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COMMUNITY COLLEGE "SHARED" GOVERNANCE: SONGS OF VICE AND MIRE

By Rob Jenkins

For fun, I've been reading George R.R. Martin's marvelous fantasy epic, *A Song of Ice and Fire*, about a medieval-ish kingdom and its wars and intrigues. If you haven't yet encountered the books (five in the series so far), I highly recommend them, as Martin deftly intertwines fantastical elements, such as dragons and wights (medieval zombies), with a quasi-historical storyline to create a kind of J.R.R. Tolkien-meets-Philippe Gregory effect.

What fascinates me most about the narrative, however, is the extent to which it parallels my experiences as a community-college professor and administrator. As I follow the political machinations of the fictional court at King's Landing—the alliances and conspiracies, the jealousies and betrayals, the dalliances and beheadings—I am frequently put in mind of actual people I have known and events I have witnessed over my 27-year career. Sometimes I wonder if George R.R. Martin isn't really just a pen name for some old colleague of mine who has been secretly plugging away all these years at a monstrous roman-à-clef.

I suppose that is an indictment of community colleges, but I believe it is a fair one. Because, truth be told, for all of their many fine points and all the good they do for society, community colleges have historically been rather bad at governance, to say the least. On many two-year campuses, if not most, corruption, cronyism, abuse of power, and fiefdom-building constitute business as usual.

I make that observation as someone who has worked at five two-year colleges and visited dozens more, who corresponds frequently with colleagues around the country, and who reads everything available about community colleges. But the truth of what I'm saying should be obvious to anyone who has followed recent high-profile cases involving alleged corruption and mismanagement at two-year institutions in Alabama, Arizona, California, Florida, Georgia, Maryland, New Jersey, and New York. To name a few.

That isn't a new phenomenon. In California's community-college system, the largest in the country, such problems grew so rampant that in the late 1980s the state legislature mandated a

shared-governance model, intended to give faculty members and other key stakeholders significant involvement in how those institutions were run. Yet more than a decade later, Linda Collins, then president of the system's Academic Senate, wrote: "We have yet to create structures and cultures that support and nurture the practice of shared governance throughout the state's community colleges."

Her statement seems to still hold true today for most of the country's community colleges. Despite the best efforts of many faculty members, some administrators, and national organizations such as the American Association of University Professors and the National Education Association, true shared governance has still not become the model of choice at most two-year campuses.

Over the years, the two most common forms of governance I have observed are what I would characterize as feudalism and Soviet-style dictatorship.

What the two models have in common, of course, is that both are authoritarian in nature. Both feature relatively small groups of sycophants who place themselves in orbit around the leader, jockeying for position and seeking to consolidate their own power through flattery and zealous support of the official agenda. Neither model is particularly kind to dissidents or independent thinkers.

One difference between the two is that, under the feudal model, shared governance is paid only the barest lip service, if any at all. Some of the organizational bodies necessary to support shared governance, such as a faculty senate, might exist in name but

are only window dressing, without any legitimate function.

The Soviet model, on the other hand, tends to have all of the trappings of democracy, or (in this case) shared governance—faculty and staff senates, policy councils, standing committees. Their meetings are often conducted with great fanfare. But in reality they are under the iron-fisted control of the leader and his or her cronies, and every decision made is part of the approved agenda.

Another important difference is that a feudal lord or lady may, on occasion, be relatively benevolent. The dictator is rarely, if ever, that.

For those reasons, the Soviet model, which may on the surface seem to embrace shared governance, is, if

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COCAL X SEES BROADER ECONOMIC, POLITICAL ANALYSES

When a Mexican COCAL activist said, in the opening words of the conference, "I have walked together with these strangers...I believe this is how we become comrades," it stuck an ironic note because one thing that was nearly impossible for COCAL attendees in Mexico City to do was walk anywhere. To be fair, he was referring to his preconference work with the organizing committee, but it was a different story for the people who arrived from the United States and Canada the first day of the conference.



Sandy Baringer, UC Riverside

The closest hotel to the conference at UNAM (Universitario Nacional Autonoma de Mexico) was at the other end of a huge campus, across a couple of freeway interchanges, and situated next to one of Mexico City's largest shopping malls. Conference attendees were transported back and forth from the two hotels to the conference by tourist bus.

The Coalition of Contingent Academic Labor has been holding conferences every two years since the 1990s; this was its tenth conference, and its first in Mexico. The neoliberalism that Mexican faculty activists have been

decriing was prominently articulated in the Starbucks, Dominos, McDonalds et al of the shopping mall, the wall around the country's national flagship campus, and the absence or inaccessibility of public space, green or otherwise.

But on the upside, the contingent faculty movement for better teaching and learning conditions in higher education seems to be taken seriously by the Mexican academic establishment. After the informal morning presentation by young activists from Occupy Wall Street and the student strikes in Quebec and Puerto Rico, conference attendees were greeted by UNAM Chancellor Jose Narro Robles and several union leaders at a three-course lunch in the garden of the Academic Club. The faculty union, by the way, has not only an office on the UNAM campus: it has a whole building.

AAPAUNAM (Asociacion Autonoma del Personal Academico) represents several categories of faculty from full professors to profesores de signatura (equivalent to non-tenure-track lecturers in U.S. parlance). Most of the conference was held in the facilities of AAPAUNAM,

but some of it took place in the building occupied by another campus union, STUNAM, representing a variety of other academic and administrative workers.

Eighty percent of teaching at UNAM is performed by part-time faculty, according to the brief documentary film *La Educacion Actual en Mexico*, distributed on DVD to all conference attendees. "Professors can't teach in their spare time, but that's what people seem to expect," said Bertha Guadalupe Rodriguez, Secretary General of AAPAUNAM, commenting on the need of some instructors to teach as many as eight courses per day for a monthly salary of about \$50 per course.

The dire situation of what the Mexican educators call the academic precariat was further illustrated by a lecturer from Korea, where two lecturers have been living in a tent across the street from the National Assembly for five years to protest the low salaries and lack of job security for their colleagues, who comprise 40% of higher education faculty in Korea. According to Kyung-Ae Oh, lecturer salaries average \$442 per month, as compared to \$5,564 per month for tenure-track professors, contracts last for only six months, and most are forced into retirement at age 50.



Kyung-Ae Oh, South Korea

Apparently suicide has also become a leading form of protest in Korea, with

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anything, even more inimical to it than feudalism is.

It's easy to tell, by the way, if your college has adopted one of those two models:

- The same people tend to be named to the most important committees, over and over.
- Those people, instead of more-qualified colleagues, are ultimately rewarded for their "service" with promotions or other key appointments.
- The committees always seem to reach conclusions or submit reports that are widely praised by the leader.
- Those who disagree find themselves released or disinvented from future committee service, while known dissidents are never invited to serve in the first place.
- Anyone who dissents too loudly or too publicly is punished, often in a highly visible way, in order to serve as an object lesson to others.

Does any of this sound familiar?

Of course, authoritarian leadership is not peculiar to two-year campuses. Recent history has shown that even some of the nation's most prestigious research universities are not immune, as presidents, provosts, trustees, and deans (not to mention powerful football coaches) have been known to engage in a fair amount of fiefdom-building. But I believe that community colleges are especially susceptible to the phenomenon, for several reasons.

The first is the growing trend of community-college presidents who have never been full-time faculty members. These days, most chiefs

of two-year colleges seem to have backgrounds in other areas: business and industry, law, elementary and secondary education, or student services. Many, in fact, are not even qualified to teach anything offered on their own campuses. They hold graduate degrees in areas like higher-education administration.

There's not necessarily anything wrong with such degrees, but I think it's problematic when too many leaders see a doctorate purely as a credential—as a ticket to a high-paying, upper-level administrative position—and not as a mark of scholarly achievement. The proliferation of online doctoral programs offering those sorts of degrees illustrates the problem. Such degrees tend to be expensive and often do not carry a great deal of prestige, but do technically qualify the recipient for one thing: to be a community-college president.

I also believe that it is potentially a problem when the president of a college has no significant experience as a faculty member and, therefore, cannot even remotely relate to faculty concerns or understand how a college faculty is supposed to function. In my experience, such leaders can even be openly hostile to true shared governance, which, to their way of thinking, gives the faculty far too much power.

Couple that attitude with a natural affinity for the kind of top-down leadership that is standard operating procedure at most companies, and it's easy to see how a president can quickly earn a reputation for being heavy-handed and dictatorial.


Another reason community colleges seem especially susceptible to authoritarian governance models is closely related: the "corporatization" of the American campus. Other academics, including (notably) the former AAUP president Cary Nelson, have commented

on this trend at great length, but suffice it to say: The corporate model, while no doubt affecting nearly every institution in the country to some degree, has gained a solid foothold at community colleges, where it has found a group of leaders predisposed to embrace it.

Finally, governance at community colleges tends to flow top-down because of the pervasive nature of what I have called in previous columns the "13th grade" mentality. For some people, community colleges are not

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Report from the Chair: IMHO



This coming election in November is crucial for all of us who teach part time in California's community college system. With so many classes being cut to save money, I believe the public should know that the majority of those classes are classes taught by thousands of part-time faculty.

Given the previous three to four years of drastic budget cuts to satisfy Sacramento's political will and public sentiments, higher education and its part-time workforce is bearing the brunt of such austerity measures.

It's no secret that Prop 30 is one of the major electoral initiatives facing voters this November. This proposal would increase taxes for those who bring in over \$250,000 per year and increase sales tax by .25%. This is basically a last ditch effort to bring some relief to the budget crisis. By voting yes on Prop 30, you are supporting student success!

Prop 32, however is a different animal. This measure is a dangerous and disingenuous attempt to circumvent unionized workers' voices in Sacramento's political arena. The latest polls show that this will pass, and if it becomes a reality "no corporation, labor union, or public employee labor union shall make a contribution to any candidate, candidate controlled committee" If examined closely, then, as one analysis proclaimed, this Prop 32 would be an equivalent to "Citizens United on Steroids" (the U.S. Supreme Court ruled that money is a form of free speech and thus, government cannot

regulate this "speech").

Prop 32 is dangerous because it will severely weaken the public and private unions in California.

The collective voices will be marginalized and impotent. It's disingenuous as it will not prevent any corporate special interests and their super PACs from making political contributions and thus political donations from millionaires and billionaires will become commonplace.

These are the real "special interest" groups in our state and they will be anonymous with little or no oversight or transparency. Unions are easily seen (and thus are more easily targeted), whereas the wealthy class can hide behind "free market" rhetoric and spend millions to influence legislators in Sacramento. Needless to say, this isn't what democracy is about and the level playing field would be greatly skewed in favor of big business.

Furthermore, if this proposition passes, then California will increasingly devolve into a society where workers will no longer have the necessary clout to counter corporations in Sacramento, resulting in the relentless downsizing of public schools and community colleges. Is this a far-fetched reality? Read Naomi Klein's book, *The Shock Doctrine—The Rise of Disaster Capitalism* and you will find that this is already happening in California (and in the United States)

"Loss aversion" an inherent feature of contingency?

by Jack Longmate

On Wednesday, September 19, 2012, National Public Radio aired a feature entitled "Do Scores Go Up when Teachers Return Bonuses?" It recounted the results of a study of incentives that grouped 150 teachers three ways:

- Those who got no incentive,
- Those who were promised \$4,000 if their students showed great improvement by the end of the year, and
- Those who were given \$4,000 but then told that if their students failed to show great improvement, they'd have to return the money.

The study found that the third option "seemed to make a huge difference to student performance." The researchers termed this form of motivation "loss aversion."

This finding reminded me of a statement that Bill Gates made about identifying what makes a good teacher in a *Newsweek* interview (Dec 20, 2010):

"If you could make all the teachers as good as the top quarter, the U.S. would soar to the top.... So can you find the way to capture what the really good teachers are doing? ... We need to measure what they do, and then have incentives for the other teachers to learn those things."

If "loss aversion" is, in fact, an effective motivation for good teachers in the short term, it may be an inherent feature of contingency: The pressure that contingents face to perform in order to avoid losing their tenuous jobs would not seem too far from the pressure to perform to avoid relinquishing an already received cash incentive.

Of course, both the study reported on by NPR and Gates' statement focused on K-12 education,

not higher education. Still, it is curious that amid the clamor for accountability, the use of standardized tests to measure program effectiveness, schemes to make sweeping replacements of bad teachers with good ones, closing of failing schools, etc., that clamor has been limited to the K-12 system, with little concern about higher education.

Might a study of higher education make evident the impact of the differences of working conditions of tenured vs. non-tenured faculty and the consequences those differences make on learning outcomes?

Or might a study of higher education actually result in negligible differences, with the outcomes from tenured faculty's professional working conditions being offset by the extraordinary motivation of contingent faculty who, lacking of job security and job protection, perpetually fear job loss?

To the credit of the researchers cited by NPR, they do not endorse blanket adoption of "loss aversion" motivation, saying, "Teaching isn't like making widgets; it requires motivation and passion. If teachers feel they are being manipulated rather than encouraged to improve their performance, they could end up looking for other lines of work."

But if effective teaching does require "motivation and passion," how well can contingent faculty maintain that disposition over time if they have little confidence that their jobs will continue beyond the current term or if they feel they are being manipulated and exploited by substandard pay, a capped workload, spotty benefits, and limited professional development?

And many contingents, especially at the community college, do "end up looking for other lines of work" concurrent with their teaching in order to make ends. Surely such employment patterns impact the quality of instruction.

The NPR study may not have touched on a practical way to make longterm improvements to education, but it may very well shed light on why some good K-12 or higher ed teachers become bad teachers—when they are disrespected. ❁

unless the voters stand up and vote "No to 32!"

Regarding AB 852, the PT job security bill introduced in 2010, it went through multiple revisions (amendments) after being approved by the Senate Appropriations Committee. These revisions ultimately led to complete dissatisfaction from many of the stakeholders and it eventually was put into the Inactive File where it died.

As for future legislation for part-time faculty, we'll have to wait until the next legislative session begins after the November 6 elections. One important and very positive gain that should be remembered from the efforts of our legislators is that they and their staffs are becoming increasingly aware of the serious hidden problems in the community college system.

In spite of the legislative setbacks we have encountered, CPFA and its many part-time faculty activists have learned plenty in the last few years regarding how politics work in Sacramento, with its unexpected twists and turns when dealing with the powers that be. Proactively reexamining our strategies has already begun and is something that we will take with us to next year's legislative session. ❁

John Martin, CPFA Chair -- jmartin@cpfa.org



CPFA expresses its gratitude to Assemblymember Paul Fong (D-Cupertino) for his tireless efforts in the last four years, first with AB 1807 and finally AB 852. While neither bill was successful, there is no question that Fong and his legislative aide, Bryan Singh, worked tirelessly to increase justice for part-time faculty in California community colleges. Please, if you have not already done so, call or write to him and say, "Thank you, Assemblymember Fong!" His contact information is:

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eight lecturer suicides since 1998. Oh says that following a suicide in 2007, part-time lecturers gained pay-in access to occupational health and safety insurance and unemployment compensation.

After the most recent suicide in 2010, academic employers and the government now assume part of the costs of national health insurance premiums and pension contributions that lecturers formerly had to pay themselves. Lecturers are part of the national pension system, but not the better-funded teachers' pension system in which tenure-track faculty participate.

One thing that distinguished this conference from many previous COCALs was the significant presence of young academics: not only the protest leaders who spoke the first day, but a large cadre of local graduate students and instructors, some of whom produced not only the DVD but a new COCAL logo and a graphically and historically sophisticated tourist brochure covering Teotihuacan, the central historical district, Coyoacan, and Chapultepec.

One of the most silent among them, after spending most of the conference waiting patiently in the wings to present speakers with honorary souvenirs, shapeshifted into a Michael Jackson impersonator at the closing dinner, performing a well-received rendition of "Billie Jean." This was toward the end of the second night of live music, comprising a total of what appeared to be four different bands playing marimba, mariachi, salsa, and Nueva Trova.

Many meetings of non-tenure-track faculty in the United States have been fogeyish in comparison, focusing on retirement options and ways that aging instructors are getting screwed out of equitable pensions and Social Security benefits. The problems in those areas are serious and complex.

But the complaint being heard from young Mexican professor Bladimir Juarez Duran was that departments are having difficulty retaining talented graduate students because older professors will not retire and thus no jobs are becoming available. He lamented that these professors are no longer current in the methodology and terminology of their own discipline and thus enrollments are shrinking because students are not interested in taking classes from them. A professor in the audience responded that this is because retirement benefits in Mexico are so poor.

Progress for the academic precariat generally is difficult to gauge. One report on the Vancouver regularization model (basis for the New Faculty Majority's Program for Change, by which non-tenure-track faculty in this two-year college system in British Columbia have access to equal pay and job security), consisted basically of refutation of objections that have been raised to implementation of the model in other institutions.

In the United States, it appears that California's two public 4-year university systems continue to lead the way in

salary and job security protections, with Jonathan Karpf of the California State University union reporting full parity pay of lecturer work with the salary schedule of tenure-track professors based on degree and years of experience. (CSU lecturer appointments are solely teaching appointments without a research and service component, so a full-time semester course load for a lecturer is five courses whereas that for a professor is three or four courses).

An attendee from Quebec commented that per-course salaries there (around \$8,000 Canadian dollars) were in compliance with the recommendations of the new Modern Language Association of a minimum part-time salary, calculated per semester course, of \$6,920.

Reports from other Canadian universities were not so positive. A union staff representative from the University of Victoria commented that the Vancouver model didn't seem to be gaining much traction at her institution, and the most frightful report heard by this attendee was the that of two "tutors" from Canada's first accredited online university, based in Alberta.

In a presentation entitled "Deskilling of Academic Labour at Athabasca University," Natalie Sharpe and Dougal MacDonald described the recent conversion of on-line class cohorts of thirty students per "tutor" into a call center "student support" model wherein floating tutors get paid by the call.

Sharpe says there has been no objective research to demonstrate a pedagogical improvement, though administrators have apparently been relying on customer satisfaction surveys to justify the model.

Learning outcomes, ideally assessed by measures other than student satisfaction, were a pervasive subtext to the conference, given the prominence accorded to outcomes assessment in the United States ever since No Child Left Behind turned SLOs (student learning outcomes) into a political football.

Conference attendee Hugo Aparicio commented, "Our work is not quantifiable," resulting in an inability to justify equitable compensation. Aparicio teaches at City College of San Francisco, which has recently had its accreditation threatened for spending too much money on instruction (92%) as opposed to administration, and for inadequate assessment of effectiveness in improving SLOs. The Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges (WASC) issued the CCSF report at a time when most scholarly observers criticize administrative bloat as one of the major financial problems facing higher education.

Though specific models for improving contingent faculty salaries and working conditions were discussed to some extent, notably the aforementioned Program for Change and the Modern Language Association's new Professional Employment Practices



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Unused Sick Leave at Retirement -- Use It, Transfer It, or Lose It

By Cliff Liehe
City College of San Francisco

Full-time community college instructors are entitled to at least 12 days of paid sick leave per school year. (Education ("Ed") Code §87781(a)(1); CalSTRS Employer Information Circular, Vol 19, Issue 6 (May 22, 2003). Part-time instructors are entitled to at least a proportionate amount of paid sick leave based on their load. Ed Code §87781(a)(2). But what happens to unused sick leave when a part-timer retires?



For a part-timer in any retirement plan other than the CalSTRS Defined Benefit (DB) retirement plan, the answer is usually simple: use it or lose it! Unused sick leave usually cannot be used to enhance retirement benefits. This is definitely true for part-timers in the CalSTRS Cash Balance (CB) retirement plan and Social Security. And while it may be possible for a union to negotiate a payment of salary or other compensation for unused sick leave at time of retirement (sometimes available in private industry), the author is not aware of this ever happening in community colleges.

What about a part-timer in the CalSTRS DB retirement plan? The simple answer is that at time of retirement a part-timer gets to have unused sick leave converted to additional service credit. More service credit means a larger retirement benefit. But the devil is in the details, especially in some districts.

Unused sick leave for a retired part-timer is reported by a district to CalSTRS on a form called "Express Benefit Report." Both the part-timer and district need to complete portions of the form. CalSTRS then converts the reported unused sick leave to additional service credit, re-calculates the part-timer's retirement benefits, begins paying the increased benefit each month, and makes a retroactive payment if necessary. Now for those problematic details.

Problem 1: Converting hours to days. Unused sick leave must be reported to CalSTRS in days on the Express Benefit Report. But most part-timers earn sick leave in hours, not days. Ed Code § 22717(b) requires that the total hours be divided by 6 to calculate the number of days. But this assumes that the full-time equivalent (fte) is 1050 hours/year (6 hrs/day x 175 days/yr = 1050 hrs/yr). In reality it should usually be something less. If a district follows the Ed Code, the result is usually (but not always) an inequitably low number of unused sick leave days reported to CalSTRS.

Some districts ignore the Ed Code (probably out of ignorance, possibly out of compassion), use the appropriate fte (e.g., 525 instead of 1050), and divide by a different number than 6 (e.g., divide by

3 if fte = 525). The result is an equitable number of unused sick leave days reported to CalSTRS. Strangely enough, the CalSTRS Member Handbook says that the appropriate fte should be used, contrary to the Ed Code.

What to do? Get a copy of the completed Express Benefit Report and check the figures. If your district uses an appropriate fte less than 1050 in converting hours to days, then do nothing. You will get an equitable amount of service credit. If the appropriate fte is less than 1050 but your district uses 1050 because it is following Ed Code §22717(b), then try to convince your district to use the appropriate lower fte (a difficult argument to make in light of the Ed Code). Perhaps refer to the CalSTRS Member Handbook as an authority. If your district uses an appropriate fte greater than 1050, then try to convince your district to follow Ed Code §22717(b) and use a 1050 fte (i.e., divide hours by 6).

Problem 2: Reporting by last employer only. This is a serious problem in that many part-timers are unaware of it. Under current law, CalSTRS will only accept an Express Benefit Report form from the part-timer's last employer. Ed Code §22717(a). CalSTRS will not accept Express Benefit Report forms from other districts where a part-timer worked in prior years or, in the case of a freeway flyer, where a part-timer also worked during his or her last year of employment before retirement.

CalSTRS has indicated that in the next legislative session it will seek to have the law changed so that it can accept an Express Benefit Report from all employers for whom the part-timer worked during his or her last year of employment before retirement.

What to do? If you have unused sick leave in multiple districts, be sure to transfer it to your last employer. If and when the law is amended, you will only need to do this for districts in which you did not work during your last year of employment.

Problem 3: Transferring unused sick leave. If you thought the problems above were bad, brace yourself. Part-timers appear to have a statutory right to transfer unused sick leave from one district to another at any time. Ed Code §87782. But in practice, multiple problems have arisen. Perhaps a thorough legal analysis of Ed Code §87782 is needed.

A district may refuse to transfer unused sick leave to another district because the record of such sick leave is no longer available. There is no statute specifying how long a district must keep such records. Ed Code §87782 implies that the right to transfer lasts forever and hence, implies that districts should keep such records forever. But that is unrealistic and unfair to districts.

A district may refuse to transfer

unused sick leave to another district because of a contract provision placing a time limit for requesting such a transfer. E.g., Peralta recently had and may still have a two year limit for part-timers to transfer unused sick leave from Peralta to another district. This provision would appear to violate Ed Code 87782.

A more common problem is districts refusing to accept a transfer of unused sick leave from another district. Some districts, and until recently even CalSTRS, interpreted Ed Code §87782 (or possibly a prior version of that section) to require acceptance only if the request for transfer was made within one year of beginning employment at the receiving district. This requirement is or was in some district contracts. E.g., it is currently in the Foothill De Anza contract and it was, but is no longer, in the CCSF contract. While at least one CalSTRS publication also stated this one year requirement, CalSTRS has now decided that it is not supported by the law and has said that it will change its publications accordingly.

Why would a district not want to accept unused sick leave from another district? Perhaps because the part-timer might use it at the receiving district where it was not earned. Or perhaps because the receiving district must pay CalSTRS for any "excess sick leave" that it receives (i.e., sick leave in excess of what the Ed Code requires be given to part-timers). But theoretically, if all districts cooperated in transferring and receiving unused sick leave, it should be a wash. So what does Ed Code §87782 (that some districts rely on in refusing to accept unused sick leave) really say? It provides as follows:

87782. Any academic employee of a community college district who has been an employee of that district for a period of one school year or more and who accepts an academic position in a school district or community college district at any time during the second or any succeeding school year of his or her employment with the first district, or who, within the school year succeeding the school year in which the employment is terminated, signifies acceptance of his or her election or employment in an academic position in another district, shall have transferred with him or her to the second district the total amount of leave of absence for illness or injury to which he or she is entitled under Section 87781. The board of governors shall adopt rules and regulations prescribing the manner in which the first district shall certify to the second district the total amount of leave of absence for illness or injury to be transferred. No governing board shall adopt any policy or rule, written or unwritten, which requires any employee transferring to its district to waive any part or all of the leave of absence which he or she may be entitled to have transferred in accordance with this section.

While a one year time period is mentioned in the statute, it refers to the time that the instructor worked in

the first district and to the time that the instructor starts a job in a second district. There is no requirement that a request for transfer of unused sick leave be made within one year of starting a job in the second district. Furthermore, the last sentence prohibits districts from abrogating in any way the instructor's right to transfer unused sick leave.

What to do? If you have problems transferring unused sick leave, argue that you have an absolute right to transfer unused sick leave at any time under Ed Code §87782. If records are no longer available in the transferring district, try to estimate and agree with that district on an amount of unused sick leave.

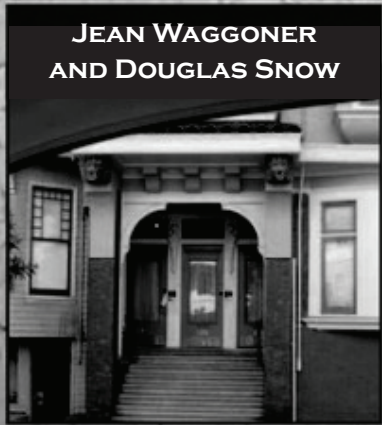
Other problems abound. Suppose a part-timer in CalSTRS DB in District A left teaching, retired with CalSTRS 15 years later, and District A no longer had any record of unused sick leave to report to CalSTRS? Or suppose a part-timer earned sick leave in district A using multiple fte's. How should District A convert hours to days in the Express Benefit Report? Theoretically, it should divide any sick leave hours earned with a 525 fte by 3, divide any sick leave hours earned with an 875 fte by 5, divide any sick leave hours earned with a 1050 fte by 6, etc. But that would be extremely burdensome if not impossible.

Or suppose a part-timer transferred unused sick leave from District A to District B and then went back to work at District A. Can the unused sick leave be transferred back to District A? Are there any limits on when or how often a part-timer can transfer unused sick leave? If a district refuses to transfer or accept a transfer of unused sick leave, is there any way other than a lawsuit to try to force compliance?

Unfortunately we don't have the answers for you. If problems arise, get help from your union if possible. We are continuing to lobby CalSTRS to support appropriate legislative changes. ✪

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"Vice and Mire" continued from page 2
 "real" colleges but rather occupy a place somewhere between a high school and a university—perhaps closer to the former than to the latter. Plenty of people in government, and even within the two-year institutions themselves, believe that community colleges should be run much like high schools, with strong, autocratic leaders and little or no input from the instructors.

Whatever the reason, it's obvious from the headlines that governance and leadership are especially thorny issues for many two-year colleges.

Our failure to embrace true shared governance has, it seems, opened the door to corruption, mismanagement,

and abuse of power. The results might not be quite as dramatic as George R.R. Martin's novels, but then again, you can never be too sure. If you don't hear from me again after this column is published, you can assume that I'm probably in a dungeon somewhere, awaiting my execution—figuratively speaking, of course.

Rob Jenkins is an associate professor of English at Georgia Perimeter College and author of Building a Career in America's Community Colleges. The opinions expressed here are his own and not necessarily those of his employer. Originally published in Chronicle of Higher Education, reprinted with permission.



Martin Goldstein, FACCC Governor for Part-time, takes a break from one of the COCAL sessions along with former FACCC Governors Deborah Dahl-Shanks (left) and Mary-Ellen Goodwin. [photo by David Milroy]

COCAL X -- continued from page 4

standards for non-tenure-track faculty, the general trend of the conference seemed to be in the direction of broader economic and political analyses. The writing of twentieth century Marxist philosopher Ernest Mandel was quoted by several speakers. New York Occupy activist Zoltan Gluck cited Mandel's prediction that the continuing development of capitalism would need fewer high quality intellectual producers and more specialized producers for purposes of capitalist production (i.e. academic piecework), thus putting the social sciences and humanities into crisis.

But the speaker then pointed out that Mandel's prediction overlooked

the parallel explosion of graduates in these fields in the universities coupled with a crisis of unemployment and underemployment. As a result, Occupy and associated university tuition protests, he said, has changed the political discourse around student debt, now known to total \$1 trillion in the United States.

The superficial contradiction between the desire of students to pay lower tuition and the desire of their instructors to earn a living wage with dignity seemed well understood by conference participants to be part of the shell game of the economics of austerity.

**- Sandra Baringer, Ph.D.
 Lecturer, University Writing Program
 University of California, Riverside**



The international COCAL conference in Mexico City -- a packed house.

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Bi-partisan proposal would aid parents, students in making informed choices

Cash-strapped American families want to know whether college is worth the money. The answer? It depends.

It depends on what kind of institution you attend (most four-year degrees are worth more than two-year degrees), what you study (earnings vary dramatically by choice of major), and how much you pay to complete a degree (lower-priced public colleges may provide the most bang for the buck). And all of this may depend on which institution you attend.

If the people purchasing higher education knew the answers to these questions before enrolling, we'd have a true higher education market. But while the stakes of the college choice have never been higher, the market is as opaque as ever on measures of quality and value. What major is most likely to land me a job with a middle-class wage? How does the success of graduates from that program differ across institutions?

The data needed to answer these questions, "measures of postsecondary enrollment and labor market outcomes," do exist, but they are often locked away and kept separate from one another. This firewall stunts the market and keeps prospective students in the dark.

But there are signs that this curtain may soon be raised. Recently at AEI (and in a *USA Today* op-ed), Senators Ron Wyden (D-OR) and Marco Rubio (R-FL) discussed a far-reaching, bipartisan proposal to collect new data on how college graduates fare in the labor market.

The proposal, introduced in the Senate as the Student Right to Know Before You Go Act, would

match up individual-level educational data with information on employment and earnings that is currently collected as part of the unemployment insurance program. The bill calls on states to match up these data, measure student outcomes, and make them publicly available.

For the first time, prospective consumers would have access to information on post-graduation average annual earnings, rates of remediation and graduation, and average debt accumulated. This information would be available down to the program and institution level, enabling students to compare outcomes for a single major across multiple colleges, or vice versa.

The kicker? The federal government has already paid states to collect these data. On the education side, the feds have invested \$500 million to create state longitudinal data systems, but most of this information is languishing in so-called "data warehouses."

On the labor market side, the federal government pays all of the administrative costs of running the joint federal-state unemployment compensation program.

Colleges and universities will object to these measures, claiming that they do more than prepare graduates for jobs and reverting to tried and true privacy arguments.

But transparency is on the march in higher education, with a bipartisan pair of senators leading the way.

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At COCAL X: John Martin, CCA, CPFA; Judy Olson, CFA, NFM; David Milroy, CPFA; Curtis Keyes, Chicago PT Activist; Lin Chan, CFT, CPFA.

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These photos of the 2012 CPFA Conference at Riverside courtesy of Lin Chan

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