



March 15, 2013

Dr. Suzanne Miles, Interim Chancellor  
Pima County Community College District  
4905C E. Broadway Blvd.  
Tucson, AZ 85709-1005

Dear Chancellor Miles:

The fact-finding visit team has recently completed its work and has provided its final report to the Commission. The purpose of the fact-finding visit, as you have been advised, was to investigate allegations regarding Pima Community College (“the College”) provided to the Commission in 2012 through its complaint process and to assist the Commission in determining whether the College is in compliance with the Commission’s Criteria for Accreditation and other requirements, including, if appropriate, the Assumed Practices.

The fact-finding visit took place on January 16-18, 2013, with a team of four peer reviewers. Prior to the visit, the team reviewed materials from the institution and the Commission. During the visit, the team members met with individuals who had filed complaints with the Commission, all members of the institution’s governing Board, the Interim Chancellor, members of the Chancellor’s Cabinet, and additional institutional employees as deemed appropriate by the team members. To ensure that members of the learning community, including employees and community members, had adequate opportunity to speak individually with members of the team, the team met with 58 individuals in one-on-one meetings for employees and community members. The team subsequently compiled its findings, including its findings regarding the Criteria for Accreditation, in a final team report. As is customary with a fact-finding or advisory visit report, the team report does not include any recommendation regarding Commission action. The report is enclosed for your review and response.

As you will note in reviewing the report, the team’s findings of fact point to serious concerns with the College’s compliance with several of the Criteria for Accreditation and Core Components. These Criteria are as follows:

Criterion One, Core Component 1.D, *the institution’s mission demonstrates commitment to the public good*. The College’s decision to change its admissions policy despite community opposition conflicts with its stated mission of developing the community through learning and demonstrates a lack of understanding of its role in serving the public good in its community. In addition, this change in policy appears to have been an effective change in mission that should have been preceded by a formal application to the Commission and Commission approval of that proposed change in mission.

Criterion Two, Core Component 2.A, *the institution operates with integrity in its financial, academic, personnel, and auxiliary functions; it establishes and follows fair and ethical policies and processes for its governing board, administration, faculty and staff.* By failing to follow its own policies on fair bidding on institutional contracts the College did not operate with integrity. The fact-finding team found that members of the senior leadership in the College followed the former Chancellor's instructions to form these contracts without questioning the lack of fair bidding or insisting that College policy be followed. The Board of Governors appears to have no processes in place to adequately oversee these financial practices. The Arizona Auditor General's recent financial audit of the institution also identified concerns with financial management. In addition to the contracted services under review by this team, the Auditor General found "significant deficiencies" in the institution's internal financial controls.

The College has also not operated with integrity in its handling of personnel policies and procedures and implementation of those policies and procedures. The fact-finding team found that the processes by which administrators are hired, terminated, and reassigned are not clearly stated and are not understood by the institution's personnel. Many policies, including the sexual harassment policy, have not been updated for more than a decade. Senior administrators do not appear to have enforced and applied institutional policies consistently and uniformly.

Finally, the College has not operated with integrity in failing to conduct a timely investigation of numerous serious allegations related to the former Chancellor and his conduct. The fact-finding team found that the institution's Board of Governors failed to conduct a serious investigation or otherwise take any action during a period of nearly eight years when it was aware of serious allegations against its Chancellor related to his behavior towards the institution's employees.

Criterion Five, Core Component 5.B., *the institution's governance and administrative structures promote effective leadership and support collaborative processes that enable the institution to fulfill its mission.* The College did not engage appropriately or collaboratively with faculty and administration when it failed to involve these constituencies meaningfully as it changed its admissions policies over public opposition; this failure was in regard to an important institutional decision with a clear effect on the academic program. The fact-finding team found that senior administrators had used administrative protocols to curtail discussion among the College's constituents regarding the proposed policy change.

In addition, the fact-finding team found that the College's Board of Governors had not engaged in regular review and updating of the College's financial and personnel policies and procedures and had not taken steps to ensure that policies and procedures then in effect in such areas as contracting and sexual harassment were appropriately followed at all levels. Moreover, the fact-finding team found that the College's Board of Governors had not routinely revised and updated its own policies and procedures and lacked a robust committee structure to provide oversight of human resources or other functional areas of the College. The fact-finding team noted a culture of fear and retribution that pervaded the administration of the College. Finally the fact-finding team, as previously noted, found that the Board of Governors did not act with regard to the former Chancellor until several years after it had become aware of allegations of

misconduct. These findings further indicate a situation in which the College failed to have effective structures for contribution and collaboration and failed to exercise leadership effectively.

Criterion Five, Core Component 5.C., *the institution engages in systematic and integrated planning*. The College has not engaged in appropriate systematic and integrated planning. The fact-finding team found a frequent use by the College of interim and acting administrative leaders and constant turnover in administrative positions that led to reports from senior administrators of discontinuity in meeting institutional goals. This administrative instability appears to have made it difficult for the College to engage in the systematic and integrated planning activities required by this Criterion. The team noted that the culture of fear and retribution further limited the institution's ability to engage internal and external constituents in systematic planning. There appeared to be little evidence of the engagement of key stakeholders in the discussion or evaluation of the change in mission and degrees offered.

In addition, the team's findings indicate that the College is not in conformity with Assumed Practice A.4, requiring clear information about institutional procedures for receiving and acting on complaints and timely response to and analysis of complaints. The fact-finding team found that College did not respond to allegations and complaints about the former Chancellor in a timely manner and following appropriate and up-to-date policies and procedures. I would also note that the team's findings indicate that the College is not in conformity with Assumed Practice B.2.c, requiring substantial faculty participation in the oversight of the curriculum and the assurance of consistency in the level and quality of the institution. The fact-finding team found that faculty did not participate substantially in the review and adoption of the new admissions policy.

Commission policy permits me to take a recommendation to the Board for a sanction when there is information that indicates an institution is not in compliance with the Criteria for Accreditation. I have concluded that the team has presented substantial evidence of non-compliance by the College with several Core Components. Therefore, I am recommending to the Commission's Board of Trustees that it place the institution on Probation at its next meeting in April of 2013 based on the findings noted above. The Board, at its discretion, may determine alternatively that Notice, Show-Cause, or no sanction is warranted. The sanction of Probation is disclosed publicly by the Commission and the institution, and indicates that an institution is not in compliance with one or more of the Criteria for Accreditation. An institution that is placed on Probation must host a comprehensive evaluation within no more than two years from the date the sanction is imposed, to demonstrate that it meets all the Criteria for Accreditation and has remedied all the issues that led to the imposition of the sanction. At the end of the Probation period the Commission's Board of Trustees determines whether to remove the institution from Probation or withdraw its accredited status.

You have the option of providing a response to the findings of the team and its conclusions regarding the Criteria for Accreditation as well to this recommendation. Within your response you may identify any errors in the report that you believe are errors of fact. I will need to receive your response no later than March 29. The Board will consider the report, this recommendation, and your response at its meeting on April 6. The action of the Board will be

communicated to you following that meeting. If you have any questions, please contact your staff liaison, Vice President Karen Solomon.

Sincerely,

*Sylvia Manning*

Sylvia Manning  
President

Enclosure

cc: Karen J. Solomon, Vice President for Accreditation Relations, Higher Learning  
Commission  
Karen L. Solinski, Vice President for Legal and Governmental Affairs, Higher Learning  
Commission