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President	David Vakil	VP Faculty Development	Chris Gold
VP Compton Educational Center	Saul Panski	VP Finance and Special Projects	Lance Widman
Curriculum Chair	Lars Kjeseth	VP Legislative Action	Chris Wells
VP Educational Policies	Chris Jeffries	Secretary	Claudia Striepe

Senate Mailing List

<u>Adjunct</u>		<u>Health Sci & Athletics/Nursing</u>		<u>Natural Sciences</u>	
Michael Mangan - English	09/10	Tom Hazell*	09/10	Miguel Jimenez	11/12
_____ (vacant)		_____ (vacant)		Chuck Herzig	11/12
		_____ (vacant)		Teresa Palos	10/11
<u>Behavior & Social Sciences</u>		Pat McGinley	09/10	David Vakil*	10/11
Randy Firestone	11/12	Kathleen Rosales	11/12	_____ (vacant)	
Christina Gold	10/11			<u>Academic Affairs</u>	
Michelle Moen	11/12	<u>Humanities</u>		Quajuana Chapman	
Lance Widman*	09/10	Brent Isaacs	11/12	Dr. Francisco Arce	
Michael Wynne	11/12	Peter Marcoux	11/12	<u>Associated Students Org.</u>	
<u>Business</u>		Kate McLaughlin	11/12	Joshua Casper	
Philip Lau	11/12	Bruce Peppard	11/12	Begoña Guereca	
Jay Siddiqui*	11/12	Jenny Simon	11/12	Phillip Stokes	
_____ (vacant)		<u>Industry & Technology</u>		<u>President/Superintendent</u>	
<u>Compton Educational Center</u>	(1 yr terms)	Patty Gebert	09/10	Dr. Thomas Fallo	
Saul Panski	09/10	Ed Hofmann		<u>The Union</u>	
Estina Pratt	09/10	Douglas Marston*		Editor	
Tom Norton	09/10	Lee Macpherson	09/10		
Jerome Evans	09/10	_____ (vacant)		<u>Division Personnel</u>	
Darwin Smith	09/10	<u>Learning Resource Unit</u>		Jean Shankweiler	
<u>Counseling</u>		Claudia Striepe*	10/11	Don Goldberg	
Christina Pajo	11/12	Moon Ichinaga	10/11	Tom Lew	
Brenda Jackson*	10/11	<u>Mathematical Sciences</u>		<u>Counseling</u>	
Chris Jeffries	10/11	John Boerger	10/11	Ken Key	
<u>Fine Arts</u>		Greg Fry	10/11	<u>Ex-officio positions</u>	
Ali Ahmadpour	11/12	Marc Glucksman*	09/10	ECCFT President	
Randall Bloomberg	11/12	Susan Taylor	11/12	Elizabeth Shadish	
Patrick Schultz	11/12	Paul Yun	10/11	Curriculum Chair	
Chris Wells*	11/12			Lars Kjeseth	
Mark Crossman	11/12				

Dates after names indicate the last academic year of the senator's three year term, except for Compton senators who serve one-year terms. For example 11/12 = 2011-2012.

*denotes senator from the division who has served on Senate the longest (i.e. the "senior senator")



SENATE'S PURPOSE (from the Senate Constitution)

- A. To provide an organization through which the faculty will have the means for full participation in the formulation of policy on academic and professional matters relating to the college including those in Title 5, Subchapter 2, Sections 53200-53206. *California Code of Regulations*. Specifically, as provided for in Board Policy 2510, and listed below, the “Board of Trustees will normally accept the recommendations of the Academic Senate on academic and professional matters of:
- (1) Curriculum, including establishing prerequisites and placing courses within disciplines
 - (2) Degree and certificate requirements
 - (3) Grading policies
 - (4) Educational program development
 - (5) Standards and policies regarding student preparation and success
 - (6) District and college governance structures, as related to faculty roles
 - (7) Faculty roles and involvement in accreditation process, including self-study and annual reports
 - (8) Policies for faculty professional development activities
 - (9) Processes for program review
 - (10) Processes for institutional planning and budget development, and
 - (11) Other academic and professional matters as mutually agreed upon between the Board of Trustees and the Academic Senate.”
- B. To facilitate communication among faculty, administration, employee organizations, bargaining agents and the El Camino College Board of Trustees.

ECC ACADEMIC SENATE MEETING DATES AND LOCATIONS

<u>FALL 2009</u>		<u>SPRING 2010</u>		(changes denoted with <u>underlines</u>)
September 15	Communications 104	March 2	Communications 104	
October 6	Communications 104	March 16	Communications 104	
October 20	Communications 104	April 1	<u>Dist Ed Conf. Room</u>	
		April 6	Communications 104	
November 3	Communications 104	April 20	<u>Compton Board Room</u>	
November 17	Communications 104	May 4	Communications 104	
December 1	Communications 104	May 18	Communications 104	
December 15	Communications 104	June 1	Communications 104	

CEC ACADEMIC SENATE MEETING DATES AND LOCATIONS

<u>FALL 2009</u>		<u>SPRING 2010</u>	
September 17	Board Room	March 4	Board Room
October 8	Board Room	March 18	Board Room
October 22	Board Room	April 8	Board Room
November 5	Board Room	April 22	Board Room
November 19	Board Room	May 6	Board Room
December 3	Board Room	May 20	Board Room
		June 3	Board Room



AGENDA & TABLE OF CONTENTS

		Pages
A. CALL TO ORDER		
B. Discussion of potential resolution by ASCCC to vote no confidence in ACCJC leadership	(ASCCC = statewide Academic Senate)	
C. AGENDA ITEMS FOR FUTURE MEETINGS		
D. PUBLIC COMMENT		
E. ADJOURN		



Committees

<u>Sen</u>	<u>NAME</u>	<u>CHAIR</u>	<u>DAY</u>	<u>TIME</u>	<u>ROOM</u>
ASSESSMENT OF LEARNING (SLOs)		Jenny Simon	2 nd & 4 th Mon.	2:30-4:00	Library 202
COMPTON FACULTY COUNCIL		Saul Panski	Thursdays	2:00-3:00	CEC Board
CURRICULUM		Lars Kjeseth	2/23, 3/16, 4/6, 5/4, 5/25, 6/1	2:30-4:30	Board Room
EDUCATION POLICIES		Chris Jeffries	2 nd & 4 th Tues.	12:30-2:00	SSC 106
PLANNING & BUDGETING		Arvid Spor	1 st & 3 rd Thur	1:00 – 2:30	Library 202
FACULTY DEVELOPMENT		Chris Gold	2 nd & 4 th Tues	1:00 – 1:50	ADM 127
CALENDAR		Jeanie Nishime	Sep 30	3pm	Board Room
ACADEMIC TECHNOLOGY		Jim Noyes, Virginia Rapp	Sep 24 Nov 12	12:30 – 2:00 pm	Library 202
<u>Campus</u>					
ACCREDITATION		Francisco Arce , Arvid Spor, Evelyn Uyemura			
BOARD OF TRUSTEES		Nate Jackson	Mondays	4:00	Board Room
COLLEGE COUNCIL		Tom Fallo	Mondays	12:00-1:00	Adm. 127
DEAN'S COUNCIL		Francisco Arce	Thursdays	9:00-10:30	
CAMPUS TECHNOLOGY		John Wagstaff	3 rd Weds.	2-3:00 pm	
ENROLLMENT MANAGEMENT		Arvid Spor	Thursdays	9-10:00 am	Library 202

Senate President Report, April 1, 2010

Possible Statewide Senate (ASCCC) Spring 2010 resolution – vote of no confidence in the leadership of the ACCJC

This special meeting of the ECC has been called so that ECC Academic Senate can discuss the potential resolution at the upcoming ASCCC Plenary Session (April 15-17, 2010) to vote no confidence in the leadership of the ACCJC, our accrediting body. As the ECC voting delegate to the ASCCC, I have four actions I can take on any resolution: approve the resolution as written, oppose the resolution as written, abstain from the vote, or seek to amend the resolution. Please note that amendments can alter “whereas” and/or “resolved” statements. I seek your guidance on how I should proceed for this resolution, and on all resolutions about which you have an informed opinion.

Some background about the ASCCC follows in this paragraph. The ASCCC is organized into 4 “areas” according (approximately) to geographical location. Each semester, the ASCCC holds a 3-day “plenary” session where there are breakout sessions to discuss relevant issues, opportunities for relevant senate professional development, and votes on several resolutions requiring action of some kind by the ASCCC. Votes occur during the final “general session” of the Plenary meeting. To facilitate meaningful discussion and informed voting, the ASCCC holds “area” meetings a few days/weeks in advance of the plenary session. The proposed resolutions are discussed and often amended in these area meetings. Sometimes new resolutions are written. The set of resolutions is not finalized until after the plenary session actually begins. Typically there are approximately 80-112 senate delegates voting on the resolutions so votes are anonymous, unless someone overhears you speaking “aye” or “nay.”

The resolution of no confidence was first written by Area A (page 7), on Friday, March 26, 2010. Area C then met the following day, and made a few minor language changes (page 6). According to information I have received (page 8) from the ASCCC Area C representative, Lesley Kawaguchi (Santa Monica College), Area B has also passed a similar resolution. I have not heard about whether the fourth area (D) considered a resolution. I do not know what the “final” version of the proposed resolution of confidence will look like; I suspect it will be the Area C version.

In this packet you will find:

1. The revised version of the resolution of no confidence, as revised by Area C, with “tracking changes” noted on the original Area A resolution. (page 6)
2. The original Area A resolution. (page 7)
3. Excerpt of email correspondence from Lesley Kawaguchi to me. (page 8)
4. Potential documentation that may be used as supporting evidence in the potential resolution, including:
 - a. Letter from Marty Hittelman, California Federation of Teachers president, concerning accreditation and SLOs (pages 9-11)
 - b. ACCJC Response to Hittelman’s letter (pages 12-15)
 - c. Letter from ACCJC responding to Chancellor Scott’s request for a meeting, and associated follow-up documentation (pages 16-19)
 - d. Letter from Chancellor to relevant parties about the same request (pages 20-21)
 - e. Letter from ACCJC responding to the issues raised by Chancellor Scott (pages 22-31, but no page numbers shown due to technical problem.)

I chose to include the above documents in this packet because they are official correspondences to or from the ACCJC regarding its processes and suggestions to the ACCJC for improvement and/or dialog. If anybody is aware of other relevant documents (preferably official documentation) related to the resolution (either the “whereas” and/or the “resolved” statements), I urge you to make 50 copies and bring them to the meeting on Thursday.

Thank you.

| Area A Resolutions Spring 2010, with edits shown written by Area C

Vote of No Confidence in the Leadership of the Accrediting Commission for Community and Junior Colleges (ACCJC)

Whereas, the purpose of accreditation is to ensure quality in higher education through the use of a peer review process that focuses on self-study, a meeting of standards that represent best practices, and identification of areas of needed improvement;

| Whereas, to effectively carry out the accreditation peer review process, which we highly support, the leadership of that body that accredits must model openness, frank discussions, robust dialog, honesty in communications and willingness to improve, and the Accrediting Commission for Community and Junior Colleges (ACCJC) leadership has consistently failed to model any of these;

| Whereas, the leadership of ACCJC has exhibited ~~an inability to~~ no evidence that they hold themselves accountable to their own standards of improvement, was unresponsive to the recommendations from the official statewide representative body, denied those representatives the opportunity to speak at a public meeting, and is unwilling to improve ~~their~~ its own dysfunctional processes; and

| Whereas, collaborative and collegial communication to ACCJC leadership from CEO's, CIO's, CSSO's, and faculty indicating specific areas of concern received a response from the ACCJC president that was not ~~considerate of~~ responsive to any ~~potential areas of the suggestions~~ that ACCJC should address for ~~their~~ its own improvement, and which was at variance with the facts (see appendix XX);

| Resolved, that the Academic Senate for California Community Colleges ~~deliver a votes of~~ no-confidence in the leadership of ACCJC; and

| Resolved, that the Academic Senate for California Community Colleges work with its Consultation Council partners to send this no-confidence vote to the Council for Higher Education Accreditation (CHEA, CRAC, the Secretary of Education, and the President of the United States.

Area A Resolutions Spring 2010

Vote of No Confidence in the Leadership of the Accrediting Commission for Community and Junior Colleges (ACCJC)

Whereas, the purpose of accreditation is to ensure quality in higher education through the use of a peer review process that focuses on self-study, a meeting of standards that represent best practices, and identification of areas of needed improvement;

Whereas, to effectively carry out the accreditation peer review process, which we highly support, the leadership of that body that accredits must model openness, frank discussions, honesty in communications and willingness to improve, and the Accrediting Commission for Community and Junior Colleges (ACCJC) leadership has failed to model any of these;

Whereas, the leadership of ACCJC has exhibited an inability to hold themselves to their own standards of improvement, was unresponsive to the recommendations from the official statewide representative body, denied those representatives the opportunity to speak at a public meeting, and is unwilling to improve their own dysfunctional processes; and

Whereas, collaborative and collegial communication to ACCJC leadership from CEO's, CIO's, CSSO's, and faculty indicating specific areas of concern received a response from the ACCJC president that was not considerate of any potential areas that ACCJC should address for their own improvement, and was at variance with the facts (see appendix XX);

Resolved, that the Academic Senate for California Community Colleges deliver a vote of no-confidence in the leadership of ACCJC; and

Resolved, that the Academic Senate for California Community Colleges work with its Consultation Council partners to send this no-confidence vote to Council for Higher Education Accreditation (CHEA, CRAC, the Secretary of Education, and the President of the United States.

From: Lesley Kawaguchi, Area C representative of the ASCCC (i.e. the statewide Academic Senate)

To: David Vakil (ECC Academic Senate President)

RE: ACCJC vote of no confidence in ACCJC leadership

What follows is an excerpt from an email from Lesley to David.

Area B also submitted a resolution, so we're all awaiting what the Resolution Committee decides about them. Furthermore, Exec is proceeding carefully because of the implications, including having documentation and supporting evidence since it is a major step. Having been the president-elect at my college when a vote of no confidence was taken [and becoming president 12 days after the vote -- try to picture that], it was essential to have a timeline and documentation to show that the faculty weren't merely reacting to a single incident, but were responding to a pattern of behaviors and responses. Clearly, discussions with other groups will also need to occur, though they're called for in the resolutions.

...

Tell your faculty that this will be a deliberative process and it will proceed carefully.

October 13,2008

President Barbara Beno, ACCJC
10 Commercial Boulevard, Suite 204
Novato, CA 94949

Ms. Lurlean Gaines, Chair, and Commissioners of the ACCJC
10 Commercial Boulevard, Suite 204
Novato, CA 94949

Re: Amendment of ACCJC Standards III.A.1.c. and II.A.6.

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.

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



**ACCREDITING
COMMISSION
for COMMUNITY and
JUNIOR COLLEGES**

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TOM LANE

December 2, 2008

Mr. Marty Hittelman, President
California Federation of Teachers
2550 N. Hollywood Way, Suite 400
Burbank, California 91505

Dear Mr. Hittelman:

This letter responds to your letter of October 13, 2008. The Commission appreciates your comments with respect to the issues you raise, and we will attempt to address each of them in this letter. For the convenience of the reader, we've restated portions of your letter in italics and then commented on each of your points.

1. After quoting from a section of the California Code of Regulations which requires that each community college be accredited by ACCJC, you state in your letter,

"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."

The ACCJC does not provide education. Its purpose is to assure that its accredited institutions adhere to its standards which are designed to assure that certain levels of quality are maintained. The ACCJC was not developed to help achieve any State objective. The ACCJC was not developed by the State, and it is not an agent of the State, and it has not been delegated any State function. The ACCJC is a private organization, and its standards are developed without any involvement or directions from the State of California. Its accreditation activities are not limited to the State of California. It also accredits institutions in Hawaii and in the Pacific regions accredited by WASC.

2. *"ACCJC may or may not be a quasi- governmental entity, but either way it must respect State laws when fulfilling its functions."*

The ACCJC is not a governmental or quasi-governmental entity. It is a private organization. Its functions are of course carried out in a manner that are consistent with all applicable laws, state and federal.

3. After referring to the right of teachers at community colleges to collectively bargain, you state,

Mr. Marty Hittelman
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"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.

This paragraph contains a number of inaccurate and misleading statements. You are correct when you state that the faculties of community colleges have a legally protected right to bargain collectively; however, the scope of that right is set forth explicitly in the California Labor Code, Section 3543.2. It is limited to "matters relating to wages, hours of employment, and other terms and conditions of employment." "Terms and conditions" includes ". . . procedures to be used for the evaluation of employees," not the "criteria and standards" to be used for evaluation, as you assert. The bargaining unit is given the right to "consult" (not collectively bargain) over issues related to "the definition of educational objectives, the determination of the content of courses and curriculum, and the selection of textbooks to the extent such matters are within the discretion of the public school employer under the law." Further, California law protects the prerogative of the Academic Senate, not a collective-bargaining unit, ". . . to represent the faculty in making recommendations to the administration governing board of the school district with respect to district policies on academic and professional matters." (California Labor Code, §3540). Your assertion that the collective bargaining unit has a legal right to negotiate "over the evaluation of . . . criteria and standards" is not accurate.

ACCJC's standards recognize and respect the critical importance of the faculty and the Academic Senate in protecting academic freedom within the institution. ACCJC's standards provide in part, "The institution relies on faculty, its academic senate or other appropriate faculty structures, the curriculum committee, and academic administrators for recommendations about student learning programs and services." (*Accreditation Reference Handbook*, Standard IV, A.2.b.).

4. After introducing the subject of student learning outcomes, you state,

". . . many within the college community, faculty and administrators alike, feel that ACCJC has gone too far in its demands regarding SLOs (student learning outcomes, especially when they intrude on negotiable evaluation criteria and violate principles of academic freedom."

Your comments reflect a fundamental misunderstanding of ACCJC's purposes and activities as they relate to student learning outcomes. ACCJC does not dictate to an institution or to its faculty what the intended student learning outcomes should be. Under ACCJC's standards, each institution defines the student learning outcomes for that particular institution at the course, program, and degree level. When these student learning outcomes are defined by the institution, the institution is then expected to measure whether the intended learning outcomes are occurring and to what degree, and, finally,

to apply the results of assessment to improve educational and institutional practices. (*Accreditation Reference Handbook*, Standard II.A.). Assessing the extent to which our institutions are fulfilling this Standard is a basic function of the accreditation process and has become an essential measure of quality in education. ACCJC's Standards on student learning outcomes are in line with mainstream thinking on educational quality. The requirement that institutions assess whether the intended student learning is occurring has become an integral part of the accreditation process of all regional accrediting associations.

The protection of academic freedom has always been an integral part of ACCJC's assessment of an institution. Standard II, A, 7, provides in part, "In order to assure the academic integrity of the teaching-learning process, the institution uses and makes public governing board adopted policies on academic freedom and responsibility, student academic honesty, and specific institutional beliefs or world views. These policies make clear the institution's commitment to the free pursuit and dissemination of knowledge."

Academic freedom has never meant freedom from the responsibility of adhering to institutionally based standards of quality and institutional mission.

4. Your letter next takes issue with ACCJC's standard (Standard II.A.1.c). This Standard requires that the "faculty and others directly responsible for student learning. . ." have, as a *component* (emphasis added) of their evaluation, effectiveness in producing those student learning outcomes." As we have explained above, a critical part of assessing student learning outcomes is measuring the extent to which assessments of those learning outcomes are applied to improve educational quality and future student learning. Without that final component, there would be no way to assess whether the process was effective. We stress that this assessment is only one possible component of evaluations of academic staff. It is not intended to be the only component or one that is given any particular priority in relation to other components. The ACCJC's goal is to insure that the institution, and its academic employees, have the mechanisms necessary to help the make improvements to the educational learning environment.

5. You quote from Standard II.A.6 which states in part, "The institution assures that students and prospective students receive clear and accurate information . . . In every class section students receive a course syllabus that identifies learning objectives consistent with those in the institutions officially approved course outline." You contend that this standard infringes on academic freedom.

Your assertion is without merit. Again, academic freedom does not mean freedom from the responsibility of adhering to institutionally adopted curricula or course outlines.

There is nothing in the Standards that mandates that course outlines include any particular content, nor do the Standards prohibit instructors from adding educational objectives other than those appearing in the institution's officially approved course outline. As pointed out above,

Mr. Marty Hittelman
December 2, 2008
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California law leaves the final decisions on all such matters squarely with the governing body of the institution. It does not leave the content of these matters to collective bargaining although it does permit consultation from the collective bargaining unit.

6. You assert that amendments to the federal Higher Education Act in 2008 removed the federal mandate that all Department of Education approved accrediting associations assure that their accredited institutions adopt and enforce student learning outcomes. Again, your assertion is misplaced. The 2008 amendments to the Higher Education Act reaffirmed that all Department of Education approved accrediting associations, of which ACCJC is one, are required to, “. . . assess the institution’s, (A) success with respect to student achievement in relation to the institution’s mission, *which may include different standards for different institutions or programs*, including as appropriate, consideration of course completion, State licensing examinations, and job placement rates” (The portion in italics reflects the change in the 2008 amendment.). In other words, the 2008 amendment only emphasizes that each institution is to develop its own student learning outcomes, a feature which has been an integral part of ACCJC’s accreditation practices since the adoption of these Standards.

7. At the conclusion of your letter you return to your opening assertion and contend, again incorrectly, that California law provides that the adoption of instructor evaluation criteria is an integral part of the collective bargaining process and therefore the criteria bargained for should be insulated from any interference from ACCJC or its Standards, including student outcome requirements. Again, you are misreading and misstating the scope of what is legally the proper subject to collective bargaining under the Labor Code. As pointed out above, the Labor Code provides only that “faculty evaluation procedures,” not the substantive content of that evaluation, are properly the subject of collective bargaining (Education Code §§ 3543.2, 87663).

In conclusion, the ACCJC does not believe it has violated the law by developing and promulgating the Standards of Accreditation to which you have voiced objection.

Sincerely,

Lurelean Gaines, Chair

Barbara Beno, President



**ACCREDITING
COMMISSION
for COMMUNITY and
JUNIOR COLLEGES**

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Vice President
GARMAN JACK POND

Associate Vice President
LILY OWYANG

January 6, 2010

Urgent and Important

**To: Chancellors, Superintendents and Presidents of California
Community Colleges, ALOs**

From: Barbara Beno, President *Barbara A Beno*
Lurelean Gaines, Commission Chair

Subject: The ACCJC's Public Meeting Today

We are writing to you on behalf of the Accrediting Commission for Community and Junior Colleges about an unprecedented and very serious set of events that are occurring and that concern your institutional interests in accreditation. We are writing to ensure that as the CEO of a member institution(s), you are kept fully apprised of the events that are occurring, and the reasons for the Commission's responses to those events.

The ACCJC has been approached by the California Community College Chancellor with suggestions for "improvement" of accreditation. These suggestions were developed by the Chancellor's shared governance body, the Consultation Council, apparently as reflection of the results of a survey that the Chancellor's Office administered in the summer. The Chancellor did not share the survey results or response rate with the Commission.

In August, the Chancellor indicated his desire to share these suggestions with the Commission, and was offered the opportunity to come to the January 2010 public meeting. He insisted he was unwilling to do so, and requested that the Commission convene in private to hear from him and the Council. In deference to the Chancellor's desire to share these suggestions with the Commission and his expressed desire to do so in private, the Commission sent four Commissioners to meet with four members of the Consultation Council in late October. The Commission expressly stated that its agreement to an informal private meeting would be in lieu of scheduling the Chancellor to come to the public meeting to address the Commission. In a meeting that lasted approximately four hours, the Chancellor and the members of the Consultation Council explained what they meant by the seven suggestions. The members of the Commission responded with some questions and some information. The Commission stated before and during that meeting that Commission representatives would take the conversation contents to the entire Commission for a private discussion during its January 2010 meeting and then provide a written response following the meeting.

The Chancellor and the Consultation Council have now requested in writing to speak at the public meeting of the Commission about the same matter, before the Commission has had a chance to internally discuss the October meeting and respond to it, and after the Commission agenda had been set. The request to appear at the Commission's public meeting has been politely declined in accordance with Commission policy. The Commission policies permit comment from persons who attend the public meeting of the Commission on matters that are on the public meeting agenda. The Commission has not placed the Chancellor's suggestions on its public meeting agenda. It is our understanding that the Chancellor and/or his Consultation Counsel members will appear at today's meeting and request time to speak about these same seven suggestions nevertheless.

As you know, the Commission is a membership organization; its members are the individual institutions that are accredited. By policy, the Commission communicates with member institutions through the institutional CEO. The Consultation Council has written a letter purporting to represent the California Community Colleges, as a group, and the CEOs. By policy, the Commission cannot accept the representations of a third party as a substitute for voice of its member institutions and their CEOs. There are 137 individual institutional members of the ACCJC; each institution has an equal voice.

Given this situation, we want you to know that the Commission will operate in alignment with its policies developed in collaboration with its member institutions, in alignment with federal regulations that govern recognized accrediting bodies, and as a regional quality assurance agency to enforce the Standards of Accreditation adopted in 2002.

The Commission will provide a written response to the Chancellor following its meeting this month, and we will send a copy of that response to you.

We remind you that as member institutions it is your responsibility to communicate to us directly on any issue of concern. The Commission welcomes your input and appreciates the opportunity to engage in dialogue with its members.

BAB

From: Chief Executive Officers [mailto:CEO-ALL@LISTSERV.CCCCO.EDU] **On Behalf Of** Scott Lay
Sent: Wednesday, January 06, 2010 9:38 AM
To: CEO-ALL@LISTSERV.CCCCO.EDU
Subject: ACCJC Meeting Today

Date: January 6, 2010
To: Chief Executive Officers
From: Scott Lay
Re: ACCJC Meeting Today

You received a memo this morning from Barbara Beno and Luralean Gaines regarding today's commission meeting and efforts to communicate the position of the Chief Executive Officers of the California Community Colleges and other organizations about recommendations to strengthen our peer accreditation system.

Nicki Harrington represents the CEOCCC on the Chancellor's Consultation Council Task Force on Accreditation, and with me, is here to represent the positions of the CEO board. While the Commission has concluded that we are unable to represent you as member institutions, it's important to note that the chief executive officers of all California's community colleges democratically elect representatives to the CEO board to create a statewide voice that would otherwise be ineffective. This body endorsed the seven recommendations unanimously with the abstention of one member, who serves on both the CEO board and ACCJC.

I don't intend to escalate the many issues that our colleges have been discussing regarding accreditation or the efforts of the task force, but feel that ensuring that the ability of the CEO board to collect information and make policy recommendations on behalf of its CEO members to organizations like ACCJC be maintained.

From: Chief Executive Officers [mailto:CEO-ALL@LISTSERV.CCCCO.EDU] **On Behalf Of** Scott Lay
Sent: Wednesday, January 06, 2010 10:05 AM
To: CEO-ALL@LISTSERV.CCCCO.EDU
Subject: ACCJC Recommendations

CEOs-

Some of you have inquired about the recommendations developed by Chancellor Scott's task force and endorsed by the CEO board and referenced in the messages from Barbara Beno and me. More information is included in the December CEO board agenda (<http://www.ccleague.org/files/public/CEO12-09ag.pdf> - pages 106-7). Here are the seven recommendations:

Recommendations to ACCJC

1. Develop a means for colleges to provide periodic feedback to ACCJC on the accreditation processes and their experiences, including both commendations for what went well and identification of what needs improvement.
2. Strengthen standards-based training of both visiting-team members and ALOs. Consider instituting an annual multi-day statewide California Community College conference to provide training and information to all interested constituencies. This could be co-presented with the Academic Senate and the CC League at the November annual CCC conference. Colleges could also present their best practices.
3. Review the ACCJC visiting-team selection process and consider means to involve a wider cross-section of the individuals in our system who desire to participate. Team participation should be treated as a professional development opportunity.
4. Scale accreditation expectations of Western Region colleges to benchmarks formulated relative to best practices documented in all of the accrediting regions in the country.
5. Consider lengthening the cycle of accreditation to 8-10 years.
6. Employ cooperative ways to have accreditation result in improvement rather than just compliance. Also, develop more non-public ways to communicate to campuses their need for improvement.
7. Avoid recommendations that encroach on negotiable issues.



CALIFORNIA COMMUNITY COLLEGES

CHANCELLOR'S OFFICE

To: Chancellors, Presidents and Accreditation Liaison Officers

From: Accreditation Task Force
Barbara Davis-Lyman, Board of Governors
Rich Hansen, Faculty Association of California Community Colleges
Nicki Harrington, Chief Executive Officers
Renee Kilmer, Chief Instructional Officers
Jane Patton, Academic Senate
Manuel Payan, California School Employees Association
Ron Norton Reel, Community College Association/California Teachers Association
Jack Scott, Chancellor

Subject: Accreditation

Date: January 13, 2010

You recently received a letter from Barbara Beno and Lurelean Gaines of the Accrediting Commission explaining their denial of the Consultation Accreditation Task Force request to present its recommendations to the entire Commission. We regret they chose to escalate this matter; we had hoped this discussion could be confined to the Accrediting Commission and the task force. After all, our request to appear before the Commission was simply in keeping with the Accreditation Handbook (pp. 133, 134).

Fortunately, the Commission reversed this decision and invited Chancellor Scott to address the Commission in closed session on Friday, January 8, 2010. Nicki Harrington, Past President of the CEO Board, and Jane Patton, State Academic Senate President, accompanied the Chancellor but did not speak. Rather than correct the inaccuracies in the letter you received, Chancellor Scott chose to focus his remarks on the more important matter of the recommendations formulated by the task force in its effort to improve the accreditation process. Incidentally, these recommendations have been approved by the CEO Board.

We have enclosed the remarks of Chancellor Scott before the Accrediting Commission on January 8, 2010. We have also enclosed the recommendations of the task force. As you may know, these were based upon a survey of California community college presidents and accreditation liaison officers.

We hope this information will be helpful as we all join together in affirming the importance of the accreditation process. At this point, we await a written response from the Accreditation Commission following its review of the task force recommendations at its March retreat. Any questions you have about this matter may be addressed to the members of the task force.

In the spirit of collaboration, and with the belief that accreditation is necessary and important, we provide the following recommendations to the ACCJC to enhance the process, especially as it applies to the California Community Colleges. We pledge our ongoing support to this effort to ensure the success of accreditation, the ACCJC and the California Community College System.

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