



UPDATE

October 28, 2008

www.santarosa.edu/afa

AFA Council Supports CFT Letter to ACCJC “Just Say No” to Incorporating SLO’s into Evaluation Process

On Wednesday, October 22, 2008, the AFA Executive Council unanimously passed a resolution supporting the California Federation Teachers’ (CFT) letter to the Accrediting Commission for California Junior Colleges. (See the full text of the CFT letter on pages 2 and 3 of this *Update*.)

“The Executive Council of the All Faculty Association (AFA), exclusive bargaining agent for Santa Rosa Junior College Faculty, Unit A, strongly supports the California Federation of Teacher’s request for amendment of Accrediting Commission for California Junior Colleges

(ACCJC) Standards III.A.1.c. and II.A.6, and agrees with all the reasons outlined in its letter dated October 13, 2008 to President Barbara Beno.

AFA firmly believes that Student Learning Outcomes are a significant part of program development and review, but should not be used for purposes of evaluating faculty performance. As the State of California Education Code gives collective bargaining agents and the academic senates the right to negotiate evaluation criteria and procedures, no outside accrediting body can subsume that right.”

Attn: Adjunct Faculty—ACSTT/AFDAF Restricted for 2008-09 AFA Recommends Against Volunteering to Work for Free

Because of budget constraints, the District and AFA have determined that there are not sufficient funds in the AFA College Service & Technology Training Fund (ACSTT) to pay for all District-wide committee work performed this semester, Fall 2008. Since August we have been negotiating how to supplement the fund; but, in the end we agreed that we could only fund the activities described below.

The District and AFA have agreed that AFA will contribute \$16,675.00 to ACSTT for the purposes of supplementing the Adjunct Faculty District Activities Fund (AFDAF). The AFA Executive Council voted on September 24 to use approximately \$12,600.00 of that amount to pay adjunct faculty who serve on the AFA Executive Council during the 2008-09 academic year.

AFA has also agreed that the remainder of the \$16,675.00 will be used to pay AFA’s appointees who serve on District-wide committees for Fall 2008 only.

AFA and the District have also agreed that the balance of the existing funds in the ACSTT/AFDAF account, approximately \$17,000.00, would be used to pay adjunct faculty for attending meetings of the following key District-wide committees and councils:

- Academic Senate
- Budget Advisory Committee
- Curriculum Review Committee
- District Online Committee
- District Tenure Review & Evaluations Committee
- Institutional Planning Council

(cont. on page 4)

CFT Letter to ACCJC re: SLO's and Evaluations

Dear President Beno, Chair Gaines, and Commissioners of the ACCJC:

I write this letter as President of the California Federation of Teachers, AFT/AFL-CIO. As you are well aware, the Accrediting Commission for the California Junior Colleges (ACCJC) serves an important function by virtue of California law. In particular, the State has dictated that,

“Each community college within a district shall be an accredited institution. The Accrediting Commission for California Junior Colleges shall determine accreditation.” (5 Cal. Code Regs. § 51016)

In conferring this important responsibility on the ACCJC, the State of California and the Board of Governors of the California Community Colleges expect that the ACCJC will fulfill an important state objective, providing education through accredited public community colleges. ACCJC may or may not be a quasi-governmental entity, but either way it must respect State laws when fulfilling its functions.

Of particular importance to the California Federation of Teachers, and its constituent locals, is the Educational Employment Relations Act, California Government Code section 3540 et seq. The Act, as you know, provides a framework for collective bargaining for employees in the California Community Colleges.

One of the most important rights faculty have is to negotiate with their employer over evaluation procedures, criteria and standards. In fact, this right is so important that the Legislature deemed it worthy of explicit enumeration within the Act. In addition, pursuant to the EERA, academic freedom policies are negotiated at community colleges.

In recent years, considerable controversy has existed within the community colleges over the issue of Student Learning Outcomes or SLOs. It is an understatement to say that many within the college community, faculty and administrators

alike, feel the ACCJC has gone too far in its demands regarding SLOs, especially when they intrude on negotiable evaluation criteria and violate principles of academic freedom.

Not long ago, the CFT invited comment from its faculty unions about SLOs, and their impact on their local colleges. Of particular concern to CFT is the propensity with which accreditation teams from the ACCJC have indicated to the colleges that they should “develop and implement policies and procedures to incorporate student learning outcomes into evaluation of those with direct responsibility for student learning.” This directive is based on ACCJC Accreditation Standard III.A.1.c., which states,

“Faculty and others directly responsible for student programs toward achieving stated student learning outcomes have, as a component of their evaluation, effectiveness in producing those student learning outcomes.” (ACCJC Accreditation Standard III.A.1.c.)

Another standard has been used by accreditation teams to justify changes in faculty work such as syllabi. This standard, which has interfered in faculty’s academic freedom rights, states:

“The institution assures that students and prospective students receive clear and accurate information ... In every class section students receive a course syllabus that specifies learning objectives consistent with those in the institution’s officially approved course outline.” (ACCJC Accreditation Standard II.A.6.)

We believe both of these standards, as written and as applied, intrude on matters left to collective bargaining by the Legislature. For a time, we recognized that the ACCJC’s inclusion of these standards might have been considered to be mandated by the regulations and approach of the U.S. Department of Education.

(cont. on page 3)

SLO's and Evaluations *(cont. from page 2)*

Now, however, with the recently re-enacted Higher Education Act, the Federal mandate for the SLO component has been eliminated for community colleges and other institutions of higher education. I'm sure you are aware that Congress passed, and the President signed, legislation amending 20 U.S.C. 1099 (b), to provide that the Secretary of Education may not "establish any criteria that specifies, defines, or prescribes the standards that accrediting agencies or associations shall use to assess any institution's success with respect to student achievement." [See Higher Education Act, S. 1642 (110th Congress, 1st Session, at p. 380)]

Given this amendment, it is CFT's position that the ACCJC has no statutory mandate which prescribes inclusion of the above-referenced standards dealing with faculty evaluations, and syllabi.

Under the EERA, absent mandatory proscriptions in the law, each and every aspect of evaluation is negotiable. See, e.g., Walnut Valley Unified School District (1983) PERB Dec. No. 289, 7 PERC ¶ 14084, pp. 321-322; Holtville Unified School District (1982) PERB Dec. No. 250, 6 PERC ¶ 13235, p. 906. The Legislature reaffirmed the negotiability of evaluation procedures and criteria when it adopted A.B. 1725 in 1989. (See Cal. Ed. Code § 87610.1, 877663(f)). The Legislature did specify that community college evaluations procedures must include a peer review process and, to the extent practicable, student evaluations. (See Cal. Ed. Code § 87663(g)). However, it did not mandate SLOs.

Accordingly, the CFT wishes to inquire as to what actions ACCJC intends to take to conform its regulations to the requirements of State law, and to recognize that the adoption of any local provisions which include faculty effectiveness in producing student learning outcomes, should be entirely a matter of collective bargaining negotiations. And, similarly, that the ACCJC cannot mandate inclusion of information in

syllabi which faculty, by reason of academic freedom and tradition, are entitled to determine using their own best academic judgment, or through the negotiations process. Of course, in negotiations over evaluation, the law also provides that faculty organizations shall consult with local academic senates before negotiating over these matters.

While ACCJC is free to encourage colleges and their faculty organizations to negotiate over this topic, it is not free to mandate or coerce the adoption of such standards by sanctioning colleges which do not adopt standards that ACCJC would prefer in these areas. Given its state function, ACCJC must respect the negotiations process mandated by state law, and academic freedom rights adopted by contract or policy.

California's public community colleges are an extraordinary public resource, and the Legislature has seen fit to decree that when it comes to faculty evaluation, that process shall be subject to collective bargaining. With the adoption of the landmark bill A.B. 1725 almost 20 years ago, the Legislature came down squarely on the side of faculty determining, with their employers, the method and content of their evaluations. This system has worked exceptionally well for almost 35 years.

Given the change in Federal law, the CFT calls upon ACCJC to take prompt and appropriate action to amend its standards to respect the boundaries established by the Legislature and not purport to regulate the methods by which faculty are evaluated or determine their course work such as syllabi.

I look forward to your response.

Sincerely,
Marty Hittelman, President
California Federation of Teachers



Thank you, Peggy Goebel and Linda Weiss! Welcome Mike Meese and Lynn Harenberg-Miller!

AFA would like to extend our gratitude and appreciation to Peggy Goebel, regular faculty in the Health Sciences Department, and Linda Weiss, adjunct faculty in the Art Department, both of whom resigned earlier this year from their respective seats on the AFA Executive Council after serving for nine years (since Fall 1999). Peggy and Linda each made significant contributions to the organization and the faculty they served, and we wish them both well.

A campus-wide announcement about the regular faculty vacancy was sent out at the beginning of April 2008. At the April 9 Council meeting following procedures outlined in the AFA Bylaws, Mike Meese was appointed to the vacant seat for the term ending August 2009.

Mike is a regular instructor in the Administration of Justice Department. He started at SRJC as a student in 1981, became adjunct faculty in the mid-80's and was hired full-time in 2006. Mike has participated in faculty governance and has had assignments at the Santa Rosa and Petaluma campuses and the Windsor Training Center. He also has prior experience representing employees in contract issues and negotiating collective bargaining agreements.

A campus-wide announcement about the adjunct faculty vacancy was sent out in mid-September. At

the October 8 Council meeting following procedures outlined in the AFA Bylaws, Lynn Harenberg-Miller was appointed to the vacant seat for the term ending August 2009.

Lynn is an adjunct Media and Film Studies instructor in the Communication Studies Department. She has participated in faculty governance at both the Petaluma and Santa Rosa campuses. Her previous service includes assignments on the Academic Senate, Petaluma Faculty Forum Steering Committee and Professional Development Committee.

Welcome to the Council, Mike and Lynn!

As a reminder to all faculty, regularly scheduled Council elections will be held early in the Spring 2009 semester. At that time, three adjunct faculty seats and six regular faculty seats will be up for election. Each seat is for a two-year term, which begins Fall 2009. We encourage all eligible faculty members of AFA to consider running for a seat on the Council. An *AFA Update* with an announcement and nomination form will be distributed to campus mailboxes in mid-January. Contact any Council representative or the AFA office if you'd like to know more about what's involved. (Log onto the AFA Web site at www.santarosa.edu/afa/ for contact information or call the AFA office at 527-4731.)

ACSTT/AFDAF Restricted *(cont. from page 1)*

If other funds become available, then the ACSTT Steering Committee will make determinations about how best to apportion those funds for service on other District-wide committees. At this time, ACSTT will not be able to approve pay for any AFDAF Special Projects, presentations of PDA/Flex workshops, or service as a faculty advisor to a student club.

Depending on the availability of funds, and with prior approval from the appropriate supervising administrator, the District has also agreed to pay adjunct faculty who:

- Perform evaluations
- Serve on hiring committees
- Serve on advisory boards in vocational departments
- Develop Student Learning Outcomes (SLO's) and SLO projects

Adjunct Faculty who have attended meetings of committees up until October 20, 2008, but are not serving on one of the six committees outlined above, should submit a timesheet to AFA for the work performed.

AFA and the District are committed to supporting adjunct participation in shared governance activities, we continue to search for ways to supplement this fund, and we will keep you informed as to our progress. Although some adjunct faculty will want to voluntarily serve the District, **AFA urges adjuncts to work only if you are being paid.** As the economic crisis continues in California and the rest of the nation, we will face much greater challenges, but we still insist that all faculty be paid for the work they perform.

