

## CCC Welcomes New Interim President: Dr. Chui Tsang



Chui L. Tsang

Following the departure on March 15 of Contra Costa College President Mojdeh Medizadeh, who has returned to the District Office to resume her position as Executive Vice Chancellor of Education and Technology, CCC has begun a search for a new permanent president. While that search is underway, Dr. Chui Tsang has been appointed interim president. Dr. Tsang retired two years ago as President of Santa Monica College, and before that he was President of City College of San Jose. A former linguistics professor with a Ph.D. from Stanford University, Dr. Tsang began his college career as a student at CCC. He has taught at Stanford, San Francisco State, and De Anza College. Medizadeh's transfer back to the District Office was unusual but reflected Chancellor Fred Wood's assessment that her talents were needed by the whole district. Dr. Tsang said he has always wanted a chance to help support his old alma mater, so he is happy to come to CCC, if only for short time.

## Resources and Research on Performance-Based Funding

For faculty who wish to more fully understand the nationwide push towards performance-based funding and "greater accountability" in higher education, the UF recommends the book, Performance Funding for Higher Education by Kevin J. Dougherty et al. Published by Johns Hopkins Press and funded in part by the Lumina Foundation, this book has been referenced both by supporters of performance-based funding and those opposed to it.

Also, to better inform faculty about the issues being debated in Sacramento in advance of the May Revise (as we look to the final budget in June), the UF has posted a variety of resources on our website: [www.uf4cd.org](http://www.uf4cd.org). These include:

- The Governor's Budget Proposal for Community Colleges
- The CEO Workgroup Counterproposal to the Governor's Funding Formula Proposal (a working draft)
- An initial response to the budget by the Faculty Association of California Community Colleges (FACCC)
- The full letter from the California Community College Independents (CCCI) on the budget formula (some of which is reprinted in this issue of Table Talk).
- A PDF of "Why Faculty Matter: The Role of Faculty in the Success of Community College Students," a new report and annotated bibliography published by the FACCC Education Institute
- "The 50% Law and the Faculty Obligation Number: An Updated Proposal," (the product of a management/faculty workgroup established by the State Chancellor's Office. This report will be discussed in future UF communications; it reflects ongoing work to improve FT/PT ratios).
- "Why Performance-Based College Funding Doesn't Work," by Nicholas Hillman, a 2016 report published by the Century Foundation. A good general overview of existing research.
- "Janus and Fair Share Fees," a report published by the Economic Policy Institute on the case now under review by the US Supreme court.

## President's Message

### Shared Governance Means Rejecting Illusions

I have heard administrators, even some in our own district, correct faculty who use the term "shared governance." What we have, these managers say, is "participatory governance." After all, in a legal sense, the elected Board of Trustees has the real authority. And in many cases, administrators are the ones held accountable for decisions made. So constituency groups like faculty and staff and sometimes students may be allowed to "participate" in making decisions: to weigh in and make suggestions; to be kept in the loop, mostly. But that does not mean everyone has equal authority or needs to agree with key decisions. So some say.



Donna Wapner

The term "participatory governance" has its roots in the Education Code, which requires "minimum standards governing procedures established by governing boards in community college districts to ensure faculty, staff, and students the right to participate effectively in district and college governance, and the opportunity to express their opinions at the campus level and to ensure that their opinions are given every reasonable consideration." The right to participate and be considered, some would say, does imply sharing power.

On the other hand, AB 1725 delegated specific responsibilities and primary authority in academic and professional matters to faculty, to the Academic Senate, just as the Rodda Act made issues of wages and working conditions mandatory subjects for collective bargaining. Management does not have the authority to unilaterally change working conditions or academic standards. So in some, even in most cases, the governance of our colleges should be a shared endeavor.

Perhaps more importantly, leaving aside any legal or semantic distinctions, we know that we make better decisions as an institution when we make them together. One of the great problems at the State level right now is that the Governor announced big new proposals with little or no dialog in advance (except perhaps behind closed doors with the State Chancellor). Faculty and management groups are both reacting now to defend against bad ideas rather than working together to come up with good ones. And this is exactly the opposite of how we best serve our students.

At every level, we need to be vigilant and reject the illusion of inclusion. A chance to comment on a proposal before it goes forward is not the same as building proposals together. Consultation and genuine collaboration take time; not only does shared governance slow down decision-making but it requires more people (and for faculty, it often means time away from students and teaching responsibilities). But shared governance also improves transparency and general buy-in, makes room for innovation and creativity; and gives all employees a stake in outcomes... and whether we are dealing with safety issues or scheduling, it's worth the effort.

#### United Faculty Executive Board Members

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#### UNITED FACULTY OFFICE

Terri Adame, Office Administrator  
 Donna Wapner, President; Jeff Michels, Executive Director  
 (925) 685-1230 x22414 or 680-1771 fax (925) 680-7283  
 email: [uf@uf4cd.org](mailto:uf@uf4cd.org) web site: [www.uf4cd.org](http://www.uf4cd.org)  
 (Email Donna Wapner at [dwapner@sbcglobal.net](mailto:dwapner@sbcglobal.net))



# Table Talk

The Newsletter of the United Faculty of  
 Contra Costa Community College District

April 4, 2018

## News at a Glance

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- **Expanded Legislative Report:** *Faculty Groups Mobilize to Oppose Proposals for a New On-Line College and a Shift to Performance-Based Funding*
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## UF Responds to Increased Security Concerns

In the weeks before March 22, the day when Diablo Valley College canceled all classes in Pleasant Hill after graffiti was found threatening gun violence on campus, the UF had heard from three different faculty members about three separate incidents that raised safety concerns. In each of these cases (which were spread throughout our district), a disruptive student had been asked to leave a classroom and had responded inappropriately. Such incidents, unfortunately, seem to be on the rise these days.

Faculty members with safety concerns should contact the Union for two main reasons: first, so the UF can explain their rights. Faculty have the right, for example, to have a zero-tolerance policy for rudeness and disruptive behavior in the classroom; when a student acts out in a way that seems distracting and disrespectful, the professor can and should require that the student leave the room and meet with the dean of students before returning. But faculty do not have the right to unilaterally decide that a student who seems mentally unstable should never be allowed to return to class. The authority to suspend or expel a student rests primarily with management (often working in consultation with both affected faculty members and in some cases Police Services).

Second, because Article 5.3 of the UF Contract assures that "all members of the bargaining unit are entitled to a safe, harassment-free work environment," the Union can play a role in ensuring that management responds to threats and faculty concerns appropriately. In each of the cases mentioned above, the faculty member had reported the incident to his/her area dean and had been working with the appropriate local managers or team designated to respond to mental health concerns and related issues, but the UF was able to quickly check in with senior leadership at both the College and the District, as well as with our Chief of Police, to be sure that everyone was in the loop and taking faculty concerns seriously. In such cases, student-privacy rights often prevent management from making public many details of how cases were investigated or resolved, which can be frustrating for affected faculty. The UF can help confirm that needed steps have been taken.

As security concerns continue to grow, the UF has been stressing to management at every level the need for increased communication with faculty and staff about the steps being taken to keep our campuses safe. We expect



that soon each college will begin issuing regular safety updates; and the UF has asked for a district-wide safety review in April (following up on some of the safety and security provisions we negotiated in the 2016-2017 collective bargaining agreement).

The UF wants to be sure that our district and colleges have the means to keep our campuses as safe as possible and that this is a top priority, especially in these tense times. At last week's District Governing Board meeting, Police Chief Ed Carney explained in general terms how the police determine if a threat is credible. The more they know about who, what, where, why and when, he said, the more credible they consider the threat. In the case of DVC on March 22, they knew enough to decide they should take the precaution of shutting down while they concluded their investigation. We were pleased to hear Chief Carney suggest that in making such determinations, the District will err on the side of safety.

### **Negotiations Update**

#### **UF Expands Research as Labor Unrest Spreads in Bay 10**



**Jeffrey Michels**

The UF and 4CD have had a fairly long run of labor peace, since the days of pay cuts and impasse in the early 2000s, and we are now in the middle of a two-year deal that addressed many longstanding issues (raising load for science labs and coaches; raising pay, including some extra for part-time parity and senior faculty who had been frozen on the salary schedule; intellectual property rights; etc.). But many districts around us seem locked in longstanding battles that are only getting worse as State money becomes more restricted and less predictable.

The Yosemite Faculty Association (YFA) in Modesto and Columbia filed for impasse just last week. Impasse must be approved by the Public Employee Relations Board (PERB) when negotiations are deadlocked, and it sets in motions rounds of mediation and "fact-finding" that ultimately lead to an arbitrator's recommendation. YFA, which like the UF is a member of the California Community College Independents (CCCI), has been in negotiations with their district for nearly three years, and their contract expired more than a year ago. They have not received a raise since 2015; their full-time faculty pay increasingly high fees for benefits, and their part-timers get no medical benefits at all. Their district has also proposed raising class maximums for lectures to 45 students per class (from their current cap of 40).

Santa Rosa Junior College (another CCCI member) is also at impasse and just went to fact finding. For more than 30 years, Santa Rosa has had a contract provision requiring their salaries to be 10th in California (not counting Basic Aid districts that do not get apportionment from the State). Now their district is refusing to honor that agreement and threatening to cut faculty pay.

Faculty in 4CD often wonder when we hear of labor actions elsewhere whether unions in those districts are ambitiously holding out for more or defiantly refusing to accept less than what we get at the bargaining table. Would we do better with a more adversarial approach, some have asked, or has our interest-based bargaining helped us advance our agenda while avoiding the extreme battles our colleagues elsewhere are facing?

As a way of both evaluating our successes and failures, and as a tool to help strengthen our hand at the bargaining table, the UF has decided to increase our investment in comparative research, to review not only salaries and benefits, but as many comparable articles as can be found in CA faculty contracts. Working with our partners in the Bay Faculty Association and CCCI, as well as with the Faculty Association (FACCC), we have started compiling

a database of contract comparisons. We're looking at class sizes, faculty load, leave options including banked load, benefits options and costs, salaries and compensated office hours for both full-time and part-time faculty, and a whole host of issues, from parking costs to life insurance. This should help guide our negotiating strategies going forward as we seek to emulate best practices elsewhere and improve where we seem to fall short.

### **Expanded Legislative Report**

#### **Faculty Groups Mobilize to Oppose Proposals for a New On-Line College and a Shift to Performance-Based Funding**

Since the first draft of Governor Brown's proposed 2018-2019 budget for community colleges was released in January, faculty, staff and administrators, as well as student leaders and trustees have been engaged in an intense debate.

At stake, perhaps, is the future of our system, since unlike most years, when budget battles mostly have to do with how much apportionment each district will receive and how the dollars will be allocated between growth, cost of living adjustments (COLA) and special (categorical) projects, this year the Governor has proposed to dramatically change the way our colleges are funded and maybe also the way Californians think of colleges going forward.

Since the establishment of the California Master Plan for Higher Education in 1960, CA community colleges have offered equal access to any student "capable of benefiting from instruction" and have sought to provide a full range of college experiences: the first two years of a complete liberal arts education; career and technical training for workers; and lifelong learning for returning part-time students. But both key provisions in this year's budget proposal represent a significant narrowing of the community college mission.

### **The On-Line College Proposal**

According to State Chancellor Eloy Oakley, the proposed new online college would be a unique, accredited entirely on-line community college, but it would not offer typical Associates degrees or paths to transfer. It would offer mainly (or exclusively) short-term, "competency-based" certificates for workers who may already have some college experience but need certification in specific skills to advance at work. Rather than using our existing colleges to expand options for on-line learning and CTE certificates (as faculty and most administrators have suggested would be a better idea), the Governor and State Chancellor are supporting a plan to extract and isolate one specific kind of learning as "needed" for a particular student population.

Focused primarily on product rather than process, since competency-based certificates are awarded when one can demonstrate skills rather than at the end of any prescribed program of study, this on-line college would certainly be something new in California's public education system, but the idea is not at all new. Just last week, President Donald Trump lamented to a group of workers in Ohio that he missed the old "vocational schools" of his youth, which have been replaced by community colleges that he doesn't understand. "We do not know what a 'community college' means," he said. Short-term training opportunities, the President suggested, are more valuable for "workforce development" than a college education. For many educators, in



UF leaders and student interns pose with State Chancellor Eloy Oakley, following a discussion of the on-line college proposal. From left: Marina Crouse; Donna Wapner; Raymond Smith; Chancellor Oakley; Kristen Lobos; Spencer Kizynak; & Aminta Mickles

short, the new on-line college proposal represents not just a threat to future revenue (as some students who might have taken classes from one of our existing 114 CA community colleges may now attend the on-line college) but to our core values. The proposal seems to suggest that those who need to work or are working would be better off without college; they just need certificates and training in skills their employers will value.

### **On Performance-Based Funding**

Much more threatening, potentially, than the plan to spend \$120 million for a new on-line college (of which \$20 million, at first, would be ongoing money), is the Governor's idea of shifting billions of dollars away from FTES-based apportionment to a new outcomes-based or performance-based funding formula. In the Governor's plan, 25% of the total apportionment for community colleges would be based on the number of degrees and certificates awarded (with extra financial rewards given when students complete within three years). For those college districts with fewer completers (about half, including 4CD, according to models run by the Department of Finance), budgets could be frozen in perpetuity without even COLA.

A group of Chief Executive Officers appointed by Chancellor Oakley, working with Chief Business Officers, has come up with a counterproposal that includes a seven-year implementation plan. The CEO proposal has a much broader and more thoughtful set of metrics for judging outcomes than does the Governor's first draft. In the CEO plan, there is a complicated scoring system that awards points for students who not only complete but who get a job or a raise in pay, even for those who just persist from one semester to the next, and there are extra points awarded for successful students who begin under-prepared or who overcome economic disadvantages. But any performance-based funding model sets up a competition between districts where some will win and others will lose; any performance metrics tied to apportionment prioritize some students over others.

Faculty groups (CCCI along with CFT, CTA, FACCC and the Academic Senate) have therefore been stressing the fact that outcomes-based funding tends to undermine equity. Shifting funds from students who most need extra support to students most likely to succeed exacerbates existing inequalities. Furthermore, there is overwhelming evidence that performance-based funding formulas fail to improve student outcomes, including retention and graduation. In the past 10 years, more than 30 states have adopted some form of outcomes-based funding for their public institutions of higher education, and results have been consistent: the shift has had no significant impact on degrees or certificates produced each year. However, performance-based funding has had substantial harmful consequences. Unintended effects include weakened academic standards, less institutional cooperation, and impeded missions not specifically rewarded by performance funding.

Rather than tying financial incentives to performance measures, faculty groups have argued California needs to invest in capacity building and equity-based funding. CCCI writes, "to build capacity for the kinds of changes that will make significant, sustainable progress in improving student outcomes, we need to invest in more mentoring and individualized attention for students. This means hiring more full-time faculty and counselors, lowering student-to-faculty and student-to-counselor ratios, and expanding office hours, tutoring and supplemental instruction. Without more full-time faculty and counselors, we simply lack the human resources needed to make desired improvements. To shift to a truly student-centered funding model, we need to build capacity at the program and department level. More full-time faculty and better support for part-time faculty will make every other initiative more effective. An equity-based funding formula should focus on building the human-resource capacity of the lowest-performing colleges, while providing stable, predictable funding for all 114 CA community colleges."