

**SLOAC Steering Committee Agenda
January 26, 2009, 1:45-3:45, Room 5131**

Steve Aurelio, Michael Bishow, Luciana Castro, Carlos Colombetti, Jan Fosberg, Ray Hernandez, Rick Hough, Tom Hewitt, Rob Johnstone, Lucia Lachmayr, Vicki Morrow, Jude Navari, Vanson Nguyen, Regina Pelayo, Felix Perez, Christine Roumbanis, Arthur Takayama, Karen Wong, Soodi Zamani

I. AFT Concerns and the ACCJC's (Accrediting Agency) response, forwarded by Lesley Kawaguchi, Chair, Accreditation and SLO Committee, ASCCC (see below)

(5 Marty Hittelman, president of the California Federation of Teachers, sent a letter to ACCJC in October to ask that it amend two sections of Standards II and III. In his letter, he stated that the inclusion of Student Learning Outcomes in faculty evaluation processes usurped California collective bargaining law (Standard III.A.1.c.) and to mandate that learning objectives be in every course syllabus (Standard II.A.6.) was a violation of academic freedom. Below is ACCJC's response to this request.

II. Input on March 2009 Flex Committed to the SLOAC

A. Schedule: (1) (9-10:15) Morning—everyone; (2) (10:30-12) Workshop, Feedback, or Program Clusters; (3) (12-1) Lunch, (4) (1-2:30) Afternoon Workshops

B. Morning— (as people enter, provide a map of program clusters and encourage people to sit in these clusters) welcome, review our progress so far; highlight one or two programs that completed the cycle; show them the reporting template; have people work with their colleagues to complete the checklist so as to identify where they're at and how to plan their day; review assessment methods and have participants mark a checklist of those that are applicable to their courses

C. Morning: (1) Workshop on Creating Assessment Plans; (2) Workshop on Getting Feedback on Draft Assessment

Plans; or (3) time to work in program clusters (with SLOAC Rapid Response Teams)

D. Afternoon Workshops: (1) designing surveys, (2) creating rubrics/ chocolate chip cookie/ on-line rubric generator, (3) classroom assessment techniques, (4) clicker technology

E. Materials: Updated SLOAC Framework; Institutional Outcomes; checklist to keep track of SLOAC tasks and directing them to appropriate workshops; if an approved draft, the reporting template; printed workshop descriptions

F. Flex attendees: Bring: their course outlines, major assignments/ projects, their matrix aligning their courses/programs with institutional outcomes, and complete an index card at the morning workshop that identifies where their department will be meeting and if they'd like a "rapid response team" to be present

G. To do: (1) Sign up for a flex task, (2) Confer with your group by the next meeting to draft a workshop description, (3) Confer with your group to create the workshop

III. Feedback on an annual assessment report template—see below for recommended changes in red

IV. Representative for the Equity Committee—Karen

V. SLOAC LIAISONS

VI. Offshoot Discussion of Institutional Outcomes

A. There was some confusion on the part of the programs about when an institutional outcome is "central" to the course. The suggestion is that people understand how this matrix aligning courses with institutional outcomes will be used: namely, Skyline plans to use the information to determine who should participate in assessing certain institutional outcomes. If the department prioritizes the outcomes, and they can provide evidence that their students are focusing much of their effort on acquiring a specific institutional outcome, then the institutional outcome is central to their course.

B. Working with Sandy Irber to identify where to post laminated posters of the institutional outcomes around campus

C. Suggestion to ask the ASSC to scroll them on the electronic board in the cafeteria

D. Voted to add "other sensory" to the first bullet point under Effective Communication so that it reads "...comprehend, analyze, and respond appropriately to oral, written, and ~~visual~~ *other sensory* information.

VII. Reminders:

A. Please designate the following Mondays (4th Mondays of the month), 1:45-3:45, for SLOAC Steering Committee meetings: Feb. 23, March 23, and April 27.



**ACCREDITING
COMMISSION
for COMMUNITY and
JUNIOR COLLEGES**

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ITAS
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.

- (5) 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,

"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,

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

President Barbara Beno, ACCJC
10 Commercial Boulevard, Suite 204
Novato, CA 9494

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 as President of the California Federation of Teachers, AFT/AFL-CIO. As you know, 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 on this important responsibility on the ACCJC, the State of California and the Board of Governors of the California Community Colleges expect the ACCJC to 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 created by the Legislature, 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 faculty 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, because 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: one:

“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 appeared to be mandated by the regulations and approach of the U.S. Department of Education, hence we understood ACCJC’s apparent justification for including them.

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, I call 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

Draft—Annual Departmental Assessment Analysis Form (will replace the template in Part III of *The Framework*)

1) Department:

2) Course Name and Number:

3) Assessed Course SLO(s):

4) Institutional Outcome Alignment:

Which institutional outcome(s) are central to your course?

- Critical Thinking
- Effective Communication
- Citizenship
- Information and Computer Technology Literacy
- Lifelong Wellness

5) Assessment Tools:

Which tools were used to assess the SLO(s)?

- Item analysis of exams, quizzes, problem sets, etc. (items linked to specific outcomes)
- Assignments based on rubrics (essays/reports, projects, performances, presentations, etc.)
- Assignments based on checklists
- Direct observation of performances, structured practice or drills, “practical” exams, small group work, etc.
- Student self-assessments (e.g. reflective journals, surveys)
- Classroom Assessment Techniques (CATS, “clicker” mediated responses, etc.)
- Capstone projects or final summative assessment (final exams, capstone projects, portfolios, etc.)
- ~~Clickers~~
- ~~We were not able to complete our assessment~~
- Other (please describe)

6) Please attach any instruments used for assessment (rubrics, checklists, surveys, etc.).

7) Assessment Results:

What did you learn from the assessment of the outcomes? In which areas did students excel? What student issues and needs were revealed? **Did the assessment work, and if not, what needs to be revised?**

8) Action Plan:

Based on the assessment results, what changes, if any, are planned to increase student success? When will they be implanted? Please check any appropriate boxes and provide a brief description.

- Conduct further assessment related to the issue and outcome
- Use of new or revised teaching methods (e.g. more use of group work, new lecture, etc.)
- Development of new methods of evaluating student work
- Planned purchase of new equipment or supplies needed for modified student activities
- Changes in staffing plans (e.g. modified job descriptions, requests for new positions, etc.)
- Involvement in professional development about best practices for this type of class/activity
- Changes in course sequence or prerequisites
- Revisions of the course syllabus or outline (e.g. change in course topics)
- Unable to determine what should be done
- Other

Adapted from Cabrillo College

[http://pro.cabrillo.edu/slos/samples/Sample%20GE Assessment Anslysis PS.pdf](http://pro.cabrillo.edu/slos/samples/Sample%20GE%20Assessment%20Analysis%20PS.pdf)

and Cosumnes

[http://www.crc.losrios.edu/Faculty and Staff/Planning/Outcomes Assessment Task Force/Outcomes Assessment Documentation.htm](http://www.crc.losrios.edu/Faculty%20and%20Staff/Planning/Outcomes%20Assessment%20Task%20Force/Outcomes%20Assessment%20Documentation.htm)

SLOAC LIAISONS**BUSINESS** (Christine, Regina)

Accounting—Christine
Automotive Technology—Christine
Business
Computer Applications and Office Technology—Christine
Cosmetology—Regina
Early Childhood Education—Christine
Family and Consumer Science—Christine
Fashion Merchandising—Regina
International Trade—Regina
Marketing
Real Estate—Regina

LANGUAGE ARTS LIAISONS (Luciana, Chris, Lucia, Phyllis, Michael, Karen)

English— Lucia and Karen
ESOL— Karen
Foreign Languages—Luciana
Journalism—
Reading—Lucia
Speech—Phyllis and Michael

LEARNING CENTER & LIBRARY (Tom, Felix, Dennis?)**PHYSICAL EDUCATION**

Jan Fosberg

SCIENCE, MATH, AND TECHNOLOGY (Nick, Rick, Soodi, Vanson)

Biological Sciences—Nick
Chemistry—Soodi
Computer Science—Soodi
Physical Sciences
EMT
Health Science—Soodi
Mathematics—Vanson, Soodi, Rick

MESA—Rick
Natural Science
Physics—Rick
Respiratory Therapy—Rick
Surgical Technology—Rick
Telecommunications & Network Technology—Rick

SOCIAL SCIENCES/ CREATIVE ARTS (Carlos, Jude, Steve, Arthur?)

Administration of Justice—Steve
Anthropology
Art—Jude
Economics
Geography
History
Humanities—Jude
Music—Jude
Paralegal Studies
Philosophy—Carlos
Psychology
Sociology

STUDENT SERVICES (Jacquie and Virginia)

Admissions and Records
Career Center—Virginia
Co-op Education
Counseling—Virginia
DSP & S
EOPS/CalWorks
Financial Aid—Virginia
Health Center
International Students
Security
Student Activities
Transfer Center

**PLEASE SIGN UP TO HELP MAKE THE MARCH 11 FLEX DAY
A SUCCESS!!!**

TASK/ COMMITTEE	
Draft a checklist for flex participants that enables them to identify what they need to do in order to complete a cycle on the course or program level	Rick Hough, Jude Navari, Vanson Nguyen
Draft a workshop description and lead a morning workshop on creating assessment plans	Soodi Zamani, Regina Pelayo, Dennis Wolbers
Draft a workshop description and lead a morning workshop on designing surveys	Michael Moynihan, Michael Bishow
Draft a workshop description and lead a morning workshop on creating rubrics/ chocolate chip cookie/ on-line rubric generator	Karen Wong
Draft a workshop description and lead a morning workshop on classroom assessment techniques	Lucia Lachmayr, Felix Perez, Christine Roumbanis
Draft a workshop description and lead a morning workshop on clickers	Tom Broxholm
Be on a morning rapid response team	(Jan Fosberg), Arthur Takayama, Steve Aurilio, Carlos Colombetti, Lucia Lachmayr, Karen Wong, Tom Hewitt, Luciana Castro

