

YAVAPAI COMMUNITY COLLEGE 2016 YEAR IN REVIEW

2017



2017

**The Prescott Based \$80 Million Dollar Community College
West County Empire strikes back at the Verde Valley**

THE·PRESCOTT·BASED·COMMUNITY·COLLEGE

EMPIRE

STRIKES·BACK·AT·THE·VERDE·VALLEY¶

—**THE PRESCOTT BASED COMMUNITY COLLEGE EMPIRE STRIKES BACK AT
THE VERDE VALLEY**—

INTRODUCTION

The year 2016 was marked by a full scale political assault on the Verde Valley by those in control of the County Community College with its \$80 million dollar plus budget. The assault was led by Penelope Wills who apparently prefers autocratic control of the College rather than an open democratic fully accountable institution. Wills was supported in her efforts by the three-member West County voting bloc whose political interests are most likely promoted by ensuring that detailed information about the College's operations are kept as much as possible from the prying eyes of the public.

Wills and the voting bloc worked hand in glove to ensure continued multimillion dollar spending on the Prescott Campus and at the Career and Technical Education Center at the Prescott airport. They also sent millions of dollars to the Prescott Valley Campus to begin building the Allied Health Center in response to pressure coming from the Prescott Valley political establishment.

Among this year's casualties in the Verde Valley were Verde Valley representative Al Filardo, who resigned in December,

2016 and the Verde Valley Board Advisory Committee. The Verde Valley Advisory Committee was essentially dismantled at a September Board retreat. The vote on dismantling the Committee occurred at what turned out to be basically a secret meeting. When the vote was taken, no members of the press were present, no video cameras were running to record the debate on the issue, and the published agenda masked the fact that the issue of the future of the Advisory Committee was to be discussed. There were no citizens in the audience when the final vote was taken.

In another political move, and no doubt out of fear of the Sedona political establishment, President Wills decided to spend from 2 to 3 million dollars on the Sedona Center. Sedona interests present the greatest threat to autocratic control of the College by Wills.

The following is a summary of the College's 2016 record as the Prescott based educational Empire attacked the Verde Valley.

GOVERNING BOARD VOTING BLOC AND ADMINISTRATIVE ARROGANCE FORCE FILARDO FROM GOVERNING BOARD:

Arrogance on the part of the three-member West Valley Governing Board voting bloc essentially forced District three Board representative Al Filardo to resign his seat after spending

two frustrating years as the Verde Valley representative. Repeatedly, over those two years, Filardo found himself and representative Deb McCasland in the minority where their views were consistently ignored. Filardo resigned saying a majority on the Governing Board made decisions that did not align with either his guiding principles or his sense of what is right for the College. The Second District Representative, Deb McCasland, was astonished at the reaction of the Governing Board members and president Penelope Wills when Filardo made his announcement. She said: “[I]t was such a cold, uncaring, silent response from the three board members and Dr. Wills.” Filardo followed Bob Oliphant who resigned in January, 2014 over disgust with how the Governing Board treated the citizens of the Verde Valley.

When he resigned, Filardo pointed out the fact that the Governing Board had unanimously voted to continue the Verde Valley Board Advisory Committee at its September 2015 meeting. However, the Governing Board just one year later during an almost secret retreat suspended the Advisory Committee for one year. The suspension effectively put an end to the hard work of the seven-member Verde Valley Board Advisory Committee. Filardo rhetorically asked: “One may wonder what has happened internally over the last year to cause this abrupt turnaround.”

Filardo listed four Board decisions that caused his resignation: **(1) The Board made significant fiscal commitments without the required comprehensive strategic planning document before it. (2) The Board failed to authorize research to inform important, key decisions that it made. (3) The Board overlooked problems experienced by the community college that were masked by the Carver policy governance process used by the Board. (4) The Governing Board erred when It made the decision to suspend the Verde Valley Advisory Committee before its work had been completed.**

Former Verde Valley Board Advisory Committee Vice Chairman Bill Regner told the Governing Board that its almost secret vote during the retreat disrespected Filardo and the people who have supported him. See *Verde Independent* newspaper, November 3, 2016. <http://www.verdenews.com/news/2016/nov/03/verde-valley-reacts-filardo-resignation-college-bo/>

ARROGANCE DRIVES WEST COUNTY BOARD AND PRESIDENT WILLS TO SUSPEND WORK OF VERDE VALLEY BOARD ADVISORY COMMITTEE. The three-member West County voting bloc on the Yavapai College District Governing Board on

Monday, September 12, 2016 with the approval of president Wills essentially dismantled the Verde Valley Board Advisory Committee.

The decision by the Governing Board to suspend the Committee for one year was made with no public present in the late afternoon and the usual television cameras were not present to record the Board discussion. Worse, the agenda for the retreat made it appear that the only business to be conducted during the retreat involved changing language in the rules and regulations used to conduct Governing Board meetings.

The agenda for the retreat had been carefully worded in such a way as to mask from the public the fact that the question of continuing the life of the Verde Valley Board Advisory Committee was to be debated.

There is little doubt that the vote came because the West County majority feared the continued public disclosures being made by the Committee. Once known by the public, the disclosures could have had the effect of upsetting their total control of revenue and building projects. This control has been used over the past 10 years used to build a West County community college Empire to the detriment of the East County citizens.

ARROGANCE ALLOWS GOVERNING BOARD MAJORITY TO IGNORE INTENT OF OPEN MEETING LAW: In an editorial in the *Verde Independent* newspaper, the editor, Dan Engler, made the following remarks regarding the conduct of the Governing Board when by a 3-2 vote it essentially dismantled the Verde Valley Board Advisory Committee.

[The] “college board members were wrong in dismantling the VVBAC, and probably even more wrong in the way they went about it. It bears emphasis that when VVBAC members were pushing for a separate Verde Valley administrative college district under the agenda heading “Ownership Linkage,” college President Penny Wills agreed with this newspaper that the committee was playing fast and loose with the state's Open Meeting Law. “It's supposed to be clear enough so people will know what they are going to be discussing,” Wills said at the time.

“Guess what? At their Monday retreat, college board members voted 3-2 to suspend the VVBAC under the very same agenda item: “Ownership linkage.” Was that “clear enough so people will know what they are going to be discussing,” to use Wills' words. Board member Deb McCasland claimed she was blind-sided when her colleagues moved forward on suspending VVBAC. The agenda did not make it clear that such

action was being considered.”

Mr. Engler’s editorial can be found at the following link: <http://www.verdenews.com/news/2016/sep/15/commentary-dissolution-of-college-advisory-commit/>.

COLLEGE FAILS TO HIRE INDEPENDENT CONSULTANT TO ASSESS INDEPENDENT ADMINISTRATIVE COLLEGE POTENTIAL

IN THE VERDE VALLEY: At its March 1, 2016 Governing Board meeting, the Board with the enthusiastic approval of president Wills, in a 3-2 vote refused to hire an independent expert to assess the efficacy of an administrative college or other administrative model to operate postsecondary education in the Verde Valley. The assault on the issue was led by Penelope Wills with the strong vocal support of the three-member West County voting bloc. Among other silly arguments made by the voting bloc, was that the College could not afford a \$50,000 expenditure from its \$82 million annual budget to hire an independent expert.

COLLEGE FAILS TO CURB BUILDING SPREE; USES TUITION

INCREASE TO FUND PROJECTS: By a 3 to 2 vote (Verde Valley representatives opposing), the Governing Board increased student tuition at its March meeting by about 5%. The increase was apparently needed to support the ongoing expenditure of millions of dollars in building projects on the Prescott campus

and at the Career and Technical Education Center at the Prescott airport.

COLLEGE FAILS TO LISTEN TO SEDONA CITIZENS; WASTES \$1.7 MILLION: Sedona residents told the Governing Board at the November 1 Governing Board meeting in that city that they were wasting about \$1.7 million by enclosing the outside center area of the Sedona Center. Despite the plea from the citizens, the College continued with its plans to waste the \$1.7 million on the project.

COLLEGE FAILS TO DEAL WITH DECLINING ENROLLMENT: The College enrollment as measured by actual head count of students has now fallen to its lowest point by more than 6,000 students in 10 years. According to the College, the total head count in 2006/07 was 16,312. By 2015/16, it had fallen to 10,245 students. Meanwhile, the Governing Board and the College administration continues to do little but wring their hands at the decline.

COLLEGE MAKES POOR SHOWING IN WALLETHUB RATING: According to a national rating made by *Wallethub*, Yavapai College ranks 716 from the top among community colleges.

COLLEGE FAILS TO REACH AGREEMENT ON \$60 MILLION

LAWSUIT: The College failed to settle the lawsuit brought by the former director of its aviation program, Daniel Hamilton. In fact, the College lost its efforts via a summary judgment motion earlier in the year to have the lawsuit dismissed in Federal District Court.

A federal judge ruled in December that a second whistleblower case against a Yavapai College flight program will go forward. The case alleges Yavapai College's airplane pilot program took millions of dollars from the VA by submitting false claims for veteran education benefits while knowingly violating the VA's enrollment limitations. Both cases are now proceeding toward trial and expose the college, its partners and their agents to millions of dollars in damages. T

COLLEGE FAILS TO STOP REVENUE DECLINE: TUITION REVENUE

PLUMMETS BY \$1 MILLION: In May, 2016 the College announced that it is going to lose about \$1 million in tuition revenue in the 2016/17 academic year. Loss, according to Penelope Wills, was a result of its inability to comply with VA requirements in its aviation program and an overall decline in

enrollment. (Query: Is the Administration setting the stage for another tax increase request?)

PRESCOTT CAMPUS ENROLLMENT IN A TAILSPIN: Data

reported by the College indicates that from the 2009/10 academic year the FTSE enrollment figure has fallen from 2,396 to 1,252.7 on the Prescott campus. This drop represents the most significant dramatic decline in enrollment in the District. The Wills administration seems to show little concern about the decline.

FOUNDATION REFUSES CONTRIBUTION TO SOUTHWEST WINE

PROGRAM: Although no official explanation has been offered by the Yavapai College Foundation, it refused to provide \$116,000 in funding to support the Southwest wine program this year. The revenue had been promised in the College budget. It has been suggested that the Foundation's decision not to make the donation is because of a failure on the part of the folks in the Verde Valley to support the program with sufficient donations in 2015/16. Meanwhile, the Foundation anticipates donating \$450,000 to a new soccer field on the Prescott Campus over the next four years.

COLLEGE SQUEEZES MONEY FROM HIGH SCHOOLS IN DUAL

ENROLLMENT PROGRAM: In January, 2016 the Governing Board West County Majority approved a request by Penelope Wills to assess a \$10 fee for every Yavapai college credit course taught at a high school by a high school teacher in the County. Wills offered no serious support for the additional revenue other than the College was spending funds to administer the program from County taxpayer revenue.

In an editorial in the *Sedona Red Rock* newspaper the managing editor said that this was another effort by the College to squeeze every dime from the Verde Valley while giving little or nothing in return. The Verde Valley Board Advisory Committee and both representatives of the Verde Valley opposed the imposition of the fee. All of the superintendents in the Verde Valley also opposed imposition of a fee. Among other concerns they expressed was that a fee would adversely affect poor families and students in the County.

NO CAPITAL REVENUE CONTRIBUTIONS FOR VERDE VALLEY

CTEC: In April Penelope Wills told the Clarkdale town Council that she was unwilling to commit any capital money to a Verde

Valley Career and Technical Educational program in the Verde Valley. She stated that from her perspective if the Verde Valley Career and Technical Education program intended to build a facility in the Verde Valley, it should do so via a general obligation bond approved by voters. In contrast, Wills has overseen the \$15-\$20 million capital outlay for plant and equipment for the state-of-the-art CTEC facility at the Prescott airport. She has also moved the West County high school Mountain Institute CTEC administrative offices into the College facilities at the Prescott airport. When the decision was made to move the West County Mountain Institute into College facilities, there was apparently no consideration given to moving the Verde Valley high school CTEC program into any College facilities anywhere.

STATE LEGISLATORS SPREAD MISINFORMATION:

An editorial published in the *Verde Independent* newspaper on November 1, 2016 authored by District 6 representatives Bob Thorpe and Brenda Barton contained false and misleading information about Yavapai College's financial commitment to the Verde Valley. Some suspected that the editorial was intended as a free political advertising opportunity. Others surmised the mis-

leading information used by the representatives came from someone close to the Community College administration. On November 6, 2016 in a letter to the *Verde Independent*, Mr. Paul Chevalier, who headed the Verde Valley Board Advisory Committee for two years, pointed out the gross inaccuracies in the representatives' editorial.

PERRY CAN'T ESCAPE VERDE VALLEY: On March 6, 2016 three finalists for the position of Vice President of instruction and student development were announced. Among those finalist was Dr. James Perey. Perey no doubt wanted out of the Verde Valley in the worst way. He had been the executive Dean of the Verde Valley Campus and Sedona Center since 2012 and was continually on the hot seat having to explain Wills' adverse decisions regarding the Valley. (He also continues to live with his wife and family in Chino Valley and drives many miles each day to the Verde Campus or the Sedona Center.) Despite his loyalty to Wills, he was not selected for the promotion. Instead, Dr. Ron Liss, from outside Arizona, was chosen. Liss succeeds Stuart Blacklaw, Ph.D., who left in July 2015 to become provost at the Community College of Allegheny County in the Pittsburgh, Pennsylvania area. Scott Farnsworth, who has served as VP of Instruc-

tion and Student Development since July, returned to his previous post as Dean of Sciences, Health and Public Safety when Liss assumed his new position on June 1.

MOST EXPERIENCED, QUALIFIED APPLICANT NOT APPOINTED AS VERDE VALLEY REPRESENTATIVE TO FILL AL FILARDO'S SEAT ON GOVERNING BOARD.

The Yavapai County education superintendent, Tim Carter, announced on Nov. 29 that five residents of Yavapai College District 3 - which includes the communities of Clarkdale, Cottonwood, Jerome, Sedona, and the Village of Oak Creek - had applied for the Governing Board seat left vacant by Al Filardo, for a term ending on Dec. 31, 2018. Those candidates were: Cottonwood resident Hal Alford, Jerome resident Mary Beth Barr, Village of Oak Creek resident Dr. Connie Harris and Sedona residents Jessica Williamson and Dr. Thomas Yager.

Carter also used an advisory committee of five individuals made up of a Yavapai College student and faculty member, as well as a business person, taxpayer and community member to help with the selection. Finally, and most importantly, Carter met individually with the college administration (Wills and others), as well as the four remaining District Governing Board members.

In the opinion of this author, the most qualified person, Jessica Williamson, was not appointed. A former member of the Sedona city Council, Williamson possessed intimate knowledge of the operations of the College and the problems the College and the three-member Governing Board have with the Valley. Williamson attended almost all of the meetings of the Verde Valley Board Advisory Committee over a two-year period and had spoken on behalf of the Verde Valley before the Governing Board on various occasions. Williamson also had widespread citizen support in the Verde Valley and from the Sedona Mayor. No doubt, her knowledge, her relationship to the mayor, widespread citizen support, and speeches to the Governing Board spelled her downfall. Instead, a political novice who had played no role and apparently attended no meetings of the college governing board over the past three years, Dr. Connie Harris, was selected at the end of December, 2016 as the Verde Valley representative by Mr. Carter. The selection raises serious questions about whether a political novice like Dr. Harris will stand any chance of representing the Verde Valley interests against the entrenched experienced West County voting bloc that controls the Yavapai College District Governing Board. Some in the Verde Valley saw the appointment as a huge win for Wills and the West

County controlling majority voting block on the Governing Board. Others have urged Verde Valley citizens to wait and see whether Dr. Harris has the courage needed to represent the Valley and stand against the enormous political forces that will be unleashed against her by the West County representatives and Penelope Wills.

DR. BARB WAAK SELECTED INTERIM ASSOCIATE DEAN FOR VERDE VALLEY UNTIL SPRING 2017; WAS NUMBER 2 IN SELECTION PROCESS LAST TIME; APPEARED IGNORED AFTER APPOINTMENT:

James Perey's office announced July 28 that Dr. Barb Waak had accepted the interim position of Associate Dean for the Verde Valley Campus. Dr. Waak began her duties on Monday, August 1st, 2016. It was a one semester appointment during which the College began a nationwide search for a permanent Associate Dean. Of interest is the fact that Dr. Waak was a finalist in the College's national search a year ago for this position. Waak was second to Dr. Kelly Trainer in the selection process, her predecessor in this position.

Those calling for a Verde Valley resident to be appointed to a top leadership role at Yavapai College Verde Valley Campus had reason to rejoice with Waak's temporary appointment.

Waak is a 22-year veteran of teaching, most of it at Yavapai College, where she graduated with an associate degree in 1978 before moving on to bachelor's and master's degrees in English at Northern Arizona University and a Ph.D. in higher education administration at Capella University. The Verde Valley has been her home for over two decades.

On August 1, Barb Waak became interim Associate Dean of the institution. As far as the author can determine, she was not formally introduced to the Governing Board after her temporary appointment. This is in sharp contrast to how other temporary executive appointments have been treated such as interim Vice President Scott Farnsworth.

Given Dr. Waak' experience and rating in the last selection process for this position, it seemed a waste of money to announce a new search for the position. Nevertheless, the College proceeded to announce a national search for the position was underway and would be concluded sometime in 2017.

SOME PROGRESS IN VERDE VALLEY IN 2016

On the more positive side of the ledger, the Verde Valley Campus showed a slight increase in enrollment, a handful of new programs were added to the Verde Valley Campus curriculum, and plans were begun to renovate the Sedona Center for a culinary school. Other plans were being made to work with the Sedona Red Rock high school in developing a performing arts program. The greatest success in the Verde Valley came about with the College For Kids summer project. The College For Kids project was successful because of the intimate involvement and hard work of Verde Valley school superintendents. There was also a serious effort to bring some concerts to Camp Verde, Sedona, and the Verde Campus by Dean Ralston.

January 8, 2017

This summary was prepared by William Mitchell College of Law emeritus Prof. Robert Oliphant. The opinions contained in this summary are his alone. Additional updates and other information may be found at the following website: <http://www.eyonyavapaicollege.com/>. A copy of Oliphant's latest book about the history of the College and its development and difficulty with the Verde Valley, "Wake Up Verde Valley, You've Just Been Ripped Off", 1st edition, can be downloaded free in pdf format from the [eyonyavapaicollege.com](http://www.eyonyavapaicollege.com) web site.