

L.A. County won't sell bonds to school bond campaign donors

LA Times

By Dan Weikel

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The county treasurer will end business with banks that donate to school bond campaigns, saying it influences hiring of underwriters. Other counties may follow.

In an action that could influence government finance officials statewide, the Los Angeles County treasurer announced Tuesday that his office will no longer do business with securities brokers that make political contributions to school bond campaigns.

Mark J. Saladino, whose agency is one of the largest issuers of municipal bonds in California, said he adopted the policy to prevent campaign donations from influencing the hiring of underwriters by school districts, and to increase competition between dealers who often charge millions of dollars for their services.

Underwriters are financial institutions that buy government bonds and sell them to investors.

Saladino also has been concerned that some firms try to recover their donations in their underwriting fees, contrary to a state law that prohibits schools from using public funds to support campaigns that try to convince voters to pass such measures. Bonds are typically repaid from tax revenues over a period of years.

Under the new policy, underwriters must not donate to school bond measures if they want to qualify for the treasurer's list of investment banks and securities dealers eligible to sell county bonds. The restriction applies to monetary donations, non-monetary contributions and pre-election services, such as polling, voter outreach and consulting.

The roster of financial firms — now 40 dealers that include some of the nation's largest banks and brokerages — is reviewed and revised every five years. Saladino said the next evaluation is in 2016.

"If they are giving to school bond campaigns, we won't do business with them," Saladino said.

According to the treasurer-tax collector's office, most, if not all, of the current participants already have agreed to the restriction.

Saladino said he had informed other county treasurers about the new rule and planned to notify state Treasurer Bill Lockyer and encourage him to adopt the same restrictions.

Mendocino County Treasurer-Tax Collector Shari L. Schapmire, president of the California Assn. of County Treasurers and Tax Collectors, said her organization supports Saladino's policy. She added that there was potential for some of the large counties in the state to adopt similar measures.

"This is an interesting first step. It's in the right direction," said San Diego County Treasurer-Tax Collector Dan McAllister. Banning such a potential conflict of interest "has been raised for years in the state Legislature. We've gotten a big goose egg. Nothing to show for it. But what is really required is a statewide comprehensive effort that involves all the stakeholders to bring change about."

The latest bill to restrict donations from financial firms stalled in the Senate Governance and Finance Committee this year. The author, Assemblyman Donald P. Wagner (R-Irvine), can still pursue the measure in 2014.

Representatives of the California School Boards Assn. were unavailable for comment Tuesday, and the California Assn. of School Business Officials did not return phone calls. David Walrath of the Small School Districts Assn. said such a restriction, if widely adopted, would create a problem, especially for small school systems in rural areas where little financial support exists for bond campaigns.

Saladino said his policy stemmed from a nationwide effort by major investment banks to prevent underwriters from donating to bond ballot measures.

Last month, 12 financial institutions pledged not to make contributions to bond measures they seek to underwrite. They include Morgan Stanley & Co., Wells Fargo Securities, J.P. Morgan Securities, Goldman Sachs, Barclays Capital and Merrill Lynch.

The group notified the federal Municipal Securities Rulemaking Board, which has been considering whether to prohibit underwriters from contributing to the agency's bond campaign if they are seeking business from that agency.

Lockyer, county treasurers and many investment bankers are concerned that campaign donations can create an uneven playing field for bond businesses at the expense of taxpayers.

In statewide surveys by The Times and other publications, virtually every securities broker hired by a school district contributed to the district's bond campaign and was retained without competitive bidding.

According to numerous studies, competition among underwriters often produces lower interest rates and fees, which can save taxpayers millions of dollars in debt payments for large bond issues.

In addition, a recent study by New York University and the University of Colorado, which focused on California school bond issues, found that post-election fees paid to

underwriters that made donations were on average \$27,576 higher than those paid to brokers that did not contribute. Researchers said the finding raises serious questions about the circumvention of state and local regulations restricting the use of public resources in election campaigns.

'Deja vu all over again' at CCSF

By Andrea Koskey

SF Examiner

August 19, 2013

As City College of San Francisco wages a last-ditch campaign to remain accredited, officials from a California school that failed the same assignment see eerie similarities and urge university supporters to cooperate with CCSF's critics.

In June 2005, six months after Compton College was given the most severe sanction from the Accrediting Commission for Community and Junior Colleges, officials learned their school would lose its accreditation. The school eventually closed and its facilities were taken over by another college.

CCSF received the same sanction one year ago, and last month officials learned that its accreditation will be lost by July 30 unless they successfully appeal the ruling.

As Compton officials have watched this process unfold again, they recognize many of the same dynamics and warning signs that ultimately resulted in the demise of their school. But despite the similarities, these observers are hopeful CCSF can avoid their school's fate.

"This is deja vu all over again," said Arthur Fleming, a retired Compton professor who sat on the board of trustees. "It's as if we're replaying the same drama, so far with no difference in the script."

Both colleges were cited for governance and financial troubles as reasons for termination of accreditation. Both colleges also were criticized for not having mechanisms in place to track student learning outcomes. In Compton, however, evidence of fraud was found after financial audits. City College has no traces of fraud, according to a recent report released by the state's Fiscal Crisis and Management Assistance Team.

Districts that have been sanctioned by the commission can turn things around and survive. Lassen and Solano community colleges both did so while Thomas Henry was a special trustee there. But when Henry reached Compton, in early 2006, he knew there was a problem.

Henry, who is currently working to save Eureka's College of the Redwoods, said the Compton school had many more issues than were publicly perceived.

"It looked pretty bleak to me," recalled Henry, who remains the school's special trustee. "I didn't see a means by which they could actually be successful during any kind of appeal. The number of deficiencies was striking."

So rather than lose the school completely, Henry looked for some way to keep the doors open. His solution was to merge with nearby El Camino College — an option that state officials have ruled out for CCSF.

"When an option of a partnership was broached we decided that was a more logical way to go," said Saul Panski, then president of Compton's Academic Senate. "If we lost, and if the board in place at that time continued to be belligerent, it might not have ended well."

Panski and Henry said the best advice they could give supporters of City College is to heed the commission's wishes.

"Fighting the commission is not a smart idea," Panski said. "You have to cooperate. If the commission lays out a blueprint in what they want you to do, you have to do it."

After all, Fleming noted, the commission could have given both colleges as much as two years to turn around their operations, but chose not to. Compton had six months to appeal the decision and City College has one year. The commission has made it clear that it is not required to give any institution the maximum time allowable.

Fleming said he finds the resistance to the commission's dictates from CCSF's faculty, staff and students quite familiar. Even the campaign to retain students — "open, accredited, enrolling" — is the same.

"It was our mantra," Fleming said. "Enrollment, though, really was killer. It was the worst thing about the whole process."

That retention campaign didn't work; Compton College had about 6,100 students in fall 2004 and only 2,700 students by fall 2005. The college ceased to exist in August 2006.

Enrollment for City College's fall semester was down 13 percent before the start of school last week.

## City College of San Francisco: Saviors, Standards And a Ticking Clock

August 16, 2013

KQED News

By Ana Tintocalis

Years of budget cuts have been brutal for California's 112 community colleges. The hard times also have exposed deficits in management at nearly a quarter of the colleges, including the system's biggest: City College of San Francisco. CCSF is the only school at risk of losing its accreditation.

Enter Robert Agrella, the state-appointed trustee tapped to fix a myriad of financial and leadership issues plaguing CCSF. That position gives him sole power to make sweeping changes at an institution that serves as many as 85,000 students.

If Agrella is successful, CCSF could become an example of how a community college can come back from the brink of closure. If not, the school will lose its accreditation by the end of this academic year.

Some faculty members have questioned whether Agrella, a veteran college administrator and son of a cop, is the right man for the job. He's been advising the college's board of trustees for the past year on which reforms to take, without much success. Agrella says his plans haven't worked because trustees and faculty leaders didn't listen.

"What worries me is the magnitude of the task and getting people to work together," Agrella says. "Some of those people will perhaps change their minds, some will not. And for those that (do) not, move on. Our agenda is too big and too important to be sidetracked by other agendas."

Agrella's agenda includes everything from hiring an outside auditor to possibly closing campuses and training centers. He also has to develop a worst-case scenario if the school closes, spelling out where students could go to finish their education, and how the college would handle severance pay and pensions for more than 9,000 unemployed faculty and staff.

Meanwhile, faculty members and San Francisco city officials have accused the Accrediting Commission of Community and Junior Colleges of overstepping its authority. San Francisco supervisors recently challenged the commission's methods. When Supervisor David Campos asked the group's liaison, Gojar Momjian, what standards it follows in making its accreditation decision, Momjian replied, "I can't answer that question."

That lack of transparency frustrates CCSF faculty, such as counselor Li Lovett. Lovett says the commission has disregarded the fact that CCSF students transition into jobs and

universities at a higher rate than students at other state community colleges. She says accreditors are grading schools based on strict administrative benchmarks.

“Did it acknowledge that we’re a quality public institution?” Lovett asks rhetorically. “Yes. But it has started to focus and make the issues around finance and governance trump the issues of what we are doing for our students and what the importance of this community college is to the surrounding community.”

Lovett might have a point. An investigation conducted by a Cal State Sacramento graduate student found the commission was sanctioning institutions at a rate that is excessive, compared with other regional commissions. Just this week federal education officials criticized the commission for being out of compliance in four key areas, citing an appearance of conflict of interest and too few faculty members on evaluation teams.

For its part, the commission's chair, Sherrill Amador, says her group is simply upholding tough standards that keep colleges accountable.

“If a college is going to collapse because they run out of money, then that’s the first thing you have to be concerned about,” Amador says. “Because you can’t deal with the educational issues if in fact you have such looming financial issues that you can’t continue to operate.”

Agrella agrees with that analysis. Now he begins the work of uniting a faculty on behalf of tens of thousands of students. “This is not an issue of ‘Can Bob Agrella save City College?’, contrary to how it’s reported,” Agrella says. “This is an issue, ‘Can Bob Agrella work with the administrators, the faculty and the staff here to save City College?’ We’ve got to work collectively. We’ve got to work together.”

# El Camino College will soon elect its first Latino board member

## THE DAILY BREEZE, August 23, 2013

By: Rob Kuznia

[www.dailybreeze.com/social-affairs/20130822/el-camino-college-will-soon-elect-its-first-latino-board-member](http://www.dailybreeze.com/social-affairs/20130822/el-camino-college-will-soon-elect-its-first-latino-board-member)



*The Humanities Building at El Camino College. Daily Breeze file photo*

At El Camino College, Latino students are by far the largest ethnic group on campus. And yet the five-member Board of Trustees elected to represent the 66-year-old college near Torrance includes no Latino members — and never has.

That will soon change. Both candidates running in the Nov. 5 election for the district serving Hawthorne and Lennox are of Latino heritage.

Neither Nilo Michelin, now a Hawthorne councilman, nor John Vargas, now a Hawthorne school board member, gave the matter much thought when they filed papers earlier this month to enter the race.

But their inclusion in the contest is anything but arbitrary. Rather, it's the product of an overhaul of the way [elections are conducted](#), approved in February by the El Camino board. Namely, the overhaul involved redrawing district boundaries and switching from at-large elections to voting by district.

The move was made largely to comply with the California Voting Rights Act, which seeks, among other things to enhance diversity by doing away with at-large elections, which tend to favor candidates with more resources, thereby diluting votes for minority candidates.

It wasn't, however, a response to any kind of outrage or concern on the part of the local Latino community.

“At the time, there had been a lot of news stories about people (in other areas) bringing in suits because of the gerrymandered districts,” said board member Ken Brown. “We wanted to kind of get ahead of all that.”

The change — which, incidentally, led to the automatic ouster of two members, Ray Gen (who voted for it) and Maureen O’Donnell (who didn’t) — is also expected to foster a more competitive election landscape. This is because political newcomers are likely to feel less intimidated by the prospect of campaigning in a smaller, more local area. Indeed, the coming election — which also features a three-way match for the seat representing south Torrance and south Redondo Beach — has already proved the most hotly contested in a decade. More often than not, incumbents have run unopposed; the district often skips election years for a lack of candidates.

“You had to campaign over a district that was the size of a congressional district — just the ballot fee at the time was huge,” said board President Bill Beverly, who is in the middle of his sixth and final four-year term. “I think this will make the races more spirited and lively.”

The sprawling El Camino College District includes the cities of El Segundo, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Manhattan Beach, Redondo Beach and Torrance, as well as some unincorporated areas, such as Lennox. It is home to some 540,000 residents.

Latino students make up 45 percent of the total enrollment, which last fall amounted to about 23,400. The next largest ethnic group is black students, who make up 17 percent. Whites and Asians are close behind at 15 percent and 16 percent, respectively.

Board members note that the current makeup of the five-member board is actually fairly diverse. It includes Asian, black and white members.

“When I go to Sacramento — I’ve been working with the state superintendent — I always say, ‘Why can’t your board be as diverse as our board?’ ” Brown said.

The new map and voting configuration wasn’t just about ensuring ethnic diversity on the board. In fact, board members were more likely to cite a different kind of equity. Under the old configuration, tiny areas with small populations and sprawling areas with large populations are equally represented. For example, El Segundo and Inglewood were each represented by one trustee, even though the former district is home to 16,000 residents and the latter 110,000.

Under the new system — which won’t officially take effect until November — the population of every trustee area will be about 108,000.

As for Michelin and Vargas, while neither candidate has given much thought to the idea of blazing a trail, both say they decided to run in large part because of the new vote-by-district election process.

Michelin — who was raised by a single mother from Costa Rica (his father hailed from Argentina) — said his heritage won’t be much of a factor in his campaign.

“It’s a very diverse district, and I have a record of building coalitions,” he said.

A teacher at Odyssey Continuation High School in South Gate, Michelin said he has talked to many students in recent years who have had trouble finding the community-college classes they need to graduate in a timely fashion. Helping such students is one of his top priorities.

Vargas said the dearth of Latino trustees came to his attention after he filed, when some of his friends pointed it out to him.

“It’s not my main motivation, but it would make me proud,” he said. “It’s something I do take serious — it gives me even more drive.”

A business and operations manager at a charter school in South Los Angeles called Crown Prep Academy, Vargas said his knowledge of school finance would be a major asset to the board.

John Parsons, longtime Redondo civic leader who helped save Air Force base, dies

Daily Breeze

POSTED: 08/22/13

By Kristin S. Agostoni and Muhammed El-Hasan

John Parsons, a longtime Redondo Beach civic leader who helped lead the fight to save the Los Angeles Air Force Base from closure amid federal spending cuts, has died. He was 60.

Parsons, a former two-term city councilman who most recently served as a planning commissioner, was hospitalized Tuesday night at Little Company of Mary Medical Center in Torrance after suffering a stroke. He died Thursday morning, Redondo Beach Mayor Steve Aspel said.

Parsons was taken to the hospital not long after addressing the City Council — which is something he did on a regular basis.

“He was virtually the last speaker,” before the council adjourned Tuesday, the mayor said. “He kind of checked out doing something he loved. He was actually very eloquent speaking on two issues that night. He was a City Hall junkie.”

And given his extensive involvement in civic affairs, “he was a best friend to 1,000 people,” Aspel said.

Parsons had a long history of public service in the beach community and beyond. He served as chairman of the city’s Harbor Commission and Chamber of Commerce board, and president of the Redondo Beach Rotary, and worked most recently as business services and economic development manager for the South Bay Workforce Investment Board.

Parsons won wide respect for taking a leadership role in the battle to save the Los Angeles Air Force Base in El Segundo from closure, serving as co-chairman of a regional alliance formed to protect the base at El Segundo and Aviation boulevards. It was spared in 2005 from the list of facilities targeted for closure by the Defense Base Closure and Realignment Commission, or BRAC.

The base, which houses the Space and Missile Systems Center — the Air Force’s purchasing arm for rocket launches and satellites — supports tens of thousands of local jobs.

“If it wasn’t for John, the Air Force base would be gone,” Aspel said.

Parsons “was one of the driving forces” behind the effort because “he was so energetic about that work,” said Kelly McDowell, a former El Segundo mayor who described Parsons as his “closest friend in politics.”

“He knew every elected official in the South Bay and had ease of access to people and thus had more leverage and was more forceful in taking positions and making statements and also raising money,” McDowell said. “He raised a lot of money for that effort because it wasn’t cheap.”

Parsons flew to Washington, D.C., to lobby the Air Force and members of Congress, and he worked closely with California state officials as well as local leaders to keep the base open, McDowell recalled.

Even after the base was saved, Parsons emphasized that more would have to be done to keep it off future closure lists.

In such future efforts, Parsons’ absence will be felt, McDowell said.

“It’s going to be very tough to replace anybody like that,” he said.

Former South Bay Rep. Jane Harman, who worked closely with Parsons at that time, said in a statement Thursday that people who work in the South Bay “owe a big thank you to John Parsons.”

“More than any other local resident, he should be credited with saving the L.A. Air Force Base from two rounds of base closings — and assuring that the economic engine of the beach cities stayed right here,” said Harman, now president and CEO of the Woodrow Wilson Center, a Washington, D.C.-based think tank. “He was a great partner to me during my nine terms in Congress — and the fact that we were in different political parties made no difference. What a huge loss of a great leader and dear friend!”

Former Hawthorne City Councilman Gary Parsons, who is not related, described John Parsons as his mentor.

“John Parsons was the focal point in the South Bay that really drove the whole Air Force Base modernization and saved those 60,000 jobs in the South Bay,” Gary Parsons said. “And without John’s dedication and perseverance, I’m not sure we’d have (it).”

While helping save the base could be Parsons’ most well-known legacy, friend and employer Jan Vogel noted how he was able to amass such local credibility.

“He was involved in everything and anything that benefited his community and particularly the business community, and there’s not a board or association or anything like that that he wasn’t a part of at some point,” said Vogel, executive director of the South Bay Workforce Investment Board, which helps workers develop skills and find jobs. “Being able to be a part of all those different organizations allowed him to take a leadership role in the committee for keeping the Air Force base in place here. And it

allowed him to be the person that so many people reached out to when they needed to connect to other people because he knew so many people and was so well respected.”

Vogel said that Parsons never complained about his health until a few months ago when he suffered a bout of pneumonia.

“I think that weakened him and it caused some health problems, which were magnified. But up until then, he was real healthy and strong,” Vogel said. “He was a strong, strong man.”

Aspel said Thursday that he plans to request that the base be renamed in Parsons’ honor.

Aspel and Parsons, who had known each other since kindergarten, overlapped for two years on the Redondo council before Parsons was termed out of his District 5 seat in 2007. Parsons wasn’t shy about expressing his opinions in council chambers, but there was a rare moment that year when he struggled to speak and even choked up; it was during his farewell ceremony, when all the members he’d served with had turned out to support him.

He was reluctant to detach himself from civic affairs. Not long after, Mayor Mike Gin appointed him to the planning panel. And he also took a leadership role with the chamber in 2008, which put him out front in a battle over a slow-growth initiative in town.

Although Parsons and other local business leaders sought to defeat Measure DD — which was drafted by a citizens group and proposed putting major land-use changes to a public vote — it ultimately won voter approval.

Councilman Matt Kilroy, who replaced Parsons in north Redondo’s District 5, said his friend could be found “at every meeting in the community.”

“It wasn’t considered a meeting in Redondo Beach without John,” Kilroy said in a statement. “He had a knack for getting people involved, that’s how I got started in public service.”

Parsons was born on March 1, 1953, and raised in Westchester, the second of four children. After his father died when Parsons was 7, his mother worked two and three jobs to put him and his siblings through Catholic school, according to his daughter Nikki.

Parsons graduated from St. Bernard High School in Playa del Rey and attended El Camino College and USC, she said.

He married his wife, Mary Ann, in 1980, after they dated for six years. While they grew up a mile apart, Nikki Parsons said her parents didn’t meet until they were on a trip to Hawaii. Her mother was 16 and traveling with a dance group; her 20-year-old father was on a trip with the Sea Scouts.

Her father's interests were broad, she said; in addition to his involvement in civic affairs, he'd worked in the aerospace industry and later as a real estate agent.

"My dad was hugely into education," she said, adding that she'd had lunch with him recently and discussed lesson plans. "My mom's a teacher. I'm a teacher."

To help students who are involved in their community, the family plans to establish a John Parsons Memorial Scholarship Fund through the Redondo Beach Rotary, she said. Donations can be sent to the club, P.O. Box 411, Redondo Beach, CA, 90277.

In addition to older daughter Nikki and wife Mary Ann, Parsons is survived by his younger daughter, Danielle; a sister, Lorraine Doolin of Virginia; and two brothers, Mike Parsons and Pat Parsons of Los Angeles.

A funeral Mass is planned at 10:30 a.m. Aug. 30 at American Martyrs Church, 624 15th St., Manhattan Beach, and a reception will follow at the Redondo Beach Performing Arts Center. Nikki Parsons said "Redondo Beach business" attire — otherwise known as Tommy Bahama-style apparel — is recommended.

## Overtime-Teaching Dispute Pits Full-Time Professors Against Part-Timers

August 26, 2013

Chronicle of Higher Education

By Peter Schmidt

The debate over a proposed California law limiting the overtime of full-time instructors at community colleges is shedding light on how commonly professors take on extra, paid classroom work, and the financial and educational costs of their doing so.

At colleges around the nation, full-time faculty members routinely sign up for "overloads"—paid teaching or service work beyond what is covered by their salaries—as a means of increasing their earnings or helping their institutions deal with instructional demands.

Although most colleges place limits on how much extra work their professors can do—in many cases making it difficult for them to teach more than an extra class or two during the traditional academic year—bans on overloads are rare.

Overloads, however, are becoming increasingly controversial, both as an educational matter—with some administrators worried about professors' taking on more work than they can do well—and as a bread-and-butter concern dividing part-time and full-time faculty members who are competing for the same work.

In recent years, advocates for part-time faculty members in Washington State and Wisconsin have complained that their calls for fairer work assignments are being ignored by unions dominated by faculty members who are tenured or on the tenure track.

A lawsuit in 2010 by the Madison Area Technical College's Part-Time Teachers Union, challenging a bid by the full-timers' union to increase overloads, was rendered moot a year later by Wisconsin's passage of legislation curtailing such unions' collective-bargaining rights. But advocates for Washington's adjunct faculty members continue to defy faculty-union leaders by pressing state lawmakers to limit overloads at public colleges.

"Whenever full-time faculty teach overtime, they displace part-time faculty jobs," argues Jack Longmate, a part-time instructor of English at Olympic College, where the most recent data reported by the Washington State Board for Community and Technical Colleges shows that overloads accounted for nearly 13 percent of the instruction provided by full-timers in the 2011-12 academic year.

Maria C. Maisto, president of New Faculty Majority, a national group that represents contingent faculty members, argues that in debates over limits on overloads, "the wrong question is being asked."

"It shouldn't be an issue of how much overload should be allowed," she says. "It should be, Why is overload even being allowed? If we care about the quality of education, it should be rare."

### What Problem?

The proposed law in California, [AB 950](#), would limit the overtime of full-time faculty members at the state's 112 community colleges to no more than 50 percent of their regular quarter or semester workload. It would include service work generally counted as an overload assignment but would not apply to work taken on during the summer or involving special courses offered between academic sessions. It would not supersede existing collective-bargaining agreements but would kick in once such agreements expired.

The California Assembly voted, 51 to 24, to approve the measure in April. The state's Senate Appropriations Committee is expected to vote as early as Monday on whether to send the measure to the floor of the Senate, which would have until mid-September to act on it.

Discussion of the measure has prompted lawmakers, higher-education officials, and faculty-union leaders to examine the prevalence of faculty overloads and the costs associated with them.

Last year California's community-college system surveyed member institutions to ask about their use of overloads and the likely effect of a cap on the practice. Of the 44 colleges that responded, 13 had either policies or collective-bargaining agreements that allowed overloads in excess of 50 percent of the regular workload of about five classes per semester.

The University Professional and Technical Employees, which represents part-time faculty members at three California community colleges, has argued in opposing any allowance for overloads that simply knowing how many faculty members teach overloads above the proposed cap is not enough. The Senate committee, it says, should commission research showing how many full-timers have taught overloads in the past 10 years.

### Cost Concerns

Part-time faculty members' opposition to overloads is fueled partly by their resentment of a longstanding state law capping the workloads of the community colleges' part-time faculty members at 67 percent of a full-time workload. An analysis of AB 950 conducted by the Senate Appropriations Committee notes that some districts limit part-time faculty members to teaching a single course at a time.

And as community colleges have responded to budget cuts by reducing the number of courses they offer between academic sessions and during the summer, full-time faculty members who had relied on teaching such courses for extra money have been turning to overloads as an income source, intensifying the competition between them and part-timers for available work.

The California Federation of Teachers, which represents all faculty members in 25 of the state's 72 community-college districts and part-timers in four others, hopes that a cap on overloads would prevent full-timers, who have first dibs on classes, from taking work away from their part-time colleagues.

But in an August 5 letter to the Senate Education Committee, representatives of the University Professional and Technical Employees and the California Part-Time Faculty Association, an advocacy group for community-college adjuncts, noted that being able to teach up to a 50-percent overload would still allow full-timers to raise their average annual income from \$86,458 to \$129,687.

Because accruing overtime can increase faculty members' retirement benefits or eligibility for sabbaticals, the letter said, a state law allowing overloads of up to 50 percent would leave the state "on the hook for millions more."

The Senate Appropriations Committee's analysis of the bill said its financial impact would vary substantially from one community-college district to the next. Districts would save money if the overload cap led them to farm out more work to part-timers, who generally are paid a lower rate for their services. But districts would lose money if such a shift forced them to hire more part-timers to keep those already on the payroll below their own workload cap.

### Striking a Balance

Advocates for California's part-time faculty members have characterized limits on overloads as necessary to maintain educational quality. In testifying for AB 950 this month, Phyllis Eckler, chairwoman of the California Federation of Teachers' committee on part-time faculty, argued that the proposed cap on overloads would "improve the access for students to their teachers" and enable full-timers to devote more time to developing curricula and programs.

In Michigan, Daniel J. Phelan, president of Jackson College, says some faculty members are teaching excessive overloads, especially if they are near retirement and trying to increase benefits pegged to their income. Under the college's collective-bargaining agreement with its faculty union, which represents 90 percent of full-time faculty members but just 10 percent of part-timers, the full-timers have first dibs on classes as overloads. Nearly half of them teach overloads.

Most faculty members at Jackson "have a sense of what is quality instruction, and they do a good job," Mr. Phelan says, but "logic would dictate that the delivery of quality becomes more questionable" as overtime responsibilities increase.

Mr. Phelan is considering further restrictions on overloads as part of contract negotiations with the faculty union. But Alana Tuckey, the union's president, says its members feel that the current overload system "works well for all parties."

"A lot of people rely on that money to make ends meet," she says, "especially if spouses have lost jobs and things like that."

Other college presidents appear less inclined to try to limit faculty overloads.

"If it has the department chair's support, and you see positive evaluations, why wouldn't you have a great teacher teach more, if they have the stamina to do it?" asks Kevin E. Drumm, president of Broome Community College, part of the State University of New York.

Linda Kaminski, president of Yakima Valley Community College, in Washington, says her institution discourages faculty members from taking on excessive overloads by paying them substantially less for work beyond 10 additional instructional units per quarter. But, given the rural college's difficulty in recruiting instructors, she says, "more often we are asking the full-timers, 'Will you please teach a section?'"

Part-time faculty members are not the only ones who object to overloads. Rob Jenkins, an associate professor of English at Georgia Perimeter College who recently wrote about [his reliance on overload income](#) for a Chronicleblog, says some full-timers "got really angry at me for teaching an overload or assigning an overload as a [department] chair."

Many of them were "constantly trying to argue for a lower teaching load," Mr. Jenkins says. They "felt people teaching more than the standard teaching load contradicted that argument, or at least gave the administration ammunition to say, Look at these people, look at what they are doing."

## Don't Call It a MOOC

Inside Higher Ed

August 27, 2013

By Carl Straumsheim

Two University of Texas at Austin psychology professors will Thursday night take the stage for the fall semester's first session of Introduction to Psychology. Their audience will consist of a production crew and their equipment. In their years of working together, the professors' research has shown their students benefit from computer-based learning to the point where they don't even need to be physically present in the classroom.

Just don't call it a MOOC. The university styles the class as the world's first synchronous massive online course, or SMOC (pronounced "smock"), where the professors broadcast their lectures live to the about 1,500 students enrolled.

"I think we were influenced predominantly by this mix of Jon Stewart and 'The View' or Jay Leno," said James W. Pennebaker, chair of the department of psychology at UT-Austin.

The course is the result of almost a decade of research into how students learn. After teaching separate 500-student sections of the introductory course, Pennebaker and fellow psychology professor Samuel Gosling decided to schedule the sections back-to-back. The professors then began experimenting with adaptive learning, requiring students bring a laptop to class so they could take multiple-choice tests and receive instant feedback. Gosling and Pennebaker then built group chats that randomly paired five or six students together for in-class discussions. Last year, they moved one of the two sections of the course online. And with this change, the class will be taught exclusively online.

"More and more, we have been integrating a sort of research element," Gosling said. "Everything the students do, we learn about, and we learn about it so we can find out what works. They're guinea pigs and we're guinea pigs."

As more and more of the coursework continued to shift toward digital, the data showed a clear trend: Not only were students in the online section performing the equivalent of half a letter grade better than those physically in attendance, but taking the class online also slashed the achievement gap between upper, middle and lower-middle class students in half, from about one letter grade to less than half of a letter grade.

"We are changing the way students are approaching the class and the way they study," Pennebaker said.

Anyone can enroll in the course -- as long as they can foot the \$550 registration fee and can make themselves available at 6 p.m. central standard time on Tuesdays and Thursdays. Registration is handled online at a separate site, and students who finish the

course earn three transferable credit hours. In comparison, full-time resident students pay \$2,059 (out-of-state students pay \$7,137) for three credit hours in the College of Liberal Arts, but there is no out-of-state premium charged for the SMOC.

Goslin and Pennebaker said they have set an upper limit of 10,000 students, but managing a course of this size “shakes a big bureaucracy to its knees,” Pennebaker said. Between lecturers, audiovisual professionals, teacher’s assistants, online mentors and programmers, the number of people associated with teaching one class has ballooned to more than 125.

“No human can do more than one of these a year,” Pennebaker said. “It has been the hardest I’ve ever worked in my entire life.”

In that sense, running the course as a traditional MOOC would be more efficient, but Gosling said, “I think it wouldn’t be this class.” As the two professors prepared for what Gosling called “the largest leap we’ve taken,” they agreed to sacrifice some of that efficiency to maintain some elements of a classroom setting.

“The cons of a MOOC is that you take away a sense of intimacy, a sense of community, a sense of a simultaneous, synchronous experience,” Gosling said.

To ensure that students don’t treat the class as a static broadcast, the class will be split into smaller pods monitored by former students, who essentially work as online TAs. The pods will remain static throughout the semester, giving students a core group of classmates to chat with during the lectures. And should a student be confused about the content of a lecture, Pennebaker said, “a blue light comes on and we’ll say, ‘We have a question out there in T.V. land.’ ”

By moving the entire course online, the professors will be able to collect even more of the kind of data that led them to that decision in the first place. Gosling described the process as “reframing what teaching is -- reframing it and integrating the research.”

“That’s one thing that I’m actually most excited about,” Pennebaker said. “This project could never have been built here at the university without heavy research behind it.”

Common Core sets a new educational bar, and students leap: Editorial

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Daily Breeze

What most Californians have heard about the new Common Core educational standards is just that: hearsay.

The national rubric for K-12 curricula is just being introduced this school year.

But with classes already under way in the Los Angeles Unified School District and some other larger districts in the region, this educational rubber is meeting the road, and will be judged on its successes and failures in attempting to better American children's education.

At this point, it's easier for the non-educational community to say what Common Core is not, because its totality is large and complicated. Despite the best efforts of an odd propaganda campaign, Common Core is not an Obama administration effort to indoctrinate America's children in groupthink.

Common Core doesn't come out of the Obama administration at all. It comes from the National Governors Association, not a group known for its collective radicalism, out of a concern first expressed by some governors back in 2004 that educational standards were so different from state to state that students whose families move a lot were getting hopelessly lost in the mix.

In 2009 the NGA hired consultants who began to assemble some curriculum standards in literacy and math. Their purpose was to "provide a consistent, clear understanding of what students are expected to learn, so teachers and parents know what they need to do to help them."

The problem, the governors and the Council of Chief State School Officers said, is that lack of national standards is key to the oft-bemoaned fact that American schoolchildren rank so poorly compared with their peers in dozens of nations worldwide on their ability to read with comprehension and perform basic mathematics at the elementary school level and when they enter college.

In an interview with the editorial board last week, longtime history professor Catherine Allgor expressed the same kind of frustration. A supporter of Common Core standards, she said the answer is by no means to encourage more rote learning among American students in order to catch up with the Koreas and the Finlands, where students do so well on the international standards.

In fact, "What we always have to do with our brand-new college students is to get them away from the merely textbook approach, and get them into original research. A lot of people think of history as a set of facts to be memorized. It was Einstein who said, 'Never

memorize something that you can look up.’ And what would he have thought of being able to carry a phone in your hand in which you could look up everything you need!”

Being able to put into context those facts now universally available on the Internet is the problem for today’s students, Allgor said. She was hired this February by the Huntington Library in San Marino as its director of education, and is setting out at the beginning of this school year to ensure that the tens of thousands of Southern California schoolchildren who visit the Huntington each year are able to integrate critical thinking into their new Common Core curriculum.

“Common Core adds a real specificity to what we do,” Allgor said. “A year or two ago, I would have said our goal is to ‘engage students in meaningful ways.’ Now we have specific tasks, for the students and in teacher training as well.” What teachers should now be after, she said, is “the ability to not only master the material, but to ask the right questions.” It’s a tall order, and Allgor acknowledges some “anxiety and fear” among the teachers she talks to. “But there’s no reason — except change is scary.”

Failure is a real possibility for the Common Core standards. Look at what happened to the much-vaunted No Child Left Behind venture of the George W. Bush era. The yearly increases in required standardized test scores were set arbitrarily and became impossible for even the best schools to achieve and many of its goals had to be put on hold in the face of reality.

Though 46 states have adopted the Common Core standards as their new goal, of particular worry is the ability of the millions of English learners in American schools, of which there are so many in Southern California, to quickly be able to get up to speed. And a number of administrators nationwide say the Common Core math standards are unrealistic; Minnesota opted in only for the language portion.

If Common Core has set the bar too high, students won’t clear it. Here at the beginning of another school year, Americans will watch with hope as they leap

# Schools Can Discipline Students for Off Campus Speech

## Wynar v. Douglas County School District

*Ninth Circuit Court of Appeals*

### **HOLDING**

The Ninth Circuit Court of Appeals upheld the dismissal of a student's claim for violation of his constitutional rights by being expelled for sending violent and threatening instant messages from his home to his friends about planning a school shooting.

### **FACTS**

Plaintiff was a sophomore in high school. He collected weapons, ammunition and also reported owning various rifles. He regularly communicated with friends from school by instant message through his MySpace account.

He frequently wrote about his weapons as well as mentioning Hitler, who he once referred to in a post as "our hero". His messages became more violent as time went on.

The more violent messages to friends centered around a school shooting that was allegedly going to take place on the date of Hitler's birth, the Columbine massacre and within days of the anniversary of the Virginia Tech massacre. Those statements included the following:

"its pretty simple / I have a sweet gun / my neighbor is giving me 500 rounds / dhs is gay / I've watched these kinds of movies so I know how NOT to go wrong / I just cant decide who will be on my hit list / and thats totally deminted and it scares even my self"

"I havent decided which 4/20 I will be doing it on/by next year, I might have a better gun to use such as an MI cabine w/a 30 rd clip. . . .or 5 clips. . . .10?"

"and ill probably only kill the people I hate?who hate me /then a few random to get the record"

[in response to a statement that he would "kill everyone"]  
"no, just the blacks / and mexicans /halfbreeds /athiests /french/gays/liberals / david"

[referring to a classmate] "no im shooting her boobs off /then paul (hell take a 50rd clip) /then I reload and take out everybody else on the list /hmm paul should be last that way I can get more people before they run away. . ."

"she only reads my mesages and sometimes doesnt even do that. /shes #1 on 4/20"

"ya I thought about ripping someones throat out with one. /wow these r weird thoughts. . . /then raping some chicks dead bodies to? no. maybe. idk."

"that stupid kid from vtech. he didnt do shit and got a record. I bet I could get 50+ people / and not one bullet would be wasted."

"I wish then I could kill more people / but I have to make due with what I got. /1 sks & 150 rds / 1 semi-auto shot gun w/sawed off barrle /1 pistle"

His friends eventually reported these messages to a coach and then told the school principal that they had information about a possible school shooting. The police were brought in, saw the messages and questioned the student in the principal's office. He told the principle that the messages were his, but claimed they were simply jokes. He was initially suspended for 10 days.

The school board conducted a hearing, at which time he was represented by an attorney. He had the opportunity to call witnesses and present evidence, which he chose not to do. At the conclusion of the hearing, the board determined that he would be expelled for 90 days.

The student sued the school district, school administrators, and school district officials, along with the board for violation of his constitutional rights as well as for negligence and negligent infliction of emotional distress. The lower court dismissed all of his claims on a motion for summary judgment brought by the school district.

## **DECISION**

The Court began its analysis by recognizing that the United States Supreme Court had not yet addressed the applicability of school speech cases to speech originating off-campus that was written from home.

The Court reiterated the Supreme Court's position in the seminal case of *Tinker v Des Moines* that although "public school students do not shed their constitutional rights to freedom of speech or expression at the schoolhouse gate, ...the constitutional rights of students in public school are not automatically coextensive with the rights of adults in other settings."

The Court explained that under *Tinker*, schools may restrict speech that "might reasonably lead school authorities to forecast substantial disruption of or material interference with school activities" or that collides "with the rights of other students to be secure and to be let alone."

The Court found that the messages threatened the safety of the school and its students and made it reasonably foreseeable to school officials that there could be a substantial disruption of school activities. The court found that the school district did not need to wait until an actual disruption occurred and that it was reasonable for it to interpret the messages as a real risk and potential for substantial disruption.

The Court held that when a school district is faced with the threat of school violence, schools may take disciplinary action in response to off-campus speech.

The Court also held that the process that was used to determine the suspension and ultimately, his expulsion, did not violate any constitutional rights of due process as well.

## **IMPACT**

Substantial. This case is clearly applicable to California school districts and should provide comfort to school district officials and school boards that are grappling with how far they

can go to discipline off-campus behavior that involves potential violence.

Although the decision clearly allows discipline in these circumstances, please keep in mind that it appears that the court based its decision upon the level of violence and potential outcome if the school failed to act. This decision does not appear to allow unlimited authority to discipline off-campus speech by students that school districts simply do not like or condone. Each case must be reviewed individually under the standards of the Tinker decision. It would be prudent to consult your General Counsel before any such decisions are made.

If you have any questions about this case or you would like a copy of this decision, please [click here](#).