

# Dan Walters California must face hard truth about budget

[dwalters@sacbee.com](mailto:dwalters@sacbee.com)

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The harsh truth is that California's recession-strapped economy shows only faint signs of recovery, and state and local governments will be squeezed by yawning income-outgo gaps for years.

There's almost nothing that political officeholders can do about that fact other than attempt to raise taxes. Gov. Jerry Brown wants to try, but there are also no indications that voters would be receptive.

Most likely, he and other politicians will be restricted to spending only the revenue that a moribund economy delivers, and must prioritize.

One factor, however, is that very large chunks of revenue are locked into virtually unchangeable categories, and as overall revenue stagnates, those fixed pots grow and crowd out what's left for discretionary – or at least unprotected – spending.

The most protected haves are bondholders who have lent money via general obligation bonds, and public employee pension funds, especially the enormous California Public Employees' Retirement System.

Their pieces of the budgetary pie are absolutely locked and have been growing. As Treasurer Bill Lockyer notes in a new "debt affordability report," the portion of the state budget devoted to repayment of bonds (\$91 billion now outstanding) has more than doubled recently to 7.8 percent, over twice the national average.

State school financing obligations have just slightly less constitutional protection, and now Brown wants to lock another \$6 billion per year commitment into the state constitution to pay for shifting some criminal justice functions from the state to local governments.

Prison spending, which is at least twice as high as it should be, when compared with that of other states, may not have constitutional protection. But politicians fear, equally, turning loose felons who might commit more crimes, and the

California Correctional Peace Officers Association, whose fat contracts have driven prison spending upward.

The fiscal have-nots are health and welfare programs that serve the poor, who have very little political clout, and higher education, which can make up losses of state money by raising student fees.

That's the reality, as played out in this year's budget process, and it will dictate what happens for years to come.

We should make lowering fixed costs a first priority, meaning some serious pension reforms and a freeze on bond debt, including the tens of billions that have been authorized by voters but not yet sold.

We should put the high-speed rail project on indefinite hold, since it would consume nearly \$10 billion in bonds and lacks a credible financing plan, rewrite and perhaps suspend a pending water bond issue, and sell only those bonds whose need falls into the emergency category.

Reality bites, but if we don't accept it, California could become the American Greece.

## School pensions: an argument for not bargaining?

« [California among few states bargaining pensions](#)

By Ed Mendel

As state and local governments in California face soaring public pension costs, unions insist that cost-cutting changes must be bargained, not imposed by legislation.

But there is one major exception: schools.

Teachers and non-teaching school employees in California are in unions that do not bargain pensions. Instead, their pensions are in big statewide pools that have some of the lowest costs for employers and some of the lowest pension formulas for retirees.

Bargaining for pensions is used extensively only in California and a few other states. One of the first pension reform proposals to include ending bargaining came last month in Rhode Island, where bankrupt Central Falls is drawing national attention.

The Rhode Island auditor general, Dennis Hoyle, said an end to bargaining for pensions and retiree health would make benefits more visible to the public, set a standard and avoid the tendency to save now by pushing employee costs into the future.

In California, particularly in local government, critics say bargaining tends to result in pensions not based on what retirees need or on what governments can afford, but on pensions offered by other government employers.

Often blamed for triggering market-like competition resulting in costly local police and firefighter pensions: a CalPERS-sponsored bill, SB 400 in 1999, enacting a 50 percent pension increase for the Highway Patrol negotiated by their union.

The same competitive pressure can drive up the salaries on which pensions are based. An article in [the November issue](#) of Vanity Fair magazine, “California and Bust,” makes the point in a section on pension-troubled San Jose.

“The effect was to make the sweetest deal cut by public-safety workers with any city in Northern California the starting point for the next round of negotiations for

every other city,” wrote Michael Lewis, author of “Moneyball” and “The Big Short.”

Another criticism of bargaining is that managers who can curb retirement costs personally benefit from higher pensions. A lawsuit forced the Sonoma County retirement system to release records last month, showing 98 pensions of \$100,000 a year or more.

Rod Dole, 59, a former county auditor-controller-treasurer who retired in May is said to have a \$254,625 annual pension, \$46,600 more than his final pay. Others with pensions above \$200,000 are a former sheriff and a former county administrator.

“What’s particularly discouraging to us is how many of those at the top of the pension pyramid are those — former supervisors and department heads — who had the decision-making authority to be part of a solution,” [\*said an editorial\*](#) in the Santa Rosa Press Democrat, which filed the lawsuit.

Compared to other public pensions, the two school retirement systems where pensions are not bargained have a significantly lower cost for employers, similar or better funding levels, low costs to employees and formulas that provide lower pensions.

**Employer costs.** The California State Teachers Retirement System receives a total employer contribution of 12.75 percent of pay for teachers and others — 8.25 percent from districts and other employers and 4.5 percent from the state.

The California Public Employees Retirement System receives an employer contribution of 10.9 percent of pay for non-teaching school employees (office, food, maintenance and others).

For employees that do bargain pensions, CalPERS receives employer contributions of 18.2 percent of pay for miscellaneous state workers and 31.2 percent for the Highway Patrol.

At the high end, the CalPERS employer contribution for police and firefighters in 55 local governments, where these “safety” worker costs are a big part of the total budget, is 40 percent or more of pay.

**Funding levels.** The latest CalPERS valuation, as of June 30, 2010, shows that the non-teaching school employee pension fund has 69.5 percent of the assets needed to fund future obligations.

The five CalPERS state worker funds that bargain have a lower average funding level of 62.8 percent, ranging from 68.3 percent for industrial to 57.6 percent for the Highway Patrol.

The latest CalSTRS valuation, also as of last year, shows a funding level of 71 percent using the actuarial value of assets. Switching to the market value of assets, the CalPERS method, drops the funding level to 63 percent.

(Critics argue that the real funding level of CalPERS and CalSTRS is much lower because the nation's two largest public pension funds use an overly optimistic forecast of what their investments will earn in the future, 7.75 percent).

Unlike CalPERS and most California public pension funds, CalSTRS lacks the power to set annual contribution rates that must be paid by employers. So to build support for rate-increase legislation, CalSTRS has been the most forthcoming about its shortfall.

With no rate increase, CalSTRS expects to run out of money in 30 years. To reach 100 percent funding, CalSTRS needs an additional 14 percent of pay (about \$4 billion), more than doubling the current total employer contribution of 12.75 percent.

A phased-in rate hike to reach 100 percent funding may be unrealistic now. But officials say enough of an increase to get the funding level moving up would cut future costs and avoid sinking into calamitous underfunding, as in New Jersey and Illinois.

**Employee benefits.** Non-teaching school employees in CalPERS, contributing 7 percent of their pay to pensions, may have grumbled about an inequity during the last decade.

State miscellaneous workers contributed 5 percent of their pay to CalPERS. But they had the same pension formula as non-teaching school employees, "2 at 55," or 2 percent of final pay for each year served at age 55.

Now after negotiating new contracts last year that helped lower state payments to CalPERS, state miscellaneous workers are contributing 8 percent. Non-teaching school employees, who do not bargain pensions, continue to contribute 7 percent.

The new contracts give newly hired state miscellaneous workers a lower pension formula, “2 at 60,” the bottom rung of CalPERS miscellaneous formulas. In addition to “2 at 55,” the others are “2.5 at 55,” “2.7 at 55,” and “3 at 60.”

Newly hired non-teaching school employees continue to receive “2 at 55” pensions. The landmark SB 400 in 1999 increased Highway Patrol pensions from “2 at 50” to “3 at 50” and state miscellaneous workers to “2 at 55” from “2 at 60.”

Teachers and others in CalSTRS also have a “2 at 60” pension formula. Bargaining by teacher unions has given California teachers some of the highest salaries in the nation.

But the powerful teacher unions have not pushed for the right to bargain pensions. Instead, when CalSTRS was fully funded during a stock market boom in the late 1990s, the unions backed several legislative bills that increased retirement benefits.

The big one, AB 1509 in 2000, made CalSTRS a “hybrid” plan by adding a 401(k)-style individual investment plan, the Defined Benefit Supplement, with guaranteed minimum earnings based on the 30-year bond.

Teachers contribute 8 percent of their pay to CalSTRS. For a decade ending last January, a quarter of the teacher contribution, 2 percent of pay, went into the supplement rather than the underfunded CalSTRS pension system.

Unlike non-teaching school employees in CalPERS, teachers are not in federal Social Security. It’s currently funded by 6.2 percent of pay from employees and 6.2 percent from employers.

In 1982 during his previous term, Gov. Brown proposed lower pensions for new state hires. He said it was possible for a state worker to retire at age 62 with more than 100 percent of their final salary from CalPERS and Social Security.

But the teacher unions have not pushed for Social Security. To the contrary, some at CalSTRS worry that Congress may try to close the Social Security funding gap by putting all public employees in the system, imposing big costs on the state and teachers.

Under the current CalSTRS plan, a report to the board said in June 2009, with the pension, the supplement and \$100 a month invested in a tax-deferred plan, a teacher at age 63 with 34.5 years of service could retire with 103 percent of final pay.

*Reporter Ed Mendel covered the Capitol in Sacramento for nearly three decades, most recently for the San Diego Union-Tribune. More stories are at <http://calpensions.com/> Posted 3 Oct 11*

# Feds give \$37 million to California colleges for science education

*September 30, 2011 /*

L.A. Times

Federal grants totalling nearly \$37 million and aimed mainly at improving science, engineering and math education have been awarded to 34 California community colleges that serve large numbers of Latino students, California Community Colleges Chancellor Jack Scott announced Friday.

The money can be used to purchase lab equipment, enhance tutoring programs, build new facilities and develop new courses, among other things.

Among Southern California campuses receiving the awards from the U.S. Department of Education: Glendale Community College, Antelope Valley College, Cerritos College, Pasadena City College, Santa Monica College, Los Angeles Mission College, Los Angeles Harbor College, El Camino College and Oxnard College. The grants range from about \$840,000 to \$1.2 million each.

“This is tremendous news for our system and even better news for those who will directly benefit from these grants,” Scott said in a statement. “The funds will help Hispanic students achieve their educational goals while improving the pool of highly skilled individuals who can strengthen California’s economy and compete globally.”



## Welding prospects are on fire

**THE DAILY BREEZE, October 2, 2011**

[http://www.dailybreeze.com/news/ci\\_19027404](http://www.dailybreeze.com/news/ci_19027404)

By Rob Kuznia, Staff Writer

Posted: 10/02/2011 09:38:37 PM PDT



Instructor Renee Newell, right, a USC graduate and instructor of industrial welding, teaches student Elliot Roche a cutting technique with a torch. (Robert Casillas, Staff Photographer)



Students at El Camino College's Career Advancement Academy are learning how to weld in a program that was added this fall. (Robert Casillas, Staff Photographer)

We hear it over and over: Jobless rates remain depressingly high. Employers are increasingly looking for candidates with bachelor's degrees or more. And yet, there's a mass shortage of qualified welders?

So says the U.S. Department of Labor, and the situation is expected to worsen considerably over the next few years.

El Camino College has launched a program that aims to fill a few of those jobs with local students by summer. This fall, the Torrance-area community college kicked off its Career Advancement Academy, which trains students in welding and machine tool technology, as well as catches them up in reading, writing and arithmetic.

The course — made possible by a one-year, \$662,700 grant from the California Community Colleges Chancellor's Office — will culminate with a job fair in the spring exclusively for students with passing grades. (Administrators plan to apply for two additional years.)

With just 60 students enrolled, their odds of landing a job with the likes of Boeing, Northrop Grumman, Triumph Aerostructures or any other company in attendance are pretty solid.

That's music to the ears of 26-year-old Monica Estrella, the only female student in her welding class. She's been unemployed since January.

"It's time to be working now," said the 2003 graduate of Carson High School. "It gets boring doing nothing. You just don't know what to do with yourself."

The academy bucks a current trend in education that favors prepping students for the university track over vocational studies, on the rationale that more and more jobs require a four-year degree. But manufacturers are also having trouble finding skilled workers.

#### **450,000 jobs by 2014**

Industry analysts say the welding trade sees about 50,000 retirements annually, compared with 25,000 new hires. The U.S. Department of Labor estimates there will be 450,000 open welding positions by 2014. The biggest factor is an approaching tidal wave of retirements — the average welder is in his or her mid-50s, according to the agency. And the job, with its toxic fumes and ultrabright flames that can damage the eyes, isn't amenable to older workers.

So desperate are companies to fill open slots that they are often willing to hire welders with criminal records, instructor Renee Newell said.

"We have employers who say, 'As long as somebody shows up for work, they have the skills — I'm happy to employ them,'" she said.

Also in high demand are machine operators.

"There are stories of companies whose facilities are across the street from each other fighting over a single employee who can operate a particular machine," said Naomi Tokuda, coordinator of the program.

The Career Advancement Academy targets the young — eligible students must be 18 to 30 years old — because industries are hoping to hire for the long term. Between a quarter and a third of the students at El Camino's academy are high school dropouts. And a few do, in fact, have criminal records.

Although El Camino already offered welding and machine tech classes, the Career Advancement Academy is distinct in how it also requires students to take a slate of academic courses such as math and English. It also has them bone up on skills that help one to land — and keep — a job: interviewing, resume- writing, interpersonal skills and the like. Their books are paid for, and about half the students qualify for tuition waivers.

"These guys need to be able to convert decimals to fractions," Tokuda said. "They gotta be able to do it — they are reading blueprints. And the kids are like, `Yeah, I learned how to do it but I'm really rusty. I haven't done that in years.'"

### **Hourly wages up to \$45**

Students can expect to land jobs for about \$15 an hour, with full benefits. But Newell said the hourly pay ranges from about \$9 to \$45 an hour. (She advises students against accepting positions on the low end.)

The money and the potential employability can be a lure for students who have fallen on hard times.

Sergio Basio, 20, dropped out of high school, thinking he would scrape together a living working at Subway and T.J. Maxx.

"I was just being dumb, like I was too cool for school," he said.

After two years of struggle, he decided to return to high school a few weeks shy of his 20th birthday. He quickly made up for lost time through independent studies, completing nearly 50 credits in two months.

"I've seen how hard you have to work to get a check — you're breaking your back," said Basio, adding that he isn't certain whether welding is something he would like to do for a living.

Other California community colleges have launched their own Career Advancement Academy programs. The specifics of the grants are tailored to each region's unique economies. For instance, in Wilmington, Harbor College's academy — which ended in 2010 after a five-year run — trained students to become process-plant operators for the area's oil refineries. El Camino's offerings are meant to appeal to the nearby aerospace industry.

## **A man's field, but ...**

Welding is one of those professions dominated by men, although women's share of the field inched up from 5 percent to 6 percent in the five years ending in 2005, according to the Department of Labor.

As it happens, the instructor of the welding portion of the academy is a woman. Newell, a USC graduate, has a broad range of experience. In addition to teaching industrial welding at El Camino, she teaches artistic welding at Los Angeles Trade Technical College.

A few years ago, she was among the artists featured on the former Discovery Channel show "Monster Garage," hosted by TV personality Jesse James. Her team converted a Chevrolet Impala into a Zamboni, a resurfacers for hockey and ice rinks.

The work, though physically demanding, can be extremely fulfilling, she said.

"I'm hooked for life," she said.

So might be Ernesto Castellanos, a 2011 graduate of Hawthorne High School. He discovered his talent there as a freshman.

"I guess I was born with the skill of welding," he said. "Others found it hard, but I find it really easy."

## **El Camino College honors 5 'distinguished alumni'**

**THE DAILY BREEZE, October 3, 2011**

[http://www.dailybreeze.com/education/ci\\_19029238?source=rss](http://www.dailybreeze.com/education/ci_19029238?source=rss)

Community college campus honors former students: El Camino College last week announced the five winners of its annual distinguished alumni award.

They are David Benoit, a musician and composer; Don Brann, an El Segundo councilman and vice president of the Da Vinci Schools board of trustees; Pat Furey, a Torrance councilman; Michael Montoya, a director at Southern California Edison; and Cinna Toy-Wohlmuth, assistant clinical professor in obstetrics and gynecology at Loma Linda University.

The Distinguished Alumni have shown outstanding achievement in their chosen careers and gained local, state, or national recognition for their involvement, officials said.

Benoit is a Grammy nominated jazz pianist, composer and producer who studied music at ECC. In addition to his jazz career which has included more than 25 solo recordings, Benoit is also music director for the Asia America Symphony and Asia America Youth Orchestra, an on-air personality for KJAZZ radio, and is the artistic director for the Korean Youth Symphony.

Brann is the former superintendent of the Wiseburn School District in Hawthorne, and attended the district's schools as a youth. In his 40 years as an educator, he held teaching and administrative positions, in addition to other superintendent assignments. Brann founded the Da Vinci Charter Schools in 2008, the same year he was elected to the El Segundo City Council.

Furey is employed as Los Angeles County principal deputy county counsel assigned to the Children's Services Division. He's also a Torrance city councilman and has served on various civic committees for many years. Furey is active with Torrance Unified School District committees, and served as the president of the Torrance Education Foundation for four terms.

Montoya is the director of grid advancement for Southern California Edison's Transmission and Distribution Business Unit. He has 36 years of utility industry experience, including 30 years of evaluating and implementing smart grid technologies. He is a member of several advisory boards, including California State University campuses in Long Beach and Los Angeles.

Toy-Wohlmuth is the second alumni in her family to be honored with this award, and was nominated by her older sister Donna Toy-Chen, who was a Distinguished Alumni at El Camino College's 50th anniversary celebration in 1997. Toy-Wohlmuth said her time at ECC was definitely a family affair - of the eight Toy children, six attended ECC, and her parents were tireless volunteers.

# Just rewards for teachers

LA Times

October 2, 2001

By Marcus A. Winters

A compensation system based on additional academic credit and experience makes sense only if those factors are actually related to classroom effectiveness. They aren't.

Two decades of empirical research in education have confirmed at least one fact that just about everyone already knew: There are good teachers and bad teachers. The difference between your child being assigned to Mrs. Smith's class or to Ms. Johnson's down the hall can be as much as a grade level's worth of learning by the end of the school year.

The wide variation in teacher quality suggests that some teachers deserve higher salaries than others, and indeed today's public school systems have a tiered system of rigid salary ladders in which teachers are given extra compensation for factors commonly thought to be related to effectiveness. Pay differences are based primarily on, first, years of classroom experience and second, additional academic work toward an advanced degree.

There's nothing inherently wrong with a compensation system that rewards experience and credentials. Business professionals pursue MBAs to garner higher salaries, and actuaries get salary bumps as they move toward becoming fellows of the Society of Actuaries.

But a compensation system for teachers based on additional academic credit and experience makes sense only if those factors are actually related to classroom effectiveness. They aren't.

In a new study soon to be published in the peer-reviewed journal *Economics of Education Review*, my coauthors and I sought to measure the relationship between student achievement and those factors typically used to determine teacher compensation. Using data from all test-taking students in Florida over a period of five years, we found no discernible relationship between a teacher's experience and credentials and the academic gains made by their students during the school year.

Our results confirm the findings of a wide body of existing research: A master's degree is unrelated to a teacher's effectiveness in the classroom. Further, our research dovetailed with an expansive body of research showing that while teachers get better at their jobs during their first several years in the classroom, these improvements level off after three to five years.

That's not to say that no teacher has gotten better because of additional experience or studying for a master's degree. But overwhelming evidence shows that such attributes are not generally related to teaching quality.

In fact, just about nothing that can be found on a resume tells us very much about how well a teacher will perform in the classroom. According to research by economist Dan Goldhaber, easily observed characteristics such as experience, education level and certification status only explain about 3% of a teacher's measurable influence on student achievement.

It's easy to see how the system developed to compensate teachers for credentials and experience. Those things are tangible achievements, and it wasn't illogical to suppose that more experienced and better-credentialed teachers would be more effective. But modern research findings have made that supposition indefensible.

The vast majority of what makes one teacher better than another comes from attributes that are not easily quantified. That's not so shocking, actually. All teachers need the skills that they acquire with experience and effective training. But great teachers also have innate characteristics such as patience, kindness, indefatigable dedication and the knack for getting reluctant students excited about learning.

If the goal is to reward great teachers so they stay in the classroom, we won't find out who they are by looking at their college transcripts. We would do far better to identify effective teachers by evaluating their actual performance in the classroom. The ubiquity of standardized testing in public schools, coupled with modern statistical techniques, has provided us the necessary tools to do this.

Currently, public schools make no meaningful effort to identify effective teachers. Even in the worst-performing public school systems, it is common for 98% or more of teachers to receive a "satisfactory" or higher designation on their evaluations. Everyone understands that such results are highly inflated.

Over the last several years, researchers have been working hard to develop ways to identify the effect that individual teachers have on their student's test scores. Such ["value-added" measures](#) of teacher quality are far from perfect and thus should not be used in isolation to make employment decisions. But they are much better indicators of a teacher's effectiveness than are attributes such as credentials and experience. Public schools should utilize such quantitative measures of teacher quality along with qualitative observations of their performance to identify their most effective teachers and compensate them accordingly.

Effective teachers deserve to be rewarded for their achievements. Targeting higher salaries to the best teachers, rather than to the most experienced and best credentialed, would also help schools to retain those teachers who make the biggest difference for kids, while sending a signal to the least effective teachers that they might want to think about other careers.

Rewarding teachers for attributes that are unrelated to how well they perform in the classroom makes no sense. We need instead to focus on identifying the system's most effective (and least effective) teachers and using that information to decide how much we should pay them.

Marcus A. Winters is a senior fellow at the Manhattan Institute and an assistant professor at the University of Colorado at Colorado Springs. His book, "Teachers Matter," comes out early next year.

**CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE**

1102 Q STREET  
SACRAMENTO, CA 95811-\*6549  
(916) 445-8752  
[HTTP://WWW.CCCCO.EDU](http://www.cccco.edu)



October 17, 2011

Dear CEO's:

Federal regulations adopted in 2011 require every state higher education system to establish a website to allow students an opportunity to file complaints with the state agency responsible for overseeing higher education institutions (<http://californiacommunitycolleges.cccco.edu/ComplaintsForm.aspx>). As a result, the Chancellor's Office is receiving a significantly higher volume of complaints from students about their interactions with California community colleges.

In the majority of cases, there is nothing that the Chancellor's Office can or should do in response to the complaints because they concern matters handled exclusively at the local level such as grading issues or lack of responsiveness by a particular campus employee. In these cases, we refer the students back to their local campuses to seek relief.

The federal regulations indicate that the state agency, the Chancellor's Office, should monitor these complaints as they are processed. Given our staffing, it is impractical for the Chancellor's Office to monitor each case referred to a college. To ensure that the students receive the appropriate assistance at the local level, we will be routinely sending CEO's copies of these letters. It is our expectation that upon receipt of these letters, CEO's will refer the complaint to the appropriate person or department.

I realize how busy people are at your colleges and I am sure you understand that this undertaking is not a Chancellor's Office initiative; we are responding to new federal regulations. Thank you for your support in ensuring that student complaints are resolved promptly and appropriately.

Sincerely,

/Jack Scott/

Jack Scott, Ph.D.  
Chancellor



# **Jilted by state, community colleges seek parcel taxes to pay for basic courses**

## **Mercury News**

**By Matt Krupnick**

**Contra Costa Times**

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Posted: 10/18/2011

An East Bay college district may soon ask taxpayers to foot the bill for axed classes that were once funded by the state, a rare move that may become more commonplace as campuses try to make up for lost revenue.

The Peralta Community College District is considering sending a parcel tax to voters in Oakland, Alameda, Berkeley, Emeryville and Piedmont. The measure, which Peralta trustees likely will discuss in January, would cost each property owner about \$50 per year for five years and would help the four-college district restore hundreds of courses cut in the past year.

College leaders said they know of only one California district that has successfully sought a local tax to pay for education. Voters in the San Mateo Community College District approved a \$34-per-year parcel tax in June 2010, the first recent attempt of its kind.

Santa Clara County's Foothill-De Anza district was less fortunate last year. A proposed \$69 tax failed to reach the required two-thirds threshold in November.

The flurry of tax measures reflects a shift for community colleges, which had previously stayed away from seeking local funding for basic services such as class offerings. Parcel taxes are frequently sought by K-12 school districts to pay for teacher salaries and other basic needs. The quest for local funding may become a trend among community colleges that once relied on the state to pay for classes. State budget cuts have reduced that funding dramatically.

"If the state's not going to come through on its end, it's not that surprising that folks would pick up the ball," said Jesse Rothstein, a UC Berkeley professor of public policy and economics.

Peralta received \$5.8 million less from the state this year than in 2010, leading the district to cut about 400 classes.

"Obviously the state is having a very difficult time keeping up," said Dan Troy, vice chancellor for finance for the 112-college statewide system. "Generally we support districts in their attempts to find alternative funding."

The lack of local funding has protected community colleges from the inequity experienced by the state's K-12 schools. Residents in wealthier areas often are willing and able to pay higher taxes for their children's schools, while tax measures in poor areas often fail.

Oakland voters, for example, have shot down two school-related parcel taxes since 2008. Voters in wealthy Orinda, on the other hand, in 2009 approved a \$124-per-year tax for the city's schools.

Colleges turning to the voters is "a piecemeal approach that's happening," said Peralta Trustee Abel Guillen. "You're going to have some parts of the state with the ability to raise funds locally and some areas that aren't."

Peralta leaders are waiting for the latest polling numbers before they decide how to proceed on the June vote. A poll last year showed strong support for such a measure, they said.

The district may have to overcome the public's perception after years of bad news about its finances, which auditors and accreditors said were hurt by sloppy accounting practices. A team hired by the state to investigate Peralta reported this month that a \$390 million bond measure passed by voters in 2006 has been hampered by questionable spending and lax oversight.

Peralta has cleaned up its budget in the past year and its leaders could be trusted to oversee funds from the parcel tax, said Tom Henry, who was appointed by the state to help the district get back on its feet.

"The district's probably never been under more scrutiny than they are now," Henry said. "I think (the tax measure) is a good opportunity for the district and the community."

Colleges have never been in a tougher financial position, he said.

"In terms of pure survival, they are having to reach out and ask for more help locally," Henry said. "Institutions are going to have to be more creative."

Some schools are holding off on tax and bond measures because voters beset by their own financial troubles simply can't afford to pay more, said Kris Vosburgh, executive director of the anti-tax Howard Jarvis Taxpayers Association.

"The reason (schools) have so much less is because everyone out there has so much less," he said. "This is not the right time to put this on the ballot."

## **Law Schools on the Defensive Over Job-Placement Data** **The Chronicle of Higher Education**

Other professional schools wonder if they'll be next to hear demands about career prospects

October 16, 2011

By Katherine Mangan

Kyle McEntee graduated from Vanderbilt University Law School in May with \$150,000 in debt and a pit in his stomach. After passing the bar in North Carolina, his home state, he began applying for the few jobs he found posted but was competing with laid-off lawyers with at least a year or two of experience.

"Everyone I talked to was beaten down and depressed about their job prospects," he says.

Today Mr. McEntee's career is on something of a roll, but hardly in the way he'd expected. The nonprofit group that he and a fellow graduate created to pressure law schools into releasing accurate data about graduates' job prospects is getting national attention.

And the issues raised by their organization, Law School Transparency, are prompting a flurry of filed and threatened lawsuits against law schools accused of reeling in students with misleading data on jobs.

At a time when applications are slumping and legal and regulatory challenges mounting, law schools face questions far tougher than the ones the transparency group has been posing in their employment surveys:

Will glossing over gloomy employment statistics land more schools in court when their graduates don't find well-paying jobs? Will a crisis of confidence among prospective students force schools to cut class sizes and forgo tuition revenue, or dangle more scholarship dollars to fill their classes?

The public backlash against law schools may just be the start, some higher-education experts say. As more prospective students question the wisdom of taking on six-figure debt to enter a shrinking job market, the consumer-protection pressures facing law schools could spill over to other professional schools, they predict.

If the litigation against law schools has "even a little success, others may be motivated to file copycat lawsuits against other targets," says Robert B. Smith, a higher-education lawyer who has been contacted by some of the law schools threatened with litigation.

Mr. Smith, a Boston-based partner with LeClairRyan and a former associate general counsel at Boston University, points out that the Web site of David Anziska, one of the

lawyers suing the law schools, alludes to plans to expand the practice "to holding other graduate and trade schools accountable for inflating their placement rates."

Grim and Grimmer

For a while, law schools were reaping the benefit of a bad economy. Applications increased in 2009 and 2010 as college graduates sought to ride out the recession and improve their job prospects. That trend came to a halt this year, when applications dropped 11 percent.

In an informal poll taken by the Law School Admission Council, 45 percent of the 143 law schools that responded said they had fallen short of their enrollment targets this fall.

If students were skittish about applying last year, they're likely to be even more so after a year in which disgruntled law-school grads took to the blogosphere, and eventually the courts, to air their grievances, and mainstream news sources published a flurry of exposés about puffed-up employment statistics and deflated law-school graduates.

It started in May, when the Thomas Jefferson School of Law, in San Diego, was hit with a class-action lawsuit. Three months later, separate class-action suits were filed by seven former students of New York Law School and Thomas M. Cooley Law School, in Lansing, Mich. This month, the lawyers who sued New York Law and Thomas M. Cooley announced plans to sue 15 more law schools in seven states as soon as they corral enough clients.

The plaintiffs' lawyers predict that within the next few years, every law school in the country will be sued.

The suits, whether filed or threatened, accuse law schools of using inflated postgraduate employment and salary statistics to attract prospective students. The New York and Thomas M. Cooley suits seek "to remedy a systemic, ongoing fraud that is ubiquitous in the legal education industry and threatens to leave a generation of law students in dire financial straits."

The main complaint is that the numbers that law schools are reporting are misleading at best, fraudulent at worst. Law schools posting employment rates of 94 percent may neglect to point out that the figure is based on only the 40 percent of graduates who report. It also lumps together all kinds of jobs, so that a part-time office clerk or a full-time coffee barista is counted as employed.

Permanent changes in the legal landscape are likely to leave their mark even when the economy improves. Big law firms are no longer willing to pay top dollar to train young associates, and entry-level jobs are being outsourced or replaced by technology.

According to the National Association for Law Placement, only about 64 percent of 2010 law graduates had jobs requiring a law license nine months after graduation.

For graduates with full-time jobs, the median salary fell 13 percent, to \$63,000, from the previous year.

Over all, the legal field had a net loss of 50,100 jobs—about 4.3 percent—from January 2008 to last month, according to an analysis of data from the U.S. Bureau of Labor Statistics by the blog LawShucks. (That number includes paralegals and other legal professionals.)

At the same time, the number of students graduating from law schools continues to increase, with a record 44,004 new lawyers entering the market last year.

### 'Consumerist Paradigm'

As questions about the future market for legal services rattle the profession, political pressure on law schools, and the body that accredits them, has heated up. Two U.S. senators have demanded that the American Bar Association, whose Section of Legal Education and Admissions to the Bar accredits law schools, speed up the process of requiring law schools to report more detailed employment data.

Some of the law schools whose employment numbers are being scrutinized have begun consulting higher-education lawyers like Mr. Smith. He warns against what he calls "the creeping influence of America's consumerist paradigm," an attitude that he says is perpetuated when higher-education institutions describe students as consumers, and when regulators require them to publicize outcomes-based data for prospective students.

"College students are not 'entitled consumers' whose success in life is somehow to be guaranteed by the schools they attend," Mr. Smith argues. Society shouldn't be a "guidance counselor" for adults. When they apply to professional schools, he says, they should be aware of economic forces working against them.

"There's a notion that they're wrapped in a cocoon of ignorance, and yet we still expect them to be qualified to become my heart surgeon or my lawyer," Mr. Smith says.

Not surprisingly, the deans on the receiving end of lawsuits agree. "A law degree is not like an insurance policy or a warranty on a lawn mower or a new car," says Don LeDuc, president and dean of Thomas M. Cooley Law School. Law deans who have been accused of gaming the numbers point out that, until now, the bar association hasn't required them to specify what kinds of jobs their graduates land. If the numbers are fuzzy, they say, blame the accreditor, not them.

"Most schools did only what the ABA and NALP [National Association for Law Placement] required them to do," says William D. Henderson, a professor of law at Indiana University at Bloomington whose research focuses on legal education and the legal profession. "The courts will have to decide whether that was sufficient" from the standpoint of consumer protection. (The ABA's Standard 509 requires law schools to

publish "basic consumer information in a fair and accurate manner reflective of actual practice.")

Mr. Anziska, one of the two lawyers behind the latest lawsuits, says blaming the bar association is a cop-out. "Law schools have an obligation to disclose accurate information," he says. "For them to say that all of these students who have taken on tens of thousands of dollars in loans are just screwed, and should take it up with the ABA, is irresponsible."

Many legal experts say plaintiffs will face a tough fight persuading the courts that their schools intentionally and fraudulently misled an entire class of students, especially if the schools can prove that the information they were providing was all their accreditor required.

### The Bottom Line

So how is all of this controversy likely to affect law schools' bottom lines?

Brian R. Leiter, a professor of law at the University of Chicago who runs a popular blog about legal academe, says that if applications continue to drop, as many legal educators are predicting, schools will be faced with difficult choices: They can lower their admissions standards to fill their classes, but then their bar-passage rates and national rankings could suffer, and they might even lose their accreditation. (In June, the ABA revoked its provisional accreditation of the University of La Verne College of Law, largely because its first-time bar-passage rate last year was only 53 percent, compared with a statewide average of about 70 percent for graduates of ABA-approved law schools in California.)

Alternatively, schools could cut their class sizes and maintain their standards but lose tuition money.

Either way, they'd take a financial hit. As a result, Mr. Leiter predicts, "barring an enormous turnaround in the economy, which is unlikely, some law schools may fold, and the ones that are most vulnerable are the new, free-standing schools that don't have university resources to draw on."

Brian Z. Tamanaha, a professor of law at Washington University in St. Louis who has written and blogged about the crisis of confidence in law schools, predicts that as the number of applicants drops, law schools will offer scholarships to larger proportions of their classes, creating a "de facto tuition drop" that will further strain institutional finances. Schools that are clustered in weak legal markets will be particularly vulnerable.

Meanwhile, some nonelite law schools are resorting to creative tactics to entice students to apply. Thomas M. Cooley devised a ranking system that rated itself as second only to Harvard Law, based in part on the size of its library and the size of its student body.

Atlanta's John Marshall Law School unveiled an application that allows prospective students to apply from their smartphones or tablet computers. "We want students to be able to come to a law-school forum, tour our campus, talk to us, and apply immediately," Alan Boyer, associate dean for recruitment and marketing, explains in a news release. "If they have to wait until they get home and turn on a computer," he said, "they may not apply." The school also waives the \$50 application fee for iPhone applicants.

Rudy Hasl, dean of the Thomas Jefferson School of Law, has overseen law schools for 30 years. While some legal analysts question whether a free-standing law school with a first-time bar-passage rate of just over 50 percent and a lawsuit hanging over its head can survive in this climate, he says that Jefferson's graduates are persistent, and are finding jobs in small firms, representing middle-class people. He thinks both his law school and legal academe will be just fine.

"Every 10 years we hit a trough in which doomsayers predicted that enrollments would decline and that law schools would go out of business," he says. "We always bounce back."

*Correction (10/18, 11:10 a.m.):* This article originally referred incorrectly to the location of John Marshall Law School. There are two law schools with that name, and the one mentioned in this article is in Atlanta, not Chicago. The article has been updated to reflect this correction.

## **Back in the Classroom**

### **The Chronicle of Higher Education**

Colleges are calling off the deals that allowed many professors time out from teaching

October 16, 2011

By Robin Wilson

When Christopher P. Neck took a faculty job at Arizona State University two years ago, he says his department head promised he could teach just one course a semester. It would be a large class on management principles that met once a week and enrolled as many as 500 students.

But last year, with a new department chairman in place and budget cuts a consistent threat, Mr. Neck says Arizona State told him the deal was off. Not only did his new department head want him to teach two sections instead of one large course, creating more options for students and making it easier for the university to find classroom space, he also wanted Mr. Neck to teach a third class on management for nonbusiness majors. So Mr. Neck, an associate professor of management, went from teaching just once a week to teaching five days a week.

"They hired me to be a place kicker," he says, "and now they want me to be a linebacker."

While research universities are not increasing faculty workloads across the board, many are calling off special deals that have given professors unique teaching arrangements or lighter teaching loads that administrators now believe are either inconvenient or uneconomical in tight budget times. In some cases, institutions are equalizing teaching loads by eliminating some specialized seminars that attract just a handful of students and upping enrollment in classes that remain. Universities are cutting back on arrangements that give professors fewer classes in exchange for starting new academic programs or for chairing academic departments and important faculty committees.

Arizona State declined to comment on Mr. Neck's allegations. He's filed a grievance charging the university with breaching his hiring agreement, and the university says it doesn't comment on personnel matters. But in e-mail messages that Mr. Neck gave to *The Chronicle*, one administrator told Mr. Neck that the university now has an "increased eye on efficiency." The business dean put it even more bluntly: "The world has changed, in case you haven't noticed."

Entitled Forever

Special arrangements that limit teaching have become ubiquitous at the nation's top research universities where professors are judged primarily on their scholarly output. "At some universities, virtually everybody has a special deal," says Graham Spanier, president of Pennsylvania State University. Mr. Spanier has waged a campaign over the past couple of years to standardize faculty workloads, in part by eliminating teaching deals. Other research universities, particularly public ones hit hard by budget cuts, are doing the same.

Special teaching arrangements haven't always been so common.



"The academy used to have more equality in terms of salary, office space, and teaching load because there was a sense faculty were part of a community of peers," says Adrianna Kezar, an associate professor of education at the University of Southern California. "Then in the last 20 to 30 years, the star system emerged where higher education became more of a market environment."

Before the recession, top-level research universities frequently battled to recruit star professors—the ones with large grants, a research following, broad public recognition, and award-winning books. Think Judith Butler, a feminist philosopher at the University of California at Berkeley who has also taught at Wesleyan, George Washington, and the Johns Hopkins Universities, and will be visiting Columbia University next year; and Steven Pinker, a cognitive scientist at Harvard University who has also taught at Stanford University and the Massachusetts Institute of Technology. Competition for such professors encouraged some of them to bargain for smaller teaching loads, which gave them more time for research. As a result, professors' prestige often became linked to how little teaching they did.

Deals that grant a reduction in teaching can end up lasting well beyond the reason they were handed out in the first place. For example, a professor might get one course off to assemble a historic-artifact collection or to establish a partnership between the university and a public-school system. But once the program is up and running, professors often continue to enjoy the lighter teaching load that was granted for the start-up phase.

"Many of the special deals that people negotiate, which are perfectly reasonable when they are negotiated, have a way of continuing in perpetuity," Mr. Spanier says. "That's where we get into issues of inequities and inefficiencies. People who get the deal often believe they are entitled to it forever."

### A Cooling Market

Many universities still grant teaching relief to their most-productive research professors, and the nation's richest private universities in particular will continue to do so. But the pendulum on granting special deals in exchange for service is swinging back, specifically at public research universities, for a couple of reasons. First, most of them have weathered back-to-back years of budget cuts and are eager to find new ways to save money. State legislators are also pressuring universities to require professors to teach more so institutions can hire fewer adjuncts. In addition, the academic job market—and the star system that fueled it over the last couple of decades—has cooled significantly, and universities do not have to dangle as many special deals to land new hires.

"Competitive forces that might keep some of those deals in place have eroded," says Robert C. Marshall, chairman of the economics department at Penn State. Keeping track of special deals can be difficult. University leaders have been unwilling to standardize faculty workloads, in part because of the role faculty governance and academic freedom gives professors in deciding what courses they should teach and when they should teach them.

"Very few institutions have been deliberative about faculty work," says Cathy A. Trower, research director at the Collaborative on Academic Careers in Higher Education, based at Harvard University. "There seems to be no centralized decision making." Teaching deals are often made between a department chair and a professor. When a new chair takes over, it can be

difficult for that person to judge whether special teaching arrangements are still warranted. And it takes some political will to stop them.

Some administrators are beginning to make changes, sometimes by giving professors a choice in the process. At George Mason University, professors who agreed to chair one of five "areas," or departments, within the university's School of Management had always taught just one course a year, compared with the usual faculty load of four courses per year. When Jorge Haddock took over as dean of the management school two and a half years ago, he thought the course release for area chairs was too generous. So he offered them a new deal: They could teach two courses a year, with pay for one month during the summer, or teach three courses a year with pay for two summer months. While the university pays more, Mr. Haddock says it's worth it to make faculty workloads more equitable across the board and to get full-time professors back into the classroom.

"Although you may lose some points with the people you say no to, you gain a lot of points with the others who think what was happening before wasn't fair," he says.

Amit Dutta, a George Mason professor who leads the information-systems and operations-management area, acknowledges that there was a lot of grumbling at first. "We do course scheduling, faculty development, and faculty recruiting, and we are held accountable for those things by the dean," he says of the chairs. Because the chairs are teaching more, Mr. Dutta says, their research productivity may take a hit. "You can see it in bits and pieces: Fewer conference papers, taking a little longer to complete each paper, and keeping co-authors waiting a little longer," he says. But he notes that area chairs serve for only a few years, not permanently. "This is part of our obligation as senior faculty," he says, "so you suck it up and take it."

### Standardized Teaching Loads

At Penn State, the English department has instituted several changes this year aimed at complying with Mr. Spanier's universitywide mandate to standardize professors' course loads. Before the changes, says Robert E. Burkholder, associate head of the department, some professors taught small seminars that enrolled just a half-dozen students, while others taught basic courses that enrolled up to 150 undergraduates. As a general goal, the department now wants all professors to teach four courses a year, with a total of at least 100 students. To get there, the department cut the number of undergraduate and graduate sections it offers by 75 from last year and upped enrollment in some of the 650 sections that remain. The department also pushed tenured faculty members to teach basic undergraduate classes that had primarily been taught by lecturers or adjuncts. Last fall, for example, only four of the department's 13 introductory-level literature sections were taught by tenured or tenure-track professors, whereas this fall all but one of them is.

"More faculty teach at all levels now, but especially at the core and lower down," Mr. Burkholder says. "And their classes are likely to be larger."

For some subjects, though, professors say that just doesn't work. Julia Spicher Kasdorf is an associate professor who teaches poetry writing. This year she has two small classes each semester. While the enrollment in those courses is higher than last year's, she still has only about 65 students for the entire year, far less than the 100-student goal. She says her classes must be small so she can give students the kind of hands-on attention they need to learn to write poetry.

"This is a policy set by people who aren't really aware of what happens in the classroom," Ms. Kasdorf says. "My thought is that this is inappropriate and they'll realize that for certain fields like creative writing it doesn't work."

While Mr. Burkholder acknowledges the value of small courses in creative writing, he says administrators hope that faculty members like Ms. Kasdorf will step in and teach large lecture courses in English once in a while.

Other universities have never been in the position of handing out lots of special deals. At the University of Nevada at Las Vegas, for example, the standard teaching load of three courses a semester per professor has always been a bit higher than at the most elite research institutions. And now, with steep budget cuts that have forced the university to shrink its faculty, professors at UNLV are regularly teaching even more. Since 2008, says Michael W. Bowers, executive vice president and provost there, the number of professors who have been granted lighter teaching loads in exchange for doing extra research or service has dropped by nearly 20 percent.

The university, like many others, does give lighter teaching loads to professors who head committees of the Faculty Senate. But this fall, with fewer professors over all, some people are concerned that the policy will interfere with the university's ability to offer classes.

"We've had a couple of departments that have two to three faculty that are serving on various committees," says Paul Jarley, dean of the university's College of Business. "That's been a burden for us this year." Mr. Jarley talked about the issue with department heads and with the Faculty Senate, and some of the professors voluntarily agreed to waive the teaching release they would have otherwise received.

Cecilia Maldonado-Daniels is an associate professor of work-force education and development in the university's Graduate College. She's agreed to teach five courses this year, even though, as both head of the university's faculty promotion-and-tenure committee and coordinator of a Ph.D. program, she would have qualified to teach just three. Still, she is worried about what it means if the trend toward waiving course release continues.

"We're still a young university, and we are very service-oriented," she says. "But what this signals is that service isn't that important, and as a result we will get less and less people to invest in the university."

### How 3 Departments Standardized Faculty Workloads

At Pennsylvania State University, Graham Spanier has led a campaign to standardize teaching loads across the institution, in part by curtailing special deals that give professors time out of the classroom in return for doing more research or service. Over the last couple of years, Mr. Spanier, the university's president, figures the institution has saved several million dollars by putting more full-time faculty members back into the classroom. Here are how three academic departments operated before and after they responded to Mr. Spanier's directive on teaching:

BEFORE	AFTER
<b>English department</b>	
<i>Course load: 4 classes per year</i>	<i>Course load: 4 classes per year</i>
<b>No requirement</b> on teaching freshmen; some professors had never done so	Every professor must teach freshmen <b>at least every other year</b>
<b>No requirement</b> on number of students taught per year; some professors taught <b>fewer than 50</b>	Every professor should teach <b>at least 100 students</b> per year
Number of 400-level course sections offered last fall: <b>32</b>	Number of 400-level course sections offered this fall: <b>24</b>
Enrollment in 400-level courses capped at <b>about 30 students</b>	Enrollment in 400-level courses capped at <b>40 students</b>
<b>Four of 13</b> intro-level literature sections were taught by tenured or tenure-track professors last fall	<b>All but one of 11</b> intro-level literature sections are being taught by tenured or tenure-track professors this fall
<b>History department</b>	
<i>Course load: 4 classes per year</i>	<i>Course load: 4 classes per year</i>

Enrollment in 400-level courses ranged from <b>15 students to 40 students</b> per class	Enrollment in 400-level courses standardized at <b>35 students</b> per class
<b>Three-quarters</b> of intro-level world and U.S. history courses taught by tenured and tenure-track professors	<b>Nearly 100 percent</b> of intro-level world and U.S. history courses taught by tenured and tenure-track professors
<b>Nutritional-sciences department</b>	
<i><b>Course load:</b> 2 one semester, 1 the next semester—for a total of 3 per year</i>	<i>Doubled course load in one semester so load is now 2 and 2</i>

## Community-College Enrollments Slow After Years of Growth

The Chronicle of Higher Education

October 18, 2011

By Lacey Johnson

After a decade of record growth, enrollment appears to be slowing down at many of the nation's community colleges. The final figures are not out yet, but California, Connecticut, and Michigan are all predicting statewide decreases in full-time enrollment compared with last fall, and other states' numbers are uncharacteristically flat.

"We're not surprised that enrollments may taper off a bit in the next year or two," said David S. Baime, senior vice president for government relations and research at the American Association of Community Colleges. In recent years, community colleges have become accustomed to rising numbers of new students each semester—a typical pattern during a sluggish economy, as unemployed people seek new skills. But "there's always a flattening after some especially bad economic downturns," said Mr. Baime.

Many campuses have seen their populations nearly double since the recession began, with some reporting increases of more than 20 percent each year; but last fall that growth started to show signs of slowing down.

Nationwide enrollment was up by a mere 3.2 percent in 2010, compared with an 11-percent increase the year before, according to a recent survey from the community-college group. The increase for the two-year period between 2007 and 2009 was nearly 17-percent. This semester the slowing trend appears to be continuing, and some states, like Connecticut, are reporting declines for the first time in eight years.

"It's really somewhat dismaying for us," said Mary Anne Cox, assistant chancellor of the Connecticut Community Colleges system. The number of students in the system had doubled since 2000, but enrollment is now estimated to be down by 2 percent for full-time students and 1 percent over all. Ms. Cox believes one reason for the decline is budget cuts, which prevented some colleges from offering additional sections of courses that were in demand. She says the prolonged downturn in the economy may also be making higher education unaffordable for some students.

### Reduced Demand

In Michigan enrollment is expected to be down by 3 to 5 percent, estimates Michael Hansen, president of the Michigan Community College Association. He says many of the state's colleges predicted the decline because Michigan's "No Worker Left Behind" program—which paid to send more than 130,000 underemployed residents back to school—lost its financial support last year. But Mr. Hansen sees a bright side to reduced student enrollment.

"Sometimes it's a relief not to have to add that extra capacity," he says, explaining that years of rapid growth have made it difficult for institutions to keep up with infrastructure. "Some of our colleges were holding classes at midnight and shuttling people in from the area mall because the parking lots were full." Fewer students can mean less tuition money for colleges, but some administrators say it can also lead to savings by means of canceled courses and reduced strain on the system.

Community-college leaders and administrators offer varying theories to explain the student decline. The number of public high-school graduates is projected to drop by 13 percent in the Northeast between 2007 and 2021, according to a U.S. Department of Education report, and some say this may already be playing a role in waning college enrollment.

And although unemployment remains high—which should support strong enrollment—the actual number of layoffs has significantly declined since 2009, according to the U.S. Bureau of Labor Statistics. That could mean that many people sought career training shortly after losing their jobs, and have since graduated, said Mr. Baime. On the flip side, those who have been unemployed for longer periods of time may also lack the money to return to college this late in the recession.

"Maybe some of the folks who've come in for retraining have gotten positions," said Scott J. Parke, senior director of research and policy studies at the Illinois Community College Board. "We hope that's part of it." Illinois saw its statewide enrollment drop by 2 percent this fall—the second year in a row the state has reported a decrease.

### Limits on Enrollment

A survey by the community-college association found that institutional capacity is also a significant factor. Eighty-six out of the 267 colleges surveyed said they were unable to enroll every eligible student, usually because of inadequate financial support, limited physical capacity, and insufficient staff.

California still has a steady stream of students trying to attend, but the state's community colleges are anticipating average enrollment declines of 2 to 5 percent, with some institutions predicting decreases as high as 18 percent, according to the association. That is partly because of a cap on how many full-time students the state is willing to finance.

That cap was recently lowered, and colleges that let in too many students must pay the additional costs themselves. In recent years, about 50 percent of new students trying to enroll in classes have been turned away, according to the California Community Colleges chancellor's office.

Mr. Hansen, of the Michigan association, said it's important to remember that enrollment numbers are down from historic highs. "If you walk on any of these campuses, they are still filled with people," he said, adding that much of the enrollment variation is cyclical.

"People are probably out there putting their new skills to use. They will use those skills to turn the economy around."



# Adjunct Professors Often Lack Training in How to Handle Disabilities in the Classroom, Experts Say

The Chronicle of Higher Education

October 16, 2011

By Brenda Medina

The [news](#) last week that an adjunct professor had asked a student with a stutter to save questions or comments until after class highlights concerns about how well the growing cadre of part-time instructors in higher education are, or can be, trained to deal with an array of classroom dilemmas, including how to handle students with disabilities.

Faculty should be trained to deal with tricky and sensitive issues like how to accommodate the needs of students with disabilities in the classroom while being fair to nondisabled students, too, say college disability-rights officials.

While full-time faculty members typically get a reasonable level of exposure to key points of the Americans With Disabilities Act, most four-year institutions offer minimal training for adjuncts, says L. Scott Lissner, who coordinates disability-law compliance for the Ohio State University system.

At four-year colleges, one-quarter of instructional employees were part-time faculty in 2009, according to the most-recent data. Mr. Lissner says limited training of those instructors can be a problem generally, beyond how to handle students with disabilities.

## Reliant on Adjuncts

Sometimes adjunct faculty at community colleges are trained better than at other types of institutions, Mr. Lissner adds. That's because two-year colleges depend so heavily on part-time faculty. In 2009, seven of 10 instructional employees at public, two-year colleges were part time.

The incident that made headlines last week occurred in a history class at County College of Morris, a community college in New Jersey. An adjunct professor sent an e-mail to a student with a severe stutter, according to the account first published in The New York Times, asking him to save his questions or comments until after class so as not to affect other students' time.

College officials responded to the article by saying that the instructor had acted improperly. Although the administrators expressed discontent with the e-mail the professor sent to the student, they didn't comment on whether they were taking any disciplinary action.

In a subsequent interview with the Times, the professor, Elizabeth Snyder, said she sent the e-mail partly to try to put the student at ease and also because she was taking into

consideration the amount of class time it took when he wanted to answer many questions. She added that she never intended to stop him from speaking and, in fact, that she had told him she would call on him once per class. She also told the newspaper she consulted a speech therapist about the situation.

College officials were not able to immediately answer questions about what kinds of training the institution provides to adjuncts, if any. [See [update](#) at end of this article.] Ms. Snyder did not immediately respond to an e-mail seeking comment.

### Little Training

Most colleges make little effort to train their part-time instructors, even though research suggests that adjunct faculty members would do a better job if they were trained properly, says Adrianna Kezar, an associate professor of higher education at the University of Southern California who has done research on adjunct-faculty training.

"It's either not offered to them, or they are not paid to go, so they wouldn't go," Ms. Kezar says.

Colleges could help their professors by working with disabilities experts to design professional training that might include things like questionnaires to test instructors' knowledge of the law and find out where more education is needed, she says.

Sometimes the problem for adjuncts is the timing of any training, she adds. If such instruction is available, adjuncts may have schedule conflicts because many of them have other jobs during the day.

Mr. Lissner says that it's important for colleges to give all faculty, not just adjuncts, more training in how to work with students with disabilities and to make more information available. Faculty members should seek assistance from the office of disability services on their campus before handling sensitive situations, he adds.

Colleges, he says, could do more to use technology and to come up with creative ways to train their faculty. For example, he says, colleges could offer interactive, online training courses and track which faculty members, including adjuncts, attend. Those courses could offer information about how to respond to an accommodation request and what generally is defined as a disability.

In response to the article about the New Jersey college, the Stuttering Foundation issued a news release listing [eight tips](#) to help educators respond to students who stutter. The tips include: "Convey that you are listening to the content of the message, not how it is said"; and "Have a one-on-one conversation with the student who stutters about needed accommodations in the classroom."

Update (10/17, 4:25 p.m.): In an interview on Monday, an official at the County College of Morris said that it provides training to adjunct professors that includes information

about how instructors should respond to students with disabilities, who make up 10 percent of the college's enrollment.

Dwight Smith, vice president for academic affairs, said that the college requires new adjunct instructors to review portions of the Americans With Disabilities Act that are part of their orientation package. The college's Center for Teaching Excellence offers a training program for adjunct professors that includes information about accommodations for students with disabilities. The center also offers several workshops about how to work with students who have special needs, Mr. Smith said.

## **El Camino Compton Center students hired into growing aerospace fastener manufacturing industry**

### **THE COMPTON BULLETIN, October 19, 2011**

COMPTON—Jairo Juarez-Lazo spent his summer learning how to make aircraft parts while enrolled in El Camino College Compton Center's eight-week Aerospace Fastener Manufacturing summer program. For Juarez-Lazo, the highlight of the program came when he successfully implemented all of the knowledge he had gained and manufactured an actual part. The summer training program motivated Juarez-Lazo to continue his education in the field and he is now enrolled in the ongoing Machine Tool Technology/Aerospace Fastener program under ECC Compton Center's newly established Career Advancement Academy.

Through its Career Advancement Academy, the center is providing students with the programs and training they need for careers in industries that are currently hiring. The academy offers programs in machine tool technology/aerospace fasteners and welding. Enrolling in one of these programs is a proactive first step for students wanting to gain valuable, marketable skills and set themselves up for successful careers.

Juarez-Lazo and his father, Jose Juarez, completed the summer training program in aerospace fastener manufacturing, the mechanical joining of two or more objects, together. After graduating from California State University Dominguez Hills with a degree in graphic design, Juarez-Lazo struggled to find a full-time position in the field and saw the program as an opportunity to start a career in manufacturing. While Jose Juarez, a centerless grinder and veteran in the industry, viewed the program as a way to advance his career. The program has enabled him to strengthen his blueprinting comprehension, which he was confident would lead to a more lucrative position.

He was right. Since completing the summer program, Juarez was hired at ALCOA Fastening Systems, the world's leading producer of aluminum. And an additional six ECC Compton Center students from the Aerospace Fastener Manufacturing program have been hired in the last year by California Screw Products.

“By completing the program together my dad and I were able to benefit from each other's strengths,” said Juarez-Lazo. “My background in graphic design allowed me to help him better understand blueprinting, while his 15 years of experience were a great resource for me in the machinery courses. The instructors were also very helpful in identifying our strengths. When one of them discovered I had a degree in graphic design, he opened my eyes to a career I had never considered — making the actual blueprints for the parts.”

The aerospace fastener industry is centered in Southern California. Local aerospace fasteners, manufacturers and distributors currently employ over 10,000 Southern

Californians. Many of these veteran workers, however, are due to retire and it is anticipated that numerous local employers will be looking to hire skilled students for entry-level positions over the next five years. The Career Advancement Academy at ECC Compton Center is part of a statewide initiative to cultivate programs that train students for jobs that actually exist in the local community, like aerospace fastener manufacturing.

The future of the Career Advancement Academy is strong with a \$662,700 grant from the California Community Colleges Chancellor's Office and technical assistance from the Careers Ladders Project. This support gives enrolled students the opportunity to attend a variety of career skills workshops, build interpersonal skills necessary in the workplace and receive industry specific sustainability and total quality management training. One of the biggest advantages offered by the programs is a career fair with employers looking specifically to hire Career Advancement Academy graduates.

Preparation for the career fair includes learning how to write a resume, dress for an interview, and skillfully answer potential employers questions during the interview process. "The career fair was the ideal way to end the program," said Juarez-Lazo. "I already had one interview and am preparing for another. My dad had lots of offers and secured a better position in the field." In the meantime, Juarez-Lazo has decided to take the advanced training courses in the Aerospace Fastener Manufacturing program at ECC Compton Center and continue to build his skills.

For more information regarding ECC Compton Center's Career Advancement Academy and its programs, please contact Alicia Zambrano at [azambrano@elcamino.edu](mailto:azambrano@elcamino.edu), or by calling 310-900-1600, Ext. 2779.

Do Faculty Strikes Work?

October 24, 2011 - 3:00am

Kaustuv Basu

Last month, faculty members at Cincinnati State Technical and Community College went on strike for a week before going back to work. They did so without a new contract and without any movement in the negotiating position of the administration – the traditional goals of a strike. Also last month, faculty members at the C.W. Post campus of Long Island University went on strike for four days before a five-year contract was signed with university officials.

Strikes have also been authorized by unions at Southern Illinois University; there is talk of one at California State University. Last week, faculty members at Rider University voted to authorize a strike. So did those at Lewis and Clark Community College.

The strikes and possible strikes (many authorization votes aren't followed by strikes) raise the question about whether work stoppages are still a viable option in these changing times.

Administrators and faculty members are guarded in their opinions.

Pam Ecker, American Association of University Professors spokeswoman at Cincinnati State, said the strike was planned for a week from the beginning, and was a way of demonstrating concerns. "The reason we chose to do so [go back to work] is because we did not want to disrupt the academic term," said Ecker, a professor of technical and professional writing. The dispute centers around teaching workloads.

"I do not yet know if we will see a different demeanor from the administration," Ecker said. "But strikes and collective bargaining remain a profound way of demonstrating serious concerns."

About 200 full-time faculty members are represented by the AAUP, Ecker said. The college has about 575 adjunct professors. Talks between the union and administration were going on last week and Ecker said some "new approaches" were being discussed but did not specify what they were.

At the C.W. Post campus of Long Island University, a strike by full-time faculty members resulted in a contract with a 1 percent increase in base pay in the second year and a 1.5 percent increase in the third year, according to *Newsday*. Before the strike, the union – C.W. Post Collegial Federation – rejected a five-year contract with a "one-time payment equal to 3 percent of pay in the second year," the newspaper reported. Jeffrey Kane, vice president for academic affairs at Long Island University, stated in an e-mail that negotiations with the union were focused on salaries and benefits, and that the strike "did not materially change the compensation available for the faculty."

### **Symbolic Value?**

Strikes are symbolic most of the time, and faculty strikes tend to be short lived, said Richard Boris, director of the National Center for the Study of Collective Bargaining in Higher Education and the Professions at Hunter College of the City University of New York.

" 'Let's get down and discuss it but let us end it early.' That generally is the process," he said. "The last thing they want to do is damage the students."

But the academic workforce has changed in character, he said. The financial constraints at the national, state and local level, whether they are real or not, have led to the reduction in full-time employment in the academic workforce, Boris said, and full-time faculty members have been replaced by a large contingent of part-time employees.

"We don't know how unions are going to adapt to this change," he said, but added that unions in the academic workforce are growing.

Public universities are transforming, they are becoming less recognizable, he said. "Strikes are different now because the level of frustration is different," he said. "Ten years ago, strikes were limited in their focus – mainly on the condition of employment. There are new tensions now as colleges are pushed to find new sources of income."

But they remain an important tool. "They are always a viable tool but not the only tool," he said.

Boris said a two-week strike at Eastern Michigan University in 2006 demonstrated how a strike can change the conversation. One benefit of that strike, said Howard Bunsis, professor of accounting and a former president of AAUP at the university, is that an independent third party, a state-mandated fact-finder, became part of the conversation.

The strike also united the faculty members, Bunsis said. "In each instance, we believe that exercising our right to association did help the faculty and ultimately helped the university," he said.

Sometimes, he said, strikes are the only way to get administrators to take notice. Andrew Ross, professor of social and cultural analysis at New York University, who is a strong supporter of unions, said strikes in higher education have become more like public campaigns. In his opinion, to be successful, a strike has to reach out to stakeholders in the community.

One way strikes at universities are different from other kind of work places, said Ross, is that the money has already been collected from the students. In a traditional strike, a picket outside a store would discourage any purchases there, but at a college, a picket would only discourage students from getting the education for which they have paid.

"You cannot threaten the revenue flow," Ross said

Ross said some university administrators have increasingly tended to hire union-busting law firms. "They have a playbook and administrators tend to follow it page by page," he said.

Jeff Cross, co-editor at *The Journal of Collective Bargaining in the Academy*, who is also the associate vice president for academic affairs at Eastern Illinois University, but spoke only in his capacity as co-editor, said nothing much has changed in institutions which have collective bargaining.

“Any time we are in an academic setting, I think the perception is different because it is affecting our sons and daughters,” he said “But these are extraordinary times for public higher ed. There are limits being put on bargaining and those moves are certainly resonating with some in public.”



## Ill-Mannered Students Can Wreck More Than Your Lecture

October 23, 2011

*By Joan Flaherty*

Discourteous. Inattentive. Brazen. There's an old-fashioned cast to those terms, as if they've been lifted from the handwritten report card of some reprobate fourth grader. In fact, I feel like a fussy schoolmarm just typing the words, betraying myself as someone concerned with an irrelevant matter: good manners in the postsecondary classroom.

We all prefer students to behave well in the classroom—meaning, at a minimum, that they show up and show respect. But discourtesy is often perceived as a remedial concern that should have been taken care of during elementary and high school. Many professors rankle at the notion that they should have to worry about it now. Surely, the argument goes, our advanced degrees and highly specialized knowledge exempt us from having to deal with basic breaches of classroom courtesy. Any student whose attention is pointedly and persistently engaged elsewhere throughout our class doesn't belong in our class. We have loftier goals to pursue than trying to instill basic manners in a handful of ill-mannered students.

Anyone who has taught in the postsecondary system has heard, expressed, or commiserated with those sentiments.

But those sentiments hark back to a pre-digital age, when only a handful of students fell into the category of "ill mannered." Ten years ago, distractions that could cause poor behavior in the classroom were confined to the classroom itself: an interesting seatmate to chat with, a window to gaze out of, an overheated room to slumber in. Now, the entire world via the Internet is a potential distraction—and with a cellphone, mp3 player, and laptop in almost every student's possession, the temptation to become distracted (and thus to engage in discourteous classroom behavior) is overwhelming. The problem, in other words, is now more intense. Ignoring it is no longer a reasonable option.

In fact, it's a counterproductive option because it overlooks the possibility that our success in pursuing the loftier goals—our own scholarly work—may be linked to our students' good classroom manners. This possibility involves three factors:

- *"Nothing great was ever achieved without enthusiasm"—Ralph Waldo Emerson*

Enthusiasm for teaching is hard to sustain when students seldom make eye contact because their heads are bent over their iPhones, believe they can follow the class discussion while updating their Facebook pages, and habitually arrive late, leave early, or don't show up at all, confident that the day's material will be posted online and available "on demand." If the six million results yielded by a quick Google search of "digital distractions in the postsecondary classroom" is anything to go by, these are common occurrences. And they can undermine the enthusiasm of any professor.

After all, relatively few faculty members are "born" teachers who intuitively know how to refocus a distracted audience. Those faculty willing to learn how to do so get few institutional incentives. Despite the pro-teaching rhetoric, tenure and promotion decisions often relay the same message: There's little professional glory to be gained from great efforts spent on classroom matters. Consequently, for many of us, the distracted students remain, their rapid-fire texting and tapping communicating the same message every time we step into the classroom: You don't merit my undivided attention.

- *"You've got stuck in a moment, and you can't get out of it"—U2*

If we lack the innate ability or the incentive to prove U2's message wrong, we can respond by becoming demoralized candidates for early retirement or by joining the ranks of the perpetually offended. Being demoralized and offended, however, never propelled anyone further along the path of creative productivity. Instead, it digs us deeper and deeper into a rut of self-fulfilling prophecy. By berating ourselves for being poor classroom teachers, we become poor teachers. By criticizing our students' classroom behavior, we constantly find evidence to substantiate our claims. It becomes perversely gratifying to be proved right over and over again.

But it also becomes stale and self-defeating because the negative emotions associated with this state—indignation, self pity, cynicism, and apathy—block our ability to assume a consistently logical, objective perspective. And insofar as the best scholarly work is logical and objective, our ability to produce sound scholarly work is undermined. We become "stuck in a moment" of a limited, disheartening perspective. And there's no traction to be had there.

There's also no joy. Thus we lose an additional element necessary for a productive scholarly output: the self direction—and confidence—that comes from liking what we do. The different aspects of our jobs can't be neatly compartmentalized. An aversion to

teaching (which constitutes a significant part of most faculty workloads) because we perceive our students to be disrespectful is bound to leach into, and undermine, other areas of work, including our research.

Suggestions to improve this situation often revolve around transfiguring the source of the problem into the solution: using technology to engage students in the classroom.

But as worthy as they are, suggestions to incorporate blogging, tweeting, and texting into the lesson plan assume that an irritated instructor, who traces the dark cloud hovering over his or her professional life to student disrespect, will be motivated by a call to embrace the cause of that disrespect: technology. That may be an overly optimistic assumption. For many instructors, the shift from railing against students' use of technology in the classroom to requiring its use is too great a leap to make.

- *"Before enlightenment, chop wood, carry water"—Zen saying*

Sometimes, then, a small step is called for. Professors might, for example, discuss in their introductory classes the impact of digital distraction on everyone's learning, including their own. Students can be enlisted to create written guidelines on respectful classroom behavior, particularly technology etiquette. A quick survey of my own students yielded suggestions that ranged from hard-line (an outright ban on the use of digital devices; a requirement that all cellphones be deposited at the front of the classroom upon entry) to moderate (a ban of digital devices only during guest-speaker presentations; a request at the start of every class for cellphones to be turned off) to accommodating (a five-minute "digital break" for classes longer than two hours).

Admittedly, these small steps take up class time, leading us away from our specialized course content into the mundane, elementary details of good classroom manners. But as much as we may chafe at associations with fussy schoolmarms, those mundane, elementary details have their role. They ground us with respect, morale, and confidence—and we need that grounding in order to achieve *all* of our goals.

*Joan Flaherty is an assistant professor in the College of Management and Economics at the University of Guelph.*

## **Pay grades that aren't passing**

The Santa Clarita Signal

*October 23, 2011*

Despite getting a 2-percent raise this year, College of the Canyons' part-time faculty is paid less than adjunct faculty at many regional community colleges and is below the state average, state data shows.

College of the Canyons has about 430 adjunct faculty who teach the majority of classes at the Santa Clarita Valley's only community college.

COC administrators say they are working with the part-time faculty to increase their pay in the coming years.

For fall 2010, the average hourly rate for adjunct faculty at COC was \$57.42, according to the California Community College Chancellor's Office.

The state average for 2010 was \$66.54, the figures show.

Within Southern California, Antelope Valley pays an average rate of \$72.64, while Ventura pays an average of \$76.32, the chancellor's office study shows.

Many community colleges pay part-time faculty an average rate that is in the \$50s and \$60s.

Pete Virgadamo, president of Part-Time Faculty United-AFT Local 6262 at COC, said the association this year organized a study of part-time pay for Southern California community colleges.

Virgadamo, who has taught at COC for 21 years, said the association grew concerned that administrators are paid above average, which stretches the college budget.

Yet, Virgadamo said the adjunct faculty are appreciative of the 2-percent raise approved by trustees last week. The last time the union received a pay raise was in 2009 and amounted to a 1-percent increase.

This year's raises cost the community college about \$140,000, and are retroactive to the first day of the fall semester.

"I doubt if any part-time college instructors are getting pay raises," Virgadamo said. "It's a step forward."

COC administrators hope to continue working with the part-time faculty union.

"We worked hard to move them up," Michael Wilding, COC assistant superintendent and vice president of student services, said. "It is our belief that we are a little above average within our 50-mile radius."

Each community college pays its part-time faculty differently, which makes pay rates difficult to directly compare.

Virgadamo said it's common for adjunct faculty to teach at numerous colleges. One semester, Virgadamo taught classes at five community colleges in Los Angeles County.

"You cannot sustain yourself on the income of just one community college teaching position," he said.

Traditionally, adjunct faculty do not get benefits like health care and retirement.

"We are significantly cheaper," he said.

Providing better pay to adjunct faculty would hopefully lead to more qualified professors.

"My belief is that it would help attract a higher quality of individuals into the classroom, which would benefit the students," he said. "Traditionally, the longer a teacher is at the college level at the same campus, then the better they get."

College of the Canyons trustee Bruce Fortine hopes to get the very best in part-time faculty and a good salary range is part of that, he said.

"They're kind of right in the middle," Fortine said. "But we would like to see them above average in terms of pay."

He hopes more progress will be made.

"When we get to the point where it's what we want it to be and where they feel comfortable," Fortine said. "Then we have a good thing."

## **El Camino considers trustee districts**

From staff reports

Posted: 10/23/2011 09:52:51 PM PDT

South Bay. South Bay residents in two years might vote only for the El Camino school board candidates serving their region as opposed to voting at large, as they currently do.

That proposal, as well as proposed redistricting changes, will be discussed in a series of five public forums beginning this week by the El Camino Community College District Boundary Review Committee.

All public meetings begin at 6:30 p.m. Here's a list:

Oct. 26: Torrance Cultural Arts Center Garden Room, 3330 Civic Center Drive

Nov. 2: Hermosa Beach City Hall Council Chambers, 1315 Valley Drive

Nov. 3: Inglewood City Hall Community Room, 1 W. Manchester Blvd.

Nov. 9: El Segundo City Hall, 350 Main St.

Nov. 16: Lawndale City Hall, 14717 Burin Ave.

Currently, trustees in the El Camino Community College District must live in the trustee area they represent. However, residents of the college district vote for trustee candidates at-large. Under the proposal to vote by "trustee area," residents would vote only for candidates who reside in their trustee area. The change would take effect in November 2013. More info:

[www.elcamino.edu/administration/board/brc/index.asp](http://www.elcamino.edu/administration/board/brc/index.asp)

# Ignoring Science: It's Not Just The Schools

Posted on 25 October 2011



By Peter Schrag

Anyone looking for big news in the just released report on the teaching of science in California elementary schools may well file it under dog bites man.

In a word, elementary school science teaching is lame – an average of a little over an hour a week – by teachers most of whom say they're not well prepared to teach it and have few resources to work with. Some 77 percent of elementary principals say teaching science is essential but only 44 percent say "that a student would receive high-quality science instruction in his/her school." Is anyone surprised?

More pertinent, perhaps, is what the report, commissioned by the Center on the Future of Teaching and Learning, doesn't discuss, and that's the national environment of willful ignorance and proud denial of all intellectual discipline, science and economics particularly. Even the ablest teachers have a steep hill to climb.

We are witnessing a presidential campaign in which the leading candidates of one major party say that the theory of evolution hasn't been verified and that they don't believe there's a link between human activity and global warming. Fewer than half of us believe in evolution; 40 percent are creationists. In some states the teaching of evolution even in high school is under constant attack.

Some thirty years ago, in "A Nation at Risk," a presidential commission warned that "the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people." If that wasn't all hyperbole, the miseducated graduates of those mediocre schools are now our voters and political leaders. They sit on school boards, in state legislatures, even, as in Texas, in the governor's office.

The new [report](#), *High Hopes – Few Opportunities: The Status of Elementary Science Education in California*, was produced by researchers at the Lawrence Hall of Science at the University of California, Berkeley and SRI International. They found that teachers and principals at many schools put part of the onus for skimpy science teaching on the pressure of time, particularly the heavy emphasis in state and federal accountability programs in reading and math.

Though that, too, is hardly news, it's undoubtedly correct, as the same thing would be correct, perhaps even more correct, for the teaching of art or music, and maybe even history or good literature. But was science ever taught well, or given much time, even before the test-based accountability systems in reading and math were instituted in the past decade or two?

Consistent with their other findings, the researchers also found, in the words of a press announcement, that “the infrastructure support and resources needed for quality science education are scarce. Just one-fifth of school districts provide science related professional development for elementary teachers, and few school districts have science specialists or coordinators.

“More than 60 percent of all school districts have no district staff dedicated to science. Two-thirds of elementary teachers cite limited funds for equipment and supplies as a challenge to teaching science. More than half of teachers say they lack access to needed facilities.” And, as ever, it’s the schools serving poor and minority students that are most severely lacking. How often do we hear this?

But with the possible exception of a small number of classrooms, was it ever different? In 1957, when the Soviet Union beat us into space with Sputnik, there was a loud outcry about the nation’s inadequacies in the teaching of math, science and engineering. If we didn’t shape up, the Russians would win the Cold War. Similar warnings came in “Nation at Risk.” Only in 1983, it was the Germans and the Japanese who were going to beat our economic brains out.

Neither happened in the way it was predicted, not yet anyway. But this is a different world and the dangers are far greater. We no longer dominate the world’s economy as we did after World War II. More and more nations are overtaking us in the percentage of their young men and women who complete college. In the countries that are beating our brains out in education, creationism is not an issue and energy efficiency and the control of global warming are high priorities.

Our historic anti-intellectualism and the ideologies, beliefs and prejudices that mask it are as powerful as ever. Presumably smart men and women running for president pretend to be morons. In California, as in many other states, as growing numbers of Latinos, Asians and other immigrants and their children reach school and college age, we seem to become increasingly unwilling to generously fund education at every level. Is that only coincidence?

As always, in such surveys, people say teaching of science should be a high priority in the schools, and that better resources and teacher training would help. So what else is new? Everything the new survey says is correct, but it’s not new and it’s only a fraction of the story.

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*Peter Schrag, whose exclusive weekly column appears every Monday in the California Progress Report, is the former editorial page editor and columnist of the Sacramento Bee. He is the author of Paradise Lost: California’s Experience, America’s Future and California: America’s High Stakes Experiment. His new book, [Not Fit for Our Society: Nativism, Eugenics, Immigration](#) is now on sale.*



## **Beverly, Doeh vie for El Camino College board seat**

### **The Daily Breeze**

By Rob Kuznia Staff Writer

Posted: 10/27/2011 06:56:10 PM PDT

The two-way contest for a seat on the El Camino College board serving most of the South Bay pits the power of the incumbent versus the power of union money and negative campaigning.

In one corner for the Nov. 8 matchup is Bill Beverly, a five-term incumbent with a black mark on his record, but who boasts the support of his four board colleagues.

In the other is the faculty union-backed Wendy Doeh, a retired registered nurse who thus far has refused to participate in media interviews, yet has spent considerable time and money calling attention to Beverly's tarnished record: A lawyer, he had his law license suspended for three months in 2010 for "constructive fraud."

The race will test the effectiveness of Doeh's strategy of casting stones from the shadows. It also is an experiment in whether a charge of legal malpractice is enough to undo a 21-year run on a community college district board.

At stake is the Area 3 seat representing the beach cities, though voters in all five districts will weigh in. The two other board members whose seats are up, Kenneth Brown (Area 1 in Inglewood) and Mary Combs (Area 2 in the Hawthorne and Lawndale area) are running unopposed.

The race comes at an exceptionally sensitive time for the Torrance-area community college, which has not only been hobbled by the lousy economy - it is serving about 6,000 fewer students than five years ago - but is also experiencing an unusually divisive round of contract talks between faculty and administration.

On some counts the nature of the race is a reflection of the labor strife. The faculty union, officially known as the El Camino College Federation of Teachers, has pumped \$20,000 into Doeh's campaign largely as a vote against Beverly, 61, who is seen by some as a pal of the administration.

However, Beverly has the support of the president of the classified union - which includes custodians, clerical staff and maintenance workers - though not the entire union. Beverly has received no money from the union or any other supporters, and says he has opted not to seek donations.

When it comes to the issues affecting El Camino, Beverly seems to have a much firmer grasp. Members of Doeh's campaign acknowledge that she does not have a position on issues that are contentious right now, such as the budget. Her campaign consultant, Fred Huebscher - who initially approached the 75-year-old Doeh to run and is a longtime critic of Beverly's - said candidates need not necessarily be extremely well versed in the issues to be considered viable.

"She's a very honorable, decent person," he said of the Hermosa Beach resident. "To be honest, that's a very important qualification to run for the college board."

And anyway, Doeh's camp insists that the race isn't so much about contract talks, other college issues or even Doeh herself as it is about the malpractice charge against Beverly by the California State Bar.

In May 2004, a former client of Beverly's won a \$425,000 judgment against him in a case that involved his handling of a real estate matter in the early 1990s.

A month before the judgment, Beverly had transferred about \$1 million to his wife in a divorce settlement, essentially rendering him unable to pay. In May 2010, after a slew of appeals, the State Bar suspended his license for 90 days and put him on probation for two years.

"The real issue here is Mr. Beverly's problems with the State Bar," said Huebscher, a local political consultant who has long been at odds with Beverly. "He has been found by a state bankruptcy court to have engaged in fraud and for cheating his clients out of money, and he's admitted that he engaged in moral turpitude."

Doeh's camp has publicized the ordeal in mailers, characterizing Beverly as a man who has "committed fraud." It also has created a website bearing the descriptive name [www.thetruthaboutbillbeverly.com/](http://www.thetruthaboutbillbeverly.com/). Doeh has raised \$5,000 in addition to the \$20,000 from the union.

Beverly, a Manhattan Beach resident and son of a former prominent state senator, said he believes the campaign is the result of a vendetta against him by Huebscher. Regarding the transfer of funds that led to the suspension, he said that he was only following advice given to him by his own attorneys, and added that a bankruptcy judge ruled that he did nothing wrong. Beverly said the State Bar took up the case around the time his father died, and so he was in no state of mind to fight.

Instead, he said, he accepted what amounted to a plea bargain.

"I agreed under the circumstances to take a 90-day suspension and take a class, during which period of time I could still work," he said. "It was the cheapest, easiest and least grief-filled way of getting rid of the problem, so I did."

Beverly added that the \$425,000 judgment was ultimately reduced to about \$200,000, and it was for negligence, not fraud.

"To this day, I dispute the outcome," he said. "I did nothing wrong."

He fired back at Doeh's campaign, saying that by running against him on this one issue, they are costing the college district \$300,000, the price tag for an election.

"They're making not one offer of one constructive change," he said. "To me, that's bad faith."

Beverly, the son of the late Sen. Bob Beverly, was first appointed to the post in 1991, and has been re-elected every term since. (About half have been contested.)

He said he wants to serve just four more years to see a number of projects get closer to conclusion. These include El Camino's controversial decision to adopt Compton College after it was shut down; the construction on campus - now about half done - as the result of a \$440 million bond measure; and redrawing the boundaries of the district to improve voter equity.

On the contract talks - the most fractious in over a decade - one of the key issues is a \$23 million reserve, which amounts to about one-fifth of the general fund. The faculty union believes the district is being miserly at a time of need. Beverly believes it is being prudent, saying the district is spending about \$7 million more than it is taking in.

"With that budget, we're essentially educating about 1,000 more students than the state is paying us to educate," he said. "Could you dip further? Yes, you could spend it all. But then what do you do next year?"

Interestingly, on the matter of the reserve, Doeh's campaign treasurer, Jim Lissner, seems to agree with Beverly.

"From a money standpoint, at least to me, it doesn't look all that important," said Lissner, who said he is Doeh's neighbor. "It's a tiny portion of the budget."

(Doeh's mailers peg the budget at \$450 million, but this includes bond money for construction, and cannot be used on salaries.)

Elizabeth Shadish, president of the faculty union, said she believes the suspension alone is grounds for his ouster. She added that Beverly is perceived as being too cozy with El Camino President Thomas Fallo, the college's lead administrator.

"There's been a general feeling that he is a buddy of Tom's and so there's no point in even trying to work with him," she said. But she added: "In the last year and a half, he has actually started questioning the district. To me, that's a great sign."

Meanwhile, classified union President Luukia Smith is supporting Beverly, though the entire union is not. Smith said her organization attempted to interview the candidates but neither showed up, although Beverly frequently meets with the union to discuss other matters.

"He's really trying to get an understanding of what's happening on campus," she said. "He's been around, he understands the budget, how things are going. For me and several of us on the board, the known is better than the unknown."

## **El Camino faculty threatens to strike**

By Rob Kuznia Staff Writer

Posted: 10/29/2011 07:13:44 AM PDT

Contentious contract talks between faculty and administrators at El Camino College are in danger of breaking down, with the union saying a strike is a real possibility.

Even after calling in third-party officials to help mediate talks that have lingered for eight months, the two sides are miles apart on pay, health benefits and counselor hours.

An attorney for the administration said he's seen negotiations reach this late stage only three times in his three decades in the business.

The talks, which have been at impasse for nearly five months, are headed toward a boiling point, with a fact-finder expected to deliver a report on Friday. The report itself is an extremely rare measure, as most contract disputes are resolved before this point, officials said.

"I have been doing negotiations in El Camino for the last 10 years and this has never happened" in that time, said Spencer Covert, the attorney representing the college district. "I had (another) district go this far maybe 20 years ago."

Elizabeth Shadish, president of the faculty union for the Torrance-area campus, said the district's proposals have mostly amounted to "take-backs," thereby pushing her to the point of using the S-word.

"I've been raising the strike issue because I want them to hear it," she said. "I am prepared to back that up. I'm prepared to say (to the membership) 'I want you to strike.' I don't want to, but we feel like we have gotten nothing."

Shadish believes that the district is taking advantage of a tough political climate for unions, as well as the state's budget woes.

"We feel like the district is throwing its weight around by piggybacking on the problems of the state," she said. "The state's problems are very real, but our problems are not."

District officials disagree, saying the school's budget has been slashed 6.2 percent this year alone, and more midyear cuts could be on the way.

Reserve fund at issue

Broadly speaking, the sides have jostled over what to do with a \$23 million reserve, which amounts to about a fifth of the general fund. The union accuses the district of sitting on it.

"We keep saying this is rainy-day fund; it's pouring out - use it," Shadish said.

District officials counter that they are spending down the reserve to the tune of \$7million a year.

"If you project forward and assume the state economy is not going to get much better in the next few years, then spending at \$7 million a year barely sees you through that period of time," said Bill Beverly, president of the Board of Trustees.

The district's camp has also intimated that the rank-and-file is well-paid, noting that of all El Camino employees making at least \$100,000 a year, 70 percent are faculty members.

(A complete list of names and salaries can be viewed at [www.elcamino.edu/](http://www.elcamino.edu/))

The most contentious issue on the table is health benefits. The union says its membership has been forced to make a stressful choice by mid-November, when the enrollment period is up. Members must either downgrade their policies or gamble by keeping the same one, which could become much more expensive if the district has its way.

"People really are scared - they're asking me what they should do, and I can't tell them," Shadish said. "I tell them I will keep mine. I don't want to be scared into something."

The district's attorney counters that current medical insurance costs have become excessive. Under the current premium plan for a family, the college pays \$20,000 per employee while the employee pays roughly \$4,500.

With costs going up 15 percent, the union wants the same formula to hold, with the district paying \$23,000 and the employee paying \$5,200. Under the district's proposal, the college's contribution would shrink by \$6,000, to \$14,000 per employee.

Covert said the idea is to entice employees to select the HMO plan, which is about half as expensive, and almost fully covered by the district.

Another issue centers on the length of the work year for counselors. As is, counselors are the only faculty members who work a 12-month year; the others keep a 10-month schedule. The administration wants to bring the counselors in line with the others.

Shadish argues that this is unfair to counselors who took the job based on a set of promises. (The union is OK with hiring new counselors on a 10-month schedule.) She added that reducing their hours will adversely affect students.

"They are already having a difficult time getting seen because the counselors are so busy," she said. "So they are going to have an even harder time. Service is going to go downhill."

Countered Covert: "We are negotiating over whether or not counselors should work a work year similar to the faculty, because after all they are faculty members," he said. "Or should they continue to be unique and have a 12-month contract that provides them with a month of paid vacation?"

And then there is the issue of pay for part-time instructors, who currently earn \$85.60 an hour. The district has proposed reducing this to \$81.81. Covert said the average comparable community college district in California pays \$65.65; Long Beach City College pays \$56.93, he said.

On pay for full-timers, the union has asked for a 5 percent raise to take effect in July 2013. The district has yet to make a counter-offer.

On Friday, a report will be released from an independent fact-finder, the final step in the bargaining process. Both sides will have two weeks from then to digest the recommendations before meeting again.

Report is last option

If the report is rejected, the two sides will have exhausted all their options - they've already burned through every other tool designed to spur an agreement, including a third-party mediator and a fact-finding hearing.

With receipt of the report, the El Camino board can either do nothing - in which case the old contract would take effect - or make the extraordinary move of imposing a contract.

If it chooses to impose - a decision on the matter will probably occur in mid-December - Shadish said the union will be furious.

"We can live with all kinds of stuff; what we can't live with is an imposition," she said. "That's when we find out how far our members are willing to go."

Covert, meanwhile, said if the parties can't reach an agreement, then the default solution is to keep the current contract, which is essentially what the union is seeking. Translation: Imposing a contract might be in the cards.





## As Trustees Move to Cancel School Closures, Credit Agency Strikes

 voice of san diego.org

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On Thursday afternoon, just as two members of the San Diego Unified school board were vowing to remove one of the most distasteful options from their menu of choices to save money, the credit rating agency Moody's announced it was downgrading the district's long-term credit rating, partly because of the district's failure to make distasteful cuts in the past.

San Diego Unified must cut \$60 million out of its spending just to break even next year. But that's just the start. If the state issues midyear cuts to education funding, that deficit could skyrocket to as much as \$115 million. Superintendent Bill Kowba recently announced the district may go insolvent if the state makes those cuts, stirring anxiety about the future of the district.

San Diego Unified planned to lay off about 1,400 employees to balance its books this year. It eventually pared that back to about 800, about of 450 of whom were teachers. The school board has also voted to lay off hundreds of nurses, custodians and other staff, reduce busing and cut popular programs like sixth grade camp.

That wasn't good enough for Moody's. The agency took the district to task in the written statement announcing its decision to downgrade the rating one notch from Aa1 to Aa2.

"The district's financial flexibility continues to diminish as it draws down fund balances, rather than cut spending sufficiently to match declines in revenues. The district has endeavored to minimize cuts affecting the classroom, and has therefore used one-time solutions to offset cuts," the statement reads.

There's an irony in the fact that as those words were sitting on a document somewhere in district headquarters, school board member Scott Barnett was holding a press conference to call on his colleagues to cancel a controversial but as-yet-unfinished plan to close some district schools.

And, as that was happening, school board President Richard Barrera was making his own plans to take the school closures off the table.

If the district had closed all the schools recommended by a staff committee, it could have saved an estimated \$5 million. Closing schools is one on a list of options, ranging from selling school property to negotiating pay and benefit concessions from district employees, to close the \$60 million initial deficit.

Barrera doesn't think the school closings are the most effective or fair way to close that deficit, and Barnett said he doesn't think his district (in which seven of the 14 schools planned to be closed or moved sit) should suffer cuts if the board's not willing to cut other spending, such as a busing cut he supported earlier this week.

Instead, both men have their own plans for how to solve the district's crisis that don't involve closing schools.

Barrera's relies primarily on pressuring the state to provide school districts with more money while pushing for higher taxes on wealthy individuals, oil extraction or alcohol sales.

Barnett says he'll announce his plan on Monday. At Thursday's press conference, he hinted that he, too, would suggest raising revenue in addition to asking employees to make concessions on a contract that includes raises next year.

Moody's said the downgrade is likely to stick around for a while. Even if the whole school board agrees on a comprehensive plan with a realistic chance of success, the rating isn't likely to rise until that plan starts to have positive financial effects.

For now, the impact of the reduced credit rating is largely symbolic.

District Chief Financial Officer Ron Little said the downgrade will have no immediate financial impact, and said that its future effect would also be limited.

San Diego Unified already has the lower rating from another rating agency, he said. Because investors usually only look at the lowest rating, the Moody's downgrade is therefore unlikely to affect the district's cost of long-term borrowing, Little said.

If the downgrade is followed by a similar downgrade in the district's credit rating for short-term borrowing, however, that would have a significant effect.

A one-notch downgrade in that credit rating, which is currently good, would result in a doubling of the district's borrowing costs to more than \$8 million annually, Little said.

San Diego Unified, like many governments, relies heavily on short-term borrowing to pay bills before tax revenue come in. That reliance has magnified in the last 10 years since the state began writing billions of dollars in IOUs to school districts rather than giving them the tax money they're owed.

This year, the district borrowed about \$215 million in short-term debt.

As the discussions over what to do about the district's looming deficit continue, the announcement from Moody's suggests that the credit rating agencies have their eye squarely on the district.

And the wording of Moody's statement clearly shows that the agency will be watching to see if the school board is capable of, and willing to, make the sort of difficult cuts that will stave off financial ruin.