BALANCING ACT

Educating trustees and meeting student, institutional, and workforce demands isn’t easy, but it is possible.
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Contact:

Colleen Allen
Director of Retreats and Evaluation Services
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From the Chair

Doing What Matters Most

THE COUNTRY IS FACING UNPRECEDENTED challenges driven by accelerating economic and workforce change at an unprecedented pace. These challenges are driven by stagnant wages, growing income disparity, and continued skilled-worker shortages, combined with historically low unemployment. Community colleges were founded where these rushing rivers cross. It is our job as trustees not to be overwhelmed by the torrent, but to keep focus on the long-term viability of our institutions and the success of our students. This requires vision and decisive action.

As J. Noah Brown discusses in his article on page 10, employers are demanding more skilled degree-holding workers than are currently available. This demand falls squarely on our colleges, and Brown suggests one way we can make a difference: offer more baccalaureate degrees that are tightly connected to skills shortages in applied and technical fields.

Brown also observes that "the equity gap in higher education persists and is not narrowing." In the July issue of The Atlantic, co-founder of the League of Education Voters Nick Hanauer reminds us of the nation’s challenges with “both poverty and rising [income] inequality.” Our community colleges represent the solution.

Community colleges offer both high-quality and practical education that helps people find meaningful employment. They exist to do that — because they exist to mend our nation’s educational gaps. This is our priority. And we continue to do this at a price most people can afford.

When we realize this, the wildly conflicting directions of change become easier to navigate. What does aligning skills acquisition to labor force needs mean from a community college standpoint? It means offering opportunities to everyone — and especially to those who have greater obstacles to opting into opportunity. It means ensuring that everyone knows these opportunities are theirs to be had.

All this year, I’ve been calling for support of reinstating Pell Grant access to our incarcerated brothers and sisters for this very reason. Racial persistence and educational attainment gaps persist. So do income attainment gaps as well as geographic ones. I am proud that ACCT advocates for and conducts research in these areas, including our new project to assess the unmet needs of rural community colleges throughout the nation.

ACCT needs you to be engaged so that we can make the greatest possible difference together. We need to hear what challenges are confronting your college and how you are navigating those challenges. The association needs you to add your voice to the voices of all our members in advocating on behalf of the community college mission and articulating that vision: Our colleges offer necessary educational opportunities for everyone equally, and we need public support to do it. Let’s be the disrupters in higher education by leading the change we need in our economy and reversing income inequity and wage stagnation. And by doing so, we’ll create greater equity for our citizens and communities.

CONNIE HORNBECK
TRUSTEE, IOWA WESTERN COMMUNITY COLLEGE
ACCT AND OUR MEMBERS HAVE REACHED A major milestone, with October bringing together trustees, presidents, and community college leaders in San Francisco for our 50th Annual ACCT Leadership Congress. This event — one of our largest ever — will reflect on how far community colleges have come, but more importantly, it will focus on sustainability and the success of our sector and our students in the coming years.

As we look back, one shift that can’t go unnoticed is that while the association and the sector have always focused on pressing issues, the student success movement has helped us to see more from the perspectives of our “end users,” our students. You’ll notice this shift in this and recent issues of Trustee Quarterly.

Much of the issue is dedicated to how board members can meet student needs, whether it’s by establishing new applied baccalaureate degrees (p. 10), building student housing on campuses (p. 13), or implementing OER — open educational resources — which can save students on a single campus millions of dollars in textbook costs (p. 24).

We’re also proud to present the first two chapters of a new case study by Eduardo Marti, Ph.D. (p. 18), which we plan to run as an ongoing series. Marti presents us with Pam, a prototypical new trustee who rides a roller coaster of experiences as she is confronted with an abundance of often-conflicting information about her new responsibilities, the board and president, the college itself, and so much more. On page 30, ACCT’s Norma Goldstein, Ph.D., addresses questions about free speech on community college campuses, and Education Commission of the States Vice President for Policy and Director of Postsecondary and Workforce Development Brian Sponsler discusses what drives state education policymakers’ interest in governance (p. 16) — is it a “productive passion or distracting obsession?”

Also be sure to check out our regular offerings, including news from the association and the sector as a whole, pressing updates on advocacy, legal rulings that affect community colleges, and updates from the professional board staff who keep our colleges’ boards running like well-oiled machines.

We love to hear from you. Let us know what you think of Trustee Quarterly — what you like, what you might like a little more of (or a little less of). Just email Managing Editor David Conner at dconner@acct.org with your thoughts. On behalf of everyone at ACCT, thank you for reading.

J. NOAH BROWN
ACCT PRESIDENT AND CEO
Contents

DEPARTMENTS

8 Advocacy
Higher Education in the Spotlight
Jee Hang Lee

28 Legal
Legal Issues Impacting Community Colleges
Ira Michael Shepard

30 Trustee Talk with ACCT
Free Speech Issues on College Campuses, Part I
Norma W. Goldstein, Ph.D.

IN EVERY ISSUE

1 From the Chair
2 From the President & CEO
4 News
26 Around the Regions
34 Searches
37 Interface
40 Advisor

FEATURES

10 The Community College Baccalaureate — By J. Noah Brown
Mission creep or mission focused?

13 Home Base — By Jane A. Karas
Adding on-campus housing can help address student needs, but leaders must consider many factors before breaking ground.

16 Understanding Policymakers and Governance — By Brian Sponsler
Productive passion or distracting obsession? Governance is a perennial area of focus among state education policymakers, and it’s important to understand what drives them.

18 The Making of a Community College Trustee: Chapter One —
By Eduardo Marti
The orientation experience is seen through the eyes of fictitious trustee Pam Schier.

21 The Making of a Community College Trustee: Chapter Two —
By Eduardo Marti
Fictional trustee Pam Schier attends her first committee and board meetings — and comes away with more questions than answers.

24 Making College Affordable with OER — By Jay Williams
Innovative approaches to free course materials engage students and faculty across Minnesota.
FALL 2019 TRUSTEE QUARTERLY

2019 ACCT Regional Awards Announced

The Association of Community College Trustees (ACCT) is pleased to announce the recipients of its annual Regional Awards for community college trustees, equity programs, chief executive officers, faculty members, and professional board staff members. The 2019 ACCT Awards program is sponsored by EdFinancial Services.

ACCT’s Regional Awards recognize the tremendous contributions made by community colleges and their leaders to meet the needs of their communities.

“Community colleges are vital to our nation’s education and to building and adapting our nation’s workforce to meet ever-changing demands,” said ACCT Chair and Iowa Western Community College Trustee Connie Hornbeck. “The individuals and institutions that have been selected to receive ACCT Regional Awards are among the hardest working, most effective, and most important leaders in the country.”

“ACCT is proud to shine a spotlight on some of the nation’s best public servants and professionals through our regional awards program,” said ACCT President and CEO J. Noah Brown. “The 2019 awardees reflect the extraordinary commitments and accomplishments of the people who dedicate their lives to helping students succeed. Congratulations to all of this year’s awards recipients.”

The full list of awardees follows.

2019 ACCT Regional Awardees

2019 Trustee Leadership Award Recipients
CENTRAL REGION: Edward Mathein, Jackson College, Mich.
NORTHEAST REGION: William Netchert, Hudson County Community College, N.J.
PACIFIC REGION: Gladys Christensen, Central Arizona College, Ariz.
SOUTHERN REGION: Donald Wilson, Piedmont Community College, N.C.
WESTERN REGION: J. Robert Collins, Collin College, Texas

2019 ACCT Regional Equity Award Recipients
CENTRAL REGION: Oakton Community College, Ill.
NORTHEAST REGION: Harrisburg Area Community College, Pa.
PACIFIC REGION: Pima Community College District, Ariz.

2019 ACCT Regional Chief Executive Officer Award Recipients
NORTHEAST REGION: Sandra Kurtinitis, Community College of Baltimore County, Md.
PACIFIC REGION: David Beyer, Everett Community College, Wash.
SOUTHERN REGION: Mary Thornley, Trident Technical College, S.C.
WESTERN REGION: William Serrata, El Paso Community College, Texas

2019 ACCT Regional Faculty Member Award Recipients
CENTRAL REGION: John Sands, Moraine Valley Community College, Ill.
NORTHEAST REGION: Sonia Pruneda-Hernandez, Montgomery College, Md.
SOUTHERN REGION: Ray Snyder, Trident Technical College, S.C.
WESTERN REGION: Michael Roeber, Northeast Community College, Neb.

Model Standards of Good Practice for Trustee Boards

In Support of Effective Community College Governance, the Board Believes:

- That it derives its authority from the community and that it must always act as an advocate on behalf of the entire community;
- That it must clearly define and articulate its role;
- That it is responsible for creating and maintaining a spirit of true cooperation and a mutually supportive relationship with its CEO;
- That it always strives to differentiate between external and internal processes in the exercise of its authority;
- That its trustee members should engage in a regular and ongoing process of in-service training and continuous improvement;
- That its trustee members come to each meeting prepared and ready to debate issues fully and openly;
- That its trustee members vote their conscience and support the decision or policy made;
- That its behavior, and that of its members, exemplify ethical behavior and conduct that is above reproach;
- That it endeavors to remain always accountable to the community;
- That it honestly debates the issues affecting its community and speaks with one voice once a decision or policy is made.

*The term “board” refers to a community college board of trustees or appropriate governing authority.*
We know that not everyone has time to read pages and pages of research or news every day. That’s why, in response to member requests, we’ve launched “In the Know with ACCT,” our new podcast series dedicated to community college interests. Our third season launched in September, National Campus Safety Awareness Month, with episodes relating to how community colleges thrived in the face of Hurricane Harvey and the 2019 California wildfires, as well as practical information about campus public safety and risk management. Season three officially kicks off with in-depth discussions about:

- From UC Davis to D.C.: A Community College Student’s Journey to ACCT
- Strategic Planning for Boards and Leaders
- Board Basics for New Trustees
- What I Wish I Had Known as a New Trustee
- The Board-CEO Relationship
- Board Ethics 101
- Can Your College Afford Not to Have a Board Retreat?
- Changing Demographics: What Colleges Need to Know for the Future
- Incoming and Outgoing College Presidents Working Together for a Graceful Transition
- Need to Know: Preparing for the Community College National Legislative Summit This Election Year
- Open Educational Resources: What Are They? Why Use Them? How?
- What Students Really Think: How Your Community College Can Tap the Latest Survey Insights
- How Community Colleges are Leading the Way in Prison Education
- The Future of Public Higher Ed: State Systems Perspective
- Digitization of Education and Work
- Serving the New Traditional Student
- More of-the-moment “Need to Know” episodes — brief, to-the-point overviews of public policy and other hot topics.

Visit www.acct.org/podcast to stream the In the Know with ACCT podcast, and for links to download the podcast to your Apple or Android mobile devices.

2019 ACCT Regional Awardees Announced

(continued from page 4)

2019 ACCT Regional Professional Board Staff Member Award Recipients

CENTRAL REGION: Karen Campbell, Southwest Wisconsin Technical College, Wis.

NORTHEAST REGION: Jean McAlister, Atlantic Cape Community College, N.J.

SOUTHERN REGION: Kim Boatwright, Midlands Technical College, S.C.

WESTERN REGION: Leslie Gallagher, Lee College, Texas

Regional ACCT Awards were announced daily from August 1-7 via ACCT’s Twitter account. Follow us @CCTrustees.

Individuals and colleges recognized at the regional level will contend for the national-level recognition of the following ACCT Association Awards:

- 2019 M. Dale Ensign Trustee Leadership Award
- 2019 Charles Kennedy Equity Award
- 2019 Marie Y. Martin Chief Executive Award
- 2019 William H. Meardy Faculty Member Award
- 2019 ACCT Professional Board Staff Member Award

One outstanding award recipient in each category will be announced during the Annual ACCT Awards Gala on Friday, October 18, at the Hilton San Francisco Union Square, in conjunction with the 50th Annual ACCT Leadership Congress.
In Memoriam: Isobel Dvorsky
October 26, 1928 – July 29, 2019

ACCT regrets to announce the passing of former board chair Isobel Dvorsky, who served as a trustee for Chabot-Las Positas Community College for 35 years.

Dvorsky also served as the president of the California Community College Trustees (CCCT) and was a founding member of the Community College League of California, in addition to serving on the boards of the American Association of University Women and the American Medical Association.

Dvorsky is survived by three children, six grandchildren, and five great-grandchildren. Her contributions to ACCT and the community college mission were extraordinary.

Forthcoming ACCT Brief Analyzes Trends of Working Community College Students
By Allison Beer

The typical community college student has long been the student who balances multiple responsibilities in addition to their academic courses. For community college students, working either full- or part-time while pursuing their degrees is the norm. Their reasons for working while in college are varied, including insufficient financial aid to pay for tuition and living expenses, the need to support a family, or the desire to gain career experience or remain in the workforce. In a forthcoming brief — the first in a four-part series addressing community colleges and workforce needs — ACCT will provide an in-depth analysis of how community colleges can help working students achieve their educational goals.

National data from the U.S. Department of Education National Postsecondary Student Aid Study (NPSAS) indicates that as of 2016, more than two-thirds of community college students work while enrolled. Students may have various motivations for working, such as needing to pay the costs of tuition and living expenses not covered by financial aid, providing financial support to their family, or wanting to gain career experience. However, national data indicates that the majority of students who work have unmet financial needs and hold jobs unrelated to their college majors, suggesting that their decision to work is primarily financial rather than about gaining career experience.

Furthermore, the percentage of community college students who work while enrolled vary by demographic characteristics. Students most likely to have a job while enrolled include females (70%) and students between the ages of 24 and 29 (71%). Independent students, particularly those with their own dependents (71%), are also more likely to work compared to community college students overall.

Working students face a number of added challenges in pursuing their degrees, including balancing the time required to fulfill their work and family responsibilities, maintaining academic success; paying for college costs and living expenses, and integrating into campus life. While these challenges are not unique to students who work, the added time demands of working part- or full-time can intensify common barriers to persisting through college and completing a degree. Thus, it is important for colleges to implement support services specifically tailored to the needs of working students. Students can benefit from supports geared towards meeting a combination of their academic, financial, and family needs. Our full report will include details about different types of supports, including work-based learning, awarding credit for prior learning, flexible scheduling, and expanded child care programs. The report also will include examples from several community colleges using creative strategies to meet working students’ academic and non-academic needs for earning their degree.

Last year, ACCT released a comprehensive report on community colleges’ role in workforce development, Partnerships for a Future-Ready Workforce. Building on this research, ACCT will publish a series of four research briefs to provide trustees and college leaders with an in-depth look at key topics from the larger report. This first report focused on supporting working students will be available by late summer 2019. Over the next year and a half, ACCT will publish briefs on the topics of implementing prior learning assessments, meeting needs for upskilling, and adapting to automation in the workforce. All reports will be available at acct.org.

Allison Beer is ACCT’s senior policy analyst.
New Initiative to Strengthen Rural Community Colleges

A comprehensive assessment of the needs of rural community colleges throughout the country will be conducted by the Association of Community College Trustees (ACCT), the association announced in late summer. The study will be funded by an 18-month, $250,181 grant from the Bill & Melinda Gates Foundation.

“ACCT is grateful to the Bill & Melinda Gates Foundation for investing in this important research,” said ACCT Chair Connie Hornbeck, a trustee at Iowa Western Community College. “Many rural community colleges are lifelines for their communities, providing vital educational and vocational training opportunities that cannot be sourced anywhere else. In order to best serve these colleges’ ever-changing needs and to help their students succeed, it is important that we continue to amass research and understand their common and unique needs.”

“This project will build on ACCT’s prior work by engaging rural community college presidents and trustees to gather new information about the challenges faced by these institutions and to develop potential state and federal policy solutions to support their long-term viability,” ACCT President and CEO J. Noah Brown said. “With this research, ACCT will be able to support the educational needs of rural community college boards and assist in making the best data-informed decisions.”

The project will encompass two components:

• Convening presidents and trustees from rural colleges across the country, including those from five states that serve predominantly rural areas; and

• Publication and dissemination of a report that details enrollment and degree attainment; economic conditions of rural areas; rural college funding; and availability of resources such as faculty, internet, and transportation.

“Community and technical colleges are central to their communities, and perhaps especially so in rural parts of the country,” Brown said. “ACCT appreciates the support of the Bill & Melinda Gates Foundation in our efforts to build onto a growing body of knowledge that helps us understand rural colleges’ needs in this time of unprecedented transformation.”

For more information about the initiative, contact Jee Hang Lee at jhlee@acct.org.

“ACCT is grateful to the Bill & Melinda Gates Foundation for investing in this important research. Many rural community colleges are lifelines for their communities, providing vital educational and vocational training opportunities that cannot be sourced anywhere else. In order to best serve these colleges’ ever-changing needs and to help their students succeed, it is important that we continue to amass research and understand their common and unique needs.”

— ACCT Chair Connie Hornbeck

LET THE LAW WORK FOR YOU

Timing is everything when it comes to advocacy, but not everyone has time to pay attention to pending legislation day in and day out.

ACCT’s Latest Action in Washington (LAW) Alerts do the work for you.

Since 2008, nearly 1,900 people have signed up to receive ACCT’s LAW Alert emails — brief summaries of legislative actions emailed to subscribers as legislation happens, giving community college trustees, presidents, and other leaders and advocates time to contact their representatives and exert influence before it’s too late.

Please encourage your fellow trustees, presidents, and colleagues to stay up to date about legislation that affects their community colleges by joining the LAW E-Alert network. To join, simply email publicpolicy@acct.org with “LAW Alert” in the subject of the email.

For more information about ACCT’s advocacy services, visit www.acct.org/advocacy.
Higher Education in the Spotlight
How to turn the lemons of bad news into refreshing advocacy lemonade.

By Jee Hang Lee

ADMISSIONS SCANDAL. MAJOR CUTS TO Public University System. Rising Tuition Costs. Skyrocketing Student Loan Debts. Headlines like these in the past several months have continued to dominate mainstream media, and the corresponding effect will likely further stress public confidence in higher education.

Even before this year’s high-profile headlines, a majority of Americans already believed higher education was headed in the wrong direction, according to a Pew Research Center study conducted in 2018. While additional surveys (such as New America’s ‘Varying Degrees’ study) have shown that community colleges garner the greatest public faith that institutions operate in students’ best interests and offer the greatest value compared to other sectors, the prevalence of negative news has a corrosive effect on all parties in higher education.

The loss of public support may result in further losses of state and local support for public higher education. Now more than ever, community colleges are becoming reliant on student tuition and fees as funding decreases from other sources. For example, the Iowa Association of Community College Trustees states that for FY 2017, student tuition and fees made up 52 percent of the general fund in that state. A half-century before, in FY 1967, tuition and fees made up only 14.2 percent of Iowa’s general fund. And in FY 2018, “despite five years of small increases and steady appropriations in the last year, appropriations remain below historic levels after four straight years of declines during the Great Recession,” according to the State Higher Education Executive Officers (SHEEHO).
From the presidential campaign trail to the halls of Congress, legislators are proposing major changes to the current higher education finance system. The proposals being discussed include broad debt forgiveness, income-sharing agreements, College Promise programs, and new accountability measures. Higher education was once a second-tier presidential campaign issue, but one just has to watch the Democratic primary debates to realize that the tide has shifted. The national spotlight is now squarely on higher education.

Legislative proposals have gravitated toward ensuring that all institutions are held accountable for the behavior and performance of their current and former students. From risk-sharing to student debt, leaders want a more responsive and responsible higher education system. It was typical in the past for public higher education institutions to be considered different than other sectors because of their missions and their support from public resources. But as seen by the recent defunding of the University of Alaska system by over 40 percent, just being a public institution isn’t reason enough to receive increased — or even just level — funding.

What does this mean for ACCT’s members? First and foremost, it provides an important opportunity to talk about your institution’s programs and its students. Higher education is not a monolithic structure. Legislators must come to realize the varied and crucial roles our institutions play in meeting their local, state, and national needs. Nuance is difficult to describe in a pithy campaign slogan, but consistent and persistent education and advocacy can help provide the necessary context to deter harmful proposals.

Your first imperative is to invite your legislators or their staffers to visit your campus and to meet its students. Students hold powerful voices in advocacy, as they can best articulate the financial and academic struggles they face today.

Second, use data to inform the conversation. The Department of Education has recently updated its College Scorecard website, https://collegescorecard.ed.gov/, with new data to better reflect completion, transfer, and retention data. The federal data has significant gaps for community colleges because only students receiving federal aid are represented in earning data. Typically, less than half of community college students receive federal aid, and in certain situations only Pell Grant students are included in the wage data. For wage information, it is better to use state data whenever possible, as it captures a larger base of students who represent elected officials’ constituents.

ACCT continues to support the efforts of community colleges through both advocacy and research. In the next year, ACCT will release a series of reports around best practices around adult learners, prior learning assessments, and upskilling. ACCT also will conduct research around short-term non-credit programs to identify viable programs.

It is important that trustees and college leaders continue to articulate their support of community college priorities. Make your voice heard by visiting your member of Congress and talking about these key issues. Request a meeting on campus with your legislator and talk about the pressing issues important to your institution. To stay up to date on key legislative items, sign up for ACCT’s Latest Action in Washington alerts by emailing publicpolicy@acct.org.

ACCT Senior Vice President Jee Hang Lee can be reached by email at jhlee@acct.org, or by phone at 202-775-4667.
THE COMMUNITY COLLEGE BACCALAUREATE

MISSION CREEP OR MISSION FOCUSED?

BY J. NOAH BROWN
ACCT SUPPORTS POLICIES THAT ALLOW LOCAL COMMUNITY COLLEGE BOARDS, THROUGH THEIR MISSION AND POLICY-SETTING ROLE, TO WORK COLLABORATIVELY TO CONFER BACCALAUREATE DEGREES THAT ARE DESIGNED TO RESPOND TO LOCAL, REGIONAL, AND NATIONAL EDUCATIONAL AND WORKFORCE NEEDS.

MY FIRST REAL EXPOSURE TO THE ISSUE OF WHETHER community colleges should offer baccalaureate degrees came during the formulation of the New Expeditions project, a joint effort of the American Association of Community Colleges and ACCT in 2000, examining the new millennium’s opportunities and challenges. At that time the issue was relatively controversial, with advocates and opponents occupying opposing trenches in the community college landscape.

Now, almost 20 years later, roughly 100 community colleges across 17 states offer baccalaureates, primarily in applied fields where shortages of skilled workers hamper economic development and social mobility.

Workforce Needs

What’s driving the community college baccalaureate movement? It is estimated that the U.S. needs to raise degree attainment for 25-to-34-year-olds from 39 percent to 60 percent to meet employer demand. Currently, the U.S. stands at just under 48 percent. We may not reach the 60 percent goal until 2041, according to the Educational Testing Service (ETS).

And despite longstanding calls to increase degree attainment to ensure the nation's global competitiveness, America remains stuck in 13th place globally, according to the Organisation for Economic Development and Cooperation (OECD).

Furthermore, the Bureau of Labor Statistics (BLS) estimates there are 6.8 million Americans looking for work and nearly 6 million unfilled jobs — a mismatch that represents a pervasive and vexing problem for our economy, particularly as we will need millions of additional workers as Baby Boomers retire over the next decade.

Degrees and Social Mobility

Despite our best intentions and large-scale investments in education and training, the equity gap in higher education persists and is not narrowing. On average, white and Asian students earn a college-level credential at a rate at least 9 percentage points higher than do their Hispanic and African American peers, according to Census data.

Increasing equitable degree attainment will be more urgent in the coming years when college enrollment across all postsecondary institutions will slow down — rising by only 1.14 percent through 2022, about one-third the pace of the past decade, according to the National Center for Education Statistics (NCES). To compound matters, the number of high school graduates will decline by 2022, while racial and ethnic diversity increases. This suggests the equity gap will expand, not narrow, if we do not innovate around pathways leading to degree attainment.

Millions of working people feel disconnected from our economy and social and political institutions — they no longer believe that they and their children will be better off than previous generations. Work by Harvard economist Raj Chetty suggests that “children born in 1940 had a 90 percent chance of earning more than their parents, but for children born four decades later, that chance had fallen to 50 percent, a toss of a coin.” (“The Economist Who Would Fix the American Dream,” Atlantic Monthly, August 2019).

To drive this point home, median weekly earnings for associate degree holders is $836, while bachelor’s degree holders earn $1,173, according the BLS. Degrees matter to earnings and economic mobility.

On the flip side, the unemployment rate for bachelor’s degree holders is 2.5 percent; compared to 3.5 percent for associate degree holders and nearly 4 percent for those with no postsecondary degree.

Affirming the Role of Boards

Since 1972, ACCT has worked to increase the capacity of governing boards as policymakers and leading voices in their communities. Specifically, we believe community colleges exist:

To promote and offer high quality and affordable higher education, cutting-edge workforce and development training, student success, and the opportunity for all individuals to achieve economic self-sufficiency and security.

—ACCT Mission Statement

More recently, the ACCT Board revisited the issue of baccalaureate degrees and adopted a new policy statement:

ACCT supports the Community College Baccalaureate degree as a higher education offering that can support local, regional, and national goals for a more educated and prepared workforce. ACCT supports policies that allow local community college boards, through their mission and policy-setting role, to work collaboratively to confer Baccalaureate degrees that are designed to respond to local, regional, and national educational and workforce needs.

—ACCT Board of Directors, February 10, 2019
The policy statement was designed to affirm both the value and focus of baccalaureate degrees and reassert the primacy of boards in making decisions based upon the needs of the communities they serve. The ACCT Board, as representatives of our member boards, declared the community college baccalaureate degree is consistent with the mission of community colleges.

Mission Focused When . . .
Throughout the history of community colleges, boards have promoted educational access and sought to address the equity gap for populations historically underrepresented in higher education. As noted earlier, closing the equity gap requires that we innovate around pathways leading to degree attainment.

A new focus on access to an affordable baccalaureate degree, and increasingly, to a technical and/or applied baccalaureate degree being demanded by industry, aligns with the need to rebuild and empower the middle class.

Beginning around 2010, boosting completion and degree attainment have emerged as "job one" throughout the community college sector. Creating applied and alternative pathways to the baccalaureate degree comports fully with this mission and our responsibility to strengthen local, regional, and national economies.

Offering baccalaureate degrees is mission focused when there are strong and demonstrable connections to workforce needs and reducing skills shortages results. I and others have often adopted the parlance of "degrees of relevance" as a construct for ensuring degree offerings correlate to labor force and economic needs.

Similarly, increased global competitiveness and economic sufficiency should be paramount design considerations when instituting baccalaureate degree programs. This fits seamlessly with the overall value proposition of community colleges to provide both an on-ramp to higher education and further institutional stability and viability.

And affordable and demonstrable ROI for students and taxpayers should be realized and measurable so that boards can monitor and fulfill their primary responsibilities as stewards and trustees of individual and collective assets.

Not Mission Focused When . . .
Experience suggests that we depart from our mission when degrees are not relevant to workforce or career needs. Boards must navigate tough choices among competing priorities and demands, and if no demonstrable shortage in local labor markets or with employers exists in the service district of a college, scarce resources should not be directed to creating degrees when demand cannot be justified empirically.

Similarly, duplication of effort, such as by initiating programs or services readily available through neighboring institutions, should be signals to boards to move to other programmatic or student services needs, where an institution can play to its curricular strength, labor market needs, and community reputation.

Offering degrees that lack quality or applicability to professional advancement or occupational mobility also departs from our core mission. Boards must guard against proliferating degrees that lack the ability to move individuals forward in their careers.

Perhaps the biggest risk for boards is erroneously believing that degree programs are simply cash cows or a strategy for supplanting lost revenue streams. Not only a myopic strategy, such an approach also violates the earlier tenets for ensuring mission focus and labor market relevance.

Food for Thought
Relevance has been shown to be the strongest predictor of student perceptions of quality and value — and relevance varies widely across degrees and fields of study, according to a recent survey released by the Strada Education Network. With this comes a cautionary note — colleges must scale degree programs to real labor market needs and not flood the market or increase duplicity in ways that diminish perceived value and quality.

Just as noteworthy, the Strada survey also pointed to relevance and completion being completely intertwined and inseparable — to violate one or both could seriously jeopardize institutional reputation and standing.

If recent trends and public surveys teach us anything, it is that we must redouble our efforts to align what we do to real jobs and prospects for increased earnings and economic mobility.

Completion, persistence, and degree attainment are now the highest priorities to maximize returns on investment, and with them, the focus is shifting to occupational and skills-relevant competencies. Employers are not waiting on community colleges. Businesses are ramping up their own occupational badges, certificates, and stackable credentials — and we might be left behind if we fail to innovate and evolve.

Community college baccalaureate degrees are the latest forms of the entrepreneurial and evolutionary stages necessary for institutional stability and viability.

When focused on relevant programs, granting bachelor's degrees allows our institutions to provide their students with more options within the education market, while serving incredibly important social and economic imperatives.

Competitive advantage remains with community colleges only as long as they innovate and compete on the basis of accessibility, affordability, and quality. This is our history, and we must ensure that it is our legacy.

J. Noah Brown is president and CEO of ACCT.
HOME BASE

ADDING ON-CAMPUS HOUSING CAN HELP ADDRESS STUDENT NEEDS, BUT LEADERS MUST CONSIDER MANY FACTORS BEFORE BREAKING GROUND.

BY JANE A. KARAS
MANY COMMUNITY COLLEGE STUDENTS LACK ACCESS TO affordable housing. Community college trustees looking to address this issue may consider adding on-campus student housing. While most community colleges historically have not provided housing, nearly one-third (28 percent) of community colleges now offer it to students, according to the American Association of Community Colleges.

On-campus housing represents a way for community colleges to provide affordable housing options to their in-district, out-of-area, and international students. In addition to meeting the needs of students, on-campus housing also enables a community college to market itself to a student population that is seeking a residential campus experience.

Nestled in the Rocky Mountains, Flathead Valley Community College (FVCC) in Kalispell, Montana, offers students exceptional academic offerings and outdoor adventures in one of the most picturesque areas of the country. Traditionally a commuter campus, FVCC began offering on-campus housing to students in 2017. The on-campus housing complex is comprised of 124 beds in full-service apartments (24 single units and 50 two-bedroom units).

For community college leaders, the decision to construct on-campus housing requires a thorough analysis of funding sources, housing demand, and staff support that can all affect their investment and its long-term success. Examining FVCC’s journey to reach our decision to offer on-campus housing illustrates many of these factors.

Know Your Market and Student Needs
The FVCC Board of Trustees identified the lack of affordable housing for local and out-of-area students and decided to explore on-campus housing. The board realized the importance of exploring student demand and the feasibility of developing and maintaining on-campus housing before making any commitment. FVCC’s initial experience with housing began with a pilot program that ran from fall 2011 to summer 2017. The college leased a 15-unit offsite apartment complex comprised of two-bedroom apartments.

This initial experience in providing student housing led to further discussions about the development of on-campus housing. In 2015, FVCC contracted with an independent firm to conduct an assessment of the local rental and housing market and an assessment of student interest. These assessments included an off-campus housing market analysis, a student survey analysis, and a student housing demand analysis. The results yielded extensive insights into the housing challenges experienced by FVCC students.

The assessment determined that the rental market in Kalispell and surrounding communities was cost-prohibitive to students and provided limited housing options. Unit availability was also a significant challenge for students, with area apartment communities averaging a 99 percent occupancy rate.

The assessment also included an online survey conducted to test housing preferences and project student demand. Valuable data gathered from 521 participants, including FVCC students, prospective students, and their parents indicated demand among each of the targeted groups. Eighty percent of parents and potential students indicated the availability of on-campus housing was either very important or important in the decision to attend college. Twenty-nine percent of FVCC students indicated the availability of housing as very important or important in their decision to attend FVCC.

Following a review of the student housing market and demand assessment in July 2015, the FVCC Board requested the development of a student housing feasibility study to identify costs for constructing and maintaining student housing. In December 2015, the board approved the student housing feasibility study and voted unanimously for the college to move forward with the development and construction of on-campus housing. FVCC chose a site for the on-campus student housing that provided students with access to grocery stores, restaurants, movies, etc., all within a short walk of one-half to one mile.

Project Funding
Trustees should carefully consider their options for funding. State laws governing how community colleges fund facility construction projects may affect the choices made by the trustees.

In 2016, Montana state law did not permit the use of revenue bonds as a funding mechanism for community colleges, so FVCC chose to pursue financing for the project through a request for proposal process. Two local banks partnered and were awarded the contract for the loan.

The board approved funding in July 2016, and construction of the facility was completed just prior to the start of fall classes in August 2017.

Title IX and Clery Act Considerations
The addition of on-campus housing impacts the manner in which community colleges manage the implementation of Title IX and Clery Act responsibilities. Title IX is a federal civil rights law that prohibits discrimination on the basis of sex in any educational program or activity that receives federal funding. Under the Clery Act, colleges and universities are required to report campus crime data, support victims of crime, and publicly outline the policies and procedures developed to improve campus safety.

The addition of student housing can present new challenges for managing the implementation of Title IX and Clery Act procedures. The grouping of students, particularly in a housing setting, will increase the likelihood of different types of incidents occurring on a campus.

When incidents occur on a campus or public property
immediately adjacent to a campus, community colleges must be prepared, if necessary, to conduct both an investigation under Title IX and determine whether a timely warning should be issued to all staff and students as directed under the Clery Act.

Given how Title IX is interconnected with the Clery Act in many ways, it is important to determine whether additional student services staff will be necessary to manage these institutional responsibilities. FVCC has trained a team of staff and faculty that, in addition to their regular responsibilities, serve as Title IX liaisons and investigators, with the dean of student affairs serving as the official FVCC Title IX coordinator.

Campus Safety
Community colleges must consider the need for additional campus security measures with on-campus housing. While some community colleges employ full-time campus security personnel, alternative security measures commonly used include security cameras, call boxes, enhanced lighting, and key fobs for dormitory entry. FVCC has partnered with our local police department to create a campus resource officer position. FVCC also employs the use of various security measures to monitor activities on campus.

Staffing Demands
Staffing requirements are an important consideration when assessing on-campus housing. The management of student housing can often result in student services staff absorbing new responsibilities or require the creation of new positions. FVCC hired a director of residence life who is supported by four student resident assistants. Additional facilities and custodial positions may also be required to address repairs and to maintain the appearance of common areas, student rooms, hallways, lobbies, and lounges.

Expanding Campus Activities
When students are living on campus, keeping them engaged outside of class, particularly during evenings and weekends, is critical and may require facility and operational changes. FVCC has expanded campus activities for students, including extended library hours and additional academic support programs, increased social events, and new volunteer opportunities.

Student housing allows students to build a unique sense of community and creates an environment for enhanced social and academic growth. In addition, a college can expand collaborative partnerships with local businesses that are often interested in providing students discount coupons for their products and services.

Embrace the Experience
Exploring the possibilities for student housing at your college takes time and thoughtful discussion and analysis of multiple data. Open strategic communication involving college leadership, the board of trustees, staff, and students is key for any large institutional endeavor. Regardless of the outcome, the information gained from a discovery process will be beneficial in moving forward and establishing goals and an action plan to address student needs for success.

Jane A. Karas, Ph.D., is president of Flathead Valley Community College in Kalispell, Montana.
UNDERSTANDING POLICYMAKERS AND GOVERNANCE

PRODUCTIVE PASSION OR DISTRACTING OBSESSION? GOVERNANCE IS A PERENNIAL AREA OF FOCUS AMONG STATE EDUCATION POLICYMAKERS, AND IT’S IMPORTANT TO UNDERSTAND WHAT DRIVES THEM.

BY BRIAN SPONSLER

EDUCATION GOVERNANCE IS A PERENNIAL TOPIC OF INTEREST AMONG STATE EDUCATION policymakers. In the last two legislative sessions alone, 43 states have enacted over 175 pieces of legislation related directly to some aspect of education governance arrangements, reforms, or redesigns.

As community college trustees seek to navigate and inform governance reform efforts, they would be well served to keep top of mind some of the reasons legislators, agency heads, and gubernatorial staffers are often drawn to governance as a policy topic. When state and system policy and political leaders consider how to structure education governance arrangements, they often do so with an eye towards the dual purposes of finding system efficiencies and supporting desired statewide and institutional performance outcomes.
But what drives this interest in governance, and what assumptions about how governance works and the role it plays in outcomes are underlying policymaker interest? Through our work at Education Commission of the States, we’ve engaged hundreds of state and system policy leaders in their requests for information about, and guidance on, education governance. Across these engagements, several articulated assumptions — and a few unarticulated ones — emerge and provide insight as to why education governance conversations are a constant feature of policy dialogues.

First, the articulated assumptions that drive policymaker interest in education governance:

**Assumption 1: Governance arrangements matter.** When leaders inquire about governance models across the early learning, K-12, postsecondary, and workforce development spectrum, they are often starting with a desire to improve student-level outcomes in their state education systems. And they are operating with an assumption that governance arrangements not only ought to but do impact a range of system and institutional performance indicators. Yet the evidence base that any one specific governance arrangement impacts education and policy outcomes is scant, with the majority of evaluative studies suggesting inconclusive results. Evidence-based or not, a strong belief that “governance has to matter” is driving interest in governance reform.

**Assumption 2: Governance can be fixed and should be “fixed.”** Policy leaders often assume they are chasing an optimal steady state for education governance. There is a sense among many state political and educational leaders that there is a way their state “should” be doing education governance — and that “should” often is defined as something their state isn’t currently doing. Moreover, there is an articulated desire to find this steady state and move on, that governance arrangements are something to fix, and that they also remain fixed. If only, the driving narrative goes, we could find the optimal setup of our governance structures, we could leave them alone and move on to other policy areas.

**Assumption 3: Alignment across educational systems is desirable.** Alignment is one of those words in our education policy lexicon that lacks clear and consistent definition or operationalization. But as an opaque goal for policy change, alignment has utility. Seeking to “align educational systems” allows reformers to articulate a goal for policy change that has few detractors and faces almost no counter-proposals; the “anti-alignment” constituency is nonexistent. In part for this reason, aligning educational systems has become the north star for many governance reform discussions. Alignment has in many cases become the end goal itself, not the means to an end that involves student outcome changes.

In addition to these three reasons policy ecosystem denizens are interested in governance reforms, two others aren’t so openly discussed — but are important for individuals in policymaking and institutional leadership circles to understand.

**Unarticulated Assumption 1: When you can’t buy another chair, move around the chairs you’ve got.** Funding is often tight for state postsecondary education budgets, and new money is rarer still. When politically influenced policymakers confront indefensible education outcomes for too many students and a political necessity to be seen “doing something” to address education outcomes, what better way than to seek governance reform and rearrange bureaucratic structures? In constrained fiscal environments, structural reforms take on increased currency to seemingly be addressing systemic underperformance.

Which leads into the second unspoken reason governance remains a popular topic for policymakers.

**Unarticulated Assumption 2: Governance reform can be a low-cost political winner.** There are several ways that governance reform can be viewed as politically advantageous. For instance, advocating for, let alone actually implementing governance change can have low upfront costs. Reorganization planning, shuffling administrative agencies, etc. aren’t the types of things that come with huge budget requests and often fall under the radar of mainstream policy coverage.

Additionally, *in an era of accountability, it’s easy to avoid any when proposing governance changes. While alignment as a concept is simple to understand, state education governance arrangements themselves can be complex and opaque to those outside the field. Therefore, it is very difficult for the average person to easily track changes or proposed changes to these systems, to understand what impacts those changes may have, and to hold — in any sense — those who drove change “accountable.” These circumstances represent the opposite of issues such as changes in state financial aid, where the bottom line of per-student funding is digestible by a wide audience of education constituents.*

Taken together, these five assumptions offer some perspective on the drivers of state leaders’ attention to education governance. How we choose to structure public systems matters. It sets formal and informal expectations of behaviors and professional norms, signaling values that are important and setting expectations of interaction between various agencies, systems, and institutions. Any search for an optimal way to govern education systems should be secondary to a focus on governing those systems effectively to support student outcomes and meet other state goals.

To learn more about how postsecondary governance is structured in your state or the District of Columbia, please visit the Education Commission of the States Postsecondary Governance resource page at [www.ecs.org/50-state-comparison-postsecondary-governance-structures/](http://www.ecs.org/50-state-comparison-postsecondary-governance-structures/).

Brian Sponsler is vice president for policy and director of postsecondary and workforce development at Education Commission of the States. ECS tracks policy, translates research, provides advice, and creates opportunities for state policymakers to learn from one another.
THE MAKING OF A COMMUNITY COLLEGE TRUSTEE:
CHAPTER ONE

THE ORIENTATION EXPERIENCE IS SEEN THROUGH THE EYES OF FICTITIOUS TRUSTEE PAM SCHIER.

BY EDUARDO MARTI

DURING MY TENURE AS A COMMUNITY COLLEGE PRESIDENT, I OFTEN WONDERED HOW TO best serve the board of trustees. Presently, I serve as a trustee of Teachers College at Columbia University, which has given me insights into higher education boards from both sides now — as a board member, and as the chief executive who reports to the board.

This article is the first of a series that will take the reader through the eyes of a fictional community college trustee, Pam Schier. Informed by my own experiences and those of peers, the series will explore typical scenarios, including a new trustee’s thoughts about experiences as they occur, and will conclude with questions for personal consideration and board discussion. The series is intended to inspire mindfulness among board members, new and experienced, about the full life cycle of trusteeship, from onboarding through transitioning off the board. All scenarios and characters are fictitious, though inspired by real-life experiences.
Chapter One: Orientation

It all started with a phone call. Pam Schier received a call from the Fillmore County executive to determine if she was willing to place her name in nomination for the board of trustees of Fillmore County Community College. She was intrigued.

“What is my commitment?” she asked.

“The appointments are for seven years. The board meets once per month except in the summer. The meetings are usually two to four hours long. You will be asked to serve on one or two committees. The committees meet prior to the full board meeting. Here is where the real work is conducted. Technically, all meetings are open to the public and the press, but the only ones where the press is usually present is the full board meeting,” the county executive replied.

“Is this a political appointment?” Pam inquired. “You know that I abhor politics.”

“Well, you would be one of five trustees appointed by the county legislature, and you would serve with four others appointed by the governor. One student trustee is elected on an annual basis. In a sense, this a political appointment; however, as a trustee, you would owe allegiance to the institution. You will have been entrusted by the public through its representatives to act in the best interest of the college. So, generally, politics are left at the door.”

“What would my duties be?” continued Pam.

“You must regularly attend and participate in board meetings and committee meetings. You’ll need to read, review, and inquire about materials that involve the institution, especially board minutes, annual reports, other reports, plans, policies, and any literature that involves the institution. You have a fiduciary responsibility for the assets, finances, and investments of the college. And you and your fellow trustees formulate all the policies governing the institution.” answered the county executive. “I know that this sounds pretty ominous, but really, Pam, all this means is that you will represent your fellow county residents in ensuring that the college functions well and to the benefit of the community.”

“Yes, it does sound weighty. Let me think about it and I will get back to you,” Pam said as she bid goodbye to her old friend.

After some thought and discussion with her family, Pam decided to place her name in nomination. Her husband was supportive, and she was excited about being able to make a major contribution to the well-being of her community. Her nomination sailed through the county legislature, and she was appointed as a trustee right before the board’s June meeting.

The Orientation

Shortly after her appointment, Pam received a phone call from the president of the college. Pam was looking forward to having a conversation about what was expected of her.

“Hello, Ms. Schier, this is Dr. Albert Pendleton, the president of Fillmore County Community College. I wonder if you have few minutes to talk?”

“Oh, of course, Dr. Pendleton. I am very excited about serving as trustee and I have a thousand questions to ask you.”

“Great. First of all, allow me to express my congratulations on your appointment. I would like to invite you to come to campus and meet the chair of our board, Chuck Frasier, and some of the members of the staff. How does next Monday at 10 a.m. sound to you?”

“That will be great. I will be there.”

Pam’s first impression was not very positive. Dr. Pendleton seemed more interested in securing her attendance at this meeting than answering her questions.

That Monday morning, while walking from the parking lot to the office of the president, Pam observed the campus. Funny, she had been there many times before, but today she saw the half-full trash bins and the cracks on the sidewalk. She was now a stakeholder.

She arrived at the president’s office and was immediately struck by its relatively luxurious accommodations, as compared with the rest of the campus. As she sat down, coffee was brought to her by Dr. Pendleton’s assistant along with a thick binder labeled “Trustee Orientation Materials.” How in the world was she going to be able to digest all of this before the first meeting?

After some small talk, President Pendleton began by giving Pam a description of the college. “The college was founded in 1969 and serves about 4,000 full-time-equivalent students with 230 full-time faculty members and 500 adjuncts. The total population of the college is about 12,000 students. The college provides a pleasant suburban campus setting, with 10 buildings on 273 acres. About 1,500 students graduate every year. These are Fillmore County’s first responders, accountants/bookkeepers, teachers, and business people in this community of 500,000 residents.”

Chuck Frasier picked up the conversation, which seemed to Pam as if it had been rehearsed. “We are a very friendly bunch here, Pam. May I call you Pam?” said Chair Frasier. “You can call me Chuck. Everyone does. We are pleased with your appointment. You see, the truth of the matter is that we need you to help Dr. Pendleton and me take this fine college to the next level. In the folder we gave you, you will find all the information you need. The most important fact for you to understand is that full board meetings are open, and whatever we say is scrutinized by the public, the faculty, and staff unions. Therefore, we must present a unified front. The place to have frank discussions is at the committee level. By the way, we are thinking of asking you to join the human resources committee. Would you give that some thought?”

Pam was told by the chair that the budget was tight because enrollments were declining and the county was not willing to provide additional assistance. The collective bargaining
units were in the middle of negotiations and there was some dissatisfaction among the workers. The faculty union was very active in litigation, with 22 pending grievances. To top it all off, because state contributions were contingent upon FTE-driven enrollment and enrollment was declining, this revenue stream was declining as well. Pam was trying to remember if anyone had told her what FTE means.

She left the meeting feeling that she had been talked at. Her first impression was that she had joined a college with serious difficulties and with leadership that needed people who agreed with them rather than someone who would contribute new ideas and assist the board in making meaningful policy. Perhaps the administration was so stressed that there was no time for niceties. She was willing to give them a chance.

At lunch, she met with members of the administration’s senior staff. They proceeded to tell her how wonderful the school is and how, in spite of poor funding, there were amazing things being done by dedicated faculty and the staff members. Student retention was something everyone was concerned about, but compared to other community colleges in the state, FCCC was not doing too badly, she was told. A long and exhausting tour of the campus followed the lunch. Pam went home with her head spinning. Her first impression was that the chair wanted smooth public meetings, the president and his staff were under great pressure, and that there was a potential toxic environment that leads to many grievances. She needed to learn more about the innerworkings of the college in order to contribute.

The day was the extent of her orientation. Pam, as the owner of a small insurance company that employs 15 people, would never think about onboarding an employee with such a flimsy orientation.

Questions for Thought & Discussion

1. How would you rate Pam’s orientation on a scale of one (poorest) to 10 (best)?
2. Who is responsible for orienting new trustees? The president? The chair? Other trustees?
3. Were Pam’s duties and responsibilities explained realistically by the board chair and president?
4. Does Pam have enough information to go on in order to make a sound decision about whether to participate?
5. What, if anything, was left out?
6. How many questions should Pam begin with? What sorts of questions should the president and board chair anticipate? How can they guide Pam in tempering her ambitions and excitement while also satisfying her curiosity?
7. How might the college president have made a better first impression on his newest trustee?
8. If you were the board chair, what would you have done to improve the process?
9. What are the longer-term implications of Pam’s first impression?
10. What are the pros and cons of the ways by which Pam was welcomed by the board chair and the college president?
11. How does this compare with the way by which your college welcomes and acclimates new board members?
12. Did Pam receive too much, too little, or the right amount of information during her first meeting?
13. Could similar information be delivered to her in a less alarming way?
14. How could the college president and board chair have prepared her for this experience?

The next article in the series will follow Pam to her first committee and board meetings. Visit www.acct.org for more information for new trustees.

Eduardo Marti, Ph.D., is a trustee at Teachers College at Columbia University, and former president of Queensborough Community College (CUNY), Corning Community College (SUNY), and Tompkins Cortland Community College (SUNY).
DURING MY TENURE AS A COMMUNITY COLLEGE PRESIDENT, I OFTEN WONDERED HOW TO best serve the board of trustees. Presently, I serve as a trustee of Teachers College at Columbia University, which has given me insights into higher education boards from both sides now — as a board member, and as the chief executive who reports to the board.

This article is the second of a series that will take the reader through the eyes of a fictional community college trustee, Pam Schier. Informed by my own experiences and those of peers, the series will explore typical scenarios, including a new trustee’s thoughts about experiences as they occur, and will conclude with questions for personal consideration and for board discussion. The series is intended to inspire mindfulness among board members, new and experienced, about the full life cycle of trusteeship, from onboarding through transitioning off the board. All scenarios and characters are fictitious, though inspired by real-life experiences.
Chapter 2: The First Committee and Board Meetings

THE COMMITTEE

Recently appointed to the Fillmore Community College Board of Trustees, Pam Schier had met with the board chair and the college president. From Pam’s perspective, the two leaders gave her a crash course of some board meeting dos and don’ts, some troubling information about the college, and after receiving some contradictory and more positive information about the college from staff, she was left bewildered about her orientation process.

Nevertheless, Pam looked forward to her first meeting as part of the human resources committee. The committee was composed of two other trustees and the assistant dean for human resources, Margorie Cunningham. During the meeting, a staffing comparison report was presented. It showed that 35 percent of the instruction was delivered by adjunct professors, compared to the state average of 45 percent. The chair of the committee, Bud Johnson, requested that additional information be presented at the next committee meeting before a presentation to the full board. A report on a 25-question online sexual harassment test administered to all college employees was discussed. Eighty-five percent of the faculty and staff had taken it. The rest did not and were required to attend a two-hour workshop on the topic. The assistant dean reported that a grievance was filed by the faculty union, arguing that the faculty members who attended the workshops must be paid as this is beyond the scope of work defined in the contract. She noted that there was no report on the progress of the other 22 grievances filed by the union. Johnson, the committee chair, called for an executive session.

Assistant dean Cunningham reported on the collective bargaining negotiations and the demands of the faculty union. She reported that the union is asking for a 10 percent increase in salary spread over three years (2 percent the first year, 3 percent the second year, and 5 percent the last year). The college is offering a 5 percent package (1 percent the first year, 2 percent the second year, and 2 percent the last year). The negotiations were tense but not to the point of impasse, Cunningham said. The college had acquired the services of outside legal counsel, who is leading a negotiating team composed of the VP for administration, Roger McNamara, and Cunningham on behalf of the college.

Pam wondered to what extent she should become involved in the process. She asked how to respond to press inquiries and questions by outside constituents while the negotiations are in progress. The assistant dean for human resources insisted that only the legal counsel should address inquiries. Pam left the meeting feeling uncomfortable with the legal responsibility bestowed upon her without the training to address it. She had zero experience in collective bargaining. Thankfully, her husband was a lawyer, she thought.

THE FIRST BOARD MEETING

At her first full board meeting, getting to know the other trustees was Pam’s first order of business. She looked around the room. There were six white males, an African American gentleman, a Hispanic woman, and a student in her thirties. She tried to figure out how to find the “functional circles of power” in this group. She decided that after the meeting, she would invite each trustee individually to lunch. In this relaxed setting, she would find out the issues that drive the board and those that are left to the administration.

The board members seemed earnest and engaged. After the niceties of a friendly welcome, the meeting was called to order by Chuck Frasier, the board chair. The gallery was full of guests and reporters from the local newspapers. The minutes were approved, and the committee reports followed. Finance was the first. A number of resolutions for contracts and equipment purchases were passed unanimously. Pam’s first vote as a trustee was done without one iota of knowledge of what she was voting on. She didn’t feel that abstaining would send a good message at a public meeting. The human resources committee report was next. Academic affairs followed. The release of funds to hire adjuncts for the first summer session was approved. Two new full-time faculty members were introduced to the board of trustees. Vice President Donna Steed gave a presentation on the college’s attempt to increase the NCLEX passing rates for nurses. Steed reported that the passing rate of the nursing graduates in the class of 2018 was 77 percent. The college’s goal was to place the high nineties. Steed said she was hopeful that the next class would do better. Many questions were directed at her about the effectiveness of hiring tutors and creating a practice lab for student nurses to prepare themselves for the next exam. Pam felt that the questions had been staged for the benefit of those present at the meeting. Finally, there was a report from the vice president of student affairs, Jack Jones, on the off-campus activities enjoyed by the students. He asked for assistance in the form of more counselors. A report on an “active shooter” drill was made as well. The board then called for an executive session to discuss personnel matters, with no action to be taken at the end. The public meeting was adjourned.

As Pam drove home, she pondered the dynamics of the board meeting. Efficiency seemed to be the order of the day. Was the chair too concerned with keeping to the agenda? Did he stifle discussion? Was the meeting a show for the public rather than a thoughtful discussion?

Her thoughts then shifted to the board materials she had been given. How in the world was she going to read all of it? The materials were written in English but, for all intents and purposes, could have been written in Chinese. The academic language, with all its acronyms, was difficult to master in one meeting.

As she arrived home, Pam’s lingering questions revolved around effective trusteeship, fiduciary responsibilities, how to propose or analyze proposed policies, the board/CEO relationship and
the role of individual trustees in nurturing the relationship, the role of the chair, how to improve diversity and equity, how to evaluate the performance of the president, how the board can evaluate its own performance to improve how it functions, how to assess student success, and accreditation. She had heard about accrediting bodies but does not know how the board is involved.

Pam had heard about the Policy Governance model in another setting and wondered if it would be useful. She Googled it and found that the model separates issues of organizational purpose (ends) from all other organizational issues (means), placing primary importance on those ends. Policy Governance boards demand accomplishment of purpose, and only limit the staff’s available means to those which do not violate the board’s pre-stated standards of prudence and ethics. Pam decided to investigate how the model could be used by the FCC board.

Many boards and college CEOs assume that a new trustee comes well informed, or they invest little or sometimes even no effort to acquaint new trustees with the knowledge they need to serve on a community college board. Even the most experienced board members who have served on other non-profit and for-profit boards need to familiarize themselves with the nuances of the college and, just as importantly, with how that particular board operates.

The public nature of a community college trustee, whose actions are carefully scrutinized by students, faculty, staff members, politicians, and the public at large, makes functioning in an effective manner a difficult task. The chair needs to influence the college and fellow trustees to provide the new member all the necessary tools for a successful tenure. The president needs to be very clear with the new trustee about the delicate pressure points at the college, the consequences of action and inaction, the laws that govern the college, and the collective bargaining agreements. But the president also must understand that the new trustee is part of a group of stakeholders who was hired to carry out the policies established by the board. Boards should be provided with good information pertinent to the institution, and not in a selective manner for the intention of advancing an administrative agenda by limiting important considerations that may not support that agenda. The board’s agenda belongs to the board of trustees. The fellow trustees need to work cooperatively with this new colleague and try hard not to influence her thinking while providing all the information that she needs.

Questions for Thought & Discussion
1. What could Pam’s board and president have done to prepare her for her first committee and board meetings?
2. Can you relate to Pam’s first experience with her committee? How does the onboarding of new trustees and new committee members compare at your college? What three changes to your process might improve new members’ first impressions and abilities to contribute in a meaningful way?
3. Should Pam have voted during the board meeting? How could the board chair and president have better prepared her for this vote at her first meeting?
4. How does your board determine the right amount of institutional information to present to new board members?
5. Regardless of how much and what information is relayed to new board members, how can new board members be onboarded in such a way that they don’t feel alienated and overwhelmed by board discussions?
6. Pam wants to introduce a specific governance model to her new board. What are the most appropriate ways for her to do this, and what are the appropriate ways for the board to address her recommendations?

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Eduardo Marti, Ph.D., is a trustee at Teachers College at Columbia University, and former president of Queensborough Community College (CUNY), Corning Community College (SUNY), and Tompkins Cortland Community College (SUNY).
Making College Affordable with OER

INNOVATIVE APPROACHES TO FREE COURSE MATERIALS ENGAGE STUDENTS AND FACULTY ACROSS MINNESOTA.

BY JAY WILLIAMS
HELPING STUDENTS OVERCOME THE BARRIER OF PAYING for textbooks is a priority at Minneapolis College, and Open Educational Resources (OER) are playing an important role. Students can access OER materials at no cost, and instructors can modify these works to customize course materials, as the creators of these resources have given permission for their work to be openly shared and modified.

Minneapolis College staff and faculty have worked diligently in recent years to reduce students' materials costs through OER adoption. The Minnesota State Colleges and Universities system has supported this innovative work with $60,000 in OER grants. The college used this funding to develop a pilot program to better understand how course materials costs impact student success and explore options for creating no-cost textbooks.

“This pilot program has been an effective catalyst in making significant progress to expand the availability of zero-cost course materials,” says President Sharon Pierce. Increasingly, faculty are choosing openly licensed materials for their courses to help students save money and, therefore, persist toward achieving their academic goals.

The program also is helping the institution reflect the perspectives of underrepresented students. One OER grant funded the publishing of Out from the Shadows of Minneapolis: Power, Pride, and Perseverance at a Northern Community College, a literary anthology of student, staff, and faculty stories. The materials were released to the public under a Creative Commons license, which enables the free distribution of original work that would otherwise only be available under more restrictive copyright terms. In its introduction, English instructor Shannon Gibney provides context for the authors’ content. “From diverse backgrounds and historically marginalized communities, [the stories] highlight the transformative role that education has played in their lives.”

The editors’ preface to Out from the Shadows affirms the importance of affordable course materials: “Minneapolis College most serves those students who are least likely to go to college. With three-quarters of the student body composed of those underrepresented in higher education, the hallways are filled with recent immigrants, those seeking to learn English, members of communities with the highest unemployment and incarceration rates in the state, veterans, those of low socioeconomic status, seekers of diversity, and those who wish to serve them. Collected here are their stories, stories of overcoming, coming up, perseverance, pride, and power in the face of depressed opportunity and systemic oppression.” Several chapters focus on how higher education institutions and pedagogical practices can address often-overlooked challenges facing underrepresented students who strive to participate in mainstream society.

![AFFORDABLE TEXTBOOKS BY THE NUMBERS](image)

In a 2017 survey of Minneapolis College, students responded as follows to questions about course materials:

- **98%** said it was very (88%) or somewhat (10%) valuable for course materials to be available at no charge
- **91%** said getting course materials for the lowest possible price is extremely or very important
- **60%** said having course materials available free and immediately had a large positive impact on their course success
- **52%** said they signed up for fewer courses, didn’t choose a course, or withdrew from a course due to textbook costs

OER represent a paradigm shift in accessing, producing, and sharing knowledge. These materials also help address the economic and social injustices faced by many students at open access colleges. Out from the Shadows is now being used in statewide administrator and faculty training to encourage the use and production of OER.

Several other initiatives are underway at Minneapolis College to continue reducing course materials costs. With system funding, faculty continue writing new OER content and conducting peer reviews of OER textbooks. The recent $0 Course Materials Initiative saved students nearly $48,000. Staff, faculty, and students on the Traditional and Alternative Educational Materials Committee are increasing awareness and availability of zero and low-cost course materials. Philosophy Department instructor Maran Wolston conducts seminars for faculty interested in using OER and implementing ‘open’ pedagogy. She focused her recent sabbatical on exploring options for a full two-year associate of arts degree with zero course material costs.

The Minnesota State Colleges and Universities system continues to support the advancement of innovative strategies to reduce students’ materials costs. It recently created and launched an online platform, Opendora, to enable the free distribution of OER for faculty to use at its 30 colleges and seven universities across the state.

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**Jay Williams** is chief diversity officer for Minneapolis Community and Technical Colleges in Minnesota. As a member of the Minnesota State Colleges and Universities system, Minneapolis College offers more than 100 liberal arts, career, and technical programs. Located in downtown Minneapolis, nearly 10,000 students enroll annually. For additional information, please visit Minneapolis.edu.
At least 900 incarcerated individuals in Michigan have taken college courses since Pell grant funding was restored through a pilot program in 2015.

Muskegon Community College in Michigan introduced a debt forgiveness program intended to encourage former students to return and complete their degrees. Students must owe $1,200 or less, have been out of MCC for at least three years, have a 2.0 GPA, commit to support services, and have the means to pay for current courses.

Somerset Community College in Kentucky partnered with the state’s adult education program to offer a GED Plus program, which offers adults who have not earned a high school diploma the opportunity to earn one of 15 tuition-free certificates in high-demand fields including healthcare, advanced manufacturing, transportation, business services, IT, and construction.

Three Ohio community colleges are participating in a joint initiative with Jobs for the Future and Persistence Plus to send students text messages to encourage them to stay in school. Lakeland Community College, Lorain County Community College, and Stark State College are participating in the program with John Tyler Community College in Virginia, which is showing increased retention rates among students receiving the text “nudges” compared to their peers who are not.

The first cohort of about 300 Rhode Island Promise students graduated from the Community College of Rhode Island this spring. “I am the first to graduate [higher education] from my family,” 19-year-old graduate Celia Perez told the Providence Journal. “My family is pretty proud. My dad has been half crying all day.”

Hudson Valley Community College in New York offered courses to students in Trinidad this summer and will do so in Costa Rica starting next fall. Some courses will be taught in person by HVCC faculty, while others will be streamed or offered online. HVCC students in Costa Rica also would have the opportunity to transfer to the University at Albany as part of the program.

Called one of the nation’s most progressive higher education investments, Washington’s Workforce Education Investment Act, which was signed into law this spring, will set aside $300 million over two years for public colleges and universities, with targeted investments in high-demand fields such as computer science, engineering, and health care. Funded by increase in state business and occupation taxes, the bill also eliminates wait lists for financial aid, allowing as many as 110,000 low-to median-income students to...
attend college for free or limited tuition. The bill also is intended to "recession-proof" state aid, officials said.

In August, California Governor Gavin Newsom signed legislation to expand the state’s budget by $42.6 million for the purpose of expanding the California College Promise program to an additional estimated 33,000 students who will receive a second year of tuition-free community college. In a statement, Newsom said that the program is a “meaningful step toward chipping away at the cost of higher learning for students and their families.”

Several California cities and regions announced expansions of their own promise programs. Los Angeles Mayor Eric Garcetti pledged to double the number of students in the L.A. College Promise Program from 5,000 to 10,000 by 2022, as well as add supports including free laptops and bus transportation.

The Riverside Community College District in California received a $250,000 grant from the College Futures Foundation to support the scaled adoption of guided pathways and case management technology.

More than 300 South Carolina technical college students will be eligible for need-based transfer scholarships to study engineering and computer science at Clemson University as part of a program backed by a $5 million grant from the National Science Foundation. The grant also includes supports for transfer students in the program.

Greenville Technical College in South Carolina will offer a one-year accelerated associate degree program. Targeted at high school graduates and adult learners, the accelerated program allows full-time students to earn a degree in three semesters.

The Dallas County Community College District in Texas received a federal grant from the U.S. Department of Labor to launch a healthcare apprenticeship program. The system was the first to announce its participation in the Expanding Community College Apprenticeships Initiative (ECCA), a $20 million partnership between the Department of Labor and the American Association of Community Colleges.

In July, the University of South Dakota, South Dakota State University, and Dakota State University announced that they had entered into a partnership to create the first community college in the state. Paul Beran, executive director of the South Dakota Board of Regents, said that “what distinguishes a community college” is a closer relationship between the institution and its students. Students at the community college will be able to transfer to any of the state’s three universities.

Lone Star College in Texas has created a scholarship program to help up to 300 students forced to leave school in the wake of Hurricane Harvey. Supported by a $300,000 grant from the Qatar Harvey Fund, the program includes mental and emotional health services in addition to scholarships.

**SOUTHERN REGION**

The Louisiana Community and Technical College System has launched a pilot program aimed at reducing the number of adults 18 and older with a high school diploma or less — currently 1 of every 2 adults in the state — by providing scholarships and other support. The program, authorized as a pilot by state lawmakers, is currently funded by private funders.

The North Carolina Community College System launched a statewide advertising campaign, including billboards, digital and print ads, and radio and television commercials in August. The “hire education” campaign’s goal is to drive 2 million more people to earn a high-quality college degree or credential by 2030 to improve the state’s workforce to meet employers’ demands.

**WESTERN REGION**

Colorado Gov. Jared Polis signed into law an initiative that provides every child born in the state with $100 towards a college savings plan. The goal is intended to encourage more parents to open 529 college savings plans.

**Around the Regions** provides an opportunity to share what’s happening in the states and around the regions. This section focuses on state legislative and budgetary issues, economic development, and finance. Please e-mail items from press releases or newsletters to ACCT at dconner@acct.org. Fax submissions to 202-223-1297.
Legal Issues Impacting Community Colleges
Recent developments involve EEOC lawsuits, sexual orientation protections, and public records laws.

By Ira Michael Shepard, ACCT General Counsel

The following are recent legal issues and court actions of interest to community colleges and their leaders.

The EEOC is suing less in FY 2019, but it has collected a significantly larger amount of settlements. At the midway point of the 2019 fiscal year, the U.S. Equal Opportunity Employment Commission (EEOC) reported that, as of March 31, it has filed nine fewer lawsuits this year — 24 in total — than at the same point the previous year. However, the agency has collected more than $21 million in settlements, $7 million more than in the comparable period from 2018.

New lawsuits filed by the EEOC in FY 2019 evidence the agency’s concentration on sex harassment, disability discrimination, and workplace retaliation cases. Employers in the southwest were more likely to be sued during FY 2019 than those in any other region. Regional offices in Charlotte, Indianapolis, Miami, and Philadelphia filed the greatest numbers of new lawsuits thus far this fiscal year.

The Supreme Court will consider multiple cases involving sexual orientation protections. The U.S. Supreme Court has agreed to consider whether LGBT bias may be considered sex bias and therefore prohibited by Title VII of the Civil Rights Act. A decision would resolve a split in the circuit courts, with two circuits presently holding that LGBT individuals are protected under Title VII and two holding that they are not. (Altitude Express v. Zarda, U.S., No. 17 1653, rev granted 1/18/19, and Bostock v. Clayton County Ga., U.S. No. 17 1618 rev granted 1/18/19).

Public university professor seeks class action status for allegations of gender reassignment bias. A professor at the University of Arizona has filed a class action lawsuit as a result of its refusal to cover the cost of gender reassignment surgery. The plaintiff is claiming a violation of Title VII of the Civil Rights Act and the equal protection clause of the Fourteenth Amendment of the Constitution because of the university’s public status. (Toomey v. Arizona, State of et al., D. Ariz. No. 4:19 cv 00035, motion for class certification filed 4/5/19).

The professor claims that the cost of gender reassignment surgery is routinely covered by private university health plans, and that surgery to treat “gender dysphoria” is medically necessary under the applicable guidelines of the American Medical Association, the American Psychological Association, and other major medical associations. The professor is suing the state of Arizona, which administers the state plan applicable to University of Arizona professors, the University’s Board of Regents, and members of the Arizona Department of Administration, which controls the plan.

In the class certification motion, the plaintiff argued that statistically about 850

“I’m gone, then Tim’s gone, then Mel’s gone, then you’re gone, then we’re all gone, then it’s September.”
out of the 136,000 individuals covered by the plan are transgender and should be included in the class. The plaintiff asserts that academic expertise on trans issues and personal connection to some of the foremost transgender groups in Arizona makes the professor well suited to represent the class.

Appeals court holds that public teacher/coach may be entitled to due process hearing after being fired for nude photos. A Mississippi public school district fired a teacher/football coach for “immoral conduct” after a nude photo appeared on the Ashley Madison adult dating website. Arguing that the picture was posted by his ex-wife and her boyfriend without his consent, the educator demanded a hearing within the allowed five-day period, and the school district delayed and then cancelled the hearing.

The Fifth Circuit Court of Appeals (covering Texas, Louisiana, and Mississippi) recently ruled that the teacher/coach may have been denied his First Amendment due process rights as he had a protected property interest in his teaching job and should have been given a hearing. (Wallace v. DeSoto County School District, 5th Cir., no. 18 60306, unpublished, 4/17/19).

Claims of a university athletic department’s preferential treatment of a male staffer move forward. A federal district court judge denied George Washington University’s motion to dismiss allegations of Equal Pay Act and Title VII violations brought by a female athletic department staffer. The EEOC had recently filed suit against GW in federal court in Washington D.C., and the district court judge denied the university’s motion to dismiss, holding that the EEOC’s allegations at this point in the procedures must be assumed to be true. (EEOC v. George Washington University, 2019 BL 216328, D.D.C. No. 18 0671, 6/17/19).

The officer had claimed that the university began to emphasize “racial profiling” against African Americans and he refused to comply with such directives as part of his job. He claimed that he was criticized, received negative performance reviews, and reprimands as a result, including allegations that he was wrongly cited for poor driving during a snowstorm which resulted in an accident, although he admitted that the “citation” involved no discipline or any specific adverse consequences. The court dismissed the complaint, holding that many of the allegations were beyond the applicable statute of limitations, and that those allegations that were timely either did not involve an adverse employment action or were too few to constitute a hostile work environment over the alleged four-year period.

Appeals court reinstates Croatian professor’s Title VII national origin/ethnicity discrimination claim. The U.S. Court of Appeals for the Third Circuit (covering Pennsylvania, New Jersey, and Delaware) reversed a trial court’s dismissal of a national origin/ethnicity based discrimination claim by a Croatian dental professor at the University of Pittsburgh who had been terminated as a result of an investigator’s mistaken conclusion that she had threatened to kill a colleague. (Basic v. University of Pittsburgh, 3rd Cir. No. 18 2951, non precedential 6/11/19).

The plaintiff had taught at the university since 2008 and became embroiled in a controversy with another professor, who she had reported as abusing faculty privileges. The colleague falsely responded that she had threatened to kill him.

An investigator’s notes referring to the plaintiff’s ethnicity and erroneously concluded that plaintiff may have threatened to kill the colleague. The appeals court reversed the trial court’s dismissal of the complaint, concluding that the propagation of a false threat throughout the university’s investigation and subsequent procedures raises a question of discriminatory intent which should go to trial.

Appeals court rejects request for anonymity involving a sexual harassment investigation of a former community college president. A Washington state Appeals Court overturned a trial court’s protection of the names of 10 “Jane Does” who had accused a former community college president of sexual harassment. The trial court had rejected the request and ruled that the names could remain redacted, but the appeals court decided that none of the information was taken from a personnel file and therefore the public records statute, which is broad with few exceptions, requires that the public be provided the information (Cowles v. Jane Doe #1, Wash. Ct. App., Div. 3 No. 36030 0 11, unpublished, 6/18/19).

The appeals court stated that the public records statute does not allow public employees themselves to decide what is good and not good for the public to know, even if such disclosure “causes inconvenience of embarrassment.”

Ira Michael Shepard is a partner with the law firm of Saul Ewing, LLP, in Washington, D.C., and ACCT’s general counsel.
ANSWERING YOUR QUESTIONS ABOUT ISSUES AFFECTING BOARDS TODAY

TRUSTEE TALK
WITH ACCT

Free Speech Issues on College Campuses, Part I
BY NORMA W. GOLDSTEIN, Ph.D.

Question
What should boards know about free speech rights guaranteed by the First Amendment and academic freedom on campus?

Answer:
Most Americans assume that public community colleges practice the First Amendment rights of free speech and academic freedom, but in today’s highly polarized society, these assumptions are being tested. What was thought to be a basic right is now being adjudicated through a foggy lens of what differentiates free speech from hateful speech. The issues and circumstances are not all black and white, and public colleges and universities are now in the middle of the uproar.

In March, President Trump issued an executive order on free speech that directs federal agencies to regulate colleges’ and universities’ compliance with free-speech requirements. “If a college or university does not allow you to speak, we will not give them money,” he said. The executive order was a response to incidents of universities disinviting controversial speakers, sometimes citing security concerns. Colleges may be further tested by students speaking out and invitations to those who might bring disruption and even violence to our campuses.

Trustees need to be aware of the complex issues involved. Speech codes, free-speech zones and “heckler vetoes” may be considered First Amendment violations, according to a Department of Justice lawyer. The First Amendment to the U.S. Constitution protects speech, no matter how offensive it is, and any restrictions by public community colleges (with some exceptions such as speech inciting imminent lawless action) are considered censorship and violations of the Constitution.

According to ACCT Legal Counsel Ira Shepard, the most important legal issue for boards is designing and overseeing a policy that threads the needle of ensuring that the campus allows speakers with divergent and controversial points of view while at the same time addressing the institution’s responsibility to maintain a safe, violence-free campus environment. “This is an important responsibility of every board,” he says.

Boards also must be aware of state laws governing campus speech. In reaction to several high-profile speakers not being allowed to speak at colleges across the country, two states, Arkansas and Kentucky, recently passed legislation barring “free speech zones” on college campuses, which critics charge limit the practice of protests and free speech. In February 2019, Kentucky House Bill 254 clarified First Amendment protections and regulated the use of college free speech zones that prohibit spontaneous demonstrations outside of specific areas on campus. Under the law, free speech is generally allowed in accessible outdoor campus areas, and college administrators could continue to restrict permits for demonstrations as long as spontaneous assemblies and outdoor distribution of pamphlets are not prohibited: “Under the bill, any person who believes their right to free speech has been violated by a university would be able to bring a cause of action.” Several other states have passed similar laws (North Carolina, Wisconsin), and several more have legislation under consideration.

According to Jay Box, president of the Kentucky Community and Technical College System, which governs 16 community colleges, the new law will not substantially change anything done on the state’s campuses because existing policies already protect free speech. “We used to have designated free speech zones on our campuses, but the law has evolved to require more than certain designated zones,” he says. “Generally speaking, we accommodate free speech in all areas of our campuses that are generally accessible to the public, provided such free speech does not interfere with or disrupt the activities of our campuses, pose safety hazards, or violate the provisions of law. Although we plan to make some minor tweaks to update or clarify language in our policies, the new free speech law will not substantially change...
anything we do on our campuses because our policies already permit, encourage, and facilitate the free expression of speech on our campuses.

Safety Concerns: Fear of Violence

Kentucky's Box says that "while we need to encourage the free exchange of ideas, the bigger concern for all of us in higher education is the potential for violence." During 2018, appearances by controversial speakers were met by lively protests and in some cases violence at the University of California-Berkeley and the University of Virginia, and institutions have had to respond accordingly.

According to Politico, in October 2018 "Florida officials declared a state of emergency and spent $600,000 on security at the University of Florida in Gainesville for a visit by [white supremacist Richard Spencer] after the university relented and allowed him to speak after the threat of a lawsuit." There were loud protests, but the event ended without violence; however, three men connected with white-supremacy groups "were arrested on charges of attempted homicide after one allegedly fired a gun into a crowd."

Many college leaders remain concerned about the potential of violence erupting at similar events on their campuses. For the past five months, Kentucky system leaders and college presidents have held workshops on various aspects of school safety. "We all have to pay attention to student issues, and we must be prepared in this climate. We even gave a presentation to the state governing board," Box says.

With their fiduciary responsibilities, most boards would prefer to avoid disruption and violence on their college campuses. But to uphold the free speech rights of students and faculty, they need to be on sure footing before accepting or denying requests to invite speakers who have sparked disruption on previous campus visits. In a March skirmish at Beloit College in Wisconsin, students refused to stop playing drums and cymbals and then piled chairs on the stage to prevent Blackwater founder Erik Prince from speaking. Beloit released a statement citing student safety as the reason for subsequently canceling the event while adding that the protest jeopardized the college's commitment to open dialogue and pledging an investigation.

Civil discourse or self-censorship?

Rather than invite outside speakers, Sanford J. Ungar, inaugural director of the Free Speech Project at Georgetown University and president emeritus of Goucher College, suggests that both liberal and conservative organizations or groups of students should engage in intellectual discourse over the issues rather than bring in well-known speakers. "Colleges are supposed to be havens of discourse...but current events are putting college leaders and their boards on notice: A great deal is at stake; if nothing else, basic human rights guaranteed by the U.S. Constitution," says Ungar, who also is a free speech professor at both Georgetown and Harvard.

"One person's hate speech is another's noble idea," Ungar tells Trustee Talk. "Speech that is offensive is protected. We should not have to make a choice... We are better protected if we honor free speech. It is more profoundly valuable if all are included." He agrees with former ACLU President Nadine Strossen, who argues in her book, Hate: Why We Should Resist It with Free Speech, Not Censorship, that the best response to hate speech is “more speech” to promote “equality, dignity, inclusivity, diversity, and societal harmony.”

As a former college president, Ungar understands that presidents and boards have safety concerns and that the political environment is “more tense now.” His advice to boards is to encourage dialogue to learn about ‘the other’ and understand that there are more than two sides to an issue. "We need to model civil discourse," he says. "Don’t necessarily worry about a college’s reputation. Democracy is disorderly. We need to encourage institutions to promote open dialogue, but no one should be subjected to listening to white supremacists. Some protestors have rights too."

The alternative, Ungar argues, is self-censorship. "We are tending to force conversation to the middle of the road so as not to provoke. Speaking out made this county. Protest is protected speech. Self-censorship is very dangerous," he says.

Ungar considers community colleges “open forums” and “lively centers of dialogue” and aims to include more two-year colleges in the Free Speech Project, which is developing free curriculum modules for all institutions. “That would be instructive and informative,” he says.

Hate groups at all-time high

Colleges are being bombarded on all sides in today’s politically contentious environment. The Southern Poverty Law Center (SPLC), which monitors hate groups, announced that their participation is at an all-time high and reported more incidents of intimidation and hateful expression. The number of hate groups is rising, from 917 in 2016 to 1,020 in 2018, according to SPLC.

Issues of free speech and the suppression of hateful speech which is protected by the First Amendment need to be a concern of boards and college leaders, but such concern should not be a cause for prior restraint of student-selected speakers and abridgement of faculty academic freedoms. According to PEN America (see box, p. 32), “there is no consensus around a legal definition of hate speech in the United States, and the extent to which hate speech is protected under the First Amendment remains fiercely debated in our court system.”

What’s a board to do?

In addition to potential lawsuits, incivility on campus, and loss of reputation, trustees and college leaders also must consider the following issues:

- Threats of oversight by governmental agencies that allocate resources
- Grants and projects funded by certain organizations
- Disruption and violence on campus in classrooms
- Lack of control over public spaces on campus
- “Professional agitators,” not students, inciting riots and destruction
- Threats that change the course of speakers, commencement speakers, student organizations, funding
- Misrepresentation of what the college stands for and of its values and core beliefs.
Create a team of decisionmakers
When dealing with any free speech issues, Shepard counsels colleges to develop a team of decisionmakers. “To follow through on their responsibilities, the board should make sure that its administration has a ‘cabinet’ of effective decisionmakers who can, as the need arises, address substantive First Amendment and safety concerns,” he says.

Shepard attended a postmortem of the successful planning the University of Florida conducted when hosting Spencer in the aftermath of the Charlottesville tragedy. “Planning was the key,” he says. “They put together a group which included the dean of students, the head of campus safety, and two other senior administrators who oversaw careful planning, liaison with the students and speaker, and most important, safety procedures and rules. Central to their planning was also to reach out and coordinate with county, state, and other law enforcement for advice and help.”

As part of its planning, the university visited another college that already had such a “cabinet” in place to understand the extent of potential problems they could expect. The group acts as needed in order to plan for controversial events. “This is a way to allow the events to proceed and also to safeguard the whole community at the same time,” notes Shepard.

Best practices for presidents
In its Pulse Point survey of presidents on free speech and campus inclusion, the American Council on Education (ACE) found that 98 percent of 471 college and university presidents indicated that protecting freedom of speech and promoting an inclusive society are very important to our democracy. These same presidents identified the top five practices used to manage the tension between these two principles:
1. Clear, public statements that reinforce stated institutional values;
2. Open community forums that provide a space for dialogue on issues of free speech and inclusion;
3. Monitoring social media for potential causes of concern;
4. Professional development for faculty; and
5. Meeting with student groups about what they need to feel safe on campus.

On a more controversial note, the same survey also indicated what student actions presidents consider acceptable. The variation in their responses not only shows the differing opinions of campus leaders but also the ambiguities around the First Amendment and what students and board members should know about the issues.

Part II of this Trustee Talk on Free Speech will cover the topics of protected and unprotected speech and provide sample scenarios. Part III will include input from a brief survey on topics of protected and unprotected speech and provide sample scenarios. Part III will include input from a brief survey on topics of protected and unprotected speech and provide sample scenarios.

Disclaimer: This article is offered for general informational purposes only. It is not offered as and does not constitute legal advice, nor is ACCT suggesting that boards act in any particular way regarding any particular issue.

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3 Free Speech vs Hate Speech,” Sam Sanders, NPR, June 5, 2018.
4 https://www.law.cornell.edu/wex/prior_restraint.
5 Chasm in the Classroom: Campus Free Speech in a Divided America, PEN America, April 2019, p. 14.
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8 Ibid.
9 Chasm in the Classroom: Campus Free Speech in a Divided America, p. 22.
10 Ibid.
11 Ibid.

Norma Goldstein, Ph.D., is director of trustee education for ACCT. She can be reached at ngoldstein@acct.org.

This year's event featured the fundamentals of good governance as well as special topics created in response to new trustees' requests. The event opened with Rosie O’Neil, a trustee at Northern Virginia Community College and an ACCT board member, discussing what she wished she had known as a new trustee. Jeff Advokat, a trustee from County College of Morris in New Jersey, then presented on the work of the board and board operating procedures, including statutory and fiduciary responsibilities, board manuals and bylaws, committee structures, Sunshine laws and public record requirements, the consent agenda, and parliamentary procedures. Prince George's Community College President Charlene M. Dukes and Immediate Past Chair Howard Stone Jr. followed with a presentation about the board-CEO relationship. Later, ACCT's Norma Goldstein discussed how to differentiate roles and responsibilities of the board from those of the CEO, and Richard Winn, president of the Accrediting Commission for Community & Junior Colleges, Western Association of Schools and Colleges, discussed the board's role in accreditation.

The next day, Advokat, an attorney, discussed the ins and outs of board ethics, and ACCT Senior Vice President Jee Hang Lee and U.S. Deputy Assistant Secretary for Community Colleges Casey Sacks gave a national overview of the board's role in advocacy. Kai Drekmier, president and cofounder of Insidetrack, discussed leading and strengthening student support through an equity lens, and Mark Hugo Lopez, director of global migration and demography for the Pew Research Center, gave a research-based presentation on diversity and demographic trends in higher education. After that, CampusWorks Chair and CEO Liz Murphy presented on how strategic planning can advance a board's work, and Inside Higher Ed Editor Scott Jaschik discussed strategies for working with the media.

To wrap up the event on August 10, Goldstein discussed how boards use data to understand student success, ACCT Director of Retreats and Evaluation Services Colleen Allen talked about evaluations as a team-building strategy and retreats as a strategic vehicle for board cohesion, and ACCT President and CEO J. Noah Brown closed the event with a reflection on the future of community college governance.

ACCT is grateful to all the participants and presenters, as well as to CampusWorks for supporting the event.

To learn more about Governance Leadership Institutes for new and established trustees, contact Director of Educational Events Christina Simons at csimons@acct.org.
Executive Searches

The staff and consultants of the Association of Community College Trustees are pleased to have assisted in the search for the following community college executive officers.

Nassau Community College, State University of New York
Dr. Jermaine Williams
President

“Dr. Williams brings to the campus community a wide variety of experiences and skillsets, and his emphasis on supporting underrepresented students and groups will resound with our students. Dr. Williams’s appointment represents a new and exciting chapter in the ever-evolving history of our college.”

—Jorge Gardyn, Chair, Nassau Community College Board of Trustees

Delgado Community College, Louisiana Community and Technical College System
Dr. Larissa Littleton-Steib
Chancellor

“Dr. Larissa Littleton-Steib is the perfect fit for the students, the college, and the community it serves, and she will continue leading our efforts to deliver world-class academic and workforce training.”

—Tim Hardy, Chair of the Chancellor Search Committee and Member of the Board of Supervisors, Louisiana Community and Technical College System

Western Wyoming Community College
Dr. Kim Kuster Dale
President

"In a comprehensive national search effort, from October 2018 to April 2019, we were able to successfully recruit Dr. Kim Dale to be our new president at Western Wyoming Community College. The college community looks forward to her arrival, and to her first working year with us. We could not have successfully accomplished this without the wonderful help of ACCT, Ms. Julie Golder, and her team."

—George Eckman, Board President

Corning Community College, State University of New York
Dr. William Mullaney
President

“Dr. Mullaney brings a wealth of experience to the college and will be a strong partner with the community. He has demonstrated an unwavering commitment to the community college vision, illustrated his innovative spirit and commitment to meeting workforce needs, and he has a history of serving as a passionate advocate and champion for student success.”

—Carl H. Blowers, Chair, Regional Board of Trustees, Corning Community College, State University of New York
Everett Community College, Washington
Dr. Daria Willis
President

“The thing that struck us about Dr. Willis is that she's very innovative in a lot of different ways with programs that address underserved populations, in fundraising initiatives, and with projects that helped students advance.”

—Mike Deller, Chair, Everett Community College

Tyler Junior College, Texas
Dr. Juan Mejia
President

“The Board felt it was extremely important to conduct an extensive national search and engage in a very thorough process to identify the best candidate to be the next president of Tyler Junior College to succeed Dr. Mike Metke. We feel we have identified that person in Dr. Mejia and look forward to working with him as TJC’s next president.”

—Mike Coker, Board President, Tyler Junior College

Board Retreats, Board Self-Assessments, and CEO Evaluations

Thank you to the following colleges which have recently used ACCT to facilitate a board retreat, board self-assessment, or CEO evaluation. We appreciate your trusting ACCT to assist you with our board development needs.

Aims Community College, Colo.
Chaffey College, Calif.
College of Southern Idaho, Idaho
College of Southern Maryland, Md.
Dallas County Community College District, Texas
Diné College, N.M.
Erie Community College, N.Y.
Essex County College, N.J.
H. Lavity Stoutt Community College, B.V.I.
Hartnell College, Calif.
Howard Community College, Md.
Massasoit Community College, Mass.
Middlesex County College, N.J.
Montgomery College, Md.
Ohlone College, Calif.
Ozarka College, Ark.
Pima Community College District, Ariz.
Portland Community College, Ore.
Raritan Valley Community College, N.J.
Riverside Community College District, Calif.
Roanoke-Chowan Community College, N.J.
San Bernardino Community College District, Calif.
Solano Community College, Calif.
South Arkansas Community College, Ark.
SUNY Rockland Community College, N.Y.
Tulsa Community College, Okla.
Western Nebraska Community College, Neb.
Executive Searches

The staff and consultants of the Association of Community College Trustees are pleased to have assisted in the search for the following community college executive officers.

Corning Community College, State University of New York

Todd Garnier
Vice President of Administrative Services and Chief Financial Officer

“I am extremely pleased with the selection of Mr. Todd Garnier as Corning’s new vice president of administrative services. He brings the perfect blend of financial expertise, innovative thinking, and commitment to students that will help the college continue to thrive.”

—Dr. William Mullaney, President, Corning Community College

Gallatin College, Montana State University

Stephanie Gray
Dean

“Students, faculty, staff, and local business leaders support Stephanie Gray, and she is well connected and respected by people in the communities served by Gallatin College. Stephanie understands the educational value that Gallatin College brings to both traditional and nontraditional students, as well as to local industry.”

—Dr. Robert Mokwa, Executive Vice President for Academic Affairs and Provost, Montana State University

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SEEKING:
Chancellor, President, Provost, Vice Chancellor, Vice President, Dean

CONTACT:
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202.384.5816 (M)

STRATEGIC SUPPORT | INTEGRITY | LEADERSHIP SOLUTIONS
Meet Us In San Francisco!

By Pamela Payne
El Paso Community College

TEN YEARS HAVE PASSED SINCE WE LAST LEFT OUR HEARTS in San Francisco. With its breathtaking views and Victorian architecture, the city once known as “The Paris of the West” beckons us back for the 50th Annual ACCT Congress, beginning October 16, 2019.

The Professional Board Staff Network (PBSN) executive committee will kick off this year’s event with a pre-conference reception beginning at 2:30 p.m. on Wednesday, October 16, at Jasper’s Tap and Kitchen, located within the Hotel Spero at the corner of O’Farrell Street and Taylor Street, just across from the Hilton Union Square. Hosted by El Paso Community College, the reception will give everyone an opportunity to catch up with old friends and welcome our newest members while enjoying appetizers, a baked potato bar, and beverages.

The annual PBSN Workshop will take place at 2 p.m. on Thursday, October 17, in Plaza B, Lobby Level at the Hilton Union Square. This year’s agenda will feature the presentation Five Decades in the Workplace by Dr. Linda Brown, director of the El Paso Community College Leadership Academy. Following this presentation, there will be roundtable discussions on several topics affecting today’s board professional: new trustee orientation, leadership transition, board meeting minutes tips and tricks, how to deal with difficult people, and board retreats.

The PBSN Workshop continues on Friday, October 18 at 9 a.m. in the Franciscan A & B Rooms, Ballroom Level, with a presentation by Cobby A. Caputo, attorney for Austin Community College from the firm of Bickerstaff Heath Delgado Acosta LLP, on the appropriate board staff response to requests for information. We will have some exciting door prizes, but you must be present to win.

The business meeting and election of the PBSN’s executive committee members will take place immediately following the workshop. If you are interested in becoming a delegate or officer, please be prepared to introduce yourself and provide a brief overview of your experience and why you would like to join the committee.

Special thanks to our generous sponsors, Lansing Community College and Austin Community College. Their sponsorship will allow us to have a few special surprises during the workshop.

Like ACCT, we here at El Paso Community College spent the summer preparing for and celebrating our 50th Anniversary. Think about it – 50 years! From chalkboards to smartboards, technological advancements have made

continued on page 42
getting a college education more accessible than ever before. Distance learning has opened up the classroom to those in rural areas hoping to further their education. And dual enrollment, relatively unheard of in 1969, now allows students to begin their college education early, with some earning degrees before they even receive their high school diploma. We’ve watched the demographics of the student body change from predominately younger high school graduates to an older and more diverse population that includes both working and single mothers, soldiers and veterans, and international and undocumented students, all looking for a better and brighter future. With so much change behind us and even more ahead, we can hardly wait to see what the next 50 years will bring.

During ACCT’s 50th anniversary celebration in San Francisco, the PBSN will also be celebrating its 25th anniversary. So many board professionals have been part of this history and shared their stories and expertise over the years. It is now our turn to continue the legacy that they established 25 years ago and continue to promote learning opportunities for our profession!

If you are planning to attend the Congress and you’ve never been or haven’t yet had a chance to explore San Francisco, we encourage you to take a minute, relax, and explore. Whether you want to watch seals sunbathing at Fisherman’s Wharf, ride on a cable car, explore Lombard — the Crookedest Street in the World — or just enjoy a quiet bowl of clam chowder at Boudins, there is something for everyone. We look forward to seeing everyone there!

Please feel free to reach out to me via email if you have any questions about PBSN or about the upcoming Congress at ppayne1@epcc.edu or by phone at (915) 831-6511. This year’s event is sure to be exciting, and I can’t wait to reconnect with everyone!
Where Will You Go? What Will You See?

By Jeannie Moton, Portland Community College

WITH SO MANY THINGS TO DO AND SEE IN THE HISTORIC city of San Francisco, I wanted to provide an introduction to the neighborhoods surrounding the conference hotel. The areas worth a visit surrounding The Hilton Union Square are Nob Hill, Polk Gulch, the Tenderloin, and Chinatown.

**Nob Hill** is at the intersection of Jones and Sacramento Streets. The name was changed from California Hill to Nob Hill after the famous and influential builders of the Central Pacific Railroad built their mansions on the hill. One of these mansions still stands, located at California and Mason Streets. Several companies offer walking tours of the mansions in the area. A few must-dos if you plan to visit the Nob Hill area include riding the cable cars (installed by the homeowners at the time due to the steep grade and the fact that horses weren’t able to transverse it) and visiting the Cable Car Museum. A trip to Grace Cathedral is also on the top of most lists, as it is a beautiful sight. If you like photography, a morning trip to the cathedral is advised, as the rising sun hitting various doors and windows is top notch. An upscale restaurant to visit in this neighborhood would be The Big Four. It was named after the famed railroad tycoons Collis P. Huntington, Charles Crocker, Leland Stanford, and Mark Hopkins. The restaurant offers an impressive collection of memorabilia, photos, and artifacts to peruse.

**Polk Gulch** is the neighborhood around a section of Polk Street, which was named after James Knox Polk, the 11th president of the United States. The “gulch” comes from where the street crosses an old stream. The street used to be the main commercial street for German immigrants and is still referred to by its German name Polkstrasse. In 1972, the first official San Francisco Gay Pride Parade was held on Polk Street. Another historic landmark in the area is California Hall. On January 1, 1965, an LGBTQ event was held in the hall, where police harassment prevailed. The next morning, for the first time in U.S. history, religious leaders called for an end to the harassment of the LGBTQ communities. California Hall now houses the Academy of Art University-School of Fashion. McTeague’s Saloon is a great place to visit for a casual meal. It has a sports vibe, while still connecting with the history of the community.

Named after a neighborhood in New York City with the same characteristics, the **Tenderloin** is located in downtown San Francisco. As the area was being developed for a subway station, evidence was found that a community had resided there thousands of years ago. Most of the buildings in the area were destroyed by an earthquake and the subsequent fires in 1906. The area has a few art galleries that should be visited if you are afforded the time, including the White Walls Gallery and the Shooting Gallery. Learn about the history of the neighborhood with a visit to the Tenderloin Museum. If you’re up for something a bit different, try Brenda’s French Soul Food. While it is a cozy place and there is usually a wait, it is well worth it.

**Chinatown** is centered on Grant Avenue and Stockton Street. This is likely the most iconic neighborhood of San Francisco. I have great memories of wonderful meals while on family vacations. This is the oldest Chinatown in North America. This neighborhood, too, was completely destroyed in the 1906 earthquake and fire. A visit to the Dragon Gate is a must for visitors. The gate came about from an essay contest sponsored by the Chinese Chamber of Commerce in 1953, and after many attempts the gate was finally dedicated in 1970. The Golden Gate Fortune Cookie Company makes over 10,000 fortune cookies each day. Along with tours, this is a great location to find souvenirs for those “hard to buy for” family and friends. As you can guess, there are too many delicious Chinese restaurants in the area to suggest one. A quick Google search can help narrow down your preferences.

A few other visit-worthy neighborhoods with rich history and great food but a little further out from the conference are Haight-Ashbury, Fisherman’s Wharf, Telegraph Hill, SoMa, and Japantown. While there is so much great history and amazing food, there is also so much to do and see in San Francisco. Hopefully you will have some downtime to get out and enjoy all the city has to offer. The highlighted neighborhoods are within walking distance of the conference hotel and offer something for everyone. Have fun and happy exploring (and conferencing)!
Election of Board and Diversity Committee Members

Elections for ACCT Regional Directors and Diversity Committee Members will be held at the Regional Caucuses and Meetings on Thursday, October 17, from 2-3:30 p.m. during the ACCT Leadership Congress in San Francisco. Elections for Directors-at-large will be held on Friday, October 18, from 8:30 a.m. – 10:30 a.m., during the ACCT Senate Meeting.

2020 Candidates For The ACCT Board Of Directors

REGIONAL DIRECTOR

(1) Three-Year Term in Each Region

The following is the slate of nominees received as of July 1, 2019:

Central Region – Jay Nardini*
Hawkeye Community College, IA

Northeast Region – David Mathis*
Mohawk Valley Community College, NY

Northeast Region Two-Year Partial Term

Paul Licitra
County College of Morris, NJ

Sheetal Ranjan
Bergen Community College, NJ

Marsha Suggs Smith
Montgomery College, MD

PACIFIC REGION – Stephan Castellanos*
San Joaquin Delta College, CA

Southern Region – Tamela Cullens*
South Florida State College, FL

Western Region – Steven Anderson*
Northeast Community College, NE

DIRECTOR-AT-LARGE

(3) Three-Year Terms

The following is the slate of nominees received as of July 1, 2019:

Tim Hardy*
Louisiana Community & Technical College System, LA

Rosaelen O’Neil*
Northern Virginia Community College, VA

Arturo Reyes*
Mott Community College, MI

*Received support of their respective Nominating Committees.

Note: Nominations will be accepted from the floor for all elections.

Elections of Regional Nominating Committee Members

Regional nominating committee elections will take place during the 2019 ACCT Leadership Congress Regional Caucuses and Meetings on Thursday, October 17, from 2-3:30 p.m. Based on the ACCT Regional Nominating Committee structure, each committee consists of five members elected for two-year staggered term. No more than one member shall be from the same state. The following seats need to be filled for the 2020 – 2021 term:

CENTRAL REGION

Three (3) seats will be available to members from the following states: Iowa, Illinois, Indiana, Kentucky, Michigan, Minnesota, and Ohio.

Betty Bruski Mallek (WI) and Doris Graham (MO) will continue to serve through 2020.

NORTHEAST REGION

Three (3) seats will be available to members from the following states: District of Columbia, Massachusetts, New Hampshire, New York, and Pennsylvania.

Gloria Aparicio Blackwell (MD) and Betti Singh (NJ) will continue to serve through 2020.

PACIFIC REGION

Two (2) seats will be available to members from the following states/territories: Alaska, California, Hawaii, Idaho, Oregon, Utah, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and Republic of Palau.

Tamra Jackson (WA), Carol Del Carlo (NV), and Jane Strain (AZ) will continue to serve through 2020.

SOUTHERN REGION

Two (2) seats will be available to members from the following states/territories: Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, West Virginia, Bermuda, and British Virgin Islands.

Sandra Jackson (SC), John Mitten (FL), and Hong Xu (VA) will continue to serve through 2020.

WESTERN REGION

One (1) seat will be available to members from the following states: Kansas, Montana, North Dakota, New Mexico, and Oklahoma.

Austin Miller (NE), Steven Peck (WY), Gene Sprague (TX), and Patty Theobald (CO) will continue to serve through 2020.

2020 Candidates for the ACCT Diversity, Equity, And Inclusion Committee

(1) Two-Year Term in Each Region

Following is the slate of nominees:

CENTRAL REGION

Marc Wiley*
Prairie State College, IL

NORTHEAST REGION

Anthony Colon
Mohawk Valley Community College, NY

PACIFIC REGION

Deborah Ikeda
State Center Community College District, CA

SOUTHERN REGION

Kashi Bazemore
Roanoke-Chowan Community College, NC

Tina Royal*
Davidson County Community College, NC

WESTERN REGION

Belen Robles*
El Paso Community College, TX

Candidates with an asterisk received the support of their respective Regional Nominating Committees.

Note: Nominations will be accepted from the floor for all elections.
ACCT’s Retreat & Evaluation Services are designed to help trustees effectively carry out their responsibilities in an increasingly complex and litigious world. We are committed to assisting boards by enhancing their capability to provide effective lay governance and leadership to strengthen the capacity of community colleges to achieve their mission on behalf of their communities.

Retreats can strengthen communication and understanding among board members, which can lead to a stronger, more effective working group. When a board engages in training and professional development, it is also a model for the rest of the institution.

ACCT will customize a retreat that fits your board's individual needs. We provide comprehensive retreat services and guidance to the Board of Trustees and CEO.

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Below are some classic retreat topics. ACCT can customize any of these programs or create original board development programs around any topic to meet your needs.

- Roles and Responsibilities of the Board
- Strengthening the Board/CEO Relationship
- How to Implement Policy Governance
- Board Ethics and Standards of Good Practice
- Board Planning and Goal Setting
- The Role of the Board in Strategic Planning
- The Role of the Board in the Accreditation Process
- Mediation and Conflict Resolution
- The Board’s Role in Advocacy
- The Board’s Role in Fundraising
- New CEO Transition
- New Trustee Orientation
- Board Self-Assessment and CEO Evaluation

For more information or to schedule a retreat, contact Colleen Allen at callen@acct.org / 202.775.6490.
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