

# C - FAIRR

COALITION FOR ACCOUNTABILITY, INTEGRITY,  
RESPECT, AND RESPONSIBILITY

PO Box 27778, Tucson, AZ 85726

March 25, 2013

Brenda Even, Scott Stewart,  
David Longoria and E. Marty Cortez  
Governing Board  
Pima Community College  
4905 E Broadway Blvd,  
Tucson, AZ 85709

Re: Pima County Community College District's response must be based upon shared governance

Dear Board Member,

We are gravely concerned by your failure to grasp the existential threat the College faces. Probation now appears to be inevitable. Thus, our community and the Board of Governors of Pima County Community College District (College) are faced with an extraordinary situation. The situation requires action based upon an accurate assessment of the facts. We must now inform you that during the past year, each of you has failed to demonstrate the mature judgment required by your position. This is the essence of the report by the Higher Learning Commission's Fact-Finding Team (FFT), which forms the basis for President Manning's recommendation of probation. Any assertion that the FFT report contains significant factual errors is based upon a failure to comprehend the accreditation relationship. We ask that you acknowledge that the response to HLC is a reply from the College's Governing Board, its senior administrators, and more importantly, *all of the College's internal and external constituencies*. It should be evident to each of you that HLC's independent review of the documentary and related evidence is the sole factor in the recommendation of probation. You have collectively placed the institution's accreditation at risk—do not compound this error by engaging in a senseless confrontation with the College's accreditation body.

Given our membership's concerns, we deem it necessary to provide you with a sample response for your review, which is appended to this letter. The sample has been approved by our organization and vetted by an expert in the field of community college governance. We understand that our sample response, indeed, any response will have its limitations and shortcomings. Nonetheless, as a primary complainant to the current situation, we are obligated to provide you with a proposal containing our input on specific actions you must take to remediate the situation.

Further, the situation requires that the College's response should be the product of *shared governance* and must include input from internal and external voices. We are firm in our conviction that the response should be prepared with the *advice and consent* of the Faculty Senate, the Association of Classified Exempt Staff, the American Federation of State, County, and Municipal Employees, and the Pima Community College Education Association. As we have tendered our input, the College should seek advice from the Pima Open Admissions Coalition and other interested community members. All of the constituents understand that we are faced with an emergency situation and full engagement by all parties could produce a response based on shared governance—before the deadline. We are certain that the constituent parties realize that time is of the essence and agreement must be quickly reached on the core components of the response. HLC has made it clear that the College must begin to embrace shared

governance and incorporate it into its decision making process. The preparation of the college's response to HLC, gives you an opportunity to demonstrate your commitment to shared governance.

At the March 20, 2013 board meeting there were numerous public calls for each of you to resign. Our organization is in broad agreement with this conclusion. It is our opinion that each of you should relinquish your seat on the Pima Community College Governing Board. It is time for you to recognize that continuing to cling to your position no longer serves the best interests of the College and our community. However, it seems clear by your statements this past Wednesday evening that resignations will not be forthcoming. Because Pima Community College is critically important to our community, we remain committed to working with each of you to address the Criterion Violations set forth in Dr. Manning's letter.

We are disturbed by the Board Chair's statement that the College intends to dispute, "factual errors" in the FFT Report. We also note that your attorney is quoted in the March 24<sup>th</sup> Arizona Daily Star alleging the FFT report contains "significant" factual errors. Each of you should know this to be untrue. The Criterion Violations perpetrated by the Governing Board are indefensible. Moreover, the HLC team noted that Mr. Richardson's personal relationship to the investigator "...could be perceived as a conflict of interest." Since he is named in the FFT report, *College funds should not be dispersed to Mr. Richardson* to assist in the preparation of the response. If legal counsel is necessary, Mr. Silvyn should provide it.

Our concerns were heightened by the March 22, 2013 recommendation by Drs. Miles and Migler recommending that the college suspend its new admissions policy for the 2013 academic year. We direct your attention to Dr. Manning's statement concerning the College's recent change in admissions policy:

*The College's decision to change its admissions policy despite community opposition conflicts with its stated mission of developing the community through learning and demonstrates a lack of understanding of its role in serving the public good in its community. In addition, this change in policy appears to have been an effective change in mission that should have been preceded by a formal application to the Commission and Commission approval of that proposed change in mission [emphasis added].*

It is clear that HLC *requires the institution to revert to its previous admissions policy*. If the Board is determined to implement a new policy, it must submit an application to HLC, which demonstrates an understanding of the College's role in serving the public good. The wisest decision is to permanently revoke the current admissions policy, and this should occur prior to the submission of the College's response. It would be the first step in demonstrating to HLC that you have fully grasped the core elements of Dr. Manning's letter.

Dr. Manning's recommendation of probation is based upon clear and compelling evidence. The conclusion by the Fact-Finding Team that the Governing Board is dysfunctional—is evidence that you have failed to diligently discharge the duties of your office. Your public stance in regard to the HLC Fact-Finding Team's report and the letter from Dr. Manning will assure that the College is placed on probation. You should be aware that two members of the fact-finding team, Dr. Kathleen Nelson and Dr. Carmen L. Gonzales have each served as Chair of the Higher Learning Commission's Board of Trustees. It is not a sound strategy to question their professionalism and ethics.

Contesting HLC's finding would be a grave mistake on the part of the Governing Board. It would demonstrate to the Trustees of HLC and to the College's internal and external constituencies that, E. Marty Cortez, Brenda Even, David Longoria and Scott Stewart, have placed their own interests above their statutory and custodial obligations to the College. You must stop protesting your innocence in this matter—this should no longer be your primary concern. We suggest that you reflect on the ramifications

of your decision to contest the findings of HLC. You should also consider whether the Interim Chancellor, Dr. Migler, and Mr. Richardson should have any role in drafting the response.

We understand that each of you share our concern for the well being of the institution. We do not doubt your personal commitment to Pima Community College. However, the time has come for each of you to accept your individual and collective responsibility for the present situation. The Fact-Finding Team's report coupled with Dr. Manning's letter constitute sufficient grounds to ask you to cease all efforts to deny the general accuracy of the findings. It is important that each of you publicly acknowledge the general accuracy of the Dr. Manning's findings. The Governing Board must communicate to the Trustees of the Higher Learning Commission its intention to accept the findings, and that you will embark upon a plan of corrective action.

We trust that you have followed the actions of C-FAIRR and are aware of our interactions with the Higher Learning Commission. For the past year you were informed in the clearest of language to engage with us in dialogue; this you have steadfastly refused to do. You were also aware that our organization would submit complaints with appropriate documentation to HLC. On June 18, 2012 Ms. Karen Solinski informed you of the alleged Criterion Violations and requested that you respond. We are disturbed that you permitted Dr. Miles to draft and submit the July 25, 2012 response that, "...focused more on the messengers than the message itself." You should be alarmed that Dr. Manning questioned the veracity of the response by your Interim Chancellor. We trust that Dr. Miles will play no role in the response currently being prepared. On November 28, 2012 Ms. Solinski notified you that a fact-finding team would conduct a site-visit in January 2013. In spite of timely notification by HLC, each of you has failed to thoroughly review the record or to give any credence to documented allegations from employees, the community, or letters from the accreditation body. Without question, you failed to diligently fulfill your statutory and fiduciary obligations to the College.

We do not undertake actions lightly, but once we have decided on a course of action, our membership will see it through to conclusion. Accordingly the community is entitled to expect a public discussion of the primary elements of the College's response, and to require that you seek input from the community. The Governing Board should take immediate action to assure the community that your response will initiate a new era at Pima Community College.

Should you contest the findings in the College's March 29<sup>th</sup> response to HLC, we will initiate a discussion with the College's internal and external constituencies to determine if the community wishes to seek remedies pursuant to **A.R.S. Title 19 - Initiative, Referendum and Recall**. We have reviewed the number of votes necessary to initiate a recall effort against E. Marty Cortez, Brenda Even, David Longoria and Scott Stewart. Our membership is confident that a mobilized community can assemble the team and financial resources to mount a series of successful recall efforts. The choice rests with you. Save this institution by informing HLC that you take full responsibility for each Criterion Violation. Then for the good of the students, the college, and our community, you must tender your resignation from the Board of Governors of the Pima County Community College District. Resignation is a vital step in stabilizing the College. A renewed commitment to shared governance will allow new leadership to bring the College into compliance with HLC Accreditation Criterion and will initiate an era of openness, transparency, and accountability. We await your response.

Respectfully yours,

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Mario R. Gonzales, Chair,  
C-FAIRR Board of Directors

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Alfonso Valenzuela, Secretary,  
C-FAIRR, Board of Directors

CC: Dr. Sylvia Lee  
 Dr. Suzanne Miles  
 Dr. Jerome Migler  
 Jeffrey Silvyn  
 John Richardson  
 Sylvia Manning  
 Carol Ann Gorsuch

Faculty Senate			
Joe Labuda	Olga Carranza	Wright Randolph	Sarah Marcus
Diann Porter	Barbara Benjamin	Rob Modica	John Kordich
Jeannie Arbogast	Sterling Vinson	Patty Figueroa	Catherine O'Brien
Kimlisa Salazar	Roman Carrillo	Kathy Feuling	Pat Townsend
Patty Figueroa	Patrick Lawless	Ana Jimenez	Carol Christofferson
Mary Mitchell	Gene Gotwalt	Darryl Graham	Karie Meyers
Melinda Franz	Susan Prichett	Wayne Gifford	Margarita Youngo
Matt Meehan	Cynthia Howe	Cheryl Blake	Rosa Morales
Pat Leverentz	Diann Porter	Erin Eichelberger	Lazaro Hong
Matej Boguszak	Linda Marks	Donald Bock	Joseph Dal Pra
Duff Galda	Steven Croft	Armando Trujillo	Taralynn Petrites
David Kryder	Kimlisa D. Salazar	Carin Rubenstein	Mic Denfeld
Mays Imad	Tommy Salazar	Greta Buck-Rodriguez	
Susan San Jule	Jeff Gabbitas	Vickey Smith	
Teddi Schnurr	Josie Milliken	MaryKris Mcilwaine	
Joel Dworin	Mary Mitchell	Steve Mackie	
Jeannie Arbogast	Don Roberts	Debra Kaye	
Pollyanna Wikrent	Doug Holland	David Katz	

Association of Classified Exempt Staff	American Federation of State, County, and Municipal Employees
Jason Brown	Virginia Ortega
Julie Hecimovich	Rose Bolz
Andrew Plucker	Bruno Loya
Ed Gallagher	David Clark
Alma Yubeta	Francisco Mendoza
LeighAnn Rangel	Connie Phifer
Greg Sotomayor	Rose Bolz

Pima Community College Education Association
Ana Jiménez
Rita Flattley
Julia Fiello
Reinhard Pawlicki
Scott Collins
Gretchen Zimmerman
Perry Higgins

March 29, 2013

Dr. Sylvia Manning, President  
The Higher Learning Commission  
230 South LaSalle Street, Suite 7-500  
Chicago, IL 60604

Dear President Manning,

Thank you for the opportunity to respond to the violations of Accreditation Criterion stated in your letter of March 15, 2013. We appreciate that you provided the College with an opportunity to respond. This letter constitutes the College's official response. Our response is based upon the following four-point framework.

1. The Pima County Community College District (PCCCD) Board of Governors formally recognizes and accepts that it is solely responsible for serious breaches in governance.
2. The Board of Governors unconditionally accepts the findings of fact contained in the Fact-Finding Team report.
3. The Board of Governors acknowledges each Accreditation Criterion violation set forth in your March 15<sup>th</sup> letter.
4. The Board of Governors acknowledges that its failure of governance is responsible for your recommendation of probation.

The Board of Governors recognizes that shared governance should be our guiding principle. It is clear that our failure to embrace this precept is a primary factor in the creation of the current situation. This response reflects our commitment to honor and embrace shared governance. In accordance with the College's policy on governance, our response was prepared with the advice and consent of the Faculty Senate, Staff Councils, and Campus Student Governments.

Furthermore, we have sought input from internal constituencies including, the Association of Classified Exempt Staff, the American Federation of State, County, and Municipal Employees, and the Pima Community College Education Association. The Pima Open Admissions Coalition and other interested community members have also contributed with their ideas and recommendations. Given the concerns raised in your letter, the Interim Chancellor, Dr. Migler, Mr. Richardson, or Ms. Callison did not participate in the preparation of our response.

Employee representatives and members of the community have requested that we issue a statement to inform internal and external constituencies that the College's current crisis rests solely with the Board of Governors of Pima Community College. We note that your letter does not raise any concerns about the quality of our faculty, staff, or their delivery of sound

educational services and strong academic programs. Accordingly, concurrent with the publication of this response, the Board of Governors will issue the requested statement, which will focus on the well being of our core educational mission.

Our willingness to accept our responsibility for failing to comply with HLC's Accreditation Criterion is based upon our commitment to this community. We see no other recourse to your findings but to follow through with your official recommendations.

Brenda Even, Ph.D.

E. Marty Cortez,

David Longoria,

Scott Stewart,

Sylvia Lee, Ph.D.

SAMPLE

ATTACHMENT

This response is composed of three sections: Section 1 describes actions the institution will initiate immediately; Section 2 responds to each of the Criterion Violations detailed in your recent letter; and Section 3 deals with violations of Assumed Practices.

SECTION 1

1. The Board of Governors will draft a public letter of apology to the Community and cause such letter to be published in the Arizona Daily Star and Tucson Weekly, and be emailed to all employees before April 15, 2013.
2. The Board of Governors will meet with each individual victim before April 15, 2013, and deliver a written formal apology to each of the women who came forward with a charge of Sexual Harassment. The Board of Governors will consider appropriate action on an individual basis.
3. Before May 1, 2013 the College will conduct employee meetings at each of its Campuses and worksites, attended by at least two Board Members. They will deliver the Board of Governors' formal apology to the College's employees for allowing the existence of a climate of fear and retaliation. Time will be allocated for employees to ask questions.
4. Before May 1, 2013, the full Board of Governors will address the Faculty Senate to express its apology and answer questions.
5. Before May 1, 2013, at least two Board Members will meet with the leadership of the Association of Classified Exempt Staff, the American Federation of State, County, and Municipal Employees, and the Pima Community College Education Association and issue a formal apology.
6. The Board of Governors recognizes that change in its leadership is of vital importance to regaining public trust. Therefore, the Board of Governors will elect Dr. Sylvia Lee as Chair at its April 2013 meeting.
7. The Board of Governors recognizes that by its actions it has forfeited the public trust that is a prerequisite to shared governance. The Board of Governors will establish a 15 member advisory committee, which will include the president of the Faculty Senate, and a representative from each group in Item 5, the Pima Open Admissions Coalition (POAC), and the Coalition for Accountability, Integrity, Respect, and Responsibility (C-FAIRR).
8. The committee will have meaningful input into the board's deliberations. The community component of this committee will be balanced by gender and be representative of our county's demographic composition.
9. The Board of Governors recognizes that improvements in its operations are dependent on the creation of a number of permanent Standing Committees. The Board of

Governors accepts that the breakdown of its governance function was facilitated by a lack of standing committees. Before May 15, 2013, the Board of Governors will amend its bylaws and policies to establish several standing committees including, but not limited to: Faculty and Staff relations (HR), Finance and Audit, Academic Affairs, and Institutional Advancement. The Board of Governors with the assistance of an External Consultant will develop a mission statement, and delineate the authority and responsibilities of the standing committees

10. Prior to September 1, 2013, the Board of Governors and all senior managers will receive mandatory training on HLC Accreditation Criterion (Effective January 1, 2013), Assumed Practices (Effective January 1, 2013), and Institutional Obligations of Affiliation (Effective January 1, 2013). All senior managers will be required to sign a document acknowledging that they have received this training. This document will be placed in their personnel file.
11. The position description of the Provost and Executive Vice Chancellor will be revised to require the incumbent to remain continually abreast of the Higher Learning Commissions General Policies, Policies Affecting Institutional Affiliation, Statements and Guidelines, and Principles of Good Practice.
12. The position description of the Provost and Executive Vice Chancellor will be revised to require the incumbent to attend appropriate HLC training sessions.
13. The position description of the Provost and Executive Vice Chancellor will be revised to require the incumbent to develop and provide training to the Board of Governors and senior administrators on any revisions to HLC policy on a regular basis (minimum semi-annually).
14. The Interim Chancellor, Dr. Suzanne Miles has tendered her resignation on March 20<sup>th</sup> as Interim Chancellor effective April 12, 2013.

## SECTION 2

We wish to communicate to you in the strongest possible terms that the Board of Governors of this institution has thoroughly reviewed both documents and has initiated processes to address each of the *Criterion Violations* detailed in your letter. In the following narrative, Accreditation Criterion is set in boldface type and direct quotations from your letter are indicated by Roman numerals).

**Criterion One, Core Component 1.D, the institution's mission demonstrates commitment to the public good.**

- I. The College's decision to change its admissions policy despite community opposition conflicts with its stated mission of developing the community through learning and demonstrates a lack of understanding of its role in serving the public good in its community. In addition, this change in policy appears to have been an effective change in mission that

## Pima County Community College District

should have been preceded by a formal application to the Commission and Commission approval of that proposed change in mission

- A. The Board of Governors accepts this finding and will conduct an emergency public meeting to rescind the current policy in its entirety.
- B. Board of Governors will permanently reinstate the previous policy effective 2013-2014 academic year.
- C. The College will contact each student denied admission under the current policy and waive all fees for those choosing to enroll.
- D. The Board of Governors will formally notify the Tohono O'odham and Pascua Yaqui of this change.
- E. The Board of Governors and senior administrators will contact and meet with the appropriate staff of all school districts within Pima County.
- F. The Board of Governors will consult with the community, POAC, and C-FAIRR to draft a new mission statement stipulating that open enrollment is a core principle of this institution.

**Criterion Two, Core Component 2.A, the institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it establishes and follows fair and ethical policies and processes for its governing board, administration, faculty and staff.**

- I. By failing to follow its own policies on fair bidding on institutional contracts the College did not operate with integrity. The fact-finding team found that members of the senior leadership in the College followed the former Chancellor's instructions to form these contracts without questioning the lack of fair bidding or insisting that College policy be followed.
  - A. By May 1, 2013, the Board of Governors will constitute a committee with external voting members tasked with conducting a thorough review of the College's financial policies and recommending needed revisions. This committee will have one contracted consultant with extensive higher education financial expertise who will prepare the final report. Based upon its review the committee will draft the revision to the policy, as it deems necessary. This report will be delivered no later than September 1, 2013
  - B. Within 30 days of receipt of the committee's report the Board of Governors and College staff will conduct public meetings at each of the Colleges campuses to solicit community input.
  - C. The Board of Governors will contract with an external Ph.D. level higher education finance specialist to gather facts pertinent to the breakdown of the College's fiscal procedures. The contract will stipulate delivery of a final report within 45 days.

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- D. Upon receipt of the investigator's final report, the Board of Governors will instruct the Chancellor to review the report and to take the following steps:
- i) Complete the review of the report within 10 days of receipt.
  - ii) If the report documents specific failures to follow College policy, disciplinary proceedings will be initiated with the responsible employees.
  - iii) Prior to November 1, 2013, the College will provide all employees in the finance department with a minimum of 24 hours of training on new procedures.
- II. The Board of Governors appears to have no processes in place to adequately oversee these financial practices.
- A. The Board of Governors will adopt the changes recommended resulting from the process set forth in Paragraph I. A-D. By December 1, 2013
- III. The College has also not operated with integrity in its handling of personnel policies and procedures and implementation of those policies and procedures. The fact-finding team found that the processes by which administrators are hired, terminated, and reassigned are not clearly stated and are not understood by the institution's personnel.
- A. By May 1, 2013, the College will constitute a committee with external voting members tasked with conducting a thorough review of the College's personnel policies and procedures. This committee will include a range of employee positions including faculty and administrative staff.
- B. This committee will have two contracted consultants with extensive higher education personnel policy expertise whose contractual deliverables will include the preparation of the committee's final report within 90 days. The report will contain the committee's recommended revisions to personnel policy.
- C. The report will be delivered no later than September 1, 2013. The Board will adopt recommendations within 60 days of receipt of final report.
- IV. Many policies, including the sexual harassment policy, have not been updated for more than a decade.
- A. The Board of Governors accepts its responsibility to require an investigation of any breach of statute, regulation, or College policy, whether imitated by the victim, a witness, or anonymously.
- B. The Board of Governors will revise *BP-1503 Board Policy: Harassment (Including Sexual Harassment)* to clearly state that the Board of Governors does not hold decision making authority as to whether an investigation will be initiated, and that all complaints will be forwarded to the Human Resources department, with the exceptions noted in IV-C.

- C. The Board shall revise *BP-1503 Board Policy: Harassment (Including Sexual Harassment)* to include special procedures for the investigation and resolution of a complaint against the Chancellor or any senior administrator. Such policy will mandate the contracting of an independent external human resources consultant with substantial experience in higher education. The policy will allow no exceptions to this procedure.
- D. The Board shall revise *BP-1503 Board Policy: Harassment (Including Sexual Harassment)* to require an investigation commence within 24 hours of receiving a complaint. The College will create a mechanism for a prompt, thorough, and impartial investigation into any alleged harassment. Policy will require that a detailed fact-finding investigation be initiated as soon as any College management staff learns about alleged harassment.
- E. The Board shall revise *BP-1503 Board Policy: Harassment (Including Sexual Harassment)* and the College's *The Personnel Policy Statement for College Employees*, to include language similar to that of Maricopa Community College's Sexual Harassment policy:

Board members, supervisors, managers, administrators and faculty who disregard or fail to report allegations of sexual harassment (whether reported by the person who is the subject of the sexual harassment or a witness) are in violation of this policy.
- F. The Board of Governors will create a personnel committee.
- V. Senior administrators do not appear to have enforced and applied institutional policies consistently and uniformly.
  - A. By August 1, 2013, all members of the Chancellor's cabinet will complete 16 hours of training on Ethics in Public Organizations provided by an external Ph.D. level consultant currently serving in a faculty or management role at an institution of higher education.
  - B. By October 1, 2013, all members of the Chancellor's cabinet will be required to complete 24 hours of Human Resource training provided by an external HR consultant approved and vetted by the Board of Governors.
  - C. *BP-1503 Board Policy: Harassment (Including Sexual Harassment)* and the College's *The Personnel Policy Statement for College Employees*, will be revised to include language of management's responsibility to enforce and apply institutional policies consistently and uniformly and of the consequences for failure to do so.

**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.**

- I. The College did not engage appropriately or collaboratively with faculty and administration when it failed to involve these constituencies meaningfully as it changed its admissions policies over public opposition; this failure was in regard to an important institutional decision with a clear effect on the academic program. The fact - finding team found that senior administrators had used administrative protocols to curtail discussion among the College's constituents regarding the proposed policy change.
  - A. The Board of Governors accepts that it has failed to require that the Chancellor and senior administrators involve all constituencies in meaningful dialog on all mission changes.
  - B. The Board of Governors will revise College policies to limit the ability of the Chancellor or senior administrators to curtail discussion among the College's constituents regarding the proposed policy change.
  
- II. In addition, the fact - finding team found that the College's Board of Governors had not engaged in regular review and updating of the College's financial and personnel policies and procedures and had not taken steps to ensure that policies and procedures then in effect in such areas as contracting and sexual harassment were appropriately followed at all levels.
  - A. The Board of Governors accepts that it has failed to require regular review and updating of the College's financial and personnel policies and procedures.
  - B. The Board of Governors will revise its operational procedures to provide for regular review and revision of financial and personnel policies and procedures.
  
- III. Moreover, the fact - finding team found that the College's Board of Governors had not routinely revised and updated its own policies and procedures and lacked a robust committee structure to provide oversight of human resources or other functional areas of the College.
  - A. The Board of Governors accepts that it has failed to routinely review and revise its own policies and procedures.
  - B. The Board of Governors will revise its operational procedures to mandate a process to regularly review and revise policies and procedures.
  - C. See Section 1 paragraph 7-8.
  
- IV. The fact - finding team noted a culture of fear and retribution that pervaded the administration of the College. Finally the fact - finding team, as previously noted, found

that the Board of Governors did not act with regard to the former Chancellor until several years after it had become aware of allegations of misconduct. These findings further indicate a situation in which the College failed to have effective structures for contribution and collaboration and failed to exercise leadership effectively.

- A. The Board of Governors expresses its sincerest acceptance of its failure to properly supervise the former Chancellor. It formally accepts responsibility for this failure that inflicted damage to employees who worked in the negative workplace environment.
- B. The Board of Governors is committed to creating permanent structures that will eliminate the possibility of a recurrence of continued misconduct on the part of the Chancellor or any senior administrator.

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

- I. The College has not engaged in appropriate systematic and integrated planning.
  - A. The Board of Governors accepts that it has failed to engage in appropriate systematic and integrated planning.
  - B. By June 30, 2013, the College will initiate a process to engage in an extensive and inclusive dialog with all of the College's internal and external constituents, to develop a process of systematic and integrated planning.
- II. The fact - finding team found a frequent use by the College of interim and acting administrative leaders and constant turnover in administrative positions that led to reports from senior administrators of discontinuity in meeting institutional goals. This administrative instability appears to have made it difficult for the College to engage in the systematic and integrated planning activities required by this Criterion.
  - A. The Board of Governors accepts that it failed to properly supervise the College's use of interim and acting administrative leaders. The Board of Governors will amend its operating procedures to include oversight of the use of interim and acting senior management positions.
  - B. The Board of Governors accepts that it has failed to properly supervise the College's use of transfer and promotion.
  - C. The Board of Governors will amend its operating procedures to require it be notified and approve of any transfer to or from any senior management position.
  - D. See Criterion 5, Paragraph I-A-B.

- III. The team noted that the culture of fear and retribution further limited the institution's ability to engage internal and external constituents in systematic planning.
  - A. The Board of Governors accepts its failure to properly supervise the former Chancellor and that this failure was a key element in the creation of a culture of fear and retribution, which negatively impacted internal and external constituents in the areas of systematic planning.
  - B. The Board of Governors pledges to completely eliminate the culture of fear and retribution and to engage internal and external constituents in planning.
- IV. There appeared to be little evidence of the engagement of key stakeholders in the discussion or evaluation of the change in mission and degrees offered.
  - A. The Board of Governors accepts its failure to engage key stakeholders and believes the implementation of the changes outlined in this response will address this very serious concern.

#### ASSUMED PRACTICES

- I. In addition, the team's findings indicate that the College is not in conformity with Assumed Practice A.4, requiring clear information about institutional procedures for receiving and acting on complaints and timely response to and analysis of complaints.
  - A. By June 30, 2013, the Board of Governors will receive training on HLC Assumed Practices, and shall require that all senior managers attend Assumed Practices training sessions.
  - B. The Board of Governors will take the actions necessary to revise Board and College policy to fully comply with Assumed Practice A.4.
- II. The fact-finding team found that College did not respond to allegations and complaints about the former Chancellor in a timely manner and following appropriate and up-to-date policies and procedures.
  - A. The Board of Governors will take the actions necessary to revise Board and College policy to fully comply with Assumed Practice A.4.
- III. I would also note that the team's findings indicate that the College is not in conformity with Assumed Practice B.2.c, requiring substantial faculty participation in the oversight of the curriculum and the assurance of consistency in the level and quality of the institution.
  - A. The Board of Governors accepts its failure to engage key stakeholders and believes the implementation of the changes outlined in the response will address this very serious concern.

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- B. The Board of Governors will take the actions necessary to revise Board and College policy to be fully compliant with Assumed Practice B.2.c.
- IV. The fact-finding team found that faculty did not participate substantially in the review and adoption of the new admissions policy.
  - A. The Board of Governors accepts this finding and will take action in concert with Faculty Senate leadership to create policies and procedures to prevent a reoccurrence of this unfortunate situation.

The members of Board of Governors of Pima Community College again wish to express that they, individually and collectively, accept full responsibility for the Criterion and Assumed Practices violations contained in your letter. We believe that this response demonstrates that we will engage in good faith to bring the institution into full compliance. We will coordinate with Karen J. Solomon, Vice President for Accreditation Relations and provide her with the detailed plan including Goals, Objectives and Performance Indicators on an ongoing basis. We request that for the first 180 days following probation, representatives of the Board of Governors and senior administrators conduct a monthly conference call with Ms. Solomon or her designee to provide a progress report on implementation of the plan of action contained herein. We wish to assure the Higher Learning Commission that we are individually and collectively fully committed to successfully bringing the probation period to a successful closure.

Brenda Even, Ph.D.

E. Marty Cortez,

David Longoria,

Scott Stewart,

Sylvia Lee, Ph.D.

SAMPLE