

# **MONITORING REPORT ON**

## **ASSUMED PRACTICES**

### **A.4. COMPLAINTS AND GRIEVANCES**

### **B.2.c. FACULTY OVERSIGHT OF CURRICULUM**

To

**The Higher Learning Commission**  
A Commission of the North Central Association of  
Colleges and Schools

From

**Pima Community College**  
Tucson, Arizona

August 2013

## Message to the Community

Most readers of this report know that Pima Community College has been placed on probation by its accreditor, the Higher Learning Commission, for failing to meet HLC standards in numerous ways. Probation forces College employees to ask hard questions about PCC's mission, culture and operations as we seek to regain the fullest confidence of the HLC.

The College acknowledges that we also must regain the fullest confidence of the public – those who come to PCC seeking a better life through education, and those whose taxes support College operations.

To succeed at this essential endeavor, we must begin by apologizing to the people of Pima County for our past mistakes, pledging to do better and offering a plan by which the public can hold PCC accountable for meeting that pledge.

We accept full responsibility and say we are profoundly sorry for the serious breaches of integrity cited by the HLC. We understand that as a result of these deficiencies, many members of the community we serve have serious doubts about our commitment to the public good.

We recognize that at the core of our mistakes was a failure to recognize that [“shared governance should be our guiding principle,”](#) in the words of the Coalition for Accountability, Integrity, Respect and Responsibility (C-FAIRR), a citizens' group. We failed to respond quickly and give proper credence to allegations of sexual misconduct by Former Chancellor Dr. Roy Flores. And we did not consider the legitimate concerns of the College community and the public that in changing our admissions policy we were diverging from a longstanding philosophy to [“take the student from where he is, to where he wants to go.”](#) in the words of a group of concerned former PCC faculty and administrators.

Our constituents, stakeholders and colleagues spoke, but we did not listen. For this, we are truly sorry and are fully committed to ensuring that we never again act in such a manner.

That era of inattention and heedlessness is over. This Monitoring Report will, we hope, serve as an example of a new era of communication and collaboration, as it will be informed by the comments and insights of Pima County residents. Many of the recommendations you will read in the report are, in essence, blueprints for an improved connection between the College and its constituents, be they students, staff, faculty or members of the community.

The Monitoring Report is the culmination of the first stage of intense self-examination at PCC. Over the next year we will conduct a top-to-bottom review of our operations that should result in the lifting of probation and, we sincerely hope, the re-establishment of public trust in the College.

DRAFT

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## I. Executive Summary

Pima Community College respectfully submits the following Monitoring Report on Assumed Practice A.4., complaints and grievances, and Assumed Practice B.2.c., faculty participation in the oversight of curriculum, to the Higher Learning Commission (HLC). This document provides an in-depth description of the steps PCC is taking to address the issues highlighted by the HLC in its April 16, 2013 [action letter](#) to the College. Specifically, the HLC requested that the College submit a plan by which it will “establish conformity with Assumed Practices A.4. and B.2.c. by July 2014 “because the fact-finding team found that “the 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” and “faculty did not participate substantially in the review and adoption of the new admissions policy.”

This report describes the College’s procedures concerning complaints and grievances for all constituencies and faculty participation in the oversight of curriculum. The report also includes the College’s plans to re-establish compliance with A.4. and B.2.c. by July 2014.

### Key Plan Items

1. PCC will review existing complaint/grievance processes for complaints against the Chancellor and complaints made by students, employees and the community. Complaint intake, investigation, response, training, follow-up and tracking will be made clear, simple and consistent.
2. PCC will consider creating a Department of Dispute Resolution responsible for consistent, proper oversight of complaints. The department would have ownership of a comprehensive database of all complaints received by PCC, thus giving PCC the ability to quickly spot trends and address emerging problems. The department also would be responsible for ensuring that proper procedures are followed throughout the complaint and grievance process.
3. The Chancellor’s Office and Governing Board should review of Governing Board bylaws, most of which have not been amended since the 1990s, as well as Board policies. The goal of the review should be to bring bylaws and policies into line with peer

institutions, to adopt best practices, and to implement a governance model with a demonstrated record of success at other community colleges, with the overall goal being a clear, transparent, comprehensive relationship between the Board and CEO.

4. To avoid confusion in the future, the College will review the efficacy of developing three separate Standard Practice Guides for admissions, placement and registration and, if deemed appropriate, working to create the separate SPGs.
5. PCC will review the possibility of creating an oversight committee exclusively for non-credit curriculum (and an associated plan for implementation if appropriate).
6. Advocating for the adoption of an approval process and timeline for noncredit, clock hour, contract training, continuing education and community interest courses at the College.
7. The College will consider changing the process for any Admissions Policy Change to be driven by consensus of all CDACs, since admission standards can potentially impact all courses.
8. Since curricular decisions such as those proposed by the Admissions Policy Change are complex, the College will examine the possibility of placing language in policy that requires that such endeavors are undertaken only following a rigorous review over a realistic time frame.
9. Working with appropriate faculty and staff, the College will strive to develop a plan that describes short- and long-term goals supporting the reestablishment of a functional, respectful, trusting, collegial, collaborative relationship between faculty and administrators.

## II. Introduction

The purpose of this Monitoring Report, presented by Pima Community College (PCC) to the Higher Learning Commission (HLC) of the North Central Association of Colleges and Schools is to describe current practices and outline a plan by which the College will establish full compliance with Assumed Practices A.4. and B.2.c. by July 2014.

**Assumed Practice A.4.** – The institution provides clear information regarding its procedures for receiving complaints and grievances from students and other constituencies, responds to them in a timely manner, and analyzes them to improve its processes.

The HLC requested that the College submit a plan by which it will establish conformity with Assumed Practice A.4. because the fact-finding team found that “the 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.” Since the HLC specifically highlighted the College’s poor response when dealing with complaints against the Chancellor, we have dedicated extra focus to and provided a background for and summary of those issues, as well as a plan for improving related processes, in this report. As required by Assumed Practice A.4., we also present an analysis of current complaints processes for students, employees and the community and recommendations and plans for improving those processes as well.

**Assumed Practice B.2.c.** – Faculty participate substantially in:

1. oversight of the curriculum—its development and implementation, academic substance, currency, and relevance for internal and external constituencies;
2. assurance of consistency in the level and quality of instruction and in the expectations of student performance;
3. establishment of the academic qualifications for instructional personnel;
4. analysis of data and appropriate action on assessment of student learning and program completion.

The HLC requested that the College submit a plan by which it will establish conformity with Assumed Practice B.2.c. because the fact-finding team found that “faculty did not participate substantially in the review and adoption of the new admissions policy.” Specifically, the College was asked to address B.2.c.1. “Faculty participate substantially in oversight of the curriculum—its development and implementation, academic substance, currency, and relevance for internal and external constituencies.” As a result, we have dedicated extra focus to and provided a background for and summary of issues related to B.2.c.1., as well as a plan for improving related processes, in this report. We also demonstrate how the College already conforms with B.2.c.2., B.2.c.3. and B.2.c.4.

In gathering information for this report, the Monitoring Report writing team interviewed dozens of people, including students, faculty, staff and administrators, and reviewed numerous PCC documents (accessible in the report via hyperlinks), as well as documents submitted by external groups.

A draft of the Monitoring Report was placed on the [Pima Addresses Probation webpage](#) of the College’s website from July 3-14. Members of the media, College staff, students and the public were notified of the posting through press releases, internal communications and e-mail invitations. Internal and external constituencies were asked to confidentially comment on the draft and suggest improvements through a survey on the PCC website. Applicable comments were incorporated into the Monitoring Report by the writing team. Some comments received were deemed to be more appropriately handled via the Self-Study due July 2014. These comments were saved and will be used in the preparation of that document. (A note to our public reviewers - although we are currently in this public review phase, this paragraph is written in the past tense in preparation for submitting the report by the end of July. It will be revised as necessary, based on how the public comment process actually proceeds.)



### III. Complaints and Grievances Against the Chancellor

This section of the Monitoring Report begins with a summary of events specifically referenced by the HLC in declaring the College out of compliance with Assumed Practice A.4.: complaints and grievances against former Chancellor Dr. Roy Flores, especially those regarding sexual harassment. The summary is drawn from the [HLC fact-finding team's report](#) and from the [timeline of sexual harassment allegations](#) included as part of the College's response to the fact-finding report.

Following the summary of events is a description of current practices, recent improvements and recommendations to improve processes to bring PCC into conformity with A.4. as it relates to complaints and grievances against the Chancellor. Information is based on review of PCC documents, discussions with PCC's Director of Internal Audit and the College's General Counsel, communications with the outside attorney who provided primary legal services for the College in 2012 and earlier, and media reports. It also includes an examination of policies and bylaws at the College's 11 peer institutions – community colleges of similar size and configuration who serve as benchmarks against which the College can evaluate its operations.

#### Background

Dr. Flores' 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" according to the [HLC fact-finding report](#). Occasional coaching by the Board led to temporary periods of civility, but no long-lasting change in behavior. In reading the fact-finding report, the overarching narrative is of a Board that allowed its CEO to create an inappropriate work environment:

- "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."

- “Official leaders of the PCC 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 PCC 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’s 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.”
- “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.”

Within this pattern of behavior is a specific chronology regarding sexual harassment, drawn from the [HLC fact-finding report](#) and the [timeline of sexual harassment allegations submitted by PCC](#):

- **2008:** According to the HLC fact-finding report, the Board discussed, in a public meeting, that anonymous complaints (unspecified at the time) had been received by the Board. The former Board Chair asked individuals to contact him if there were concerns or complaints.
- **August 31, 2008:** According to the PCC timeline, one Board of Governors member received an anonymous 10-page letter dated August 31, 2008. The letter expressed complaints and concerns regarding Dr. Flores’ behavior in a number of separate incidents. Although the heading, “Sexual Harassment,” appears on the fourth page of the letter, the Board member decided to stop reading the letter before reaching that heading. According to the Board member, it was not clear whether Dr. Flores’ behaviors described

in the first few pages of the letter could or would be deemed inappropriate, due to the lack of explicit details provided. Since the letter did not specify the dates of the incidents or the name of the person being victimized in the incidents, the Board member felt that the complaints and concerns could not be successfully investigated. In addition to failing to read the entire letter, the Board member also did not to inform any other Board members of its existence.

- **2010:** According to the HLC fact-finding report, the College received an anonymous complaint alleging sexual harassment. However, according to the PCC timeline, neither the Board nor the administration was aware of an anonymous complaint being received during this year.
- **2011:** According to the HLC fact-finding report, at an executive board meeting in June, Dr. Flores reported that rumors existed regarding his inappropriate behavior. He vehemently denied such behaviors. The Board took no disciplinary action at this time, nor did it choose to investigate the rumors he reported. At least one Board member described some of the allegations of inappropriate behavior by Dr. Flores as “minor” and did not take complaints seriously if the employee lodging the complaints was not a “good” employee. In addition, the Board member dismissed the complaints if the individual making the claims was a former College employee who left his/her position in disfavor with the College’s administration.
- **July 2011:** According to the PCC timeline, a conversation took place between the Board of Governors member who received the 2008 letter and a former employee; however, their recollections of the conversation differ as to whether the conversation included allegations of sexual harassment by the former employee.
- **October 14, 2011:** According to the PCC timeline, Dr. Flores underwent quadruple bypass surgery.
- **November 18, 2011:** According to the HLC fact-finding report, a Board member received an email stating, in part, “Over the years, women have contacted me about Chancellor Flores and his tendency to try to separate them from their clothing.” This portion of the email did not include any names, dates, or other details of such incidents.

- **December 2011:** According to the PCC timeline, the Board consulted legal counsel at the beginning of the month regarding the complaints received in November 2011. When the complaints were received in November, legal counsel had been traveling out of the country and Dr. Flores was recovering from heart surgery.
- **Jan. 13, 2012:** According to the PCC timeline, Dr. Flores announced his intention to retire due to the condition of his health.
- **February 3, 2012:** According to the PCC timeline, Dr. Flores underwent emergency heart-related surgery.
- **February 5, 2012:** According to the PCC timeline, a former College employee posted a blog complaining about Dr. Flores' treatment of her and other female employees.
- **February 29, 2012:** According to the PCC timeline, Dr. Flores stepped down from his position as Chancellor, while remaining a College employee with consulting duties through June 2013.
- **March 2012:** According to the PCC timeline, the former Chair of the Board of Governors was a guest on a radio talk show, during which he discussed the anonymous allegations of sexual harassment against Dr. Flores and encouraged women with allegations of misconduct to come forward.
- **Last week of March through the first week of April 2012:** According to the HLC fact-finding report and the PCC timeline, eight women (current and former employees) came forward with allegations of sexual harassment against Dr. Flores. Contact with these women took place both on and off campus, with at least one of the women reporting incidents of sexual harassment to her supervisors and to Human Resources employees.
- **March 26, 2012:** According to the HLC fact-finding report, an investigator representing the College's legal counsel interviewed the eight women and gathered their detailed accounts of sexual harassment by Dr. Flores. The investigator, one of the principals of the law firm contracted by the Board of Governors to provide legal advice, is married to an attorney who, in 2012, provided the college's primary legal counsel. 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 Dr. Flores was completed.

- **April 10, 2012:** According to the PCC timeline, College legal counsel met with Dr. Flores to share the allegations of sexual harassment lodged by the eight women and to solicit his perspectives.
- **Mid-April 2012:** According to the PCC timeline, the review concluded that allegations of unprofessional conduct by Dr. Flores were largely credible and that claims by Dr. Flores that the allegations were retaliation by disgruntled employees could not be substantiated. The findings were shared with the Board and with Dr. Flores through his personal legal counsel. According to the HLC fact-finding report, the eight women suffered physically, financially, and emotionally. They experienced retaliation in the form of inappropriate verbal communications and changes in employee working condition following their refusals of Dr. Flores' advances. According to the fact-finding report several were, within approximately six months, disciplined by PCC's Human Resources Department and were demoted or transferred to other positions within the College.
- **April 17, 2012:** According to the PCC timeline, the Board of Governors accepted Dr. Flores' resignation effective June 30, 2012.
- **December 8, 2012:** An article in the [Arizona Daily Star](#) reported that the Board's attorney confirmed the College paid a \$30,000 out-of-court settlement to one of the eight women who complained of being sexually harassed by Dr. Flores.

## Current Processes

### Common Policy and Practices Regarding Investigation of the Chancellor

In addressing processes regarding complaints and grievances against the Chancellor, one must focus on the policies and procedures of the Pima County Community College District (PCCCD) Governing Board. This five-member elected board is empowered by [state statute](#) to govern districts such as the PCCCD. Governing Board members represent districts covering Pima County in southern Arizona, and are elected to six-year terms.

Through policies that will be described below, the Board acknowledges its unique role in hiring and directing the Chancellor. Additionally, on Page 2 of its [response to the HLC 2013 fact-](#)

[finding report](#), the Board described the Chancellor as the “one employee over whom it has direct supervision.”

Three current Board members have served since 2000, and the terms of four of five Board members last at least through 2016. Thus, barring unforeseen circumstances, responsibility for current practices and for change ultimately rests with the current Board.

The Board has twice approved language to Subsection E, Investigations, of Section V, Code of Conduct/Discipline, in the Personnel Policy Statement for College Employees, known as Common Policy, to specify procedures for investigating the Chancellor. This is notable because an examination of bylaws and policies at the College’s 11 peer institutions reveals that none has delineated a specific process for investigating complaints made against the Chief Executive Officer. The first change occurred in [2010](#) (page 3), adding language that “matters concerning a Chancellor should be referred to the Employee Relations Office,” and directing the Employee Relations Office to forward the matter to the “Board’s attorney,” who will inform the Board of Governors.

Page 50 of the [Common Policy](#) was amended in June 2012 to read:

“Matters concerning a Chancellor shall be referred to the Employee Relations Office, Board of Governors Chair, Board’s attorney or the College’s compliance and ethics hotline. Matters concerning the Chancellor received by the Employee Relations Office or the College’s compliance and ethics hotline will be forwarded to the Board’s attorney, who will inform the Board of Governors.”

Below are four areas in which the language of the above section, or its attendant procedures and Board policies, could be addressed:

1. The process described in Common Policy mandates that complaints received by Employee Relations, and the complaint and grievance hotline, which is the responsibility of the Director of Internal Audit, be sent to the College’s attorney, who has a duty to

report them to the rest of the Board. The process does not impose a similar responsibility on the Board Chair. This should be addressed. Moreover, the duty imposed on the College's attorney comes from [Arizona Rule of Professional Conduct ER1.13 \(b\)](#), which specifies that an attorney working for an organization has a duty to report concerns about "an officer, employee or other person associated with the organization" to that organization's highest level of authority, which in PCC's case is the Board. No Board policy contains this responsibility. Spelling out this duty in Board Policy would provide an additional level of assurance for the public.

2. The current policy does not specify who will conduct investigations of the Chancellor. Current practice, put into effect by the General Counsel since his hiring in January, is for outside legal counsel under contract for 2013-14 to lead investigations against the Chancellor, not the General Counsel, in order to help reduce perception of conflicts of interest stemming from having the General Counsel, who reports directly to the Chancellor, lead an investigation of charges against the Chancellor. The Common Policy should be updated to reflect this practice.
3. According to Page 6 of the [HLC's fact-finding report](#), the Board delegated the March-April 2013 investigation of sexual harassment allegations against Dr. Flores to an attorney working for the firm under contract with the College to provide its primary legal representation. This practice needs to be addressed in order to further minimize perceptions of a conflict of interest that might arise through the contractual obligations of the parties. Moreover, College policies, regulations and guides of standard practice should clearly delineate external avenues that exist for PCC employees to bring complaints against the Chancellor and other high-level administrators, along with the rights and responsibilities of complainants, timelines, as well as complete explanations of due process, confidentiality and other issues.
4. As previously stated, in January 2013, following an external recruitment, the Governing Board hired a General Counsel to lead and coordinate the College's legal affairs. In the absence of an internal legal resource, PCC in recent years had utilized one primary



outside counsel to address legal concerns that have arisen in College operations. Changes should be made in the wording of the Common Policy on investigations and in other relevant PCC documents, in order to eliminate potentially confusing references to “Board” attorneys when the reality is that all attorneys under contract with PCC are employed by the College.

### **Process for Recording Complaints and Grievances Against the Chancellor**

As the sole supervisor of the Chancellor, the Board has the responsibility to closely study the number, source, nature and resolution of complaints against the Chancellor in order to spot trends and fix problems, and thus comply with A.4.’s provision that an institution “analyzes [complaints] to improve its processes.”

Complaints against the Chancellor can come from myriad sources: students, faculty, staff, administrators, community members. And they can be made in myriad ways – phone calls, postal correspondence, emails, and meetings between an employee and a supervisor.

Currently, the Board receives a comprehensive report of complaints received through its compliance hotline, [EthicsPoint](#), including those about the Chancellor, from the Director of Internal Audit. (The College began using EthicsPoint, a comprehensive and confidential, to the extent allowable by law, complaint reporting tool for employees to report concerns and/or file complaints, as its compliance hotline in September 2012.) These reports occur quarterly, with the most recent report delivered in a [Governing Board Executive Session on June 19, 2013](#).

Employee Relations, which is within Human Resources and maintains primary responsibility for handling employee complaints (excluding EEO/Affirmative Action/ADA issues), does not deliver the Board a similar report. It is unclear if the Board Chair or the EEO/Affirmative Action/ADA office, which also can receive complaints about the Chancellor, makes separate reports to the entire Board of complaints they have received directly. In any case, on page 2 of the [response to the HLC fact-finding report](#), the Board said that “the College must improve its methods for collecting and reviewing information” about the Chancellor. The Board should explore ways to create and implement a comprehensive system for tracking complaints against the Chancellor.



## **Process for Handling Anonymous Complaints**

Complaints about Dr. Flores were made by individuals who wished to keep their identity secret, according to pages 5-6 of the [HLC fact-finding report](#). For example, in 2008, the Board Chair received a letter detailing several complaints, including allegations of sexual harassment by Dr. Flores. The Board Chair at the time says he did not follow up or bring the letter to the attention of the entire Board. Given it is reasonable to assume many complaints against the Chancellor will be from individuals who will seek to shield their identities, the Board needs to create an atmosphere and adopt an approach that encourages those with complaints to come forward, whether by name or anonymously. As it is possible to investigate anonymous complaints, the Board should explore processes and technologies that could provide an opportunity for follow-up and investigation of complaints made by those who wish to remain anonymous. All process changes should be grounded in preservation of proper due process for both complainant and Chancellor.

## **Board Bylaws**

The rules that define the operation and responsibilities of the Board are known at the College as [Board Bylaws](#). Article XII, Section 2, Subsection C of the bylaws, regarding orientation sessions for newly elected or appointed Board members, lists “Complaint handling” as an orientation topic and includes the following procedures:

- Let person know complaint will be referred to the Chief Executive Officer
- Contact Chief Executive Officer
- Chief Executive Officer will verify response is made to person making complaint
- Chief Executive Officer will verify Board member is notified of resolution of complaint.

On January 18, 2013, Board members, including a new member elected in November 2012, attended a Special Board Meeting described as “Board Training and Retreat,” where they received information from a representative of the Association of Community College Trustees (ACCT) and the Board Attorney (College’s contracted legal counsel). Neither [the agenda for the meeting nor the outline of the Board Attorney’s remarks](#) contains a specific reference to complaints or grievances, which is notable given that the Board’s process for addressing

complaints against Dr. Flores was a subject of intense public interest through much of 2012. The Board Attorney believes that he reminded Board members to turn in complaints, claims and lawsuits, as it is part of the outline topic on Board responsibilities. However, it is not apparent that the Board received detailed information about the College's very specific procedure for investigations against the Chancellor.

In any case, the process referenced in Article XII (which has not been revised since 1990) does not comport with current College practice, which does not place the Chancellor in the reporting loop in order to help keep the identity of complainants about the Chancellor secret from the Chancellor should they choose to remain anonymous before an investigation is conducted.

### **Benchmarking: Policy and Bylaws**

Revising Article XII would be a good start at bylaw revision, inasmuch as Chancellor Lee D. Lambert, who began his tenure with the College on July 1, 2013, has indicated the Chancellor's Office will work with the Governing Board on a comprehensive review of its policies and bylaws. The review would demonstrate compliance with Assumed Practice A.4. and would be timely, as 11 of the Board's 12 bylaws have not been amended in this century. (Article X empowers the Board, at its sole discretion, to "periodically review and, if it deems it necessary, amend" bylaws, but evidence of a recent comprehensive review is not apparent.)

As part of this review, the Chancellor Lambert, who began his tenure with PCC on July 1, 2013, has directed the College to compare Board bylaws and policies against its peer institutions. A summary of benchmarking follows.

Only one [PCC Board Policy, 1502: College Organization](#), references the relationship between the Board and the Chief Executive Officer:

The Chief Executive Officer of the College is charged by the Board of Governors with the responsibility for implementing the goals and policies of the College as established by the Board. The Chief Executive Officer is expected to design, implement and evaluate an organizational structure for the College. In carrying out the goals and policies, the Chief

Executive Officer shall place College functions and activities under administrators and establish reporting lines in the manner felt to be most effective to meet the established goals and policies of the Board.

Article XI, Section 2(5) contains the only substantial reference in Board Bylaws to the Chancellor: It is among the Board's legal powers and duties to "Appoint and employ a chief executive officer . . ."

Though Board bylaws and policies at PCC and peer institutions have much in common, five peer institutions define CEO duties and responsibilities to a more detailed degree than does PCC, including the Chancellor's duties; grounds for suspension, dismissal and non-renewal of contract; strategic planning; and evaluation.

Investigating changes in PCC's Board processes for evaluating the Chancellor would be especially relevant to demonstrating compliance with A.4., as it seems logical to hold that the systematic analysis of complaints and grievances would be part of a comprehensive regular evaluation of the Chancellor. Moreover, Chancellor Lambert has indicated [publicly](#) that "greater monitoring of the Chancellor" should be a priority for the upcoming year.

From 2003-2012, the [employment contract](#) entered into by the Board and former Chancellor Flores contained the following section: "Evaluation: The Board shall evaluate the Chancellor annually. The evaluation is a confidential 'Executive Session' process. There shall be no public comment by either party in the event of any dispute related to the Chancellor's performance." Chancellor Flores' employment file does not contain evaluations from the Board for this time period.

Page 3 of the [employment contract entered into by the Board and Chancellor Lambert](#) contains a slightly expanded reference to evaluations:

Annual Evaluation and Option to Conduct Additional Evaluations: In March, April or May of each fiscal year, the Board shall schedule and hold a personnel executive session

for the purpose of conducting an annual evaluation of the Chancellor's job performance. At such executive session, each individual Board member shall be given the opportunity to discuss with the Chancellor that Board member's opinions concerning the Chancellor's job performance. In addition to the annual evaluation referenced above, the Board may, in its discretion and at any time, schedule and hold one or more additional personnel executive sessions for the purpose of conducting additional evaluations of the Chancellor's job performance.

In contrast, at least three peer institutions detail an extensive process for evaluating the chancellor, including detailed rationale and timelines and areas of evaluation. The Chancellor and Board should work toward a more clearly developed evaluation process. The objective of the evaluation would be improvement and transparency. The evaluation would include clear expectations from the Board regarding the Chancellor's responsibilities and behavior; annual goals for the Chancellor to meet; and a reliable, specific method for gathering information to determine if those goals have been met.

## **Recent Improvements**

### **Transparency**

Following benchmarking, it was determined that among its eleven peer institutions PCC stood with two other community colleges in not publishing Board bylaws or their equivalent on their institutions' public websites. The College began publishing the bylaws, which contain the aforementioned references to complaint-reporting procedures, on its [Board of Governors webpage](#) on June 4, 2013, in order to improve compliance with A.4.'s "clear information" provision.

### **Professional Development for the Board of Governors**

The HLC noted in its fact-finding report that Board members have not received any training in the detection and reporting of sexual harassment. In June 2013, Interim Chancellor Dr. Zelema Harris emphasized to Board members the importance of undertaking a comprehensive process of improvement and engagement over the next 18-24 months. As a result, the College has [contracted with the Association of Community College Trustees](#) to survey the Board's training

needs and to suggest an array of development activities. Board members have said they are committed to increasing their knowledge and skills. Chancellor Lambert has told the College community that the Board's development is one of his top priorities so that it becomes "more sophisticated" about the operation of community colleges, and specifically PCC.

Toward that end, in May 2013 the Board [received information](#) from the College's Higher Learning Commission liaison, Dr. Karen Solomon, and from education consultant Dr. Cecilia López. Dr. Solomon presented information regarding probation and PCC response obligations, new accreditation criteria and the role of the HLC. Dr. López, who served as Associate Vice Chancellor for Accreditation and Assessment for the City Colleges of Chicago, shared perspectives and experiences from her career related to managing change in post-secondary educational institutions and addressed accreditation-related issues. In June 2013, Dr. Kay McClenney, a nationally recognized expert in community college student success [made a presentation to the Board](#) on college completion and developmental education.

### **Recommended Improvements**

As a finalist for Chancellor, Chancellor Lambert indicated in public forums that he would work with the Board to find and implement models of institutional governance. In [media interviews conducted on June 13](#), he said a new system would be among his priorities and would include a "more clearly articulated" relationship between the Board and Chancellor, so that "I better understand what I have the authority to do, what I don't have the authority to do," along with better reporting to the Board about "how the College is serving students and the community." As the College moves toward that goal, "we'll start to restore some of the credibility that is necessary as an institution of higher learning," he said.

The following recommendations can form the foundation for a new Board-Chancellor relationship. The Chancellor's Office and Board should work together to:

- Review and update [Board Bylaws](#) and [Policies](#) to align them with peer institutions, to adopt best practices, and to implement a governance model with a demonstrated record of success

at other community colleges, with the overall goals being improved clarity, transparency, and trend analysis.

- Develop a more clearly developed evaluation process for the Chancellor. The objective of the evaluation would be improvement and transparency.
- Continue to develop a comprehensive regimen of professional development for the Board that will aid in the development of an institutional governance model, and increase Board knowledge and skills regarding sexual harassment reporting and procedures, the HLC's Assumed Practices, and other topics.

The following recommendations can help bring the College into compliance with Assumed Practice A.4. as it relates to complaints and grievances against the Chancellor. The College should:

- Review Common Policy regarding the efficacy of:
  - Codifying that investigations of the Chancellor be conducted externally, and not by the General Counsel, to avoid perceptions of potential conflicts of interest.
  - Specifying the General Counsel's duty to share directly with the Governing Board complaints about the Chancellor.
  - Rewriting policies, regulations and practice guides to eliminate potentially confusing references to "Board" attorneys by identifying all attorneys under contract with PCC as "College" attorneys who, except in narrowly defined cases, represent the interests of PCC as a whole, thus reinforcing that the Board is aligned with College interests, goals and mission.
- Explore ways to 1) compile a single, complete record of complaints against the Chancellor for examination by the entire Board, and to 2) supply internal and external constituencies an aggregate annual summary that contains substantive data and insights regarding complaints against the Chancellor while honoring confidentiality, to the extent allowable by law, of both the complainants and the CEO.
- Explore methods for appropriate departments to secure external investigation resources that have minimal contractual history with the College on an as-needed basis.

- Explore with the Board processes and technologies that could provide an opportunity for follow-up and investigation of complaints made to the Board by those who wish to remain anonymous.

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## **IV. Community Complaints and Grievances**

In reviewing the College's complaint processes, it was determined that the community has few avenues for making complaints or providing feedback to the College. Furthermore, the available processes are primarily informal, with only two formal avenues available to the community. The information in this section will describe the current processes and recommended improvements to bring the College into full compliance with Assumed Practice A.4. with regards to community complaints by July 2014.

### **Current Processes**

#### **Informal Processes for Community Complaints and Feedback**

The main points of entry, which are informal avenues, for complaints from the community and their associated processes are described below. It is important to note that these are the areas that most community complaints are received and that these avenues for receiving complaints are not part of any regular, codified process, nor are they advertised or promoted as such to the community. In light of there being only two formal processes for lodging formal complaints (see Board of Governors Intake of Complaints and Feedback below), the community has learned through trial and error that the areas described below are the most readily available options for providing feedback to the College.

#### **Chancellor's Office and Public Information Office Intake of Complaints and Feedback**

Community members may visit in person, call, submit letters or send emails lodging complaints or sharing concerns or feedback about the College to the Chancellor's Office and/or the Public Information Office. In the Chancellor's Office, these complaints and feedback are triaged on a case by case basis by the Chancellor and other staff in the Chancellor's Office and assigned and responded to by the Assistant Vice Chancellor assigned to the Chancellor's Office, Internal Auditor, College Attorney, Chancellor or others as deemed appropriate depending on the subject. Complaints provided to the Public Information Office are also triaged and handled in a similar manner. In both instances, however, no formal processes exist for how triage, follow-up, complaint closure and reporting will be handled. These Community complaints and feedback are not tracked for quantity, subject matter or outcome.



### **Contact Us Link on College Website Intake of Complaints**

Feedback and complaints from the community provided through the [Contact Us](#) page on the College's web site are triaged on a case-by-case basis by Information Center staff and assigned and responded to by whoever is deemed to be the most appropriate based on the subject matter. No formal processes exist for how triage, follow-up, complaint closure and reporting will be handled. These Community complaints and feedback are not tracked for quantity, subject matter or outcome. Anecdotally, the vast majority of comments that come in through this portal are general questions from current or prospective students, not complaints or feedback from the community.

### **Formal Processes for Community Complaints and Feedback – Board of Governors Intake of Complaints and Feedback**

Community members currently have just two formal ways of submitting feedback or complaints to the College: via complaints and feedback to the Board of Governors made either directly to individual members of the Board or public comment at Board of Governors meetings.

### **Direct Contact with Any Member of the Board of Governors**

Community members may speak in person, call, submit letters or send emails lodging complaints or sharing concerns or feedback about the College to any member of the Board of Governors. These complaints and feedback are triaged on a case-by-case basis by each individual Board member. As previously noted, Article XII of the [Board Bylaws](#) outlines the following process for handling of complaints by Board members.

Board Bylaws, Article XII, Section 2, (E) Complaint handling

- (1) Listen.
- (2) Ask questions sufficient to verify the nature of the complaint.
- (3) Avoid pursuing questions on an item which could potentially be a matter that would ultimately come before the Board of Governors for a decision.
- (4) Urge the complainant to use existing college procedures for resolving problems.
- (5) Let person know complaint will be referred to the Chief Executive Officer.

- (6) Contact Chief Executive Officer and explain nature of complaint.
- (7) Chief Executive Officer will verify response is made to person making a complaint.
- (8) Chief Executive Officer will verify Board member is notified of resolution of complaint.

A key weakness in this process is that it calls for all complaints to be referred to the Chief Executive Officer (Chancellor), but does not include a process for how complaints made against the Chancellor are handled, and it would be clearly inappropriate to refer complaints about the Chancellor back to the Chancellor. Additionally, Article XII of the Board Bylaws has not been reviewed or revised since May 14, 1990. And, as part of the process outlined in Article XII, the Board member is asked to urge the complainant to use existing College procedures for resolving problems. However, as demonstrated previously, there are no other formal College procedures for how community members can work with the College to resolve problems. Finally, nothing appears in the Board Bylaws that requires Board members to share complaints received individually with each other.

It is important to note that individual contact information for Board members is not available on the PCC website. The only contact information available is a single phone number (which is a PCC extension answered in the Chancellor's Office) and a mailing address (which also goes to the Chancellor's Office). If an individual calls the Board contact extension, it is answered by a support person in the Chancellor's Office. These calls tend to be for specific Board members and the names and phone numbers of the callers are captured and provided to the appropriate member. Letters addressed to the entire Board are opened, copies are made, and the letters are sent to the Board members as part of their weekly communication packet. Letters addressed to a specific Board member are left unopened and are forwarded to just that Board member. If a community member wishes to contact a Board member without going through the College, they must find personal contact information for Board members on their own.

Finally, for all intake methods, no formal process exists for how quickly follow-up will occur. These community complaints and feedback are also not tracked for quantity, subject matter or outcome.

### **Public Comment at Governing Board Meetings**

Community members can provide formal feedback or complaints to the Board of Governors during the public comment portion of each regular Board of Governors meeting. The first item on the [agenda](#) of every regular Board meeting, following the call to order and the pledge of allegiance, allows for public comment and reports. Those wishing to make a public comment are asked to fill out a [comment card](#), which is collected and used by the Board Chair to manage the public comment portion of the agenda. These completed comment cards are filed in the Chancellor's Office. The parameters for public comment and reports as outlined in the agendas are:

*The Pima Community College Board of Governors welcomes public comment on issues within the jurisdiction of the College. Comments should be limited to five minutes per individual. At the conclusion of public comment, individual Board members may respond to criticism made by those who addressed the Board, may ask staff to review a matter, or may ask that a matter be put on a future agenda. Members of the Board, however, may not discuss or take legal action on matters raised during public comment unless the matters are properly noticed for discussion and legal action. Finally, be advised that internal College processes are available to students and employees for communication.*

No formal process exists for how quickly follow-up will occur. These community complaints and feedback are not tracked for quantity, subject matter or outcome.

### **Recommended Improvements**

Based on the weaknesses identified above, it is recommended that the following improvements for how the community can provide feedback and lodge complaints against the College:

- Formal, consistent processes need to be put in place to facilitate community complaints and feedback to address all of the weaknesses identified above. Multiple intake avenues should be formalized and available, but all should funnel to one place with the ability to conduct triage and investigations, address the problem, track quantities and trends using a database, ensure follow-up and closure.
  
- The Board Bylaws, including the complaints process, need to be reviewed and updated. As part of this review and updating, it is recommended that a new, separate article in the Bylaws be dedicated specifically to complaint handling by the BOG (separate from the Orientation article). The content for this new article should be applicable to complaints articulated to individual Board members, as well as those received during public comment at BOG meetings. Board members must be trained on the revised processes. The processes should be consistent with other College complaint handling processes and should include:
  - transparency (no board member should have the option of not sharing a received complaint with fellow Board members),
  - how triage and investigations will be handled,
  - tracking quantities and trends with a database,
  - ensuring follow-up and closure, and
  - how to address complaints and feedback that are regarding the Chancellor, since the current process calls for referring complaints back to the CEO.
  
- A single email address or online “contact us” form that routes email to all Board members should be made available on the PCC website so the community has a direct path to provide feedback to BOG members, without any filter in place between them and any College office or department. Feedback received in this fashion would go to all Board members at once, not just one or a select few. This email address should be actively promoted to the community as an avenue for making complaints and providing feedback to the Board.

## V. Student Complaints and Grievances

The College provides students with both informal and formal processes for bringing forth concerns. In researching these processes, many inconsistencies in the application of the College student complaint processes were found. Furthermore, a comprehensive review of Board Policies, College Regulations, Standard Practice Guides, the College website, the [Faculty Personnel Policy Statement](#) (FPPS), as well as interviews with [staff](#) and [students](#) revealed that the College is out of conformity with Assumed Practice A.4., “The institution provides clear information regarding its procedures for receiving complaints and grievances from student and other constituencies, responds to them in a timely manner, and analyzes them to improve its processes.” The information in this section describes the current processes and recent improvements made. In addition, recommended improvements are made for bring the College into full compliance with Assumed Practice A.4. with regards to student complaints by July 2014.

### Current Processes

The official [student complaint process](#) is on the public website as part of the Student Code of Conduct page. On this page, a complaint is defined as “...a concern that a policy or procedure of the College has been incorrectly or unfairly applied in his/her particular case, or a formal charge against a person’s behavior.” However, there is no definition or mention of a ‘grievance’ process for students.

The informal complaint process is outlined in the following table.

<b>Complaint Against or About:</b>	<b>Contact:</b>
Staff	Staff Person or the Area Supervisor
Regular Faculty	Faculty member, then the Academic Dean

Adjunct Faculty (part-time)	Faculty member, then the Department Chair, then the Academic Dean
Administrator	Administrator or next level Administrator
Grade	Instructor, then the Academic Dean
Customer Service	Area Supervisor
Security/Safety	Campus Police/Department of Public Safety

According to the website, if an issue is not resolved following the informal complaint process, students may file a formal complaint in writing with the appropriate campus administrator.

Student complaints, formal and informal, are separated into the following three categories:

College Related: College related complaints are “complaints against staff, policies, procedures, or other actions or inactions of the College.” The process outlined on the website is somewhat convoluted, with conflicting timelines and an unclear definition of working days. Students are directed to pick up a “student complaint packet,” however there is no such packet.

Faculty Related (not grade related): No definition is provided for this complaint, so it is unclear how it differs a college related complaint. Also, there is no timeline for faculty to resolve informal complaints and no information regarding next steps if faculty does not get back to them.

Grade Complaints: No definition is provided for this complaint. An informal process is listed, but does not does not have timelines. Students are directed to file a formal complaint via the online Student Complaint Form, however the next written directs the student to submit a written request for a meeting to resolve the complaint. This is clearly conflicting information. A mediation hearing committee is referred to in the formal process, however, based on interviews with administrators, this process is handled inconsistently from campus to campus.

There are several problems overarching the processes, including:

- The first step of each formal process seems to be just a repeat of the informal process.
- Inconsistent goals for each of the complaints.
- Inconsistent timelines.
- In one paragraph, students are directed to complete the online complaint form, yet another paragraph tells them they must submit their complaint in writing, gives the guidelines for this written statement and doesn't ever refer back to the online complaint form.
- The student complaint form link that is on each of the complaint process pages reaches different forms, depending on the link you click on – one is to an old version of the form and the other is to the current form. Both forms have a dead link at the bottom.

In addition to the complaints processes on the [student complaint process](#) web page just described, the page also includes information on the [Equal Opportunity Policy and Americans with Disabilities Act \(ADA\)](#). No process is provided for how students go about making complaints related to the Equal Opportunity Policy or ADA. Additionally, a review of other EEO/ADA information on the PCC website reveals inconsistent information, references to forms that no longer exist and processes and people that no longer exist (e.g. intake interviewers at campuses).

### **Complaints from Various Sources**

Although the official [student complaint process](#) is listed on the website, student complaints are also submitted in multiple other ways.

- The College's portal, MyPima, has a suggestion box (see MyPima Suggestions in the screenshot below) for feedback. Anecdotally, students use this box to submit complaints and comments. These complaints go to the College webmaster, who triages and refers them to appropriate District Office and campus and administrators as needed. There is no official tracking mechanism, except for an electronic storage folder where emails are filed. No formal process exists for triage, how quickly follow-up will occur or how complaint closure and reporting back will be handled. These complaints and feedback

are not tracked for quantity, subject matter or outcome. This feedback channel is only available to current students, employees and faculty.



- On the public website, via the [Contact Us](#) link, students may submit complaints to the Information Center. However, no formal process exists for triage, how quickly follow-up will occur or how complaint closure and reporting back will be handled. These complaints and feedback are not tracked for quantity, subject matter or outcome.
- Student complaints are received in person and over the phone by staff in the student services centers, campus administrative offices (Presidents, Vice Presidents of Student Development and Instruction), District Offices (Chancellor, Provost, Finance, Information Technology, Information Center, Registrar, Information Center and Financial Aid). Anecdotally, it appears that staff who receive student complaints rarely refer students to the website to explain the process. In addition, very few staff members who were interviewed were able to identify the different complaint processes available to students. Lack of guidance and training regarding complaint processes was evident. No formal process exists for triage, how quickly follow-up will occur or how complaint



closure and reporting back will be handled. These complaints and feedback are not tracked for quantity, subject matter or outcome.

- Comment Cards are available on each of the campuses and in each main District Office unit. Typically, these cards are used to file complaints. The handling of complaints received on these cards is inconsistent from campus to campus.

Finally, it is important to note that although a form was created to log student complaints during 2010, only one campus still uses the [log](#) in 2013. Complaints are logged in some form at each location, however, the process on how complaints are handled and logged is inconsistent and is not shared or tracked, a direct violation of [College Regulation 3502/D](#).

## Recent Improvements

Based on the research and review presented in the previous section, the following improvements were made to the student complaints processes.

- Information on the website was reviewed and conflicting information was removed. (To compare, see Student Complaint Processes webpages for [June 4](#) vs. [June 5](#), and the Student Complaint Form for [June 12](#) vs. [June 13](#).)
- Staff and administrator interviews were conducted to gain a better understanding of how student complaints are actually handled and a group representing instruction (three Vice Presidents of Instruction, one Academic Dean), student development (three Vice Presidents of Student Development and one Student Services Manager) and the Senior Assistant to the Provost and Executive Vice Chancellor (this position has oversight of Disable Student Resources) was brought together to identify needed changes. Based on their discussions, the following revisions were made to the student complaint process:
  - The student complaint process was separated from the student code of conduct page to a different page.
  - The [student complaint form](#) was corrected, made to be a fillable PDF, and other links and contact information were corrected.
  - In early July 2013, the Vice Presidents of Instruction, Vice Presidents of Student Development, the Division Deans were [reminded](#) to use the approved student

complaint [log](#) and submit completed logs to the Assistant Vice Chancellor of Student Development at the conclusion of each semester for College-wide logging and tracking purposes.

- Inconsistent information on the website was revised, such as:
  - redundant processes were deleted;
  - timelines were reviewed updated;
  - consistency from process to process was improved;
  - added language to inform students that some specialized programs have different complaint procedures (e.g. appeal of academic issues, reentry into nursing program, vet tech); and
  - clarified which processes supersede other processes.

The corrected websites will be copied as PDFs and will be linked by end of July 2013.

## Recommended Improvements

Based on the weaknesses identified above, it is recommended that the following improvements be made to the student complaints processes:

- A full review of the student complaints processes should be conducted and improvements implemented to ensure consistency and that they are clear and easy to navigate.
- The terms “informal” and “formal” should be clarified to erase the invisible lines with respect to the terms that continue to cause levels of confusion and frustration for College employees and students.
- The College should review the efficacy of creating a comprehensive database tracking of complaints as well as identify any emerging trends that may need immediate, preventive attention.
- The College should consider implementing continuous training for staff at all levels to understand the College’s Policies and Procedures related to student complaint process.
- Review, revise, and cross-reference applicable Standard Practice Guides, Regulation Guides and Board Policies, as needed. Specifically, [College Regulation 3502/D Record of Student Complaints](#) was approved in March 1999 and has not been reviewed since that

time. This regulation is cross referenced to [Board Policy 3502 Official Student Records](#), which also has not been revised since March 1999. This Board policy is cross referenced with [Board Policy 5602 Data and Information Sharing](#), adopted in February 1992.

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## VI. Employee Complaints and Grievances

The College's complaint and grievance procedures for employees have both informal and formal processes that allows for these constituent groups to bring concerns to the College's attention. While there are written procedures in place for filing a grievance, as defined in the College's [Personnel Policy Statement for College Employees, 2012/2013](#), there is no clear, documented procedure for employees, including faculty, wishing to file a complaint that does not fall within the identified scope of the grievance process. Research conducted as part of this report supports a level of inconsistency in the application of the College's complaint and grievance process. Additionally, while the College has taken proactive measures to address concerns raised in the [HLC fact-finding report](#) with respect to complaints and grievances, there are identified improvements that the College will move forward in an effort to take corrective, proactive measures to bring identified areas into full compliance.

While there are needed improvements in how the College addresses complaints and grievances, there are multiple avenues that are available to College employees that afford the opportunity to file a complaint and have the complaint promptly addressed. The avenues for filing a complaint are identified below.

### Current Processes

#### EEO/AA/ADA Complaints

Pima Community College (PCC) has a policy prohibiting discrimination in employment on the basis of race, color, national origin, religion, sex, sexual orientation, disability or on the basis of membership as set forth in [the Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#). [PCC's Board policy \(BP-1501\)](#) is supported by [Pima County Community College District Standard Practice Guide \(SPG\) 1501/AA, Procedures for Complaints of Discrimination, Harassment and Retaliation](#).

The process, as outlined in [SPG 1501/AA](#), for filing an EEO-related complaint varies for PCC stakeholders. However, if an employee or PCC student believes that they have been the victim

of discrimination, harassment and/or retaliation, the can report or file a complaint as described below.

- EEO-related complaints **against** a PCC student may be filed with and investigated by the appropriate Vice President of Student Development (VPSD) who shall consult with the EEO/AA/ADA Officer and/or their designee, as appropriate. Information for students wishing to file an EEO complaint **against** faculty, and/or other employees may be found in [SPG 1501/AD; ADA & Equal Opportunity Reasonable Accommodation Guidelines for Students](#). General information is provided in the SPG. However, the process is not clear.
- EEO-related complaints against the Chancellor an Executive Administrator may be filed directly with the College's Board of Governors Chairperson, the College's legal counsel, the College's Human Resources Department including the EEO/AA/ADA Office and/or the Compliance and Ethics Hotline (EthicsPoint). Should Human Resources, including the EEO/AA/ADA office and/or the Compliance and Ethics Hotline, receive a complaint regarding the Chancellor or an Executive Administrator, the complaint shall be immediately referred to the College's legal counsel.
- EEO-related complaints against the EEO/AA/ADA Officer or Title IX Coordinator may be filed with PCC's Chief Human Resources Officer.
- EEO-related complaints of disability discrimination by PCC students may be filed with the College's EEO/AA/ADA office.
- EEO-related complaints against a contractor who is procured by the College may be filed and investigated by the Executive Vice Chancellor for Administration. Since the Executive Vice Chancellor is not a trained fact-finder, the College shall consider assigning the EEO Officer or his/her designee as the investigative fact-finder, with the Executive Vice Chancellor serving in a consultative and/or witness role.
- All other EEO-related complaints may be filed with the EEO/AA/ADA office.

Complaints filed and meeting the threshold pursuant to [BP-1501](#) and [SPG-1501/AA](#) are immediately investigated by the EEO/AA/ADA Officer and/or their designee, within 45-60 calendar days. Subsequent to the investigation, a finding is issued with recommendations for

corrective action, if appropriate. It is not clear in the language that the findings will be issued in writing. There are several layers of the appeal process under SPG-1501/AA, including the Chief Human Resources Officer and the College's Chancellor or designee. Some of the language in the SPG is unclear and should be reviewed in an effort to provide clearer, more defined guidance to College employees, including faculty.

### **Human Resources Employee Relations Complaints**

The Employee Relations (ER) division, which is part of Human Resources, maintains files of employee complaints that were either directly investigated by ER or that ER provided consulting services to other College constituencies conducting fact-finding of employee complaints. However, when and how cases were opened, investigated or closed is not evident in the majority of the files, and as such, there is no notation of the disposition of the complaints. Following this discovery, other research and full review of processes, it is clear that the College does not have a clear, consistent process for investigation and tracking of complaints, or for employees to file a complaint with Employee Relations, including at the campus and departmental level. The [Personnel Policy Statement for College Employees, 2012/2013](#) has guidance for the complaint process, however, it is not supported by a documented, inclusive step-by-step complaint process.

It should be noted that in the [College's Faculty Personnel Policy Statement, Article IX. Complaints Concerning Faculty](#), a process for complaint procedures is in place for complaints **against** a faculty member; however, not for a faculty member to file a complaint against another (e.g. VPI, Academic Dean, Department Chair). Most notable is the lack of a database for complaint tracking, which is needed to address any emerging trends.

### **EthicsPoint Complaints**

The Compliance and Ethics Hotline ([EthicsPoint](#)) was implemented on September 17, 2012. The primary monitoring of EthicsPoint is assigned to the [Internal Auditor](#), with secondary monitoring assigned to the College's legal counsel. EthicsPoint serves as a comprehensive and confidential, to the extent allowable by law, complaint reporting tool in an effort to afford employees another method to report concerns and file complaints. These concerns and complaints by employees may be filed anonymously or the employee may self- identify.

Employees wishing to report a concern or file a complaint may do so using the Internet or telephone. EthicsPoint reports are only available to specific individuals within the College who are charged with evaluating the report, based on the type of issue and location of the incident. Each of these report recipients has received training in maintaining confidentiality as appropriate. (For background, see an [EthicsPoint FAQ for employees](#), Outline, [Investigations Protocol](#), and [benchmarking](#) against other institutions that use the resource.)

Investigations conducted by the [Office of Internal Audit](#) include, but are not limited to, interviews, examination of documents, system inquiries (databases, how things work), review of College policies and procedures and physical inspection. An investigation plan is documented supporting method of approach; however, depending upon the nature of the investigation, additional steps may be necessary and added to the investigative plan. Internal Audit investigations are done in a timely manner with an anticipated closure of 15 work days. (The Internal Auditor has determined that they will change their procedure to extend the closure timeline to 30 days.)

Once an investigation is completed, Internal Audit communicates the result, via EthicsPoint, as appropriate, to the complainant, the appropriate level of management and any areas with a “need to know” (e.g. General Counsel, Human Resources, and Public Safety). A general summary of hotline complaints and the outcomes are reported to the Chancellor and the Board of Governors on at least a quarterly basis.

## **Grievances**

There is currently a [Grievance Procedure](#) in place that the College recognizes as inconsistent. A major concern with the existing procedure is that it lacks specificity in distinguishing at what step a grievance is on at any given time. In addition, it is acknowledged that there appears to be inconsistency in the grievance procedure as to when a non-attorney employee representative may initially step into the grievance process and represent an employee and where the employee representative’s level of authority lies. The problems with the current grievance process may not be limited to the process itself, but whether or not it is implemented consistently. Appropriate

training on the grievance procedure must be considered to ensure consistent application of the process.

The [Personnel Policy Statement for College Employees, 2012/2013, Section VI. Grievance Procedure](#) defines the process for employees filing a grievance. Employees are encouraged to initiate the grievance process at the Request for “Informal” Resolution, however, should resolution not be achieved at this level, then the grievant may move forward in the process until such time that resolution is achieved or that a final determination is made at the Chancellor or designee level. Clarification of an “informal” grievance versus a “formal” grievance is needed to streamline the grievance process.

### **Whistleblowing**

In the College’s [Personnel Policy Statement for College Employees, Section V. Code of Conduct, C. Reporting Violations of Law and College Policy \(Whistle-blowing\) and D. Whistle-blowing Protection](#), it is a prohibited personnel practice for an employee who has control over personnel actions to retaliate against an employee for disclosing information that may be of public interest that is a violation of any law or mismanagement (a gross waste of monies or an abuse of authority). College employees, who believe that the Whistleblowing policy has been violated, may file a complaint, in writing, with any and all relevant, known information that would rise to a violation of policy.

Pursuant to the section of the policy regarding Whistle-blowing Protection, it states, in part, that *“retaliation against any employee for filing a complaint, whistle-blowing, or participating in an investigation is strictly prohibited...”* Should an employee believe that he/she has been a victim of retaliation for reporting a violation of law or College policy or for being associated with an investigation, he/she may immediately file a complaint with the Human Resources Office.



## Recent Improvements

### Human Resources Employee Relations Process Improvement

In May 2013, the College's Human Resources Employee Relations division initiated a process for complaints brought forth either at the campus/departmental level and/or to Employee Relations. Documents developed and implemented to ensure consistency and appropriate documentation include, but are not limited to:

- [Complaint Intake Form](#)
- [Final Investigative Report \(FIR\) template](#)
- [Summary of Findings \(SOF\) template](#)
- [Complaint Closure Form](#)

The incorporation of the above-referenced documents serves to assist the College in addressing complaints and grievances brought forth by ensuring that appropriate documentation is provided in a case file to support actions taken. In addition, beginning FY2013/2014, Employee Relations will move from an alphabetical case filing system to a numerical case filing system supporting the current fiscal year (FY). Hard copy files will be maintained in Employee Relations; however, complaint and grievance information will also eventually be maintained in a database to assist with reporting, tracking and trending.

Employee Relations is currently in the process of developing and implementing a Standard Practice which outlines the processes/procedures for the processing of Employee Relations complaints, inclusive of appropriate timelines to ensure timeliness of the investigatory process.

Finally, since specific constituency groups were not included in the process for EthicsPoint complaint reporting, the Internal Auditor has revised the process to include complaints received in EthicsPoint regarding the Chancellor, Executive Vice Chancellors and Vice Chancellors.

## Recommended Improvements

Based on the weaknesses identified above, it is recommended that the following improvements be made to the complaints processes available to employees:

- A review of the role of the Human Resources Employee Relations division to determine whether this area serves as a consultative body or an investigative body, or if the complaint and grievance oversight should be reassigned to another oversight area.
- A full review of the employee complaints processes should be conducted and improvements implemented to ensure consistency and that they are clear and easy to navigate.
- The terms “informal” and “formal” should be clarified to erase the invisible lines with respect to the terms that continue to cause levels of confusion and frustration for College employees.
- Determine the efficacy of creating a comprehensive database for complaints and grievances to support reporting and tracking of complaints for all of the College’s constituency groups, as well as to identify emerging trends that may need immediate, preventive attention.
- The Employee Relations Toolkit should be included on the College’s Intranet website providing information and resources for supervisors and employees to assist with various Employee Relations assigned areas, including the complaint and grievance process for employees, including faculty.
- The College should consider implementing continuous training for all levels of staff in the following areas:
  - Sexual harassment
  - Respectful workplace
  - Understanding the College’s Policies and Procedures, including complaints and grievances

## **VII. Plans for Ensuring PCC Compliance with Assumed Practice A.4. by July 2014**

In the previous section, many weaknesses and recommendations for improvements to the existing complaints and grievances processes were identified. The following section outlines plans for ensuring the proposed changes are reviewed and appropriate improvements are made to bring the College into full compliance with Assumed Practice A.4. by July 2014.

### **Complaints and Grievances Against the Chancellor**

Based on the recommendations above, Chancellor Lambert, who began his tenure with the College July 1, 2013, has committed the Chancellor's Office to leading College administration and the Board of Governors through the necessary steps to clearly articulate the relationship between the Board and the Chancellor and to implement an improved model of institutional governance. To accomplish this, the Chancellor's Office will:

1. Charge administration with reviewing Common Policy regarding the efficacy of:
  - codifying that investigations of the Chancellor be conducted externally, and not by the general counsel, to avoid perceptions of potential conflicts of interest; and
  - rewriting policies, regulations and practice guides to eliminate potentially confusing references to "Board" attorneys by identifying all attorneys under contract with PCC as "College" attorneys who, except in narrowly defined cases, represent the interests of PCC as a whole, thus reinforcing that the Board is aligned with College interests, goals and mission.
2. Charge administration with exploring methods for appropriate departments to secure resources for external investigations.
3. Update College policies, regulations and guides of standard practice to clearly delineate avenues that exist for PCC employees to bring complaints against the Chancellor and other high-level investigators, along with the rights and responsibilities of complainants, timelines, as well as complete explanations of due process, confidentiality to the extent

allowable by law and other issues. The policies and processes must be clear and easy to navigate.

4. Explore ways, as part of clarifying the Board-CEO relationship, to 1) compile a single, complete record of complaints against the Chancellor for examination by the entire Board, and to 2) supply internal and external constituencies an aggregate annual summary that contains substantive data and insights regarding complaints against the Chancellor while honoring confidentiality of both the complainants and the CEO.
5. Work with the Board to create a specific process for addressing complaints made directly to a Board member.
6. Lead the Board through a review and update of the Board Bylaws and Policies to bring them into line with peer institutions, to adopt best practices, and to implement governance models with a demonstrated record of success at other community colleges, with the overall goals being improved clarity, transparency, and trend analysis.
7. Explore the possibility of creating a new, separate article in the Bylaws that is dedicated specifically to complaint handling by the BOG (separate from the current Orientation article). The content for this new article should be applicable to complaints given to individual Board members, as well as those received during public comment at Board meetings. The process should be consistent with other College complaint handling processes and should include:
  - transparency (no board member should have the option of not sharing a received complaint with fellow Board members),
  - how triage and investigations will be handled,
  - tracking quantities and trends with a database,
  - ensuring follow-up and closure, and
  - how to address complaints and feedback that are regarding the Chancellor, since the current process calls for referring complaints back to the CEO.
8. Explore with the Board processes and technologies that could provide an opportunity for follow-up and investigation of complaints made to the Board by those who wish to remain anonymous.

9. At the suggestion of the Coalition for Accountability, Integrity, Respect and Responsibility (C-FAIRR), a community group, review the efficacy of initiating a community advisory committee to the Board.

## Complaints Made By Students, Employees and the Community

Weaknesses and recommendations regarding the student, employee and community complaints processes were identified in previous sections. The findings of those sections, in many cases, mirror one another and lead to the following conclusions:

- PCC currently lacks a consistent process for intake and handling of complaints and grievances holistically across all constituent groups.
- The College has no centralized, electronic mechanism for tracking complaints to identify emerging trends across constituent groups and for follow-up.
- Many of the existing College complaints processes are inconsistent, incomplete, confusing and in need of a full review.

To address these and other issues and ensure the College is in compliance with Assumed Practice A.2. by July 2014, a Complaints and Grievances Oversight Team (CGOT) has been created. The CGOT is a cross-functional team comprised of individuals from human resources, the equal employment opportunity office, legal, internal audit, student services, academic services, public information, risk management, the Chancellor's Office, disabled student resources and faculty. Ad hoc members of the team will be brought in as needed to assist with research and review as needed. The ad hoc team members include faculty, students, community and other staff.

The CGOT, which held its [first meeting June 18, 2013](#), is [charged](#) with reviewing the weaknesses raised and recommendations made with regards to student, employee and community complaints in this Monitoring Report on Assumed Practices A.4. and B.2.c. and developing and implementing appropriate actions to bring the College into full compliance in these areas by July 2014 by:

1. Reviewing existing complaints/grievances processes for all constituent groups (students, all employees, the community), including appropriate policies, procedures and SPGs and identifying and implementing improvements and simplifications. The policies and processes must be clear and easy to navigate.
2. Creating clear and consistent processes for intake and handling of complaints, grievances and feedback holistically across all constituent groups, including triage, investigation, response, training, follow-up, closing cases, and tracking for trend analysis.
3. Clarifying the terms “informal” and “formal” and ensuring that they are used the same throughout College complaints processes.
4. Working with appropriate staff to implement training for staff at all levels to understand the College’s Policies and Procedures related to complaint process.
5. Reviewing Ethicspoint to see if it can be expanded to be offered to all constituents (employees, students, community), not just employees, as a complaint portal and tracking tool, or if some other tool needs to be found/created to provide a central intake and tracking system.
6. Reviewing the intake process for Ethicspoint to determine if Internal Audit (as the current process dictates) is the appropriate place for Ethicspoint feedback to be fielded and triaged.
7. Researching the efficacy of and, if deemed appropriate, creating a Dispute Management Office or Compliance and Ethics Office (or something of the like) for consistent oversight and tracking of complaints, grievances and feedback from all constituent groups (if such an office is not deemed necessary, then very clear processes for holistic oversight will be created and in place before the Self Study is submitted in July 2014).
8. Examining the efficacy of having access to an external/independent investigative service to address complaints that should not or cannot be properly handled internally and, if an external investigative service is deemed necessary, creating a process for determining when an external investigator should become involved.
9. Working closely with the Self Study Team assigned to do follow-up on the A.4./B.2.c. Monitoring Report (there will be at least one member of the CGOT Team that will also serve on the Self Study Team to act as a liaison).

10. Following-up and providing assistance to Chancellor Lambert as he works with the Board and other internal constituencies to make improvements to all complaints processes, including those against the Chancellor.
11. Ensuring that a single email address or online “contact us” form that routes email to all Board members should be made available on the PCC website so the community has a direct path to provide feedback to BOG members, without any filter in place between them and any College office or department.
12. Recommending to the Human Resources Department that a review of the Employee Relations division be conducted to determine whether this area serves as a consultative body or an investigative body, or if the complaint and grievance oversight should be reassigned to another oversight area.

DRAFT

## VIII. B.2.c.1.: Faculty Participate Substantially in Oversight of Curriculum

This section of the Monitoring Report begins with a background of the events referenced by the HLC in declaring the College out of compliance with Assumed Practice B.2.c. because the [HLC fact-finding team](#) found that “faculty did not participate substantially in the review and adoption of the new admissions policy.” Specifically, the College was asked to address B.2.c.1. “Faculty participate substantially in oversight of the curriculum—its development and implementation, academic substance, currency, and relevance for internal and external constituencies.” The following section provides a background for and summary of those issues, current processes and a plan for improving related processes.

Following the summary of events are descriptions of current practices, recent improvements and recommendations to improve processes to bring PCC into conformity with Assumed Practice B.2.c.1. Information is based on a review of PCC documents, policies and processes and interviews with dozens of faculty and staff.

### Background

On September 21, 2011, the PCC Board of Governors endorsed the “Admissions Policy Change” in a 4-1 vote. The resulting [Standard Practice Guide \(SPG\) 3501/AA](#) specified that applicants must “score above a minimum level established by Pima Community College on college assessment examinations.” During the preceding months (July – September, 2011), public forums were held at various PCC campuses to introduce the proposed admissions policy. The resulting public furor was intense.

Based on interviews, employees characterize the proposed admissions policy as having come from Chancellor Flores’ and Provost Miles’ Offices through a series of mixed, conflicting, confusing, and inconsistent descriptions. Faculty Senate representatives were under the impression that these descriptions represented the beginning of a dialogue concerning admissions rather than the actual policy being advocated to the Board of Governors. Other faculty members,



when hearing of the proposed admissions policy changes, assumed that they had already gone through a formal vetting process with extensive faculty input, specifically with consultation and oversight from developmental education specialists.

In retrospect, it is clear that faculty did not participate substantially in the development of the Prep Academy, a non-credit, self-paced program intended to help students prepare for college-level course work. It was instituted as a response to the public furor generated by the proposed admissions policy change.

### **Faculty Involvement in Admissions Policy Change: Employee Perspectives**

In order to examine the lack of conformity with HLC Assumed Practice B.2.c.1. from a comprehensive perspective, a thorough inquiry into the PCC Admissions Policy Change of 2011 was conducted. The goal was to allow constituents from the College community to articulate their experiences in the Admissions Policy Change process. In addition, official College documents were reviewed to piece together a more complete view of the process followed in the implementation of the admissions policy and Prep Academy. Following this research and review, a gap analysis of the process was performed. The following is a summary of PCC document reviews and interviews with College stakeholders.

A [PCC letter](#) sent to the Higher Learning Commission by then Interim Chancellor, Dr. Suzanne Miles (dated July 25, 2012) stated:

*...Using objective data, our faculty determined that we needed to place students who assessed below 7th grade in reading, writing and math in noncredit offerings until they improved in the areas where their test scores showed deficiencies. The College's Faculty Senate unanimously voted to approve this change . . . Despite the contention of some, the College has maintained its open admissions policy. This will not change. What has changed, however, is that we are beginning to work with these underprepared students in our newly created PCC Prep Academy... (p. 8)*

A [review](#) of College policies and processes, coupled with interviews, group meetings and written communications with faculty, staff, administrators, and external constituents revealed that the above statement in response to the HLC was incorrect, as indicated below.

- Faculty members were not provided with objective data by administration when they were directed to establish COMPASS (a placement test used by the College) assessment cut scores (minimum scores for determining placement) for placement, which ultimately determined the enrollment categories in which students were placed either above or below the equivalent of the 7th grade level.
- Faculty members were given minimal time (one meeting) to establish and submit cut scores to the administration Math, Reading, and Writing CDAC faculty were not consulted in regard to the Admissions Policy Change.
- English as a Second Language (ESL) faculty were not consulted regarding the Admissions Policy Change during its initial stages. Ultimately, the change resulted in ESL students being directed away from ESL courses and into the Prep Academy, which was an inappropriate placement when considering their unique academic needs.
- The Faculty Senate endorsement vote referenced by Dr. Miles was drafted and voted upon during an Executive Session of the Senate. The resolution was not part of a regular, official agenda, and as such, was neither discussed nor voted upon by the full Senate membership. In addition, the vote was not an “approval” of the Admissions Policy Change; rather, it was an endorsement. Faculty Senate does not have standing to “approve” initiatives on behalf of the College.
- Based on the Faculty Senate Executive Session vote, administrators incorrectly characterized the Admissions Policy Change and consequently, the Prep Academy, to the Board of Governors and the internal and external College communities as faculty-driven.
- The College made no sincere efforts to seek input or to otherwise involve community members in a collaborative dialogue exploring possible enrollment options. In a [February 2011 guest opinion in Inside Higher Education](#) and in other interactions and messages, Dr. Flores clearly demonstrated that all decisions concerning the Admissions Policy change had been made prior to convening community forums.

- PCC high school recruiter and outreach coordinator positions were eliminated by the College within the same timeframe as the Admissions Policy Change announcement, resulting in student advisement being eroded.
- On paper, PCC appeared to maintain open admissions; however, under the Admissions Policy Change, students were assigned to one of two enrollment categories: “regular” or “special.” “Regular” students were allowed to register for credit courses, while “special” students were restricted to credit courses without reading and writing prerequisites.
- In response to public outcry, then Interim Chancellor Miles granted an exception to the Admissions Policy Change for students who had passed the AIMS test (Arizona Instrument to Measure Standards – an assessment test given to all high school seniors that measures student proficiency of the [Arizona Academic Content Standards in Writing, Reading, Mathematics, and Science](#) and is required by state and federal law). The granting of the AIMS exception was as a unilateral decision made by the Interim Chancellor and did not follow regular processes.
- Faculty had negligible input into curriculum development for the Prep Academy and Prep Academy planning in general. When the Prep Academy Implementation Team was created no, faculty members were appointed for Team membership; instead, four faculty members were appointed on a temporary basis to serve as “on call faculty consultants.” These faculty consultants characterized their input as minimal to nonexistent.
- The majority of decisions regarding Prep Academy planning and designing was done by administrators, specifically, then Provost Dr. Suzanne Miles.
- Because the College has no full-time faculty oversight of non-credit curriculum, the College adopted a Pearson software product for Prep Academy curriculum without full review.
- The lack of substantive faculty input and oversight into the Prep Academy development and curricular decisions resulted in Prep Academy students failing to benefit from a seamless transition into PCC credit courses.
- Since the Prep Academy curriculum delivered through the Pearson product was not developed or tailored specifically for the College’s students, instructional differentiation for students with disabling conditions and language challenges did not occur.

## Current Processes

After reviewing the College website, multiple documents, the practices of the College Curriculum Council, processes and policies for credit and noncredit courses and programs, as well as interviewing and email communications with faculty, staff and administrators in leadership positions, it is apparent that PCC has a robust structure in place for faculty oversight of curriculum for credit courses.

However, in regard to noncredit courses, the oversight is minimal. Noncredit courses are initiated and approved at the campus level. The noncredit course proposal is then submitted to the Office of Curriculum and Articulation Services at the District Office for approval. It then goes forward to the College Curriculum Council (made up of faculty, staff and administrators) as an informational piece in the agenda. No formal vote is taken. The Board of Governors makes the final approval.

## Curricular Procedures

The College Curriculum Council is responsible for curricular oversight of credit course curriculum. According to the [PCC College Committee Structure 2012-2013](#), the College Curriculum Council's charge is "to review College curriculum, courses and programs and to recommend improvements to the Chancellor" (p. 7). The Assistant Vice Chancellor for Academic Services & Vice Provost and a faculty member serve as Co-Chairs. Other members include District curriculum staff, campus faculty and Vice Presidents of Instruction from each campus. The faculty selection process is as follows: one member is selected (appointed or elected) from each campus, Faculty Senate identifies six additional faculty, and in addition, there are two educational support faculty representatives, one representing counseling and one representing library services. College Curriculum Specialists are advisory members. (p. 7)

The majority of time, with the exception of some new programs, the curriculum is initiated or co-initiated with a full time faculty member. In the development phase, the faculty consults with the [College Discipline Area Committees \(CDACs\)](#), college-wide committees of faculty defined by disciplines or aligned disciplines, on the course and any proposed changes. The faculty member

then works with the campus coordinator to process the paperwork. The paperwork is then submitted for approval to the department chair, the dean and the campus Vice President of Instruction. The paperwork then is reviewed by the District Curriculum Office. Following this review, it returns to the CDAC for a vote, the results of which are collected and maintained by the Curriculum Office. Then, it is put on the agenda for CCC approval by the College Curriculum Council (CCC). If approved by the CCC, it goes to the Vice Provost and then the Provost for final review and approval. If it is a new certificate or degree or a course that is to be inactivated, then it must go to the Board of Governors for formal approval.

**Workforce/[Center for Training and Development](#) Curriculum Process (credit):** The curricula for these courses come from external providers. Courses are initiated by the program manager and the campus curriculum coordinator, then go to the CCC for a review.

**Continuing Education (non-credit):** The campus first reviews the proposed course. If granted approval at this stage, it goes to the District Curriculum Office and the College's Vice Provost for approval before going to the CCC as an informational item.

**Community Interest Classes (non-credit):** These classes are developed at the campus level, specifically by the Community Campus. Following campus approval, it next goes to the District Curriculum Office and the Vice Provost for review and approval.

Although the College has robust processes in place for developing and revising curriculum, as presented above, the processes were primarily skirted when the new Admissions Policy change was adopted. The following summarizes the steps that should have been followed in adopting the Admissions Policy change:

- Because it changed pre-requisites for credit course enrollment, the Admissions Policy change should have gone through the College Curriculum Council.
- The Math, Reading and Writing CDACs should have been involved with the development and implementation of the Prep Academy.

- Per existing policy, faculty members do not exercise oversight of non-credit, clock hour credit and contract training curriculum development, so the lack of faculty membership on the Prep Academy Implementation Team did not seem inappropriate at the time.
- Normal committee formation involves administrative invitations to employee representative groups (Staff Council, Faculty Senate, American Federation of State, County, and Municipal Employees, Association of Classified Exempt Staff, Pima Community College Education Association, and College Discipline Area Committees) for nominations or designation of a group representative for committee membership. The formation of the Prep Academy Implementation Team did not follow this procedure.
- The core members of the Prep Academy Implementation Team consisted of staff and administrators. Four faculty members representing reading, writing and math were appointed to serve as “faculty consultants” only. Their input and active participation was minimal.
- The Prep Academy Implementation Team reviewed several software packages. The decision to purchase the Pearson product was made in the summer, by administrators, when most faculty members were off contract.
- College Discipline Area Committees should have voted to select faculty representatives for the Prep Academy Implementation Team.

### **Modifications to Standard Practice Guides (SPG)**

When substantial change to a Standard Practice Guide (SPG) is proposed, the College procedure begins with the modification being presented to the Chancellor’s Cabinet. If approved, the modification is then presented to Staff Council and Faculty Senate for feedback. The SPG is then posted on the College website for 21 days in order to elicit public comment. If, after the 21 day period, there are no changes to be made, the modified SPG goes into effect and becomes an official document of the College. The SPG process does not include Board of Governors approval.

Although the College has a clear process in place for making substantial modifications in a Standard Practice Guide, the process was not followed during the adoption of the new Admissions Policy. The College followed standard procedures for initiating modifications to

SPG-3501/AA, Admissions and Registration. However, the College did not follow standard procedures during subsequent changes to SPG-3501/AA, which included pilots, modifications and exceptions. The modifications and exceptions were made by then Interim Chancellor Miles. These changes were then presented to the Board of Governors and were endorsed by a vote of 4-1. Typically, the SPG change process does not involve the Board of Governors.

### **Faculty Senate**

The Faculty Senate is the representative body of all faculty members (full-time and adjunct) that participates in the governance processes of Pima Community College. The Faculty Senate is an integral part of the Pima Community College structure and operates under the policies and procedures of the College. The Faculty Senate, through its President or other authorized representatives, makes appropriate recommendations to the Board of Governors, the Chancellor, the Presidents and other Administrators of the College.

The President of the Faculty Senate is elected from the Senate membership and is responsible for scheduling and directing the activities of this governing body, recommending Faculty participants for standing committees and task forces, and speaking for the Faculty in the governance review process.

[The Faculty Senate Charter](#) states that the Senate shall:

- A. Strengthen the concept of the faculty as a College entity.
- B. Promote the gathering, exchanging, and disseminating of faculty views and concerns.
- C. Advise the Board of Governors, the Chancellor, and other administrators of faculty views and concerns.
- D. Promote mutual accountability and reporting between the College faculty and the faculty representatives to any College committee.
- E. Bring the concerns of the Board of Governors, the Chancellor, and other administrators to the faculty.
- F. Participate in College governance by reviewing Board Policies, Regulations, and Standard Practice Guides.



G. Advise the Board of Governors, the Chancellor, and other administrators regarding all Board Policies and those Regulations and Standard Practice Guides that pertain to faculty, students, and Academics.

H. Promote the involvement of all faculty members in the establishing, staffing, and functioning of College committees, task forces, or other initiatives.

When there is substantial change in a Standard Practice Guide (SPG), the general practice is to present the modified SPG to the Chancellor's Cabinet, then to Faculty Senate and to Staff Council for review and for feedback. Then, it is posted on the College website for public comment for 21 days. The process does not require Board of Governors approval.

Although the Faculty Senate Charter states that Faculty Senate shall "participate in College governance by reviewing Board Policies, Regulations, and Standard Practice Guides," and "advise the Board of Governors, the Chancellor, and other administrators regarding all Board Policies and those Regulations and Standard Practice Guides that pertain to faculty, students, and Academics."

The change to SPG-3501/AA Admissions and Registration was not formally included in the official business portion of the Senate agenda. Instead, then Chancellor Flores presented the concept of the Admissions Policy Change to the Faculty Senate during Executive Session on September 21, 2011, after many Senators had left. After a long discussion during Executive Session, Faculty Senate wrote and voted on a resolution to endorse the new Admissions Policy Change. The vote was 32 in favor, 2 abstained and 0 against. The Faculty Senate was given the impression that this concept was an exploratory idea and that input would be solicited from the community, including principals and superintendents of the local high schools. In reality, the Faculty Senate vote was then presented to the Board of Governors at the following Board of Governors meeting as a concept that was initiated and supported by the faculty and, from that point on, administration erroneously presented anything related to the new Admissions Policy and the development of the Prep Academy as "faculty-driven."



## College Discipline Area Committees (CDACs)

CDACs are college-wide committees of faculty and appropriate staff, defined by disciplines or aligned disciplines, and assigned an administrator. CDACs are responsible for the following:

- A. Curriculum
- B. Student learning outcomes
- C. Program review
- D. Textbook review
- E. Designating statewide Articulation Task Force (ATF) representatives
- F. Designating Discipline Standards Faculty (DSF)
- G. Provide input/recommendation/advice on course offerings
  1. Course modalities
  2. Course scheduling
- H. Promoting professional development
- I. Discussing effective teaching and learning

Each CDAC also [reviews additions, modifications, or deletions to courses and programs](#) in the following ways.

1. Initiator of Curriculum: A voting faculty CDAC member must initiate or co-initiate all credit curriculum.
2. Curriculum Development/Modification/Update/Inactivation: The curriculum initiator provides his or her proposal to the CDAC for review prior to submission through the College's curriculum approval process.
3. CDAC Curriculum Approval: The CDAC reviews curriculum during the College's curriculum approval process using the following procedures: District Curriculum Services (DCS) sends, via e-mail, the curricular action materials (outline or program display and associated curriculum forms) to all CDAC members. The CDAC Faculty Co-chair is responsible for promoting discussion when appropriate and summarizing the vote by the deadline. The CDAC Faculty Co-chair submits the votes using the CDAC Voting Summary Form to DCS. The CDAC Faculty Co-chair separates the votes of those teaching in the prefix from those not teaching in the prefix. Comments submitted by the CDAC members may accompany the voting results submitted to the College Curriculum

Council (CCC). If the CDAC Voting Summary Form is not received by DCS prior to the CCC meeting when the item is included on the agenda, the CCC may choose not to vote on the item without a CDAC recommendation.

Although the College has clear guidelines in place for CDACs to review additions, modifications, or deletions to courses and programs, provide input, recommendations and advice on course offerings, the process was not followed with the change to the Admissions Policy and Prep Academy were implemented. The following summarizes how the processes were bypassed.

- The only involvement the CDACs had in the Admissions Policy Change was that a few members were tasked with providing the requested cut scores for the COMPASS test at the 7th grade level.
- Proposals for any Admissions Policy Change should be driven by consensus of all CDACs, since admission standards can potentially impact all courses. This did not occur.
- Curricular decisions such as those proposed by the Admissions Policy Change are complex and need to be developed over a realistic time frame of perhaps one or two academic years.
- The portion of the Admissions Policy Change that pertained to developmental education courses should have been driven by the writing, reading, math and ESL CDACs. From the beginning, those faculty should have served as leaders of the implementation of the new standards, including being the key participants in the development of the curriculum under the new admission standards and the curriculum to help prepare students who did not yet meet the Admissions Policy Change (i.e. the Prep Academy).
- The only involvement the CDACs had in the Admissions Policy Change was nominal. A few members were tasked with providing the requested cut scores for the COMPASS test at the 7th grade level.

### **How Executive Administration Bypassed Existing Processes**

As presented in the previous sections, the College has well-defined processes in place to ensure faculty oversight of curriculum. So how, then, were executive administrators able to proceed with the implementation of the Admissions Policy Change and Prep Academy without following

appropriate processes? The answer to this question is well-known by faculty, staff and administrators at the College and was recognized by the HLC as evidenced by the following excerpts from its [fact-finding](#) report.

“Senior administrators had used administrative protocols to curtail discussion among the College’s constituents regarding the proposed policy change (Core Component 5.B).”

“...an unhealthy college culture was established through the use of intimidation, fear and an abuse of executive power.”

“The institutional culture at PCCD was shrouded in the shadow of silence that was fostered through a pattern of protection [of Executive Administration] created by members of the Board of Governors.”

“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 [Flores, when replaced by Interim Chancellor Miles].”

“Some personnel have felt fearful of retaliation for disagreements in college governance, policy review, and other college matters.”

Appropriate procedures were in place for faculty oversight of the change to the Admissions Policy, but were not followed in large part due to the reasons summarized above. Although College faculty and staff should have insisted that norms, policies and procedures be followed when high-ranking administrators were making unilateral decisions about the Admissions Policy and Prep Academy, the existing culture of fear and intimidation silenced those who should have spoken up.

## Recent Improvements

- At a Special Board of Governors Meeting on March 29, 2013 the Admissions and Registration [SPG-3501/AA](#) went before the Board of Governors with a recommendation from then Interim Chancellor Miles and current Provost Migler to include the following statement: “Due to Board of Governors action, language that refers to minimum level scoring on assessment examinations was suspended for a minimum of one year.” After some discussion, it was approved.
- On June 13, 2013 a meeting with Pima Open Access Coalition (POAC), a community group, and the Provost’s Team took place for a productive conversation on common efforts in bringing the College back its open admission policy. This included a proposed modification of the SPG-3501/AA and the removal or modification of the enrollment category term of “special.”
- At a [Special Board of Governors Meeting on Tuesday, June 25, 2013](#), the Board voted on a resolution to affirm [Board Policy 3501](#) on Admissions and Registration and directed administration to revise implementing procedures, including SPG-3501/AA. In effect, this affirmation supports administration beginning the appropriate process to permanently remove the changes to the Admissions Policy adopted in September 2011. This will result in PCC returning to a full access, open admissions institution.
- Currently, discussions are beginning regarding a thorough, in-depth study of Developmental Education, as evidenced by the [Board of Governors meeting on June 25, 2013](#). The future of Prep Academy will be part of the discussion.
- Former Chancellor Flores and Provost/Interim Chancellor Miles are no longer with the College. The College community is engaged in healing, moving forward, rebuilding trust and eliminating the culture of fear and intimidation. This process will take time.
- Community outcry over the College Admissions Policy Change resulting in a fundamental change in the College Mission has emboldened and galvanized faculty and other employee groups. Employee representative groups are, for the first time in the history of the College, meeting together in a supportive, collegial manner to address concerns with the College climate, righting the errors of the College’s past, and addressing the improvements desired within the College so that there will be a unified vision for College improvement and growth.

- Faculty leadership in the Senate and Pima Community College Education Association are working more closely together to ensure that faculty across the college receive informational updates, summaries, and reports of the initiatives and activities of these faculty leadership bodies. In response to the College’s probationary status, faculty interest, attendance, and membership inquiries concerning these representative groups has increased.
- Members of faculty leadership are reaching out in support of elevating the “status” of adjunct faculty and staff instructors at the College. There is increasing support for a more affirming and formal recognition of marginalized instructional employees by incorporating them into the larger “umbrella category” of College faculty.
- Within days of an invitation from current Provost Migler, more than 300 College employees (including many faculty who are currently off contract) volunteered for participation on a number of committees that will be working to respond to concerns expressed by the Higher Learning Commission and toward a much improved community college system to better serve our community and support our College mission

### Recommended Improvements

Based on the weaknesses identified above, it is recommended that the following improvements be made to processes to ensure faculty oversight of curriculum:

- The College should consider the possibility of expansion of existing faculty curricular oversight responsibility to all instructional employees (including adjunct faculty, staff instructors, and designated teaching personnel). Currently, members of each of these groups exercise individual oversight of non-credit, clock hour credit, and contract training curriculum development within their areas of responsibility, but there is no body within the College that has oversight of these areas. The efficacy of having the College Curriculum Council assume oversight of non-credit courses or if a parallel body should be created to oversee non-credit courses should be examined.
- Staff instructors teaching Adult Basic Education, Center for Training and Development and Workforce courses, as well as those contracted to teach in the Prep Academy, make

instructional and curricular decisions every day. The College should consider elevating these staff to the status of faculty, with voting rights their respective disciplinary CDACs.

- The College should consider changing the process for any Admissions Policy Change to be driven by consensus of all CDACs, since admission standards can potentially impact all courses.
- Curricular decisions such as those proposed by the Admissions Policy Change are complex. The College should undertake such endeavors only following a rigorous review over realistic time frame.
- The College must continue on its path toward healing and eliminating the culture of fear and intimidation so that processes are not bypassed in the future by executive administrators.

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## **IX. B.2.c.2.: Faculty Participate Substantially in the Assurance of Consistency in the Level and Quality of Instruction and in the Expectations of Student Performance**

Pima Community College has clearly outlined policies and procedures for assuring consistency in the level and quality of instruction and in the expectations of student performance and, furthermore, for ensuring that faculty have oversight of such procedures.

After a review of the College website and College documents (including the [Faculty Personnel Policy Statement \(FPPS\)](#), a draft of the revised Guidelines for College Discipline Area Committees (CDACs), which were updated during the 2012-13 academic year, [SPG-3001-AA](#), the [Role of the Discipline Standards Faculty \(DSF\)](#), and the [Faculty Senate Charter](#) and interviewing faculty in curricular leadership positions (Department Chairs, Faculty Senators, PCCEA Executive Committee members), it is clear that faculty at the College have direct control over the inception, development, and approval of curricula that guide credit courses. The following represent processes in place.

### **Articulation Task Force (ATF) Membership (Draft CDAC Guidelines)**

CDACs that have disciplines requiring an ATF representative provide at least one faculty member to represent PCC at statewide ATF meetings. The statewide ATFs provide a mechanism for oversight of curricular alignment among Arizona's public secondary and post-secondary educational institutions. Only one voting member is allowed per ATF per institution, but other faculty may serve as back-up members and may attend meetings as non-voting members. Information about ATFs can be found at the [Arizona Program Articulation Steering Committee website](#).

### **Program Review**

CDACs are responsible for conducting the program review process, a holistic examination of a discipline or an academic program, within their disciplinary purview. CDAC Faculty Co-chairs solicit volunteers to represent the CDAC in the Program Review Self-Study process; for district-

wide programs, an attempt is made by the Faculty Co-chairs to solicit volunteers from each campus. One of the volunteers is designated as the coordinator and is responsible for coordinating the self-study. All members of the CDAC have consistent opportunity to provide input and feedback to the faculty member designated to coordinate the self-study throughout the entire self-study process.

### **Determination of Minimum Qualifications for Teaching Fields**

In order to maintain consistency in the quality of instruction, CDACs determine minimum qualifications required to teach within the disciplines they represent. In addition, each year, CDACs review, modify, and approve the list of teaching field prefixes applicable to the disciplines for which they are responsible. For each discipline represented by the CDAC, CDAC members identify a Discipline Standards Faculty (DSF) member. CDAC members may be the designated DSF for more than one discipline. DSFs serve as the CDAC liaison to the Vice Presidents of Instruction, Provost and Executive Vice Chancellor for Academic and Student Services, and Contracts and Certification Analysts to maintain communications, uphold teaching qualification standards, and provide needed modifications to the teaching field prefix list and/or CDAC endorsed work experience. DSFs determine teaching field prefix equivalency on a case-by-case basis for prospective faculty members whose course(s) may not be an exact match to courses on the CDAC approved prefix list or for prospective faculty members whose courses may have been completed at institutions outside of the U.S. ([Refer to SPG-3001-AA.](#))

### **Textbooks**

The District Curriculum Office requests notification of all textbooks ordered for the fall semester from the Pima Community College bookstore. The Curriculum Office then compiles, by CDAC, lists of books ordered and submits the lists to the appropriate CDAC for review. If any CDAC member finds issues with one or more books, the CDAC discusses concerns and makes recommendations based on the discussion. The final list of CDAC reviewed and endorsed textbooks is forward to the Vice Provost by the CDAC Administrative Co-chair. The list is then uploaded to the College intranet for access by College employees. The textbooks on this list are used for courses taught by adjunct faculty, and is especially helpful for disciplines in which the department chair is not a faculty member with a depth of expertise in the discipline.



## Expectations of Student Performance

The CDACs are responsible for the student learning outcomes (SLO) process within the disciplines it encompasses. The CDAC defines common outcomes and determines the assessments for those outcomes. The CDAC identifies a Student Learning Outcomes Discipline Leader (SLO DL) for each of its disciplines to facilitate this process. This process includes the active engagement of all discipline faculty in:

- identifying/reviewing student learning outcomes
- identifying areas to assess
- assessing whether students are meeting outcomes
- determining areas to target for improvement
- discussing how to improve teaching and learning to meet the outcomes
- implementing recommended improvements
- reassessing outcomes where changes were made

## Student Success, Assessment and Reporting

As required in Faculty Personnel Policy Statement (FPPS), faculty coordinates the implementation of student success efforts in order to promote student success and academic achievement. Further, the faculty coordinates the implementation and application of the student assessment.

Faculty members maintain the sole right and responsibility to determine grades and interpret other types of student evaluations within the grading policies of the College, based upon professional judgment of available criteria pertinent to any given subject area or activity for which they are responsible. No grade or evaluation may be changed without approval of the Faculty member. In the rare situations when an instructor of record cannot be contacted by registered mail, the Department Chair for the same subject area in consultation with the appropriate Administrator and the Registrar may certify grade changes.

**Curriculum:** Per the [Faculty Personnel Policy Statement \(FPPS\)](#), faculty members coordinate efforts for departmental and disciplinary curriculum development, implementation, and maintenance of currency as well as those in support of program development.

**External Relations and Articulation:** Per the [Faculty Personnel Policy Statement \(FPPS\)](#), faculty provide leadership to promote current, relevant, and high-quality academic and occupational programs through interaction with the community and external groups/organizations. Faculty members routinely participate on advisory committees and in meetings with secondary and post-secondary institutions. They coordinate department activities in support of articulation with academic programs in elementary and secondary schools, colleges, universities and other educational institutions as appropriate.

### **Miscellaneous Faculty Activities**

Faculty members provide an array of educational services consistent with their assignments. Through their required duties, faculty members maintain the ability to provide the College and its constituents with an assurance that consistency is maintained in the level of instruction, the quality of instruction, and the expectations of student performance. Among their regular duties, faculty:

- Participate in the development of curricular and administrative policies relevant to their academic disciplines.
- Prepare and keep current all curricula, instructional materials, course outlines, and syllabi for the courses they teach.
- Maintain office hours consistent with their assignments and are available to students.
- Create and implement assessments including the assessment of Student Learning Outcomes.
- Analyze and utilize assessment results to improve the teaching/learning process.
- Participate in professional activities including,
  - Student advising
  - [Program Review](#)
  - Faculty and department meetings
  - College Discipline Area Committees

- Ensure that their students and Academic Deans receive in writing the course requirements, attendance requirements, and grading criteria by the first day of class.

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## **X. B.2.c.3.: Faculty Participate Substantially in the Academic Qualifications of Faculty**

Pima Community College has clearly outlined policies and procedures for determining the academic qualifications of instructional personnel and, furthermore, for ensuring that faculty have oversight of such qualifications.

The process for ensuring that academic qualifications for instructional personnel are met is a collaborative effort on the part of Contracts and Certification Office, College Discipline Area Committee (CDAC) Faculty, Discipline Standards Faculty (DSF), and administration as outlined by [Standard Practice Guide \(SPG\)-3001/AA](#). However, the responsibility for determining the academic qualifications belongs to faculty: the CDACs and DSFs define the required academic qualifications and credentials. The Contracts and Certifications Office, under the supervision of the Vice Provost's Office, performs the managerial function of evaluating all incoming faculty (full-time and adjunct). The processes and critical roles performed by faculty and others responsible for oversight of academic qualifications and implementation are outlined in this section.

### **Faculty Oversight of Academic Qualifications for Faculty**

Faculty participate substantially in the determination of academic qualifications of instructional personnel via two linked mechanisms: [College Discipline Area Committees \(CDACs\)](#) and Discipline Standards Faculty (DSF). CDACs are college-wide committees of faculty defined by disciplines or aligned disciplines. The CDACS, per [SPG-3001/AA](#), "...determine minimum qualifications for the teaching fields and each prefix..." Discipline Standards Faculty are elected by each CDAC every two years and "serve as liaison between the Vice Presidents of Instruction, Provost and Executive Vice Chancellor for Academic and Student Services, Contracts and Certification Analysts and CDAC members in an effort to maintain communications, uphold the standards and provide needed modifications to the teaching field prefix list and/or work experience." The DSF also provide clarification to the Contracts and Certification Analysts as needed regarding "equivalency approval or questions regarding a review of a prospective

faculty’s coursework, degrees or experience documentation” and “course equivalency for any evaluated transcripts and degrees from institutions outside the United States on a case- by-case basis.”

This series of processes requires faculty, through the CDACs and facilitated by the DSFs, to participate substantially in the determination of the qualifications of instructional personnel.

### **Contracts and Certification Office**

As mentioned previously, the Contracts and Certification Office plays a supporting role in ensuring that the qualifications set by the CDACs are met and is charged with the College-wide process of receiving and reviewing the faculty standards application and supporting documents according to the process outlined in [SPG-3001/AA](#), which includes:

- Entering application information into the Pima Community College database and completing the [Faculty Standards Evaluation Form](#) listing faculty members’ CDAC approved coursework and work experience for the appropriate classification (Academic, Developmental or Occupational/Workforce).
- Contacting DSF for clarification and forwarding documents for evaluation and signature if the degree, coursework or work experience does not clearly meet the CDAC approved requirements.
- Verifying that the requirements have been met and forwarding documents to the Vice Provost for final approval and signature.

As demonstrated in the process above, the Contracts and Certification Analysts rely heavily on the CDACs through their elected DSF to resolve questions about faculty qualifications and ensure that the standards set by faculty for qualifications of instructional personnel are met.

## **XI. B.2.C.4.: Faculty Participate Substantially in the Analysis of Data and Appropriate Action on Assessment of Student Learning and Program Completion**

Pima Community College has robust systems in place that allow for faculty to participate substantially in the analysis of data and appropriate action on assessment of student learning outcomes and program completion. The first part of this section focuses on assessment of student learning. The second addresses faculty oversight of program completion.

### **Assessment of Student Learning**

Following the Higher Learning Commission's (HLC) 2010 accreditation visit, the College was required to submit a "monitoring report on the topic of assessment." In response, PCC submitted a [Monitoring Report on the Assessment of Student Learning Outcomes](#) in January 2013 that provided an in-depth description of the steps taken to address the issues highlighted by the HLC, including: 1) faculty buy-in and participation in student learning outcomes (SLOs) and assessment and 2) changes and improvements in curricula and courses made based on faculty review of the data associated with SLOs and institutional outcomes. In a [letter dated January 28, 2013](#) the HLC accepted the monitoring report and stated that no further reports are required. Specifically, the Staff Analysis of the report that accompanied the HLC letter highlighted the following:

- 1. Faculty buy-in and participation in SLOs and assessment.*

*Faculty buy-in and participation in SLOs and assessment have increased as a result of the following: Improved training, outreach and education in SLOs and in the use of TracDat to report SLO progress; implementation of mandatory and voluntary assessment activities; and revised responsibilities and tasks of SLO leaders. Additionally, use of a new SLO Faculty Interface for grade reporting reveals that almost 100 percent of PCC faculty are engaged in the SLO process. Results from Summer 2012 show that 100 percent of faculty are addressing each institutional SLO in their courses.*

*In addition, in November 2010, the chair of the PCC District Board of Governors released a statement establishing the expectation that every faculty member, full- or part-time, will actively participate in the SLO process and that the administration will enact policies to ensure this involvement occurs. These immediate actions related to College Board Policy and support enforced the need for issues to be addressed college-wide and demonstrated the seriousness with which the College viewed the need to improve and strengthen its assessment processes.*

*2. Changes and improvements in curricula and courses made based on faculty review of the data associated with SLOs and institutional outcomes.*

*The College developed and implemented a targeted, multi-step plan to improve the process of SLO assessment and documentation and to streamline institutional processes related to use of SLO assessment data. Along with this plan, the College has embedded SLOs into the curriculum development and program review processes to ensure faculty and administrative review of outcomes related data informs curricula and program improvement and development. These and other actions have increased the number of disciplines making changes to curriculum and/or pedagogy. Specifically, all disciplines achieved progress towards completing the cycle of assessment; nearly one third successfully carried out an initial assessment and made a change to curricula or a course as a result.*

*The monitoring report detailed all of the processes the College initiated in order to achieve the part of assessment that results in curricular and co-curricular change and improvement (i.e. closing the loop). An impressive list of these changes and improvements were included in the monitoring report.*

Detailed descriptions of faculty oversight of curriculum as it pertains to assessment of student learning outcomes can be found in the [Monitoring Report on the Assessment of Student Learning Outcomes](#). However, below is a summary of how the faculty maintains ownership of this vitally important aspect of PCC. It is important to note that faculty not only have oversight of

curriculum and data as they relate to the assessment of student learning outcomes, but they are required by policy and contract to be actively involved in and provide this oversight.

### **Integrated Faculty Interface for SLO Reporting**

To ensure faculty participation with SLOs, the College uses a SLO Faculty Interface that requires faculty to self-report on attention given to SLOs in their courses. The interface requires SLO reporting to be part of the final grade submission process for all faculty (full-time and adjunct) and for every section offered each term. It was first implemented in Fall 2011 for approximately 90 percent of PCC course sections and added to all course sections effective Spring 2012. The SLO Faculty Interface has fulfilled the objective of ensuring the involvement of all faculty in the SLO process.

The governing design principle for the SLO Faculty Interface was to create an interactive mechanism that would engage all faculty in SLOs, and the final tested and approved version achieves that objective by enabling all faculty to self-report by answering “yes” or “no” on each of the following five institutional SLOs: *Learn, Communicate, Innovate, Participate* and *Aspire*. If the answer to whether an SLO was addressed is “yes,” the faculty report, using a drop-down box, on which specific learning outcome related to the selected SLO was addressed. For *learn*, as an example, the corresponding learning outcomes are: *comprehend, apply technology, be self-aware, apply numeric literacy, think critically* and *appreciate historical perspective*:



Search

## Student Learning Outcomes

Please submit SLO for Spring 2011 FRE - French 102 - Elementary French II 22885

<b>1. Learn</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>2. Communicate</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>3. Innovate</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>4. Participate</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>5. Aspire</b>	Yes	<input type="text"/>	No	<input type="text"/>

Comprehend  
 Comprehend  
 Apply Technology  
 Be Self-Aware  
 Apply Numeric Literacy  
 Think Critically  
 Appreciate Historical Perspective

RELEASE: BX

These items allow faculty to capture more details on the specific skill(s) related to SLOs in their courses. If the answer to whether a SLO was addressed is “no,” faculty then use the drop-down box to report how they are improving the course to address the outcome goal in the future. The options are: *change course materials, adjust assignments, add new activity, change pedagogy* or *other*. For *other*, a text box appears allowing faculty to elaborate on their actions.

<b>1. Learn</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>2. Communicate</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>3. Innovate</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>4. Participate</b>	Yes	<input type="text"/>	No	<input type="text"/>
<b>5. Aspire</b>	Yes	<input type="text"/>	No	<input type="text"/>

New textbook  
 New writing assignment  
 New group activity  
 New project  
 New presentation  
 Other

The interface platform has sparked ongoing conversations among faculty members and administrators concerning how best to use this information among disciplines to boost engagement and involvement in SLOs. Most importantly, though, is that use of the SLO Faculty Interface has resulted in an increased awareness and discussion of institutional outcomes. In addition, results from this interface show that 100 percent of faculty are addressing each institutional SLO in their courses.

### Faculty Accountability

One of the directives outlined in the [2010 statement on SLOs](#) delivered by the chair of the Board of Governors was for the administration to “bring to the Board the policy changes needed to ensure active participation by all full-time and adjunct faculty in the Student Learning Outcomes process.” The following subsections describe how faculty are held accountable for involvement with the assessment of student learning outcomes.

### ***Faculty Personnel Policy Statement***

The College’s [Faculty Personnel Policy Statement \(FPPS\)](#) outlines the expectations and responsibilities of faculty. Changes made in recent years to the FPPS reflect the College’s efforts to increase faculty buy-in and participation in the SLO process. Prior to the 2011-2012 academic year, the FPPS did not incorporate formal requirements for faculty participation in the SLO process. The revised FPPS, effective with the 2011-2012 academic year, formalized the requirement for faculty to integrate the assessing of SLOs into their job duties. Language added to the policy included the following:

- Specified that developing, analyzing, and assessing SLOs is a job duty,
- Identified participation in the SLO process as an area of focus in the Faculty Success Program,
- Specified demonstration of “substantive participation in the student learning outcomes process” as a requirement for step advancement, and
- Provided a definition of SLOs.

[\[Detailed overview of the FPPS revisions.\]](#)

Prior to these revisions, faculty involvement in the SLO process was implied; the more specific language now included in the FPPS makes the expectation for SLO engagement and involvement explicit both to current and incoming faculty.

### ***Collegial Conference and Administrator Support of Faculty in the SLO Process***

All full-time faculty participate in a Collegial Conference with their administrative supervisors as a part of their yearly evaluation. In an effort to ensure that faculty are held accountable for their SLO responsibilities as outlined in the revised Faculty Personnel Policy

Statement, the SLO Task Force (an oversight group comprised of five SLO faculty facilitators and three members of administration) [developed guidelines](#) in March 2012 for administrators to use during Collegial Conferences. The guidelines provided questions to facilitate the discussion with faculty regarding not only participation in SLOs, but also with continuous improvement by specifically addressing how faculty are implementing SLOs to improve teaching, classroom management and curriculum and address Program Review needs (including program completion) and modifications.

### ***Adjunct Faculty Contracts***

To further reinforce faculty participation in SLOs, beginning with the 2011-2012 academic year, adjunct faculty contracts were revised to include, as part of the Terms and Conditions, a statement requiring participation in the SLO process. This change corresponded to Action Item 2.6.2 of the [2011-2013 College Plan](#) which stated: “Revise Adjunct Faculty contract to include responsibility for SLOs.” The [adjunct faculty contract](#) now includes the following statement:

*PCCCD Adjunct Faculty are required to attend orientation and workshop meetings as announced and shall engage in designated activities relating to the Student Learning Outcomes process.*

Adjunct faculty members cannot accept a contract without accepting these Terms and Conditions, which are linked to the SLO process.

Combined, these changed policies and approaches related to faculty job responsibilities and to administrative support for SLOs formalized the expectation that faculty integrate SLOs into their job duties and increased accountability among faculty.

### **Role of Discipline Leaders in SLOs**

Discipline leaders are faculty members that are responsible for managing assessment processes for their [respective disciplines](#). Each discipline leader, in close coordination with the SLO Task Force, is responsible for leading the SLO assessment activities for that discipline. Each fall,

discipline leaders work with faculty who teach courses within their disciplines to ensure that stated SLOs are accurate and up-to-date and to implement the plan→assess→analyze data→improve assessment process.

To refine the role of the discipline leaders, the job description was revised and formalized for the 2011-2012 academic year to ensure greater engagement and accountability. Changes reflect the College's commitment to ensuring full-time and adjunct faculty oversight of student learning and analysis of related data, facilitating College-wide communication about SLOs, and completing full SLO-based assessment cycles to facilitate continuous improvement.

Specific changes are stated in the formal "2011-2012 Discipline Leader (DL) Job Description" in which requirements are outlined under "Duties and Responsibilities." Changes between the 2010-2011 and 2011-2012 discipline leader job description reflect a greater emphasis on the following:

- A. More communication and discussion: The [previous requirement](#) for the discipline leader to have "at least four separate documented faculty discussions about SLOs" during one academic year was modified. The [new requirement](#) is for the discipline leader to "facilitate monthly meetings with faculty from your disciplines." In addition, discipline leaders must "keep documentation of discussions" and to communicate with SLO facilitators "on a monthly basis."
- B. More college-wide involvement among both full-time faculty and adjunct faculty: A requirement to "dialogue with Department Chairs on all campuses that chair your discipline(s) to facilitate adjunct faculty involvement and participation" and a requirement to "support adjunct faculty participation in the Student Learning Outcomes process" were added to the [2011-2012 Discipline Leader Job Description](#).
- C. Continuous improvement: A requirement to "complete one full cycle of your discipline's assessment plan" was added to the [2011-2012 Discipline Leader Job Description](#).

Elements still emphasized include submitting yearly SLO action plans in the fall of each year and documenting all activities and action plans in TracDat. Elements effective with the 2011-2012 Discipline Leader Job Description have been included in all future the Discipline Leader Job Descriptions as evidenced by the 2013-2014 [Discipline Leader Job Description](#).

Combined, the changes outlined above demonstrate the College's understanding of the vital role discipline leaders play in ensuring faculty oversight of the assessment of student learning and data analysis and the College's commitment to facilitating and promoting adjunct and full-time faculty involvement in the SLO process.

### **College Discipline Area Committees (CDAC) and the Analysis of Data and Appropriate Action on Assessment of Student Learning**

Faculty members in each discipline meet regularly throughout the academic year with their CDAC, a committee comprised of faculty and an assigned administrator that makes discipline-specific decisions related to curriculum development, textbooks, program review and assessment. Such meetings provide a forum for ongoing discussions regarding SLOs and for the use of SLO data in decision-making and planning. Each CDAC determines a meeting schedule that fulfills its needs, and many rely heavily on email to supplement face-to-face discussions. CDACs are an essential component to the SLO process, as they lend consistency to planning and implementation and link assessment data to curricular- and program-related improvement.

### **Curriculum Review**

In Fall 2012, the [Curriculum Procedures Manual](#) was revised to reinforce the impact of SLOs on the process for curriculum development and modification. The revised manual recognizes the influence of SLOs as an instigator of actions initiated to develop or modify College curriculum (pp. 1, 7, 24). The manual also requires SLOs to be taken into account as criteria during the evaluation of course proposals (pp. 12, 31).

Additionally in Fall 2012, the [forms required to initiate the curriculum process](#) were revised to allow for the identification of the action being a result of SLO process, and for the inclusion of information related to the impact the curriculum proposals may have on course or program level

outcomes. These changes in the curriculum process formalized the connections between faculty analysis of data and appropriate action on assessment of student learning and current and future curriculum development at the College.

## Program Completion

Faculty participates in the analysis of data and takes appropriate action on program completion through Program Review. Instructional program reviews are conducted on a fixed cycle with occupational programs undergoing program review every three to four years, and transfer programs every five years. The key output of each program review is an action plan based on an analysis of program data, program completion, an identification of the program's strengths, weaknesses, opportunities and threats, and, in the case of occupational programs, external advisory committee input. The action plans identify activities that will promote the quality, completion rates, vitality and efficiency of the program.

Program Review at the College is driven by Standard Practice Guide ([SPG-3105/DA](#)). This SPG requires the Program Review self-study to be researched and written by faculty in the program, as demonstrated by the following excerpts from the SPG:

- C. Deans, Division Deans and CDAC will select faculty for participation in writing the self-study. Each campus should have one representative unless the program is a single campus program.*
- E. Faculty will select dates for writing the self-study within established schedule dates, limited to 7-10 days, and notify the Office of Educational Services. Faculty must interact with Deans and Division Deans during the writing of the self-study.*
- J. At a scheduled (Chancellor's) Cabinet meeting, faculty representatives will be given the opportunity to report their findings and recommendations in a brief, structured report.*
- K. Faculty will work with Deans and Division Deans to develop an action plan reflecting the (Chancellor's) Cabinet directions that includes a timeline for actions to be taken and requests for necessary funds.*

This SPG has not been reviewed or updated since 2000. However, with the exception of some needed title changes and other minor edits, it is still applicable and appropriate to how the process works at the College in 2013.

The tool used by faculty for conducting the program self-study in preparation for writing the action plan is the [Discipline Area Program Review – Data Analysis Worksheet](#). Section 4 of this worksheet, Curriculum – Enrollment, FTSE & Section Count Report specifically addresses program completion. In addition to detailed questions about the program and how its design impacts completion, the summary box for this section asks faculty to again consider whether Program Completeability and Course modalities have been addressed. Sections 6 – Degrees and Awards Conferred Report and 6 A. – Occupational also address program completion, with the summary box asking for a summary of “Awards/Completion Rates and industry/Federal/State, certification or licensure – Is an improvement plan required?” Following analysis by faculty using this worksheet to ultimately write the program self-study, it is very common for action plans resulting from Program Review to address how program completion can be improved.

### **Recommended Improvement**

As stated in the previous section, the Standard Practice Guide (SPG) that drives Program Review is SPG-3105/DA. However, this SPG has not been reviewed or updated since 2000. It is recommended that this SPG be reviewed and updated by July 2014.

## **XII. Plan for PCC Compliance with Assumed Practice B.2.c. by July 2014**

The College has identified weaknesses and recommendations for improvements to the College's processes for ensuring faculty oversight of curriculum. This section outlines a plan for ensuring the proposed changes are reviewed and appropriate improvements are made to bring the College into full compliance with Assumed Practice B.2.c.1. by July 2014.

The findings concerning Assumed Practices B.2.c.1. lead to the following conclusions:

- The College has robust processes in place to ensure faculty have oversight of curriculum.
- Due to the College's culture of fear and intimidation, executive administrators were able to skirt appropriate processes when implementing the Admissions Policy Change and Prep Academy.
- The College demonstrates fragmentation among faculty, adjunct faculty and staff instructors.
- Many Board Policies, Regulations and Standard Practice Guides have not been reviewed in some time.

To address these and other issues, the Assumed Practices Monitoring Report Follow-Up Team (MRFT) has already been convened. This team, which held its first meeting June 28, 2013, is [charged](#) with reviewing the weaknesses raised and recommendations made with regards to faculty oversight of curriculum in this Monitoring Report on Assumed Practices A.4. and B.2.c. and developing and implementing appropriate actions to bring the College into full compliance by July 2014. The MRFT is a cross-functional team comprised of faculty, staff, administrators, students and the community. Ad hoc members of the team will be brought in to assist with research and review as needed. The MRFT has been assigned the task of ensuring that the College is in full compliance with Assumed Practices A.4. and B.2.c. by July 2014.

Furthermore, the MRFT, working with appropriate College personnel, has direct responsibility for addressing compliance with Assumed Practice B.2.c. Faculty Oversight of Curriculum issues by:



1. Working to ensure that [SPG-3105/DA](#) (Program Review) is reviewed and updated by July 2014.
2. Reviewing the efficacy of developing three separate SPGs for admissions, placement and registration and, if deemed appropriate, working to create the separate SPGs.
3. Reviewing the efficacy of elevating all staff-instructors and other types of College “teachers” to a broader “faculty” or “instructional” status so that employees with curriculum delivery responsibilities in all or part of their job descriptions will be able to create, deliver, review, evaluate and update curriculum in their respective areas, thereby providing “faculty oversight” across all curriculum developed and implemented at the College.
4. Reviewing the efficacy of creating an oversight committee exclusively for non-credit curriculum (and an associated plan for implementation if appropriate). Membership in such a committee might represent full-time faculty, adjunct faculty and all College teachers/instructors involved in the development, delivery and assessment of curriculum, including CTD, Adult Education, Math Emporium, and non-credit staff instructors. This committee might also have oversight of creating an approval process and timeline for noncredit, clock hour, contract training, continuing education and community interest courses at the College.
5. The College should consider changing the process for any Admissions Policy Change to be driven by consensus of all CDACs, since admission standards can potentially impact all courses.
6. Curricular decisions such as those proposed by the Admissions Policy Change are complex. The College should examine placing language in policy that requires that such endeavors are undertaken only following a rigorous review over realistic time frame.
7. Working with the Provost’s Office to establish a committee (which might have representatives from ESL, Reading, Writing, Math, and Kellogg Institute Developmental Education Specialist faculty, adjunct faculty, CTD, Adult Education, Math Emporium, and non-credit staff instructors) to examine the current state of Developmental Education at the College and to review the status of and make recommendations for Developmental Education at the College.

8. Working with appropriate faculty and staff determine the efficacy of developing a plan that describes short- and long-term goals supporting the reestablishment of a functional, respectful, trusting, collegial, collaborative relationship between faculty and administrators.

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### **XIII. Conclusion**

PCC is grateful to the Higher Learning Commission for challenging to us to improve. The College took the Monitoring Report not only as an opportunity to address fundamental deficiencies in Assumed Practices A.4. and B.2.c., but also as the beginning of an intense process of self-examination that will result in a clearer understanding of our mission, our culture and our operations, so that we can better serve the tens of thousands of students who come to us each year. While we are confident that our plans will return us to full compliance with the Assumed Practices specified by the HLC, we understand that we still have much work to do to earn the trust of our constituents. The College – faculty, staff and administrators – is committed to continuous self-improvement. We stress to our students the benefits of lifelong learning; it seems only proper that we should practice what we preach.