

FACCC Statement on Legislation Regarding Curriculum

In recent years, various bills have been proposed and sometimes passed in the California Legislature regarding curricular issues in the California Community Colleges system. Among the most prominent of the bills that have passed have been Senate Bill 1440 (Padilla, 2010), which created the associate's degrees for transfer between the California Community Colleges and the California State University, and Assembly Bill 705 (Irwin, 2017), which, among other things, reformed the system of placement in the California Community Colleges system. While the goals of many of these bills are laudable and the public certainly has an interest in the operations of community colleges, the Faculty Association of California Community Colleges, or FACCC, urges restraint and caution in the consideration of bills that mandate curricular changes.

The California Community Colleges system consists of 116 colleges that stretch through rural and urban, coastal and inland communities from near the Oregon border to the Mexico border and east to Nevada and Arizona. Each of these colleges serves a distinct community with its own demographics, challenges, and needs. The great diversity of institutions in the system is one of its strengths, but it is also a challenge in terms of mandating any practice or policy. Simply put, the most effective practice at one college may not be the best practice at another that has a different population to serve and different local circumstances to address. As every college in the system is unique in terms of its populations, circumstances, and challenges, any state-wide mandate must be considered carefully and crafted with the greatest flexibility possible.

California Education Code §70902 (b) (7) provides “the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.” This language, which was included in Assembly Bill 1725 (Vasconcellos) in 1988, the Community College Reform Act, recognizes the expertise of faculty in developing and applying curriculum. Faculty not only have extensive training in their disciplines but also have the most direct insight into how any given process or policy will impact students. These reasons led the legislature to pass AB 1725 by a combined vote of 112 in favor and only one against, a strong and clear recognition that the primary voice in making decisions regarding curriculum should be that which reflects the expertise of the faculty.

FACCC recognizes the reasons that legislation regarding curricular issues is proposed and considered by members of the legislature:

- Legislators are elected to serve the public interest, and the service provided by community colleges is clearly a matter of public interest. As such, the legislature has a clear right to propose and pass bills that impact community college curriculum. However, FACCC would urge restraint in exercising that right, as the complexities of educational institutions and specifically of instruction should, as noted in Education Code §70902 (b) (7), be primarily informed by faulty expertise.

- Legislators are often approached by voices external to the community college system who characterize themselves as educational advocacy groups. These groups create proposals for changes and mandates in attempts to fix what they may see as problems within the colleges, and they can bring considerable pressure to bear against the legislature to advance their agendas. They often produce data and reports to support their proposals for the mandates they want to see implemented. However, the members of these groups are not directly involved with instruction of students, and thus their ideas, no matter how well-meaning, may not demonstrate a true consciousness of student needs or the realities of the classroom. The data they provide can be massaged and manipulated to support ideas that, while perhaps logical on the surface, will have unintended consequences that the members of these groups do not anticipate.

For these reasons, FACCC offers the following recommendations regarding bills that would impose curricular mandates on the California Community Colleges system:

- Such legislation should be approached with caution. Most issues can be addressed more effectively and with greater flexibility that allows colleges to serve local needs through Title 5 regulations rather than statute. The passage of legislation regarding curriculum should be rare, not because the legislature does not have the right to pass such bills but because public interest is usually better served through other means in order to allow each of the 116 community colleges in the state to develop the most effective local practices.
- When legislation regarding curriculum is deemed necessary, it should be crafted in the most general and broad terms possible. The more narrow or specific the mandate, the less flexibility institutions will have in its implementation.
- Any legislation regarding curriculum should be developed with the assistance of and by primarily relying on the voice of faculty, who can bring expertise and depth of understanding to the issues. This consultation would in most cases involve the Academic Senate for California Community Colleges, the organization that is indicated in Education Code as primarily responsible for this area. In certain instances, faculty organizations such as FACCC and the statewide faculty unions—CCA/CTA, CFT, and CCCI—may also have legitimate interests and input.