



## IAC Hearing Committee Report

*Hearing Committee C*

*Session 1*

*August 12, 2019*

Institution: Luna Community College, Las Vegas, NM

**Type of Evaluation:** Removal of Probation

**Staff Liaison:** Stephanie Brzuzy (staffed by John Marr)

### **Committee Members:**

- Convener:** Jim Simpson, Professor, Maricopa Community College-Scottsdale Community College, Scottsdale, AZ
- Recorder:** Carie A. Braun, Director of Assessment; Faculty, Department of Nursing, Saint John's University, Collegeville, MN
- Member:** Chandra D. Arthur-Dull, Assistant Professor, Cuyahoga Community College, Solon, OH
- Member:** Larry Michael Doyle, Owner/President, Lighthouse Consulting Services, St. Charles, MO (**Public member**)
- Member:** Scott Epstein, Executive VP for Quality and Effectiveness, Davenport University, Grand Rapids, MI
- Member:** John Mago, Professor, Anoka-Ramsey Community College, Coon Rapids, MN, john.mago@anokaramsey.edu

### **Institutional Representatives:**

- Lead: Rolando Rael, President
- Rep: Sierra Fernandez, Nursing, Retention & Completion and Shared Governance
- Rep: Donna Flores-Medina, Vice President of Finance/CFO
- Rep: Daniel J. Romero, Board of Trustees Chairman
- Rep: Henrietta Romero, Registrar

**Team Chair:** Julie Furst-Bowe, Vice President, Chippewa Valley Technical College, Eau Claire, WI

## 1. IAC Hearing Committee Determinations

Complete the following chart and indicate the Committee’s determination (Met, Met with Concerns, Not Met) for the Criteria and Core Components. In the “IAC Determination” Column, please identify with an asterisk each instance where the IAC determination differs from the Team’s determination. For any Criterion or Core Component where the IAC Committee’s determination differs from the Team’s determination, or where the IAC Committee agrees with the team’s determinations on a Criterion or Core Component, but disagrees with the underlying rationale, or where the IAC Committee concurs with the team’s determination of “met with concerns” or “not met,” please be sure to provide a detailed rationale in Section II. If the evaluation leading to the team’s recommendation was a focused visit, by design, not all Core Components with the Criteria for Accreditation were examined. Please note the Core Components that were not examined with N/A (not applicable).

Number	Title	IAC Determination	Team Determination
<b>1</b>	<b>Mission</b>		
1.A	Core Component 1.A	Met	Met
1.B	Core Component 1.B	Met	Met
1.C	Core Component 1.C	Met	Met
1.D	Core Component 1.D	Met	Met
<b>2</b>	<b>Integrity: Ethical and Responsible Conduct</b>		
2.A	Core Component 2.A	Not Met	Not Met
2.B	Core Component 2.B	Met	Met
2.C	Core Component 2.C	Met with Concerns	Met with Concerns
2.D	Core Component 2.D	Met with Concerns	Met with Concerns
2.E	Core Component 2.E	Met	Met
<b>3</b>	<b>Teaching and Learning: Quality, Resources, and Support</b>		
3.A	Core Component 3.A	Met	Met
3.B	Core Component 3.B	Met	Met

Number	Title	IAC Determination	Team Determination
3.C	Core Component 3.C	Met	Met
3.D	Core Component 3.D	Met	Met
3.E	Core Component 3.E	Met	Met
<b>4</b>	<b>Teaching and Learning: Evaluation and Improvement</b>		
4.A	Core Component 4.A	Met	Met
4.B	Core Component 4.B	Met	Met
4.C	Core Component 4.C	Met	Met
<b>5</b>	<b>Resources, Planning, and Institutional Effectiveness</b>		
5.A	Core Component 5.A	Not Met	Not Met
5.B	Core Component 5.B	Met with Concerns*	Not Met
5.C	Core Component 5.C	Met with Concerns	Met with Concerns
5.D	Core Component 5.D	Met with Concerns	Met with Concerns

## **2. IAC Hearing Committee Supporting Evidence, Findings and Rationale for Action or Recommendation**

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For all cases, note below the IAC findings with respect to each relevant Core Component with appropriate rationale. This section should be organized by Core Components. For Criteria and/or Core Components where the IAC agrees that the requirements are met, only a brief statement affirming the reasons for concurrence is required.

However, a detailed rationale is required in this section for any Criterion or Core Component where:

- The IAC Committee’s determination differs from the Team’s determination, or
- Where the IAC Committee agrees with the team’s determinations on a Criterion or Core Component, but disagrees with the underlying rationale, or
- Where the IAC Committee concurs with the team’s determination of “met with concerns” or “not met,”

In cases considering removal or continuation of a sanction, the specific Core Components which led to the sanction originally being imposed by the Board of Trustees should be referenced specifically along with the IAC findings with respect to the Core Component. Careful attention to the Board's action letter outlining the underlying reasons for the sanction, as well as the team report, institutional response and verbal responses of the institutional representatives at the hearing is required.

1A: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

1B: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

1C: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

1D: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

1: The IAC Hearing Committee finds that this Criterion is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

2A: The IAC Hearing Committee agrees that this Core Component is not met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

Rationale: The team report of March 2019 determined Core Component 2A was not met, citing significant concerns centered around the governance of Luna Community College (LCC). The team found the LCC board intruded in the daily operations of the college, with reports of alleged verbal attacks and harassment toward a number of employees along with an environment of distrust, particularly around the hiring of a new president two weeks before the team arrived. Two members of the Board of Trustees (BOT) had recently resigned prior to the team arriving, citing ethical lapses and self-serving behavior by other members of the Board. The Board Chairman revealed that these board members had their own agenda and believed it was time they left their positions.

LCC noted three items in its institutional response to demonstrate progress toward greater integrity and ethical/responsible conduct: 1) A shared governance policy had been developed in December 2017 (15 months prior to the team visit) and the institution asserted that the board, administration, faculty and staff were working towards a culture of shared governance; 2) a proposed revision to Board Policy 1520 was provided in the institutional response, which would allow representatives from various groups to sit at board meetings and express concerns; and 3) a proposed revision to Board Policy 1600, mandating quarterly professional development leadership trainings.

At the hearing, one LCC representative indicated that morale had improved without clear evidence to support this assertion. The president reported the college website has a link for filing formal complaints and these eventually come to the president for resolution. Since his tenure, he had received one complaint related to payroll and he was able to explain the reasoning for the delay in payment to the concerned adjunct professor. During the hearing, the LCC board chair and president acknowledged that more work needs to be done to clarify individual roles and functions of each segment of the college.

Nevertheless the IAC Hearing Committee determined that this Core Component remained unmet because although policies have been established, not all of these policies have been implemented, the board reportedly remains unclear on their role, and there is no evidence to support improved employee morale. In the next six months, the IAC Hearing Committee would anticipate full implementation of board policy 1520 and 1600 with evidence to support assertions that morale had improved, board intrusions

have been eliminated, and communication between the board and all constituents has become more systematized. In addition, the IAC Hearing Committee would recommend a formal onboarding process for new board members, which would allow each newly elected board member to know his or her role, and continuous training would allow such board members to acquire the necessary knowledge to be an effective board member. This is especially critical as all seven board seats are up for election in November 2019.

2B: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

2C: The IAC Hearing Committee agrees that this Core Component is met with concerns and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

Rationale: The visiting team found evidence that the autonomy of the LCC Board of Trustees (BOT) was clouded by reports of numerous LCC employees that they are still regularly approached by Trustees on campus and receive feedback and direction directly from them. During the review team's meeting with BOT members, some Trustees indicated that they regularly visit campus and interacted with employees on the job. At least one Trustee was enrolled as a student and was on campus on a weekly basis. At least two Trustees were former faculty members at the college. To avoid future potential conflicts, BOT members approved a resolution at their January 9, 2019, meeting stating, among other things, that "a Trustee shall not: 1. Influence or attempt to influence personnel decisions. 2. Interact with staff in a manner that suggests tasks and duties must be carried out on behalf of a Board member. 3. Act or behave in a manner that encourages staff to deviate from appropriate chain of command and grievance protocols."

In its institutional response, LCC noted that a policy has been implemented and has been followed by the individual members of the BOT for signing in and stating their business while on campus and this has led to increased scrutiny of individual BOT members while on campus. At the hearing, the IAC Hearing committee was assured that the board underwent an annual self-evaluation process and has increasing awareness of its role at the college and they were working on issues of shared governance. Given that the board is publicly elected, there is little influence on the expertise brought forth from board members and since all seven board members are up for re-election in November 2019, the on-boarding process suggested above could be helpful to educate board members on policy governance. LCC's July work session on "open meetings" was an important first step. Although there was no indication of how the board will be held accountable to the expectations outlined in the new policies, the board chair mentioned that they had 100% attendance at this workshop. The IAC Hearing Committee would anticipate further formalization of board training to improve its governance function and ongoing attention to board accountability.

2D: The IAC Hearing Committee agrees that this Core Component is met with concerns and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

Rationale: As indicated in Core Component 2A above, the team found the LCC board intruded in the daily operations of the college with reports of alleged verbal attacks and harassment toward a number of employees along with an environment of distrust, particularly around the hiring of a new president two weeks before the team arrived. The team determined this Core Component to be met with concerns because of the risk to freedom of expression. At the hearing, one representative indicated that morale had improved without clear evidence to support this assertion. The president reported the college website has a link for filing formal complaints and these eventually come to the president for resolution. In conclusion, the IAC Hearing committee acknowledged that Luna Community College has the

framework, and students and faculty are free to express themselves in the classroom. but given the freedom of expression concerns in 2A, this Core Component remains met with concerns.

2E: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

2: The IAC Hearing Committee finds that this Criterion is not met as a result of findings above.

3A: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

3B: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

3C: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

3D: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

3E: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

3: The IAC Hearing Committee finds that this Criterion is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

4A: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

4B: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

4C: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

4: The IAC Hearing Committee finds that this Core Component is met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

5A: The IAC Hearing Committee finds that this Core Component is not met and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

Rationale: The visiting team noted that LCC had developed a strategic plan for 2019 - 2021; however, there was no evidence of a financial plan to support the strategic plan. During the hearing, institutional representatives discussed their financial planning strategy, which revolves around raising revenue through tuition and grants while reducing expenses. Deficit spending over the last several years has been funded through reductions in fund balance, and although the representatives agreed this was not a sustainable strategy, they have not developed a concrete financial plan.

A part of any financial plan will include enrollment projections. The visiting team report noted declines in enrollment and suggested the enrollment projections did not appear to be feasible. On the other hand, the report stated there had been progress in retention and completion efforts. When queried on the current status of enrollment, the representatives admitted enrollment was still down, but confirmed they were on target to meet revised projections.

The 2017-18 financial audit removed the adverse opinion regarding the finances and operation of the foundation; however, the visiting team found that no progress had been made in re-creating the organizational structure or developing the necessary legal documents to define its relationship to the college. The Institutional Response described the progress LCC has made to stabilize the foundation so that it can start distributing scholarships. This progress includes appointing directors to serve on the Foundation Board, hiring an executive director, drafting by-laws, and creating a memorandum of understanding (MOU) to define the relationship between the college and the foundation. According to the representatives at the hearing, the directors have been appointed and have had their first meeting, the by-laws have been drafted, but the Executive Director has not yet been hired, and the MOU has not been executed.

A critical component of ensuring the institution has the resources to support the educational mission is a facilities master plan. The team report stated the institution intended to create a master plan but had been relying on annual capital requests from the state legislature. Several of those requests have been denied, and the institutional representatives revealed that the most recent request had also been denied. The legislature is now requesting long-range master plans, which should add more incentive to get this task accomplished in the near future.

According to the representatives, planning (in general) has been an overall problem due to turnover in administration. They affirmed there was now stable leadership under President Rael so that planning can now be implemented. Additionally, the institutional response provided a long-term planning guide that will assist the board and administration to develop long-range plans.

Assumed Practice D.3 states “The institution has future financial projections addressing its long-term financial sustainability”. Based upon the rationale stated above, the institution still does not meet this Assumed Practice; however, based on the progress that has been made and the ongoing tasks in place, the IAC Hearing Committee believes the institution has the capacity to resolve this in the near-term.

5B: The IAC Hearing Committee finds that this Core Component is met with concerns and disagrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

Rationale: In its report, the visiting team recognized that the board had been in flux for several years, there was significant controversy over hiring the most recent president, the board had limited understanding of shared governance, and this resulted in the determination of “not met” for this Core Component. In its institutional response, LCC recognized the need to incorporate shared governance and to solicit and consider the input of various campus constituencies as part of its deliberations. Two new policy revisions are designed to assist in this process. Additionally, the prescribed training policy for the board will help ensure a greater degree of vigilance regarding activities of the Foundation, as well as understanding of long-term financial and facilities planning.

At the hearing, the IAC Hearing Committee learned that the college has had 3 presidents in 5 years, the president has a 15-month contract, and the entire board will be up for re-election with potential for complete turnover in November 2019 (taking office January 2020). Although this turnover has inhibited long-term planning, a guide for long-term planning was provided in the institutional response. The college representatives expressed the intent to use this guide to implement longer-term planning.

The IAC Hearing Committee determined that this Core Component is now met with concerns. Through evidence and the interviewing process at the hearing, it is clear that the institution does have governance policies and processes that enable the institution to fulfill its mission. It was discovered that the governing board is knowledgeable about institutional oversight. The institution does have policies and practices to engage its internal constituencies. However, the IAC Hearing Committee determined this Core

Component is met with concerns as board governance issues still need to be resolved. The effect of new leadership especially with a newly appointed president, a new BOT (elections in November) and a replacement of a Director of Institutional Research should allow the institution to move forward with policies and processes. This will also allow for the institution to apply their board policies and allow for appropriate board training. Essentially, LCC needs to implement its policies and demonstrate that it has successfully implemented them and monitoring them for institutional learning.

5C: The IAC Hearing Committee finds that this Core Component is met with concerns and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

Rationale: The visiting team report stated numerous steps have been taken to improve the college's planning processes and resource allocation strategies. It was too early in the process, however, to determine if the stated plans will be fully developed, implemented, and evaluated. During the hearing, the institutional representatives indicated that they will have results to report in fall 2019. As noted above under Core Component 5A, the institution has made substantial progress in strategic planning and is now in the process of linking its financial, facility, and enrollment plans to the strategic plan.

The team report also notes the absence of an environment scan in the strategic planning process. The institutional response stated the Strategic Planning and Institutional Analysis (SPIA) committee convened a mid-year review of the institution's strategic plan in June of 2019. At the hearing, the representatives indicated environmental scans will be used as they update the plan in the future.

5D: The IAC Hearing Committee finds that this Core Component is met with concerns and agrees with the rationale set forth by the Evaluation Team in the Report of its March 2019 visit.

Rationale: The visiting team recognized that LCC was a "fledgling culture of data-informed decision-making." The strategic plan was new, and the college was actively working to improve the linkage between planning and budgeting. Particularly concerning to the team was the inability of board members to describe decisions they had made based on data. In its institutional response, LCC noted a new budget planning process, effective for FY 2019-20, where each department is being asked to provide a rationale for each budget item being requested, specifically noting the item's relevance in helping achieve the college's mission and strategic goals. At the hearing, the board chair identified budget reports as a source of data that was important for decision making for the board when it came to decide on implementation of a lab fee or raising tuition. The IAC Hearing committee was also informed that the director of institutional research had resigned.

The IAC Hearing Committee determined this Core Component remains met with concerns because plans are in place, but the implementation of those plans is just beginning. For example, the institutional response recognized the budget planning process is still in its infancy and will require continued training and assessments as to its effectiveness. Processes and methods for the collection of data are limited. Without an institutional research professional, underlying processes to support a systematic data approach are in jeopardy. The IAC Hearing Committee would anticipate replacement of the institutional research director and implementation of plans to systematically aggregate and analyze collected data to understand more systemic patterns and trends that would permit additional emphasis on improvement priorities.

5: The IAC Hearing Committee finds that this Criterion is not met as a result of findings above.

### **3. IAC Hearing Committee Recommendation**

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State the IAC's recommendation for the institution's status in this section. Where relevant, indicate the nature, timing, and scope of any interim monitoring and/or next on-site evaluation. Where no sanction is



recommended, for any Core Components the IAC believes are “met with concerns,” the IAC must articulate the nature, timing and scope of interim monitoring that must occur. Interim monitoring is not to be assigned where the ultimate recommendation involves a sanction.

Continued accreditation recommended

On Notice recommended – Insert date of next review:

Probation recommended – Insert date of next review:

Continuation of Probation recommended – Insert date of next review: 6 months from HLC Board action (anticipated May 2020).

Rationale: The IAC Hearing Committee recommends that the HLC Board grant one extension of Probation under Policy INST.E.20.010 because the Committee believes the institution has demonstrated substantial progress in the concerned areas by implementing several improvements that have not yet had time to yield results. There are verifiable plans in place to cure the deficiencies, and the institution has the capacity to implement these plans by the end of the extended probationary period (if granted).

Withdrawal recommended

Removal of sanction recommended

Initial Candidacy recommended

Initial Accreditation recommended

Other (Describe issue: )

**Conditions for Remediation if Recommending Notice or Probation** (Provide HLC expectations on what the institution should demonstrate at its next review.)

Expectations:

As indicated in HLC policy INST.E.20.010, the institution shall host a focused evaluation as soon as possible after the six-month extension has concluded to determine whether the improvements anticipated in the action granting the extension are in place and functioning to cure any areas of non-compliance identified in that action and whether the Criteria for Accreditation and Core Components are met. The IAC Hearing Committee recommends the institution address all areas of the Criteria that were Not Met or Met with Concerns with specific attention to the following items:

- Campus climate survey indicating the extent to which there remains intimidation, etc
- Review of policies related to fair/ethical/responsible behavior (see HLC examples of evidence from Criterion 5)
- Map (agenda) of board orientation for incoming membership pending the November 2019 elections.
- Mechanism for keeping the board accountable
- Implementation of budget planning process (see Core Component 5D)
- Replacement of institutional research professional

SAS Language (Next reaffirmation date is 20xx-xx.): To be determined by the HLC Board.

Monitoring, if applicable:


Interim Report(s). Insert description and due date(s):


Embedded Report within an upcoming Review. Insert description and identify date of the applicable review:

Focused Visit. Insert description and due date:


Changes to Stipulations, if applicable:

**Signature Page**

Convener: 

Recorder: 

Member: 

Member: 

Member: 

Member: 