.

Mrs. Pearson: Request for "information" is not the same as asking a question. When something has been abused then that has to be tightened up.

Mr. Walker: HLC needs to stick with curriculum.

Mr. Newton: Turnover in Administration – all of this is affecting image of Maricopa at a time when it needs support of public.

Mrs. Pearson: We do not define how HLC decides accreditation.

Mr. Newton: The world puts Maricopa at the top of the pack one of the top 20 schools. You have some serious departures from past practice.

Mr. Walker: Has done this in the best of students.

Mr. Newton: What you are doing is not in the best interest of students.

Mr. Walker: Has standards that cannot be violated.

Mr. Newton: Pima Community College lost its accreditation for some time. Regardless of whether you agree or disagree whether HLC should be in authority, they do have the authority.

Dr. Neilsen: MCCCCD has been a leader. The League voted three colleges out of League because of problems between Chancellor and board (board behavior). Do not let those issues ruin the reputation of the Board. Make a commitment that you are willing to change behavior.

Dr. Glasper: On February 2 we will have a session on accreditation at GateWay Community College. I will tell you categorically that when the team hears that statements are made relative to their job, that the board condones this behavior, it will be noted in the report and it will be dealt with.

Mr. Walker: We should have some leeway on who we can talk with.

Mr. Lumm: I would like to ask where the rest of the board stands on this.

Mrs. Pearson: Make sure that we safeguard HLC concerns and protect this accreditation.

Dr. Campbell: Has supported HLC for 26 years.

Mr. Lumm: Respects process of HLC accreditation. Talking about two things. Conduct of board. Concerns of civility. Need to be cautious when on campuses and see things that are inappropriate that are harmful; we need to do a better job.

Dr. Neilsen: Have respect for accrediting process. Have a right to your opinion. Have to be cautious who you give your opinion to; if you give this opinion to HLC.

Mr. Newton: Understand the office that you hold. Trustees can communicate through body language. Be as positive and supportive as you can reasonably be.

Mr. Walker: Received information from President Pan over fired employee. That was inappropriate.

9. Govern with appreciation of the diversity of our internal and external communities. Diversity is defined as the environment created within Maricopa that demonstrates equity and mutual respect of each person. OUR GOAL IS TO DEVELOP GOOD CITIZENS WHO ARE WELL-TRAINED AND ABLE TO SUCCEED IN OUR DIVERSE WORLD.

No additional comments.

Review and Evaluation of the Board's Work and Facilitators Work

Board Members were asked to assess their progress in resolving their policy and behavior issues; Board members gave widely varying assessments. Co-facilitators Norm Nielsen and Wayne Newton administered an eight-question test, asking members to rate how well various statements measured their behavior. Board members were to provide scores for nine months ago and today in each of the eight categories. Ratings were: 1- Does not describe us at all; 2 – Somewhat describes us; 3 – Describes us most of the time; and 4 – Describes us completely

Here are the averages of the eight scores reported by the four Board members:

Donald Campbell: Nine months ago, 1.875. Today: 2.625

Jerry Walker: Nine months ago: 1.125. Today: 3.0

Randolph Lumm: Nine months ago: 1.625. Today: 2.625

Debra Pearson: Nine months ago: 1.0. Today: 2.0

Composite Scores: 11 and 20

Mrs. Pearson noted that although members viewed their progress very differently, all thought that progress had been made.

Dr. Neilson (had to leave at 1:20 p.m. to catch a plane): Cautioned board members to not let up on progress that has been made. Dr. Glasper would report to HLC. Continue to look at the process. Repeat assessment in three months and use this information as measuring rods. Anytime you do an evaluation think about what those numbers really mean. You are making progress and know that you all have good intentions.

Mr. Lumm: Can we do this during an executive session so that we can be more candid?

Mr. Newton: Error on side of open meeting and disclosure. Use this for personal growth. Would like to go around the table and critique this work. Has it disappointed you? Has it been beneficial? Your service is of benefit to society.

Mrs. Pearson: Started out slow. Apprehensive at first. I appreciate and respect your years of service to community colleges and I'm sure that was a huge contribution to this. First session needs to be faster, was very slow. Really get to the core of things. Patronizing at first. I needed to be the one to be sure the rest were different.

Mr. Newton: Very sure that it was significant what you shared in your response over allegations. You have done that and you have neutralized that.

Mr. Lumm: The effort and the exercise were valuable. We will come up to where we should be. Some very good questions. Interview all these people, express concerns about board and colleges. We only heard about one thing and how we went about hearing A&M. Those were what you zeroed in on. We need to talk about inappropriate comments at colleges.

Mr. Newton: Only you guys can do this. Identify problem areas. Continue to look at process. Key is orientation. Trustees that are meeting communities' needs are doing this unselfishly. Chancellor can accomplish much if he doesn't have to deal with shenanigans of the Board. No such thing as an incorrigible individual, but it is the process. It will be a lot of baby steps.

Mr. Walker: Might not agree with everyone. Will say that I was told in military they rewarded productivity. Love to display the truth as he perceives it.

Dr. Campbell: Good experience. Opportunity to look at broad perspective of what has occurred. Bring information to us and have us absorb it. Need to realize that we are just individuals working for students and constituents. Focus on students and purpose of community.

Dr. Glasper: Thanks to Norm and Wayne for their service and experience and time. They presented information from a third party perspective and were objective. It is incumbent on us to use it. They were flexible at each retreat. Thank you for producing a framework for us to work on.

Mr. Newton: A number of years ago he worked with Yavapai College and it was really in disarray. They overcame some very difficult things. Due to Dr. Horton's leadership, they produced ends statements that are the epitome (and on Internet). There is light at the end of the tunnel. He is going to watch very close with HLC to see how it turns out

Next Steps:

Dr. Glasper will work with staff to compile notes from these three retreats and craft a response to HLC.

Adjournment of Retreat: The retreat adjourned at 1:35 p.m.

Jerry Walker
Governing Board Secretary