

# Notice of Public Meeting

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Navajo County Community College District Governing Board (Board) and to the general public that the Board will will meet for a regular District Governing Board Meeting, open to the public, on **December 15, 2020 beginning at 9:00 a.m.** The meeting will be held on **Zoom** and you can also join by calling **1 669 900 6833 and using meeting ID: 816 4603 8877.**

One or more Board members and/or staff members may participate in the meetings by telephone if necessary.

The public is invited to check on addenda that may be posted up to 24 hours prior to the meetings. Copies of the meeting agenda may be obtained through the Office of the President, Northland Pioneer College, Painted Desert Campus, 2251 E. Navajo Blvd., Holbrook, AZ, telephone (928) 524-7418 or (800) 266-7845 Ext. 7418, at least 24 hours in advance of the meeting. If any disabled person needs any type of accommodation, please notify Paul Hempsey at the above address or telephone number at least 24 hours prior to the scheduled start time.

The Board may vote to hold an executive session for discussion or consideration of a personnel matter(s) pursuant to A.R.S. §38-431.03(A)(1). The Board may vote to hold an executive session for the purpose of obtaining legal advice from the District's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03 (A)(3). Should the District's attorney not be present in person, notice is further given that the attorney may appear by speakerphone.

I, Paul Hempsey, certify that this notice of public meeting, prepared pursuant to A.R.S. § 38-431.02, was posted on or before the 14<sup>th</sup> day of December, 2020, at 9:00 a.m.

Paul Hempsey  
Recording Secretary to the Board

## NOTICE DISTRIBUTION

1. WHITE MOUNTAIN INDEPENDENT NEWSPAPER
2. TRIBUNE-NEWS & SNOWFLAKE HERALD NEWSPAPERS
3. NAVAJO TIMES
4. NAVAJO-HOPI OBSERVER
5. KINO RADIO
6. KNNB RADIO
7. COUNTRY MOUNTAIN AIRWAVES [KQAZ/KTHQ/KNKI RADIO]
8. KWKM RADIO
9. WHITE MOUNTAIN RADIO
10. NPC WEB SITE
11. NPC ADMINISTRATORS AND STAFF
12. NPC FACULTY ASSOCIATION PRESIDENT
13. NPC CLASSIFIED AND ADMINISTRATIVE SUPPORT ORGANIZATION PRESIDENT
14. NPC STUDENT GOVERNMENT ASSOCIATION PRESIDENT



Northland Pioneer College Mission:

# NPC provides, supports and promotes lifelong learning.

## **Our Shared Vision:**

NPC provides a learner-centered environment, responds to community needs through effective and innovative service to our students, and fosters professional growth and collegial collaboration.

## **Our Shared Values:**

NPC upholds the following values:

- A quality learning environment
- Diversity and accessibility
- Integrity and accountability
- Collaboration toward success



**Northland Pioneer College**

EXPANDING MINDS • TRANSFORMING LIVES<sup>SM</sup>

# Governing Board Meeting Agenda

**ZOOM**

Or you can join by calling 1 669 900 6833 and using meeting ID: 816 4603 8877.

**Date:** December 15, 2020

**Time:** 9:00 a.m. (MST)

<u>Item</u>	<u>Description</u>	<u>Resource</u>
1.	Call to Order and Pledge of Allegiance .....	Chair Lucero
2.	Adoption of the Agenda..... <b>(Action)</b>	Chair Lucero
3.	Call for Public Comment..... <small>Individuals may address the Board on any relevant issue for up to 5 minutes. At the close of the call to the public, Board members may not respond to any comments but may respond to criticism, ask staff to review a matter or ask that a matter be placed on a future agenda.</small>	Chair Lucero
4.	<b>Reports:</b>	
A.	<a href="#">Financial Position</a> .....	VPAS Ellison
B.	<a href="#">NPC Student Government Association (SGA)</a> .....	Written Report
C.	<a href="#">NPC Faculty Association</a> .....	Kevin Jones
D.	<b>Classified &amp; Administrative Staff Organization (CASO)</b> .....	No Report
E.	NPC Friends and Family .....	Director Wilson
F.	<a href="#">Human Resources</a> .....	Written Report
G.	<b>President's Report</b> .....	Interim President Swarhout
5.	<b>Consent Agenda</b> ..... <b>(Action)</b>	Chair Lucero
A.	<a href="#">November 17, 2020 Regular Meeting Minutes</a>	
B.	<a href="#">Policy 1102 – Equal Opportunity, Harassment, and Nondiscrimination</a>	
6.	<b>Old Business:</b>	
A.	<b>Presidential Search</b>	
I.	ACCT Introduction and Update..... <b>(Action)</b>	Interim President Swarhout
7.	<b>New Business:</b>	
A.	Recognition for Board Secretary Peaches .....	Interim President Swarhout
B.	<a href="#">Request to Approve 2021-22 Budget Development Assumptions and Guidelines</a> ..... <b>(Action)</b>	VPAS Ellison
C.	<a href="#">Recommendation to Approve Purchase of MuddTrax Vehicle</a> . <b>(Action)</b>	VPAS Ellison
D.	<a href="#">Request to Approve Annual Moodle / eThink LMS Renewal for Support and Hosting for 20/21</a> .....	CIO Estes
E.	<a href="#">Request to Approve Purchase of Servers, Storage, and Network Switches</a> ..... <b>(Action)</b>	CIO Estes
8.	<b>Board Self-Assessment</b> .....	Chair Lucero
9.	<b>DGB Agenda Items and Informational Needs for Future Meetings</b> .....	Chair Lucero
10.	<b>Board Report/Summary of Current Events</b> .....	Board Members
11.	<b>Announcement of Next Regular Meeting</b> ..... <b>January 19, 2021</b>	Chair Lucero
12.	<b>Adjournment</b> ..... <b>(Action)</b>	Chair Lucero

The District Governing Board may consider any item on this agenda in any order and at any time during the meeting. The District Governing Board may take action to approve, or may take other action, regarding all items of New Business, Old Business, Standing Business, or the President's Report. The Board may vote to hold an executive session for the purpose of obtaining legal advice from the District's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03 (A)(3). Should the District's attorney not be present in person, notice is further given that the attorney may appear by speakerphone.



**Northland Pioneer College**

Post Office Box 610 • Holbrook, AZ 86025 • (928) 524-7311 • Fax (928) 524-7312 • www.npc.edu

NAVAJO COUNTY COMMUNITY COLLEGE DISTRICT

Statement of Financial Position  
 July 1, 2020 to October 31, 2020

Budget Period Expired 33%

Tax Supported Funds				
General Unrestricted				
	Current Month			
	Budget	Actual	Y-T-D Actual	%
<b>REVENUES</b>				
Primary Tax Levy	15,726,233	5,459,961	6,219,487	40%
State Aid:				
Maintenance and Operations	1,554,800	388,700	777,400	50%
Equalization	8,444,300	2,111,075	4,222,150	50%
Tuition and Fees	4,600,000	161,013	1,497,251	33%
Investment earnings	500,000	13,094	155,572	31%
Grants and Contracts	1,400,000	3,532	7,401	1%
Other Miscellaneous	200,000	17,285	65,552	
Fund Balance	-			
Transfers	(2,900,000)	(12,372)	(486,027)	17%
<b>TOTAL REVENUES</b>	<b>\$ 29,525,333</b>	<b>\$ 8,142,288</b>	<b>\$ 12,458,786</b>	<b>42%</b>
<b>EXPENDITURES</b>				
Salaries and Benefits	19,997,902	1,633,461	5,739,197	29%
Operating Expenditures	9,527,431	441,162	2,958,871	31%
Capital Expenditures				
<b>TOTAL EXPENDITURES</b>	<b>\$ 29,525,333</b>	<b>\$ 2,074,623</b>	<b>\$ 8,698,068</b>	<b>29%</b>
<b>Unrestricted Plant</b>				
	Current Month			
	Budget	Actual	Y-T-D Actual	%
<b>REVENUES</b>				
State Aid:				
Capital/STEM	334,800	83,700	167,400	50%
Fund Balance - WMC Facilities	12,000,000		27,053	0%
Transfers	2,000,000	1,094	286,766	14%
<b>TOTAL REVENUES</b>	<b>\$ 14,334,800</b>	<b>\$ 84,794</b>	<b>\$ 481,219</b>	<b>3%</b>
<b>EXPENDITURES</b>				
Capital Expenditures - WMC Facilities	12,334,800	98,595	125,649	1%
Capital Expenditures - Other	2,000,000	(13,801)	355,570	18%
<b>TOTAL EXPENDITURES</b>	<b>\$ 14,334,800</b>	<b>\$ 84,794</b>	<b>\$ 481,219</b>	<b>3%</b>

NAVAJO COUNTY COMMUNITY COLLEGE DISTRICT  
 Statement of Financial Position  
 July 1, 2020 to October 31, 2020

Budget Period Expired 33%

**Restricted and Auxiliary Funds**

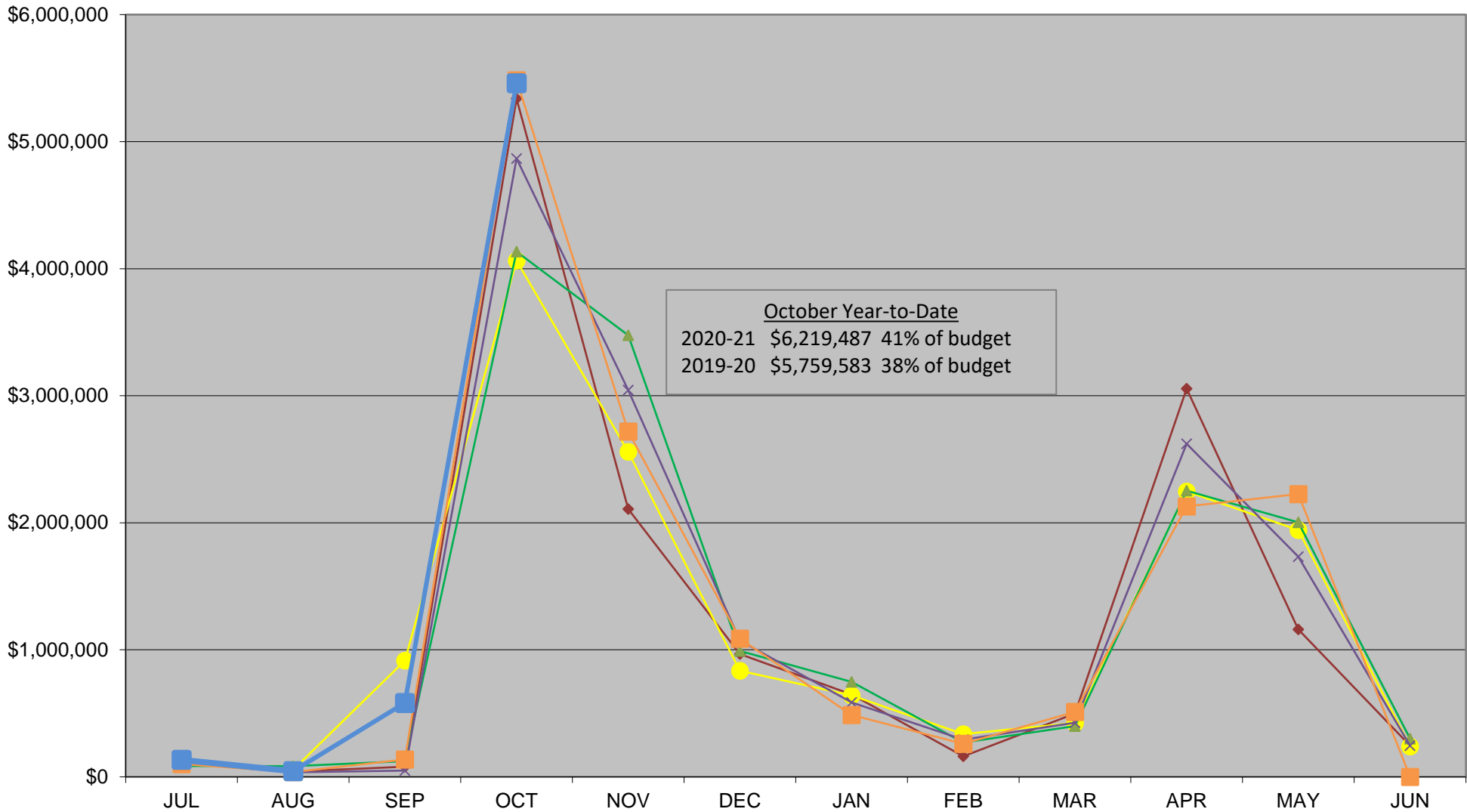
	Restricted			
	Budget	Current Month Actual	Y-T-D Actual	%
<b>REVENUES</b>				
Grants and Contracts	6,000,000	70,436	432,349	7%
Fund Balance				
Transfers	600,000	-	150,000	25%
<b>TOTAL REVENUES</b>	<b>\$ 6,600,000</b>	<b>\$ 70,436</b>	<b>\$ 582,349</b>	<b>9%</b>
<b>EXPENDITURES</b>				
Salaries and Benefits	841,801	93,453	391,580	47%
Operating Expenditures	5,758,199	162,396	1,293,892	22%
Capital Expenditures				
<b>TOTAL EXPENDITURES</b>	<b>\$ 6,600,000</b>	<b>\$ 255,849</b>	<b>\$ 1,685,472</b>	<b>26%</b>

	Auxiliary			
	Budget	Current Month Actual	Y-T-D Actual	%
<b>REVENUES</b>				
Sales and Services	300,000	(265)	10,866	4%
Fund Balance	-			
Transfers	300,000	11,278	49,261	16%
<b>TOTAL REVENUES</b>	<b>\$ 600,000</b>	<b>\$ 11,013</b>	<b>\$ 60,127</b>	<b>10%</b>
<b>EXPENDITURES</b>				
Salaries and Benefits	239,418	10,374	43,079	18%
Operating Expenditures	360,582	550	17,048	5%
Capital Expenditures				
<b>TOTAL EXPENDITURES</b>	<b>\$ 600,000</b>	<b>\$ 10,924</b>	<b>\$ 60,127</b>	<b>10%</b>

**Cash Flows**

Cash flows from all activities (YTD) .....	\$13,582,481
Cash used for all activities (YTD) .....	\$10,924,886
Net Cash for all activities (YTD) .....	\$2,657,595

### Monthly Primary Property Tax Receipts



October Year-to-Date  
 2020-21 \$6,219,487 41% of budget  
 2019-20 \$5,759,583 38% of budget

2 December 2020

Dear NPC Governing Board,

The Student Government Association is continuing to meet twice monthly. Our numbers are small and it feels like we are in a holding pattern as we wait for the pandemic to end. As was mentioned a few months ago, we are benefitting from meeting via Zoom. It is significantly better than the connected classroom experience. We are exploring some changes for our meetings in an effort to attract more members. We've been meeting on Friday afternoons at 3:00pm and turnout has been limited.

The current officer group has been especially challenged in attendance at the various committee meetings we would like to attend. All three of us have significant work commitments that can't be changed. In August, 2020 I changed my job from a small medical office with a lot of flexibility into the Snowflake Unified School District and now have no flexibility to take time off for outside commitments. We are discussing sending a newer member to attend the different meetings and hope to have that in place at the beginning of the Spring, 2021 semester.

As we continue to deal with everything we're responsible for regarding student activities being cancelled, a good portion of our meetings are spent discussing ways to help the students. We will have another movie night via Zoom as the semester is ending. Our first Leadership Speaker Series event will happen the week of January 25, 2020.

Sincerely,

Cindy Dies Owen  
SGA President, 2020-2021

December 7, 2020

RE: NPC Presidential Search Committee

Dear District Governing Board:

Your efforts in working with the college to recruit and hire a dynamic and capable president to serve NPC is greatly appreciated. This is an historic and auspicious event; one that will hopefully impart a long and positive future for the college. Your leadership in this matter will, no doubt, be pivotal in the selection process.

As President of the Faculty Association for Northland Pioneer College, I speak for the college faculty as a whole, and as such we would like to request that the NPC Presidential Search Committee add one, or preferably two, more faculty members to this group.

Presently, the search committee comprises eleven members (including one NPC student, to be announced). Only three of these committee members are from the faculty. With the faculty's intrinsic relationship and involvement with NPC's leadership, instruction, operations, and students, the Faculty Association strongly desires to have a more impactful voice in the selection of the college's new president.

The Association of Community College Trustees (ACCT), hired by NPC to help guide the presidential hiring process, recommended that the NPC Presidential Selection Committee be a minimum of 12 members. This leaves an opening for at least one member to be added to the search committee. Moreover, the Faculty Association already has a previously submitted name to add to the committee. Giving this potential open seat to a faculty member would then ensure the faculty of a more balanced role with the CASO and At-Large groups on the search committee.

Your thoughtful consideration is greatly appreciated. Please contact me with any questions or comments.

Sincerely,

*Kevin Jones*

Kevin Jones, President NPC Faculty Association

[kevin.jones@npc.edu](mailto:kevin.jones@npc.edu) 928 532-6168 office 385 209-4952 cell

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**DGB Human Resources Update  
December 8, 2020**

**OPEN POSITIONS**

1. **Carl Perkins Grant Specialist** – Open until filled. 36 applicants.
2. **Chief Human Resources Officer** – Open until filled. 28 applicants.
3. **Maintenance III** – Open until filled. 7 applicants.
4. **Surgical Technology** – Faculty. Open until filled. 1 applicant.
5. **System Support Technician** – Open until filled. 16 applicants.
6. **Technology Support Technician** – Open until filled. 65 applicants.

**CLOSED & IN REVIEW**

1. **Auto Mechanic** – Closed. 12 applicants.
2. **Instructional Designer** – Closed. 20 applicants

**CONTRACT OFFERED**

1. **VA Certifying Official**

**FILLED**

1. **Administrative Assistant to the Associate Dean of Education & College and Career Preparation** – Janice Childers will start December 16, 2020. Janice has three years of general office experience and lives in Winslow.
2. **Data Analyst – Adult Education Program.** Pamela Singer will start December 16, 2020. Pamela has eight years of experience in Early Childhood Education. She resides in Show Low.
3. **Early College Advisor** - Rochelle Smith started November 23, 2020. Rochelle has eight years of experience working with K-12 academic programs. She resides in Show Low.
4. **Marketing Writer** – Edith Webber will start December 16, 2020. Edith brings twelve years of experience in copy writing, editing and proofreading in national magazines. Edith resides in Pinetop.
5. **Small Business Analyst** - Craig Boston started December 1, 2020. Craig has thirty years' combined experience in managerial and ownership experience in both small and large business environment. Craig resides in Pinetop.

# Navajo County Community College District Governing Board Meeting Minutes

November 17, 2020 – 9:00 a.m.

ZOOM

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**Governing Board Member Present:** Mr. Frank Lucero; Mr. Everett Robinson; Mr. Elias Jouen.

**Governing Board Member Present by Phone:**

**Governing Board Member Absent:** Mr. Daniel Peaches; Mr. Derrick Leslie.

**Staff Present:** Interim President Jeanne Swarhout; Vice President for Learning and Student Services (VPLSS) Jessica Clark; Vice President for Administrative Services (VPAS) Maderia Ellison; Chief Information Officer (CIO) Scott Estes; Interim Chief Human Resources Officer (CHRO) Peggy Belknap; Recording Secretary to the Board Paul Hempsey.

**Others Present:**

**Others Present by Phone:** Amber Hill; David Huish; Gary Santillanes; Donna Krieser; Frank Pinnell; Lia Keenan; Tamara Osborne; Judy Yip-Reyes; Gail Campbell; Betsy Wilson; China Cassidy; Rickey Jackson; Terrie Shevat; Ruth Zimmerman; Jen Hernandez; Diane Joe; Lori Carmona; Jeremy Raisor; Ann Hess; Robert Johnson; Lauren Maestas; Colleen Readell; Rebecca Hunt; Marletha Baloo; Josh Rogers.

## **Agenda Item 1: Call to Order and Pledge of Allegiance**

Chair Lucero called the meeting to order at 9:04 a.m. and led the Pledge of Allegiance.

## **Agenda Item 2: Adoption of Agenda**

*Mr. Robinson moved to adopt the agenda as presented. Mr. Jouen seconded the motion. The motion carried upon a roll-call vote with Mr. Jouen, Mr. Robinson, and Chair Lucero voting in favor. There were no votes against.*

## **Agenda Item 3: Call for Public Comment**

Dr. Gary Santillanes commented on the Presidential Search process.

## **Agenda Item 4: Reports**

### **4.A. Financial Position**

VPAS Ellison addressed the Board and reviewed the Financial Position Report noting that total expenditure is more than revenue but that this is typical for the time of year as we await Property Tax revenues to come in.

### **4.B. NPC Student Government Association (SGA)**

Written Report.



#### **4.C. Faculty Association**

No Report.

#### **4.D. Classified & Administrative Staff Organization (CASO)**

No Report.

#### **4.E. NPC Friends and Family**

Director Wilson addressed the Board and provided an update on recent Friends and Family activities highlighting the receipt of another Del E. Webb Foundation grant, this time to serve students in the Nursing Assistant program.

#### **4.F. Human Resources**

Written Report.

Chair Lucero asked for an update on the Chief Human Resources Officer search which Interim CHRO Belknap provided.

#### **4.G. President's Report**

Interim President Swarthout informed the Board of the notice of retirement received from Dean of CTE and Interim CHRO Belknap and the intent to conduct a regional search to fill the position. A consolidated approach to the Transwestern Pipeline litigation was coming together to lobby for legislative assistance. There has also been an uptick in COVID positive and exposure reports throughout the college and anonymous tracking would now start. The Hopi center would close for two weeks due to potential exposure of employees.

#### **Agenda Item 5: Consent Agenda**

- A. **October 13, 2020 Special Meeting Minutes**
- B. **October 13, 2020 Executive Session Minutes**
- C. **October 20, 2020 Regular Meeting Minutes**
- D. **October 20, 2020 Executive Session Minutes**
- E. **October 27, 2020 Special Meeting Minutes**
- F. **October 27, 2020 Executive Session 1 Minutes**
- G. **October 27, 2020 Executive Session 2 Minutes**

*Mr. Robinson made a motion to approve the consent agenda as presented. Mr. Jouen seconded. The motion carried upon a roll-call vote with Mr. Robinson, Chair Lucero, and Mr. Jouen, voting in favor. There were no votes against.*

#### **Agenda Item 6: Old Business**

##### **6A.I. Request to Approve ACCT as Search Firm for NPC's President Position**

Interim President Swarthout addressed the Board and reviewed the request to utilize ACCT as the Search Firm to assist with the process.

*Mr. Robinson made a motion to approve staff to move forward with the Association of Community College Trustees (ACCT) to support NPC's presidential search process as*



*presented. Mr. Jouen seconded. The motion carried upon a roll-call vote with Mr. Robinson, Chair Lucero, and Mr. Jouen, voting in favor. There were no votes against.*

### **6A.II. Request to Appoint Search Committee Membership**

Interim President Swarthout reviewed the request to appoint membership to the Presidential Search Committee.

Board Member Jouen invited Dr. Gary Santillanes to expand on his comments, during the Call for Public Comment, on the membership of the committee which he was happy to do.

Chair Lucero asked which areas of the college the faculty recommended for appointment represented and Dr. Santillanes provided their roles.

Board Member Jouen asked how the faculty had been chosen with both Dr. Santillanes and Interim President Swarthout recounting their knowledge of the selection process conducted by Faculty Association.

*Mr. Robinson made a motion to appoint Frank Pinnell, Ryan Jones, Dr. Xander Henderson, Donna Krieser, Rebecca Hunt, Ben Sandoval, Betsy Wilson, Gail Campbell, Rickey Jackson, Matt Weber, a student to be named by the Student Government Association to the search committee and allow Dr. Judy Yip-Reyes as a Non-Voting Facilitator if desired by the committee. Mr. Jouen seconded. The motion carried upon a roll-call vote with Mr. Robinson, Chair Lucero, and Mr. Jouen, voting in favor. There were no votes against.*

### **6A.III. Request to Approve the Initial Salary Range and Key Qualification Areas for the NPC President Position**

Interim President Swarthout reviewed the request to approve an Initial Salary Range for the new President as well as some of the desired qualifications that would be sought.

*Mr. Robinson made a motion to approve the salary range for the future President as \$185,000.00 to \$220,000.00 and defer to the Presidential Search Committee and search firm to provide a recommendation for Key Qualifications to the Board for review and action. Mr. Jouen seconded.*

Mr. Jouen asked if the Board would have the opportunity to review details on candidates. Interim President Swarthout responded that the Board would be reviewing many documents throughout the process for approval and would be expected to interview the finalists put forward by the Search Committee.

Chair Lucero asked Dr. Santillanes whether his comment during the Call for Public Comment regarding requiring a Ph.D. was his own opinion, an opinion shared by multiple faculty, or a position of the Faculty Association. Dr. Santillanes responded that he knew many members of faculty that shared his view.



*The motion carried upon a roll-call vote with Mr. Robinson, Chair Lucero, and Mr. Jouen, voting in favor. There were no votes against.*

### **Agenda Item 7: New Business**

#### **7.A. Request to Approve Hazing Policy**

VPLSS Clark addressed the Board and reviewed the request for approval of a new Board Policy on hazing, noting it was required by State Statute.

*Mr. Robinson made a motion to adopt the Hazing Policy, 1431, as presented. Mr. Jouen seconded. The motion carried upon a roll-call vote with Mr. Robinson, Chair Lucero, and Mr. Jouen, voting in favor. There were no votes against.*

#### **7.B. NATC Request to Release Funds for Architectural Design Fees**

VPLSS Clark reviewed the request to release funds from the state appropriation for construction at the Northeast Arizona Training Center to be used for Architectural Design fees.

Chair Lucero asked why the fees for the design of the building to house the Virtual Firearms equipment were so high. Director of Facilities and Vehicles, David Huish, broke out the costs to show what additional items were included in the fees. Board Member Jouen asked what percentage of the total expected building cost the fees represented. Director Huish responded that it was 7.1% of the estimated total construction cost which was an approved, state contracted, rate for Architectural design fees.

Chair Lucero asked if the college had conducted a soil sample test at NATC a few years ago. Director Huish responded with details of the previous test and changes that had happened since then to require new testing.

Board Member Robinson asked about the archeological site identified previously at NATC and whether it would cause any issues with construction. Interim President Swarthout noted that it would no longer be an issue.

*Mr. Jouen made a motion to approve the release of \$75,000.00 of the state appropriation funds to contract LEA Architects, LLC to design Phase 1 of the architectural plan with additional design services as presented. Mr. Robinson seconded. The motion carried upon a roll-call vote with Mr. Robinson, Chair Lucero, and Mr. Jouen, voting in favor. There were no votes against.*

#### **7.C. Request to Award Contract for Cosmetology Supplies, Student Kits with Professional Quality Tools and Equipment**

VPAS Ellison reviewed the request to award contracts to two vendors for Cosmetology supplies, kits, tools and other equipment, informing the Board of the process used to arrive at the request.

Chair Lucero asked if the primary requirement will still be to order at the best price. VPAS Ellison noted that the department had a budget to manage and needed to make the best decisions with that in mind.



*Mr. Robinson made a motion to award a contract to both Northpoint Distribution, Inc. (dba Armstrong McCall) and The Burmax Company, Inc. (Burmax) as presented. Mr. Jouen seconded. The motion carried upon a roll-call vote with Mr. Robinson, Chair Lucero, and Mr. Jouen, voting in favor. There were no votes against.*

#### ***7.D. Fall 2020 Enrollment Report***

Director of Enrollment Services, Jeremy Raisor, reviewed the Fall 2020 Enrollment report noting the additional information provided to the Board this time which previous reports did not contain and walking Board members through the new material.

Board Member Robinson asked if there was a way to track whether the half-price tuition had attracted students that we would not normally have seen. Director Raisor responded that there could be options available to provide this data.

Board Member Robinson asked how the decline in Enrollment might impact the Expenditure Limitation formula for the future. VPAS Ellison offered to cover the subject in the Budget item coming up on the agenda.

Chair Lucero asked how NPC compared to other colleges. Director Raisor responded that the declines from this year were fairly typical across other institutions and VPLSS Clark noted that the upcoming Strategic Vision Outcomes Report agenda item contained data that may help answer the question.

#### ***7.E. Office of Institutional Effectiveness Quarterly Report***

Director Yip-Reyes presented the quarterly report from the Office of Institutional Effectiveness and offered to answer any questions the Board may have.

#### ***7.F. Annual Report to the Governor***

Interim President Swarhout presented the annual Report to the Governor noting this was a requirement of State Statute following a required template and had been prepared and submitted under the previous President.

#### ***7.G. Arizona Community Colleges 2020 Strategic Vision Outcomes Report***

VPLSS Clark reviewed the Arizona Community Colleges 2020 Strategic Vision Outcomes Report.

#### ***7.H. Review of 2021-22 Budget Assumptions and Guidelines***

VPAS Ellison reviewed the 2021-22 Budget Assumptions and Guidelines, reminding the Board that they had approved the calendar that would be followed for the process.

#### ***7.I. Annual Evaluation of Contract with Sentry Welding***

VPAS Ellison informed the Board that an evaluation cycle was built in to the college RFP process and had recently been concluded with Sentry Welding. The Board had received communication directly from Sentry Welding and a meeting had taken place between the college





and Sentry Welding representatives. It was agreed that the contract would continue through June 30, 2021 with a new RFP being issued in the Spring semester of 2021.

Board Member Jouen thanked everyone involved in addressing the concerns brought forward to the Board and coming to an agreeable resolution.

**7.J. Board Self-Assessment Process**

Interim President Swarouth reminded the Board of their annual self-evaluation and noted the open-ended questions may be where the Board finds the most value.

Board Member Jouen asked whom they should contact with any questions on the form or process. Interim President Swarouth offered to field any questions from Board Members.

**Agenda Item 8: DGB Agenda Items and Informational Needs for Future Meetings**

None.

**Agenda Item 9: Board Report/Summary of Current Event**

Board Member Robinson commended the Performing Arts Department for its online offerings available on the college's You Tube channel through the end of the month.

Board Member Jouen reported a spike in COVID-19 cases in Winslow and throughout Navajo County.

**Agenda Item 10: Announcement of Next Regular Meeting:** Regular District Governing Board meeting on Tuesday, December 15, 2020 at 9 a.m.

**Agenda Item 11: Adjournment**

*The meeting was adjourned at 10:51 a.m. upon a motion by Mr. Robinson and a second by Mr. Jouen. The motion carried upon a roll-call vote with Mr. Jouen, Mr. Robinson, and Chair Lucero, voting in favor. There were no votes against.*

Respectfully submitted,



Paul Hempsey  
Recording Secretary to the Board



## POLICY 1102: Equal Opportunity, Harassment, and Nondiscrimination<sup>1</sup>

### 1. Glossary

- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct ~~cross-examination~~ questioning for the party at the hearing, if any.
- *Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- *Complaint (formal)* means a document filed/submitted or signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that Northland Pioneer College investigate the allegation.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when Northland Pioneer College is in normal operation.
- *Decision-maker is the person, panel, and/or Chair who hears evidence, determines relevance, and makes the Final Determination of whether this Policy has been violated and/or assigns sanctions.*
- *Directly Related Evidence is evidence connected to the complaint but which is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the investigation report or Decision-maker. Compare to Relevant Evidence, below.*
- *Education program or activity* means locations, events, or circumstances where Northland Pioneer College exercises substantial control over both the Respondent and the context in which the sexual harassment, ~~or~~ discrimination, and/or retaliation occurs and also includes any building owned or controlled by a student organization that is officially recognized by Northland Pioneer College.
- *Final Determination:* A conclusion by the standard of proof that the alleged conduct ~~occurred and whether it~~ did or did not violate ~~the~~ Policy.
- *Finding:* A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").

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- *Formal Grievance Process* means “Process A,” a method of formal resolution designated by Northland Pioneer College to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations 34 CFR § Part-106.45.
- ~~*Grievance Process Pool* includes any investigators, hearing officers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).~~
- ~~*Hearing Decision-maker or Panel* refers to those who have decision-making and sanctioning authority within Northland Pioneer College’s Formal Grievance process.~~
- *Investigator* means the person or persons charged by Northland Pioneer College with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report ~~and file of directly related evidence~~ of Relevant Evidence and a file of Directly Related evidence.
- *Mandated Reporter* means an employee of Northland Pioneer College who is obligated by ~~policy~~ Policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator and/or their supervisor.<sup>2</sup>
- *Notice* means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- *Official with Authority (OWA)* means an employee of Northland Pioneer College explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of Northland Pioneer College.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Process A* means the Formal Grievance Process detailed below and defined above.
- *Process B* means ~~the informal alternative resolution procedure~~ the administrative resolution procedures that apply only when Process A does not, as determined by the Title IX Coordinator.

<sup>2</sup> ~~Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of individuals with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility in this Policy.~~

- *Recipient* means a postsecondary education program that is a recipient of federal funding.
- Relevant Evidence is evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint.
- *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Northland Pioneer College's educational program.
- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class, or retaliation for engaging in a protected activity.
- *Resolution* means the result of an informal or Formal Grievance Process.
- *Sanction* means a consequence imposed by Northland Pioneer College on a Respondent who is found to have violated this Policy.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence, and domestic violence. [See Section 17.b.](#) for greater detail.
- *Title IX Coordinator* is at least one official designated by Northland Pioneer College to ensure compliance with Title IX and Northland Pioneer College's Title IX program. References to the Coordinator throughout this Policy may also encompass a designee of the Coordinator for specific tasks.
- *Title IX Team* refers to the Title IX Coordinator, any deputy coordinators, and any member of the Grievance Process Pool.

## **2. Rationale for Policy**

Northland Pioneer College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, and harassment, based on a protected category, and retaliation for engaging in a protected activity.

To ensure compliance with federal, state, and local and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the

educational program or activity, Northland Pioneer College has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. Northland Pioneer College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

### **3. Applicable Scope**

The core purpose of this ~~pp~~Policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from or different treatment in activities, such as admission, athletics, or employment. ~~Other~~ At other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, it can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged violation of this ~~anti-~~ Nondiscrimination ~~pp~~Policy is reported, the allegations are subject to resolution using Northland Pioneer College’s “Process A” or “Process B,” as determined by the Title IX Coordinator, and as in Procedure 2110.

When the Respondent is a member of Northland Pioneer College community, a formal complaint may be filed and a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the Northland Pioneer College community. This community includes, but is not limited to, students,<sup>3</sup> student organizations, faculty, administrators, staff, and third parties [such as guests, visitors, volunteers, vendors, contractors, invitees, and campers]. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this ~~pp~~Policy.

### **4. Title IX Coordinator**

The Vice President for Learning and Student Services serves as the Title IX Coordinator and oversees implementation of Northland Pioneer College’s ~~pp~~Policy on equal opportunity, harassment, and nondiscrimination. The Title IX Coordinator has the primary responsibility for coordinating Northland Pioneer College’s efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, ~~remediate~~ remedy, and prevent discrimination, harassment, and retaliation prohibited under this ~~pp~~Policy.<sup>4</sup> All parties will be provided with a

~~<sup>3</sup> For the purpose of this policy, Northland Pioneer College defines “student” as any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with Northland Pioneer College.~~

<sup>4</sup> The Chief Human Resources Officer serves as the EEO and ADA/504 Coordinator, and oversees the Affirmative Action and Equal Opportunity plan as well as disability compliance.

comprehensive electronic brochure detailing options and resources, which the Title IX Coordinator may also go over in person with the parties, as appropriate.

### **5. Independence and Conflict-of-Interest**

The Title IX Coordinator [manages the Title IX Team and] acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this Policy and these procedures. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator, contact Northland Pioneer College Interim President or other appropriate official at [jeanne.swarthout@npc.edu](mailto:jeanne.swarthout@npc.edu) [mark.vest@npc.edu](mailto:mark.vest@npc.edu) or (928) 524-7420. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to Northland Pioneer College Interim President or other appropriate official at [jeanne.swarthout@npc.edu](mailto:jeanne.swarthout@npc.edu) [mark.vest@npc.edu](mailto:mark.vest@npc.edu) or (928) 524-7420 or designee. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

### **6. Administrative Contact Information**

Complaints or notice of alleged Policy violations, or inquiries about or concerns regarding this Policy and procedures and about the application of Title IX, may be made internally to:

Dr. Jessica Clark  
Vice President for Learning and Student Services  
Title IX Coordinator  
Office of Vice President for Learning and Student Services  
Goldwater Building, Room 117, White Mountain Campus, Show Low  
(928) 532-6141  
[jessica.clark@npc.edu](mailto:jessica.clark@npc.edu)  
<https://www.npc.edu/title-ix/title-ix-team>

Peggy Belknap  
Interim Chief Human Resources Officer

(Interim) Title IX Deputy Coordinator – Employees

(Interim) EEO and ADA/504 Coordinator

Office of Human Resources

Tiponi Community Center, Human Resources Room 302, Painted Desert Campus, Holbrook

(928) 524-7871

[peggy.belknap@npc.edu](mailto:peggy.belknap@npc.edu)

Josh Rogers

Director of Student Services

Title IX Deputy Coordinator – Students

Office of Student Services

Student Center, Room 109, Sliver Creek Campus, Snowflake

(928) 536-6227

[joshua.rogers@npc.edu](mailto:joshua.rogers@npc.edu)

[For information on the Title IX Team members, visit: https://www.npc.edu/title-ix/title-ix-team.](https://www.npc.edu/title-ix/title-ix-team)

Northland Pioneer College has also classified all employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. The section below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

Inquiries may be made externally to:

Office for Civil Rights (OCR)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-1100

Customer Service Hotline #: (800) 421-3481

Facsimile: (202) 453-6012

TDD#: (877) 521-2172

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Web: <http://www.ed.gov/ocr>

Arizona, Colorado, New Mexico, Utah, Wyoming

Office for Civil Rights,

Denver Office

U.S. Department of Education

Cesar E. Chavez Memorial Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204-3582  
Telephone: (303) 844-5695  
Facsimile: (303) 844-4303  
[Email: OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov)

For complaints involving employees: [Equal Employment Opportunity Commission](#) (EEOC)

Phoenix District Office  
3300 North Central Avenue  
Suite 690  
Phoenix, AZ 85012-2504  
1-800-669-4000  
<https://www.eeoc.gov/field-office/phoenix/location>

### **7. Notice/Complaints of Discrimination, Harassment, and/or Retaliation**

Notice or complaints of discrimination, harassment, and/or retaliation may be made by any person using any of the following options:

- 1) File a complaint with, or give verbal notice to, the Title IX Coordinator or deputies:

Dr. Jessica Clark  
Vice President for Learning and Student Services  
Title IX Coordinator  
Office of Vice President for Learning and Student Services  
Goldwater Building, Room 117, White Mountain Campus, Show Low  
(928) 532-6141  
[jessica.clark@npc.edu](mailto:jessica.clark@npc.edu)  
<https://www.npc.edu/title-ix/title-ix-team>

Peggy Belknap  
Interim Chief Human Resources Officer  
(Interim) Title IX Deputy Coordinator – Employees  
(Interim) EEO and ADA/504 Coordinator  
Office of Human Resources  
Tiponi Community Center, Human Resources Room 302, Painted Desert

Campus, Holbrook  
(928) 524-7871  
[peggy.belknap@npc.edu](mailto:peggy.belknap@npc.edu)

Josh Rogers  
Director of Student Services  
Title IX Deputy Coordinator – Students  
Office of Student Services  
Student Center, Room 109, Sliver Creek Campus, Snowflake  
(928) 536-6227  
[joshua.rogers@npc.edu](mailto:joshua.rogers@npc.edu)

Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed.

2) Report online, using the reporting form posted at <https://www.npc.edu/report-it>~~https://www.npc.edu/title-ix~~. Anonymous reports are accepted and can give rise to a need to investigate to determine if the parties can be identified. If not, no further formal action is taken, though measures intended to protect the community may be enacted. Northland Pioneer College tries to provide supportive measures to all Complainants, which may be impossible with an anonymous report that does not identify the Complainant. Because reporting carries no obligation to initiate a formal response, and because as Northland Pioneer College respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy-confidentiality by making a report that allows Northland Pioneer College to discuss and/or provide supportive measures.

3) Report to any supervisor or instructor.

A Formal Complaint means a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging a ~~p~~Policy violation by a Respondent and requesting that Northland Pioneer College investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by Northland Pioneer College) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the

person filing the complaint, and requests that Northland Pioneer College investigate the allegations.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

### **8. Supportive Measures**

Northland Pioneer College will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, and as reasonably available. They are offered, and without fee or charge to the parties to restore or preserve access to Northland Pioneer College's education program or activity, including measures designed to protect the safety of all parties and/or Northland Pioneer College's educational environment, and/or to deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, Northland Pioneer College will inform the Complainant, in writing, that they may file a formal complaint with Northland Pioneer College either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

Northland Pioneer College will maintain the privacy-confidentiality of the supportive measures, provided that privacy-confidentiality does not impair Northland Pioneer College's ability to provide those supportive measures. Northland Pioneer College will act to ensure as minimal an academic/occupational impact on the parties as possible. Northland Pioneer College will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees



- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- [Timely warnings](#)
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders or other restrictions will be referred to appropriate student or employee conduct processes for enforcement.

### **9. Emergency Removal**

Northland Pioneer College can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the CARES Team using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student, ~~employee, or two (2) representatives from a student organization~~ will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written

summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this Policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this Policy will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

Northland Pioneer College will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

When the Respondent is an employee, existing provisions for interim action are applicable instead of the above emergency removal process.

#### **10. Promptness**

All allegations are acted upon promptly by Northland Pioneer College once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Northland Pioneer College will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in Northland Pioneer College procedures will be delayed, Northland Pioneer College will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

#### **11. Confidentiality/Privacy**

Every effort is made by Northland Pioneer College to preserve the ~~privacy~~ confidentiality of reports.<sup>5</sup> Northland Pioneer College will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of sex discrimination; any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Northland Pioneer College reserves the right to ~~designate~~ determine which College officials have a legitimate educational interest in being informed about incidents that fall within this ~~p~~Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: CARES Team and Human Resources. Information will be shared as necessary with Investigators, ~~Hearing Panel members~~/Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

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<sup>5</sup> ~~For the purpose of this policy, privacy and confidentiality have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of Northland Pioneer College employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in Northland Pioneer College's response to notice under this policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in Northland Pioneer College's FERPA policy. The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws that protect certain relationships, including those who provide services related to medical and clinical care, mental health providers, counselors, and ordained clergy. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. Northland Pioneer College does not have designated individuals who have the ability to have privileged communications as Confidential Resources. For more information about Confidential Resources. When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clergy Act. Other information may be shared as required by law.~~

Northland Pioneer College may contact parents/guardians of students to inform them of situations in which there is a significant and articulable health and/or safety risk, but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically below.

## **12. Jurisdiction of Northland Pioneer College**

This ~~P~~Policy applies to the education program and activities of Northland Pioneer College, to conduct that takes place on the campus or on property owned or controlled by Northland Pioneer College, at Northland Pioneer College-sponsored events, ~~and/or~~ in buildings owned or controlled by Northland Pioneer College's recognized student organizations. The Respondent must be a member of Northland Pioneer College's community in order for ~~its policies~~this Policy to apply.

This ~~p~~Policy can also be applicable to the effects of off-campus misconduct that effectively deprive ~~someone a person~~ of access to Northland Pioneer College's educational program. Northland Pioneer College may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial Northland Pioneer College interest.

Regardless of where the conduct occurred, Northland Pioneer College will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial Northland Pioneer College interest includes:

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee or other individual;
- c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- d. Any situation that ~~is detrimental to~~substantially interferes with the educational interests or mission of Northland Pioneer College.

If the Respondent is unknown or is not a member of the Northland Pioneer College community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options. If and/or, when criminal conduct is alleged, Northland Pioneer

College can assist in contacting local ~~or campus~~ law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the Northland Pioneer College's community, supportive measures, remedies, and resources may be accessible-provided to the Complainant by contacting the Title IX Coordinator.

In addition, Northland Pioneer College may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from Northland Pioneer College property and/or events.

All vendors serving Northland Pioneer College through third-party contracts are subject to the policies and procedures of their employers and/or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support~~advocate for~~ a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to Northland Pioneer College where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

### **13. Time Limits on Reporting**

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to Northland Pioneer College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and or provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of ~~p~~Policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, Northland Pioneer College will typically apply the ~~p~~Policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint. Typically, this Policy is only applied to incidents that occurred after

August 14, 2020. For incidents that occurred prior to August 14, 2020, previous versions of this Policy will apply. Those versions are available from the Title IX Coordinator.

#### **14. Online Harassment and Misconduct**

The policies of Northland Pioneer College are written and interpreted broadly to include online ~~and cyber~~ manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on Northland Pioneer College's education program and activities or when they involve the use of Northland Pioneer College networks, technology, or equipment.

~~While Although~~ Northland Pioneer College may not control websites, social media, and other venues ~~in-through~~ which harassing communications are made, when such communications are reported to Northland Pioneer College, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via Snaps or other social media, unwelcome ~~sexting~~sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of Northland Pioneer College community.

Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of Northland Pioneer College's control (e.g., not on Northland Pioneer College networks, websites, or between Northland Pioneer College email accounts) will only be subject to this ~~P~~policy when such online conduct can be shown to cause a substantial in-program disruption or infringement on the rights of others.

Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but protected speech cannot legally be subjected to discipline.

Off-campus harassing speech by employees, whether online or in person, may be regulated by Northland Pioneer College only when such speech is made in an employee's official or work-related capacity.

#### **15. Policy on Nondiscrimination**

Northland Pioneer College adheres to all federal, state, and ~~state-local~~ civil rights laws and regulations prohibiting discrimination in public institutions of higher education.

Northland Pioneer College does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of:

- Race,
- Religion,
- Hearing status,
- Personal appearance,
- Color,
- Sex,
- Pregnancy,
- Political affiliation,
- Source of income,
- Place of business,
- Residence,
- Religion,
- Creed,
- Ethnicity,
- National origin (including ancestry),
- Citizenship status,
- Physical or mental disability (including perceived disability),
- Age,
- Marital status,
- Family responsibilities,
- Sexual orientation,
- Gender identity,
- Gender expression,
- Veteran or military status (including disabled veteran, recently separated veteran, active duty wartime or campaign badge veteran, and Armed Forces Service Medal veteran),
- Predisposing genetic characteristics,
- Domestic violence victim status,
- Height,
- Weight
- or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus, with the Equal Employment Opportunity Commission, and/or other human/civil rights agencies.

This Policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the Northland Pioneer College community whose acts deny, deprive, or

limit the educational or employment or residential and/or social access, benefits, and/or opportunities of any member of the Northland Pioneer College community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above is in violation of Northland Pioneer College ~~P~~olicy on ~~n~~ondiscrimination.

When brought to the attention of Northland Pioneer College, any such discrimination will be promptly and fairly addressed and remedied by Northland Pioneer College according to the appropriate grievance process described below.

## **16. Policy on Disability Discrimination and Accommodation**

Northland Pioneer College is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal, ~~and~~ state, and local laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by Northland Pioneer College, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

The Chief Human Resources Officer has been designated as Northland Pioneer College's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the procedures below. For details relating to disability accommodations in Northland Pioneer College's resolution process, see Procedure 2110.

### **a. Students with Disabilities**

Northland Pioneer College is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of Northland Pioneer College.



All accommodations are made on an individualized basis. A student requesting any accommodation should first contact the ~~Disabilities Resource and Access~~Accessibility and Inclusion Coordinator, who coordinates services for students with disabilities.

The ~~Disabilities Resource and Access~~Accessibility and Inclusion Coordinator reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s) in accordance with Northland Pioneer College's applicable policies.

#### **b. Employees with Disabilities**

Pursuant to the ADA, Northland Pioneer College will provide reasonable accommodation(s) to all qualified employees when they are unable to perform their essential job functions, except when doing so would be unduly disruptive or would result in undue hardship to Northland Pioneer College.

An employee with a disability is responsible for submitting a request for an accommodation to the ADA/504 Coordinator and providing necessary documentation. The ADA/504 Coordinator will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties: in accordance with Northland Pioneer College's applicable policies.

### **17. Policy on Discriminatory Harassment**

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. ~~Northland Pioneer College's harassment~~This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under Northland Pioneer College ~~P~~Policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of Northland Pioneer College ~~P~~Policy, though supportive measures will be offered to those impacted. All offense definitions encompass actual and/or attempted offenses.

#### **a. Discriminatory Harassment**

Discriminatory harassment constitutes a form of discrimination that is prohibited by Northland Pioneer College ~~P~~Policy. Discriminatory harassment is defined as unwelcome conduct by any

member or group of the community on the basis of actual or perceived membership in a class protected by ~~p~~Policy or law.

Northland Pioneer College does not tolerate discriminatory harassment of any employee, student, visitor, or ~~guest~~third-party. Northland Pioneer College will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a “hostile environment.”

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual’s educational or employment access, benefits, or opportunities.<sup>6</sup> This discriminatory effect results from harassing verbal, written, graphic, and/or physical conduct that is severe or pervasive **and** objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, Northland Pioneer College may also impose sanctions on the Respondent through application of the appropriate grievance process below.

Northland Pioneer College reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under Northland Pioneer College ~~p~~Policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternative Resolution, and/or other informal resolution mechanisms.

For assistance with Alternative Resolution and other informal resolution techniques and approaches, employees should contact the Chief Human Resources Officer, and students should contact the Director of Student Services.

#### **b. Sexual Harassment**

The Department of Education’s Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Arizona regard sSexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

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<sup>6</sup> This definition of hostile environment is based on Federal Register / Vol. 59, No. 47 / Thursday, March 10, 1994: [Department of Education Office for Civil Rights, Racial Incidents and Harassment Against Students At Educational Northland Pioneer Colleges Investigative Guidance.](#)

Northland Pioneer College has adopted the following definition of ~~s~~Sexual ~~h~~Harassment in order to address the unique environment of an academic community, ~~which consists not only of employer and employees, but of students as well.~~

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual ~~h~~Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual in nature that satisfies one or more of the following:

- 1) Quid Pro Quo:
  - a. an employee of Northland Pioneer College,
  - b. conditions the provision of an aid, benefit, or service of Northland Pioneer College,
  - c. on an individual's participation in unwelcome sexual conduct; and/or
  
- 2) Sexual Harassment:
  - a. unwelcome conduct,
  - b. determined by a reasonable person,
  - c. to be so severe, and
  - d. pervasive, and,
  - e. objectively offensive,
  - f. that it effectively denies a person equal access to Northland Pioneer College's education program or activity.<sup>7</sup>
  
- 3) Sexual assault, defined as:
  - ~~a) Sex Offenses, Forcible:~~
    - Any sexual act directed against another person,
    - without the consent of the Complainant,
    - including instances in which the Complainant is incapable of giving consent.
  - Incest:

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<sup>7</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

1. Non-forcible sexual intercourse,
2. between persons who are related to each other,
3. within the degrees wherein marriage is prohibited by Arizona law.-

- Statutory Rape:

1. Non-forcible sexual intercourse,
2. with a person who is under the statutory age of consent of eighteen (18).

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b) ~~Forcible Rape:~~

- ~~Penetration,~~
- ~~no matter how slight,~~
- ~~of the vagina or anus with any body part or object, or~~
- ~~oral penetration by a sex organ of another person,~~
- ~~without the consent of the Complainant.~~

c) ~~Forcible Sodomy:~~

- ~~Oral or anal sexual intercourse with another person,~~
- ~~forcibly,~~
- ~~and/or against that person's will (non-consensually), or~~
- ~~not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age<sup>§</sup> or because of temporary or permanent mental or physical incapacity.-~~

d) ~~Sexual Assault with an Object:~~

- ~~The use of an object or instrument to penetrate,~~
- ~~however slightly,~~
- ~~the genital or anal opening of the body of another person,~~
- ~~forcibly,~~
- ~~and/or against that person's will (non-consensually),~~
- ~~or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.-~~

e) ~~Forcible Fondling:~~

- ~~The touching of the private body parts of another person (buttocks, groin, breasts),~~
- ~~for the purpose of sexual gratification,~~
- ~~forcibly,~~
- ~~and/or against that person's will (non-consensually),~~

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<sup>§</sup> Per state law.

- ~~or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.~~
- f) ~~Sex Offenses, Non-forcible:~~
  - ~~Incest:~~
    - ~~1) Non-forcible sexual intercourse,~~
    - ~~2) between persons who are related to each other,~~
    - ~~3) within the degrees wherein marriage is prohibited by Arizona law.~~
  - ~~Statutory Rape:~~
    - ~~1) Non-forcible sexual intercourse,~~
    - ~~2) with a person who is under the statutory age of consent of eighteen (18).~~

- 4) Dating Violence, defined as:
- a. violence,
  - b. on the basis of sex,
  - c. committed by a person,
  - d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
    - i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
    - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - iii. Dating violence does not include acts covered under the definition of domestic violence.
- 5) Domestic Violence\*, defined as:
- a. violence,
  - b. on the basis of sex,
  - c. committed by a current or former spouse or intimate partner of the Complainant,
  - d. by a person with whom the Complainant shares a child in common, or
  - e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
  - f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Arizona, or
  - g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Arizona.

\*To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

- 6) Stalking, defined as:
- a. engaging in a course of conduct,
  - b. on the basis of sex,
  - c. directed at a specific person, that
    - i. would cause a reasonable person to fear for the person’s safety, or
    - ii. the safety of others; or
    - iii. Suffer substantial emotional distress.
- For the purposes of this definition—
- (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
  - (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
  - (iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

#### EXPECTATIONS REGARDING UNETHICAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty member and student or supervisor and employee). These relationships may, in reality, be less consensual than perceived by the individual whose position confers power or authority. Similarly, the relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Circumstances may change, and conduct that was once welcome may, at some point in the relationship, become unwelcome.

Even when both parties have initially consented to romantic or sexual involvement, the possibility of a later allegation of a relevant Policy violation still exists. Northland Pioneer College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of Northland Pioneer College. However, for the personal protection of members of this community, relationships

in which power differentials are inherent (e.g., faculty-student, staff-student) are generally discouraged. They may also violate standards of professionalism and/or professional ethics.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or otherwise evaluative role over the other party are inherently problematic. Therefore, persons with direct supervisory or otherwise evaluative responsibilities who are involved in such relationships must bring these relationships to the timely attention of their supervisor and/or the Title IX Coordinator. The existence of this type of relationship will likely result in removing the supervisory or evaluative responsibilities from the employee or shifting a party from being supervised or evaluated by someone with whom they have established a consensual relationship. When an affected relationship existed prior to adoption of this Policy, the duty to notify the appropriate supervisor still pertains.

This type of relationship includes Housing Advisors (HAs) and students over whom the HA has direct responsibility. While no relationships are specifically prohibited by this Policy, failure to timely self-report such relationships to a supervisor as required can result in disciplinary action for an employee. The Title IX Coordinator will determine whether to refer violations of this provision to Human Resources for resolution, or to pursue resolution under this Policy, based on the circumstances of the allegation.

Northland Pioneer College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this Policy. The most serious offenses are likely to result in suspension/expulsion/termination, where warranted.

#### **c. Force, Coercion, Consent, and Incapacitation<sup>9</sup>**

As used in the offenses above, the following definitions and understandings apply:

**Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not

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<sup>9</sup> The state definition of consent is acquiescence or compliance, which is applicable to criminal prosecutions for sex offenses in Arizona but may differ from the definition used on campus to address Policy violations.

demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

**Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Consent is:**

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Since individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on Northland Pioneer College to determine whether its Policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the



context in which the alleged incident occurred and any similar ~~and~~ previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM<sup>10</sup> or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so Northland Pioneer College’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to ~~P~~policy that assumes non-kink relationships as a default.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this ~~P~~policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault ~~P~~policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard ~~which that~~ assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, ~~and~~ how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This ~~P~~policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

#### **d. Other Civil Rights Offenses**

In addition to the forms of sexual harassment described above, which ~~fall within the coverage of are covered by~~ Title IX, Northland Pioneer College additionally prohibits the following offenses as forms of discrimination ~~that may be within or~~ outside of Title IX when the act is based upon the Complainant’s actual or perceived membership in a protected class.

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<sup>10</sup> Bondage, discipline/dominance, submission/sadism, and masochism.

Sexual Exploitation, defined as: an individual taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this Policy. Examples of Sexual Exploitation include, but are not limited to:

~~another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:~~

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
  - Invasion of sexual privacy.
  - Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography
  - Prostituting another person
  - Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection
  - Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
  - Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections
  - Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
  - Knowingly soliciting a minor for sexual activity
  - Engaging in sex trafficking
  - Knowing Creation, possession, or dissemination of f child pornography
- Threatening or causing physical harm; i extreme verbal, emotional, or psychological abuse; i or other conduct which threatens or endangers the health or safety of any person;
  - Discrimination, defined as actions that deprive, limit, or deny other members of the

community of educational or employment access, benefits, or opportunities, including disparate treatment;

- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the Northland Pioneer College community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
- Bullying, defined as:
  - Repeated and/or severe
  - Aggressive behavior
  - Likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally
  - That is not speech or conduct otherwise protected by the First Amendment.

Violation of any other Northland Pioneer College policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from reprimand through expulsion/termination.

#### **18. Retaliation**

Protected activity under this Policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Northland Pioneer College ~~is prepared to~~ will take all take appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

~~It is prohibited for Northland Pioneer College or any member of Northland Pioneer College's community to take~~ Northland Pioneer College and any member of Northland Pioneer College's community are prohibited from taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the

purpose of interfering with any right or privilege secured by law or ~~P~~Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this ~~P~~Policy and procedure.

~~Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.~~

Filing a complaint within Process B could be considered retaliatory if those charges could be applicable under Process A, when the Process B charges are made for the purpose of interfering with or circumventing any right or privilege provided afforded within Process A that is not provided by Process B. Therefore, Northland Pioneer College vets all complaints carefully to ensure this does not happen, and to ensure that complaints are routed to the appropriate process.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this ~~P~~Policy and procedure does not constitute retaliation, provided that the a-determination of regarding responsibility, alone by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

### **19. Mandated Reporting**

All Northland Pioneer College employees (faculty, staff, administrators) are expected to report actual or suspected discrimination, ~~or harassment,~~ and/or retaliation to appropriate officials immediately, although there are some limited exceptions.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment in a way that identifies the parties. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or ~~P~~Policy violations, and these

employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at Northland Pioneer College for a Complainant or third-party (including parents/guardians when appropriate):

**a. Confidential Resources**

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- Off-campus (non-employees):
  - Licensed professional counselors and other medical providers
  - Local rape crisis counselors
  - Domestic violence resources
  - Local or state assistance agencies
  - Clergy/Chaplains
  - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, ~~and/or~~ professional credentials, or official designation, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

Northland Pioneer College employees who are confidential will timely submit anonymous statistical information for Clergy Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

**b. Anonymous Notice to Mandated Reporters**

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by Northland Pioneer College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits Northland Pioneer College's ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator. Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors, elderly, and/or disabled, depending on state reporting of abuse requirements.

### **c. Mandated Reporters and Formal Notice/Complaints**

All employees of Northland Pioneer College (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this Policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from Northland Pioneer College.

Supportive measures may be offered as the result of such disclosures without formal Northland Pioneer College action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of Northland Pioneer College Policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this ~~P~~olicy, they still have a duty to report their own misconduct, though Northland Pioneer College is technically not on notice simply because ~~when~~ a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this ~~P~~olicy is not required to report their own experience, though they are, of course, encouraged to do so.

**20. When a Complainant Does Not Wish to Proceed**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, and/or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether Northland Pioneer College proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process, usually -upon completion of an appropriate violence risk assessment.

The Title IX Coordinator’s decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires Northland Pioneer College to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. Northland Pioneer Colleges may be compelled to act on alleged employee misconduct irrespective of a Complainant’s wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and Northland Pioneer College’s ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this ~~P~~olicy.

When Northland Pioneer College proceeds, the Complainant (and/or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a

Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that Northland Pioneer College's ability to remedy and respond to notice may be limited if the Complainant does not want Northland Pioneer College to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing Northland Pioneer College's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow Northland Pioneer College to honor that request, Northland Pioneer College ~~will~~ may offer informal resolution options (see Procedure 2110), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by Northland Pioneer College, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

### **21. Federal Timely Warning Obligations**

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Northland Pioneer College must issue timely warnings for ~~incidents reported to them~~ reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

Northland Pioneer College will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

### **22. False Allegations and Evidence**

Deliberately false and/or malicious accusations under this ~~Policy~~ Policy, are a serious offense and will be subject to as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith, but are ultimately shown to be erroneous or do not result in a policy violation determination.



Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence ~~after being directed to preserve such evidence~~, or deliberately misleading an official conducting an investigation can be subject to discipline under appropriate Northland Pioneer College ~~ppolicies~~.

### **23. Amnesty for Complainants and Witnesses**

Northland Pioneer College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to Northland Pioneer College officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of Northland Pioneer College community that Complainants choose to report misconduct to Northland Pioneer College officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, Northland Pioneer College maintains a Ppolicy of offering parties and witnesses amnesty from minor ~~ppolicy~~ violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty ~~to a Respondent~~ is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

**Students:** Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual ~~misconduct~~ assault to Campus Security).

Northland Pioneer College maintains a Ppolicy of amnesty for students who offer help to others in need. ~~While Although ppolicy~~ violations cannot be overlooked, Northland Pioneer College may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

**Employees:** Sometimes, employees are hesitant to report harassment or discrimination they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the consensual relationship ~~p~~Policy and is then assaulted in the course of that relationship might hesitate to report the incident to Northland Pioneer College officials.

Northland Pioneer College may, at its discretion, offer employee Complainants amnesty from such ~~P~~policy violations (typically more minor ~~p~~Policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

#### **24. Federal Statistical Reporting Obligations**

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- b) Hate crimes, which include any bias ~~-~~-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- c) VAWA<sup>44</sup>-based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and
- d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be ~~passed~~ along to shared with the Clery Administrator regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include: student affairs/student conduct staff, campus security, local police, coaches, housing staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

#### **25. Preservation of Evidence**

The preservation of evidence in incidents of sexual assault is critical to potential criminal prosecution and to obtaining restraining orders, and is particularly time-sensitive. The Recipient will inform the Complainant of the importance of preserving evidence by taking the following actions:

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<sup>44</sup> ~~VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040.~~

1. Seek forensic medical assistance at the local hospital, ideally within 120 hours of the incident (sooner is better).
2. Avoid showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
3. Try not to urinate.
4. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
5. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or secure evidence container from local police station.
6. Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

During the initial meeting between the Complainant and the Title IX Coordinator, the importance of taking these actions will be reiterated, if timely.

## Request to Approve 2021-22 Budget Development Assumptions and Guidelines

**Recommendation:**

Staff recommends approval of the 2021-22 Budget Development Assumptions and Guidelines.

**Summary:**

Last month staff provided preliminary Budget Development Assumptions and Guidelines for the Fiscal Year Ending June 30, 2022.

Staff will provide additional information related to revenues and expenditures. Staff will seek Board input and guidance to assist in the ongoing budget development process.



# BUDGET DEVELOPMENT CALENDAR

FISCAL YEAR 2021 – 2022

APPROVED 9/15/20

ACTIVITY	RESOURCE	DUE BY
1. Receive & approve calendar	DGB	✓ 15 September 2020
2. Receive and approve budget assumptions & overview	DGB	✓ 15 December
3. Distribute budget materials for operational & capital	Director of Budget	18 December
4. Review budget process and calendar at convocation	CFO	11 January 2021
5. Director of Budget receives budget	Department Managers & Director of Budget	19 January
6. Exec Team receives staffing requests	Department Managers & Exec Team	19 January
7. President, CHRO, faculty, CASO meet on compensation	Pres, CHRO, FA, CASO	1 February
8. Exec Team finalizes staffing needs	Executive Team	8 February
9. Review of operational & capital plans/budget requests	Executive Team	8 February
10. Receive introductory budget analysis	DGB	16 February
11. Receive tuition and fee schedules	DGB	16 February
12. President receives compensation recommendation	Pres, CHRO, FA, CASO	1 March
13. Budget hearing	Executive Team	5 March
14. Receive preliminary budget analysis	DGB	16 March
15. Receive compensation recommendation	DGB	16 March
16. Approve tuition and fee schedules	DGB	16 March
17. Approve compensation	DGB	20 April
18. Receive complete budget analysis	DGB	20 April
19. Develop and adopt preliminary budgets (June 5)	DGB	20 April
20. Publish notice of public budget & TNT hearing (15 days prior)	CFO	3 May
21. Publish budget on website & other publication (15 days prior)	CFO	3 May
22. 2 <sup>nd</sup> notice of public budget & TNT hearing (5 days prior)	CFO	13 May
23. 2 <sup>nd</sup> publication of budget (5 days prior)	CFO	13 May
24. Conduct taxpayer public hearings (June 20)	DGB	18 May
25. Adopt property tax levy & final budgets at special meeting (June 20)	DGB	18 May
26. Notify PTOC of primary property tax levy (3 days after adoption)	CFO	21 May
27. Submit tax levy to Navajo County	CFO	21 May

**Northland Pioneer College**  
**Preliminary Budget Development Assumptions**  
**FY 2021-22**

**GENERAL ASSUMPTIONS**

- Budget Development Calendar will establish the due dates.
- Introductory budget analysis for DGB in February will be prior to budget hearings and will be limited to an overview of expenditure and revenue trends.
- Preliminary budget analysis for DGB in March will include a detailed examination of budget planning.
- Expenditure limit breaches will use carry forward amounts to comply with statutory limits. Legislative action is necessary to pursue formula changes.

**REVENUE ASSUMPTIONS**

- Overall revenues may increase slightly. Information available in January and February will provide updated estimates.
- State appropriations related to equalization may increase slightly compared to current fiscal year.
- Tuition revenues will show an increase compared to the prior year. The upcoming year will not include a tuition waiver that was implement to help with the impacts of COVID-19 in the current year. Enrollment is declining.
  - The District Governing Board adopted a three-year tuition plan in FY1920.
    - FY2021 \$79 per in-state credit hour
    - FY2122 \$82 per in-state credit hour
    - FY2223 \$85 per in-state credit hour
  - Tuition and general fees are set at a rate that:
    - (A) gives consideration to the impact on students, student enrollment, and student retention rates,
    - (B) increases incrementally, and
    - (C) is competitive in our market by maintaining a comparative position to the average overall tuition and general fees at other Arizona community colleges.
- Course fees will be set at a rate to offset expendable supplies and equipment.
- Primary property tax levy will be set at the maximum rate, which is two percent higher than current year tax plus an increase for new construction. Setting the tax levy at the maximum will require a truth-in-taxation hearing. Property tax valuation of the pending closure of Cholla Power Plant will be available in February.
- Other revenues will be based on historical information and emerging trends.

## EXPENDITURE ASSUMPTIONS

- Overall expenditures will match revenues.
- Budget request that are higher than current budget **or** actual historical spending will require **justification and review during the budget hearing process.**
- Budget requests from Department Managers for operational and capital expenditures are due **January 19, 2021.**
  
- SALARY SCHEDULES will be developed with:
  - (A) consideration to increasing rates balanced with available funds and impact to expenditure limit,
  - (B) consideration to competitive market conditions with the goal to maintain a comparative position to the average increases/rates at other local public entities, other Arizona community colleges, and other similar institutions, and
  - (C) consideration to salary recommendations received through the shared governance process.
  
- BENEFITS will be developed with:
  - (A) consideration on impacts from third-party partnerships including:
    - (1) Employee benefit trust for medical insurance, and
    - (2) Arizona State Retirement System for retirement contributions.
  
- Education partner relationships will be maintained with:
  - (A) Apache County,
  - (B) NAVIT,
  - (C) Dual enrollment, and
  - (D) others.
  
- OPERATING budget requests cover a one-year period.
- CAPITAL budget requests cover a three-year period (FY2122, FY2223 and FY2324).
- GRANT funding will continue to be identified and pursued.
- AUXILIARY fund activities will be maintained.

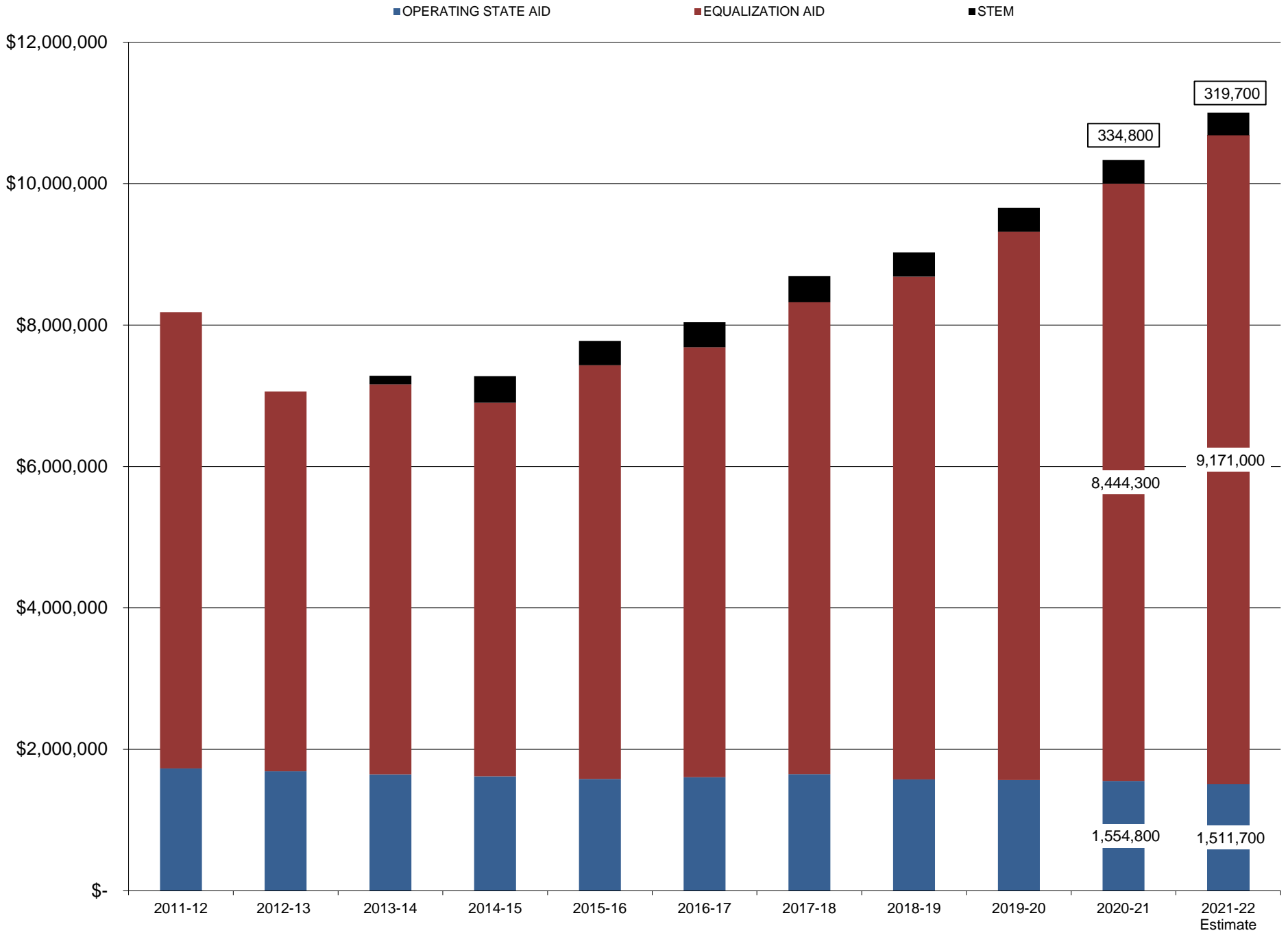
**Northland Pioneer College  
Budget Development Guidelines  
FY 2021-22**

**Budget Categories & Targets:**

Revenues	<ul style="list-style-type: none"> <li>• Administrative Services will prepare the budget.</li> </ul>
Salaries/Wages & Benefits	<ul style="list-style-type: none"> <li>• HR and Administrative Services will prepare the budget for contract positions and the benefits for all positions.</li> <li>• Budget Managers will prepare budget for non-contract positions and include in their department budget requests. These include:             <ul style="list-style-type: none"> <li>○ Adjunct faculty</li> <li>○ Faculty overload</li> <li>○ Temporary employee</li> <li>○ Lab aid</li> <li>○ Substitute faculty</li> </ul> </li> </ul>
Operating Expenditures	<ul style="list-style-type: none"> <li>• Budget to remain level.</li> <li>• Any new programs/services must demonstrate linkage to the strategic plan.</li> </ul>
Capital Expenditures	<ul style="list-style-type: none"> <li>• Budget requests to align with revenues from the operational budget, grant funds, or reserved funds.</li> </ul>



# NPC State Aid Revenues



**Arizona Community Colleges  
FY 2022 State Aid Request for M&O, Equalization Assistance and STEM Workforce Programs**

<b>FY 2022 State Aid Request</b>	<b>Cochise</b>	<b>Coconino</b>	<b>Gila</b>	<b>Graham</b>	<b>Maricopa</b>	<b>Mohave</b>	<b>Navajo</b>	<b>Pima</b>	<b>Pinal</b>	<b>Santa Cruz</b>	<b>Yavapai</b>	<b>Yuma/La Paz</b>	<b>Total</b>
Maintenance & Operation	\$ 4,370,500	\$ 1,625,800	\$ 290,900	\$ 1,984,200	\$ -	\$ 1,013,400	\$ 1,511,700	\$ -	\$ 1,339,200	\$ 15,400	\$ 596,500	\$ 2,410,300	\$ 15,157,900
Equalization Assistance	7,925,300	-	-	18,189,700	-	-	9,171,000	-	-	-	-	616,700	35,902,700
<b>STEM Workforce Programs</b>	928,400	371,800	134,100	502,400	10,327,800	397,600	319,700	2,268,200	707,800	29,100	701,300	787,800	17,476,000
<b>Total Request</b>	<b>\$ 13,224,200</b>	<b>\$ 1,997,600</b>	<b>\$ 425,000</b>	<b>\$ 20,676,300</b>	<b>\$ 10,327,800</b>	<b>\$ 1,411,000</b>	<b>\$ 11,002,400</b>	<b>\$ 2,268,200</b>	<b>\$ 2,047,000</b>	<b>\$ 44,500</b>	<b>\$ 1,297,800</b>	<b>\$ 3,814,800</b>	<b>\$ 68,536,600</b>

<b>Maintenance and Operations, Pursuant to ARS 15-1466</b>	<b>Cochise</b>	<b>Coconino</b>	<b>Gila</b>	<b>Graham</b>	<b>Maricopa</b>	<b>Mohave</b>	<b>Navajo</b>	<b>Pima</b>	<b>Pinal</b>	<b>Santa Cruz</b>	<b>Yavapai</b>	<b>Yuma/La Paz</b>	<b>Total</b>
<b>FTSE Change:</b>													
FY 2019 Audited FTSE (Total)	6,376	1,986	683	3,033	67,498	2,228	1,742	14,058	3,033	113	3,472	4,942	109,164
FY 2020 Unaudited FTSE (Total)	5,829	1,877	688	2,435	67,467	2,005	1,648	14,477	3,400	139	3,530	5,036	108,531
Increase/(Decrease)	(547)	(109)	5	(598)	(31)	(223)	(94)	419	367	26	58	94	(633)
<b>FY 2019 Audited Non Dual Enr</b>	<b>6,305</b>	<b>1,799</b>	<b>612</b>	<b>2,944</b>	<b>62,168</b>	<b>1,981</b>	<b>1,447</b>	<b>13,690</b>	<b>2,999</b>	<b>113</b>	<b>3,171</b>	<b>4,819</b>	<b>102,048</b>
<b>FY 2020 Unaudited Non Dual Enr</b>	<b>5,776</b>	<b>1,664</b>	<b>589</b>	<b>2,350</b>	<b>61,630</b>	<b>1,782</b>	<b>1,396</b>	<b>13,875</b>	<b>3,341</b>	<b>139</b>	<b>3,149</b>	<b>4,811</b>	<b>100,502</b>
Increase/(Decrease)	(529)	(135)	(23)	(594)	(538)	(199)	(51)	185	342	26	(22)	(8)	(1,546)
<b>FY 2019 Audited Dual Enrollment</b>	<b>71</b>	<b>187</b>	<b>71</b>	<b>89</b>	<b>5,330</b>	<b>247</b>	<b>295</b>	<b>368</b>	<b>34</b>	<b>-</b>	<b>301</b>	<b>123</b>	<b>7,116</b>
<b>FY 2020 Unaudited Dual Enrollment</b>	<b>53</b>	<b>213</b>	<b>99</b>	<b>85</b>	<b>5,837</b>	<b>223</b>	<b>252</b>	<b>602</b>	<b>59</b>	<b>-</b>	<b>381</b>	<b>225</b>	<b>8,029</b>
Increase/(Decrease)	(18)	26	28	(4)	507	(24)	(43)	234	25	-	80	102	913

<b>State Aid Adj. for FTSE Change and Dual Enrollment:</b>	<b>Cochise</b>	<b>Coconino</b>	<b>Gila</b>	<b>Graham</b>	<b>Maricopa</b>	<b>Mohave</b>	<b>Navajo</b>	<b>Pima</b>	<b>Pinal</b>	<b>Santa Cruz</b>	<b>Yavapai</b>	<b>Yuma/La Paz</b>	<b>Total</b>
FY 2021 State aid M&O	\$ 4,690,700	\$ 1,698,400	\$ 296,300	\$ 2,338,800	\$ -	\$ 1,138,900	\$ 1,554,800	\$ -	\$ 1,128,300	\$ -	\$ 585,800	\$ 2,384,800	\$ 15,816,800
Non Dual Enrollment Growth	(314,800)	(80,300)	(13,700)	(353,400)	-	(118,400)	(30,300)	-	203,500	15,400	(13,100)	(4,800)	(709,900)
Dual Enrollment Growth <sup>(1)</sup>	(5,400)	7,700	8,300	(1,200)	-	(7,100)	(12,800)	-	7,400	-	23,800	30,300	51,000
<b>FY 2022 Appropriation</b>	<b>4,370,500</b>	<b>1,625,800</b>	<b>290,900</b>	<b>1,984,200</b>	<b>-</b>	<b>1,013,400</b>	<b>1,511,700</b>	<b>-</b>	<b>1,339,200</b>	<b>15,400</b>	<b>596,500</b>	<b>2,410,300</b>	<b>15,157,900</b>
Increased State approp.	(320,200)	(72,600)	(5,400)	(354,600)	-	(125,500)	(43,100)	-	210,900	15,400	10,700	25,500	(658,900)

<sup>(1)</sup> Reflects funding adjustment for Dual Enrollment based on Dual Enrollment FTSE \* Average Appropriation\* 50%

<b>Formula calculated according to statute</b>	
FY 2021 Total M&O Appropriation	\$ 15,816,800
FY 2020 Unaudited FTSE (Total)	26,587
Average Appropriation Per FTSE (Non Dual Enrollment)	\$ 595
Average Appropriation Per FTSE (Dual Enrollment)	\$ 298

<b>Equalization FY 2022 Calculation, Pursuant to ASRS 15-1468</b>	<b>Cochise</b>	<b>Coconino</b>	<b>Gila</b>	<b>Graham</b>	<b>Maricopa</b>	<b>Mohave</b>	<b>Navajo</b>	<b>Pima</b>	<b>Pinal</b>	<b>Santa Cruz</b>	<b>Yavapai</b>	<b>Yuma/La Paz</b>	<b>Total</b>
<b>FY 2022 Equalization Aid</b>	<b>\$ 7,925,300</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 18,189,700</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 9,171,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 616,700</b>	<b>\$ 35,902,700</b>
FY 2021 Equalization Aid	7,227,100	-	-	17,469,100	-	-	8,444,300	-	-	-	-	155,200	33,295,700
Increase/(Decrease)	698,200	-	-	720,600	-	-	726,700	-	-	-	-	461,500	2,607,000

The STEM Support request shown below was calculate using the formula in ARS 15-1464

<b>STEM Workforce Programs</b>	<b>Cochise</b>	<b>Coconino</b>	<b>Gila</b>	<b>Graham</b>	<b>Maricopa</b>	<b>Mohave</b>	<b>Navajo</b>	<b>Pima</b>	<b>Pinal</b>	<b>Santa Cruz</b>	<b>Yavapai</b>	<b>Yuma/La Paz</b>	<b>Total</b>
FY 2020 Audited Non Dual Enr	5,776	1,664	589	2,350	61,630	1,782	1,396	13,875	3,341	139	3,149	4,811	100,502
FY 2020 Unaudited Dual Enrollment	53	213	99	85	5,837	223	252	602	59	-	381	225	8,029
FY 2021 Amount for Non Dual Enroll (1)	\$ 924,200	\$ 349,400	\$ 123,700	\$ 493,500	\$ 9,860,800	\$ 374,200	\$ 293,200	\$ 2,220,000	\$ 701,600	\$ 29,100	\$ 661,300	\$ 769,800	\$ 16,800,800
FY 2021 Amount for Dual Enrollment	4,200	22,400	10,400	8,900	467,000	23,400	26,500	48,200	6,200	-	40,000	18,000	675,200
<b>FY 2022 Formula Calculation (2)</b>	<b>\$ 928,400</b>	<b>\$ 371,800</b>	<b>\$ 134,100</b>	<b>\$ 502,400</b>	<b>\$ 10,327,800</b>	<b>\$ 397,600</b>	<b>\$ 319,700</b>	<b>\$ 2,268,200</b>	<b>\$ 707,800</b>	<b>\$ 29,100</b>	<b>\$ 701,300</b>	<b>\$ 787,800</b>	<b>\$ 17,476,000</b>
<b>FY 2021 STEM Aid</b>	<b>1,014,500</b>	<b>397,400</b>	<b>136,000</b>	<b>627,600</b>	<b>1,600,000</b>	<b>441,900</b>	<b>334,800</b>	<b>400,000</b>	<b>96,500</b>	<b>23,700</b>	<b>697,500</b>	<b>1,024,900</b>	<b>6,794,800</b>
Increase/(Decrease)	(86,100)	(25,600)	(1,900)	(125,200)	8,727,800	(44,300)	(15,100)	1,868,200	611,300	5,400	3,800	(237,100)	10,681,200

<sup>(1)</sup> FY 2021 FTSE times rate per FTSE: rate is <5,000 FTSE @ \$210 per FTSE, > 5,000 FTSE @ \$160 per FTSE

<sup>(2)</sup> Reflects funding at 50% of STEM amount for Dual Enrollment Students



**Transmission of material in this release is embargoed until  
 8:30 a.m. (ET) November 12, 2020**

USDL-20-2089

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 Media Contact: (202) 691-5902 • [PressOffice@bls.gov](mailto:PressOffice@bls.gov)

**CONSUMER PRICE INDEX – OCTOBER 2020**

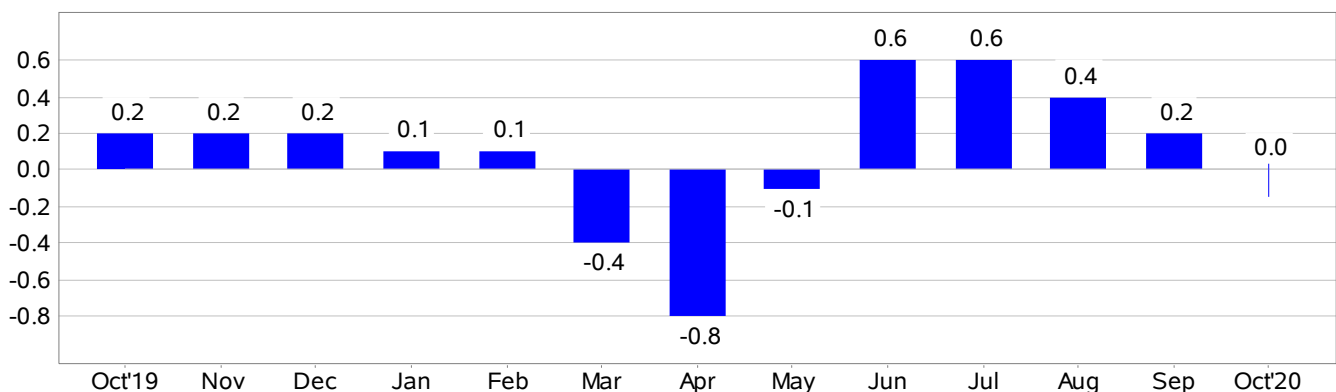
The Consumer Price Index for All Urban Consumers (CPI-U) was unchanged in October on a seasonally adjusted basis after rising 0.2 percent in September, the U.S. Bureau of Labor Statistics reported today. Over the last 12 months, the all items index increased 1.2 percent before seasonal adjustment.

Component indexes were mixed, with many offsetting increases and decreases. The food index rose 0.2 percent, with the food away from home index increasing by 0.3 percent and a smaller 0.1-percent rise in the food at home index. The energy index rose 0.1 percent in October as the index for electricity increased 1.2 percent.

The index for all items less food and energy was unchanged in October following an increase of 0.2 percent in September. The index for shelter increased 0.1 percent in October, which was offset by a 0.4-percent decrease in the index for medical care. The indexes for airline fares, recreation, and new vehicles were among those to rise, while the indexes for motor vehicle insurance, apparel, and household furnishings and operations declined.

The all items index rose 1.2 percent for the 12 months ending October, a slightly smaller increase than the 1.4-percent rise for the 12-month period ending September. The index for all items less food and energy rose 1.6 percent over the last 12 months after rising 1.7 percent in September. The food index increased 3.9 percent over the last 12 months, while the energy index declined 9.2 percent.

**Chart 1. One-month percent change in CPI for All Urban Consumers (CPI-U), seasonally adjusted, Oct. 2019 - Oct. 2020**  
 Percent change



The following excerpts are from a quarterly news release titled *Survey of Professional Forecasters*. The report consolidates multiple well-regarded national macroeconomic forecasts. It is the oldest quarterly survey of its kind in the United States. The survey began in 1968 and was originally conducted by the American Statistical Association and the National Bureau of Economic Research. The Federal Reserve Bank of Philadelphia took over the survey in 1990.

The following information is an excerpt from the report issued November 16, 2020.

## FOURTH Quarter 2020 Survey of Professional Forecasters

### ***Forecasters See Higher Inflation***

The forecasters predict current-quarter headline CPI inflation will average 2.0 percent, up from 1.6 percent in the last survey. Headline PCE inflation for the current quarter will be 1.7 percent, up 0.5 percentage point from the survey of three months ago. Projections for all measures of CPI and PCE inflation at all other forecast horizons have mostly been revised upward, compared with those in the previous survey.

Over the next 10 years, 2020 to 2029, the forecasters expect headline CPI inflation to average 2.12 percent at an annual rate. The corresponding estimate for 10-year annual-average PCE inflation is 1.90 percent. Both 10-year annual-average inflation measures are slightly higher than their corresponding measures of three months ago.

## Press Release

Tuesday, October 13, 2020  
For Immediate Release



Mark Hinkle, Press Officer  
[press.office@ssa.gov](mailto:press.office@ssa.gov)

# News Release SOCIAL SECURITY

Social Security Announces 1.3 Percent Benefit Increase for 2021

Social Security and Supplemental Security Income (SSI) benefits for approximately 70 million Americans will increase 1.3 percent in 2021, the Social Security Administration announced today.

The 1.3 percent cost-of-living adjustment (COLA) will begin with benefits payable to more than 64 million Social Security beneficiaries in January 2021. Increased payments to more than 8 million SSI beneficiaries will begin on December 31, 2020. (Note: some people receive both Social Security and SSI benefits). The Social Security Act ties the annual COLA to the increase in the Consumer Price Index as determined by the Department of Labor's Bureau of Labor Statistics.

Some other adjustments that take effect in January of each year are based on the increase in average wages. Based on that increase, the maximum amount of earnings subject to the Social Security tax (taxable maximum) will increase to \$142,800 from \$137,700.

Social Security and SSI beneficiaries are normally notified by mail starting in early December about their new benefit amount. Most

people who receive Social Security payments will be able to view their COLA notice online through their personal **my Social Security** account. People may create or access their **my Social Security** account online at [www.socialsecurity.gov/myaccount](http://www.socialsecurity.gov/myaccount).

Information about Medicare changes for 2021, when announced, will be available at [www.medicare.gov](http://www.medicare.gov). For Social Security beneficiaries receiving Medicare, Social Security will not be able to compute their new benefit amount until after the Medicare premium amounts for 2021 are announced. Final 2021 benefit amounts will be communicated to beneficiaries in December through the mailed COLA notice and **my Social Security's** Message Center.

The Social Security Act provides for how the COLA is calculated. To read more, please visit [www.socialsecurity.gov/cola](http://www.socialsecurity.gov/cola).

**NOTE TO CORRESPONDENTS:** Here is a [fact sheet](#) showing the effect of the various automatic adjustments.

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## Contribution Rates

### ASRS Defined Benefit Plan

The Arizona State Retirement System Defined Benefit Plan provides for lifelong monthly retirement income for qualified members.

The plan is tax qualified under section 401(a) of the Internal Revenue Code. It is a "cost sharing" model, meaning both the member and the employer contribute equally. Members also participate and contribute to the ASRS Long Term Disability Income Plan, which provides benefits for actively contributing members.

Contribution rates as a percent of pay are actuarially determined and adjusted annually to ensure the plan remains fiscally sound and able to meet current and future obligations.

There are two portions to the ASRS contribution rate - the Retirement Pension & Health Insurance Benefit, and the Long Term Disability Income Plan. The Pension Plan contribution is a pre-tax deduction, and the Long-Term Disability deduction is post-tax. Tax on pension benefits is deferred until payment is made to the member as a benefit or refund.

### Contribution Rates

Fiscal Year 2020-21. Effective July 1, 2020

	PENSION & HEALTH INSURANCE BENEFIT	LONG TERM DISABILITY INCOME PLAN	TOTAL
Employee	12.04%	0.18%	12.22%
Employer	12.04%	0.18%	12.22%

Fiscal Year 2021-22. Effective July 1, 2021

	PENSION & HEALTH INSURANCE BENEFIT	LONG TERM DISABILITY INCOME PLAN	TOTAL
Employee	12.22%	0.19%	12.41%
Employer	12.22%	0.19%	12.41%

Alternate Contribution Rate - for Retired, Returned to Work Members

For members who retire, then returned to work for an ASRS employer while keeping their monthly pension, an Alternate Contribution Rate (ACR) is required. Read more on the [ACR](#) page.

### Log in to Check Your Balance

By logging in to your secure myASRS account, you can see your contribution history as well as service credit and benefit estimates based on those contributions.

myASRS Login

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#### About Us

For more than 50 years, the Arizona State Retirement System has provided retirement security to Arizona's public servants, including teachers, municipal workers and other government employees. The ASRS proudly serves more than a half-million members including more than 100,000 retired members.

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# Alternate Contribution Rate

## General Information

Legislation passed in 2011 under Senate Bill 1609 authorizes the ASRS to implement an Alternate Contribution Rate (ACR) to employers who hire ASRS retirees who return to work. The rate will be charged to and remitted to the ASRS by the employer. The purpose of the legislation is to mitigate the potential actuarial impact that retired members who return to work may have on the Trust Fund.

Here is a summary of the provisions now contained in Arizona Revised Statute 38-766.02:

Effective August 27, 2019, an amendment to this statute provides that an employer is not required to pay alternate contributions if the retired member is working in a position that is currently filled by another employee who is actively contributing to the ASRS. This means if an active member employee is on paid leave (and therefore actively contributing to the ASRS), and the employer hires a retired member to fill in during the active member's paid leave, then the employer is not required to pay ACR for the retired member. For further information please refer to the Employer Manual Chapter 6 page 11.

Beginning July 1, 2012, requires employers to pay an Alternate Contribution Rate (ACR) for members who return to work in any capacity and in a position ordinarily filled by an employee of the employer.

Charges the ACR starting the first day after retirement for a member who reached normal retirement and for a member who is an early retiree working less than 20/20 for as long as that member stays in service and for any future employment periods during which the member does not suspend their benefits and resume active membership.

States that the retired member does not accrue credited service, member service (for UORP), account balances, retirement benefits or LTD Program benefits, and the time is not later eligible for service purchase.

Requires employers to pay the ACR on behalf of any retiree that it employs regardless of 20/20 status, direct/leasing/contracting arrangement, or whether the retiree satisfied the 12-month break in service without working in a leased or contract arrangement.

States that late contributions are subject to interest (7.5%) and may be recovered in court or by state revenue offsets.

Requires employers to submit any reports, data, paperwork, or materials required by the ASRS to determine the function, utilization, efficacy or operation of the return to work program.

Includes a Legislative Intent clause that states the purpose of the legislation is to mitigate the potential actuarial impact that retired members who return to work might have on the Trust Fund.

### ASRS Return to Work - Violations

Clarifies the period for which a member shall repay suspended pensions to the ASRS starts with the date the ASRS notifies the member in writing that their employment violated the statute, the date the ASRS determines the member knew or should have known that their employment violated the statute, or any other time period that approximates the duration of the violation, as determined by the ASRS.

Requires an employer that employed a member whose pension was suspended to pay the ASRS the ACR starting with the date the member returned to employment. The employer is required to make the ACR payment through the earlier of:

- The date the member terminates employment,
- The date the employer begins making the ACR payment required by the new Return to Work statute, or

## Current ACR Information

### Alternate Contribution Rate

Fiscal year 2020-21, effective July 1, 2020: 10.21%

Fiscal year 2021-22, effective July 1, 2021: 10.22%

[ACR Guide](#) - Step-by-step instructions for online alternate contribution rate processing and payment. (Updated March 2016)

[ACR Template](#) - This template is for web-based contribution reporting employers to provide the required ACR data to the ASRS.

## Frequently Asked Questions

When is the ACR effective?

The ACR became effective on July 1, 2012 and applies only to wages earned on and after that date.

Is there a grandfather clause?

For which ASRS retirees is the ACR applicable?

What is the ACR this year, and how is it determined?

How is the ACR applied?

Does the ACR apply to ASRS retirees who are hired to work less than 20 hours per week or less than 20 weeks?

What kind of data is collected for ACR payments?

What if an employer uses a third party employer for staffing purposes?

How are ACR data and payments submitted to ASRS?

Can there be multiple files for the same pay period?

How frequently is ACR due?

Can the employer pass the cost of the contribution required by the ACR on to the employee?



The date the member resumes active membership in the ASRS.

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## Arizona Community Colleges

	FY 2019 ACTUAL	FY 2020 ESTIMATE	FY 2021 APPROVED
<b>SPECIAL LINE ITEMS</b>			
Operating State Aid			
Cochise	4,677,300	4,623,500	4,690,700
Coconino	1,749,200	1,703,400	1,698,400
Gila	324,900	293,700	296,300
Graham	2,357,900	2,389,600	2,338,800
Mohave	1,152,700	1,175,300	1,138,900
Navajo	1,576,500	1,567,700	1,554,800
Pinal	1,507,800	1,452,000	1,128,300
Santa Cruz	84,100	0	0
Yavapai	589,900	601,400	585,800
Yuma/La Paz	2,613,500	2,399,500	2,384,800
<i>Subtotal - Operating State Aid</i>	<b>16,633,800</b>	<b>16,206,100</b>	<b>15,816,800</b>
STEM and Workforce Programs State Aid			
Cochise	1,010,800	996,200	1,014,500
Coconino	415,600	399,200	397,400
Gila	146,200	135,000	136,000
Graham	634,400	645,800	627,600
Maricopa	0	1,600,000	1,600,000 <sup>1/</sup>
Mohave	446,900	455,000	441,900
Navajo	342,600	339,500	334,800
Pima	0	400,000	400,000 <sup>1/</sup>
Pinal	96,500	96,500	96,500
Santa Cruz	62,400	26,900	23,700
Yavapai	699,000	703,100	697,500
Yuma/La Paz	843,100	1,030,200	1,024,900
<i>Subtotal - STEM and Workforce Programs State Aid</i>	<b>4,697,500</b>	<b>6,827,400</b>	<b>6,794,800</b>
Equalization Aid			
Cochise	5,848,200	6,389,500	7,227,100
Graham	15,717,800	16,506,200	17,469,100
Navajo	7,107,100	7,751,900	8,444,300
Yuma/La Paz	0	0	155,200
<i>Subtotal - Equalization Aid</i>	<b>28,673,100</b>	<b>30,647,600</b>	<b>33,295,700</b>
Rural Community College Aid <sup>2/</sup>			
Cochise	0	3,140,100	0
Coconino	0	1,003,100	0
Gila	0	343,200	0
Graham	0	1,568,100	0
Mohave	0	1,152,100	0
Navajo	0	889,200	0
Pinal	0	1,795,400	0
Santa Cruz	0	64,200	0
Yavapai	0	1,761,300	0
Yuma/La Paz	0	2,483,300	0
<i>Subtotal - Rural Community College Aid</i>	<b>0</b>	<b>14,200,000</b>	<b>0</b>
Rural County Allocation	2,902,300	3,420,800	3,658,200 <sup>2/</sup>
Rural County Reimbursement Subsidy	1,273,800	1,273,800	1,273,800 <sup>3/</sup>
Tribal Community Colleges	2,856,100	2,856,100 <sup>4/</sup>	2,856,100 <sup>5/</sup>
Additional Gila Workforce Development Aid	200,000	200,000	200,000
Diné College Remedial Education	0	1,000,000	1,000,000 <sup>6/</sup>
Maricopa Health Care Specialty Expansion	0	5,800,000	0
Pima Aviation Center Expansion	0	15,000,000	0
<b>AGENCY TOTAL</b>	<b>57,236,600</b>	<b>97,431,800</b>	<b>64,895,400<sup>7/</sup></b>

	FY 2019 ACTUAL	FY 2020 ESTIMATE	FY 2021 APPROVED
<b>FUND SOURCES</b>			
General Fund	57,236,600	97,431,800	64,895,400
<b>SUBTOTAL - Appropriated Funds</b>	<b>57,236,600</b>	<b>97,431,800</b>	<b>64,895,400</b>
Other Non-Appropriated Funds	21,759,100	20,121,600	20,121,600
<b>TOTAL - ALL SOURCES</b>	<b>78,995,700</b>	<b>117,553,400</b>	<b>85,017,000</b>

**AGENCY DESCRIPTION** — The Arizona community college system is comprised of 10 college districts and 2 provisional districts. Arizona’s community colleges provide programs and training in the arts, sciences and humanities, and vocational education leading to an Associate’s degree, Certificate of Completion, or transfer to a Baccalaureate degree-granting college or university.

**FOOTNOTES**

- 1/ The following amounts are appropriated from the state General Fund in each of FY 2020, FY 2021 and FY 2022 to the following Arizona community college districts for STEM and workforce development:
  1. Maricopa \$1,600,000
  2. Pima \$400,000 (FY 2020 General Appropriation Act footnote)
- 2/ A.R.S. § 15-1469.01 provides that the General Fund will pay the initial cost of students attending community colleges who are from counties that are not part of an established community college district, and then the state will withhold these counties’ sales tax revenues to offset that cost. In FY 2021, that amount is estimated to be \$3,658,200. Because this appropriation is in permanent statute, it is not included in the General Appropriation Act.
- 3/ Of the \$1,273,800 appropriated to the rural county reimbursement subsidy line item, Apache county receives \$699,300 and Greenlee county receives \$574,500. (General Appropriation Act footnote)
- 4/ The FY 2020 estimate from the enacted budget was increased by \$31,100 to match the actual FY 2019 Transaction Privilege Tax (TPT) distribution. The actual amounts distributed for FY 2020 will depend on TPT collections during the fiscal year.
- 5/ A.R.S. § 42-5031.01 directs the State Treasurer to annually transmit to the tribal colleges 10% of Transaction Privilege Tax (TPT) revenues collected from sources located on the reservation, or \$1,750,000, whichever is less, as well as 5% of TPT revenues collected on the reservation, or \$875,000, whichever is less, to a technical college on the same reservation. Because this appropriation is in permanent statute, it is not included in the General Appropriation Act.
- 6/ On or before October 15, 2021, the Diné college board of regents shall submit to the governor, the speaker of the house of representatives, the president of the senate, the secretary of state and the joint legislative budget committee a report that details the course completion rate for students who received remedial education during the 2020-2021 academic year. (General Appropriation Act footnote)
- 7/ General Appropriation Act funds are appropriated as District-by-District Special Line Items.

**Operating State Aid**

The budget includes \$15,816,800 from the General Fund in FY 2021 for Operating State Aid. FY 2021 adjustments are as follows:

**Enrollment Changes**

The budget includes a decrease of \$(389,300) from the General Fund in FY 2021 to fund the statutory formula for Operating State Aid.

This amount funds statutory formula costs for a (691), or (2.4)%, decrease in Full Time Student Equivalent (FTSE) students in rural community colleges (see Table 1). The (691) net FTSE decrease consists of a (665) FTSE decrease

in non-dual enrollment students and a (26) FTSE decrease in dual enrollment students. A.R.S. § 15-1466.01 requires dual enrollment students be funded at 50% for state aid purposes. Dual enrollment refers to high school students who are enrolled in community college courses for both high school and community college credit.

*Background* – With the exception of Maricopa and Pima, the Operating State Aid line items provide each community college district with funds for continuing operating and maintenance expenses pursuant to A.R.S. § 15-1466. The Operating State Aid formula adjusts state aid in an amount that reflects changes in the FTSE enrollment count. This enrollment adjustment is

**Table 1**  
**Community College Enrollment**

	<u>FY 2018</u> <u>FTSE</u>	<u>FY 2019</u> <u>FTSE</u>	<u>Percentage</u> <u>Change</u>
<u>Rural Districts</u>			
Cochise	6,258	6,376	1.9%
Coconino	1,999	1,986	(0.7)%
Gila	684	683	(0.1)%
Graham	3,125	3,033	(2.9)%
Mohave	2,296	2,228	(3.0)%
Navajo	1,772	1,742	(1.7)%
Pinal	3,578	3,033	(15.2)%
Santa Cruz	128	113	(11.7)%
Yavapai	3,510	3,472	(1.1)%
Yuma/La Paz	<u>4,949</u>	<u>4,942</u>	<u>(0.1)%</u>
Subtotal	28,299	27,608	(2.4)%
<u>Urban Districts</u>			
Maricopa	70,344	67,498	(4.0)%
Pima	<u>14,783</u>	<u>14,058</u>	<u>(4.9)%</u>
<b>Total</b>	<b>113,426</b>	<b>109,164</b>	<b>(3.8)%</b>

calculated by multiplying the change in the most recent year's actual FTSE for each district by the average state aid per FTSE appropriated in the current fiscal year. (For FY 2021, the last actual FTSE data was from FY 2019.)

As permanent law, the FY 2016 Higher Education Budget Reconciliation Bill (BRB) eliminated Operating State Aid for Maricopa and Pima. The FY 2018 Higher Education BRB subsequently restored Maricopa and Pima County's eligibility for FY 2019 Operating State Aid in permanent law. Since then, however, a session law provision has suspended the formula. As a result, Maricopa and Pima County continued to receive no Operating State Aid.

The full formula funding for Maricopa and Pima County cannot be calculated for FY 2021. The Operating State Aid formula adjusts the prior year's appropriation based on the changes in FTSE enrollment count. Maricopa and Pima County have not received Operating State Aid since FY 2015.

**STEM and Workforce Programs State Aid**

The budget includes \$6,794,800 from the General Fund in FY 2021 for Science, Technology, Engineering and Mathematics (STEM) and Workforce Programs State Aid. FY 2021 adjustments are as follows:

**Enrollment Changes**

The budget includes a decrease of \$(32,600) from the General Fund in FY 2021 to fund decreased formula costs for STEM and Workforce Programs State Aid. This reduction is the result of a net decline in rural district enrollment.

*Background* – The STEM and Workforce Programs State Aid line items provide the community college districts with funds for partnerships, faculty, technology equipment, student services, facilities, and property needs pursuant to A.R.S. § 15-1464.

The STEM and Workforce Programs State Aid formula provides per capita funding to districts based on the district's size and the most recent year's actual audited FTSE. The statutory formula provides \$210 per FTSE for districts with 5,000 or less FTSE or \$160 per FTSE for districts with greater than 5,000 FTSE.

The FY 2020 Higher Education BRB suspended this formula and funded districts as specified in the FY 2020 General Appropriation Act. The FY 2021 Higher Education BRB continues the suspension and the monies are distributed as follows:

- 1) All rural districts except Pinal receive funding in the same amount as the full formula.
- 2) Pinal receives \$96,500. Full funding for Pinal would cost an additional \$536,900.
- 3) Maricopa and Pima were appropriated \$1,600,000 and \$400,000, respectively, for FY 2020, FY 2021 and FY 2022 in the FY 2020 General Appropriation Act. Because this funding was advance appropriated, it does not appear in the FY 2021 General Appropriation Act. The cost to fully fund the 2 counties according to the formula in FY 2021 would have been an additional \$8,773,300 for Maricopa and \$1,819,800 for Pima.

**Equalization Aid**

The budget includes \$33,295,700 from the General Fund in FY 2021 for Equalization Aid. FY 2021 adjustments are as follows:

**Property Value Changes**

The budget includes an increase of \$2,648,100 from the General Fund in FY 2021 to reflect increased formula costs for funding Equalization Aid due to assessed valuation changes. Detail of specific district changes is shown in Table 2.

**Table 2**  
**FY 2021 Equalization Funding Changes**

<u>District</u>	<u>FY 2019</u>	<u>Year-over- Year Change</u>	<u>FY 2020</u>
Cochise	\$ 6,389,500	\$ 837,600	\$ 7,227,100
Graham	16,506,200	962,900	17,469,100
Navajo	7,751,900	692,400	8,444,300
Yuma/La Paz	<u>0</u>	<u>155,200</u>	<u>155,200</u>
<b>Total</b>	<b>\$30,647,600</b>	<b>\$2,648,100</b>	<b>\$33,295,700</b>



*Background* – The Equalization Aid line items provide additional state aid to community college districts with property tax bases that are less than the minimum assessed value specified in A.R.S. § 15-1402. Under the Equalization Aid formula, the minimum assessed valuation is revised by the average change in actual assessed valuation for the most recent year for all rural districts with populations of less than 500,000 persons. For the FY 2021 Equalization Aid formula calculation, the minimum assessed valuation increased 5.3% to approximately \$1.5 billion. (See Table 3 for the calculation of the growth rate.)

**Table 3**

**Equalization Growth Factor  
for Tax Years (TY) 2018-2019**

<u>District</u>	<u>TY 2018 Primary AV</u>	<u>TY 2019 Primary AV</u>	<u>TY 2018- 2019 % Growth</u>
Cochise*	\$ 928,290,400	\$ 941,485,600	1.4 %
Graham*	189,842,100	193,896,000	2.1 %
Navajo*	828,848,100	852,640,200	2.9 %
Yuma/LaPaz*	1,401,182,900	1,457,683,800	4.0 %
Coconino	1,726,579,800	1,831,089,300	6.1 %
Mohave	1,811,189,500	1,908,201,500	5.4 %
Pinal	2,355,433,500	2,521,252,100	7.0 %
Yavapai	<u>2,599,537,800</u>	<u>2,765,677,100</u>	<u>6.4 %</u>
<b>Total</b>	<b>\$11,840,904,100</b>	<b>\$12,471,925,600</b>	<b>5.3 %</b>
<b>Minimum AV</b>	<b>\$1,394,677,700</b>	<b>\$1,469,014,000</b>	<b>5.3 %</b>

\* These districts qualify to receive Equalization Aid under the state funding formula in FY 2021.

Equalization Aid is paid based on the difference between the minimum assessed valuation and the most recent actual assessed valuation for the district. Equalization Aid is calculated at the lesser of \$1.37 per \$100 of the district’s assessed valuation or the district’s levy rate.

As noted in Table 3, the average rural district assessed value increased by 5.3% in TY 2019. In comparison, Cochise increased by 1.4%, Graham increased by 2.1%, and Navajo increased by 2.9%. Because their primary assessed value increased by less than the average rural district, Cochise, Graham, and Navajo qualify for more aid. Additionally, the Yuma/La Paz assessed value increased by 4.0% in TY 2019, but has dropped below the minimum assessed value making it eligible for equalization aid in FY 2021. The last time Yuma/La Paz received equalization aid was FY 2012.

In any one year a district’s equalization assistance will depend on 1) whether the district falls below the minimum threshold (\$1.47 billion in FY 2021), 2) whether the district’s change in assessed value was less than the rural districts’ average change, and 3) the applicable tax rate.

**Rural Community College Aid**

The budget includes no funding from the General Fund in FY 2021 for Rural Community College Aid. FY 2021 adjustments are as follows:

**Remove One-Time Rural Funding**

The budget includes a decrease of \$(14,200,000) from the General Fund in FY 2021 to remove one-time aid to the 10 rural community college districts.

Rural Community College Aid was distributed proportionally according to enrollment of the 10 rural community college districts. The use of this funding was not restricted and could be used for operating and/or capital expenses.

**Rural County Allocation**

The budget includes \$3,658,200 from the General Fund in FY 2021 for Rural County Allocation. FY 2021 adjustments are as follows:

**Enrollment Increase**

The budget includes an increase of \$237,400 from the General Fund in FY 2021 to fund increased student enrollment.

*Background* – The Rural County Allocation line item facilitates payment to community college districts for students enrolled from counties that are not a part of an established community college district. If a county is not part of a community college district, it is responsible for the cost of their students attending community college in another county. A.R.S. § 15-1469.01 provides that the General Fund will pay the initial cost for these counties and then the state will withhold these counties’ sales tax revenues to offset that cost; therefore, there is no net General Fund impact. The payments made on behalf of the counties are not included in county expenditure limits established in the Arizona Constitution. The county payments are partially offset by a state subsidy. (See next line item.)

Each year, the amount is determined by enrollment counts submitted to the JLBC Staff. The JLBC Staff is required by A.R.S. § 15-1469D to report the county withholdings to the Treasurer by May 15 for the upcoming fiscal year. In May 2020, the JLBC Staff reported the amount to be \$3,658,200 for FY 2021.

Monies for the Rural County Allocation are authorized by A.R.S. § 15-1469.01, and therefore do not appear in the General Appropriation Act.

### **Rural County Reimbursement Subsidy**

The budget includes \$1,273,800 from the General Fund in FY 2021 for Rural County Reimbursement Subsidy. This amount is unchanged from FY 2020.

This funding partially offsets the cost to counties that are not part of an established community college district. The funding is appropriated to Apache and Greenlee Counties. The budget allocates \$699,300 to Apache and \$574,500 to Greenlee.

### **Tribal Community Colleges**

The budget includes \$2,856,100 from the General Fund in FY 2021 for Tribal Community Colleges. This amount is unchanged from FY 2020.

The budget includes a distribution of \$2,625,000 to the Navajo Nation, comprised of \$1,750,000 for Diné College, and \$875,000 for Navajo Technical College. For the Navajo Nation, the budget assumes the maximum amounts allowed under statute since a net of 15% of their current TPT revenues would exceed the statutory distribution limits as described below. The budget includes \$231,100 for the Tohono O'Odham Community College in FY 2021 based on a projection of 10% of the collected TPT revenues from the reservation. These amounts continue the assumed funding levels in FY 2020.

The FY 2021 budget adjusts the line item to reflect increased distributions during FY 2019. The enacted FY 2020 budget assumed an estimated \$200,000 distribution for the Tohono O'Odham Community College, but actual TPT distribution for 2019 was \$231,100. The line item was increased by \$31,100 in FY 2019, FY 2020, and FY 2021 to reflect current distributions. The enacted FY 2021 budget estimates a \$230,000 distribution, but actual amounts depend on TPT collections during the fiscal year.

*Background* – This funding is limited to qualified tribes that instituted a compact with the state before September 1, 2017 to receive a portion of Transaction Privilege Tax (TPT) revenues for support of tribe's postsecondary institution(s). A.R.S. § 42-5031.01 allows any qualifying tribal community college to receive \$1,750,000, or 10% of the TPT revenues collected from all sources located on the reservation, whichever is less. A.R.S. § 42-5031.01 also allows any additional technical college located on the same reservation to receive \$875,000, or 5% of the TPT revenues collected from sources located on the reservation, whichever is less. Actual amounts for FY 2021 will depend on FY 2021 collections. Given the language of A.R.S. § 42-5031.01, these monies do not appear in the General Appropriation

Act. (Please see the FY 2020 Appropriations Report for more information.)

### **Additional Gila Workforce Development Aid**

The budget includes \$200,000 from the General Fund for Additional Gila Workforce Development Aid in FY 2021. This amount is unchanged from FY 2020.

*Background* – As a provisional community college district, Gila County is not eligible for a \$200,000 annual Workforce Development allocation from Proposition 301 monies (see A.R.S. § 42-5029).

### **Diné College Remedial Education**

The budget includes \$1,000,000 from the General Fund in FY 2021 for Diné College Remedial Education. This amount is unchanged from FY 2020.

This line item provides additional funding to Diné College to provide remedial education to help students prepare for college-level courses such as reading, writing and mathematics. In addition, a General Appropriations Act footnote requires on or before October 15, 2021, the Diné college board of regents shall submit a report that details the course completion rate for students who received remedial education during the 2020 2021 academic year to the JLBC, Governor's office, and legislative leaders. .

### **Maricopa Health Care Specialty Expansion**

The budget includes no funding in FY 2021 for Maricopa Health Care Specialty Expansion. FY 2021 adjustments are as follows:

#### **Remove One-Time Funding**

The budget includes a decrease of \$(5,800,000) from the General Fund in FY 2021 to remove costs associated with the expansion of the health care specialty program in the Maricopa County Community College District.

The FY 2020 funding was expected to double the enrollment capacity at the Paradise Valley Community College's Integrated Health Science Center. The expansion would focus on 6 specialty areas: operating room, emergency care, telemetry, oncology, intensive care unit, and home care.

### **Pima Aviation Center Expansion**

The budget includes no funding in FY 2021 for Pima Aviation Center Expansion. FY 2021 adjustments are as follows:

**Remove One-Time Funding**

The budget includes a decrease of \$(15,000,000) from the General Fund in FY 2021 to remove costs related to the expansion of the Pima Community College District Aviation Center.

The FY 2020 appropriation funds the construction of a new hangar, 5 classrooms, additional lab space, and offices. This expansion is expected to double the program's student capacity.

**Other Issues**

**Statutory Changes**

The Higher Education BRB makes the following statutory changes:

- As session law, continue to suspend the Operating State Aid funding formula in FY 2021 for Maricopa and Pima Counties.
- As session law, continue to suspend Maricopa, Pima, and Pinal's Science, Technology, Engineering and Mathematics and Workforce Programs funding formula for FY 2021. The Pinal funding of \$96,500 continues to be specified in the General Appropriation Act. Since the FY 2020 budget already appropriated \$1,600,000 for Maricopa County and \$400,000 for Pima County STEM and Workforce

Funding for each of FY 2020, FY 2021, and FY 2022, the funding for FY 2021 for these 2 districts was not specified in the General Appropriation Act.

**Long-Term Budget Impacts**

As part of the budget's 3-year spending plan, the community college General Fund costs are projected to increase by \$2,434,200 in FY 2022 above FY 2021 and \$543,500 in FY 2023 above FY 2022.

These estimates assume:

- Flat enrollment growth (so no change in costs for Operating State Aid or STEM and Workforce Programs State Aid for FY 2022 and FY 2023).
- A reduction of \$(2,000,000) in FY 2023 below FY 2022 to remove Maricopa and Pima STEM and Workforce Programs funding appropriated in the FY 2020 budget for each of FY 2020, FY 2021, and FY 2022.
- An increase of \$2,434,200 for Equalization Aid in FY 2022 and \$2,543,500 in FY 2023. These estimates assume total Net Assessed Value (NAV) growth of 4.5% in FY 2022 and FY 2023 based on the statewide average. The counties receiving aid would see an average of 2.3% NAV increase. This would cause NAV in those districts to grow farther from the statewide NAV average for rural counties in both years, entitling them to more Equalization Aid.
- These estimates do not include any adjustments related to the current coronavirus pandemic.

Table 4

**Total Estimated Community College Revenues – FY 2020**

District	State Aid <sup>1/</sup>	Tuition/Fees	Property Taxes	Grants	Other <sup>2/</sup>	FY 2020 Total <sup>3/</sup>	FY 2019 Total <sup>4/</sup>	% Change from FY 2019
Cochise	\$11,013,000	\$9,907,400	23,081,500	10,125,200	\$1,214,400	\$55,341,500	\$53,235,800	4.0%
Coconino	1,703,400	7,894,000	8,408,400	5,811,000	1,006,300	24,823,100	26,738,300	-7.2%
Gila <sup>5/</sup>	293,700	0	4,979,700	510,000	0	5,783,400	5,699,200	1.5%
Graham	18,895,800	8,507,200	6,486,000	10,926,000	10,405,000	55,220,000	47,999,700	15.0%
Maricopa	0	219,414,300	573,821,900	197,678,400	56,719,900	1,047,634,500	1,015,240,900	3.2%
Mohave	1,175,300	8,150,000	25,293,200	8,855,700	1,100,000	44,574,200	45,981,800	-3.1%
Navajo	9,319,600	4,860,000	15,487,400	6,000,000	2,602,100	38,269,100	38,793,300	-1.4%
Pima	0	50,190,000	120,106,900	50,139,000	28,142,100	248,578,000	216,262,500	14.9%
Pinal	1,452,000	11,535,000	51,073,100	21,395,000	1,655,000	87,110,100	80,229,200	8.6%
Santa Cruz <sup>5/</sup>	0	12,500	1,668,700	45,000	12,700	1,738,900	1,817,300	-4.3%
Yavapai	601,400	11,341,000	50,686,500	13,799,000	4,560,900	80,988,800	82,065,800	-1.3%
Yuma/La Paz	<u>2,399,500</u>	<u>13,178,100</u>	<u>37,478,500</u>	<u>25,407,700</u>	<u>9,384,800</u>	<u>87,848,600</u>	<u>76,974,700</u>	<u>14.1%</u>
<b>Total</b>	<b>\$46,853,700</b>	<b>\$344,989,500</b>	<b>\$918,571,800</b>	<b>\$350,692,000</b>	<b>\$116,803,200</b>	<b>\$1,777,910,200</b>	<b>\$1,691,038,500</b>	<b>5.1%</b>

<sup>1/</sup> State Aid revenue includes Operating State Aid and Equalization Aid.

<sup>2/</sup> Includes auxiliary programs, interest income, workforce development funds, and transfers.

<sup>3/</sup> Total revenues do not include bond proceeds or district fund balances. Including these amounts total revenues are estimated to be \$2,008,620,300 for FY 2020.

<sup>4/</sup> Total revenues do not include bond proceeds or district fund balances. Including these amounts total revenues are \$1,775,594,100 for FY 2019.

<sup>5/</sup> Gila Provisional Community College contracts with Graham County's Eastern Arizona College in order to provide degree programs. Therefore, Gila's tuition and fee revenues are collected by Graham according to their contract agreement. Santa Cruz Provisional Community College contracts with Pima County's Community College in order to provide degree programs. Therefore, Santa Cruz's tuition and fee revenues are collected by Pima according to their contract agreement.



**Community College Revenue Sources**

In addition to state General Fund monies, Arizona’s community colleges receive revenues from a number of other sources, including student tuition and fees, local property taxes, grants, and other monies generated by the colleges. Of the total, the community colleges receive 2.6% of their revenues (excluding bond proceeds) from state aid.

For FY 2020, base operating revenues from all sources are estimated to be \$1,777,910,200, which would be an increase of 5.1% from FY 2019. (See Table 4 for a summary of FY 2020 total revenue estimates.)

Property taxes are the single largest revenue source for the community colleges, accounting for 49.9% of their revenues. There are 2 types of property taxes: primary and secondary. For the community colleges, primary property taxes are levied for operating purposes and secondary property taxes are levied to pay for capital outlay expenses. Both taxes are levied on limited property values. Each community college district determines its primary and secondary property tax rates. (See Table 5 for a summary of FY 2020 property tax rates.)

**Table 5**  
**Community College Tax Rates – TY 2019**

District	Primary Rate	Secondary Rate	Combined Rate	% Change Combined Rate from TY 2018
Cochise	\$2.45	\$0.00	\$2.45	2.1%
Coconino	0.46	0.00	0.46	-22.9%
Gila	0.96	0.00	0.96	0.0%
Graham	3.35	0.00	3.35	0.5%
Maricopa	1.16	0.17	1.33	-3.4%
Mohave	1.33	0.00	1.33	-1.2%
Navajo	1.82	0.00	1.82	0.0%
Pima	1.38	0.00	1.38	-1.6%
Pinal	2.08	0.13	2.21	-6.3%
Santa Cruz	0.48	0.00	0.48	-1.5%
Yavapai	1.69	0.15	1.84	-5.5%
Yuma/La Paz	2.23	0.34	2.57	0.1%

Under A.R.S. § 42-17051, community colleges are allowed to collect 2% more in property tax revenues annually, not including revenue from new construction. Any increase over 2% requires voter approval, unless the district has foregone increases in prior years and consolidates those increases into a single year.

The community colleges also collect tuition and fees from enrolled students. These collections account for approximately 21.0% of total revenues. Tuition and fees

**Table 6**

**Community College Resident Tuition and Fees – FY 2020**

District	Cost Per Credit Hour	Annual Cost <sup>1/</sup>	% Change from FY 2019
Cochise	\$88	\$2,640	3.5%
Coconino	111	3,330	1.8%
Gila	80	2,400	0.0%
Graham	90	2,700	0.0%
Maricopa	85	2,550	0.0%
Mohave	81	2,430	0.0%
Navajo	77	2,310	1.8%
Pima	85	2,535	2.4%
Pinal	86	2,580	0.0%
Santa Cruz	85	2,535	2.4%
Yavapai	73	2,184	-16.3%
Yuma/La Paz	86	2,580	2.4%
<b>Weighted Average</b>	<b>\$85</b>	<b>\$2,555</b>	<b>0.2%</b>

<sup>1/</sup> Annual cost is for 30 hours a year, or 15 hours per semester.

are assessed on a per credit hour basis. FY 2020 weighted average tuition (weighted for each district’s proportion of the statewide FTSE count) is \$2,555 if a full-time student attends for 30 hours a year. The FY 2020 amount represents an increase of 0.2% from FY 2019. (See Table 6 for FY 2020 resident tuition and fee rates.)

Community colleges also receive grants and “other” revenue from a variety of sources. Combined, they account for approximately 26.3% of community college revenues.

Revenue listed in the “other” category includes auxiliary programs, interest incomes, workforce development funds, and transfers.

**Total Community College Expenditures**

Table 7 shows total budgeted FY 2020 community college expenditures. In FY 2020, total budgeted expenditures are \$2,008,620,300. As mentioned previously, base operating revenues for FY 2020 are \$1,777,910,200; however, this figure does not include allocated fund balances or bond proceeds. Including these amounts, total available revenues are \$2,008,620,300. Of the total \$2,008,620,300 in budgeted expenditures, \$1,597,551,000, or 79.5%, of these expenditures are from the community colleges’ General and Restricted Funds. This includes about \$487,849,800, or 24%, for instruction and \$332,329,400, or 16.6%, for institutional support.

Expenditures for auxiliary enterprises, including revenue generating retail and business services such as parking lots, book stores, and food service, are \$86,618,700, or 4.3% of the total. Plant Fund expenditures, which



**Table 7**

**Community Colleges - FY 2020 Budgeted Expenditures**

<u>General/Restricted Funds</u>	<u>Total</u>	<u>% of Total</u>
Instruction	\$487,849,800	24.3%
Public Service	\$26,479,900	1.3%
Academic Support	\$136,611,100	6.8%
Student Services	\$173,527,100	8.6%
Institutional Support	\$332,329,400	16.6%
Operation & Maintenance	\$116,340,300	5.8%
Scholarships/Grants	\$278,862,300	13.9%
Contingency	\$45,551,100	2.3%
<b>Subtotal</b>	<b>\$1,597,551,000</b>	<b>79.5%</b>
Auxiliary Enterprises Fund	\$86,618,700	4.3%
Plant Fund	\$210,436,700	10.5%
Debt Service	\$114,013,900	5.7%
<b>Total</b>	<b>\$2,008,620,300</b>	<b>100%</b>

Arizona community colleges have received a total of \$82,286,855 in HEERF monies. Of this amount, at least \$36,356,337 must be distributed to students as emergency financial aid grants. Please see *Table 8* for distributions by community college.

generally include capital costs, are \$210,436,700, or 10.5% of the total. The remaining \$114,013,900 is for debt service.

*Community College Expenditure Limitation - Laws 2016, Chapter 58 modified the method for calculating community college expenditure limits, excludes certain types of expenditures from counting against the limit, and allows for an adjustment to the base expenditure limit. (See FY 2018 Appropriations Report for more information.)*

**Higher Education Emergency Relief Fund**

Section 18004(a)(1) of the Coronavirus Aid, Relief, and Economic Security (CARES) Act distributes funds from the Higher Education Emergency Relief Fund (HEERF) to institutions of higher education (IHE) based 75% on the relative share of full-time equivalent students of in-person Pell grant recipients and 25% on in-person non-Pell grant recipients enrolled at the institution. The CARES Act requires that 50% of monies received under this section be distributed to students as emergency financial aid grants.

Section 18004(a)(2) of the CARES Act requires additional monies be distributed according to the above formula to Historically Black Colleges and Universities, American Indian Tribally Controlled Colleges and Universities, Minority Serving Institutions, and Strengthening Institutions Program participants.

Section 18004(a)(3) of the CARES Act allocates funding to ensure all nonprofit IHEs receive at least \$500,000 in HEERF monies.

**Table 8****HEERF Allocations: Community Colleges**

	<u>18004(a)(1)</u>	<u>18004(a)(2)</u>	<u>18004(a)(3)</u>	<u>Total</u>
*Chandler-Gilbert	4,350,989			4,350,989
Cochise	3,163,235	211,918		3,375,153
Coconino	1,104,730	137,894		1,242,624
Diné	1,346,931	4,844,910		6,191,841
East Valley Institute of Technology	236,123		263,877	500,000
Graham	2,222,272	111,481		2,333,753
*Estrella Mountain	4,856,585	307,658		5,164,243
*GateWay	2,707,626	156,881		2,864,507
*Glendale	8,301,836	533,479		8,835,315
*Mesa	7,352,103	478,185		7,830,288
Mohave	1,933,935	94,646		2,028,581
Navajo	643,137	83,277		726,414
*Paradise Valley	2,586,404			2,586,404
*Phoenix	4,772,192	304,728		5,076,920
Pima	9,989,049	640,229		10,629,278
Pinal	3,010,509	189,817		3,200,326
*Rio Salado	2,531,870			2,531,870
*Scottsdale	2,386,925			2,386,925
*South Mountain	2,098,614	132,246		2,230,860
Tohono O'odham	199,279	798,595		997,874
Yavapai	2,389,592			2,389,592
Yuma/La Paz	4,528,738	284,360		4,813,098
<b>Total</b>	<b>72,712,674</b>	<b>9,310,304</b>	<b>263,877</b>	<b>82,286,855</b>

\* indicates institutions in the Maricopa County Community College District.

**OFFICIAL BUDGET FORMS  
NAVAJO COUNTY COMMUNITY COLLEGE DISTRICT  
NORTHLAND PIONEER COLLEGE  
FISCAL YEAR 2021**

**NAVAJO COUNTY COMMUNITY COLLEGE DISTRICT  
NORTHLAND PIONEER COLLEGE  
BUDGET FOR FISCAL YEAR 2021  
SUMMARY OF BUDGET DATA**

	<b>Budget 2021</b>	<b>Budget 2020</b>	<b>Increase/Decrease From Budget 2020 To Budget 2021</b>	
			<b>Amount</b>	<b>%</b>
<b>I. CURRENT GENERAL AND PLANT FUNDS</b>				
A. Expenditures:				
Current General Fund	\$ 29,525,333	\$ 28,729,200	\$ 796,133	2.8%
Unexpended Plant Fund	14,334,800	14,839,500	(504,700)	-3.4%
Retirement of Indebtedness Plant Fund				
TOTAL	\$ 43,860,133	\$ 43,568,700	\$ 291,433	0.7%
B. Expenditures Per Full-Time Student Equivalent (FTSE):				
Current General Fund	\$ 14,403 /FTSE	\$ 14,265 /FTSE	\$ 138 /FTSE	1.0%
Unexpended Plant Fund	\$ 6,993 /FTSE	\$ 7,368 /FTSE	\$ (376) /FTSE	-5.1%
Projected FTSE Count	2,050	2,014		
<b>II. TOTAL ALL FUNDS ESTIMATED PERSONNEL COMPENSATION</b>				
Employee Salaries and Hourly Costs	\$ 16,129,077	\$ 15,198,695	\$ 930,382	6.1%
Retirement Costs	1,822,811	1,719,694	103,117	6.0%
Healthcare Costs	1,906,128	1,820,711	85,417	4.7%
Other Benefit Costs	1,454,184	1,407,730	46,454	3.3%
TOTAL	\$ 21,312,200	\$ 20,146,830	\$ 1,165,370	5.8%
<b>III. SUMMARY OF PRIMARY AND SECONDARY PROPERTY TAX LEVIES AND RATES</b>				
A. Amount Levied:				
Primary Tax Levy	\$ 15,726,233	\$ 15,487,000	\$ 239,233	1.5%
Secondary Tax Levy				
TOTAL LEVY	\$ 15,726,233	\$ 15,487,000	\$ 239,233	1.5%
B. Rates Per \$100 Net Assessed Valuation:				
Primary Tax Rate	1.7827	1.8164	(0.0337)	-1.9%
Secondary Tax Rate				
TOTAL RATE	1.7827	1.8164	(0.0337)	-1.9%
<b>IV. MAXIMUM ALLOWABLE PRIMARY PROPERTY TAX LEVY FOR FISCAL YEAR 2021 PURSUANT TO A.R.S. §42-17051</b>			\$ 16,445,192	
<b>V. AMOUNT RECEIVED FROM PRIMARY PROPERTY TAXES IN FISCAL YEAR 2020 IN EXCESS OF THE MAXIMUM ALLOWABLE AMOUNT AS CALCULATED PURSUANT TO A.R.S. §42-17051</b>			\$	

**NAVAJO COUNTY COMMUNITY COLLEGE DISTRICT  
NORTHLAND PIONEER COLLEGE  
BUDGET FOR FISCAL YEAR 2021  
RESOURCES**

	CURRENT FUNDS			PLANT FUNDS		Other Funds 2021	Total All Funds 2021	Total All Funds 2020	% Increase/ Decrease
	General Fund 2021	Restricted Fund 2021	Auxiliary Fund 2021	Unexpended Plant Fund 2021	Retirement of Indebtedness 2021				
<b>BEGINNING BALANCES-July 1*</b>									
Restricted	\$	\$	\$	\$	\$	\$	\$	\$	
Unrestricted	45,000,000			26,000,000			71,000,000	65,700,000	8.1%
Total Beginning Balances	\$ 45,000,000	\$	\$	\$ 26,000,000	\$	\$	\$ 71,000,000	\$ 65,700,000	8.1%
<b>REVENUES AND OTHER INFLOWS</b>									
Student Tuition and Fees									
General Tuition	\$ 2,050,000	\$	\$	\$	\$	\$	\$ 2,050,000	\$ 3,060,000	-33.0%
Out-of-District Tuition									
Out-of-State Tuition	50,000						50,000	100,000	-50.0%
Student Fees	500,000						500,000	700,000	-28.6%
Tuition and Fee Remissions or Waivers								1,000,000	-100.0%
State Appropriations									
Maintenance Support	1,554,800						1,554,800	1,567,700	-0.8%
Equalization Aid	8,444,300						8,444,300	7,751,900	8.9%
Rural Aid								889,200	-100.0%
Capital Support				334,800			334,800	339,500	-1.4%
Property Taxes									
Primary Tax Levy	15,726,233						15,726,233	15,254,000	3.1%
Secondary Tax Levy									
Gifts, Grants, and Contracts	1,400,000	5,600,000					7,000,000	6,906,400	1.4%
Sales and Services									
Investment Income	500,000						500,000		--
State Shared Sales Tax		400,000					400,000	400,000	
Other Revenues	200,000		300,000				500,000	300,000	66.7%
Proceeds from Sale of Bonds									
Total Revenues and Other Inflows	\$ 30,425,333	\$ 6,000,000	\$ 300,000	\$ 334,800	\$	\$	\$ 37,060,133	\$ 38,268,700	-3.2%
<b>TRANSFERS</b>									
Transfers In		600,000	300,000	2,000,000			2,900,000	2,900,000	
(Transfers Out)	(2,900,000)						(2,900,000)	(2,900,000)	
Total Transfers	(2,900,000)	600,000	300,000	2,000,000					
Less:									
Fund Balance - Unrestricted	(16,270,800)						(16,270,800)	(12,470,800)	30.5%
Financial Stability	(28,729,200)						(28,729,200)	(28,729,200)	
Reserves for Future Capital Acquisitions/Projects				(14,000,000)			(14,000,000)	(12,000,000)	16.7%
COVID-19 Student Tuition Discount	2,000,000						2,000,000		--
<b>Total Resources Available for the Budget Year</b>	\$ 29,525,333	\$ 6,600,000	\$ 600,000	\$ 14,334,800	\$	\$	\$ 51,060,133	\$ 50,768,700	0.6%

\*These amounts exclude amounts not in spendable form (i.e., prepaids, inventories, and capital assets) or amounts legally or contractually required to be maintained intact.

**NAVAJO COUNTY COMMUNITY COLLEGE DISTRICT  
NORTHLAND PIONEER COLLEGE  
BUDGET FOR FISCAL YEAR 2021  
EXPENDITURES AND OTHER OUTFLOWS**

	CURRENT FUNDS			PLANT FUNDS		Other Funds 2021	Total All Funds 2021	Total All Funds 2020	% Increase/ Decrease
	General Fund 2021	Restricted Fund 2021	Auxiliary Fund 2021	Unexpended Plant Fund 2021	Retirement of Indebtedness 2021				
<b>TOTAL RESOURCES AVAILABLE FOR THE BUDGET YEAR</b> (from Schedule B)	\$ 29,525,333	\$ 6,600,000	\$ 600,000	\$ 14,334,800	\$	\$	\$ 51,060,133	\$ 50,768,700	0.6%
<b>EXPENDITURES AND OTHER OUTFLOWS</b>									
Instruction	\$ 11,002,783	\$ 1,500,000	\$	\$	\$	\$	\$ 12,502,783	\$ 12,570,908	-0.5%
Public Service		20,000					20,000	20,000	
Academic Support	1,256,383						1,256,383	1,213,019	3.6%
Student Services	2,126,914	650,000					2,776,914	2,638,722	5.2%
Institutional Support (Administration)	10,210,567	30,000					10,240,567	9,392,697	9.0%
Operation and Maintenance of Plant	1,915,665						1,915,665	1,963,406	-2.4%
Scholarships	1,881,275	4,400,000					6,281,275	6,420,775	-2.2%
Auxiliary Enterprises			600,000				600,000	600,000	
Capital Assets				14,334,800			14,334,800	14,839,500	-3.4%
Debt Service-General Obligation Bonds									
Debt Service-Other Long Term Debt									
Other Expenditures									
Contingency	1,131,746						1,131,746	1,109,673	2.0%
Total Expenditures and Other Outflows	\$ 29,525,333	\$ 6,600,000	\$ 600,000	\$ 14,334,800	\$	\$	\$ 51,060,133	\$ 50,768,700	0.6%

**Northland Pioneer College  
Capital Fund (50) Budget  
FY2021 Budget Cycle**

	<b>FY1920 Budget</b>	<b>FY1920 Actual YTD 2/22/20</b>	<b>Variance</b>	<b>% Spent</b>	<b>FY2021 Budget</b>	<b>FY2122 Budget</b>	<b>FY2223 Budget</b>
<b>Fund Balance - Annual Ops</b>	2,500,000				2,000,000	2,000,000	2,000,000
<b>Fund Balance - Special Projects</b>	10,000,000				10,000,000	6,000,000	4,000,000
<b>Transfer from Operating Fund</b>	2,000,000				2,000,000	2,000,000	2,000,000
<b>State Funding - STEM</b>	339,500				334,800	334,800	334,800
<b>Annual Capital Funding</b>	<u>14,839,500</u>	<u>-</u>			<u>14,334,800</u>	<u>10,334,800</u>	<u>8,334,800</u>
<b>Key Capital Projects &amp; SPASC</b>							
WMC Facilities (new, repair, rennovate)	10,000,000	95,901	9,904,099	1%	10,000,000	6,000,000	4,000,000
Strategic Plans	-	-	-		50,000	150,000	26,000
<b>Total - Annual Requirements</b>	<u>10,000,000</u>	<u>95,901</u>	<u>9,904,099</u>	<u>1%</u>	<u>10,050,000</u>	<u>6,150,000</u>	<u>4,026,000</u>
<b>Annual Capital Requests</b>							
Administrative	2,232,360	137,011	2,095,349	6%	2,054,655	1,876,000	1,743,500
Student Services	59,225	4,437	54,788	7%	59,225	60,410	61,618
IS	2,226,300	703,673	1,522,627	32%	2,067,500	2,675,000	5,300,000
Instruction:							
Arts & Science	-	-	-		-	-	-
CTE	171,000	25,434	145,566		50,000	-	193,000
Nursing	31,256	-	31,256		53,420	-	23,366
<b>Total - Annual Requests</b>	<u>4,720,141</u>	<u>870,555</u>	<u>3,849,586</u>	<u>18%</u>	<u>4,284,800</u>	<u>4,611,410</u>	<u>7,321,484</u>
<b>Contingency</b>	119,359	-	119,359	0%	-	-	-
<b>Total Expenses</b>	<u>14,839,500</u>	<u>966,456</u>	<u>13,873,044</u>	<u>7%</u>	<u>14,334,800</u>	<u>10,761,410</u>	<u>11,347,484</u>
<b>Surplus/(Deficit)</b>	<b>0</b>				<b>0</b>	<b>(426,610)</b>	<b>(3,012,684)</b>

**Northland Pioneer College  
Capital Budget  
FY2021-2223**

Sorted by Division

Div	Dept	Dept #	Object Code	FY2021 Budget Request \$	FY2122 Budget Request \$	FY2223 Budget Request \$	Description of Capital Item(s) Requested	Justification for Request	Postponed? Y/N
ADM SERV	MAINT	6100	5610	10,000,000	6,000,000	4,000,000	WMC Facilities	Projected spending for FY1920 is estimated at \$500K - project begin to start rolling in FY2021	Y
<b>KEY PROJ</b>	<b>Key Capital Projects Total</b>			<b>10,000,000</b>	<b>6,000,000</b>	<b>4,000,000</b>			
<b>CONTINGENCY</b>				<b>Contingency Total</b>					
Stud Serv	Marketing	5920	5610	50,000	150,000	-	Outdoor signs	Capital 2021 - Per the 2018-20 Strategic Plan, Priority II, Outcome 7 - Purchase and install outdoor metal signage for all NPC locations. - \$50k. Funds not expended carry forward into fiscal year 2021-22 to put toward large campus logo signs.  Capital 2022 - Per the 2018-20 Strategic Plan, Priority II, Outcome 7 - 1) Improve and or replace large NPC logo signs at 4 main campuses as funds allow. - \$150,000+ (roll unexpended funds from FT2020-21 to this year). Total expenditure on all signage not exceed \$250,000 over 3 years. 2) Purchase and install indoor digital signage for all 9 NPC locations. \$26,000. Should not take longer than one year but will not start until outdoor signs are completed.	N
Stud Serv	Marketing	5920	5645	-	-	26,000	Indoor digital signs	Capital 2022 - Per the 2018-20 Strategic Plan, Priority II, Outcome 7 - 1) Improve and or replace large NPC logo signs at 4 main campuses as funds allow. - \$150,000+ (roll unexpended funds from FT2020-21 to this year). Total expenditure on all signage not	N
<b>SPASC</b>				<b>SPASC Total</b>					
ADM SERV	MAINT	6100	5108	25,000	50,000	50,000	Professional consulting services	Architect and engineers	N
ADM SERV	MAINT	6100	5605	42,000	35,000	35,000	Furniture Requests	Annual furniture requests from departments	N
ADM SERV	MAINT	6100	5610	1,137,455	1,441,500	1,421,500	Facilities and maintenance projects	Maintain buildings, address safety needs, renovate to meet current needs, utilities savings, maintain aesthetics of campuses	N
ADM SERV	MAINT	6100	5610	144,500	147,000	147,000	IS Technology/Facility Changes	Changes required for technology	N
ADM SERV	MAINT	6100	5645	500,000	-	-	Campus/Security cameras project	Safety and security	N
ADM SERV	MAINT	6100	5645	22,500	22,500	-	IS Technology/Facility Changes	Changes required for technology Generator	N
ADM SERV	MAINT	6100	5645	-	5,000	-	Bobcat tracks	Ott rubber tracks for bobcat	N
ADM SERV	MAINT	6100	5645	13,200	-	-	Ventrac spreader and operating cab	Spread fertilizer and cinders, along with safety of operator	N
ADM SERV	MAINT	6100	5645	5,000	-	-	Bed for truck	repurpose existing truck	N
ADM SERV	MAINT	6100	5645	-	10,000	10,000	2 storage containers	storage needs	N
ADM SERV	AUTO	5750	5645	5,000	5,000	-	Mechanic tool replacement	replace tools	N
ADM SERV	AUTO	5750	5680	30,000	30,000	30,000	Engines and Paint for vehicles	extend life of fleet	N
ADM SERV	AUTO	5750	5680	50,000	50,000	50,000	1 Maintenance truck - utility bed	replace worn out vehicles	N
ADM SERV	AUTO	5750	5680	-	-	-	Jeep	For travel to tower sites	N
ADM SERV	AUTO	5750	5680	80,000	80,000	-	One MuddTrax utility vehicle	Travel to tower sites (\$68k for base model plus additional accessories = \$80k (if not purchased in FY2021, will purchase in FY2122)	N
<b>ADM SVC</b>				<b>Admin Services Total</b>					
STUD SERV	LIBRARY	3500	5650	59,225	60,410	61,618	Materials in the library collection: print, video, eBooks, eAudiobooks.	The Strategic Plan mentions nothing specifically about the Library Department; however, our #1 Strategic Priority is to identify and remove barriers in order to promote student success and completion. Library Capital resources (as we define them) are tools that we provide the students and the faculty in order to help students achieve academic success and complete their studies.	N
<b>STUD SERV</b>				<b>Student Services Total</b>					
IS	IS	5070	5600	360,000	500,000	500,000	Cisco Solution classrooms	This line item will begin lifecycle to refresh 9 to 10 Cisco units per year to combat obsolescence.	N
IS	IS	5070	5600	87,500	30,000	60,000	Replace old smartboards	Begin lifecycle replacement of old smartboards non-distance learning	N



IS	IS	5070	5600	-	200,000	200,000	Classroom Development	This line item is for future classroom technology request that are unknow at this time....	N
IS-CTE	IS	5070	5600	-	-	-	SCC, WMC PDC Business labs technology upgrades: <ul style="list-style-type: none"> <li>• Integrated Cisco Technology and "Talon" classroom set-up.</li> <li>• Ability to connect labs for connected classes.</li> <li>• Ability to easily use WebEx for hybrid courses, and multi-section courses</li> <li>• Appropriate speakers, cameras, and sound minimizing technology to ensure quality experience for students, or via WebEx</li> <li>• Large interactive SmartBoards</li> <li>• Teaching podium w/ electronic controls</li> <li>• 2 monitors for each student computer</li> </ul>	Request from BUS to expand course offerings using updated technologies 2 monitors for each computer for students to utilize e-book and software applications. After FY20/21 this will fall under our lifecycle for Cisco Rooms and Annual SmartNet.	N
IS	IS	5070	5600	-	15,000	15,000	DRA Classroom Development	DRA Classroom Development and compliance	N
IS	IS	5070	5615	-	500,000	3,000,000	Jenzabar Replacement	Review, Evaluation, and implementation of replacement ERP system	
IS	IS	5070	5615	295,000	325,000	350,000	Jenzabar Maintenance	Yearly Maintenance Contract Increase due to age of systems and licensing	N
IS	IS	5070	5615	30,000	30,000	30,000	Jenzabar Consultants	Consultant training/update NPC Servers	N
IS	IS/Bus	5070	5615	15,000	15,000	20,000	Jenzabar Training hours (remote) Or new ERP system	Support Business Office Jenzabar Users	N
IS	IS	5070	5615	290,000	300,000	325,000	Cisco Smartnet Renewal	Necessary Contratural Maintenance. Cost per device increase and additional device for college. An additional 80,000 or so included per year as the college absorbs the Talon Smartnet contract.	N
IS	IS	5070	5620	400,000	200,000	200,000	Server Replacements @ 4 years	Update Aging Server/Blade Cycle	N
IS	IS	5070	5620	125,000	125,000	125,000	Replace old routers, switches and AP's @ 6 years	Update Aging Routers, Switches, and Aps	N
IS	IS	5070	5620	25,000	50,000	50,000	UPS (batteries for servers) lifecycle Replacements @ 5 years	Replace aging UPS systems	N
IS	IS	5070	5620	50,000	100,000	100,000	Secondary tertiary storage	Necessary Server Backup Solution, will be needed at both data centers	N
IS	IS	5070	5620	60,000	60,000	60,000	Vbrick storage	Storage of video classroom recordings.	N
IS	IS	5070	5630	100,000	100,000	100,000	Computers @ 4 years (230)	Replace aging computers	N
IS	IS	5070	5630	20,000	40,000	40,000	Printers @ 3 years	Replace aging printers	N
IS	IS	5070	5630	30,000	30,000	30,000	Monitors @ 4 years	Replace aging monitors	N
IS	IS	5070	5630	10,000	40,000	80,000	Portable/Mobile technology	Replace some laptops with Surface Pros, Mobile Tech	N
IS	IS	5070	5630	-	-	-	MacBook Pro computers with specifications in PAC 125	FDV program sees a significant need for more computing power	N
IS	IS	5070	5630	-	10,000	10,000	iMac Lifecycle Replacements. SCC Video Production Lab Lifecycle iMac Computer Replacements	Lifecycle iMac Computer Replacements	N
IS	IS	5070	5635	150,000	-	-	Microsoft Azure migration Professional Services	AD/Exch env to the cloud	
SPASC	IS	5070	5615	20,000	5,000	5,000	FY2021 capital request for implementing a web-based registration system. (May include CRM and/or admissions modules)  Jenzabar contract for projects - Could include ongoing maintenance and support	SPASC FY1819 Board Approved strategic goals	N
<b>IS</b>			<b>IS Total</b>	<b>2,067,500</b>	<b>2,675,000</b>	<b>5,300,000</b>			
CTE	AJS	1205	5645	25,000	-	-	Fire Arms/Force on Force Trainings	Keep to current standard-NPC has used equipment at Show Low PD in the past, however their equipment is outdated and cannot be used.	N

CTE	AJS	1205	5645	-	-	30,000	Turning Target Fire Range	Keep to current standard	N
CTE	ATO	1110	5645	-	-	44,000	2- Four Post Drive on Lifts with Rolling Jacks	Keep to current standard	1 now and 1 the following year
CTE	ATO	1110	5645	-	-	35,000	Newest scanners. Newer system will be released.	Introduces students to new technology used in industry, improves efficiency	N
CTE	ATO	1110	5645	-	-	-	One 2010 or newer diesel truck	Keep to current standard	N
CTE	ATO	1110	5645	-	-	-	Snap-On DVOM Trainer System	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2122 request \$25,000</b>	N
CTE	ATO	1110	5645	-	-	-	Snap-On Torque Trainer System	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2021 request \$28,000</b>	n
CTE	ATO	1110	5645	-	-	-	Brake Lathe	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2021 request \$10,000</b>	Y
CTE	ATO	1110	5645	-	-	-	Air Condition Recovery Machine	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2122 request \$10,000</b>	Y
CTE	ATO	1110	5645	-	-	-	On Car Brake Lathe	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2122 request \$15,000</b>	Y
CTE	ATO	1110	5645	-	-	-	Newest Scanners	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2122 request \$30,000</b>	N
CTE	FRS	1336	5645	25,000	-	-	Gator-AJS and FRS programs-Track & Setups	Needed for equipment setup	N
CTE	WLD	1170	5645	-	-	72,000	Welding Machines 4-WMC 6-PDC 2-STJ	Replace worn machines as part of facility maintenance	N
CTE	WLD	1170	5645	-	-	12,000	Welding Machine 1-Aluminum master power for PDC	Replace worn machines as part of facility maintenance	N
CTE	WLD	1170	5645	-	-	-	Welding Machine	Replace worn machines as part of facility maintenance <b>Carl's Perkins will cover FY2021 &amp; FY2122 request \$44,000 (both years)</b>	N
CTE	WLD	1170	5645	-	-	-	Update current ventilation with new filters. This will cover the three locations	Keep to current standard <b>Carl's Perkins will cover FY2021 request \$15,000</b>	N
CTE	WLD	1170	5645	-	-	-	Pipe Bender with tooling for WMC	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2122 request \$10,000</b>	Y
CTE	WLD	1170	5645	-	-	-	2 Power Hammers, Metal Shaping PDC & WMC	Introduces students to new technology used in industry, improves efficiency <b>Carl's Perkins will cover FY2122 request \$30,000</b>	Y
<b>CTE</b>			<b>CTE Total</b>	<b>50,000</b>	<b>-</b>	<b>193,000</b>			
NAH	NUR	1375	5645	-	-	-	2 Nursing Manikins	Replacement Cycle (NUR simulation operational plan) <b>Carl's Perkins will cover FY2122 request \$23,366</b>	Y
NAH	NUR	1375	5645	-	-	23,366	2 Nursing Manikins	Replacement Cycle (NUR Operational Plan)	Y
NAH	SGT	1369	5645	-	-	-	Surgical Abdomen / 3-year warranty	Lab Equipment (SGT Operational Plan) <b>Carl's Perkins will cover FY2021 request \$15,113</b>	N
NAH	SGT	1369	5645	-	-	-	Skytron OR Table	Lab Equipment (SGT Operational Plan) <b>Carl's Perkins will cover FY2021 request \$6,500</b>	N
NAH	SGT	1369	5645	-	-	-	Stryker Laparoscopic Tower w/ Instrumentation	Lab Equipment (SGT Operational Plan) <b>Carl's Perkins will cover FY2021 request \$8,500</b>	N
NAH	PHT	1378	5645	-	-	-	2 CleachTech Compounding Isolators w/ Stands	Lab Equipment (PHT Operational Plan and Feasibility Study) <b>Carl's Perkins will cover FY2021 request \$14,736</b>	N
NAH	EMS	1335	5645	53,420	-	-	SimBaby w/ Setup	Lab Equipment (EMS Operational Plan)	Y

NAH	EMS	1335	5645	-	-	-	Stryker Powered Stretcher with Mounting Ambulance System	Lab Equipment (EMS Operational Plan) <b>Carl's Perkins will cover FY2021 request \$11,500</b>	Y
NAH	EMS	1335	5645	-	-	-	Childbirth Simulator	Lab Equipment (EMS Operational Plan) <b>Carl's Perkins will cover FY2122 request \$64,558</b>	Y
NAH	HES - Phlebotomy	1376	5645	-	-	-	10 Multi-Venous Training Arms	Lab Equipment (HES Operational Plan) <b>Carl's Perkins will cover FY2021 request \$8,261</b>	N
<b>Nursing</b>		<b>Nursing Total</b>	<b>53,420</b>	<b>-</b>	<b>23,366</b>				
<b>Total NPC Annual Capital</b>			<b>14,334,800</b>	<b>10,761,410</b>	<b>11,347,484</b>				

## Recommendation to Approve Purchase of MuddTrax Vehicle

### Recommendation:

Staff recommends the purchase of one MuddTrax Vehicle from Delve International dba LiteTrax, for \$91,967.00 plus \$7,909.16 of sales tax for a total cost of \$99,876.16.

### Summary:

Only one vendor responded to the Request for Quote (RFQ) AS#21-03 for a Lightweight Tracked Vehicle. The purchase of this vehicle is included in the current year capital budget with \$80,000 from Maintenance and \$20,000 from Technology Advancement & Support (TAS). The vendor does not collect sales taxes on behalf of the Arizona Department of Revenue (DOR) so that portion of the cost will be paid by NPC directly to DOR.

NPC has need of a utility vehicle that can access the transmission tower sites during adverse weather, especially when soil conditions are too muddy for wheeled vehicles and not enough snow for snow cat use. The purchase of this vehicle will allow the TAS and Maintenance staff to travel safely to and from tower sites and transport communication equipment & maintenance materials during these adverse conditions. Further, the White Mountain Apache Tribe approves this vehicle for use on tribal lands due to the rubber track configuration.

The Maintenance department and TAS has determined that this vehicle will meet the needs of an access vehicle to the tower sites during muddy conditions for the following reasons:

1. Rubber tracks allow travel over all type of surfaces: mud, snow, water/marshy, rocks. Vehicle can swim through pond or lake if necessary.
2. Quality and reliability of this vehicle provide for safety of operator and passengers.
3. Body configuration and basic equipment in this vehicle allows for multiple options for transporting people and equipment.
4. Light footprint of vehicle will not damage land or other sensitive natural landscapes.
5. Pulling power of diesel engine will allow for a trailer if needed.



**Northland Pioneer College**

Post Office Box 610 • Holbrook, AZ 86025 • (928) 524-7311 • Fax (928) 524-7312 • www.npc.edu

**RFQ AS #21-03 Bid Tabulation**  
**REQUEST FOR QUOTATION (RFQ)**  
**LIGHTWEIGHT TRACKED VEHICLE**

3:00 P.M., Arizona time  
 October 29, 2020  
 Page 1 of 1

NAVAJO COUNTY COMMUNITY COLLEGE DISTRICT dba NORTHLAND PIONEER COLLEGE

Vendor	Date Received	Time Received	Bid Submission Received By	Bid Submitted
Delve International dba LiteTrax	10/29/20	10:38 AM	Electronic - Public Purchase	Exceptions taken to the terms and conditions Offer & Acceptance signed Cover Letter included Quotation Form included Questionnaire included Cost Proposal included Product Data Specifications included  <b>Total bid: \$81,967.00</b>

WE HEREBY CERTIFY THIS IS A TRUE AND ACCURATE TABULATION OF THE SEALED BIDS RECEIVED FOR THE ABOVE REFERENCED REQUEST FOR QUOTATIONS ON OCTOBER 29, 2020.

Request for Quotations Due on October 29, 2020 at 3:00 P.M., Arizona time. Request for Quotations Received by: Robert Johnson (Public Purchase.com). Bid Opening Attendees: Robert Johnson, Terrie Shevat.

Navajo County Community College District dba Northland Pioneer College  
 RECORDED BY: Terrie Shevat

# RFQ AS#21-03 - Lightweight Tracked Vehicle

## Project Overview

<b>Project Details</b>	
<b>Reference ID</b>	RFQ AS#21-03
<b>Project Name</b>	Lightweight Tracked Vehicle
<b>Project Owner</b>	Robert Johnson
<b>Project Type</b>	RFQ
<b>Department</b>	Purchasing
<b>Current Spend</b>	\$80000.00
<b>Target Savings</b>	7%
<b>Budget</b>	\$50000.00 - \$80000.00
<b>Project Description</b>	Navajo County Community College District, dba Northland Pioneer College, is currently seeking proposals from qualified bidders for a specialized function lightweight tracked vehicle in accordance with the Scope of Work specified in this Request for Quotation (RFQ).
<b>Open Date</b>	Oct 08, 2020 12:00 AM MST
<b>Intent to Bid Due</b>	Oct 29, 2020 3:00 PM MST
<b>Close Date</b>	Oct 29, 2020 3:00 PM MST

Highest Scoring Supplier	Score
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## Seal status

Requested Information	Unsealed on	Unsealed by
Product Data/Specifications	Oct 29, 2020 3:07 PM MST	Robert Johnson
Lightweight Tracked Vehicle (Q-07FT)	Oct 29, 2020 3:07 PM MST	Robert Johnson

## Conflict of Interest

# Declaration of Conflict of Interest You have been chosen as a Committee member for this Evaluation. Please read the following information on conflict of interest to see if you have any problem or potential problem in serving on this committee. ## Code of Conduct All information related to submissions received from Suppliers or Service Providers must be kept confidential by Committee members. ## Conflict of Interest No member of a Committee shall participate in the evaluation if that Committee member or any member of his or her immediate family: \* has direct or indirect financial interest in the award of the contract to any proponent; \* is currently employed by, or is a consultant to or under contract to a proponent; \* is negotiating or has an arrangement concerning future employment or contracting with any proponent; or, \* has an ownership interest in, or is an officer or director of, any proponent. Please sign below acknowledging that you have received and read this information. If you have a conflict or potential conflict, please indicate your conflict on this acknowledgment form with information regarding the conflict. I have read and understood the provisions related to the conflict of interest when serving on the Evaluation Committee. If any such conflict of interest arises during the Committee's review of this project, I will immediately report it to the Purchasing Director.

Name	Date Signed	Has a Conflict of Interest?
Robert Johnson	Oct 29, 2020 3:08 PM MST	No

## Public Notices

### RFQ AS#21-03 Lightweight Tracked Vehicle - Bid opening

*Robert Johnson, Oct 24, 2020 4:10 PM MST*

Meeting Information Meeting link:

<https://npcedu.webex.com/npcedu/j.php?MTID=m8145ea2b7df23cb2aa178b56b078d83c>

Meeting number: 133 960 9269 Password: ySA3wuMp2n4 Host key: 854371 More ways to join Join by video system Dial 1339609269@npcedu.webex.com You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0002 US Toll Access code: 133 960 9269 Global call-in numbers



# Opportunity Intent to Bid

Count: 1 of 2

Name	Vendors	Intent to Bid	Date Signed	Reason
Kevin Smith	Titan Machinery	No	Oct 15, 2020 12:35 PM MST	Titan Machinery does not offer this type of EQ
Brett Dawson	Delve International dba LiteTrax	Yes	Oct 26, 2020 9:38 AM MST	

## Submissions

Supplier	Date Submitted	Name	Email	Confirmation Code
<b>Delve International, Inc dba LiteTrax</b>	Oct 29, 2020 10:38 AM MST	Brett Dawson	sales@litetrax.com	MTA1MzU2

If Requester deems their request to be a Sole Source, Requester must provide a minimum of one (1) competitive quote that indicates discount(s) District is receiving along with completed Sole Source Justification form to Purchasing for review and approval. Competitive quotes are the best way to show that the price is "fair and reasonable". If competitive quotes were not secured, then there should be an explanation of the method used to determine the reasonableness of the price and technical reasons for selecting the suggested supplier. Completion of this form does not guarantee an automatic approval of the "Sole Source" justification. Purchasing will review the justification form prior to submission to the Chief Business officer for final determination of sole source justification. Please complete the following (additional pages may be attached for further documentation):

Purchase Requisition # Litetrax111020 Date: 10 Nov 2020  
 Requester's Name: Scott Estes Phone: 928-524-7400  
 Department: TAS E-mail: Henry.Estes@npc.edu  
 Requester's Signature *Henry Estes* Dean's Signature *David Hinch*

NOTE: Sole Source Justification form must be submitted to the Purchasing Department for review and final approval. (See Guide to Submitting Sole Source Justification for details on process and timeline).

**I am requesting this purchase as a sole source because (check if applies):**

- Vendor is sole provider of licensed or patented goods or services
  - Match existing/compatible with my existing equipment:
    - SJDC ASSET # \_\_\_\_\_ Serial # \_\_\_\_\_
    - As a replacement or repair part  to match existing equipment (standards)
    - As an accessory or option
    - As a component to be interfaced with the existing equipment
  - Vendor is a sole provider of factory-authorized warranty service
  - Maintenance is from the original equipment manufacturer
- The purchase will be used for:  Classroom/teaching  Maintenance/repair  
 Other (specify) \_\_\_\_\_

Name of Academic, Curriculum and/or Research: \_\_\_\_\_

The purchase will meet the standards advocated by the following (provide the name(s) of center/organization): Facilities/ TAS

---

**What are the unique performance factors of the product specified (list each factor individually with an explanation of its purpose?)**

<8'6" wide to preclude the requirement for ADOT permits for movement

Operable in mountainous terrain at an altitude of 5,500' to 10,000'

Operable in areas subject to heavy snowfall, prolonged snow melt-off and significant rainfall

Enclosed heated cab to seat upto four riders with room for equipment

RFQ statement of work attached

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**Why are these specific factors required (attach specification sheet if available)?**

To facilitate safe and reliable transportation to remote tower sites in all environments (see attached SOW)

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**What other products have been examined and rejected and why?**

Polaris UTV - Prohibited on tribal land

Jeep (multiple) - Fails to meet requirements

Snowcat - Department rejected

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**Why is the acquisition restricted to this good/service/supplier?**

Department preferences/vehicle capabilities.

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**Provide the background of events leading to this acquisition.**

TAS presented request based upon current capabilities to meet departmental goals.

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**What are the consequences of not having this sole source approved and going out for full and open competition? (Describe in detail the impact to the department and to the programs)**

RFQs presented to multiple vendors without additional response; multiple vendors replied that their products do not meet the unique requirements stated in the RFQ.

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**ATTACHMENT 1- GENERAL SPECIFICATIONS**

List the general specifications for your Sole Source Justification request.

NOTE: Do not provide specifications from a specific vendor as this can disadvantage & limit the number of vendors who could provide a bid. It is imperative that NPC demonstrates a fair and impartial competitive acquisition process.

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***Forward to Purchasing Department***



## Appendix A: Statement of Work

### Project Scope

NPC intends to purchase a Model Year 2021 specialized function vehicle intended for transport of technicians and equipment to remote communication tower locations. This vehicle will be operated in mountainous terrain at an altitude of 5,500' to 10,000'; the areas of operation are subject to heavy snowfall, a prolonged snow melt-off in the spring and significant monsoon rainfall in the summer months.

The awarded vehicle will be a lightweight tracked vehicle that is capable of traversing mud, snow, and other terrain are difficult to maneuver in traditional off-road vehicles. An enclosed cab is also necessary to support year-round use in any weather condition.

### Bidder Qualifications

Bidders participating in this Request for Quotation (RFQ) must register on the Bonfire E-Procurement system (<https://npc.bonfirehub.com/>)

### Bidder Minimum Qualifications

1. Bidder shall be regularly and continuously engaged in the business of providing new vehicles for at least three (3) years.
2. Bidder shall be a factory authorized dealer of the requested vehicles.
3. Bidder shall possess all permits, licenses and professional credentials necessary to supply product and perform services as specified under this RFQ.

### Specific Requirements

1. **Quotes must meet or exceed specific description.** Brands and model numbers, where listed, are used for specification reference and minimum standards only and are not intended to limit consideration of an approved equal or equivalent item. Descriptive information or a sample may be requested for any item proposed other than the referenced item.
2. Contractor shall submit a mark-up price, over their triple net price of the vehicle. Triple net price is the vehicle price after all discounts, rebates, and deductions are taken off. The Pre-Delivery Inspection (PDI) monies will be considered as part of the vehicle cost. This includes deductions of dealer holdback and advertising monies. This is the dealer's actual cost of the purchase of each vehicle.
3. Contractor shall submit a bid form that includes their mark-up price, the delivery cost of the vehicle to our Holbrook address, doc fees, and all other fees. The Arizona Tire Fees and sales tax will be added separately. The Contractor's mark-up price is the dollar amount over their actual cost for each vehicle. All Original Equipment Manufacturer (O.E.M.) option prices shall be charged at actual dealer's cost. Contractors may be required to submit detailed pricing, from the manufacturer, that includes all standard options and pricing for each O.E.M. option at actual dealer's cost, including all discounts, rebates, and deductions, after bid opening.
4. **Quality Standard:** New, unused, and the manufacturer's most current production model. Vehicle shall be capable of operating successfully with all options ordered with vehicle. All parts, components, and accessories shall be genuine original equipment. Standard equipment cannot be deleted from the vehicles.
5. All vehicles shall be delivered with the manufacturer's dealer's invoice and the line sheet which lists ALL equipment with order codes on the vehicle. All components of option packages must be in or on the vehicle at the time of delivery.
6. **Warranty Period:** The warranty period shall be a minimum of 36 months/36,000 miles "bumper to bumper" and power-train coverage to 60,000 miles or five years, whichever comes first, at no additional charge. Contractors



shall submit any information with roadside assistance warranty. Contractors shall submit copies of the warranty with the bid quotation.

7. Projected product lifecycle supports parts/service availability for 10 years beyond purchase date.
8. Delayed Warranty: Contractor shall submit on a separate sheet attached to the bid a procedure for delayed warranty for starting dates to cover the interval between time of delivery of the complete vehicle and the actual date that the vehicle is placed in service by the County. This delayed time period will cover inspection, installation of radios, operator and mechanic training, etc.
9. Manuals: Successful Contractor shall furnish for the life of the contract web access to O.E.M. diagnostic software including parts lists, service, maintenance, operation, and overhaul manuals for the chassis, engine, transmission, drive line, electrical, fuel, and emissions upon delivery of the vehicles to the College.
10. The Contractor shall notify the College of vehicles delivery date(s) and time(s). The County delivery hours for vehicles are Monday – Friday, 8:00 a.m. – 5:00 p.m.
11. Terms are "30 days net" from date merchandise is received. NPC does not accept back orders.
12. Vehicle Specifications shall be as follows:

A. Main Features:

1. 4 Passenger/4 Door Hard enclosed cab
2. Rollover protection
3. Stake bed, truck bed, or cargo rack options w/ dry storage to protect valuable electronics
4. Minimum of 75 HP 2.5L engine
5. Overspeed/over-rev protection
6. Minimum 20 Gallon Fuel Tank
7. Minimum 150-mile range
8. Loads on commercially available flat bed or enclosed trailers without the need for wide load certificates/permits.

B. Interior Options:

1. Enclosed, Heated cab w/ Windshield and side glass defrost capability
2. Foldup rear seats for gear
3. Hard Cab to include windows (removable and/or removable doors)
4. Inside courtesy/map lights
5. USB charging ports
6. Adjustable seats w/arm rests
7. Inside grab handles
8. Backup / side cameras

C. Exterior Options:

1. External grab handles
2. External LED lights on the front, back and sides



3. Front and rear winches (removeable front winch using a 2” tow hitch would work for rear).
  4. Hard tow/winch points
  5. Replaceable tracks / wheels (if field changeable)
  6. Storage Racks – Roof, front or rear, with options for Dry Storage
  7. Dry storage minimum of 36”x48” (For dry boxes, portable tool boxes, etc.)
  8. Spare fuel and water can holders (5-gallon removable tanks)
  9. Chainsaw, shovel, rake, axe and pick mounts
- D. Warranty, Factory Standard
1. Factory Standard
- E. Emission Certification
1. 50 State Emissions
- F. Exterior Color
1. To be advised upon order
- G. Interior Color
1. Factory standard
- H. Fees and Taxes
1. Arizona Tire Fee
  2. The current sales tax rate for Holbrook, AZ
- I. Registration
1. Dealer shall furnish DMV documents to the College to register own vehicle
- J. FOB Point
1. Holbrook, AZ



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*Purchasing Department Use Only*

**Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)**

Vehicle application, weight and size provide best market solution for the stated need.

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**What other Community College Districts have utilized this vendor as a Sole Source Purchase?**

Sole source procurement was completed by the State of New Mexico for this product (attached).

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**What are the consequences of not purchasing the good/service or contracting with the proposed supplier?**

Undefined.

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**What market research was conducted to substantiate no competition, including evaluation of other items considered? (Provide a narrative of your efforts to identify other similar or appropriate goods/services, including a summary of how the department concluded that such alternatives are either inappropriate or unavailable, the names, phone numbers and addresses of suppliers contacted and the reasons for not considering them must be included or an explanation of why the survey or effort to identify other goods/services was not performed. Be sure to specify the reasons for not meeting specifications.)**

A sole source purchase was located by the state of New Mexico; however, a number of similar-type vehicles were located by a limited search. Specification were developed for our specific application and incorporated into RFQ AS#21-03. In addition to public advertising, 459 invitations were sent with 8 vendors reviewing the RFQ and one vendor completing a proposal for submission.

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**Please describe and provide estimates and methodology for total ownership costs that will be required each year beyond this initial acquisition.**

Undetermined cost vendor does not provide full warranty for off-road product and reliability information was not made available

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**Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier.**

None noted

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## Sole Source Justification Form

**Names of other Vendors who can furnish similar products:**

Vendor Name	Essential Requirement(s) Vendor Unable to Provide
Marsh Master	Not operational in mountainous environment
Titan Machinery	Does not produce equipment for the application noted
UTV Intn'l	GVR exceeds recommended weight for application

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**Buyer's Sole Source verification research/results:**

Confirmed (specify or attach backup documents)       Denied (specify reason for denial)

## Sole Source Justification Form

Request for Quotes submitted date (Public Purchase): 7 Oct - 29 Oct 2020

Responses? Yes  No

List responses: Lite Trax

UTV International

Titan Machinery

Verified other Community College Districts or government entities have utilized vendor as sole source State of New Mexico

Notice of intent to sole source published N/A

Completed by: Robert Johnson Date: 10 Nov 2020

Procurement Manager: Robert Johnson Date: \_\_\_\_\_

Chief Business Officer: Maderia Ellison Date: \_\_\_\_\_

# New Mexico BIDS

[New Mexico Bids](#) > Bid Detail

## MuddTraxTracked Vehicle

**Agency:** McKinley County  
**Level of Government:** State & Local  
**Category:** 23 - Ground Effect Vehicles, Motor Vehicles, Trailers, and Cycles  
**Opps ID:** NBD14942106761505272  
**Posted Date:** Jan 25, 2019  
**Due Date:** Feb 25, 2019  
**Solicitation No:** Sole Source-MuddTrax  
**Source:** <http://www.co.mckinley.nm.us/b...>

**Bid Number:** Sole Source-MuddTrax  
**Bid Title:** MuddTraxTracked Vehicle  
**Category:** Sole Source  
**Status:** Open

**Description:**

SOLE SOURCE PROCUREMENT FOR

MuddTrax lightweight tracked vehicle

January 24, 2019

McKinley County , New Mexico has determined that the following unique product/service requires a specialized function, that only one vendor can provide.

A description of the required function that substantiates the sole source determination is as follows:

1. The MuddTrax is a lightweight tracked vehicle that is capable of traversing mud, snow, and other terrain or debris fields that are difficult to maneuver in traditional emergency vehicles. The MuddTrax comes with an enclosed cab to allow it to be utilized year round in any weather

condition. The vehicle can transport public safety personnel to emergency scenes and then transport patients or residents out to safety. The vehicle can also transport road department personnel into hard to reach areas to perform damage assessments or to access pre-staged equipment in trouble areas. The unit is also capable of floating to allow it to traverse shallow bodies of water. The unit comes standard with rollover protection.

B. The total value of the vehicle is approximately \$52,539.00 .

To ensure that Procurement procedures are conducted in a fair and impartial manner, all qualified vendors are notified of the County's intent to award a Sole source contract. Qualified vendors and interested parties have an opportunity to submit evidence that more than one firm has the requisite ability to perform contract services prior to the proposed award date. If evidence presented reveals that more than one source is available to perform the contract, the County may issue a competitive solicitation.

Interested parties may submit a protest including thorough and comprehensive evidence of their ability to provide this service , in writing by 6:00 p.m. on Monday, February 25 th , 2019 at 6:00 pm local time - 30 days from the date of this notification. Interested firms shall send their evidence in response to this notification in writing via facsimile, email, standard postal mail, or express courier to the attention of

Hugo G. Cano , MPA, CPPB, CPO

Procurement Manager

207 West Hill Avenue, Gallup, NM 87301

Email For security reasons, you must enable JavaScript to view this E-mail address.

Phone: 505-722-3868

Fax : 505-863-6362.

Publication Date/Time:

1/24/2019 6:00 PM

Closing Date/Time:

2/25/2019 6:00 PM

Related Documents:

MuddTrax Vehicle 01-23-2019

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## TRY FOR FREE

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**Get unlimited access** to thousands of active local, state and federal government bids and awards in **All 50 States**.

# RFQ AS#21-03 - Lightweight Tracked Vehicle

## Project Overview

<b>Project Details</b>	
<b>Reference ID</b>	RFQ AS#21-03
<b>Project Name</b>	Lightweight Tracked Vehicle
<b>Project Owner</b>	Robert Johnson
<b>Project Type</b>	RFQ
<b>Department</b>	Purchasing
<b>Current Spend</b>	\$80000.00
<b>Target Savings</b>	7%
<b>Budget</b>	\$50000.00 - \$80000.00
<b>Project Description</b>	Navajo County Community College District, dba Northland Pioneer College, is currently seeking proposals from qualified bidders for a specialized function lightweight tracked vehicle in accordance with the Scope of Work specified in this Request for Quotation (RFQ).
<b>Open Date</b>	Oct 08, 2020 12:00 AM MST
<b>Intent to Bid Due</b>	Oct 29, 2020 3:00 PM MST
<b>Close Date</b>	Oct 29, 2020 3:00 PM MST

Highest Scoring Supplier	Score
Delve International, Inc dba LiteTrax	108.33 pts

## Seal status

Requested Information	Unsealed on	Unsealed by
Product Data/Specifications	Oct 29, 2020 3:07 PM MST	Robert Johnson
Lightweight Tracked Vehicle (Q-07FT)	Oct 29, 2020 3:07 PM MST	Robert Johnson

## Conflict of Interest

# Declaration of Conflict of Interest You have been chosen as a Committee member for this Evaluation. Please read the following information on conflict of interest to see if you have any problem or potential problem in serving on this committee. ## Code of Conduct All information related to submissions received from Suppliers or Service Providers must be kept confidential by Committee members. ## Conflict of Interest No member of a Committee shall participate in the evaluation if that Committee member or any member of his or her immediate family: \* has direct or indirect financial interest in the award of the contract to any proponent; \* is currently employed by, or is a consultant to or under contract to a proponent; \* is negotiating or has an arrangement concerning future employment or contracting with any proponent; or, \* has an ownership interest in, or is an officer or director of, any proponent. Please sign below acknowledging that you have received and read this information. If you have a conflict or potential conflict, please indicate your conflict on this acknowledgment form with information regarding the conflict. I have read and understood the provisions related to the conflict of interest when serving on the Evaluation Committee. If any such conflict of interest arises during the Committee's review of this project, I will immediately report it to the Purchasing Director.

Name	Date Signed	Has a Conflict of Interest?
Robert Johnson	Oct 29, 2020 3:08 PM MST	No
Henry Estes	Nov 03, 2020 3:50 PM MST	No
David Huish	Oct 30, 2020 10:51 AM MST	No

## Public Notices

### RFQ AS#21-03 Lightweight Tracked Vehicle - Bid opening

*Robert Johnson, Oct 24, 2020 4:10 PM MST*

**Meeting Information Meeting link:**

<https://npcedu.webex.com/npcedu/j.php?MTID=m8145ea2b7df23cb2aa178b56b078d83c> Meeting number: 133 960 9269 Password: ySA3wuMp2n4 Host key: 854371 More ways to join Join by video system Dial 1339609269@npcedu.webex.com You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0002 US Toll Access code: 133 960 9269 Global call-in numbers



## Opportunity Intent to Bid

Count: 1 of 2

Name	Vendors	Intent to Bid	Date Signed	Reason
Kevin Smith	Titan Machinery	No	Oct 15, 2020 12:35 PM MST	Titan Machinery does not offer this type of EQ
Brett Dawson	Delve International dba LiteTrax	Yes	Oct 26, 2020 9:38 AM MST	

# Scoring Summary

## Active Submissions

	Total	A - Cost Proposal	A-1 - Total cost	B - Lightweight Tracked Vehicle (Q-07FT)	B-1 - Proposal
<b>Supplier</b>	<b>/ 140 pts</b>	<b>/ 45 pts</b>	<b>/ 45 pts</b>	<b>/ 65 pts</b>	<b>/ 65 pts</b>
Delve International, Inc dba LiteTrax	108.33 pts	34.5 pts	34.5 pts	62.67 pts	62.67 pts

	C - Vehicle Score	C-1 - Meets functional requirements	C-2 - Maintenance support	D - References	D-1 - Reference #1
<b>Supplier</b>	<b>/ 15 pts</b>	<b>/ 5 pts</b>	<b>/ 10 pts</b>	<b>/ 15 pts*</b>	<b>/ 5 pts</b>
Delve International, Inc dba LiteTrax	11.17 pts	4.167 pts	7 pts	-	-

	D-2 - Reference #2	D-3 - Reference #3
Supplier	/ 5 pts	/ 0 pts
Delve International, Inc dba LiteTrax	-	-

## Proposal Score Comments

### Delve International, Inc dba LiteTrax - Scoring Comments

#### A-1 - Total cost - Reviewer Scores

Reviewer	Score	Reason	Comments
Robert Johnson	6 / 10	Mostly complete response	Tax not included Based upon prior needs level of use does not appear to justify cost
Henry Estes	8 / 10	Strongly fits desired attribute(s)	Proposal comes in close to our budget
David Huish	9 / 10	Strongly fits desired attribute(s)	Did not include sales tax.

#### C-1 - Meets functional requirements - Reviewer Scores

Reviewer	Score	Reason	Comments
Robert Johnson	7 / 10	Medium level of detail in response	meets expectations
Henry Estes	8 / 10	Meets or exceeds my expectations	meets our requirements and functions
David Huish	10 / 10	Meets or exceeds my expectations	meet specifications and requirements

### C-2 - Maintenance support - Reviewer Scores

Reviewer	Score	Reason	Comments
Robert Johnson	6 / 10	Medium level of detail in response	Need to confirm data & clarify product life cycle
Henry Estes	5 / 10	Partially meets my expectations	Unsure of the level of maintenance since they are not local to Arizona. Will have to consider transportation if vehicle needs to taken in for repairs.

Reviewer	Score	Reason	Comments
David Huish	10 / 10	Meets or exceeds my expectations	Most parts are on hand. some specialty parts will have to come from the part manufacturer.

# Directed Source - Muddtrax

Final Audit Report

2020-11-12


Created:	2020-11-10
By:	Robert Johnson (robert.johnson@npc.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAApjccdvjwXar_D247LQtahzUr78op8jyq

## "Directed Source - Muddtrax" History

-  Document created by Robert Johnson (robert.johnson@npc.edu)  
2020-11-10 - 10:07:22 PM GMT- IP address: 192.199.229.79
  
-  Document emailed to Scott Estes (henry.estes@npc.edu) for signature  
2020-11-10 - 10:09:27 PM GMT
  
-  Email viewed by Scott Estes (henry.estes@npc.edu)  
2020-11-10 - 10:44:44 PM GMT- IP address: 72.24.240.181
  
-  Document e-signed by Scott Estes (henry.estes@npc.edu)  
Signature Date: 2020-11-10 - 10:44:59 PM GMT - Time Source: server- IP address: 72.24.240.181
  
-  Document emailed to David Huish (david.huish@npc.edu) for signature  
2020-11-10 - 10:45:01 PM GMT
  
-  Email viewed by David Huish (david.huish@npc.edu)  
2020-11-12 - 2:03:11 PM GMT- IP address: 206.207.17.4
  
-  Document e-signed by David Huish (david.huish@npc.edu)  
Signature Date: 2020-11-12 - 2:03:25 PM GMT - Time Source: server- IP address: 206.207.17.4
  
-  Document emailed to Robert Johnson (robert.johnson@npc.edu) for signature  
2020-11-12 - 2:03:27 PM GMT
  
-  Email viewed by Robert Johnson (robert.johnson@npc.edu)  
2020-11-12 - 2:36:05 PM GMT- IP address: 192.199.229.79
  
-  Document e-signed by Robert Johnson (robert.johnson@npc.edu)  
Signature Date: 2020-11-12 - 2:36:48 PM GMT - Time Source: server- IP address: 192.199.229.79
  
-  Document emailed to Maderia Ellison (maderia.ellison@npc.edu) for signature  
2020-11-12 - 2:36:49 PM GMT

 Email viewed by Maderia Ellison (maderia.ellison@npc.edu)

2020-11-12 - 4:19:55 PM GMT- IP address: 174.238.144.62

 Document e-signed by Maderia Ellison (maderia.ellison@npc.edu)

Signature Date: 2020-11-12 - 6:18:41 PM GMT - Time Source: server- IP address: 174.238.144.62

 Agreement completed.

2020-11-12 - 6:18:41 PM GMT







October 29,2020

**Northland Pioneer College  
Robert Johnson, Procurement Manager  
PO Box 610  
Holbrook, AZ 86025**

Dear Robert,

Per your RFQ Proposal No: AS #21-03 with the project scope:

“NPC intends to purchase a Model Year 2021 specialized function vehicle intended for transport of technicians and equipment to remote communication tower locations. This vehicle will be operated in mountainous terrain at an altitude of 5,500’ to 10,000’; the areas of operation are subject to heavy snowfall, a prolonged snow melt-off in the spring and significant monsoon rainfall in the summer months. The awarded vehicle will be a lightweight tracked vehicle that is capable of traversing mud, snow, and other terrain are difficult to maneuver in traditional off-road vehicles. An enclosed cab is also necessary to support year-round use in any weather condition.”

LiteTrax manufactures machines to do exactly what your intent statement specifies. Our production facility is in Clearfield, Utah. We build and ship machines all over the world. We are excited to be included in the bid process and look forward to working with you.

My name is Brett Dawson, and I am the Sales Manager for LiteTrax. I will be your point of contact through this process. Please feel free to contact me either through email or via phone. My email address is [sales@litetrax.com](mailto:sales@litetrax.com) and my phone number is (435) 753-8729.

We look forward to working through this process with you to provide you with the machine to accomplish your requirements while keeping your staff safe while traveling in a rough environment.

Sincerely,

A handwritten signature in black ink that reads "Brett Dawson". The signature is stylized with a large, sweeping initial "B" and "D".

Brett Dawson

LiteTrax - Freeport Center Building D-6 - Clearfield, Utah 84015 - PH: 435-753-8729 - Email  
[Sales@litetrax.com](mailto:Sales@litetrax.com)  
[www.litetrax.com](http://www.litetrax.com)



# Quotation

## LITETRAX

Bldg D-6 Freeport Center  
 Clearfield UT 84015 USA  
 Phone 435-753-8729  
 Email Sales@LiteTrax.com

Quote No : SO19191  
 Quotation Date: 11/4/2020

**Northland Pioneer College**  
 P.O. Box 610

Holbrook AZ 86025  
 USA  
 Attn:  
 Phone  
 Fax

Completeion Date: 4/1/2021  
 Terms: 50% DN, 50% UPON C  
 Shipping: LiteTrax

### Northland Pioneer College AS #21-03

Dear

Thank you for this opportunity to submit this quote.

Item ID	Description	QtyUM	Unit Price	Amount
MTX-C-HA20D-R-4	MuddTrax, Commercial, 74 HP HATZ DIESEL, 18 in Track, Chassis	1 EA	\$69,900.00	\$69,900.00
	<ul style="list-style-type: none"> <li>• Commercial Chassis, 72" W X 120" Long, 76" wide to the outside of tracks</li> <li>• Rear mounted engine</li> <li>• 4 person seat arrangement</li> </ul>			
	Engine			
	<ul style="list-style-type: none"> <li>• Engine – 74 HP HATZ TURBO DIESEL</li> <li>• 4 Cylinders</li> <li>• 3000 RPM</li> <li>• Alternator capacity 12 VDC / 110 amp</li> <li>• 12-gal fuel tank</li> </ul>			
	Track and Suspension			
	<ul style="list-style-type: none"> <li>• Track all rubber 18" (width) X 1.5" (paddle) X 281" (length)</li> <li>• Steel and Aluminum – powder coated (upgrade to galvanized coating below)</li> <li>• Walking foot suspension internal in track</li> <li>• Drive - hydraulic motors</li> <li>• 16" Suspension struts – to provide a comfortable ride and minimize vibration</li> <li>• 18" of ground clearance</li> </ul>			
	Controls			
	<ul style="list-style-type: none"> <li>• Single joystick for forward, reverse, and steering</li> <li>• High/Low range shift on the fly</li> <li>• Engine gauges on display</li> <li>• Tracking can be adjusted on the fly with separate adjustments for both high and low range.</li> <li>• Vehicle operated from the joystick on the center console</li> </ul>			
	Open Cab			
	<ul style="list-style-type: none"> <li>• Standard lighting includes 2 forward facing LED lights, including rear tail lights and one rear facing work light</li> <li>• 2 front seats standard</li> <li>• Cup holders</li> <li>• Power port</li> <li>• Lap belts</li> <li>• ROPS – Roll Over Protections</li> </ul>			
OP-MTX-C-SEAT-RF	OPTION, COMMERCIAL, REAR FOLDING SEAT ASSEME	1 EA	\$1,295.00	\$1,295.00
OP-MTX-CAB-COM-4P-CF	CAB , 4 PER, WITH ROOF TOP CARGO, FITS COM, REA	1 EA	\$4,200.00	\$4,200.00

FEATURES:

- MODULAR DESIGN
- ONE PIECE ROOF INTEGRATED COMPARTMENT
- STORAGE COMPARTMENT IS 68"X44"X8" ONE DIVIDER
- STORAGE COMPARTMENT DOOR INCLUDES GAS SHOCKS
- GLASS WINDSHIELD
- POLYCARBINET SIDE AND REAR WINDOWS
- MOUNTS TO ROPS FOR EASE OF INSTALL
- HARD DOORS
- DOME LIGHTS

OP-MTX-ROP-C-R-4	OPTION, MTX ROP, COMMERCIAL REAR 4 PERSON EX	1 EA	\$1,950.00	\$1,950.00
OP-MTX-C-HEAT-SD-2P	HEATER DASH ASSY, FRONT HEATER DASH SIDE WIN	1 EA	\$1,875.00	\$1,875.00
OP-MTX-C-HEAT-4P	HEATER REAR ASSEMBLY, REAR HEATER	1 EA	\$1,342.00	\$1,342.00
OP-LTX-LIT-FFLB-24	FRONT FACING LIGHT BAR, installed	1 EA	\$450.00	\$450.00
OP-LTX-LIT-RFLB-24	REAR FACING LIGHT BAR, installed	1 EA	\$450.00	\$450.00
OP-MTX-LIT-SFLB-24	SIDE FACING LIGHT BAR, installed	2 EA	\$350.00	\$700.00
OP-MTX-C-FRONT-REC	OPTION, COMMERCIAL, FRONT RECEIVER MOUNT	1 EA	\$295.00	\$295.00
OP-MTX-FRONT-PSH-BARPUSH BAR, COMMERCIAL, FRONT MOUNT		1 EA	\$750.00	\$750.00
OP-MTX-REAR-TW-BR	TOW BAR, REAR MOUNT WITH RECEIVER TUBE INCLL	1 EA	\$675.00	\$675.00
OP-MTX-COM-SP-AL	SKID PLATE, ALUM 3/16, FITS COMMERCIAL CHASSIS	1 EA	\$1,195.00	\$1,195.00
OP-LTX-WCH-8500	WINCH, Viper Elite 8500 lb, wired, synthetic rope	1 EA	\$1,200.00	\$1,200.00
OP-MTX-CAM-9D-4C	OPTION, CAMERA PACKAGE, 9" HD, 4 CAMERAS	1 EA	\$1,795.00	\$1,795.00
<ul style="list-style-type: none"> <li>- High Definition Digital Colour LCD wide screen video monitor, 800 x 480 pixels.</li> <li>- Built-in DVR recorder. DVR can re record on the same SD card in a loop.</li> <li>- Tmaximum 64G.</li> <li>- All video files are AVI format. Each camera has a separate video file.</li> <li>- Built-in quad / Split screen, able to show 4 camera views at one time.</li> <li>- AV1/AV2/AV3/AV4 with trigger wire, once trigger wire activated, image automatically switchover to corresponding camera.</li> <li>- The monitor support 3-ways audio input(AV1, AV2 and AV3). It need cameras have audio output to AV1~AV3 channel. Audio will been recorded to SD card.</li> <li>- Although monitor supports 5 cameras input, but DVR only records AV1, AV2, AV3 and AV4 images, it can not record AV5 image.</li> <li>-The monitor do not build-in speaker as default, if you need it, please contact us.</li> <li>- All DVR functions are set via the remote control.</li> </ul>				
OP-MTX-RAK-FRT	FRONT RACK, 36" X 12" W/ TOOL MOUNTS, INSTALLED	1 EA	\$1,195.00	\$1,195.00
<p><i>OPEN TOP CARGO STOW IDEAL FOR FUEL, AND WATER CANS, CHAINSAW AND IT INCLUDEMOUNTS FOR 4 IMPLEMENTS SUCH AS SHOVEL, RAKE, PICK, AND AXE</i></p>				
D-MISC	CUSTOM COLOR REPLACE ORANGE ONLY	1 EA	\$1,500.00	\$1,500.00
D-DELIVERY-LT	LITETRAX DELIVERY	1 EA	\$1,200.00	\$1,200.00

The special price for the work is:

Subtotal	\$91,967.00
Sales Tax	\$0.00
Incl Sales Tax	<b>\$91,967.00</b>

If you agree with all the information listed, please sign below and Scan the document back to us at [sales@litetrax.com](mailto:sales@litetrax.com) and indicate whether your preferred method of payment. When we receive the signed form, we'll contact you to arrange payment with you. Deposits are for the purpose of securing the order and are non-refundable. LiteTrax warranties their product on their terms and condition listed in there warranty policy and provides no other guaranty. This Quote is good for 30 days.



## LIMITED WARRANTY

**LiteTrax, dba** warrants to the original purchaser that this unit shall be free from defects in material and workmanship under normal use and service for a period of one year from date of purchase or 100 hours of run time from date of purchase, whichever occurs first.; however, this warranty does not cover engines, accessories, and Normal Wear Parts (except as noted below), as the companies that manufacture these items furnish their own warranties and provide service through their authorized field service facilities. For additional information, see the warranties covering these particular parts. If you are uncertain whether your unit contains or is equipped with one or more of these parts consult your dealer prior to purchase. Subject to the terms and conditions noted in this Limited Warranty, we shall, at our option, repair or replace at no cost to the original purchaser any part covered by this Limited Warranty during the applicable warranty period. Normal Wear Parts not covered by this Limited Warranty are defined as tracks, wheels, lights, and seat covers. These parts are warranted to be free from defects in material and workmanship as delivered with the product. Any claim for repair or replacement of Normal Wear Parts must be made within thirty (30) days of the date of purchase. Track vehicles are known to have vibration and the manufacture has no control over where and how you drive the vehicle therefore loose fasteners, hardware, hydraulic fittings, detracting, and tracks are not covered under warranty. No claims involving damage caused from material use, abuse, or misuse will be honored.

This **LiteTrax, dba Limited Warranty** is your exclusive remedy; however, this warranty is void or does not apply to any unit that has been tampered with, altered, misused, abused, or used for rental. In order for the warranty to remain in effect, you are responsible to perform the required maintenance on the vehicle. See the maintenance checklist for details. Your warranty does not cover minor mechanical adjustments, loose bolts, or hydraulic leaks which are not due to any defect in material or workmanship. For assistance in making such adjustments, consult your Owner's Manual.

To make a claim under this **LiteTrax, dba Limited Warranty**, return the unit (or if authorized in advance, the defective part), along with your proof of purchase and maintenance checklist, to an Authorized Service Center near you. To locate the nearest Authorized Service Center, call the factory at the number shown below. If you return the entire unit, we will repair the unit. If we authorize the return of the defective part only, we will either replace or repair the part. In the case of a defect in hydraulic pumps or motors, the entire pump or motor must be returned since they do not include user serviceable parts. LiteTrax will not pick up or return warranted machines and will not be responsible for recovering machines, this is the responsibility of the owner or operator.

This **LiteTrax, dba Limited Warranty** gives you specific legal rights, and you may also have other rights which vary from state to state. This Limited Warranty is given in lieu of all other expressed and implied warranties including the implied warranty of merchantability and warranty of fitness for a particular purpose. If you need additional information on this written warranty or assistance in obtaining service, call: **LITETRAX, dba, 1-435-753-8729 (435-753-TRAX)**. **Any warranties provided under international laws of a particular jurisdiction relating to the LiteTrax machine shall be provided by your local dealer, and any such warranties or rights shall be the expressed obligation of your local dealer and are specifically excluded from the Manufacturer's warranties provided.**

**Huish, David**

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**From:** Johnson, Robert L.  
**Sent:** Wednesday, November 4, 2020 8:57 AM  
**To:** Huish, David; Estes, Henry (Scott)  
**Subject:** FW: Updated LiteTrax bid AS #21-03  
**Attachments:** NPC AS #21-03.pdf

**From:** LiteTrax Sales <sales@litetrax.com>  
**Sent:** Wednesday, November 4, 2020 8:52 AM  
**To:** Johnson, Robert L. <Robert.Johnson@npc.edu>  
**Subject:** Updated LiteTrax bid AS #21-03

Robert,

Here is the updated proposal with the diesel engine.

Thank you,

Brett Dawson  
LiteTrax Equipment Sales  
(435) 753-8729

*“Roads Optional”*



**ATTACHMENT 1: Exceptions**

Terms & Conditions Acceptance Form

Signature on Attachment "4" certifies complete acceptance of the General Terms and Conditions in this solicitation, except as noted below (additional pages may be attached, if necessary).

List below requests for clarifications, exceptions and amendments, if any, to the RFQ and associated Bid Documents, and submit with your bid response. (Check the "None," box if no exceptions are taken):

None

The College is under no obligation to accept any exceptions and such exceptions may be a basis for bid disqualification.

Reference to:			Description
Page No.	Section	Item No.	
p. 23	D	1.c.	Vendor takes exception to...
p. 10		12	Payment terms - We require 50% down to begin production and 50% upon completion prior to delivery
p. 16		1	Due to Covid 19 our machines take 150 days to produce and deliver. See quote - completion & delivery by 4/1/21
p. 21		6	36 month warranty Not available for off road vehicle - See our attached manufacturers Warranty
p. 22	B	6	Due to size of cab - Seats aren't adjustable

\*Print additional pages as necessary



## ATTACHMENT 4: Offer and Acceptance

To Northland Pioneer College:

The undersigned hereby certifies understanding, compliance and acceptance of the Uniform Terms and Conditions as required by this solicitation. Offeror further agrees to furnish materials and/or services in compliance with all terms, conditions, specifications and amendments in the solicitation and any written exceptions in the offer.

Federal Employer Identification Number 20-8961156


Company Name DELVE INTERNATIONAL, INC dba LITETRAX

Address FREEPORT CENTER BLDG D-6

City CLEARFIELD State UTAH ZIP 84015

Toll Free Number N/A - See below Fax N/A

Printed Name BRETT DAWSON Title SALES MANAGER

\*Authorized Signature \*

Authorized Signer: Phone (435) 753-8729 Email saks@litetrax.com

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*(This portion to be completed by Northland Pioneer College Only)*

### Acceptance of Offer and Contract Award

#### YOUR QUOTATION IS HEREBY ACCEPTED:

As Contractor, you are now bound to sell the materials and/or services offered to and accepted by Northland Pioneer College in accordance with the solicitation, including all terms, conditions, specifications, amendments, etc.

Awarded this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

The Contractor will not commence any billable work or provide any material or service under this Contract unless and until Contractor receives a purchase order from Northland Pioneer College.

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Maderia Ellison  
Vice President for Administrative Services, Chief Financial Officer



Section V: Quotation Form

Date 10/29/20

Quotation of DELVE INTERNATIONAL, INC dba LITETRAK  
(Name)

a corporation organized and existing under the laws of the State of Utah; a partnership consisting of \_\_\_\_\_; an individual trading as \_\_\_\_\_

(Name)

Request for Quotation: Proposal No: AS #21-03  
[provide title or brief description]

To: Navajo County Community College District ("College")

1. In compliance with your Request for Quotation No. AS#21-03, the undersigned hereby offers to furnish the goods designated in the RFQ, in strict accordance with the RFQ, upon written notice of acceptance of this Quote at any time within ninety (90) days after the date of opening of the Quotations, and to execute the Contract in accordance with the Quotation as accepted within five (5) days after the Contract is presented for signature.
2. The undersigned Offeror hereby acknowledges receipt of the following Addenda, if any:

Addendum No.	Date
<u>N/A</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. The undersigned Offeror understands that the College reserves the right to reject any or all Quotations or to waive any formality or technicality, as determined by the College in its sole discretion, in any Quotation in the interest of the College.
4. The undersigned Offeror hereby certifies and affirms that this Quotation is genuine and not a sham or collusive, nor made in the interest or behalf of any person not herein named, and that the undersigned Offeror has not directly or indirectly induced or solicited any other Offeror to put in a sham bid, or any other person, business, or corporation to refrain from bidding, and that the Offeror has not in any manner sought by collusion to secure for itself an advantage over any other Offeror.



5. The undersigned certifies that to the best of his/her knowledge: **(check only one)**

- There is no officer or employee of Northland Pioneer College who has, or would have, or whose relative has, or would have, a substantial interest in any contract resulting from this request.
- The names of any and all public officers or employees of Northland Pioneer College who have, or would have, or whose relative has, or would have, a substantial interest in any contract resulting from this request, and the nature of the substantial interest, are included below or as an attachment to this Quotation.

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6. The Offeror certifies, to the best of its knowledge and belief, that:

- a. The Offeror and/or any of its Principals or Owners:
  - i. (check one) **are ( )** or **are not (X)** presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any governmental agency.
  - ii. (check one) **have ( )** or **have not (X)**, within a three year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) contract or subcontract; violation of federal or state antitrust statutes, rules or regulations relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion; or receiving stolen property; and
  - iii. (check one) **are ( )** or **are not (X)** presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any other of the offenses enumerated in paragraph (i)(B) of this provision.
- b. The Offeror (check one) **has ( )** or **has not (X)**, within a three year period preceding this offer, had one or more contracts terminated for default by any governmental agency.



“Principals,” for the purposes of this Quotation, means officers, directors, owners, partners and persons having primary or substantial management or supervisory responsibilities within a business entity.

- 7. The certifications in paragraphs 4, 5 and 6 of this Quotation are material representations of fact upon which reliance will be placed when making an award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the College, the College may terminate the contract resulting from this solicitation for default.

SEAL - If Bidder is a Corporation

DAVE INTERNATIONAL, INC dba LITETRAX  
(Official Name of Business)

BRETT R. DAWSON  
(Signature)

BRETT R. DAWSON  
(Print Name)

SALES MANAGER  
(Title)

FREEMONT CENTER BLDG D-6, CLEARFIELD,  
(Complete Business Address) UT 84015

sales@litetrax.com  
(Email Address)

20-8961156  
(Federal Taxpayer ID Number)





**THE TRAX**

**X1500MTX  
-NOSERVI-**



## Request to Approve Annual Moodle / eThink LMS Auto - Renewal for Support and Hosting for 20/21

### **Recommendation:**

Staff recommends approval to auto-renew annual Moodle eThink Learning Management System (LMS) Renewal for Support and Hosting from CDWG for \$50,315.17.

### **Summary:**

This approval is necessary for remaining year auto-renewal of our annual Support and Hosting for our Moodle / eThink LMS Renewal. This will allow for support and upgrades to continue for the LMS application from 01/01/2021 until 12/31/2021. The auto-renewal is part of a competitive bid from 2017 and will be fulfilled on 12/31/2021.

The cost for this maintenance and support is \$50,315.17.



eThink Education, LLC  
PO Box 245  
Fallston, MD 21047 US  
accounts@ethinkeducation.com  
www.ethinkeducation.com



**ADDRESS**

Paul Moffit  
Northland Pioneer College  
2251 E Navajo Blvd  
Holbrook, AZ 86025

**Estimate ESTNPC2020**

**DATE 10/14/2020**

**EXPIRATION DATE 12/31/2020**

DESCRIPTION	QTY	RATE	AMOUNT
Moodle Support & Hosting (1/1/21-12/31/21) 6500 users	1	50,315.17	50,315.17

**TOTAL \$50,315.17**

Accepted By

Accepted Date

**SAM Search Results**  
**List of records matching your search for :**

**Search Term : ETHINK EDUCATION LLC\***  
**Record Status: Active**

<b>ENTITY</b> ETHINK EDUCATION LLC	Status: Active
DUNS: 079934038 +4:	CAGE Code: 7G7P0 DoDAAC:
Expiration Date: 05/12/2021	Has Active Exclusion?: No Debt Subject to Offset?: No
Address: 1402 William St City: Baltimore ZIP Code: 21230-4545	State/Province: MARYLAND Country: UNITED STATES

## Request to Approve Purchase of Servers, Storage, and Network Switches

### **Recommendation:**

Staff recommends approval to purchase Servers, Storage, and Network Switches with support from HyTech in the amount of \$593,210.44

### **Summary:**

This purchase is part of our Strategic Technology Plan to ensure that we meet our lifecycle replacement for servers, storage, and network switches that are 5 / 6 years old for continued day to day operations and instruction. We are requesting (2) Server Chassis (8) Chassis server blades (2) Rack Servers (2) Nimble Storage Shelves and (8) Switches. The cost of all associated equipment is \$542,548.14, with tax at \$51,162.30 (which includes the 3% due to the City of Holbrook - \$16,276.44), and shipping is included in above for a total price of \$593,210.44.

The purchase meets competitive purchasing guidelines by utilizing 1GPA Contract 16-11PV-09.







HyeTech Network & Security Solutions, LLC.  
 10235 S. 51st Street #120  
 Phoenix, AZ 85044

**Date:** December 03, 2020

**Quotation #:** 1102-027

**Customer ID:** 1102

**Prepared by:** Justin Maroney

**Quotation valid until:** January 01, 2021

**Project Detail:** Data Center Refresh HW

**Contract:** 1GPA Contract 16-11PV-09

**Bill To:**  
 Northland Pioneer  
 Ernest Hess  
 2251 E. Navajo Blvd.  
 Holbrook, AZ 86025

**Ship To:**  
 Northland Pioneer  
 Ernest Hess  
 2251 E. Navajo Blvd.  
 Holbrook, AZ 86025

Products:

Part	Description	Term	List Price	Unit Price	Qty	Ext. Price
UCS-SP-FI6454	NOT SOLD STANDALONE UCS 6454 FI		\$34,119.00	\$10,576.89	4	\$42,307.56
CON-SNTP-SPFI6454	SNTC-24X7X4 NOT SOLD STANDALONE UCS 6454	12	\$2,234.00	\$1,519.12	4	\$6,076.48
UCS-SP-5108-AC4	UCS SP SELECT 5108 AC2 CHASSIS W/2408 IO		\$24,544.61	\$9,081.51	2	\$18,163.02
CON-SNTP-P5108AC4	SNTC-24X7X4 UCS SP SELECT 5108 AC2 CHASS	12	\$261.00	\$177.48	2	\$354.96
UCSB-B200-M5-U	UCS B200 M5 BLADE W/O CPU MEM HD MEZZ		\$3,462.08	\$865.52	8	\$6,924.16
CON-SNTP-BB200M5U	SNTC 24X7X4 UCS B200 M5 BLADE W/O CPU	12	\$490.35	\$333.44	8	\$2,667.52
UCSB-MLOM-40G-04	UCS VIC 1440 MODULAR LOM FOR BLADE SVR		\$1,403.90	\$350.98	8	\$2,807.84
UCS-CPU-I6248R	INTEL 6248R 3GHZ/205W 24C/35.75MB DDR4		\$10,536.75	\$2,634.19	16	\$42,147.04
UCS-ML-X64G4RT-H	64GB DDR4-2933-MHZ LRDIMM/4RX4/1.2V		\$4,283.94	\$1,070.99	96	\$102,815.04
UCS-SD-32G-S	32GB SD CARD FOR UCS SVR		\$162.57	\$40.64	16	\$650.24
N9K-C93180YC-EX	NEXUS 9300 W/ 48P 10/25G SFP+ 6P 100G		\$27,015.75	\$9,455.51	2	\$18,911.02
CON-SNTP-93180YCX	SNTC-24X7X4 NEXUS 9300 W/ 48P	12	\$1,726.86	\$1,174.26	2	\$2,348.52
NXOS-AD-XF	NX-OS ADVANTAGE LIC FOR NEXUS 9300 10G+		\$15,052.50	\$5,268.38	2	\$10,536.76
CON-ECMU-N9SWADXF	SWSS UPG NX-OS ADVANTAGE LIC	12	\$900.00	\$729.00	2	\$1,458.00
C9200-48T-E	CATALYST 9200 48PT DATA NTWK ESSENTIALS		\$4,234.77	\$1,482.17	2	\$2,964.34
CON-SNT-C920048E	SNTC-8X5XNBD CATALYS 9200 48PT DATA ONLY	12	\$304.00	\$206.72	2	\$413.44
C9200-NM-4X	CATALYST 9200 4 X 10G NTWK MOD		\$2,007.00	\$702.45	2	\$1,404.90
PWR-C6-125WAC/2	125W AC CONFIG 6 POWER SUPPLY - SECONDAR		\$790.13	\$276.55	2	\$553.10
C9200-DNA-E-48-3Y	C9200 DNA ESSENTIALS, 48-PORT - 3 YEAR T	36	\$1,123.92	\$393.37	2	\$786.74
SFP-H25G-CU3M=	3M 25GBASE-CU SFP28 CBL		\$136.44	\$47.75	16	\$764.00
SFP-10G-AOC3M=	10GBASE ACTIVE OP SFP+ CBL 3M		\$236.74	\$82.86	12	\$994.32
SFP-10G-AOC10M=	10GBASE ACTIVE OP SFP+CBL 10M		\$294.91	\$103.22	8	\$825.76
SFP-10G-AOC7M=	10GBASE ACTIVE OPT SFP+ 7M CBL		\$291.91	\$102.17	8	\$817.36
QSFP-100G-CU1M=	1M 100GBASE-CR4 PASSIVE COP CBL		\$374.14	\$130.95	8	\$1,047.60
SFP-H10GB-CU1M=	1M 10GBASE-CU SFP+ CBL		\$109.35	\$38.27	4	\$153.08
VMW-VSP-STD-1A=	VMWARE VSPHERE 6 STD 1 CPU 1YR SUP REQ		\$1,664.13	\$582.45	4	\$2,329.80
CON-ISV1-VSXSTD1A	VSPHERE STD 1 CPU ANNUAL LIST 1YR REQD	12	\$485.00	\$329.80	4	\$1,319.20
BE7H-M5-K9	BUSINESS ED 7000H M5 APPL EXPORT RESTR		\$53,912.00	\$18,869.20	2	\$37,738.40
CON-SNT-BE79M5KH	SNTC-8X5XNBD BUSINESS EDITION 7000H M5	12	\$500.83	\$340.56	2	\$681.12
BE6/7K-VIRTBASP-7X	CISCO BE EMBEDDED VIRT. BASIC PLUS 7X B		\$2,499.00	\$874.65	2	\$1,749.30
CON-ECMU-BE67KVSP	SWSS UPGRADES CISCO BE EMBEDDED VIRT. BA	12	\$300.00	\$204.00	2	\$408.00



Products:

Part	Description	Term	List Price	Unit Price	Qty	Ext. Price
Q8H41A	HPE NS AF40 All Flash CTO Base Array		\$63,110.00	\$22,088.50	2	\$44,177.00
Q8C17B	HPE NS 2x10GbE 4p FIO Adptr Kit		\$10,000.00	\$3,500.00	2	\$7,000.00
Q8G27B	HPE NS NOS Default FIO Software		\$1.00	\$0.80	2	\$1.60
Q8G62B	HPE NS AF40/60/80 92TB FIO Flash Bndl		\$324,000.00	\$74,520.00	2	\$149,040.00
Q8J27A	HPE NS C13 to C14 FIO Power Cord		\$1.00	\$0.38	4	\$1.52
R3P91A	HPE NS AF/HF Array Standard Trk		\$1.00	\$0.38	2	\$0.76
HT6Z0A3	HPE NS 3Y 4H Parts Exchange Support		\$0.00	\$0.00	1	\$0.00
HT6Z0A3#ZG0	HPE NS 2x10GbE 4p Adptr Supp		\$2,340.00	\$1,684.80	2	\$3,369.60
HT6Z0A3#ZFF	HPE NS AF40 All Flash Base Array Supp		\$8,628.00	\$6,212.16	2	\$12,424.32
HT6Z0A3#ZGP	HPE NS AF40/60/80 92TB Flash Supp		\$25,288.00	\$18,207.36	2	\$36,414.72
UC-PROMO	Cisco UC Upgrade Promotion		\$0.00	(\$23,000.00)	1	(\$23,000.00)
<b>Subtotal:</b>						<b>\$542,548.14</b>

Quote Summary	Amount
Products:	\$542,548.14
<b>Subtotal:</b>	<b>\$542,548.14</b>
<b>Estimated Tax:</b>	<b>\$51,162.30</b>
<b>Total:</b>	<b>\$593,710.44</b>



## Terms & Conditions:

### Invoicing & Payment

Unless otherwise stated in an SOW, exhibit, or definitive agreement, Hye Tech shall invoice Customer on a project basis. Customer shall pay Hye Tech within thirty (30) calendar days from the date of invoice for any of the Services and expenses provided or incurred hereunder. Hye Tech may charge Customer interest and late fees on any overdue and unpaid portion of the Fees in an amount equal to one and one half percent (1.5%) per month. All payments shall be made in U.S. dollars. In the event Customer disputes any Fees, Customer shall pay any undisputed portion of the invoice containing the disputed Fees.

### Suspension

In the event of non-payment of any Fees or other fees payable within forty-five (45) days from the date of invoice, HT may, in addition to any other rights and remedies it may have, suspend Customer's access to the Products and Services.

**SAM Search Results**  
**List of records matching your search for :**

**Search Term : HyeTech Network & Security Solutions, LLC.\***  
**Record Status: Active**

**No Search Results**