

Enhanced post-secondary
learning opportunities:
Does creating an
Administrative
Community College in
the East Region of
Yavapai County make any
sense?



Abstract

**This essay collects most of the reasons
that are given for creating an
independent or quasi-independent
community college in the east region of
Yavapai County, Arizona**

Robert Oliphant
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HOW TO POSSIBLY ACHIEVE INDEPENDENCE

This is an essay that asks whether an independent or a quasi-independent community college may enhance post-secondary education in the east region of Yavapai County, Arizona. Does an effort to create one make a great deal of sense? The essay leans heavily in the direction of providing reasons why there should be an Administrative community college in the East Region. In doing so, there has been an attempt to gather most of the arguments that appear to support creation of such a facility and include them in this essay. The author invites Yavapai Community College to present its view of why such a facility would not be a benefit to the residents of the East Region of the County.

It is argued by many that there is a critical need to provide East Region citizens with a clear sense of total ownership and focus if a post-secondary community college is to be successfully developed and become a thriving post-secondary learning opportunity in the east region. It must live or die on its own; it must be independent.

Independence can be accomplished in one of three ways: Obviously one way to obtain independence is for the State Legislature to create a new county for the East Region citizens by splitting up huge Yavapai County into smaller

sections. A new community college would then be created in the new county.

A second approach, one needing State Legislative approval, is to create a separate property taxing district for a Community College for East Region citizens. The present facilities would remain “as is” but placed under the indirect control of taxpayers via the special taxing legislation. Under this model, all of the taxes and decisions regarding future tax rate increases would be decided by residents of the east region in the east region taxing district.

A third model that has received significant discussion over the past several years is the creation of an Administrative College for the East Region. This model would be similar to the administrative colleges created in Maricopa County but would be designed with its own unique and futuristic variations. While the first two models discussed above require legislation; the third can be accomplished by a simple vote of a majority on the Community College Governing Board.

THE LAW:

Arizona statutes 15-1445 (2018) sets out the process for creating an administrative college for the Verde Valley. It states in part that the District Governing Board shall “set standards for the establishment, development, administration,

operation and accreditation of community colleges in the district.” This statute was used to create the administrative colleges in Maricopa County.

LIMITED INDEPENDENCE:

An Administrative college for the East Region of Yavapai County would not be completely independent. The current five person Governing Board would still have control over it.

Were there an Administrative College in the east region, it is believed that it would have the focus, drive, and energy to develop into a truly powerful educational tool for the region. Among other things, it is thought that it could provide focus on a daily basis that cannot be achieved currently. an immediate benefit is that it would have a president and other administrators living in the Verde Valley.

***COMMON SENSE SHOULD MAKE
CONSIDERATION OF AN
ADMINISTRATIVE COLLEGE A
PRIORITY***

SIZE OF COUNTY—IT IS JUST TOO BIG

One obstacle preventing the present Community College model from effectively delivering resources to all the County is its enormous size. It covers an area of 8,125 square miles. It compares

in the size with several states including Connecticut (5,543 sq. miles), Delaware (2,489 sq. miles), Rhode Island (1,212 sq. miles) and New Jersey (8,723 sq. miles). Yavapai County is approximately the same size as the nation of Israel (8,019 sq. miles).

MOUNTAIN RANGE – A NATURAL DIVIDE

Another obstacle is the mountain range that separates the East Region from the west. Student access to the Community College's four learning facilities in the West Region of the County (Prescott Valley, Prescott "main" campus, CTEC, Chino Valley) is challenging. Some would describe the separation caused by Mingus mountain and the Black Hills mountain range as a "formidable barrier."

FEW GOOD ROADS CONNECT EAST AND WEST REGIONS

A third obstacle, which is related to the above obstacle, is the fact that there are few roads connecting the concentrated population centers in the West Region of the County with the more rural areas in the east. The most direct route for many in the East Region to the West Region is a single-lane alternate highway 89-A. It somewhat perilously crawls over Mingus Mountain at 7,815 feet.

During the winter, passage using highway 89A over the mountain range can be dangerous because of ice and snow that may be packed on the road. Vehicle access from the east to the west can also be obtained by a longer route for many via a four-lane Interstate Highway 17 that connects Flagstaff to Phoenix. This highway lies about 15 miles to the east of Jerome.

**NEITHER A COMMUNITY COLLEGE NOR A PUBLIC
TRANSPORTATION SYSTEM CONNECTS EAST WITH
WEST REGIONS**

A fourth obvious obstacle is the lack of a transportation system. The absence of an adequate public or private transportation system is another passive factor contributing to the inequity described in this article. There is no public or private transportation linking the two regions of the County. The Community College does not operate a student transportation system connecting the campus and three centers in the West Region of the County with the Verde Campus or Sedona Center in the East Region. The East Region has developed a fledgling public bus service between Sedona, Cottonwood and with the assistance of the Yavapai Apache Nation, Camp Verde. The lack of connecting transportation between the two regions is a major issue in this County.

POPULATION IS OFTEN USED AS POLITICAL JUSTIFICATION FOR WEST REGION DEVELOPMENT WITHOUT ADEQUATE CONSIDERATION OF EAST REGION POPULATION GROWTH AND NEEDS

The fact that (using College data) about 62.6% of the population of the County lives in the west region of the County is almost always used to justify Community College development on that side of the County to the detriment of the east region. Meanwhile, the east region accounts for 32.1%. (Other is put at 5.3%). The percentage argument ignores the fact that around 70,000 or more residents of the east side need a well-developed, fully functioning Community College. As long as the population argument is used to drive political decisions to support west region development, the east region will remain an appendage to the current community College system.

RAW POLITICAL POWER RESTS ENTIRELY WITH THE WEST REGION MAJORITY, WHICH HAS BEEN USED TO THE DETRIMENT OF THE EAST REGION

The five-person Governing Board controls community college development in Yavapai County. Because three of the members represent districts on the west side of the County, almost all major development decisions during the past 50 years have favored that area of the County. For

example, in December 2013 the Board approved a \$103.5 million ten-year development program. Over 95% of actual development was aimed at the west region. For another example, from 2013-2018 three of the members of the Governing Board formed a voting bloc. During this period almost any recommendation for development in the east region of the County was voted down. They went so far as to in an almost secret meeting disband the Verde Valley Board Advisory Committee out of fear it was becoming too politically powerful. One remedy for this is to create a separate County. Another is to create a separate taxing district and change state law to allow the taxing District to create its own Community College with its own five-person Governing Board. The creation of an Administrative College, while somewhat relieving the west region's political noose around the east region's neck, does not eliminate this political reality.

POTENTIAL BENEFITS OF AN ADMINISTRATIVE COLLEGE

The following is a list of some of the benefits that the East Region residents that are believed east region residents might receive if an Administrative College operated totally by local administrators was established:

1. IT WILL HELP GENERATE CREATION OF AN EAST REGION COMMON VISION

An Administrative College can help better bring the various communities in the East Region together in a common cause than can be done in the current model. With an Administrative College controlled by East Region residents, the small communities and towns that make up a total of more than 70,000 plus residents will more likely join in a common shared vision of developing a strong post-secondary community college. With a strong local community college administration, it may help reduce the sometimes overly competitive, noncooperative spirit that communities and other institutions in the East Region sometimes exhibit.

**2. IT WILL ALLOW CLOSER COOPERATION WITH
EAST REGION HIGH SCHOOL ADMINISTRATORS**

An Administrative College operated by local administrators may be able to provide the basis for encouraging the school districts in the East Region of the County to join in a common integrated, shared educational experience. History has shown that the school districts in the East Region of the County are not necessarily always united in a way that is helpful to the development of education. For example, it has taken more than a decade to get the school districts to jointly agree to consider sending a significant number of high school students to a tiny centralized career and technical education center in Cottonwood as a part of the Joint Education

District (JTED). By comparison, since 2007 the school districts in the West Region of the County have embraced the Mountain Institute JTED and centralization of major CTE learning programs under the Community College CTEC umbrella. There are some estimates that between 250 and 300 high school students each semester enroll in the CTEC programs on the west side of region.

**3. IT CAN HELP REDUCE PERCEIVED EAST REGION
TAXPAYER PAIN ABOUT HOW THEIR TAXES ARE
USED BY THE WEST REGION**

East region residents have expressed unhappiness at times with how they believe their tax money is being spent to support west region programs that do not benefit them. For example, they are concerned that their taxes have subsidized construction of an indoor swimming pool, therapy pool and tennis court, which are enjoyed primarily by the retirees in the Prescott area in the west region. They are likewise concerned that their taxes subsidize the Performing Arts Center where major theatre, concerts, movies and other entertainment is furnished to mostly retirees in the west region. An Administrative College may help East Region citizens retain a larger portion of their property tax revenue going to the Community College by providing a stronger voice to Governing Board members about how and where they should be spent. It may reduce the perceived pain from

realizing their taxes pay for programs and events they do not have reasonable access to.

4. IT MAY ENCOURAGE THE RETURN OF SOME MONEY NOW COLLECTED FROM EAST REGION STUDENTS VIA TUITION, STATE AID, ETC. THAT IS PERCEIVED AS SPENT ALMOST ENTIRELY IN THE WEST REGION

An Administrative College should provide a greater potential for returning some of the tuition payments, state aid, grants, and fees paid by or as a result of East Region students attending the College to the East Region. Now, the perception is that all this revenue accrues to the west region where it is spent.

5. IT MAY RETURN SOME COUNTY NEW CONSTRUCTION TAX TO EAST REGION WHERE THE PERCEPTION IS THAT ALL OF THAT TAX IS USED BY THE WEST REGION

An Administrative College should allow the East Region to receive a greater share of the revenue produced by the new construction tax. This is a tax collected from throughout the County, which today it is believed goes toward community college projects in the West Region of the County.

6. MANY BELIEVE IT WILL ENHANCE AND DEVELOP A LASER-LIKE FOCUS ON DEVELOPING EAST REGION CAREER AND TECHNICAL EDUCATION FACILITY

An Administrative College should encourage greater consideration, focus, and involvement by the 74,000 residents of the East Region in development of a centralized College Career and Technical Education Center.

7. IT SHOULD IMPROVE COORDINATION BETWEEN COLLEGE AND HIGH SCHOOLS IN THE DEVELOPMENT OF DUAL ENROLLMENT COURSES

An Administrative College should encourage closer coordination between the College and the three public high schools and one charter school in the East Region in operating the dual enrollment program. The dual enrollment program at those four high schools in the East Region allows qualified high school students to simultaneously obtain high school and college credit for certain courses. It needs close coordination and with an east region administrative college, could become a recruiting ground for community college students.

8. IT MAY RESULT, EVENTUALLY, IN DEVELOPING "LOCAL" EAST REGION ATHLETIC PROGRAMS

An Administrative College may provide an opportunity for creating local athletic programs in the East Region (where currently there are none). Such programs are often seen as a step in the natural development of a community college. In the west region, there are four championship

athletic teams with fans mostly from the west region attending their games and matches.

9. IT SHOULD ALLOW CREATION OF THE EAST REGION'S OWN COMMUNITY COLLEGE IDENTITY AND TRADITIONS

An Administrative College should be able to provide the East Region with its "own identity and traditions." It is believed that students attending an educational institution like to feel that it has its own traditions, its own plan, and its own programs. They don't like to feel, does the argument, that their community college is just an off-shoot or a branch of another controlling institution.

10. IT MAY ALLOW EAST REGION RESIDENTS A GREATER VOICE IN SELECTION OF COLLEGE PRESIDENT

An Administrative College should permit East Region residents to fully participate in the selection of their own administrative campus president. It is argued that as a result of their "ownership," East Region citizens will naturally more easily see themselves as real owners and participants in the future of the Community College.

11. IT MAY PROVIDE FOR A STRONG EAST REGION VOICE FOR DEVELOPMENT BECAUSE THE ADMINISTRATIVE COLLEGE PRESIDENT WILL LIVE AND WORK IN EAST REGION

An Administrative College should provide a stronger administrative voice acting on behalf of the East Region because of the selection of a president who daily works and lives in the region.

12. IT SHOULD PROVIDE WHOMEVER IS RUNNING THE EAST REGION CAMPUS AND SEDONA CENTER WITH GREATER EMPLOYMENT PROTECTION

Independence via an Administrative College should provide the East Region's President some employment protection. Today the Executive Dean who runs the Verde Campus is selected by the College President and must worry about being fired should he or she publicly advocate for programs and projects for the East Region that do not coincide with the perspective of College President.

13. IN GENERAL, IT SHOULD ALLOW THE EAST AND WEST REGIONS TO COMPETE MORE FAIRLY FOR LIMITED RESOURCES

An Administrative College may provide an opportunity for the two regions to more fairly compete for scarce resources. With the president of an Administrative College in place representing the East Region, that person can compete annually on a level financial playing field for scarce educational dollars with the Prescott President who represents only the interests of the West Region of the County. (Budgets go through a Chancellor and then to the Governing Board.)

14. IT MAY REDUCE THE POTENTIAL FOR
DRAMATIC CHANGE IN PROGRAMS BECAUSE OF
CHANGE-OVER IN AN ADMINISTRATION

An Administrative College should help reduce the chances of dramatic alterations of existing programs when there is a College President changeover. For example, when the Sedona Center was built and opened back in 2000, it had a strong supporter in then College President Doreen Daily. However, in 2013 former President Penelope Wills stunned the East County region by announcing she was shutting down the Film School and potentially putting the Center up for sale.

Former President Daily was also a champion of bringing Career and Technical Education training to Northern Arizona. She promoted and began developing the Northern Arizona Regional Training program on the Verde Campus, which was intended to teach career and technical education (CTE) skills to students in at least three northern Arizona counties. Three years after Daily resigned, the new College President, James Horton and the Community College Governing Board, essentially shut down a focus on trade instruction at the Northern Arizona Regional Training program in that east region that Daily had vigorously promoted. The west region then focused all its energy on developing an outstanding Career and Technical Education Campus adjacent the Prescott airport.

**15. IT SHOULD ALLOW ADMINISTRATORS AND
STAFF WITH MORE OPPORTUNITY TO GAIN
INTIMATE KNOWLEDGE OF EAST REGION CULTURE**

An Administrative College should provide a greater opportunity for the East Region Community College President and staff to gain intimate knowledge of the East Region of Yavapai County and its culture because they work and live in the region. (All major executives currently live in the west region, including the East region's Executive Dean.) It should be able to better produce cultural programs for the east region because of the intimate involvement of the local administrators in the east region.

**16. IT SHOULD REDUCE UNNECESSARY WASTED
STAFF TRAVEL TIME BETWEEN EAST AND WEST
REGIONS**

As a practical matter, an Administrative College should reduce, if not eliminate, travel time to meetings by staff and faculty to either side of the County. Currently, the perception is that East Region staff and administrators spend significant amounts of travel time away from East Region duties by traveling back and forth to the West Region for a variety of meetings. It may take a half day or more out of their work on in the East Region's community college.

**17. IT MAY STIMULATE ENHANCED DEVELOPMENT
OF STUDENT GOVERNMENT ON THE CAMPUS IN
THE EAST REGION**

An Administrative College on the East Region of the County may help stimulate restoration of a vibrant student government in the East Region's college. It is believed that student governing is slowing returning to the east region but with local focus and energy, the development should be enhanced.

**18. IT SHOULD PROVIDE AN IMPROVED
OPPORTUNITY FOR WORKING CLOSELY WITH
YAVAPAI-APACHE NATION**

An Administrative College should provide a better opportunity for the Community College to work more closely with the Yavapai-Apache nation. (The Nation is, after all, located entirely in the East region.)

**19. IT SHOULD PROVIDE AN IMPROVED FOCUS ON
"LEFT-OUT" OR "NOT CONSIDERED" AREAS OF
THE EAST REGION**

An Administrative College should provide greater focus and consideration of "left out" pockets of the population in the East Region. There is a strong perception that areas such as Beaver Creek and Rimrock have been overlooked by the Community College. There is also a strong perception that it has been only because of ill-fated Verde Valley

Board Advisory Committee that the College was alerted to those area of the County.

20. IT SHOULD ALLOW AN ACCURATE GATHERING OF INCOME, EXPENSES, MAINTENANCE FOR OPERATION OF EAST SIDE FACILITIES

An Administrative College should result in more accurate gathering of data regarding costs associated with operating Verde Campus and Sedona Center. Currently, it is almost impossible to obtain that data. Residents are told that the accounting data is not gathered in a form that can easily provide answers to income, expenses and maintenance related to the campus and center located in the East region.

21. IT MAY REDUCE OVERALL DISTRUST OF THE TWO REGIONS OF EACH OTHER

An Administrative College may help reduce the historic distrust the east and west regions in Yavapai County seem to hold of each other.

22. IT SHOULD PROVIDE SIGNIFICANTLY IMPROVED DEVELOPMENT OF COLLEGE AS AN ECONOMIC DRIVING FORCE IN THE EAST REGION

An Administrative College should result in an improved chance that it will become a local driving economic engine. Yavapai College creates at least a \$131.2 million annual economic impact on Yavapai County. This was the figure produced per an independent study conducted in

August 2011. By 2019 the impact has most likely increased significantly.

Recall that a Community with a strong Community College economic engine benefits because of the following: (a) Employee payroll, (b) increased demand for housing caused by employees, (c) having programs that stimulate a local economy, (d) attracting new residents thus bringing new revenue to a community, (e) attracting new employers with a well-educated work pool, (f) helping sell an area as a welcome tourist destination.

23. IT SHOULD STIMULATE A BETTER OPPORTUNITY TO DEVELOP NOW LEFT OUT MUSIC PROGRAMS; EXPAND THE MINUSCULE CULTURAL PROGRAMS IN THE EAST REGION

Development of music, theater and the arts and major cultural programs have been almost exclusively focused in the West Region. With an Administrative College in the East Region of the County, those programs and many others can be returned and fully developed.

24. IT SHOULD PROVIDE AN OPPORTUNITY TO DEAL MORE EFFECTIVELY WITH PERCEIVED REGIONAL BIAS; TRIBALISM

An Administrative College may be able to reduce what some perceive as a long-standing regional bias between the east and west regions of the County. It may be that the behavior and attitudes

of the West Region toward the East Region stem from a strong loyalty to that region or a particular social group dominating that region. It is also possible that the inequity is attributable to simple bias. That is, the West Region feels or has an inclination or prejudice for whatever reason against the East Region.

25. IT SHOULD PROVIDE AN OPPORTUNITY TO DEAL WITH POSSIBLE BIAS BECAUSE OF WHERE FACULTY LIVE AND WORK AND BECAUSE OF THEIR NUMBERS AN ABILITY TO CONTROL ALL COMMUNITY COLLEGE OUTCOMES

Where faculty live and work may result in unintended bias. By 2019 a total of 903 staff and faculty were listed as employed by the College in some capacity. In the West Region there were 758 listed as employed while 118 were identified as employed in the East Region.

Where campuses and centers are located brings staff and faculty to the area. They purchase homes and rent apartments, which helps stimulate home and apartment building. They also purchase groceries, buy cars, visit doctors and send their children to local schools. This also helps stimulate the local economy.

Staff and faculty can be a subtle lobbying force within an institution like Yavapai Community College. For example, because of their numbers, the West Region staff can always out-vote the East

Region staff on internal issues such as what to include in a strategic plan for development in the District. Also, because of their numbers, leadership on faculty and staff Community College committees will most likely be dominated by West Region employees.

26. IT MAY MORE EFFECTIVELY DEAL WITH PERCEIVED RESIDENT BIAS BETWEEN THE EAST AND WEST REGIONS

Some are concerned that there exists what is best described as a “passive regional bias” favoring the west region because of the fact a large majority of staff live and work in the West Region of the County. Consequently, they may be more naturally psychologically predisposed to favor that area. The bias, if it exists, may arise in part because staff and faculty mix socially on a daily basis with organizations and citizens who may express directly or indirectly a view that the Community College is “theirs” to develop and support.

27. IT MAY SIGNIFICANTLY INCREASE FOCUS AND INTEREST IN VERDE VALLEY STUDENTS IN THEIR USE OF SOCIAL MEDIA INCLUDING FACEBOOK, INSTAGRAM, TWITTER, ETC.

Yavapai College students, faculty and the administration can be found on the College’s Facebook and Instagram sites and on Twitter. With an administrative college separate accounts can

be created for that college for Verde Valley students. Students should have more interest and greater involvement in media that is more narrowly focused on them and their achievements. It can be used in numerous ways to effectively community more directly than can be done now where the College is trying to handle students in a County almost the size of Israel.

28. IT MAY INCREASE THE EFFICIENCY AND EFFECTIVENESS OF THE REGISTRATION (ADMISSIONS) PROCESS.

There have been complaints about the challenges some have experienced when trying to register for a class. This may have affected overall registration. The on-line process, especially with some seniors, is very challenging. There appear to be computer issues and a lack of sufficient numbers of persons to handle all the problems associated with registration at the Verde Valley Campus. The current employees are perceived by some as over-burdened during the registration period. Moreover, the need for the Verde Valley employees to solve some problems because they must rely on the Prescott Campus for technical and other help may be either reduced or eliminated if there is an Administrative College on the Verde Campus.

STRUCTURE OF ADMINISTRATIVE COLLEGE

Structurally, an Administrative College in the east region would prepare an annual budget and submit it to the District Chancellor's office for the East Region's community college. The West Region would similarly assess the needs for that region and submit a budget proposal to the District Chancellor's office. The Chancellor would submit a proposed budget to the District Governing Board.

It is anticipated that a unique Administrative College for the East Region of the County would coordinate and cooperate with the Administrative College in the West Region of the County. The two sides would share resources where it was practical to do so. Final decisions for both regions would continue to remain firmly in the hands of the five-member District Governing Board.

In terms of independence, an Administrative College is an imperfect model. However, it provides a semblance of East Region independence from the influence of the West Region in its operation.

***WHAT COST IS INVOLVED IF AN
ADMINISTRATIVE COLLEGE IS
CREATED?***

The question of cost associated with creating an administrative college is immediately raised when the concept is raised. A starting point is to

assume that the taxes and other sources of income coming from the 70,000 plus persons in the east region is sufficient to support an Administrative College and the same sources of income flowing to the 140,000 persons in the west region is sufficient to support an Administrative Community College there.

Using the above assumption, current revenue would be divided with 1/3 going to the east region (\$25,000,000) and 2/3 to the west region (\$50,000,000). The division reflects the taxes, tuition, state and federal aid to be used for 70,000 plus persons in the east and money for 140,000 plus persons in the west. Furthermore, from its allocation, the east contributes \$333,000 to creation of a Chancellor’s office to oversee the District; the west contributes \$666,000.

Example: Neosho Community College in Chanute, Kansas, a town in the southeast part of the state with a population of 9,000.

Results of Operations Fiscal Year 2017

	2016	% Total 2016	2017	% Total 2017
Student tuition and fees	4,573,006	22.83%	4,391,757	21.75%
Federal grants and contracts	3,876,182	19.35%	3,794,525	18.79%
State grants and contracts	1,138,355	5.68%	1,263,690	6.26%
Auxiliary enterprises	2,371,308	11.84%	2,648,879	13.12%
State appropriations	2,861,445	14.28%	2,746,987	13.60%
Property taxes	4,662,926	23.27%	4,581,862	22.69%
Other revenue	551,824	2.75%	766,974	3.80%
Total revenue	20,035,046	100.00%	20,194,674	100.00%

Example 2: Mid-Plains Community College, North Platt, Nebraska, population, 24,000.

MID-PLAINS COMMUNITY COLLEGE AREA
SCHEDULES OF GENERAL FUND REVENUES
BUDGETARY BASIS
YEARS ENDED JUNE 30, 2017 AND 2016

	2017	2016
State aid	8,748,097	8,907,632
Property taxes	11,768,397	11,258,188
Tuition and fees	3,996,909	4,472,615
Other income	394,028	373,369
(Add to)/use cash reserves	<u>(134,889)</u>	<u>(345,705)</u>
	<u>24,772,542</u>	<u>24,666,099</u>

The revenues in this schedule are presented on the same basis as the College's General Fund budget, which is not a generally accepted basis of accounting. In particular, tuition is not reduced for scholarship allowances from grants and other funds.

**YAVAPAI COUNTY COMMUNITY COLLEGE DISTRICT
(YAVAPAI COLLEGE)
BUDGET FOR FY2019-2020
SUMMARY OF REVENUE DATA**

	Current Year <u>2018-2019</u>	Proposed Budget <u>2019-2020</u>	Dollar (\$) <u>Difference</u>	Percentage (%) <u>Difference</u>
REVENUES				
Current Funds				
Current General Fund - Unrestricted				
Property Taxes - Primary, Net Contingency	\$ 36,969,200	\$ 37,952,400	\$ 983,200	2.7%
Tuition & Fees	11,355,000	11,341,000	(14,000)	-0.1%
State Appropriations	589,900	601,400	11,500	1.9%
Other Sources	543,000	646,000	103,000	19.0%
Auxiliary Enterprises Fund				
Sales and Services	3,248,000	3,067,100	(180,900)	-5.6%
Other Sources	704,900	702,800	(2,100)	-0.3%
Sub-Total Current Funds - Unrestricted	<u>\$ 53,410,000</u>	<u>\$ 54,310,700</u>	<u>\$ 900,700</u>	<u>1.7%</u>
Current Funds - Restricted				
Federal Grants and Contracts	\$ 11,122,000	\$ 11,150,000	\$ 28,000	0.3%
State Grants and Contracts	214,200	240,500	26,300	12.3%
State Appropriations/Prop 301	1,414,000	1,463,100	49,100	3.5%
Private Gifts, Grants and Contracts	894,000	945,400	51,400	5.7%
Sub-Total Current Funds - Restricted	<u>\$ 13,644,200</u>	<u>\$ 13,799,000</u>	<u>\$ 154,800</u>	<u>1.1%</u>
TOTAL CURRENT FUNDS	<u>\$ 67,054,200</u>	<u>\$ 68,109,700</u>	<u>\$ 1,055,500</u>	<u>1.6%</u>
Plant Funds				
Unexpended Plant Fund				
Property Taxes - Primary, Net Contingency	\$ 8,545,500	\$ 8,545,500	\$ -	0.0%
Other Sources	50,000	120,000	70,000	140.0%
Non-recurring	4,400,000	-	(4,400,000)	100.0%
Retirement of Indebtedness				
Property Taxes - Secondary, Net Contingency	4,888,600	4,188,600	(700,000)	-14.3%
Other Sources	10,000	25,000	15,000	150.0%
TOTAL PLANT FUNDS	<u>\$ 17,894,100</u>	<u>\$ 12,879,100</u>	<u>\$ (4,330,000)</u>	<u>-24.2%</u>
GRAND TOTAL - CURRENT & PLANT FUNDS	<u>\$ 84,948,300</u>	<u>\$ 80,988,800</u>	<u>\$ (3,274,500)</u>	<u>-3.9%</u>
Fund Balance Applied to Budget	2,542,700	5,226,800	2,684,100	105.6%
TOTAL REVENUES AVAILABLE FOR EXPENDITURES	<u>\$ 87,491,000</u>	<u>\$ 86,215,600</u>	<u>\$ (1,275,400)</u>	<u>-1.5%</u>

***WHAT IS THE PATH THAT SOME
CONSIDER WHEN A LEGAL EFFORT
TO FORCE THE COMMUNITY
COLLEGE TO TREAT THE EAST SIDE
MORE EQUITABLY IS ON THE TABLE?***

STRATEGY

One of the issues considered by several citizens in the East Region is to launch a lawsuit against the Community College alleging the unfair, inequitable resource allocation with the hope THAT it can reverse the Board by court action. They argue that the political situation is hopeless so long as there are three precincts in the District represented by Board members in the West Region and only two representatives in the East Region . This arrangement, they argue, gives the West Region a permanent voting majority and a natural bias favoring the College's West Region at the expense of the East Region.

They also argue that given the Governing Board's present structural 3-2 voting majority favoring the West Region, there is no reason to believe that simply continuing to complain about lack of development will produce any successful results, even though those complaints have merit. Doing so is, therefore, not a viable long-term strategy. The Governing Board's majority can simply continue to ignore those complaints and do what it's been doing until it's compelled to stop.

SPECIFIC COMPLAINTS

The East Region's list of concerns includes increasing disparity favoring the West Region by: (1) withdrawing various courses and programs from the East Region, (2) failing to develop courses such as music in the East Region, (3) refusing to develop a centralized Career and Technical Education Center for the East Region, (4) subsidizing the West Region's development through primary property tax levies that are not being fairly returned to the East Region, (5) favoring the West Region with a steadily increasing number of courses, programs and buildings that are not also provided in the East Region, (6) developing a sports program in the west region costing over a million dollars and developing no sports program in the east region, (7) developing enormous cultural programs for west region residents while providing minimal cultural programs for east region residents.

THE GOVERNING STATE STATUTE

The relevant legal framework for analyzing how an Arizona Community College Governing Board should proceed in addressing the East Region's complaints and concerns is found in A.R.S. § 15-1444(A)(2). That statute provides that a community college governing board shall "adopt policies in a public forum to offer programs that meet the educational needs of the population served by the

community college.” Therefore, it is clear that those “needs” and the “population served” necessarily must include those in the East Region, as well as those in the West Region, since the College’s service area is county-wide.

REFUSING TO MEET EDUCATIONAL NEEDS

Any legal action to compel the Governing Board to meet its statutory responsibilities should be based on its refusal to consider and meet objective educational needs of the East Region’s population(s) to be served. One legal theory is that the Governing Board’s refusal to consider properly presented demands might amount to an abuse of discretion as a matter of law, and therefore be subject to judicial review. Another theory is that the language setting out the requirements of the state statute in terms of providing county-wide post-secondary education are not being met (as outlined earlier).

CAUTION IN RE LOCAL JUDGES

Some have concern with litigation because it is perceived that Yavapai County superior court judges are generally elected or appointed from the Prescott West Region legal community. This adds to the uncertainty in seeking judicial relief as a remedy. Further legal review might have to be sought from the Arizona Court of Appeals. Losing such litigation might result in being assessed large attorneys’ fees and court costs. It is a risk.

NEED FOR OBJECTIVE STUDY

It is argued by some that it should be possible for an objective, statistical methodology to identify and quantify both the East Region's "needs" and its "population to be served."

However, the Governing Board has specifically rejected a motion brought by the East Region's representatives to do exactly this. Consequently, the best hope for the East Region is to commission and pay for such surveys to be performed by an objective, professional outside organization, and then demand that the Governing Board proceed accordingly in meeting the needs of the population to be served that are identified in the result. If it refuses, then the risk of legal action under the above statute is a consideration.

CONCLUSION

It seems pretty clear that there is little to debate when it comes to the inequity in terms of Yavapai Community College post-secondary learning opportunities between the East and West Regions. They are vast. In the West Region, if anything, there is a rich over-abundance of post-secondary learning opportunities.

There remain serious obstacles, both passive and active, that must be overcome if the East Region is ever to have its own vibrant community college.

Some of the passive obstacles cannot be overcome such as the size of the County and the mountain barrier between the two regions. These geographic factors appear to cry out for separate independent community colleges in each region. The lack of private, public or Community College transportation systems between centers and campuses adds to the almost impossible task of effectively operating a single community college serving the entire District in this large land mass.

The difficulty of moving between the two regions because of poor connecting roads and highways makes access to the West Region Campus and three Centers by East Region residents at best challenging but for many impossible. In the case of East Region high school students, part-time employees, single mothers and fathers, access to the West Region learning opportunities are mostly out of the question. This is a situation that only independence can begin to correct.

The fact that the city of Prescott (population 43,731) and the town of Prescott Valley (population 44,466) adjoin each other and have excellent interconnecting roads appears psychologically to make delivery of community college programs much more efficient because of proximity when compared with providing resources to the 70,000 plus residents in the East Region. Practically, it appears easier to deliver programs in an area where the population is

concentrated with good roads (the West Region) than it is where there are few roads and the population is scattered among small cities, towns, and villages (the East Region). This factor alone suggests little long-term stability can be effectively accomplished in the East Region in terms of a community college until it detaches itself from the West Region.

Another major obstacle to East Region development is its lack of political power in the County and on the Governing Board. The political power on the Governing Board remains in the hands of the West Region voting bloc. Unless the East Region is detached from the West, the dominance by the West Region over the East Region will continue *ad infinitum*.

There may also be a financial problem looming in the background of the College budget that could block any serious major effort to develop a full-service community college in the East Region. This financial strain may be due in part to the community college expansion in the West Region by renovating Build “L” on the Verde Valley campus and the real possibility of purchasing or building a Career and Technical Education on the same campus.

With the expansion driven by the initial decision in 2013 to invest \$103.5 million in development with about 95% of development occurring in the

west region came significant increased fixed annual maintenance costs. For example, at the March 2019 Governing Board meeting Vice President Clint Ewell cautioned that the College would need \$19 million dollars over the next three years just to maintain facilities, most of which are on the Prescott Campus. With that kind of immediate expense facing the College, the amount of money for East Region development may be drying up.

Another issue facing the Community College is enrollment. In an analysis of enrollment using zip codes and the number of credits taken each semester, the data showed a decline of over 6,000 credit hours being taken by students in the West Region when compared to four years earlier (2015-16-17-18). The same analysis showed the East Region with an increase of about 750 credit hours. The College cannot continue without reductions in spending if the overall decline in students and credit hours continues. That pressure will affect the budgetary plan it now uses to support capital renovation and construction. It will slow or stop unless the enrollment decline is not stabilized.

Furthermore, the current budgetary plan heavily relies on increasing tuition every year by four percent and increasing the County property tax rate to support the College every 2.5 years on average. That plan must be followed in order to

continue capital renovation and construction. If it changes, there will little, if any, revenue to develop a serious East Region community college.

Finally, without a belief in ownership of the community college by East Region residents, the synergy to develop and maintain a community college in the East Region will be challenging. The East Region has not shown the ability to overcome in any fashion the political yoke of control that the West Region has exercised for fifty years. With that control yoke around East Region necks, the needed synergy will not develop.

Unfortunately, for many on the east side of the County, the future for an independent or quasi-independent community college does not appear particularly bright. The East Region citizens are caught in a political trap that began 50 years ago. Legislation creating a separation taxing district, a separate County, or three members of the College Board voting to establish an Administrative College in the East Region are the only avenues of escape from this trap. However, they currently appear out-of-reach.

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William Mitchell College of Law Emeritus Professor Robert Oliphant's primary focus of study and authorship is the law. He has authored many books and articles in the law and continues to write in that area. His most recent law books, published in 2019, were co-authored with Professor Nancy Ver Steegh, Mitchell-Hamline Law School, St. Paul. Their most recent student casebook is *Work of the Family Lawyer*, 5th Edition, and their specialized legal analysis book on family law is *Family Law, Examples and Explanations*, 5th edition. Their books are used throughout the nation by law students, faculty, lawyers and others.

This is not a legal book. It is an essay. In it he attempts to collect most of the arguments that have been put forth over the years to support the establishment of an independent or quasi-independent community college in the east region of Yavapai County. It is there that about 70,000 plus residents now live.

He has written three books on the subject of Yavapai Community College: His first book on this subject, "Wake up Verde Valley, You've Just Been Ripped Off," and his second, "The Good, the Bad, and the Unbelievable" were well received. A third book about to be published focuses on the community college and encourages the reader to assess the reasons there has been limited development of a community college on the east side of Yavapai County..

This essay is designed for reflection and discussion about the many factors that may support an Administrative College in the east region of Yavapai County, Arizona. It invites Yavapai Community College to respond.