



February 27, 2007

Hon. Anthony Portantino, Chair
Assembly Higher Education Committee
1020 N Street, Room 173
Sacramento, CA 95814

Re: California Community College Student Success
Response to *Rules of the Game: How State Policy Creates Barriers
to Degree Completion and Impedes Student Success in the California
Community Colleges*
Hearing: February 27, 2007

Dear Assemblymember Portantino:

On behalf of the Faculty Association of California Community Colleges (FACCC), I want to commend you for attending to the needs of the community colleges. In the months ahead, your Higher Education Committee will undoubtedly conduct many policy debates, designed to improve the health and overall functioning of our precious institutions.

Knowing of your interest in student success, and your scheduling a hearing on this topic, I asked our association's Policy Committee to review the recently-released report, *Rules of the Game: How State Policy Creates Barriers to Degree Completion and Impedes Student Success in the California Community Colleges*, by researchers Nancy Shulock and Colleen Moore of the Institute for Higher Education Leadership and Policy.

Although there are some recommendations in the report which FACCC supports, particularly those pertaining to the adding of counseling faculty, we find the document troubling in many respects, and we take issue with some of the recommendations. I am pleased to utilize this correspondence as a means of sharing our findings.

I. Low Transfer/Completion Rates Must be Viewed in Context

While data in the report call attention to some real problems – none of which are new – the work fails to clarify the causes, and ignores remedies already proven successful, but only partially implemented by the Legislature and the Board of Governors.

The report's claims of "low rates of degree completion and student success" are misleading. Rates are "low" when compared to the number of students in the system, but

not in comparison to public two-year colleges in other large states, and how they prepare their populations for the 21st Century. In this context, California leads by a considerable margin.

- California Community Colleges (CCCs) provide public two-year college access to the state’s citizens at double the percentage of most other large states.
- Only four of the large states compared well with CCCs’ retention rate, measured as the percentage of returning students (even with CCCs’ high level of access).
- As a percentage of state population, CCCs award degrees and certificates at a rate double that of many other large states, and higher still than others. (The few states that award more degrees and certificates do so by creating certificate programs of less than one-year duration which account for nearly one-half of their completions.)
- CCC students received a greater economic advantage from their education than all but two other states (two which equaled but did not better the CCC student rate).
- While good transfer data for the comparison states could not be found, all indications are that CCC transfer rates, as a percentage of state population, have equally been improved by the high access strategy.

**Public Two-year College Student Completions and Success Measures:
Comparisons Among the 13 Most Populous States**

State	Pop 2000	2000 FTEs Public 2yr	Access	Increased Income	2006 Returning Students	Awards as % of Pop.
California	33,871,648	707,558	2.09%	3.00%	57%	0.37%
Texas	20,851,820	268,057	1.29%	2.00%	49%	0.25%
New York	18,976,457	168,911	0.89%	2.00%	59%	0.18%
Florida	15,982,378	173,433	1.09%	2.00%	59%	0.31%
Illinois	12,419,293	186,533	1.50%	2.00%	51%	0.41%
Pennsylvania	12,281,054	58,759	0.48%	2.00%	58%	0.11%
Ohio	11,353,140	92,749	0.82%	3.00%	51%	0.17%
Michigan	9,938,444	101,794	1.02%	3.00%	57%	0.24%
New Jersey	8,414,350	79,367	0.94%	2.00%	55%	0.16%
Georgia	8,186,453	66,571	0.81%	2.00%	52%	0.48%
North Carolina	8,049,313	96,999	1.21%	2.00%	48%	0.39%
Virginia	7,078,515	72,913	1.03%	2.00%	53%	0.22%
Massachusetts	6,349,097	47,972	0.76%	1.00%	53%	0.17%

Population Data from Demographia: <http://www.demographia.com/db-2000stater.htm>

State Full-time Equivalent Students (FTEs) in Public two-year Colleges, 2000, from “The Condition of Education,” NCES: http://nces.ed.gov/programs/coe/2005/pdf/34_2005.pdf

“Access” is a calculated percentage of FTEs/State Population to give useful numbers for comparing level of public two-year colleges’ service to their state’s citizens.

“Increased Income” & “Returning Students;” The National Center for Public Policy in Higher Education, “Measuring Up:” http://measuringup.highereducation.org/compare/state_comparison.cfm

“Awards” is a calculated percentage of the Number of Awards (AA/AS Degrees, and Certificates [<1 year, 1-2 years, and 2-4 years])/state population to give useful numbers for comparing level of public two-year colleges’ service to their state’s citizens. The raw numbers of Awards comes from the IPEDS database of the NCES.

II. Does the Report Examine a Valid Cohort?

The report examines a research cohort of 520,407 “degree seeking” students. This is about 75 percent of all first-year students in the system, and nearly 50 percent of all for-credit students. This has little credibility to anyone working within the system.

- The study includes all first-time entering freshmen between the ages of 17 and 19 as “degree seeking,” yet we know that many of these recent high school graduates are simply exploring their options.
- The study includes all students of any age, who “indicated a goal of degree or certificate completion or transfer.” As faculty, we know that many of these students have little understanding of what these goal options entail.

Considering these issues, the actual number of degree/certificate/transfer seeking students might well be only 50 percent of the study’s data-set, or less. *Using this as a more accurate number, completion rates would suddenly double.*

If we reasonably included students whose goals were exploratory or limited, and defined success for them by achieving those goals, we might double again the student success rate, pushing it above 80 percent. While this may be speculation, it is no less valid than the conclusions about “low rates of completion and student success.”

III. Are “Degree-Seeking” Students Defined Appropriately?

The report attempts to assess success (defined as transfer or completion) in the CCC system by examining the number of successful completions out of a pool of what the authors call “Degree-Seeking” students. The three criteria set to distinguish degree-seeking students are given as: 1) being age 17-19 at enrollment; 2) indicating a goal of transfer, degree, or certificate completion; and 3) completing at least 12 units and attempting a transfer- or degree-level English or Math course.

The over-inflation of “degree-seeking” pool arises, because the students must satisfy only one of these three criteria. The authors indicate this by stating that students were classified as degree-seeking if they satisfied criterion one, **AND/OR** criterion two, **AND/OR** criterion 3 (Methodology box, page 5). The definition of a degree-seeking student should be that they satisfy **ALL** of the three criteria, meaning that the **OR** should be left off of the **AND/OR** specification.

Under this flawed definition, a guitar student who was merely 17 years-old would be classified as degree-seeking, because he/she satisfied the first criterion – age. A student who mistakenly bubbled-in the wrong box on the registration form, and inadvertently

filled in a goal of degree completion without having taken any classes toward that degree, would also be included as degree-seeking.

The methodologically-appropriate definition of degree-seeking students should be that they satisfy ALL three criteria, such that they are 17-19 years of age at enrollment; they indicate a goal of transfer, degree, or certificate completion; and they complete at least 12 units and attempted a transfer- or degree-level English or Math course.

Under this revised, yet appropriate definition, the incoming pool of degree-seeking students would be dramatically smaller, and a true success rate for the CCCs would be ascertained – one, undoubtedly more indicative of, and complimentary to the community colleges.

IV. Do the Report's Recommendations Solve Problems, or Create Them?

1) Current Funding Mechanism is Sufficiently Flexible

The report argues that the system's focus on access has distorted policies in such a way that creates barriers to student completion. It is claimed that funding based on Full-Time Equivalent Student (FTES) enrollment leads to a narrow focus on filling seats with little concern for quality of education.

Apportionment through FTES is only the baseline for CCC funding. Categorical funds have been established for Matriculation, Extended Opportunities Programs and Services (EOPS), Part-time Faculty Equity, Office Hours and Health Care, Non-credit, and Basic Skills. These programs, to the extent that they have been fiscally supported, have proven their benefit for student success.

While the report contends that categorical funding hampers local districts, they serve a function of fulfilling state priorities which otherwise might not be accomplished. Allowing for more flexibility over these funds could subject vulnerable student populations, such as those receiving services through EOPS, or vulnerable employee populations, like part-time faculty, to negative decisions of local governing boards operating under tight fiscal pressures.

The community college budget has been subject to high levels of scrutiny over the past five years, facing the possibility of huge funding reductions, categorical consolidations, and the potential for dramatic penalties. Despite hours of hearings and close examinations, policy makers have decided against consolidating categorical programs or providing districts with unbridled freedom to spend money without attending to state priorities.

Attempts to tie Equalization to Program Improvement were met with significant opposition in the Legislature and Administration. This large infusion of money was emphatically deemed to meet local needs according to local spending priorities. It is a significant example of the flexibility afforded to districts to spend money in the manner they see fit.

All agree that funding levels should be increased, and that any comparison to other states or to CSU or UC show that this is so. Clearly, the types of student success-oriented funding, listed above, are in need of increased and consistent funding, supplemented by regular Cost-of-Living Allowances (COLAs), but the *Rules of the Game* report offers no evidence that the current balance of unrestricted versus categorical funding creates specific problems. On the contrary, these fundamental categorical programs need a significantly stronger level of state support.

2) Full-Time Faculty Obligation Should be Strengthened, Not Weakened

The report argues that the requirement to fill 75 percent of instruction by a corps of full-time faculty reduces the ability of administrators to adequately adjust to student needs. Although clarified in Footnote 12, p. 16, it should be further noted that state law never mandated that 75 percent of credit classroom instruction be taught by full-time faculty. The relevant Education Code Section reads as follows:

87482.6(a) Until the provisions of Section 84750 regarding program-based funding are implemented by a standard adopted by the board of governors that establishes the appropriate percentage of hours of credit instruction that should be taught by full-time instructors, the Legislature wishes to recognize and make efforts to address longstanding policy of the board of governors that at least 75 percent of the hours of credit instruction in the California Community Colleges, as a system, should be taught by full-time instructors.

The actual rate of instruction by the full-time faculty is closer to 60 than 75 percent, and the vast majority of part-time faculty members are hired to teach the very stable, high enrollment introductory courses in English, Mathematics, Social Sciences, and Biology. There has never been a demonstrable limitation on hiring flexibility, except in the desire to use more low-wage and exploitable part-time faculty, even though this would mean reducing the level of professional service the faculty is able to offer students.

While the *Rules of the Game* makes it appear that the requirement to hire full-time faculty is overly burdensome, the employment reality – even for the same time period – is much different. In 2000, the Bureau of State Audits wrote the following in its study, entitled, *California Community Colleges: Part-Time Faculty Are Compensated Less Than Full-Time Faculty for Teaching Activities*:

[T]he percentage of the overall course workload taught by part-time faculty has grown from 40 percent to 47 percent since 1994. (These trends also hold true when considering part-time faculty instruction of core classes such as math, science, English, and history.) In addition, the total instruction workload has increased by the equivalent of 3,212 full-time positions, and the districts have met 95 percent of this new demand with part-time faculty (pp 14-15, emphasis added).

If the goal is increased student success, then the means of increasing part-time faculty makes no sense. While part-time faculty are a talent-laden resource, their situation tends to make them less available to spend time on campus, and more likely to move on to other positions at other colleges, or even in other industries.

Full-time faculty are more able to devote time to office hours, to act as mentors, and to advise student organizations. They are able to devote time to revise curriculum (such as analyzing student data as to which courses would benefit by higher prerequisites), or to propose new curriculum or new programs, such as learning communities which are precisely tailored to enhance student retention and success.

Furthermore, full-time faculty members are more available for participation in professional development activities aimed at course completion and college retention. Equally important, they are more available for outreach to secondary schools and for consulting with four-year schools on curriculum coordination to smooth the transfer process.

Full-time faculty are more available to participate in campus governance (such as curriculum committees or Academic Senates), responding to the challenges outlined in the document. Full-time faculty are more available for liaison with employers and professional groups, designed to determine how to offer courses which develop appropriate skills. The reality is that full-time faculty are essential to strategies for student success.

Prior to the release of the Bureau of State Audits report, the Joint Legislative Audit Committee convened a special hearing to discuss the conditions of part-time faculty at the community colleges. In addition to the myriad of faculty witnesses, a number of students testified about the inability to access part-time faculty during after-class office hours. Not one student testified to the need for more part-time faculty. Rather, they requested legislative attention for a larger corps of full-timers.

3) Student Fees Should be Reduced, Not Raised

Although it is impossible to disaggregate fee increases from all other variables, the CCCs experienced a tremendous downturn in enrollment during the period of time in which fees were increased from \$11 to \$26 per credit unit.

As noted by the Chancellor's Office, "[o]n an annual unduplicated basis, the California Community College system has dropped 314,000 students and 73,000 FTES since its peak in 2002-2003." *Addendum: Impacts of Student Fee Increase and Budget Changes on Enrollment in the California Community Colleges Analysis of Fee Increase from \$18 to \$26 per unit A Report to the Legislature, December 2005.* This reduced access occurred at a time of rapidly increasing need for community college services.

The mission of the CCCs is not to simply increase completions if bought at the expense of broad access. CCCs educate **a larger proportion of our state's population than comparable systems across the country.** With more resources, CCCs can do better still.

We know that the higher wages paid to CCC alumni mean more taxes for the state. Increasing access and quality is a secure investment in California's future, without a need to cancel the dreams of our state's most needy citizens.

Ensuring access to higher education is a focus of demographic studies, including the Public Policy Institute of California's series, *California 2025: It's Your Choice*, which noted:

The problem is that education trends in California are not projected to keep pace because population growth is concentrated among groups that have typically attained lower levels of education. . . . If the trends continue, there will be a gap between the number of college graduates demanded by the state's economy and the number of Californians with college degrees. If the gap doesn't narrow, and if the California working-age population doesn't have the education required by jobs in the 2025 economy, will we have a generation of chronic underemployed, who will need the state's social and income-transfer programs? pp. 14-15.

Once again, the Legislature has examined this issue in detail. Last session's AB 473 (Liu) presented a forum for multiple hearings on the student fee policy, raising the spectrum of possibilities from lowering to raising fees. Ultimately, the Legislature expressed its deep concern over the loss of students, resulting from the dramatically sharp increase from \$11 to \$26 per unit. As such, the decision was made to reduce fees to \$20, rather than increase them.

4) Matriculation and Student Support Need Funding, Not Overhauling

Policies on course-taking are not the problem. The CCCs have significant experience and evidence of successful corrections to these issues through programs, such as Matriculation, EOPS, and Partnership for Excellence. The only need is increased support for these programs and stability created by regular COLAs.

Existing statutes and regulations closely govern the Matriculation process for every student planning to enroll in the community college system. These strict guidelines require that every student receive services in the admission process, orientation to college, assessment, counseling and student follow-up. These services are essential to the mission of the community college system, which allows all students to reach their educational goal – whether it is job training, earning the Associate's degree, or transferring.

The assessment process is mandatory for any student seeking to earn an Associate's degree, since all degree seekers must demonstrate competency in English writing, English reading and Mathematics. Students are asked to declare a goal upon entering college and to update this goal every semester thereafter. Moreover, students are provided one-on-one counseling appointments with a professional counselor who provides personal, academic, and career planning for all incoming and continuing students.

Title 5 Matriculation (55002) guidelines are clear about the intent and evaluation of coursework allowed for the Associate's degree. The responsibility given to the Academic Senate to oversee the curriculum process at each institution is not taken lightly.

A rigorous review and evaluation of each degree-applicable course offered at the community college must meet the standards set forth by Title 5 regulations, providing that "coursework calls for critical thinking and the understanding and application of concepts determined by the curriculum committee to be at college level." In addition, prerequisites and co-requisites must be validated to determine the "appropriateness of the skill placement conducted by faculty to identify the necessary and appropriate body of knowledge or skills students need to possess prior to enrolling in a course."

This said, the report is clearly correct in that these processes can be, and should be improved, but they provide no evidence that current regulations or policy are the problem. Rather, it is clear that current levels of support in these areas are inadequate to support the levels of student success we all seek to achieve.

5) Fifty Percent Law Must Be Honored, Not Overturned

The report takes aim at the Fifty Percent Law, found in Education Code Section 84362(d): "[t]here shall be expended during each fiscal year for payment of salaries of classroom instructors by a community college district, 50 percent of the district's current expense of education."

This code section has been in force since 1961, and is meant to ensure the vision of the Master Plan for community colleges – that they remain teaching institutions.

The report provides no evidence that this is a hardship. In fact, the evidence demonstrates that, during the period of time examined by the *Rules of the Game*, there was widespread non-compliance with the Fifty Percent Law. In a 2000 Bureau of State Audits report, entitled *California Community Colleges: Poor Oversight by the Chancellor's Office Allows Districts to Incorrectly Report Their Level of Spending on Instructor Salaries*, six out of 10 districts examined spent \$10 million too little on instruction.

The *Rules of the Game* fails to consider what a change to this regulation would do to class size, or the need to hire more full-time faculty. It also neglects to establish any factually based connection between the current regulations and a "barrier to student completions."

Districts facing specific forms of fiscal pressure are eligible, and are routinely granted, exemptions from the law. Once the Bureau of State Audits report was released, the Chancellor's Office began to attend to its process of granting exemptions on a more concerted basis, and districts have taken advantage of this.

FACCC takes particular exception to the use of terms, like "right" and "wrong" side of the equation (*Rules of the Game*, p. 11). There is no moral judgment on the role of an instructional faculty member versus an essential classified employee or non-instructional

faculty member. This nomenclature is ultimately destructive, and obfuscates the essential policy goals which the Legislature has set for the community colleges.

As the sponsor of the request to the Joint Legislative Audit Committee that compliance with the Fifty Percent Law be examined, FACCC continues to subscribe to the recommendations contained in the Bureau of State Audit's report:

To ensure that districts are accurately reporting their compliance rate under the 50 percent law, the Chancellor's Office should take these steps:

- *Clarify its instructions.*
- *Provide the districts with regular training on compliance.*
- *Discontinue its existing practice of excluding noninstructional activities not enumerated in the 50 percent law or seek an opinion from the attorney general to support its interpretation of the law as reflected in regulations.*
- *Expand suggested audit procedures for district CPAs to detect errors in risky areas, such as faculty reassignments and exclusions from current educational expenses.*
- *Perform routine, independent checks of the work CPAs do for the districts. (p. 3)*

Criticism of the Fifty Percent Law has generally held that it no longer works in a post-AB 1725 [(Vasconcellos) of 1987] world, in which a percentage of the full-time faculty is reassigned for governance activities. FACCC does not subscribe to this view. Instead, FACCC believes that state policy, like that embodied in the Fifty Percent Law, should ensure that students receive the appropriate level of instructional and non-instructional support.

In this context, FACCC argues that instructional and non-instructional faculty should not be competing for dollars under the Fifty Percent Law. The current Fifty Percent Law must (at a minimum) be maintained while separate dedicated percentages for counselors and librarians should be created.

V. Alternative Policy Recommendations for the Higher Education Committee

FACCC is committed to the establishment and maintenance of the highest quality, open access institutions of public higher education. In this regard, FACCC recommends the Higher Education Committee begin by examining two of the seminal documents upon which the California Community Colleges are based – the 1960 Master Plan for Higher Education and AB 1725 [(Vasconcellos) of 1987]. It is too easy to dismiss these as archaic vestiges of earlier eras. Rather, it is critical that we build upon the vision contained in

these documents, and develop a funding mechanism to ensure that the relevant sections work appropriately.

FACCC believes it is imperative that the Higher Education Committee attend to the following issues:

- 1) Separate community college funding from K-12, while establishing a separate funding guarantee for community colleges. The *Community College Governance, Funding Stabilization, and Student Fee Reduction Act* would accomplish this.
- 2) Reduce student fees with the goal of eliminating them altogether (as established in the Master Plan for Higher Education). In contrast to the *Rules of the Game*, FACCC views closing access as a major threat. Our recent experience of losing 300,000 students during periods of untenable fee hikes and rapidly increasing need for access supplies ample justification for this recommendation. The *Community College Governance, Funding Stabilization, and Student Fee Reduction Act* would reduce fees to \$15 and limit the Legislature's ability to raise them.
- 3) Ensure that categorical programs are appropriately funded to address vulnerable student and employee populations. The success of such student programs as EOPS has been documented for over 30 years. It should not have a backlog of students based upon a lack of funding. Similarly, the Part-Time Faculty Office Hours Program was created for students to have access to their instructors. The Part-Time Health Benefits Program exists so that part-time faculty can seek medical care, and return to teaching as quickly as possible when they experience illness. The deficiencies in these programs should be cured.
- 4) As stated above, the Bureau of State audits recommendations on the Fifty Percent Law should be implemented. Secondly, there should be a dedicated percentage for both counselors and librarians (both non-instructional faculty) to prevent competition for critical funds.

In 2002, the Academic Senate for California Community Colleges led a task force on counseling in the community colleges, pursuant to a FACCC-sponsored digest. The Task Force found that "our current ratio for 108 community colleges statewide is **one counseling faculty member to 1,918 students**. The survey results suggest that most of our campuses lack 'adequate' counseling services, and that California community college students do not have adequate or optimum access to counseling services." (emphasis in original)

The Task Force cited a 1965 study, prepared by the *National Committee for Appraisal and Development of Junior College Student Personnel Programs* in a Carnegie report (1965), recognizing counseling as an essential service to

community colleges in fulfilling their mission of providing access to comprehensive educational and service programs. The Carnegie Report defined the ideal national ratio standard as 1:300, not to exceed one counselor for every 500 students, basing this on a comprehensive counseling model in which counselors perform advising and other functions in addition to personal counseling.

- 5) Ensure that faculty and staff in the community colleges have full access to professional development. There is an overwhelming consensus in the community colleges that a full range of professional development opportunities should be afforded to faculty, classified staff and management to better assist meeting the educational needs of the “new students.” These “new students” include, among others, immigrants, welfare-to-work, returning students, and 18-24 year-olds lacking high school diplomas.
- 6) End the over-reliance on part-time faculty. One of the major components of AB 1725 was that there would be Program Improvement funds available to ensure that districts could move to the System minimum standard of 75 percent credit classroom instruction taught by full-time faculty. AB 1725 expressed intent language that full-time jobs should not be broken up into part-time pieces.

Districts should not have a financial incentive to hire part-time faculty; the part-timers should be paid on a pro-rata basis with their full-time counterparts as sought by Board of Governors policy. To the extent that part-time faculty are needed, they should be afforded office hours and health benefits.

- 7) Attend to outreach programs at all publicly-funded higher education systems. Just as EOPS has shown its worth at the community colleges, the four-year counterparts, like EOP, have been threatened with funding reductions in recent years. These programs are critical to assuring that community college students have ample abilities to transfer and succeed in the four-year programs.
- 8) Assure meaningful levels of participatory governance. AB 1725 was drafted to ensure that faculty, classified and student voices would be heard in the development of campus governance. All too often, programs have been cut without meaningful input from these populations. Representatives from these campus voices should have access to place items directly on the agenda of a local trustee board.
- 9) Pass SB 160 (Cedillo), the California Dream (Development, Relief, and Education for Alien Minors) Act, allowing non-resident students who meet the criteria established in AB 540 [(Firebaugh) of 2001] to receive financial aid. So much of what is required to improve both access to, and transfer from CCCs requires a comprehensive understanding of demographic trends. While AB 540 opened the door to a segment of non-resident aliens graduating from a

California high school, it failed to address the fundamental question of affordability. SB 160 is a necessary compliment to AB 540, and its passage should be a top priority for the Higher Education Committee.

- 10) The California Legislature must actively lobby Congress and the President for passage of H.R. 990 (Miller), federal legislation to eliminate tuition sensitivity in the Pell Grant program. CCC students have long been unfairly penalized with reductions in Pell awards, because fees have been deemed too low.

California lawmakers cited tuition sensitivity as a justification to raise fees from \$18 to \$26 per unit – a move which exacerbated the drop in overall enrollment from 175,000 to over 300,000 students. This matter will become all the more pressing should voters approve the *Community College Governance Funding Stabilization, and Student Fee Reduction Act*, because the initiative reduces fees from \$20 to \$15 per unit. If we are serious about access, we must not tax students with burdensome fees, and allow them to receive the maximum level of financial aid to pay for the high cost of books and other expenses.

FACCC has many other policy suggestions for your consideration. In whatever direction the Committee chooses, our major concern is that you utilize the premise, “do no harm.” In our view, the Master Plan, AB 1725 and the *Community College Governance Funding Stabilization, and Student Fee Reduction Act* embody this principle; the *Rules of the Game*, unfortunately, does not.

Thank you for your consideration.

Sincerely,



Dennis R. Smith, President

cc: Assembly Higher Education Committee
Mark Drummond, Chancellor, California Community Colleges