

## **Resolution on a Vote of No Confidence in the Leadership of Chancellor Maria Harper-Marinick**

**WHEREAS**, Chancellor Harper-Marinick was complicit in the 2018-19 Governing Board’s campaign to undermine shared governance and suppress the free speech rights of employees, as evidenced by:

1. the Chancellor’s failure publicly to defend the Classified Staff against the Governing Board’s resolution to eliminate the Classified Staff Council and the Collaborative Policy Development process,<sup>i</sup> and the Chancellor’s further failure to develop a replacement for the Classified Staff Council as directed by the aforementioned Governing Board resolution;<sup>ii</sup>
2. the Chancellor’s failure publicly to defend the Residential Faculty against the Governing Board’s resolution to eliminate Meet and Confer and replace the *Residential Faculty Policies*;<sup>iii</sup>
3. the Chancellor’s status as a willing facilitator of the strategy to advance the partisan political agendas of former President Hendrix and other board members;<sup>iv</sup>
4. the Chancellor’s failure to prevent, and later to rescind, an email edict that directly restricts constitutionally and contractually protected speech rights of Residential Faculty and that also chills the speech rights of all other employees;<sup>v</sup> and
5. the Chancellor’s implementation of a 30-day, no-fault, no-severance-pay termination clause in the employment contracts of college presidents and vice chancellors,<sup>vi</sup> while the Chancellor retains a 90-day, no-fault contract clause with severance pay for up to three-years of her salary,<sup>vii</sup> effectively chills their free speech rights and hampers their ability to lead and innovate.

**WHEREAS**, Chancellor Harper-Marinick has failed to provide effective vision and managerial oversight of the institution, as evidenced by:

1. failure to engage employees in developing her signature “Transformation” plan that would have regionalized the colleges and diminished their autonomy and unique cultures – a plan that was ultimately rejected by her own community taskforce on Transformation,<sup>viii</sup>
2. persistent and unresolved failures of mission-critical infrastructure, including Financial Management, Student Information Systems, Human Capital Management, and Payroll;
3. minimal progress correcting chronic impediments in student enrollment processes, thereby exacerbating declines in enrollment significantly in excess of peer institutions nationwide;<sup>ix</sup>
4. awarding VCHR LaCoya Shelton a significant salary increase amidst her catastrophic implementation of the Classification and Compensation plan and her deliberate undermining of both the Meet and Confer process and the Classified Staff’s Collaborative Policy Development process;<sup>x</sup> and
5. the Chancellor’s failure to address or resolve the precipitous decline in system-wide employee morale.<sup>xi</sup>

**WHEREAS**, Chancellor Harper-Marinick has failed to execute her duties with (in her own words) “a commitment to excellence, integrity, and honest dialogue,”<sup>xii</sup> with “clear levels of accountability . . . for everybody in the system, beginning with the Chancellor’s office”<sup>xiii</sup> while honoring her “pledge to be transparent and inclusive”<sup>xiv</sup> at a time when we must “speak up courageously for what is right,”<sup>xv</sup> as evidenced by:

1. the Chancellor’s complete failure to publicly accept any responsibility for the failures of her administration, despite her oft-repeated and public demand to be held accountable for decisions when she was a candidate for Chancellor and after she was hired;<sup>xvi</sup>
2. an external investigation that found the Chancellor’s failure to speak or act was a “profound dereliction of her duty” to fulfill her responsibility “with honesty, integrity, and courage;”<sup>xvii</sup>
3. the Chancellor’s contract for employment states she will be “provide[d] an oral summary” of her annual performance evaluation and that any written evaluation “Maricopa shall keep . . . confidential unless otherwise authorized by the Chancellor or ordered by a court of law,” thereby concealing her performance evaluation.<sup>xviii</sup> Further, no input from faculty and classified staff has ever been collected to inform her performance review; and
4. the Chancellor’s decision to sustain a whistle-blower policy that uniquely and unfairly insulates herself from accountability in the process.<sup>xix</sup>

**WHEREAS**, the above resulted in egregious harm to the ability of this institution to advance its mission effectively in service of its students and community;

**NOW THEREFORE BE IT RESOLVED THAT** we the undersigned, on behalf of the Faculty Senates of the Maricopa Community Colleges, do hereby vote **no confidence** in the ability of Chancellor Harper-Marinick to lead the Maricopa Community Colleges District.

ADOPTED this 16<sup>th</sup> day of April year of 2019.

  
[Chandler-Gilbert Community College]

  
[Paradise Valley Community College]

  
[Estrella Mountain Community College]

  
[Phoenix College]

  
[GateWay Community College]

  
[Rio Salado College]

  
[Glendale Community College]

  
[Scottsdale Community College]

  
[Mesa Community College]

  
[South Mountain Community College]

## End Notes

All documentation below provided at <http://mccfa.org/VNC-Documents/>.

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<sup>i</sup> Harper-Marinick & Hendrix Correspondence. June 2017. Email.

<sup>ii</sup> Letter to Higher Learning Commission. September 24, 2018.

Exhibit 20: February 6, 2018 Email from L. Hendrix to M. Harper-Marinick

Exhibit 22: September 10, 2017 Email from M. Harper-Marinick and L. Hendrix

<sup>iii</sup> Letter to Higher Learning Commission. September 24, 2018.

Exhibit 10: January 28, 2018 Email from M. Harper-Marinick to L. Hendrix

Exhibit 20: February 6, 2018 Email from L. Hendrix to M. Harper-Marinick

Exhibit 29: February 10, 2017 Email from L. Hendrix to M. Harper-Marinick

Exhibit 31: February 18, 2018 Email from L. Hendrix to M. Harper-Marinick and L. Thor

<sup>iv</sup> Letter to Higher Learning Commission. September 24, 2018.

Exhibit 6: January 31, 2018 Email from L. Hendrix to M. Harper-Marinick

Exhibit 10: January 28, 2018 Email from M. Harper-Marinick to L. Hendrix

<sup>v</sup> Fisher, Karla. "GB Resolution." Message to DL\_EXECS. 28 February 2018. Email.

<sup>vi</sup> Maricopa County Community College District: Executive Employment Contract (excerpt).

<sup>vii</sup> Maricopa County Community College District Contract for Employment: Dr. Maria Harper-Marinick.

<sup>viii</sup> Maricopa County Community College District Governing Board Minutes. May 9, 2017.

<sup>ix</sup> National Student Clearinghouse Research Center. Current Term Enrollment: Fall 2018: Figure 1.

<sup>x</sup> Contract - LaCoya Shelton-Johnson (Second Amendment) September 17, 2015.

Contract - LaCoya Shelton-Johnson (Third Amendment) August 26, 2016.

"Resolution on a Vote of No Confidence in the Leadership of Vice Chancellor Shelton" April 26, 2018.

<sup>xi</sup> MCCD Employee Engagement Survey Results. Corresponding Maria Harper-Marinick email. March 23, 2017.

<sup>xii</sup> Maria Harper-Marinick. Maricopa County Community College District Governing Board Minutes. Chancellor comments. May 4, 2016.

<sup>xiii</sup> Chancellor Candidate Public Forum Live. Introductory Remarks and Response to Question 1. Phoenix College. April 24, 2016.

<sup>xiv</sup> Maricopa Community Colleges. State of the District 2017. See [50:28].

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<sup>xv</sup> Maria Harper-Marinick. NCLR Annual Conference Latinas Brunch. July 9, 2017.

<sup>xvi</sup> Maricopa Community Colleges. State of the District 2017. See [29:55].

<sup>xvii</sup> American Association of University Professors (AAUP). Reports and Publications: College and University Governance: Maricopa Community Colleges. March 2019.

<sup>xviii</sup> Maricopa County Community College District Contract for Employment: Dr. Maria Harper-Marinick.

<sup>xix</sup> Torres Law Group: Whistleblower Letter to MCCCCD Governing Board, March 7, 2017.  
District Legal Office Response to Whistleblower Letter, March 20, 2017.  
6.20 Whistleblower Protection, February 2011.