



*In accordance with California's Code of Regulation, Title 5*

*ARC's Academic Senate is the organization whose primary function, as the representative of the faculty, is to make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters.*

*"Academic and professional matters" means the following policy development and implementation matters:*

*(1) curriculum, including establishing prerequisites and placing courses within disciplines;*

*(2) degree and certificate requirements;*

*(3) grading policies;*

*(4) educational program development;*

*(5) standards or policies regarding student preparation and success;*

*(6) district and college governance structures, as related to faculty roles;*

*(7) faculty roles and involvement in accreditation processes, including self-study and annual reports;*

*(8) policies for faculty professional development activities;*

*(9) processes for program review;*

*(10) processes for institutional planning and budget development; and*

*(11) other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.*

**11/12/20**

**3:00 P.M.**

**<https://cccconfer.zoom.us/j/96212849461>**

**Password = 10+1**

## American River College Academic Senate Regular Meeting AGENDA

### **Preliminaries**

1. Call to Order
2. Approval of the Agenda
3. Approval of the Minutes
4. Introduction of Guests
5. Public Comment Period (3 minutes per speaker)
6. President's Report

### **Consent Items**

#### **Decision** (10 minutes maximum per item)

7. Credit for Prior Learning LRCCD Regulation (First reading)

#### **Reports** (5-10 minutes per item)

8. Gradescope – *Slava Bekker & Narine Madramootoo*
9. Institutional Effectiveness Council – *Janay Lovering*
10. Student Success Council – *Carina Hoffpauir*

#### **Discussion** (10-15 minutes per item)

11. Addressing Academic Dishonesty in the Online Environment
12. ASCCC Plenary Topics:
  - a. Antiracism & Antiracist Curriculum
  - b. Academic Freedom
  - c. Competency-Based Education (CBE)
  - d. Ethnic Studies GE Requirement
13. Report Back: (5 minutes per item)
  - a. Progress on impact of class size on instructor ability to engage as equitable practitioners
  - b. Community Principles for Academic Senate task group
  - c. Reviewing LRCCD Policy & Regulations with an equity perspective
  - d. Items to include in Board Report
14. Report Out: District Academic Senate <https://employees.losrios.edu/our-organization/committees/district-academic-senate>
15. Items from College Areas for Academic Senate Consideration

### **Upcoming Meetings and Events**

1. ARC Vice President of Instruction Impressions: Friday Nov 13<sup>th</sup> TBD
2. District Academic Senate Meeting: Tuesday Nov 17<sup>th</sup> , 3:00pm  
Meeting ID 943-1304-6533
3. LRCCD Board of Trustees Meeting: Wednesday Nov 18<sup>th</sup> 5:30pm  
<https://cccconfer.zoom.us/j/91513113440#success>
4. ARC Academic Senate Meeting: Thursday Nov 19<sup>th</sup>, 3:00pm, Meeting ID 962-1284-9461 password 10+1
5. District Academic Senate Meeting: Tuesday Dec 1<sup>st</sup>, 3:00pm Meeting
6. ARC Academic Senate Meeting: Thursday Dec 10<sup>th</sup>, 3:00pm

# ARC Academic Senate

## Approved Minutes: November 12, 2020

### ***Preliminaries***

1. Call to Order: Called to order at 3:01pm
2. Approval of the Agenda: Agenda approved
3. Approval of the Minutes: Minutes approved
4. Introduction of Guests: Adrienne Avila, LaQuisha Beckum, Slava Bekker, Raja Bhattar, Adam Conner, Narine Madramootoo
5. Public Comment Period:
6. President's Report:
  - New ARC President Melanie Dixon has been appointed, pending approval by the LRCCD Board of Trustees meeting on Wednesday, November 18.
  - Vice President of Instruction Impressions will be held Friday, November 13, 12:30pm-3:30pm.
  - Faculty may be contacted to gather information regarding where instructional and student services faculty are regarding culturally reflective practices.

### ***Consent Items***

none

### ***Decision***

7. Credit for Prior Learning LRCCD Regulation (First reading)  
See supporting materials "Draft Credit for Prior Learning Board Regulation"
  - A new LRCCD regulation (R-7137) is in draft form.
  - A motion was made, seconded and passed to suspend the rules and move this item to 2nd reading.
  - A motion was made, seconded and passed to approve the "Draft Credit for Prior Learning Board Regulation" (R-7137). Votes are recorded in the "Academic Senate Attendance: November 12, 2020" document.

### ***Reports***

8. Gradescope--Slava Bekker & Narine Madramootoo
  - With this software, instructors can create free-response assessments, grade one problem at a time, use a rubric to grade student work, make handwritten notes, etc.
  - Though initial use was most frequent in STEM disciplines, other areas have found a use for the software, too.
  - Will be integrated into Canvas soon.

- Interested faculty can go to Gradescope.com and fill out a request form to create an account. The software is free to Math and Science faculty and students through Fall 2021.
9. Institutional Effectiveness Council--Janay Lovering  
The council hasn't met since the last senate meeting, so there is nothing to report!
10. Student Success Council--Carina Hoffpauir  
See supporting materials "Student Success Council Report 11/3/20"  
Topics included:
- Academic Dishonesty and Test Security Update
  - DI-LGBTQIA+ Project Team
  - Standard II: Student Learning Programs and Support Services Accreditation Team
  - Review of Student Success Council "Perspectives" & composition

## **Discussion**

### 11. Addressing Academic Dishonesty in the Online Environment

Discussion included

- Instructors have made randomly-generated values for assessments.
- Instructors have made testbanks of a variety of questions to give different students different problems, but this is very labor-intensive and time-consuming.
- Instructors have implemented learning through testing: pull from a pool of study questions and give students the ability to re-take quizzes.
- Multiple faculty expressed concern about this focus on cheating and suggested that we should instead shift our mindset to focus on what our students are capable of achieving.
- Perhaps the Academic Senate should make a statement about the faculty role in ensuring the integrity of assignments.

### 12. Academic Senate for California Community Colleges (ASCCC) Plenary Topics:

#### a. Antiracism & Antiracist Curriculum

See supporting materials "Anti-Racism Education in California Community Colleges" and "The Faculty Senate Palomar College Antiracism Statement"

- Instead of looking at what to remove or asking "Is it equitable?" we could ask "What in this curriculum is antiracist?"
- Resolution 3.0 Diversity and Equity passed, asking faculty "to examine their personal role and commit to dismantle structural racism by signing 'The Anti-Racism Pledge'...." (Link to 55th Session Resolutions: <https://asccc.org/sites/default/files/Fall%202020%20Adopted%20Resolutions%2011.9.2020%20FINAL.pdf> ). The suggestion was made that personal reflection and action of dismantling structural racism is of greater importance than a signature on a pledge.
- Do we want our curriculum committee to try to take on looking at curriculum and whether it is antiracist? Perhaps departments should do this on their own. This would increase the ownership of the antiracist work to be done.

#### b. Academic Freedom

See supporting materials "Academic Senate for California Community Colleges: Protecting the Future of Academic Freedom During a Time of Significant Change"

LRCCD academic freedom policy will come to the next meeting as an agenda item.

c. Competency-Based Education (CBE)

See supporting materials “Competency Based Education” and “New Horizons: Competency Based Education & The CCC CBE Collaborative”

This applies to ARC in the cases where students could get an entire degree or certificate. It provides less of a classroom experience and more of a coaching experience. Faculty expressed the sentiment that this may be a good thing, but we currently lack the bandwidth for such an undertaking.

d. Ethnic Studies General Education Requirement  
(for new Area F)

Conversations will continue to happen on the ethnic studies requirement.

13. Report Back:

a. Progress on impact of class size on instructor ability to engage as equitable practitioners

Expect a draft resolution at the meeting on November 19.

b. Community Principles for Academic Senate task group

One person has volunteered. If this work is to continue, more faculty are needed.

c. Reviewing LRCCD Policy & Regulations with an equity perspective

Several policies and regulations are in discussion for revision at the district level. Please contact President Shubb if there are more policies and regulations faculty might like to see revised.

d. Items to include in Board Report

What are some great or innovative things faculty are doing that we can share with the Board of Trustees? Please tell President Alisa Shubb about them so she can brag about faculty to the Board of Trustees.

14. Report Out: District Academic Senate

([link to website](#)) or go to <https://employees.losrios.edu/> > Home > Our Organization > Committees > District Academic Senate

Most items being discussed at DAS are included in the above items.

Meeting adjourned 4:55pm

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password: 10+1
5. District Academic Senate Meeting: Tuesday, Dec 1, 3:00pm
6. ARC Academic Senate Meeting: Thursday, Dec 10, 3:00pm

ARC Academic Senate Attendance: November 12, 2020				#7: Decision Item: Do you approve the "Draft Credit for Prior Learning Board Regulation" (R-7137)?		
Area	Senator	Adjunct/FT	Term End			
Behavioral & Social Scier	Ellen Bowden	Adjunct	2021	Present	Yes	
Behavioral & Social Scier	Kristina Casper-Denman	Full-time	2023			
Behavioral & Social Scier	<i>Unfilled</i>	Full-time	2023			
Behavioral & Social Scier	Ricardo Caton	Full-time	2022	Present	Yes	
Behavioral & Social Scier	Laurinda Reynolds	Alternate Full-Tin		Present		
Behavioral & Social Scier	N/A	Alternate Adjunc				
Business & Computer Sc	<i>Unfilled</i>	Full-time	2021			
Business & Computer Sc	Damon Antos	Full-time	2022	Present	Yes	
Business & Computer Sc	Kahkashan Shaukat	Full-time	2021	Present	Yes	
Business & Computer Sc	Sylvonie Merchant	Adjunct	2022			
Business & Computer Sc	Marc Condos	Alternate Full-Tin				
Business & Computer Sc	N/A	Alternate Adjunc				
Counseling	Jessica Nelson	Full-time	2022			
Counseling	Jennie Econome	Adjunct	2021			
Counseling	Reyna Moore	Full-time	2023	Present	Yes	
Counseling	Carmelita Palomares	Full-time	2022	Present	Yes	
Counseling	Kim Herrell	Alternate Full-Tin				
Counseling	<i>Unfilled</i>	Alternate Adjunc				
English	Catalina Carapia-Aguillor	Adjunct	2023	Present	Yes	
English	Robyn Borcz	Full-time	2023	Present	Yes	
English	Shannon Pries	Full-time	2021	Present	Yes	
English	Carina Hoffpaur	Full-time	2022	Present	Yes	
English	N/A	Alternate Full-Tin				
English	Anthony Robinson	Alternate Adjunc				
Fine & Applied Arts	Brian Knirk	Full-time	2023			
Fine & Applied Arts	Jodie Hooker	Full-time	2021			
Fine & Applied Arts	Diane Lui	Adjunct	2023			
Fine & Applied Arts	Craig Martinez	Full-time	2022			
Fine & Applied Arts	Linda Gelfman	Alternate Full-Tin		Present	Yes	
Fine & Applied Arts	N/A	Alternate Adjunc				
Health & Education	Cheri Garner	Full-time	2023			
Health & Education	John Coldiron	Full-time	2022	Present	Yes	
Health & Education	Diana Johnston	Full-time	2021			
Health & Education	Jen Kirkman	Adjunct	2022			
Health & Education	N/A	Alternate Adjunc				
Health & Education	N/A	Alternate Full-Tin				
Humanities	Corinne Arrieta	Full-time	2023			

ARC Academic Senate Attendance: November 12, 2020				#7: Decision Item: Do you approve the "Draft Credit for Prior Learning Board Regulation" (R-7137)?		
Area	Senator	Adjunct/FT	Term End			
Humanities	David Austin	Full-time	2021			
Humanities	Caterina Falli	Full-time	2023	Present	Yes	
Humanities	Kim Walters	Adjunct	2022			
Humanities	Erik Haarala	Alternate Full-Tin				
Humanities	N/A	Alternate Adjunc				
Kinesiology & Athletics	Gerry Haflich	Full-time	2022			
Kinesiology & Athletics	<i>Unfilled</i>	Full-time	2022			
Kinesiology & Athletics	<i>Unfilled</i>	Full-time	2021			
Kinesiology & Athletics	<i>Unfilled</i>	Adjunct	2023			
Kinesiology & Athletics	N/A	Alternate Full-Tin				
Kinesiology & Athletics	N/A	Alternate Adjunc				
Library/Learning Resour	Leslie Reeves	Full-time	2021	Present	Yes	
Library/Learning Resour	Araceli Badilla	Full-time	2023	Present	Yes	
Library/Learning Resour	David McCusker	Alternate Full-Tin				
Mathematics	Deborah Gale	Adjunct	2021	Present	Yes	
Mathematics	Joe Caputo	Full-time	2023	Excused		
Mathematics	Andy Halseth	Full-time	2021	Present	Yes	
Mathematics	Matthew Register	Full-time	2022	Present	Yes	
Mathematics	Lana Anishchenko	Alternate Full-Tin				
Mathematics	N/A	Alternate Adjunc				
Sacramento Regional Pu	Lonetta Riley	Full-time	2021			
Sacramento Regional Pu	<i>Unfilled</i>	Adjunct	2022			
Sacramento Regional Pu	Charissa Gorre	Alternate Full-Tin				
Sacramento Regional Pu	N/A	Alternate Adjunc				
Science & Engineering	<i>Unfilled</i>	Adjunct	2021			
Science & Engineering	Glenn Jaecks	Full-time	2022	Present	Yes	
Science & Engineering	Charles Thomsen	Full-time	2021	Present		
Science & Engineering	Marcella Woolsey	Full-time	2020			
Science & Engineering	N/A	Alternate Full-Tin				
Science & Engineering	N/A	Alternate Adjunc				
Student Support Service:	Judith Valdez	Full-time	2021	Present		
Student Support Service:	Michelle Kientz	Adjunct	2020			
Student Support Service:	Arthur Jenkins	Alternate Full-Tin				
Student Support Service:	N/A	Alternate Adjunc				
Technical Education	Frank Beaushaw	Full-time	2021			
Technical Education	Patrick Boling	Adjunct	2020			

## ARC Academic Senate Attendance: November 12, 2020

#7: Decision Item:  
Do you approve the "Draft Credit  
for Prior Learning Board  
Regulation" (R-7137)?

Area	Senator	Adjunct/FT	Term End			
Technical Education	Jordan Meyer	Full-time	2023	Present	Yes	
Technical Education	Craig Weckman	Full-time	2022			
Technical Education	N/A	Alternate Full-Tin				
Technical Education	N/A	Alternate Adjunc				
Officers	Alisa Shubb		President	Present		
Officers	Janay Lovering		Vice President	Present	Yes	
Officers	Amy Gaudard		Secretary	Present	Yes	
Officers	Tressa Tabares		Past President	Present	Yes	
Liaison	Dan Crump		ASCCC Liaison			
Liaison	Kate Williamson		Open Education			
<b>Total Senate Seats Available (without Officers)</b>			<b>50</b>			
<b>Unfilled Seats</b>			<b>7</b>			
<b>Total Filled Seats</b>			<b>43</b>			
<b>Quorum (25% of filled seats)</b>			<b>11</b> (round 0.5 up)			
<b>Guests--Please print your name for the minutes</b>						
Adrienne Avila						
LaQuisha Beckum						
Slava Bekker						
Raja Bhattar						
Adam Conner						
Narine Madramootoo						

## Draft Credit for Prior Learning Board Regulation

## REGULATION

Instructional ProgramCredit for Prior Learning R-7137

## Instructional Arrangements

1.0 Credit for Prior Learning

- 1.1 Credit for prior learning is credit awarded for validated college-level skills and knowledge gained outside of a college classroom.
- 1.2 Students may receive college credit for prior learning through the approved alternative methods listed below:
  - 1.2.1 Achievement of a satisfactory score on the College Board Advanced Placement (AP) examination.
  - 1.2.2 Achievement of a satisfactory score on a high-level International Baccalaureate (IB) examination.
  - 1.2.3 Achievement of a satisfactory score on the College Level Examination Program (CLEP).
  - 1.2.4 Evaluation of Joint Services Transcripts (JST).
  - 1.2.5 Achievement of an examination administered by other agencies approved by the District (CCR, Title 5, §55050(c)).
  - 1.2.6 Evaluation of industry-recognized credentials.
  - 1.2.7 Evaluation of student-created portfolios.
  - 1.2.8 Satisfactory completion of an institutional examination administered by the college in lieu of completion of an active course listed in the current college catalog through a process called, “credit by exam.”
- 1.3 Credit for prior learning does not include knowledge and skills already assessed and awarded credit through formal education at regionally accredited in-state and out-of-state institutions.

2.0 Determination of Eligibility for Credit for Prior Learning

- 2.1 The student must be in good standing in the District.
- 2.2 The student must have previously earned credit from the District or be currently registered as a student.
- 2.3 Current students must have an education plan on file.
- 2.4 The course must be listed in the current college catalog.
- 2.5 If seeking credit for a course through credit by exam, the student must be registered with the District and not currently enrolled in the course or received credit for a more advanced course in the same subject.

3.0 Prior Learning Assessment Grading Policy

- 3.1 Grading shall be according to the procedures outline in LRCCD P & R 7252 except that that students shall be offered a “pass-no pass” option if that option is ordinarily available for the course (CCR, Title 5, §55050(g)).



- 3.2 Students shall have an opportunity to accept, decline or appeal decisions related to the award of credit once per assessment requested (CCR, Title 5, §55050(k)) and in cases of credit by exam, pursuant to Title 5, §55021 and §55025.

#### 4.0 Transcription of Credit for Prior Learning

- 4.1 The student's transcript shall be clearly annotated to reflect that credit was earned by assessment of prior learning (CCR, Title 5, §55050 (f)). If credit is earned by a particular exam, see annotation procedures in sections 8.2 and 9.4 (CCR, Title 5, 55052.5).
- 4.2 Upon request of an assessment of prior learning or review of an Advanced Placement (AP), International Baccalaureate (IB) Exam or College Level Exam Program (CLEP), students shall be advised that transcription of credit for a college requirement may not transfer to the CSU or UC system.

#### 5.0 Applicability of Credit

- 5.1 Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree (CCR, Title 5, §55050 (h)).
- 5.2 Upon assessment of a student's mastery of a course's learning outcomes, credit should be made if possible to Intersegmental General Education Transfer Curriculum (IGETC), California State University General Education (CSUGE) breadth, local community college program or GE requirements, and only as a last resort electives credit (CCR, Title 5, §55050(d)).
- 5.3 Students should be advised that some 4-year colleges and universities do not accept credit granted for prior learning.

#### 6.0 Automatic Referral for Credit for Prior Learning Assessment

- 6.1 Upon completion of a student's educational plan pursuant to CEC §78212, a student shall be referred to the college's appropriate authority for assessment of prior learning, if the student is a veteran or an active-duty member of the armed forces, holds industry-recognized credentials, or requests credit for a course based on their prior learning.

#### 7.0 American Council on Education (ACE) Credit Recommendation Consideration

- 7.1 Decisions for granting credit for prior learning shall consider the credit recommendations of ACE, pursuant to CEC 66025.71.

#### 8.0 Advanced Placement (AP) Examination (CCR, Title 5 §55050(m))

- 8.1 A student requesting credit for prior learning through a College Board (AP) Examination must meet the general eligibility criteria in section 2.0 and the following.
- 8.1.1 Official copies of the AP test scores are on file with the Admissions and Records Office.

- 8.1.2 The student achieved a passing score on the college's AP Credit Chart.
- 8.2 The student's transcript shall be clearly annotated to reflect the credit was earned through an AP exam (CCR, Title 5 55052).
- 9.0 High Level IB Exam and CLEP
- 9.1 A student requesting credit for prior learning through a High-level IB Examination or CLEP must meet the general eligibility criteria in section 2.0 and the following.
- 9.1.1 Official copies of the IB or CLEP test scores are on file with the Admissions and Records Office.
- 9.1.2 The student achieved a passing score on the applicable college's IB or CLEP Credit Chart.
- 9.2 The faculty in the appropriate discipline shall have the authority to approve IB program examination and CLEP scores deemed to constitute satisfactory performance for direct course credit and/or general education area credit.
- 9.3 Credit may be awarded for the California IGETC, CSUGE Breadth, or local community college general education requirements, as most appropriate. Where no direct course or general education area matches an IB or CLEP exam, the college may award elective credit.
- 9.4 Credit earned through the IB Exam or CLEP shall be clearly annotated on the transcript to reflect that credit was earned through an IB exam or CLEP (CCR, Title 5, §55052.5).
- 10.0 Credit for Military Service
- 10.1 A veteran student requesting credit for prior learning through evaluation of the Joint Services Transcript must meet the general eligibility criteria in section 2.0 and the following.
- 10.1.1 Honorable discharge from one or more years of active duty in the US armed forces.
- 10.1.2 A copy of the DD-214 (member copy 4) must be on file with the Admission and Records Office.
- 10.1.3 A completed petition for credit is on file.
- 10.2 A veteran student meeting the criteria in 10.1 may receive:
- 10.2.1 Three (3) units of living skills credit toward graduation requirements.
- 10.2.2 One (1) unit of elective credit.
- 11.0 Industry Recognized Credentials
- 11.1 The determination to offer credit for industry recognized credentials rests solely on the discretion of the discipline faculty.
- 11.2 A student requesting credit for prior learning through evaluation of industry recognized credentials shall adhere to the following procedures and meet the general eligibility criteria in section 2.0 and the following.
- 11.2.1 The student must submit a petition for evaluation of industry-recognized credentials to the discipline department chair or faculty designee.

- 11.2.2 The student must provide the discipline department chair or faculty designee copies or documentation of the industry-recognized credentials that support the petition.
- 11.2.3 The discipline faculty member shall evaluate the credentials against course content and student learning outcomes of current courses in the college catalog.
- 11.2.4 If the discipline faculty member determines the industry-recognized credentials adequately measure mastery of the course content as set forth in the official course outline of record, the faculty member shall sign the petition and forward it and the backup documentation to the Admission and Records Office for transcription of credit.

#### 12.0 Assessment of Student-Created Portfolio

- 12.1 The determination to offer credit by assessment of a student created portfolio rests solely on the discretion of the discipline faculty.
- 12.2 A student requesting credit for prior learning through assessment of a student-created portfolio shall adhere to the following procedures and meet the general eligibility criteria in section 2.0 and the following.
  - 12.2.1 The student must submit a petition for evaluation of the student portfolio to the discipline department chair or faculty designee.
  - 12.2.2 The student must provide the discipline department chair or faculty designee with the student-created portfolio that supports the petition.
  - 12.2.3 The discipline faculty member shall evaluate the portfolio against course content and student learning outcomes of current courses in the college catalog.
  - 12.2.4 If the discipline faculty member determines the portfolio contents adequately measure mastery of the course content as set forth in the official course outline of record, the faculty member shall sign the petition and forward it and the backup documentation to the Admission and Records Office for transcription of credit.

#### 13.0 Petitioning for Course Credit through Credit by Exam (CCR, Title 5 §55050 (e))

- 13.1 A student requesting credit for prior learning via credit by exam shall adhere to the following procedures and meet the general eligibility criteria in section 2.0.
  - 13.1.1 The determination to offer credit by examination rests solely on the discretion of the discipline faculty.
  - 13.1.2 A separate examination shall be conducted for each course for which credit is to be granted.
  - 13.1.3 A student must submit a petition to the discipline department chair or faculty designee for each course for which credit is sought.
  - 13.1.4 The examining faculty member shall determine the nature and content of the exam. (CCR, Title 5 §55050(c)).
  - 13.1.5 If the student completes the examination with a passing grade as determined by the examining faculty member, the examining faculty

member shall sign the petition, indicating the grade for the course successfully challenged and forward it and the backup documentation to the Admission and Records Office for transcription of credit.

- 13.1.6 A student may be charged a fee for credit by exam which shall not exceed the enrollment fee associated with the enrollment in the course for which the student seeks credit by examination. (CCR, Title 5, §55050 (i)).

#### 14.0 Credit by Exam for High School Articulated Courses

- 14.1 Procedures for granting credit by exam through high school articulated courses shall be in accordance with LRCCD R-7135.

## Student Success Council Report 11/3/20

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### Updates and Brief Reports:

- None

### Action Items:

- **Academic Dishonesty and Test Security Update:** Frank Kobayashi provided an update that other areas (CIS, the sciences, and languages) in addition to Math are also experiencing a rise in cases of academic dishonesty. Department chairs are being convened to have a conversation, and some clarity about disciplinary procedures is forthcoming.

### Discussion Items:

- **DI-LGBTQIA+ Project Team:** Emilie Mitchell and Roger Davidson gave an overview of the team's work, which is expected to result in a draft report available this month. Preliminary findings confirm that DI students in this group are experiencing marginalization on our campus, and there are barriers to them accessing support and reporting instances of bias and discrimination.
- **Standard II: Student Learning Programs and Support Services Accreditation Team:** The team has been successful in their work so far, and about 90% of what is needed to document Standard II is drafted. In addition to the basic accreditation document, the accreditation team will likely also be creating a separate document to feature work we've done with Pathways and Homebases.
- **Review of Student Success Council "Perspectives":** The Council discussed whether we need to update the membership of the Council outlined in the ARC Governance Framework ([pages 11-13](#)). Some of the positions in this document no longer exist, and there was additional desire to include perspectives from the DI teams, ITC/Distance Education, and other units not currently represented.



**Academic Senate**  
**for California Community Colleges**

LEADERSHIP. EMPOWERMENT. VOICE.

# Anti-Racism Education in California Community Colleges

Acknowledging Historical Context and Assessing and Advancing  
Effective Anti-Racism Practices for Faculty Professional Development

DRAFT  
September 19, 2020  
For adoption by ASCCC Delegates  
at Fall Plenary 2020

*Special Thanks* to our experts, esteemed colleagues, and members of the writing team.

Dr. Abdimalik Buul, San Diego City College

Dr. Elizabeth Imhof, Santa Barbara City College

Mr. C. Kahalifa King, 2019-20 Equity and Diversity Advisory Committee

Dr. Luke Lara, 2019-20 Faculty Leadership Development Committee

Ms. Leticia Luna-Sims, Mt. San Jacinto College

Dr. Darcie McClelland, 2019-20 Equity and Diversity Advisory Committee

Mr. Ryan Sullivan, Mt. San Jacinto College

Dr. Pamela Wright, Mt. San Jacinto College

### **Executive Committee 2020-2021**

Ms. Dolores Davison, President

Ms. Virginia May, Vice President

Ms. Cheryl Aschenbach, Secretary

Ms. Mayra E. Cruz, Treasurer

Ms. Julie Oliver, Area A Representative

Dr. Karen Chow, Area B Representative

Mr. Robert L Stewart Jr. , Area C Representative

Dr. LaTonya Parker, Area D Representative

Ms. Stephanie Curry, North Representative

Ms. Carrie Roberson, North Representative

Mr. Manuel Velez, South Representative

Dr. Samuel Foster, South Representative

Ms. Michelle Velasquez Bean, Representative At Large

Mr. Silvester C. Henderson, Representative At Large

Ms. Krystinne Mica, Executive Director

*“Take a long, hard look down the road you will have to travel once you have made a commitment to work for change. Know that this transformation will not happen right away. Change often takes time. It rarely happens all at once. In the movement, we didn’t know how history would play itself out. When we were getting arrested and waiting in jail or standing in unmovable lines on the courthouse steps, we didn’t know what would happen, but we knew it had to happen.” - John Lewis*

This paper is dedicated to the lives of those we have lost to racial violence.

*Breonna Taylor, George Floyd, Nina Pop, D’Andre Campbell, Tony McDade, Regis Korchini-Paquet, Ahmaud Arbery, Jordan Baker, Victor White III, Keith Lamont Scott, Dontre Hamilton, Michael Brown, Larry Jackson Jr., Jonathan Ferrell, Sean Reed, Steven Demarco Taylor, Ariane McCree, Terrance Franklin, Miles Hall, William Green, Alton Sterling, Eric Garner, Philando Castile, Sandra Bland, Trayvon Martin, Samuel David Mallard, Tamir Rice, Botham Shem Jean, E.J. Branford, Antwon Rose, Stephon Clark, Natosha “Tony” McDade, Freddie Gray, Brendon Glenn, John Crawford III, Yassin Mohamed, Wendell Allen, Finan H. Berhe, Darius Tarver, Kwame “KK” Jones, De’von Bailey, Christopher Witfield, Anthony Hill, Micheal Brown, Ezell Ford, Dante Parker, Eric Logan, Kendrec McDade, Jamarion Robinson, Gregory Hill Jr., JaQuavion Slaton, Ryan Twyman, Brandon Webber, Kajieme Powell, Laquan McDonald, Mario Woods, Jimmy Atchison, Willie McCoy, Trettrick Griffin, Jemel Roberson, DeAndre Ballard, Botham Shem Jean, Robert Lawrence White, Akai Gurley, Romain Brisbon, Charly Keunang, Anthony Lamar Smith, and, sadly, many more before and after.*



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# Executive Summary

Racism exists. Racism exists within communities and within colleges. Overt racism is repeatedly on display with news of the latest attack on or deaths of Black people like George Floyd, Breonna Taylor, and Ahmaud Arbery, but it also is ever-present in the structures that professionals within the California Community College system work within and that students of color must navigate. Striving to achieve equity is not enough and is not possible within the current community college system. Policies, processes, and other systemic structures built on a history of racism must first be dismantled and then rebuilt with a focus on equity and inclusion.

Dismantling racist structures requires a review of the history that created those structures. It requires understanding the history of the construct of race as a culture, the White supremacy ideology, the centuries of laws intended to maintain positions of power for Whites, and the ways in which the equity and diversity efforts within the California community colleges have fallen short. Constructing anti-racist structures and developing anti-racist campus cultures require an understanding of tenets of anti-racism education and principles for professional development.

This paper provides the foundational information for California community college practitioners to better understand the origins of today's racial conflict and reasons why gaps in achieving equitable educational outcomes for students, particularly for students of color, cannot be closed within current systems. This paper is intended to engage college practitioners in self-reflection and critical consciousness as they develop and deliver the strategic anti-racism education and professional development needed to reconstruct campus culture and learning environments built on principles of equity and inclusion.

This paper does not purport to provide solutions to classroom challenges, nor does it provide strategies specific to instruction and support of students. Instead, to work on re-constructing a community college system based on tenets of anti-racism, one must consider how to progress along their own anti-racism journey while also working to educate and move others along their own journeys. This paper provides historical and foundational information to aid in those journeys.

The paper concludes with recommendations for individual growth, for local academic senates, for colleges and districts, and for the California Community College Board of Governors.

## Introduction

Over 60 thousand faculty serve nearly 2.1 million students in 116 California Community Colleges. The community college system in California strives to provide all students an excellent educational opportunity. To this end, an intentional, systematic approach is needed to understand and address the contemporary and historical context of

institutions and current students. In the fall of 2019, the Academic Senate for California Community Colleges approved and published the paper, *Equity Driven Systems: Student Equity and Achievement in California Community Colleges*, to provide community college system leaders a framework to further work to improve student outcomes and close gaps to achieve equitable educational outcomes for disproportionately impacted students. The purpose of this paper is to further advance equity work through anti-racism education. This starts with listening to the voices of students, especially disproportionately impacted students, to learn about their lived experiences, including their journeys within and outside our institutions.

*"I am here to give you my own experience as a child of a Jamaican immigrant, as a student that has been in the system eight years now and about to transfer to UC Berkeley. This journey has not been easy for me and I recognize it has not been as difficult for me as it has been for so many of my black and brown brothers and sisters." - Bryan Daley, student, City College of San Francisco*

Students' lived experiences are shaped by their racial identities and the legacy of racism, both individually purported and systemically pervasive. Critical Race Theory (CRT) is a critical lens that is useful in examining educational processes, systems, and its agents within the context of race and racism. This paper uses CRT to examine educational practices and provide action-oriented solutions through anti-racism education.

In 2020, the United States and the world experienced a pandemic that will forever change the course of its people. In the midst of this pandemic, the Black/African descent community and other communities of color exponentially experienced the legacy of white supremacy ideology and racism. As the COVID-19 pandemic unveiled, inequities exacerbated disparities and revealed the true depths of racial and ethnic inequities that have plagued our country for centuries. It is the current situation, however, history has created the conditions for today's disparities and conflict. The path forward is through anti-racist action and education.

*"Our country is suffering from two diseases. One that's novel, COVID-19, and one that is historical, the scourge of racism. And both need a cure." – Dr. Jennifer Taylor-Mendoza, Vice-President of Instruction, Skyline Community College*

In the wake of increased murders of unarmed Black/African descent, Indigenous, and other people of color, escalated hate crimes, and the racist rhetoric, it is imperative that faculty and other system-stakeholders understand structural racism. It is critical that community college faculty and staff learn how to apply race-consciousness and how to infuse anti-racism in daily practice to become anti-racist practitioners. As a collective community, community college faculty are invested in cultivating and maintaining a climate where humanity, equity and mutual respect are both intrinsic and explicit by valuing individuals and groups from all backgrounds, demographics, and experiences.

*Social and political constructions of oppression and discrimination against women and people of color—in particular, people of African descent – remain embedded in American political, economic, religious and educational institutions (hooks, 1995). as quoted by Dr. Regina Stanback Stroud, Former President of Academic Senate for California Community Colleges and Former President of Skyline College*

Becoming anti-racist practitioners is necessary, yet it is not easy. It is an ongoing journey, and progress may not be linear. As is noted in the work of Dr. Ibram X. Kendi, everyone is in a different place in regards to their anti-racist efforts and attitudes, a reality that inspired Dr. Andrew M. Ibrahim to create the image below that captures well the stages through which anti-racist practitioners may progress.

Figure 1 Becoming Anti-Racist



Note: from Andrew M. Ibrahim, *A Surgeon's Journey through Research and Design*, www.surgeryredesign.com

As is noted, the Becoming Anti-Racist Learning Zone includes educating oneself about race and structural racism, acknowledging vulnerability about biases and knowledge gapes, understanding privilege, and seeking out uncomfortable questions. This paper is intended to be a resource for educators moving personally through the Learning Zone toward the Growth Zone and who may regularly engage with others in the Fear Zone.

The Academic Senate for California Community Colleges acknowledges that the structure of higher education and the California community colleges house the biases and prejudices of its founding time and history.

Addressing racism and its history can be overwhelming. The intent of this paper is to provide context to empower faculty throughout the state to engage in identifying, describing, and dismantling existing racist structures and making the structural changes required to become anti-racist institutions. The Academic Senate for California Community Colleges is committed to leading the structural change work along with community college faculty leaders and stakeholders.

In the fall of 2019, ASCCC delegates adopted Resolution 3.02 *Support Infusing Anti-Racism/No Hate Education in Community Colleges*:

*Whereas, The California Community Colleges Diversity, Equity and Inclusion Statement defines the system as, “As a collective community of individual colleges, we are invested in cultivating and maintaining a climate where equity and mutual respect are both intrinsic and explicit by valuing individuals and groups from all backgrounds, demographics, and experiences. Individual and group differences can include, but are not limited to the following dimensions: race, ethnicity, national origin or ancestry, citizenship, immigration status, sex, gender, sexual orientation, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, political beliefs, religion, creed, military or veteran status, socioeconomic status, and any other basis protected by federal, state or local law or ordinance or regulation.”*

*Whereas, The Academic Senate for California Community Colleges Inclusivity statement “recognizes the benefits to students, faculty, and the community college system gained from the variety of personal experiences, values, and views of a diverse group of individuals with different backgrounds. This diversity includes but is not limited to race, ethnicity, sex, gender identity, sexual orientation, disability status, age, cultural background, veteran status, discipline or field, and experience. We also understand that the California Community College System itself is diverse in terms of the size, location, and student population of its colleges and districts, and we seek participation from faculty across the system. The Academic Senate respects and is committed to promoting equal opportunity and inclusion of diverse voices and opinions. We endeavor to have a diversity of talented faculty participate in Academic Senate activities and support local senates in recruiting and encouraging faculty with different backgrounds to serve on Academic Senate standing committees and task forces. In particular, the Academic Senate acknowledges the need to remove barriers to the recruitment and participation of talented faculty from historically excluded populations in society.”*

*Whereas, To eliminate institutional discrimination the Academic Senate for California Community Colleges strives to integrate an accurate portrayal of the roles and contributions of all groups throughout history across curricula, particularly groups that have been underrepresented historically ; identify how*

*bias, stereotyping, and discrimination have limited the roles and contributions of individuals and groups, and how these limitations have challenged and continue to challenge our society; encourage all members of the educational community to examine assumptions and prejudices, including, but not limited to, racism, sexism, and homophobia, that might limit the opportunities and growth of students and employees; offer positive and diverse role models in our society, including the recruitment, hiring, and promotion of diverse employees in community colleges; coordinate with organizations and concerned agencies that promote the contributions, heritage, culture, history, and health and care needs of diverse population groups; and promote a safe and inclusive environment for all.*

*Whereas, Racism and racial discrimination threaten human development because of the obstacles which they pose to the fulfillment to basic human rights to survival, security, development, and social participation; Racism has been shown to have negative cognitive, behavioral, affective, and relational effects on both child and adult victims nationally and globally, historically and contemporarily; Racism, racial discrimination, xenophobia and related intolerance have been shown to be attitudes and behaviors that are learned;*

*Resolved, That the Academic Senate of California Community Colleges denounces racism for its negative psychological, social, educational and economic effects on human development throughout the lifespan.*

*Resolved, That to eliminate institutional discrimination the Academic Senate for California Community Colleges will take steps to not only strive for a greater knowledge about and the celebration of diversity, but will support deeper training that reveals the inherent racism embedded in societal institutions, including the educational system; and asks individuals to examine their personal role in the support of racist structures and the commitment to work to dismantle structural racism.*

*Resolved, That the Academic Senate for California Community Colleges infuses Anti-Racism/No Hate Education in all its activities and professional development opportunities.”<sup>1</sup>*

Readers are invited to explore with an open heart and mind this paper’s topics, questions and opportunities to advance anti-racism education and action. The intent of this paper is to contextualize history and introduce an anti-racist framework to empower individuals as they facilitate the transformative change our community college system needs to truly embody the values of diversity, equity, and inclusion. Its focus is on the foundational knowledge necessary to understand racism, including its origins, and its negative implications of statutory actions in many aspects of society, including education. The paper will first define critical terms to help the reader develop a shared vocabulary to have a better understanding of the historical and contemporary context of racism in the U.S. A review of the foundations of racism, history of discriminatory laws in

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the United States, all having an impact on education, and an overview of racism in academia, will then lead to the exploration of the California context to reflect on the impact of institutional discrimination and racialized structures on racially minoritized students, faculty and other employees. The reader will then learn about the role of the Academic Senate for California Community Colleges and other system stakeholders over time. In a call to dismantle structural racism, anti-racism tenets are described and supported by explicit anti-racism education and professional development tools and resources. Lastly, a summary is presented along with specific recommendations for individual faculty, local senates, colleges and districts, and the California Community Colleges Board of Governors.

## Definitions

For the purpose of this paper, the terms “race”, “white supremacy”, “racism”, “anti-racism”, “equity gap” and “critical race theory” are defined to further the readers’ understanding and development of a shared vocabulary. Other terms will be defined in various sections of this paper.

### Race

One central theme in Critical Race Theory is that “‘race’ and ‘racism’ are products of social thought and relations.” This theory, referred to as “Social Constructionism” argues that “‘races’ as we define them today, ‘correspond to no biological or genetic reality; rather, races are categories that society invents, manipulates, or retires when convenient” (Delgado & Stefancic, 2017, p.9). The construct of race is “not based on any real or accurate biological or scientific truth. The concept of race was created as a classification of human beings with the purpose of giving power to white people and to legitimize the dominance of white people over non-white people.” In other words, race is a power construct based on subjective social differences.

### White Supremacy

While race is a social construct, it has a social reality, one that has real effects on those classified by race. This social structure, or white supremacy, is a racial structure “that [awards] systemic privileges to Europeans (the people who became ‘white’) over non-Europeans (the peoples who became ‘non-white’). White supremacy...became global and affected all societies where Europeans extended their reach” (Bonilla-Silva, 2018, pp. 8-9). Bonilla-Silva (2018) further defined white supremacy as “the totality of the social relations and practices that reinforce white privilege...[including] social, economic, political, social control, and ideological mechanisms responsible for the reproduction of racial privilege in a society” (p. 9).



## Racism

As recently defined by the California Community Colleges Diversity, Equity, and Inclusion (DEI) Workgroup and proposed for system-wide adoption, “Racism is the intentional or unintentional use of power to isolate, separate and exploit others on the basis of race. Racism refers to a variety of practices, beliefs, social relations, and phenomena that work to reproduce a racial hierarchy and social structure that yield superiority, power, and privilege for some, and discrimination and oppression for others. It can take several forms, including representational, ideological, discursive, interactional, institutional, structural, and systemic. Racism exists when ideas and assumptions about racial categories are used to justify and reproduce a racial hierarchy and racially structured society that unjustly limits access to resources, rights, and privileges on the basis of race” (Cole, 2019; Pacific, 2019).

Consistent with the Chancellor’s Office proposed definition, Oluo (2019) defined racism as “any prejudice against someone because of their race, when those views are reinforced by systems of power” (p. 26). This definition is essential to productive conversations about race because without including power in the analysis, racism is reduced to individual acts of prejudice versus an understanding that racist acts are part of a larger system of oppression. This definition also explains why there is no such thing as reverse racism. People from the dominant race, who benefit from the privilege of power, cannot experience racism (Oluo, 2019).

## Anti-Racism

An anti-racist analysis views racism as structural and embedded into all societal structures. This means that all people are affected by racism and hold implicit bias which allows for the sustenance of racist structures (Oluo, 2019). Kendi (2019) stated that anti-racist ideas argue that “racist policies are the cause of racial inequities” (p. 20). To be anti-racist is to see racial groups as equals in “all their apparent differences--that there is nothing right or wrong with any racial group” (Kendi, 2019, p. 20) and to advocate for changing the policies that produce inequities among racial groups.

## Educational Equity Gap

At its core, the term educational equity gap refers to “the condition where there is a significant and persistent disparity in educational attainment between different groups of students” (Higher 2019).

The United States Department of Education (USDE) expands further to make specific reference to low-income and color as elements influencing disparities in educational achievement. The USDE definition of equity gap refers to “the difference between the rate at which students from low-income families and student of color are educated by excellent educators and the rate at which other students are educated by excellent educators; the difference between the rate at which students from low income families or students of color are taught by inexperienced, unqualified, or out-of-field teachers and the rate at which other students are taught by these teachers.”

At the community college level, the term refers to any disparity in a metric like graduation rate or term-to-term persistence along racial, socioeconomic, gender, or other major demographic groupings. These gaps lead the college to ask, “What processes, policies, strategies, etc. are in place that create or exacerbate these disparities?” rather than, “What is the student doing wrong?”

## Critical Race Theory (CRT)

A theoretical lens that acknowledges the existence of race and racism as ordinary and ubiquitous in daily life and within institutions and organizations (Delgado & Stefancic, 2017). Several tenets undergird CRT, including a) the dominant ideology must be challenged, b) experiential knowledge is valued, and c) there needs to be a transdisciplinary analysis of racism within a historical and contemporary context (Yosso, Parker, Solórzano, & Lynn, 2004).

## The Foundations of Racism

It is important to consider historical philosophies regarding the construction of white supremacy ideology and race classification, its development, applications, and outcomes as part of an exploration of the foundations of racism. Research produces a wealth of information that is too vast and too deep to examine in depth for this forum. However, it is helpful to review a few of the pioneers who contributed to the false narrative of white supremacy and racism.

The concept of Race has been considered by various scholars for centuries. The focus here is to highlight a few people who significantly impacted worldwide acceptability of the societal norms of white supremacy and racism. White supremacy is a false construction process that was created as a “culture” (Rothenberg, 1998). This culture was developed through a race classification placing white people as superior to all others. The process and delivery vehicle of white supremacy and the minimizing of non-whites birthed the term, concept, and application of racism; it was taught to and easily adopted by whites. The desire of acquiring wealth and power is a driving force that has challenged humanity throughout the ages; in America, racism is fueled by early vestiges of capitalism. The Catholic Church sanctioned white supremacy and racism on the basis of race but promoted racist practices during the exploitations of Spain and Portugal as evidenced in both countries barbarically conquering peoples of color around the world in the name of the crown and church. We must consider, prior to this false construct, the foundation of “classism” is also at the core of racism.

During the 16<sup>th</sup> and 17<sup>th</sup> centuries two aforementioned influences were running on parallel tracks creating and developing white supremacy and racism: science and Christianity (Western States Center). The scientific approach was most referred to and influenced by George-Louis Leclerc, also known as Comte de Buffon, Carolus

Linnaeus, and Johann Friedrich Blumenbach (Marcel Salas 2017). In the 20th century, Carleton Coons (American) contributed further to constructs around race, white supremacy, and racism. The deep influence and investment that Christianity leveled against all non-whites around the world, particularly in the United States of America with the enslavement of Blacks, must not be overlooked. The church is one of the most segregated institutions in America, much like educational institutions. Both are major indoctrination institutions into racist Americana. The three early and central race classification themes included Caucasian, Mongolian, and African, although it is important to note that there are various names used with these three created classifications (Models).

George-Louis Leclerc (1707-1788, France), also known as Comte de Buffon, had a varied career portfolio, but he is known most for his work *Histoire Naturelle (Natural History)*, a series of volumes published 1749-1804 in which he systematically examined the natural world of plants and animals and the differences between them as a result of their environments and isolation. His finding that environmentally similar but isolated regions have distinct collections of mammals and birds and that climates and species are changeable became known as “Buffon’s Law.” He suggested that development of species may both improve and degenerate due to environmental factors after dispersing from the center of creation. In *The Varieties of the Human Species (1749)*, he claimed there were six primary races all with the same origin but differing based on variations of physical and cultural features: Caucasian, Mongolian, American, Malay, African, and Australian. Of these, Buffon held that the Caucasian was the original and most beautiful race while other races were more primitive due to variations caused by environment, although he also believed that variations in races could revert to white with proper environmental controls. There is much more to Buffon’s theories, beliefs and influences in creating the culture of white supremacy and racism (Claude-Olivier 2012). Unfortunately, his work was accepted and helped to solidify the culture of white supremacy.

Carolus Linnaeus (1707-1778, Sweden) was a botanist, zoologist, taxonomist and physician. He was also a contemporary of Buffon. Linnaeus was known as the “father of modern taxonomy” based on his 1758 work *The Systema Naturae*. He participated by developing his work in classifying plants and animals. Essays on sexual reproduction influenced him to believe that plants had male and female reproductive organs, husbands and wives as he put it. He also applied his theories to humans. His work was the early classification of 4 races: European, American, Asiatic, and African/Ethiopian. He believed that cross-breeding created infertility. His classification system for naming, ranking, and classifying organisms is still in use today, albeit with many changes.

Johann Friedrich Blumenbach (1752-1840, Germany) was a physician, naturalist, physiologist, and anthropologist known for his studies of the human being as an aspect of natural history. In the third edition (1795) of his work *De Generis Humani Varietate Nativa (On the Natural Variety of Mankind)*, he coined the term Caucasian to define light-skinned people from Europe, North Africa, and western Asia. Blumenbach’s early work used the four-race classification of his predecessor and teacher, Linnaeus, but by

1795 he divided humans into five races based on geography and appearance by renaming the European classification (now Caucasian) and adding a new classification, Malay. His final five classifications were Caucasian, Mongolian, Malayan, Ethiopian, and American (referring to Indigenous people of the New World). He argued that physical characteristics like skin color and cranial profile depended on geography, diet, and mannerism. Like Buffon, Blumenbach believed in the degenerative hypothesis, the theory that Adam and Eve as Caucasians were at the center of creation and all others were a result of degeneration caused by environmental factors (Raj Bhopal and Usher, 2007). Despite this, he had an admiration for the Negro and considered Black Africa among the most civilized nations of the earth. Of these early influences on the construct of race, Blumenbach was the least racist in that he considered Black Africans and White Europeans to be of equal status; however, his changes to Linnaeus's classification system did the most to establish a superiority to the classification of Europeans upon which all others would be judged (Gould, 1994).

Carleton Coons (1904-1981, United States) was a professor of physical anthropology at Harvard. He used the term "Caucasoid" and "White Race" synonymously, as it had become common in the United States, although not elsewhere. He believed White people superior to other races as they are more evolved with larger brains. However, Coon's believed that Europeans were a sub-race of the Caucasoid Race. He believed in Darwin's theory of evolution and held the same beliefs as Buffon. He also classified the races into five races: Caucasoid-Whites, Mongoloid-Oriental/Amerindian, Capoid-Bushmen/Hottentots, Australoid-Australian Aborigine and Papuan, Negroid-Black. He believed that the darker the skin, the less intelligent the people. Coons work is often used by segregationists. Like his earlier colleagues, Coons wrote many books. His book *The Origins of Race* was a highly controversial writing that spurred much consternation that fueled racism in America, especially after World War II (Jackson 2001).

In effort to provide a contrasting view of race classification, consider the views of sociologist Neely Fuller, Jr. who identifies in *The United Independent Compensatory Code/System/Concept*, a textbook/workbook for thought, speech and/or action for victims of racism (white supremacy), that there are three (3) basic types of people in the known universe:

1. "White" people; who classify themselves as "White", and have been classified as "White", accepted as "White", by other people, and who generally function as "White" in all nine major areas of people activity, including economics, education, entertainment, labor, law, politics, religion, sex, and war.
2. "Non-White" people; are people who have been classified as "Non-White" people, and/or who generally function as "Non-White" in their relationships with each other, and with people classified as "White" in all of the nine major areas of activity, including economics, education, entertainment, labor, law, politics, religion, sex, and war.

3. “White Supremacists (Racists)”; are people who classify themselves as “white”, and who generally function as “white”, and who practice racial subjugation (based on “White”-“Non-White” classifications) against people classified as “Non-white”, at any time, in any place, in any one, or more of the nine major areas of activity, including economics, education, entertainment, labor, law, politics, religion, sex, and war. (Neely 2016, p.8)

*“If you do not understand White Supremacy (Racism) - what it is, and how it works - everything else that you understand will only confuse you.” (Fuller 1971, 2016 Edition).*

This cursory overview serves as a backdrop to the development of White Supremacy as an arbitrary cultural development that led to the application of the racist mindset, which spawned the multiple concepts of structural and institutional racism prior to reaching the New World. By the time whites came to America, the dye was cast for whites to actually believe that they were justified in being “masters” and “superior” over all colored (Non-White) people of the world at all levels or functions of life. According to Fuller, the nine (9) major areas of people activity in the known universe are Economics, Education, Entertainment, Labor, Law, Politics, Religion, Sex, War. (Fuller, 2016)

Ironically, these white supremacy pioneers did not think or believe themselves as racists. Why should they? The word had not been invented yet, and these classifications were considered to be the natural order of life. The research in this area reveals hundreds of scholars that not only laid the foundation; it also reveals the depth of racism presently and seeds of racism in the future. After hundreds of years of white supremacy and racism, people today are witnessing a worldwide challenge to white superiority and racism. However, a push back from those that wish not to change the policies, laws and practices of the status quo is also being seen. From *Brown vs Board of Education* to online distance learning of 2020, America’s education system has struggled and failed to provide anti-racism, equal opportunity, and access to students of color, especially Black males, at all levels of education. This includes disproportional applications of discipline. Unfortunately, this truth is being borne out by the necessary production of this document. The challenge of changing policy, procedures and minds is significant.

## History of Discriminatory Laws in the United States

The United States has a history of systemic racism, including discriminatory laws and practices. Through a CRT lens, this section interrogates the laws that have contributed to racial disparities and have perpetuated systemic racism in the United States. Since colonists came to what is now the United States, groups of people have been excluded from basic human rights, property rights, citizenship, labor rights, education, and the ability to take part in the political process. These groups were excluded from developing and voting on laws that brought us to where we are today. The history of exclusion

through legislation has established the system of power and oppression within which all live and operate today (Rothstein, 2018). It is from this history of exclusion that our educational systems and community colleges, along with their policies and practices, were built.

The first English settlement in the New World was in Virginia. Jamestown, Virginia was established as a colony in 1607. This area was home to the Powhatans, indigenous people who maintained an agricultural society (Takaki, 1993). The Powhatans provided sustenance for the starving colonists, but in 1609, Governor Thomas Gates arrived with word that the indigenous peoples should be forced into labor for the colonists. And so it began. The bloody battle for land and unpaid labor for the colonists forever changed the lives of indigenous peoples.

In 1619, “20 and odd” kidnapped Angolans arrived in Virginia via The White Lion, a Dutch ship flying a British flag. The White Lion’s crew had stolen the Angolans from a Portuguese ship. The kidnapped African people were sold to the colonists who forced them into servitude. This historical event marks the beginning of a history of dehumanization, exclusion, devaluation, murder, anti-Blackness, and racism against people of African descent in the New World that continues to present day in the United States.

The slavery of people of African descent continued in what is now the United States throughout the 17th to 19th centuries. This time was rife with laws, practices, and beliefs engineered to maintain the American institution of slavery that led the way for colonialism and a stratified society in the New World. During this time period, both the North and the South developed their law enforcement units with the Night Watch created in Boston in 1636 and Slave Patrols created in the Carolina colonies in 1704. In both the Northern and Southern states, law enforcement focused attention on returning runaway slaves, policing “dangerous classes” (including the poor, foreign immigrants, and free Blacks), enforcing the Black Codes, enforcing Jim Crow laws, and brutalizing, controlling, devaluing, and incarcerating Black people. This practice continues today.

Laws and practices related to land and home ownership played a major role in creating systemic barriers for students. Land increases in value and adds to the wealth of its owner. Land can also be passed down from generation to generation, thus providing increased wealth for the heirs of landed citizens. Restricting land ownership restricts people’s wealth and that of their descendants. Native Americans, Mexican Americans, Blacks, and other non-European immigrants experienced restrictions in land and home ownership as well as having land taken from them. The unfulfilled promises to people of Mexican descent in the Treaty of Guadalupe Hidalgo in 1848 separated Mexican people from their land, denied many of the citizenship that was promised, and made them a disenfranchised, minoritized group living in poverty on what was once their land. We see other discriminatory practices codified into law with the Homestead Act (1862) and Dawes Act (1887) continuing to deny Native Americans land rights. Restrictive covenants and the Federal Housing Administration (FHA) denied home ownership to people of color.

While many White Americans enjoyed the privileges of land and home ownership, starting in the early 1900's restrictive covenants became a popular way of "protecting" White neighborhoods from having people of color living amongst them. Housing sales could specify restrictions such that properties could not be sold to non-Whites and non-Christians. These covenants remained legal until they were declared unconstitutional in 1966. The FHA took advantage of restrictive covenants and codified a racist practice into law as redlining. From 1934 to 1968, FHA mortgage insurance utilized redlining, the practice of denying or limiting financial services to certain neighborhoods based on racial or ethnic composition without regard to the residents' qualifications or creditworthiness. The term "redlining" refers to the practice of using a red line on a map to delineate the communities of color as areas where financial institutions would not invest, denying loans to residents in those areas regardless of their creditworthiness or qualifications. The FHA gave White Christians an unprecedented opportunity to purchase homes with the new mortgage system while denying that opportunity to non-Christians and people of color. This process kept loans out of older communities of color and funneled them into new white suburbs. These laws and practices further segregated residential neighborhoods. This segregation increased with the urban renewal efforts of the 1950s and 1960s. "From 1960 to 1977, four million whites moved out of central cities, while the number of whites living in suburbs increased by twenty-two million. During the same years, the inner-city black population grew by six million, but the number of blacks living in the suburbs increased by only 500,000 people. By 1993, 86 percent of suburban whites still lived in places with a black population below 1 percent." (Lipsitz, 1995, p. 374)

These discriminatory laws and practices had, and continue to have, negative consequences in terms of reproducing inequity in public schools, particularly for those in communities of color. Public schools have been viewed as local institutions that are to serve their local communities and were traditionally supported by contributions from community members. By the end of the 19th century, the tradition of funding schools through local property taxes was widespread. Funding schools through property taxes creates a disparity in the funding that schools receive as schools in higher-income areas receive more funding than those located in low-income areas. Low-income areas have comparatively lower property and income taxes which impacts the funding of the schools. People of color disproportionately reside in low income areas. This robs students of color from resources and opportunities that are prevalent in higher income, predominantly white communities. The California Supreme Court ruled this funding practice unconstitutional in 1971 and ordered the state to provide supplemental funding, but the damage had already been done and property taxes are still part of the funding equation for public schools. In *Robinson v. Cahill* (1973), the New Jersey Supreme Court found relying on property taxes for school funding violated the state constitutional guarantee of access to a "thorough and efficient" public education system. The rulings regarding the use of property taxes for school funding were different in other states. For example, in the 1973 case *San Antonio Independent School District v. Rodriguez*, the parents of students in a school district in Texas challenged the use of property taxes to fund schools. The United States Supreme Court found that the system did not violate the Equal Protection Clause (14th Amendment) because the system did not intentionally

discriminate against a certain group of people. We see the current day impact of past land ownership inequities, restrictive covenants, and redlining in public schools.

Some salient discriminatory laws and legislation are highlighted above and there are more in the Timeline of Discriminatory Laws in the United States (See Appendix A); however, the timeline is not exhaustive in nature. The timeline covers laws and legislation relating to human rights, citizenship, voting, property rights, education, rights to earn a living and more. However, these only represent de jure discrimination as opposed to de facto practices. Practices and ideals including Manifest Destiny, the Black Codes, and voter suppression such as poll taxes, grandfather clauses, and automatic voter purges have contributed to building the systemic barriers our students face today.

## An Overview of Racism in Academia

*“Our system has embraced difficult conversations about systemic racism, so no matter where you are as a community we’ve got you. Our system has not shied away from connecting the dots and calling structures, practices, language and behaviors for what they are, vehicles to preserve, protect or reproduce systemic racism.” Dr. Daisy Gonzales, CCCCCO Deputy Chancellor*

The history of the United States reveals that schools were initially created to educate white male children resulting in the exclusion of women and people of color. When access was expanded to include women and people of color, it was for the purpose of cultural assimilation, the process in which a cultural group assumes the values, behavior and norms of a dominant group. Prior to the Civil War, there was no structure of higher education for Blacks. In 1865 and during the Reconstruction Period (1865-1877) Blacks were allowed to attend schools. Various settings provided the opportunities for literacy development including Black schools sponsored by private missionary societies. According to Watkins, and during the time of Reconstruction, “missionary education drew on the tradition of humanism. Notions of altruism, free expression, salvation and the unfiltered development of the individual undergirded missionary views (2019, p.14).” Civic minded groups and the reform and charity movement also contributed to the education of Blacks. From the 1860s to 1915, the missionary societies established more than 30 colleges that now enroll over 60% of Black students attending college (Watkins 2019, p.19).

In 1881, education was seen as the means to achieve equality. Jim Crow laws, a set of discriminatory laws in the southern states after Blacks had earned their freedom from slavery, turned de jure access into de facto inclusion. Following the Civil War (1861-1865) and the emancipation of enslaved Black people, the United States government established land-grant institutions for Black students through the Second Morrill Act of 1890. “As a result, some new public black institutions were founded, and a number of formerly private black schools came under public control; eventually 16 black institutions were designated as land-grant colleges” (U.S. Department of Education,



Office of Civil Rights, March 1991). These racially segregated institutions eventually grew in number over the last century and became known as Historically Black Colleges and Universities (HBCUs).

U.S. Supreme Court decisions played a pivotal role in addressing racism in education. *Plessy vs. Ferguson* (1896) and *Brown vs. Board of Education* (1954) are two landmark court decisions impacting the educational rights of Black people. *Plessy vs. Ferguson* established a “Separate but Equal” doctrine which impacted all aspects of Black lives, including public education. The Supreme Court ruled that the protections of the 14th Amendment applied only to political and civil rights, including voting and jury service, not social rights like riding in rail cars or participating in public education.

In its 1954 *Brown vs. Board of Education* decision, the United States Supreme Court declared the “Separate but Equal” doctrine unconstitutional “and held that racially segregated public schools deprive black children of equal protection guaranteed by the Fourteenth Amendment of the United States Constitution”(U.S. Department of Education, Office of Civil Rights, March 1991). The court decision was a consolidation of five cases which ended racial segregation in public schools.

The 1960s is historically the decade of social justice and civil rights. The civil rights movement was a movement organized by Blacks to end racial discrimination and gain equal rights under the law. The Civil Rights Act of 1964 is considered a landmark legislation providing equal opportunity protections from discrimination on the basis of race, color or national origin.

Throughout history, anti-racist progress made within the education system was matched by pushback that served to further cement racist structures. For example, the use of redlining in the late 1960s to displace, exclude and segregate blacks are noted in the late 1960s transitioned to progress with the implementation of court-ordered busing to desegregate schools. The pushback against desegregation, however, led to privatization of education when white parents moved their children from public to private schools to prevent their children from being bused to schools in minoritized communities. Privatization was about reverting back to segregation and was rooted in racism. While forced integration may have been an honorable attempt to eliminate desegregation, it unfortunately resulted in the creation of disparities, racialized tracking and remediation.

Through this overview, it is important to underscore how past movements led to current movements that have activated communities to disrupt the pre-school to prison pipeline, anti-blackness in the United States, and racial inequity. Anti-racist practitioners are encouraged to learn more as they continue to address racial equity and racial justice in academia.

# Working toward Racial Equity in the California Community Colleges

Though the California Community College (CCC) system, like all American systems of education, was born out of a culture of systemic racism that covertly privileges white Americans while saddling students of color with significant barriers along the path to success, there have been several attempts within the CCC system over the last several decades to promote equity and close achievement gaps between white students and students of color. The authors of the 1960 California Master Plan for Higher Education envisioned an educational system that offered universal accessibility in order to facilitate upward class mobility. Indeed, “the Master Plan was nothing more than a blanket commitment from the state to educate all the California students who wanted an education and, in doing so, to facilitate the kind of class mobility that has placed public education at the center of American civic life” (Bady and Konczal, 2012). Unfortunately, these ideals were never fully realized, as the structural barriers contributing to inequitable opportunities and transfer and graduation rates were not addressed through an anti-racist lens. The promise of the Master Plan was never fully realized and significant inequities and disparate opportunities remained hallmarks of the California community college system.

It would take an additional three decades for these inequities to be addressed in any meaningful, organized way. The 1988 Community College Reform Act called for an increased focus on hiring of faculty members with a sensitivity to diversity, and Student Equity Plans were mandated for the first time in 1992. These plans required each California community college to report campus data on access, retention, degree/certificate completion, transfer rates, and basic skills course completion and to analyze performance gaps between majority and minoritized groups. Furthermore, the plans required campuses to set goals, design action plans, and commit funds to address success gaps and adverse impacts of local policies on underrepresented groups and to review progress every three years and make necessary revisions. In 1996, the state further emphasized the importance of equity plans by making them a requirement for colleges to receive Proposition 98 funding. In 2002, amid questions about the impact of equity plans and pressure from the ASCCC, a Chancellor’s Office task force was convened to evaluate their status and effectiveness. The task force report emphasized the connection between diverse faculty and success of traditionally underrepresented student populations, recommended increasing efforts to recruit and retain diverse faculty, and resulted in a strengthening of the title 5 language around equity plan requirements. Despite these revision efforts, by 2010 equity gaps between white students and students of color were still a significant problem for the California community colleges and it was clear to educational professionals and lawmakers alike that greater, more effective efforts were needed to promote equity within the system. Thus, in 2010 the legislature mandated that the CCC Board of Governors (BOG) implement a comprehensive plan to improve student success; in response a student success task force was formed. This task force produced 22 recommendations that

were adopted by the BOG in 2012; these recommendations were the foundation of the Student Success Act of 2012.

## Student Success Act of 2012

The Student Success Act of 2012 mandated changes in four broad areas: it required assessment, orientation, and education plans for incoming CCC students, permitted time or unit accumulation limits for students to declare a major, allowed for establishment of minimum academic standards for fee waiver eligibility, and created Student Success and Support Programs (SSSP). It also led to the creation of the Student Success Report Card, a performance measurement system designed to increase transparency within the community colleges. Data in the scorecard, which could be disaggregated by gender, age, and ethnicity, examined campus performance in remedial instruction, job training programs, retention of students, and graduation and completion rates. While these reforms and improved transparency did lead to modest improvements in areas such as pass rates in remedial coursework, overall they failed to significantly increase completion rates, the main target of the legislation. By 2015-2016 six-year completion rates remained below 50% and educational experts in California and across the country were expressing concerns about poor success rates among community college students. Following the publication of *Redesigning America's Community Colleges – A Clearer Path to Student Success* in 2015 and to expand upon the efforts of four colleges who were involved in a national Association of American Colleges and Universities (AACU) Pathways project, the Foundation for California Community Colleges launched the California Guided Pathways Project at 20 pilot campuses in late 2016. Then, in 2017-2018, the California Legislature approved \$150 million in one-time grants to provide funding for system-wide adoption of the Guided Pathways framework. Colleges were allocated Guided Pathways funding over five years if they adopted a Guided Pathways plan and submitted regular reports to the Chancellor's Office for approval. Thus, Guided Pathways became the framework for achieving the California Community College *Vision for Success* initiative in 2017, and all 114 campuses began developing programs based on this framework.

## Guided Pathways & AB 705 (Irwin, 2017)

Guided Pathways provides a highly structured framework for institutional redesign intended to improve the student experience, outcomes, and, ultimately, student success. The four main components of the guided pathways framework are Clarify the Path, Enter the Path, Stay on the Path, and Ensure Learning. Thus, this program challenges community colleges to ensure that students start college with a clear understanding of what they need to accomplish to reach their goals and the resources available to help them succeed, that they choose an area of study (often referred to as a meta major) early on, and that the success team (a group of teaching faculty, counselors, and student support staff) within that meta major track student's progress and provide the necessary, discipline-specific resources to promote the student's success in reaching his or her goals. Colleges across the state are in various stages of implementing local strategies within the guided pathways framework, so it is difficult to

determine the degree to which guided pathways has meaningful impact on closing the gaps to achieve equitable educational outcomes within the community colleges, but many across the system are hopeful and early evidence suggests that it will improve success for all students, especially racially minoritized students.

In addition to the funding of Guided Pathways, the 2017 California legislative cycle also brought about the adoption of AB 705 (Irwin, 2017), a law that overhauled the assessment and placement system in the community colleges. Designed to dramatically increase the likelihood that students would enter and pass transfer level math and English coursework within their first year of enrollment, AB 705 mandated multiple measures such as high-school coursework, high-school grades, and high-school GPA be used along with or in place of high stakes exams for initial student placement into math and English courses. California lawmakers anticipate that the implementation of AB 705 will promote equity by removing the barrier of remedial coursework from students' paths. As students of color are historically significantly more likely to be placed into remedial coursework than their white and Asian peers and students placed into remedial coursework face many more obstacles in their educational journeys than those placed directly into transfer level coursework, the use of multiple measures for placement along with proper support to help students succeed in transfer level coursework may help to close equity gaps for students of color. Like Guided Pathways, AB 705 is still being implemented across the system and thus long-term success data is not yet available. However, early data based on Fall 2019 course taking indicates that while more students are entering and completing transfer-level math and English during their first year, success rates have decreased, and the rates of students receiving substandard grades in a transfer-level course have increased, especially for students of color in B-STEM pathways.

## Student Equity and Achievement Program (SEA)

Along with piloting Guided Pathways, the Chancellor's Office also overhauled student equity programs in 2018 to integrate student success and support, basic skills, and student equity into one program named Student Equity and Achievement (SEA). Designed to erase equity gaps between disproportionately impacted groups (disproportionately impacted groups are defined locally by each campus using equity data, so they can vary from college to college but typically include groups such as Black students, Latinx students, former/current foster youth, and differently abled students) and their peers, this program was designed simultaneously as Guided Pathways was being adopted and integrates well into the framework by offering students a clear path to their stated goals, developing an educational plan to meet those goals, and replacing outdated, inaccurate placement tools that were creating unnecessary barriers to success. Thus, SEA requires each college to incorporate the principles of Guided Pathways and AB 705 into a campus-wide equity plan where key success indicators will be monitored over time to determine whether the campus is making meaningful progress toward reaching equity goals. This data-driven approach is expected to allow colleges to determine early on which equity areas are most problematic and adjust to address these concerns in a timely manner. The years 2017-2018 marked a

monumental shift in how the California community colleges approach student success and equity, and only in time will the success or failure of these reforms be elucidated.

## California Community College *Vision for Success*

To further promote equity and ensure that all students are able to reach their goals and help their families and communities, the California Community Colleges Board of Governors adopted a 5-year *Vision for Success* in 2017. This program is rooted in the Guided Pathways framework and has six measurable, aspirational goals: increase degrees and certificates by 20%, increase transfer to California State University and University of California by 35%, decrease unit accumulation, increase the number of existing Career Technical Education (CTE) students employed in their field of study, reduce equity gaps across all of the above measures through faster improvements among disproportionately impacted student groups, and reduce regional achievement gaps across all of the above measures through faster improvements among colleges located in regions with the lowest educational attainment of adults. To achieve these very ambitious goals, the *Vision for Success* includes seven core commitments on which colleges must focus: “focus relentlessly on student goals; always design with the student in mind; pair high expectations paired with high support; foster the use of data, inquiry, and evidence; take ownership of goals and performance; enable action and thoughtful innovation; and lead the work of partnering across systems.” (Foundation, *Vision for Success*, p. 19). While none of these ideas are new, each of the commitments addresses a historical challenge for the CCCs in promoting equity for traditionally underrepresented student populations. While the goals of promoting equity for all and closing achievement gaps between white students and students of color once and for all are immensely challenging and have been elusive to this point in time, they must be realized not just because allowing all students an equal chance to succeed is the right thing to do, but because in order to meet the workforce needs of the next generation, the educational system must find a way to educate and prepare all Californians to be contributing members of society. Only by providing opportunities for all students to succeed, regardless of their race or ethnic background, will the CCC system ever realize its mission of providing access to higher education for all.

## Academic Senate for California Community Colleges Actions

As noted earlier relative to pressure on the Chancellor’s Office to review effectiveness of student equity plans in 2002, the Academic Senate for California Community Colleges (ASCCC) has long been active in promoting and supporting efforts related to equity and closing success gaps among students of color and to increasing diversity of faculty through attention to hiring practices. A review of ASCCC resolutions, which establish the positions and actions of the organization once adopted by delegates at bi-annual plenary sessions, provides a historical trail of equity related positions and actions that include working with the Chancellor’s Office to implement, support, or influence policy and practices to providing support to local senates engaged in equity work. Further, ASCCC papers provide more in-depth information about topics impacting

student access and success, including for students and faculty of color. Each paper includes historical and background information on the target topic; most also establish positions and provide recommendations for senates, colleges and districts, and the Board of Governors. Articles in the quarterly ASCCC Senate Rostrum also address equity gaps and challenges with access and success, particularly for underserved and disproportionately impacted populations.

Despite many years of ASCCC and system efforts related to closing gaps to achieve equitable outcomes, increasing access and success, and increasing diversity of faculty serving within the California community college system, not enough significant change has occurred. As an example, according to the Chancellor's Office DataMart, between 2000 and 2019, the number of people employed by colleges increased by ten percent from 80,377 to 88,533. Employment of faculty, including tenured/tenure track and academic temporary, increased at nearly the same pace, from 53,024 to 58,187. Some change in the racial make-up of faculty has occurred, primarily through increases in the ratio of Asian and Hispanic faculty groups to all faculty (6.7% to 10.5% and 8.9% to 15.9% respectively) and decreases in the ratio of White Non-Hispanic faculty to all faculty (74.2% in 2000 to 58.4% in 2019). Employment of African American faculty has remained relatively static, only slightly increasing from 5.3% of all faculty in 2000 to 5.8% of all faculty in 2019. While these gains may be promising, these changes have taken nearly twenty years and the racial diversity and makeup of faculty is still inconsistent with the student population of the California community college system.

Much of the effort to improve diversity, equity, and inclusion across the California community colleges has been directed at processes, practices, and curriculum. Most efforts, at least at the statewide level, have also been more focused on equity across all groups than on actions to elevate representation and performance of specific racial groups. It has largely been a color-evasive approach and has not been focused on systems and policies that were built as a result of the history of structural racism reviewed in this paper. Fortunately, that is changing. In Fall 2019, ASCCC delegates approved Resolution 3.02 Support Infusing Anti-Racism/No Hate Education in Community Colleges as a first step toward addressing racism, including developing an increased awareness of racism, its impacts, and anti-racist practices. That action has been followed by development of this paper to assist in providing faculty an overview of the impacts of historical racism as well as steps that can be taken individually, by colleges and districts, and by the system to more directly address racism.

To increase awareness of the experiences of Black faculty within the California community colleges, in Summer 2020 ASCCC called for contributions for a special edition Senate Rostrum. The resulting [Summer 2020 ASCCC Senate Rostrum](#) is a powerful and moving collection of Black voices, experiences, and perspectives with topics ranging from personal experiences to recommended changes in hiring practices, institutional constructs, and individual disciplines.

## Diversity, Equity and Inclusion Implementation Plan

In recent years, the ASCCC has also been a partner with the Chancellor's Office on diversity, equity, and inclusion efforts. In January 2019, the Chancellor's Office engaged stakeholders with the Diversity, Equity, and Inclusion Taskforce and included ASCCC President John Stankas as co-chair. The taskforce led the foundational effort whose groundwork was adopted by the Board of Governors in September of 2019 as the Diversity, Equity and Inclusion (DEI) Integration Plan, which included strategies to integrate diversity, equity and inclusion into the *Vision for Success*, adopt the California Community Colleges Diversity, Equity and Inclusion Statement, and approve the budget proposal necessary to augment statewide resources to advance the implementation of the faculty and staff diversity, equity and inclusion integration plan.

Since February of 2020, and on behalf of the Board of Governors, the taskforce evolved to the Statewide Diversity, Equity and Inclusion (DEI) Implementation Workgroup. The workgroup is focusing on measuring progress and accountability in the implementation of the plan. This will occur through progress reports to the Board of Governors in September 2020, March 2021, September 2021, and March 2022. The workgroup is also focused on coordinating structural changes and deployment of system-wide professional development and technical assistance for local colleges and districts.

On June 3rd of 2020, as a result of COVID-19 and the brutal killings of George Floyd and other people of Black/African descent, the Chancellor's Office called for action and established a set of system-wide priorities. These priorities are aligned to the DEI Implementation Plan and are as follows:

1. A System wide review of law enforcement officers and first responder training and curriculum.
2. Campus leaders must host open dialogue and address campus climate.
3. Campuses must audit classroom climate and create an action plan to create inclusive classrooms and anti-racism curriculum.
4. District Boards review and update your Equity plans with urgency.
5. Shorten the time frame for the full implementation of the Diversity, Equity and Inclusion Integration Plan.
6. Engage in the Vision Resource Center "Community Colleges for Change."

These priorities require that the California community college system, colleges/districts, local academic senates as well as ASCCC, identify, describe, analyze and change racist structures that have led to inequitable outcomes. The covert focus on anti-racism is an added emphasis to original diversity, equity, and inclusion efforts and reinforces the need for all those vested in the success of community college students to become more educated in the history of racism, its effects in education, principles of anti-racism, and anti-racist actions that should be taken. The undeniable need for the information within this paper is critical.

# Anti-Racism Tenets for Community Colleges

For much of recent history, our education systems have valued policies that “don’t see race” and “treat all students equally” rather than working from a place of being race conscious, which requires noticing and embracing difference as the first step to ensuring that these differences do not become weaponized or used to disadvantage some. This trend stems from what Critical Race Theorists recognize as a “Color-blind” approach to addressing racism and assumes that “neutrality” is an effective method for achieving equality. However, because such methods tend to erase “race” from any dialogue on racism, and because they tend to emphasize approaches that insist on treatments that are across-the-board equal for all groups, they are able to address only the most blatant forms of discrimination. As Ibram Kendi (2019) explained, “there is no neutrality in the racism struggle...One either allows racial inequities to persevere, as a racist, or confronts racial inequities, as an antiracist. There is no in between safe space of ‘not racist.’ The claim of ‘not racist’ neutrality is a mask for racism” (p. 9). The systems of the California community colleges and California higher education have come into being over time and have long histories. In some cases, those histories are explicitly racist, shaped by explicitly racist ideas and ideologies. Even in cases that may not be explicitly racist, misguided attempts to “treat all students the same” and efforts that support color-blind neutrality can create racial disparities, or at best, uphold them.

Engaging in anti-racist work requires one to be a race conscious leader. It requires going beyond conversations and moving towards raising questions and being reflective about how one’s own (in)actions reproduce racial inequity. In a 2015 presentation titled “Responding to Racism on College and University Campuses,” Shaun Harper introduced four steps to becoming a race-conscious leader (RCL):

- Understanding the current moment
- Authentic conversations and collaborations with people that entail feeling and hearing which leads to action
- Accurate understanding of the realities of race on campus
- Boldly confronting long-standing racial problems embedded into the structure of the institution.

Race conscious leaders know the difference between individual and systemic racism and understand that while white people may not consider themselves racist, they still benefit from a system that favors them. Race conscious leaders create change by constant questioning and critical self-reflection. They question meritocracy when they see racial inequity and segregation. They recognize that overwhelmingly white leadership teams are a sign of a malfunctioning organization and seek out other perspectives. They own their imperfections by being vulnerable (Selzer, Evans-Phillips, Johnson, Vol. 26 No 10 p.1-3,2017).

The primary tenets of doing anti-racist work, as we strive to be race-conscious leaders, are to identify racial inequities, to take deliberate, targeted action to counteract inequities, and to engage in constant inquiry and improvement. Anti-racism requires



action as opposed to neutrality or “niceness.” It is critical that practitioners within the California community colleges familiarize themselves with these tenets in order to make progress as anti-racist educators and administrators and to make progress dismantling the racist structures that adversely impact Blacks and other people of color.

## Identify Racial Inequities

Being anti-racist means that taking a look at every aspect of systems within which one lives and works through a race-conscious lens that looks not just for explicit racism, but that considers the racial implications of policies and practices. While the voices of people of color should be centered in these conversations, it is critical that white allies collaborate with and support the efforts of faculty of color to identify and address white supremacy. In order to identify these inequities, professional development and education can help develop race-consciousness as a lens to seek out implicit racism in its many forms. As racial inequities are uncovered, there will likely be resistance and denial, because as Kendi explains, “denial is the heartbeat of racism, beating across ideologies, races, and nations” (Kendi, 2019, p. 9). To be anti-racist is to confront this denial and expose the inequity in order to understand how to fix it.

## Take Deliberate, Targeted Action to Counteract Racial Inequities

Once the policies, practices, or systems that create racial inequity are identified, they must be corrected. As Kendi (2019) stated, “The defining question is whether the discrimination is creating equity or inequity. If discrimination is creating equity, then it is anti-racist. If discrimination is creating inequity, then it is racist.” He continued, “The only remedy to racist discrimination is anti-racist discrimination. The only remedy to past discrimination is present discrimination. The only remedy to present discrimination is future discrimination” (p. 19). These points may be confusing at first, and may seem counter to what we are normally taught to believe, but this is a foundational tenet of anti-racism: practitioners must be discriminating, in that they must take deliberate action and actively work not toward equality but to combat inequities in systems to bring equity and to best ensure current systems do not perpetuate or create future inequities.

## Engage in Constant Inquiry and Improvement

As the next section in this paper explains more in depth, anti-racism is an iterative and accretive process, and education is a foundation to personal and professional growth. To be anti-racist is to understand the need for cultural humility and constant growth, which necessitates continuous professional development, conversation, reflection, and work. To be anti-racist is to understand that racism is not a fixed identity, and neither is anti-racism. Mistakes will happen, but it is important to acknowledge them and work to get it right. Most of all, to be anti-racist is to resist comfort by challenging oneself, one’s beliefs and assumptions, and listening openly when challenged by others.

As community college professionals engage in anti-racist work, much needed change to systems and structures brings encouragement to those who understand their positions and roles in anti-racist efforts. As inequities are addressed, environments can be re-created in culturally responsive ways. As Zaretta Hammond (2015) reflected, classrooms must be spaces of positive relationships that do not just acknowledge struggles or histories, but actively affirm students' identities and build agency. While the challenges and potential for a focus just on diversity to cause problems if they are stopping points or the only efforts to be acknowledged, positive social interaction and affirmation that comes from celebrating diversity can be an integral part to culturally responsive spaces. To further understand key areas to engage in operationalizing equity, Hammond's research and praxis presents a continuum and the differences between multicultural education, social justice and culturally responsive teaching. Multicultural education focuses on diversity while social justice education centers on developing consciousness about the inequities that exist. Anti-racism work is an intricate part of social justice learning and teaching. Culturally responsive teaching is a process of using cultural information to build cognitive capacity and an academic mindset that pushes back on dominant narratives about people of color. While many efforts to advance equity centered around multicultural education and, to some degree, culturally responsive teaching, efforts have fallen short. Social justice learning and teaching, inclusive of anti-racism education, is a critical area to include in self-growth as well as curriculum, instruction, and professional development. To achieve equity, practitioners must use anti-racist lenses to develop institutions in multiple areas, and a major key that this paper focuses on is the necessity to equitize our systems and structures to enable more equitable systems and culturally responsive teaching.

Bianca C. Williams (2016) wrote, "The forms of racism and sexism that permeate the academy frequently push women and scholars of color to question their sense of worth and belonging, which can lead to feelings of shame about perceived incapacities" (p. 75). By creating spaces of "truth-telling" where narratives and experiences are valued and affirmed, more culturally responsive learning environments can be developed where students can be their whole selves. Williams argues that "truth-telling and brave vulnerability...open up space for educational moments and chip away at cultures of silence and shame." (p.79)

Thus, it is an imperative tenet of anti-racism that practitioners not only dismantle racist systems, but also develop culturally response systems in their place. This work can be difficult. Bianca C. Williams (2016) shared, "As we gain entrance to this privileged world and earn the right to access its substantial social and economic resources, we are required to be radically honest as we acknowledge the ways we are sometimes implicated in the oppressions we seek to destroy" (p.81). Anti-racist work requires that people take action with integrity, and often that can be uncomfortable. As such, it is imperative to keep seeking education and finding opportunities to grow and challenge one's self. The next section of this paper will provide an overview of one approach to centering the values of an institution in work like anti-racist work and will provide ways

to advance anti-racism education in systems and institutions as well as ways to engage in collective and individual professional development.

## Organizational Development Theory and Professional Development

*“Many practitioners have become routine in their applications; they have succumbed to management pressure for the quick fix, the emphasis on the bottom line, and the cure-all mentality....They seem to have lost sight of the core values of the field” Margulies and Raia 1990 (as cited in Anderson, 2012)*

According to Anderson (2012), the values of an organization are a significant part of its identity. He emphasized that an organization’s values help leaders with identifying choices about how to proceed in an intervention and provide a method for evaluating work. Moreover, he identified the following as organizational values: participation, involvement, empowerment, groups and teams, growth development, learning, thinking or organizational members as whole people, dialogue, collaboration, authenticity, openness, and trust. Organizational development leaders provide intervention strategies for conscious organizational change, and the principles of organizational development may be useful in transforming colleges as anti-racism agents. In restructuring or advancing equity work in California community colleges, a primary responsibility of organizations is the management of systems and structures to bring about necessary change.

The process may include three primary change areas, which include the team, organization processes, or responsibilities. The strategies encompass effective approaches and techniques to facilitate change within organizations. Implemented strategies require organizational development leaders to understand how to navigate challenges to holding organizational development values. Burke and Bradford, 2005 (as cited in Anderson, 2012) defined the practical application of these strategies as a “...system-wide process of planned change aimed toward improving overall organization effectiveness by way of enhanced congruence of such key organizational dimensions as external environment, mission, strategy, leadership, culture, structure, information and reward systems, and work policies and procedures” (p. 3). Additionally, organizational development leaders provide broad behavioral science techniques applicable to organizational change. The practical application strategies that change agents use are viable for achieving organizational goals, marketing, information technology, operations, human resources, and communications. Although originally used for business organizations, organizational development practices can be applied to the desired accountable systemic change for California community colleges. The practical application of organizational development theory can serve to achieve organizational anti-racism goals.

The organizational development political strategies will provide a moral operating system for effective professional development approaches and techniques to facilitate universal change within the California community college system. Additionally, the organizational development leadership approach will provide broad behavioral techniques applicable to “transform work”, defined by Howard & Corver (2008) as skillful decision making in the workplace. The practical ethical application strategies of the organizational development leadership approach provides values of quality, productivity, and efficiency intervention techniques, and directs leadership behavior. Ethics derive from values, which undergird behaviors that are based on those values (White & Wooten, 1985). Therefore, it is critical that anti-racism becomes an explicit value in California Community Colleges and for its institutional agents.

While organizational development leadership provides a framework for integration of anti-racism values and examination of existing structures, policies, and processes in California community colleges, the effects of transformational leadership must also be considered. Several studies introduced leadership constructs associated with organizational change and innovation adoption (Aarons, 2006; Anderson & Ackerman-Anderson, 2010; Ashbaugh, 2013; Basham, 2012; Bass, 1990; & Ozaralli, 2003; Sanchez, 2014). Aarons (2006) identified links between leadership, organizational process, consumer satisfaction, and outcome. Ozaralli (2003) discovered significant correlation between transformational leadership and empowerment and team effectiveness. Basham (2012) identified transformational leadership as the extent to which one is able to serve and learn across disciplines. He stated, “Transformational leadership is essential within higher education so that adaptation can be completed to meet the constantly changing economic and academic environment” (p. 344). Transformational leaders challenge the organizational culture and possess the ability to share their vision; they influence others and generate awareness by inspiration, intellectual stimulation, and meeting others’ emotional needs (Bass 1990). Recognizing and meeting others’ emotional needs is vital to anti-racism work, and, more specifically, to anti-racism education. Those engaged in anti-racism work beyond self-growth and activism can utilize organizational development leadership and transformative leadership when engaging and educating others through professional development.

## Anti-Racism Education and Professional Development

Education must be viewed as liberation work, be it financial freedom or emancipating one’s mind. Being race conscious should be at the rudimentary level of any professional development as educators. The ambivalence of colorblind education, well intentioned or not, has been detrimental to minoritized students. The term colorblind itself has a negative abalistic connotation and has more recently and progressively been replaced with color-evasiveness. Due to its widespread usage and notoriety, both colorblind and color evasiveness can be utilized interchangeably during transition towards more equity-based language. While race itself is a social construct, it is more imperative that the social construction of it be addressed at the socialization process of educational

institutions (Monroe, 2013). In constructing curriculum and teaching in classrooms, teachers often insert their bias or regurgitate the standard colonized systematic discriminatory practices that exist. Furthermore, research is clear that instructors are often hesitant to discuss race and have open discourse about it much less incorporate it in their syllabus and lesson plans (Lewis, 2001). In actively reflecting on their positionality, humans must reflect on their racial identity and its impact on the emancipation and liberation of their experiences with others (West, 1993). Likewise, the faculty who view education in this light must lift the veils of racist stereotypes and emancipate themselves in order to emancipate the minds of their students. Thus, actively reflecting on the experiences of race and its benefits and consequences such as privilege often causes the uncomfortable experiences needed to move from a racist base of understanding to an anti-racist platform. The examination and interrogation of oneself and perspectives of which one views the world must be modeled in the active decolonization of self and teaching andragogy. For faculty and institutions ready to engage in this work there is a four part framework that includes researching the self, researching the self in relation to others, shifting from self to system, and understanding curriculum and instruction.

## Researching the Self

It is important for faculty to respect the racial identity of their students just as it is important for them to reflect on their own. Faculty must reflect on the experiences implicit bias that shape who they are in and outside the classroom. They must interrogate their thought process and views on race and actively reflect on how those thoughts and behaviors impact them in the classroom. Some helpful guiding questions to ask oneself:

- What is my race and how did I come to that conclusion?
- How do I negotiate race outside and inside my classroom?
- In what ways has my racial background impacted my decision making?
- In what ways has my racial background informed what I emphasize in the classroom or not? How do I know?
- How do my beliefs about learning and pedagogy impact the race of my students in the classroom?
- In what ways have my beliefs about certain student's racial upbringing changed as a result of my teachings?
- How has teaching students of color impacted my pedagogy and curriculum?

## Researching the Self in Relation to Others

In understanding that race is the most salient factor in the work that is needed, there is an opportunity to dissect the many layers of experiences that exist. CRT once again gives us an effective framework for this dissection. In understanding how the self is impacted by the interplay between power and authority in our society, CRT scholars

point to Intersectionality, a term coined by Kimberlé Crenshaw, as an important element. According to Delgado and Stefancic (2017), Intersectionality “means the examination of race, sex, class, national origin, and sexual orientation and how their combination plays out in various settings. These categories—and still others—can be separate disadvantaging factors” (p.58). Understanding the intersectionalities of experiences and identities and how they are impacted by societal power dynamics, may lend itself to a more nuanced approach connecting the complex experiences of humans from race, class, and gender (Crenshaw, 1993). The lived experiences of poverty or class may sprout an opportunity of empathy in relation to their students. Some things to reflect upon are the potential lack of experience in regard to faculty in relation to their students. Ladson-Billings (2009) mentioned that perhaps growing up in privilege or wealth or a different race provides an essential learning opportunity as both differences and similarities must be analyzed. Some active questions to reflect upon are:

- How do I negotiate my racial experiences with those of my students?
- What are some political, social, historical events that have shaped my life and how do I view them differently or similarly with my students?
- How consistent or inconsistent is my reality from those of my students?

Thinking of events like the 2016 presidential election, the laws and bans such as Deferred Action for Childhood Arrivals (DACA), the Muslim travel ban, and the Black Lives Matter protests, or the Dakota pipeline protest provides additional opportunities to be reflective:

- How have these events shaped my thoughts and actions?
- How have these events shaped the lives of my students?
- How have I emphasized or neglected these experiences in my classrooms?
- How have I negotiated my understanding of these events in my curriculum and pedagogy?

## Shifting from Self to System

Systems are made up of people who then enact racist policy thus making racism systemic and institutional. It's important to deviate from the common misnomer that racism is at the individual level. In fact, many of the deleterious miseducation teachers received are from racist colonial versions of education that most educators are now trying to augment via culturally relevant teaching and professional development (Lopez, 2003). Some guiding questions can be:

- What are some systematic and organizational barriers that shape the experiences of students of color?
- What is the pre-school to prison pipeline?
- In what ways do policies and practices intentional or unintentionally produce inequitable outcomes for students of color?
- How have educators and policy makers contributed to unproven popular discourse regarding students of color?

*“We are living in a society that is poisoned. The history of racism and foundation of racism has intoxicated every single system including our community colleges. We are complicit. We are complicit and we need to dismantle the status quo.” Dr. Luke Lara, Academic Senate President, MiraCosta College*

## Understanding Curriculum and Instruction

The shifting of the aforementioned three steps must now be enacted in shaping the classroom and curriculum. It is important for teachers to transition from theory to action and design learning environments reflective of their student’s experiences. Curriculum in its broader sense is defined as what students have the opportunity to learn in schools (Eisner, 1994). Eisner classified it in three different sections: explicit, implicit, and null. The implicit refers to what is emphasized and stated in policies, procedures, and publications and is actively and visibly prominent. It is featured in the syllabus and salient across the course content. The implicit is drizzled throughout and sprinkled on unlike the explicit which is baked in. It is perhaps brought into the conversation by accident or supplemental material. Then there is the null which is completely negated and erased from the curriculum. Eisner eloquently argues by not learning the null elements of curriculum, faculty are by default learning its importance and relevance. The erasure of historical figures and contributions or inventions by non-whites to the world have lasting implications. It is obligatory for educators to insert null curriculum into the explicit domains. This is economics courses covering Black wall street, urban planning courses covering gerrymandering, biology courses covering medical apartheid and the Tuskegee experiment, and STEM courses covering environmental racism and understanding why COVID-19 has a statistically higher probability for communities of color than White Americans. Some questions to ask:

- How can I ensure my students see themselves in the curriculum?
- How can I ensure they are represented in the curriculum?
- How can I draw upon the experiences of my students and reflect that in my curriculum?

## Advancing Anti-Racism Professional Development

To this point, this paper has emphasized the need for an anti-racism climate in the California community college system through an overview of the foundations of race and racism, history of discriminatory laws in the United States, an overview of racism in academia, working toward racial equity in the California community colleges, anti-racism tenants for community colleges, organizational leadership and professional development, and a four-part platform for engaging in anti-racism work. The shifting of an organization from passively racist to active anti-racism leadership requires systematic approaches and appropriate resolution strategies. It is critical that institutions provide faculty with professional development (Nash 2015) centered on understanding racism and progressing as anti-racist practitioners.

As the rise of diversity, equity, and inclusion awareness and professional development programming across the California Community College system is acknowledged, questions about why past diversity, equity, and inclusion work has done little to bridge the equity achievement gap must be asked. It is now more than ever clear that diversity-focused professional development does not address the root causes of the inequity embedded in today's educational system (McNair, Bensimon, and Malcom-Piquex, 2020). A true commitment to anti-racism requires an understanding that it is not the same thing as diversity. Diversity asks everyone to celebrate differences while at the same time elucidate shared humanity. Learning to be comfortable with people who are different is a very good thing, but no one can afford to continue to bask in commonalities while people of color continue to live under the oppression of racism. Anti-racism is focused on removing systemic barriers that restrict access to resources and opportunities for people of color. It requires practitioners to critically consider the needs of people of color at the foundation of the development of new educational services, policies, and curriculum, and it requires the reform of old systems. Most importantly, anti-racism work compels people to action and demands persistence and stamina because racist structures are insidious, formidable, and enduring (Alexander, 2012).

If community college practitioners are to authentically commit to serving the students being left behind, they must be willing to look more deeply within themselves and their campus institutional structures and honestly address the documented fact that race is at the heart of educational inequity. Many white California community college faculty members were socialized to believe equality and colorblindness were fundamental values, yet the roots of racial inequity could not and were not discussed (Subini, Jackson, and Morrison, 2017). At the heart of this color evasion was often suppressed and unacknowledged white supremacist beliefs. Despite espousals of equality in American society, white Americans knew the races did in fact not hold equal status and rather than confront the shame and benefit of structural inequity, they lived under the delusion that the inequality was in fact the fault of people of color, conclusions they justified by citing unsubstantiated evidence of poor family structures and a lack of value for education (Gotanda, 1991). The logic of the delusion expounded that if America provided equal opportunity and people of color were not capable of embracing what was free for the taking, there was little white America could do but continue to treat everyone the same and hope that one day people of color would be ready to share in the privileges white Americans had earned. Color evasion excused well-intended white Americans from confronting their implicit racism and exclusive structures. The inability to acknowledge white privilege and the existence of structural racism kept the culture of white America silent on issues of race (Sue, 2015).

We must now see the limitations to colorblindness and even inherent barriers that work against an outcome of racial justice. Colorblindness keeps many campuses in the comfortable limbo of diversity work at the expense of transformational anti-racist change. Students and colleagues of color have not experienced colorblindness and the belief that all should be colorblind impairs everyone's ability to identify and actively work to dismantle the structures which perpetuate racism on community college campuses.



In order to take the deep look necessary to penetrate the heart of institutional racism, campus personnel must first begin with the difficult conversation on race and racism. A key cause of tension around this conversation is a lack of shared vocabulary and common understanding regarding what is meant by race, racism, and institutional racism. In order to begin to do anti-racism work, it is important to begin with a shared definition of the term *racism*. As explained earlier in this paper, racism is prejudice based on race and reinforced by systems of power (Oluo, 2019). Discussion of racism without a power analysis reduces racism to merely excusable individual acts of prejudice versus, without truly understanding that racist acts are part of a larger system of oppression. A corollary of this definition is that the concept of reverse racism cannot exist, because people from the dominant race, who benefit from the privilege of power, cannot experience racism (Oluo, 2019).

One of the greatest obstacles to effective campus anti-racism work, next to color-evasion, is ideas surrounding racism that are embedded in a good-bad binary where society is divided into the bad people who are racist and the good people who are color-blind and see all people as equal. Alternatively, an anti-racist analysis views racism as structural and embedded into all societal structures. This means that all people are affected by racism and hold implicit bias, which allows for the sustenance of racist structures. This good-bad binary prevents well-intentioned people from confronting their own racism or taking action against racism because their beliefs which connect racism to their own immorality do not allow them to see or acknowledge the racism around them, nor their accountability and complacency. The moral investment in not being a racist makes people actively resistant to anti-racist change or even the starting point of anti-racism education (DiAngelo, 2018). When anti-racists declare their institution is racist, those who do not have a common understanding see this as a deep moral affront and resist moving forward in conversation or action. This is why campuses need to begin by establishing common language and understanding. An explanation of the anti-racist perspective, with a structural perspective on racism, allows for the elimination of the diversion of the good-bad binary, and clears the way for the structural analysis necessary to set a foundation for effective and meaningful change.

Anti-racists also understand that belief in colorblindness and meritocracy, which are directly connected to the good-bad binary, also serve as an obstacle to productive anti-racism discussion. When a person claims to see and treat all people equally, regardless of race, they disregard the negative impact racism has had on the lives of people of color and the privilege and opportunity that comes with being white. This is why institutions have moved beyond an inadequate focus on equality to a more informed aspiration of equity. Efforts must no longer be directed to providing all students with the same resources, but instead providing students with what each one needs through an individualized assessment that takes into consideration the legacy of racism (Crenshaw, Harris, HoSang and Lipsitz, 2019). Yet, like campuses who remain stuck in diversity, there is a danger of remaining comfortable at the higher stage of equity work that does not force a structural analysis. If practitioners are to truly provide students of color with the resources and opportunities each needs, they must first dismantle the racist structures which have perpetuated their struggles in education.

If anti-racism professional development is going to affect real campus change, it must also include a discussion of the traditional governance structures that work in community college institutions to oppress and marginalize faculty in addition to diverse student populations. College governance structures have adapted to support and sustain inequity, and those who work in the system have learned to adapt and, for many, even thrive. For this reason, Audre Lorde's (1984) words, "The master's tools will never dismantle the master's house," must be taken into consideration. A new form of campus organizing is needed to support anti-racism work. Traditional shared governance structures support racist structures and have historically silenced people of color and their allies as gadflies and troublemakers. In order to allow space for authentic anti-racism work, anti-racist activists must be supported to organize outside of the structures that have traditionally silenced and villainized them. Activists must be supported to organize in affinity groups that separate white colleagues from colleagues of color. There must be an understanding that self-reflective and action oriented anti-racist work is not the same for white people as it is for people of color. Also, as white people awaken to the realities of racism, care must be taken to ensure the feelings and experiences they have during their learning process is not at the expense or taxation of people of color. Activist leaders must also be accountable to people of color and provided with resources and empowered to enact change, even as the structures and the status-quo that has thrived for so long resists.

An example of active leadership is found at Santa Barbara City College's Leaders for Equity, Anti-racism, and Reparations Now (LEARN) Committee, recipient of the 2019 Dr. John W. Rice Diversity and Equity Award honoring California Community College programs making the greatest contributions towards student equity. LEARN is a grassroots committee composed of a variety of stakeholders from across Santa Barbara City College who came together after independently expressing frustration about the lack of impactful diversity and inclusion training on campus and the myriad problems that students, faculty, and staff of color experience due to this lack. Before the establishment of LEARN, the focus of SBCC's campus equity training had been in celebration of diversity and did not get to the heart of the structural basis of racism at SBCC. LEARN's envisioned training model, which included face to face and online professional development, empowers SBCC faculty, administrators, and staff to be versed in the many forms of systemic oppression so they can act as effective and well-informed advocates, allies, and partners to students as they actively work together to dismantle oppressive systems.

As a result of the efforts of LEARN, by spring semester 2020 more than 250 members of SBCC's faculty, staff and administration experienced intensive anti-racism training and were invited into SBCC's Anti-racism Community, an ongoing forum committed to anti-racism work. Most telling of the transformative nature of the anti-racism training at SBCC, as SBCC faced the Coronavirus pandemic, was that the college held fast to its commitment to anti-racist structural change. With acute knowledge that students of color and disproportionately impacted students were being the most harmed by the virus and the transition to online learning, the campus required every faculty member to

go through foundational anti-racism training and required an anti-racism guided equity plan to be embedded into its Emergency Distance Education Addendum approval process for every course taught at SBCC. This process ensured students of color and other disproportionately impacted students were foundational to the consideration of the formation of the new systems in response to the Coronavirus, and the college made the commitment to continue to require an equity plan in the regular curriculum approval process to ensure equity would remain at the forefront of college planning beyond the pandemic.

For campuses ready to go beyond diversity and basic equity training and advance to anti-racism professional development, there are key elements of effective anti-racism training that should be included. These elements are based on LEARN's anti-racism work at SBCC as well as similar work at other colleges and are infused with ideas of many of the authors cited throughout this paper.

1. The analysis of racism as an individual, cultural, systemic, and institutional problem of power that goes beyond personal prejudice. Racism should be contextualized with the historical development of systemic racism in American institutions generally, and the educational system specifically, with consideration of the link between racism and other forms of oppression.
2. Masterfully guided self-reflection about personal investment in racist structures and the actions individuals take to uphold these structures followed with skills to interrupt old patterns and inequitable practices that limit access and exclude some people of color.
3. Effective methodology for facilitating productive conversations about race including methods to build trust and clear communication and to make decisions based on multiple perspectives, especially those of people of color.
4. An examination of the ongoing realities of racism including the identity-shaping power racism has on People of Color and White people.
5. The provision of participants with tools to take personal action to disrupt racism and a strategic methodology to dismantle racism in campus institutions.
6. The practice of affinity group separation during training with the understanding that the nature of anti-racism work is not the same for white people as it is for people of color and a commitment to prevent anti-racism education for white people from taxing colleagues of color.
7. A campus commitment to view anti-racism professional development as an ongoing cycle of collegial development that takes time. Trainings should be multiple days and should be spread out over weeks or months to allow time for self-reflection and growth, affinity group support, campus organizing, and anti-racist practice.

Educational institutions must provide belonging for students of color at all levels of the academic experience and through all experiences, direct and indirect, students have with the institutions. For this reason professional development efforts must not only penetrate services and procedures but also the classroom experience. Academic disciplines in the California community colleges and at most American colleges and

universities are organized according to European and White ways of organizing and legitimizing specific types of knowledge and ways of knowing. Many academic disciplines have as foundations within the colonial systems a means of understanding, categorizing, and subjecting other cultures. The lack of systems for recognizing and understanding other cultural and belief systems has historically caused antagonism and racism and embedded bias into many traditional American academic disciplinary methodologies (Battiste, 2017).

New research in the field of neuroscience and memory adds important scientific understanding to why this form of subjugation through knowledge is so effective in maintaining racist and biased structures in the educational system. These ways of knowing are perpetuated through the use of euro-centric examples and images that reinforce racist and colonialist structures and delegitimize and exclude non-Eurocentric knowledge. They privilege students who are able to identify with Eurocentric reference points and examples who have an easier time correlating new information with previously held knowledge which is the foundation for long term memory storage and deep learning (Hammond, 2015).

If structural bias in classrooms is to be addressed, it must be through training instructors who create space and time for students to understand new knowledge in non-Eurocentric and culturally relevant contexts in order to facilitate the learning of students from diverse cultural experiences. Culturally Responsive Teaching, also known as Culturally Reflective Pedagogy, recognizes the importance of including students' multiple cultural references in all aspects of learning (Ladson-Billings, 1994). The goal is for every student to see themselves in course content. Key to the success of culturally responsive pedagogy is the collaboration between faculty and students to co-produce knowledge to ensure courses are culturally responsive and emphasize cultural wealth, are relevant to students' experiences and goals, are academically rigorous, and cultivate belonging and community among students and faculty. The practice of Culturally Responsive Pedagogy in our classrooms is an effective tool for the promotion of healing and reconciliation that will be directly and immediately experienced by our students of color and other disproportionately impacted students.

## Intentional Online Faculty Professional Development

In the journey toward a progressive anti-racism educational climate, California community college stakeholders must not overlook the value of conducting intentional faculty-focused professional development in the online environment. This is even more important in the midst of the COVID-19 pandemic that has prevented on-campus professional development opportunities and will likely require many aspects of faculty and staff responsibilities, including professional development, to remain online.

One culturally responsive implementation strategy anti-racist practitioners and organizational developers must integrate in an organization is intentional professional

development focused on rethinking the way faculty engage as students in learning spaces online. Faculty development programs focused on the knowledge, skills, and attitudes critical to faculty roles have increased (Cook & Steinert, 2013; Lane, 2013; Paul & Cochran, 2013; Reilly, Vandenhouten & Gallagher-Lepak, 2012; Roehrs, Wang & Kendrick, 2013).

While online faculty development has been explored due to increased student enrollment (Cook & Steinert, 2013), this growth area provides leaders the ability to promote race literacy competency pedagogy in online faculty development. “Critical race literacy pedagogy – a subset of the approaches known as multicultural education, culturally responsive teaching, and anti-racist teaching – is a set of tools to practice racial literacy in school settings with children, peers, colleagues, and so forth” (Mosley, 2010).

According to Eberwein (2011), professional development that incorporates technology should serve as the foundation of blended online and face-to-face pedagogy in higher education. One approach to faculty online development is the engaged self-training approach (Roehrs et al., 2013). Cook and Steinert (2013) examined faculty development programs common in online learning programs, and concluded online faculty development appears to be at least comparable to traditional training and online faculty development. Johnson, Wisniewski, Kuhlemeyer, Isaacs and Krzykowski (2012) acknowledged that “faculty development programs grounded in andragogy and transfer of learning theory can greatly enhance and strengthen an educator’s teaching/learning repertoire” (p. 64). As faculty engage in professional development with an anti-racism focus, whether via traditional face-to-face modes or via online delivery, the goal should be developing a cadre of anti-racism practitioners while modeling effective engagement with anti-racist principles, both with the ultimate goal of increasing understanding to bring about transformational change for faculty and students.

## Racial Reconciliation

Racial reconciliation is considered a healing process that positively transforms the ripple effects of an enslaved people through a responsive curriculum. Racial reconciliation manifests itself in the following ways:

1. Recognizes that racism in the United States is both systemic and institutionalized.
2. Point out that racial reconciliation is engendered by empowering local colleges and academic leaders through relationship-building and truth-telling.
3. Stresses that justice is the essential component of the process, often known as restorative justice.

In recognizing America’s construction of race and re-organizing European immigrants who had a sense of identity such as Jews, Irish, Polish into Whiteness, structural barriers were created to promote white supremacy. Hence, the racial structural and systemic barriers resulted in a plethora of Jim Crow laws targeting racial minorities,

specifically African Americans, from receiving certain inalienable rights. Educators must grapple with the fact that the educational system was amongst those institutions which was weaponized by white supremacy to subjugate Blacks. It was illegal for Blacks to read, and subsequent policies and laws prohibited Blacks from accessing education. The educational system must reconcile with the fact that it was constructed to produce inequitable access and unjust outcomes for all. The United States Supreme Court ruled in favor of segregation in *Plessy* arguing for segregation; *Plessy v. Ferguson* (1896) asserted the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it (p. 551).

This is the ugly truth and the first step in any reconciliation effort, be it atonement or forgiveness in spiritual practices or recovery in substance abuse treatments, is grappling with the truth and being honest to admitting or confessing there is a problem. The educational system is marred with inequities and injustices. White allyship must be at the forefront in providing space for reconciliation efforts as beneficiaries of white supremacy. Minoritized people in predominantly white institutions (PWI) consistently grapple to justify their existence. This often leads to psychological and physiological impacts that can be detrimental to their health and career. In seminal research on stereotype threat, Steele (1997) stated that one must surely turn first to social structure: limits on educational access that have been imposed on these groups by socioeconomic disadvantage, segregating social practices, and restrictive cultural orientations limits to both historical and ongoing effect. By diminishing one's educational prospects, these limitations (e.g., inadequate resources, few role models, preparational disadvantages) should make it more difficult to identify with academic domains (p. 613).

Local academic senate leaders must provide space and mentorship as well as leadership opportunities for people of color who may not otherwise have access to such opportunities. That requires an understanding of privilege, exercising that privilege to promote justice and supporting endeavors that may not necessarily be advantageous to them personally but beneficial to the collective betterment of the institution. This can be operationalized by ensuring people of color have a seat at the table in various committees of influence both at the statewide and local level. It requires one to introspectively interrogate themselves and their positionality to conclude if it's more appropriate to take a back seat for people of color and voices who have been marginalized be heard or amplify their voice by elevating and centering their challenges. Each institution has its own unique set of challenges therefore justice is the aim and, unlike the conflation of equity and equality, a one size fits all approach is not appropriate. Part of seeking justice requires, after seeking the truth, an opportunity to repeal the harm by listening to the victim's recommendations to repair the institutional damage that has transpired. This paradigm shift required flexibility and extreme collegiality. College faculty institutional vision needs to center race and adapt to the campus community's demands. Those historically in power or have been in power must reconcile that they must now either relinquish that power or share it.

Restorative justice emphasizes repairing the harm caused or revealed by criminal behavior. “The purpose of restorative justice dialogue is to provide a safe place for the people most affected by a specific hate crime, hate incident, or criminal act (victim, offender, family members of both, and other support persons or community members) to have the opportunity to enter into a direct dialogue with each other in order to talk about the full impact of the crime upon their lives, to address any lingering questions, and to develop a plan for responding to the harm caused to the greatest extent possible” (Andrus, Downes, and Umbreit, 2001, p.1).

In the development of opportunities to address racial reconciliation, academic leaders must address the following:

1. Becoming aware of the historical context of enslaved people, Blacks/African descent;
2. Being uncomfortable with institutional change;
3. Honoring and embracing diversity and representation;
4. Gaining the intentional and deliberate knowledge by working to achieve cross-cultural/multicultural literacy, embracing ethnic diversity, taking risk, developing authentic multi-ethnic relationships;
5. Developing the institutional structures needed to create a “Culture of Care”;<sup>2</sup>
6. Taking risk and developing relationships; and lastly
7. Educating and working with faculty and other stakeholders across differences.

These efforts may seem cumbersome to some and overwhelming to others. They are essential in the healing process which is what is historically sought after. The duality of relinquishing power and resources to create space at the table presents a winner vs loser paradigm which is truly inaccurate. As active agents and participants of a system that excluded Blacks the human right of literacy and enacted laws that prohibited them from accessing education as a fundamental right, part of repairing the harm and the conversation of race must explicitly include their offspring receiving those rights. Thus, an anti-racist approach is inclusive and liberating, restorative and just.

## Summary and Conclusion

The roots of systemic racism in the United States higher education system are deep-seated in its history. White supremacy and white privilege systematically affect communities of color, the way they are treated, the way in which policy is enacted and the way in which we perpetuate discrimination in academia. The United States is experiencing a moment of awakening and an opportunity to dismantle, deconstruct and reconstruct the systems that have created inequities in education for minoritized groups. California community colleges, given their diverse and dynamic student populations and broad reach into communities throughout the state, are critical vehicles for anti-racism education, and equity.

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Local academic senates play a pivotal role in transforming institutional policies and practices. The work requires that academic faculty leaders, in partnership with other stakeholders, understand and act on the four levels of this work as noted earlier-- researching self, researching self in relation to others, shifting from self to systems, and understanding curriculum and instruction. It also calls for faculty to examine the anti-racism concepts such as good-bad binary, meritocracy, color-evasion and colorblindness. Furthermore, professional development efforts must focus on transformative organizational development leadership in creating the professional learning opportunities needed to respond to the times, including online culturally responsive andragogy, and creating a path toward racial reconciliation and healing.

The Academic Senate for California Community Colleges is committed to deliberately engaging faculty and faculty leaders across the system in a call for action and education on anti-racism. The ASCCC recognizes that racist conditions impact the educational experiences and outcomes of students of color. Consequently, the achievement of racial equity is prioritized as an intricate part of the transformation of our community college system. This foundational paper serves as the context for future papers and for the development of tools to support the field and the system in advancing anti-racism education.

## Recommendations

Anti-Racism Education is necessary to respond to this moment in time and to ensure the community college system, colleges and districts' transformation. The following recommendations are intended to guide academic and system leaders to facilitate the development of anti-racism education as an integral part of the equity driven systems movement. The Academic Senate for California Community Colleges offers these recommendations for individual self growth, local academic senates, colleges and districts, and for the Board of Governors.

### Recommendations for Individual Self Growth

1. Use the work and scholarship of Black scholars to recognize and address challenges of Black students and Black colleagues.
2. Participate in implicit bias training in the context of oppression and racism.
3. Learn the history of discriminatory laws and practices that contribute to the stratification of U.S. society by race.
4. Actively explore various methods of assessments to adapt to technological disparities exacerbated by COVID-19.



## Recommendations for Local Academic Senates

1. Convene Black, Latinx/Chicanx, Indigenous, and other people of color to understand lived experiences and to inform cultural climate and structural updates to academic senate constitutions, bylaws, rules, policies, and processes.
2. Intentionally increase representation on the local academic senate by identifying, including, and empowering missing voices.
3. Create a local academic senate goal focused on anti-racism/no-hate education.
4. Hold a series of discussions of structural racism and colorblind culture and address the topics of race consciousness, lifting the veil of white supremacy, danger of the good-bad racist binary, dilemma of dismantling the “master’s house with the master’s tools” and what this means for shared governance, and the need for calling-in culture.
5. Enact culturally responsive curricular redesign within disciplines, courses, and programs and with curriculum committees.
6. Acknowledge, without assigning blame, that the structure of the college houses the institutional biases and prejudices of its founding time. Those biases have privileged some and disadvantaged others, particularly African-American and LatinX/ChicanX communities.
7. Partner with administration and faculty collective bargaining leadership to transform faculty hiring, onboarding, evaluation, and tenure processes with an anti-racism focus.
8. Work with your administration and students to offer constructive ways for students to express themselves about their lived experiences and the structural and historical biases that exist for Blacks, Latinx/Chicanx, Indigenous, and other minoritized groups and to center student voices more predominantly in governance and decision-making.
9. Provide organizational and transformational leadership faculty training and support and ongoing online faculty development, including racial literacy education.

## Recommendations for Colleges and Districts

1. Explicitly make a commitment to anti-racism and incorporate it into guiding institutional documents such as diversity, equity, and inclusion statements, values statements, and mission statements.
2. Conduct a racial climate survey to better understand racial attitudes and issues.
3. Implement restorative justice practices into district and college culture.
4. Fund and create a professional development program in culturally relevant and responsive pedagogy and andragogy.
5. Scale up and appropriately fund programs and services dedicated to advancing racial equity through a holistic approach.
6. Provide professional development in equity-mindedness and anti-racism.
7. Provide resources and professional development opportunities to critically interrogate and reflect on the impact of key discriminatory laws and practices in the U.S. on higher education.

8. Examine and update current policies and procedures using both an equity and anti-racist lens.
9. Incorporate explicit anti-racism training in new faculty onboarding processes and programming as well as existing professional development.
10. Center student voice more predominantly in governance and decision-making.
11. In partnership with unions, conduct an audit of collective bargaining agreements through a lens of equity and racial and social justice.

## Recommendations for the Board of Governors

1. Make anti-racism a focus of the Board's goals underlined in the California Community Colleges *Vision for Success*.
2. Explicitly state a commitment to anti-racism within the Board's Diversity, Equity, and Inclusion statement.
3. Incorporate anti-racism and equity minded language in the system's regulations, policies, plans, and areas such as finance, institutional effectiveness, educational services and support, digital innovation and other areas identified.
4. Establish an anti-racism policy to drive the assessment and evaluation of racial equity.
5. Support anti-racism, equity, diversity and inclusion policy making and funding allocation to provide professional development and learning at the system and local levels. Allocate resources at the state level to partner with expert organizations in the provision of professional development and learning.
6. Provide intentional incentives to institutions that move beyond complicity towards anti-racist reform.

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# Appendix A: Timeline of Discriminatory Laws in the United States

Past discriminatory laws and practices have impact today.

- 1607 Colonists founded first American colony in Jamestown, Virginia
- 1669 Virginia legislature passed "an act about the casual [sic] killing of slaves"
- 1699 First African captives arrived in Virginia to be sold as slaves via The White Lion, a Dutch ship flying a British flag
- 1704 First Slave Patrol created in the Carolina colonies
- 1740 The Negro Law of 1740 prohibited Blacks from leaving America, congregating in groups, earning money, and learning to write
- 1776 Declaration of Independence. "All Men are Created Equal" except for those who had no legal rights, including Native Americans, indentured servants, poor White men who did not own property, slaves (Blacks), and women
- 1789 US Constitution "three-fifths compromise". Slaves (Blacks) to be counted as 3/5 of a person for calculating representation in Congress for states
- 1790 Naturalization Act of 1790. Citizenship restricted to free Whites
- 1819 Civilization Act of 1819. Assimilation of Native Americans. Provided US government funds to subsidize Protestant missionary educators in order to convert Native Americans to Christianity
- 1830 Indian Removal Act. Legalized removal of all Native Americans east of the Mississippi
- 1831 Act Prohibiting the Teaching of Slaves to Read. Stated teaching slaves to read or write is illegal.
- 1848 Treaty of Guadalupe Hidalgo. Ceded Mexican territory in the Southwest to the United States (over 1 million square miles, including what is now California, New Mexico, Nevada, parts of Colorado, Arizona, and Utah). The treaty promised to protect the land, language, and culture of Mexicans living in the ceded territory. Mexicans were given the right to become US citizens if they decided to stay in the territory. Many were not granted citizenship despite adhering to the treaty. The US Congress did not pass Article X, which stipulated the protection of the ancestral lands of Mexican people. The US Congress required inhabitants to prove, in US courts, speaking English, and with US lawyers, that they had legitimate titles to their lands. Many became landless and disenfranchised.
- 1848 Gold found at Sutter's Mill in California. California Gold Rush 1848-1855. White miners learned mining techniques from miners of Mexican ancestry because techniques for extracting gold were developed in Mexico. Mexican mining laws in California were repealed so miners could not claim mine ownership based on the Mexican laws.
- 1848 The Great Mahele in Hawaii (1848-1855). Allowed private ownership of land for the first time in Hawaii. Lands were formally divided and commoners were given an opportunity to claim their traditional family (kuleana) lands. Many claims were never established and foreigners (whites) were able to acquire large tracts of land
- 1849 California Constitutional Convention. Called by Governor Riley to draft the first California Constitution. Decided not to allow slavery in California because they did not want southerners to bring their slaves to work the gold mines due to competition for gold.
- 1850 Alien Land Ownership Act in Hawaii. Written by an American lawyer, it allowed foreigners (non-Hawaiians) to hold title to Hawaiian Land.

- 1850 Foreign Miners Tax. California levied taxes on all "foreigners" engaged in mining. This was aimed at Mexicans. After a revolt it was repealed in 1851 and then reestablished in 1852 (aimed at Chinese). It remained in effect until the 1870 Civil Rights Act.
- 1850 California enters Union as a free state due to concerns over having Blacks in California and allowing Southerners to bring their slaves to California to work the gold mines
- 1851 Governor of California, John McDougall declared a "war of extermination" against Native Americans
- 1854 People v. George W. Hall. Established that people of color could not testify against White men. "No Black, or Mulatto person, or Indian, shall be allowed to give evidence in favor of, or against a White man"
- 1855 California requires all instruction to be conducted in English
- 1860 The Bureau of Indian Affairs established the first Indian boarding school on the Yakima Indian Reservation in the state of Washington. Boarding schools were made to assimilate Native Americans into U.S. society
- 1862 Homestead Act. Allotted 160 acres of western land (Native American land) to anyone who could pay \$1.25 and cultivate it for five years. European immigrants and land speculators bought 50 million acres. Congress gave another 100 million acres of Native American land to the railroads for free. Since the Homestead Act applied only to US citizens, Native Americans, Blacks and non-European immigrants were excluded.
- 1862 Morrill Act, also known as Land-Grant College Act of 1862. Provided grants of land to states to establish federal public colleges. The land used was taken from indigenous people
- 1865 Juneteenth. Union soldiers landed at Galveston, TX with news that all slaves were free (two and a half years after the 1863 Emancipation Proclamation and a year after the 13th Amendment to the Constitution abolishing slavery)
- 1868 Treaty of Fort Laramie. Whites could not enter Black Hills without Native American permission. When gold was found there, the terms of the treaty were changed by US Congress without Native American consent.
- 1870 Naturalization Act of 1870. Revised Naturalization Act of 1790 and 14th Amendment. Naturalization limited to white persons and persons of African descent. Excluded Chinese and other Asian immigrants from naturalization.
- 1878 The United States Supreme Court ruled Chinese individuals ineligible for naturalized citizenship.
- 1882 Chinese Exclusion Act. Prohibited Chinese immigration for 10 years, bowing to pressure from nativists on the West Coast (renewed 1892, made permanent 1902, repealed 1943)
- 1887 Dawes Act. Dissolved tribal lands, granting land allotments to individual families. Explicitly prohibited communal land ownership. The United States Supreme Court decided in favor of the Maxwell Company and allocated millions of acres of Mexican and Native American land in New Mexico to the white-owned corporation.
- 1887 Bayonet Constitution in Hawaii. King David Kalakaua, the last reigning monarch of Hawaii, was forced at gunpoint to sign a constitution drafted by white businessmen that stripped the monarchy of much of its power. Changed voting rights in the kingdom; only men of Hawaiian, American, and European ancestry who met certain financial requirements could vote. Disenfranchised thousands of Asian voters, and opened voting to thousands of non-citizens
- 1890 Wounded Knee massacre of Native Americans by US Army
- 1893 Queen Liliuokalani deposed in an overthrow of the Hawaiian monarchy by a group of American businessmen led by Sanford B. Dole.

- 1896 Plessy V. Ferguson. Upheld "separate but equal" doctrine among Blacks and Whites in public facilities
- 1901 US citizenship granted to the "Five Civilized Tribes" -- Cherokee, Choctaw, Seminole, Creek, and Chickasaw.
- 1910 Restrictive covenants used as a way of "protecting" White neighborhoods. The states were barred from setting racial boundaries in housing, but private citizens could. An example of restrictive covenant language is "Racial Restrictions: No property in said Addition shall at any time be sold, conveyed, rented or leased in whole or in part to any person or persons not of the White or Caucasian race"
- 1921 Corrigan v. Buckley. The United States Supreme Court upheld the rights of property owners to protect their land from being sold to non-Whites.
- 1921 The Black Wall Street Massacre. In Greenwood, Oklahoma, 300 African Americans lost their lives and more than 9,000 were left homeless when the small town was attacked, looted, and literally burned to the ground by Whites
- 1923 Japanese businessman, Takao Ozawa, petitioned the Supreme Court for naturalization arguing that his skin was as white as any Caucasian; .Supreme Court ruled Ozawa cannot be a citizen because he is not "white" within the meaning of the statute because science defined him as of the Mongolian race. In the same year, in U.S. v Bhagat Singh Thind, the Supreme Court recognized that Indians are scientifically classified as Caucasians but concluded that Indians are not white in popular understanding. (Reversing the logic used in the Ozawa case in the same year)
- 1924 Realtor Code of Ethics, Article 34 said, "A Realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individual whose presence will clearly be detrimental to property values in that Neighborhood"; This clause remained in effect from 1924 to 1950
- 1924 Indian Citizenship act. Native Americans granted US Citizenship
- 1931 Alvarez v. Lemon Grove. Mexican parents overturned school segregation on the grounds that separate facilities for Mexican American students were not conducive to their "Americanization" and prevented them from learning English.
- 1932 National Recovery Act. forbade more than one family member from holding a government job. Removed from the workplace women who filled jobs while men were fighting in World War II
- 1934 Federal Housing Administration (FHA) created in part by the National Housing Act of 1934. The mortgage lending system still in use today was created and enabled the White masses to purchase homes while denying home loans to Blacks, other people of color, and non-Christians. The FHA took advantage of racially restrictive covenants and insisted that the properties they insured use them. Along with the Home Owner's Loan Coalition (HOLC), a federally-funded program created to help homeowners refinance their mortgages, the FHA introduced redlining policies in over 200 American cities. From 1934-1968 FHA mortgage insurance requirements utilized redlining. Redlining is the practice of denying or limiting financial services to certain neighborhoods based on racial or ethnic composition without regard to the residents' qualifications or creditworthiness. The term "redlining" refers to the practice of using a red line on a map to delineate the area where financial institutions would not invest. At the same time, the FHA was subsidizing builders who were mass-producing entire subdivisions for whites — with the requirement that none of the homes be sold to African-Americans.
- 1935 California law declared Mexican Americans as foreign-born Native Americans (not citizens).

- 1935 Social Security Act. established a system of old-age benefits for workers, benefits for victims of industrial accidents, unemployment insurance, aid for dependent mothers and children, the blind, and the physically handicapped; excluded farm workers and domestic workers from coverage, denying those disproportionately minority sectors of the workforce protections and benefits routinely distributed to Whites
- 1935 Wagner Act. Legalized the right to organize and create unions but excluded farm workers and domestic workers, most of whom were Latinx, Asian, and African American
- 1942 Executive Order 9066 ordered the internment of Japanese Americans
- 1943 Zoot Suit riots. Police arrested only Mexican youth, not Whites
- 1946 Mendez v. Westminster. Court ended de jure segregation in California finding that Mexican American children were segregated based on their "Latinized" appearance and district boundaries manipulated to ensure Mexican American children attended separate schools
- 1954 Brown v. Board of Education. Overturned Plessy v. Ferguson "separate but equal" doctrine. Supreme Court ruled segregation in education is inherently unequal
- 1961 Executive Order 10925 by President Kennedy. Federal contractors were to take "affirmative action to ensure that applicants are treated equally without regard to race, color, religion, sex, or national origin."
- 1963 Rumford Fair Housing Act. California act which outlawed restrictive covenants and the refusal to rent or sell property on the basis of race, ethnicity, gender, marital status or physical disability
- 1963 Martin Luther King jailed during anti-segregation protests. He wrote "Letter from the Birmingham Jail" arguing that individuals have a moral duty to disobey unjust laws
- 1964 California Proposition 13 passed. Amended the California Constitution and nullified the Rumford Fair Housing Act. Proposition 13 remained in effect until it was declared unconstitutional by the California Supreme Court in 1996.
- 1964 Civil Rights Act of 1964. Outlawed discrimination based on race, color, religion, sex, or national origin. Prohibited discrimination in a number of settings including employment, housing, and public accommodations
- 1965 Executive Order 11246 by President Johnson. Required all government contractors and subcontractors to take affirmative action to expand job opportunities for minorities
- 1971 Serrano v. Priest. California case where students of Los Angeles County public schools and their families argued that the California school finance system, which relied heavily on local property tax, disadvantaged the students in districts with lower income. The California Supreme Court found the system in violation of the Equal Protection Clause because there was too great a disparity in the funding provided for various districts.
- 1972 Lau v. Nichols. The United States Supreme Court ruled that school programs conducted exclusively in English deny equal access to education to students who speak other languages. Determined that districts have a responsibility to help students learn English
- 1972 Title IX, a portion of the U.S. Education Amendments of 1972. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance

- 1973 San Antonio Independent School District v. Rodriguez. Texas case where parents of students in a Texas school district argued that the school finance system in Texas, which relied on local property tax for funding beyond that provided by the state, disadvantaged the children whose districts were located in poorer areas. Unlike the California state court in Serrano v. Priest, the U.S. Supreme Court found that the system did not violate the Equal Protection Clause after determining that the system did not intentionally or substantially discriminate against a class of people.
- 1973 Robinson v. Cahill. A New Jersey case where the public school funding system relied heavily on local property tax. The New Jersey Supreme Court found that this system violated the state constitutional guarantee of access to a “thorough and efficient” public education system.
- 1974 Milliken v. Bradley. The United States Supreme Court ruled schools may not be desegregated across school districts. The ruling clarified the distinction between de jure and de facto segregation, confirming that segregation was allowed if it was not considered an explicit policy of each school district
- 1978 The Indian Child Welfare Act was passed. Native American parents gained the legal right to deny their children’s placement in off-reservation schools
- 1982 Plyler v. Doe. A Texas law allowed the state to withhold school funds for undocumented children. The Supreme Court found that this law violated the Fourteenth Amendment rights of these children because it discriminated against them on the basis of a factor beyond their control, and because this discrimination could not be found to serve a large enough state interest.
- 1995 Hate Crimes Sentencing Enhancement Act. Allowed a judge to impose harder sentences if there is evidence showing that a victim was selected because of the “actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person”
- 1996 California Proposition 209. Prohibited state governmental institutions from considering race, sex, or ethnicity in the areas of public employment, public contracting, and public education. Ended affirmative action in California
- 2010 Development, Relief, and Education for Alien Minors Act of 2010 (DREAM Act of 2010). Authorized the Secretary of Homeland Security (DHS) to cancel the removal of, and adjust to conditional nonimmigrant status, an alien who: (1) entered the United States before his or her 16th birthday and has been present in the United States for at least five years immediately preceding this Act’s enactment; (2) is a person of good moral character; (3) is not inadmissible or deportable under specified grounds of the Immigration and Nationality Act; (4) has not participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; (5) has not been convicted of certain offenses under federal or state law; (6) has been admitted to an institution of higher education (IHE) or has earned a high school diploma or general education development certificate in the United States; (7) has never been under a final order of exclusion, deportation, or removal unless the alien has remained in the United States under color of law after such order’s issuance, or received the order before attaining the age of 16; and (8) was under age 30 on the date of this Act’s enactment.
- 2012 Deferred Action for Childhood Arrivals (DACA). Secretary of Homeland Security announced that certain people who came to the United States as children and who meet several guidelines may request consideration of deferred action for a period of two years, subject to renewal. They are also eligible for work authorization

- 2017 President Trump issued a series of discriminatory executive orders banning Muslims from travel to the United States. The first was Executive Order 13769 Protecting the Nation from Foreign Terrorist Entry into the United States, also known as the Muslim ban; the Supreme Court allowed the third iteration of the Muslim ban to stay in place pending further legal challenges. Separated American families.
- 2018 Deferred Action for Childhood Arrivals (DACA) rescinded by President Trump. Left nearly 700,000 Dreamers eligible for deportation. Was to be effective as of March 2018, but a Supreme Court ruling postponed the effective date to October 2018
- 2020 Memorandum on Excluding Illegal Aliens From the Apportionment Base following the 2020 Census issued by President Trump





## **Antiracism Statement** **(adopted 10/26/20)**

Whereas, access, equity, diversity, and inclusiveness are core values of Palomar College.

Whereas, the Faculty Senate of Palomar College endorses those values.

Whereas, antiracism includes an action-oriented approach to reducing bias, racism, and discrimination; supporting diversity; advocating with and for historically under-represented staff, faculty, and students in all areas of campus life; and furthering knowledge to improve policies and systems over time.

Whereas, systemic/institutional racism is policies, procedures, and norms that may have a disproportionately negative impact on Black, Indigenous, Latinx, and People of Color (BILPOC).

Whereas, in light of the history of injustice towards People of Color and in light of more recent developments raising awareness of systemic/institutional racism, including testimonials of students, colleagues, and community partners, the Faculty Senate of Palomar College, within its scope of academic and professional matters, affirms that BILPOC lives and voices *matter*.

Be it resolved that, in matters related to oversight of curriculum, the Faculty Senate will ensure, through direction given to the Curriculum Committee, that equity, diversity, and inclusion is appropriately integrated in the Course Outlines of Record.

Be it resolved that, in matters related to degree and certificate requirements as well as educational program development and review, the Faculty Senate will ensure that courses, degrees, certificates, and programs serve the needs of our BILPOC students.

Be it resolved that, in matters related to grading policies, the Faculty Senate will maintain the integrity of fair and equitable grading practices.

Be it resolved that, in matters related to standards and policies regarding student preparation and success, the Faculty Senate will maintain a regular reporting relationship with student support services to ensure the needs of our BILPOC students are being addressed.

Be it resolved that, in matters related to district and college governance structures, the Faculty Senate will ensure that Faculty Senate representatives are sensitive to and take action toward advancing issues of equity, diversity, and inclusion.

Be it resolved that, in matters related to faculty roles and involvement in the accreditation process, the Faculty Senate will support an evidence-based accreditation report that includes equity, diversity, and inclusion planning progress.

Be it resolved that, in matters related to faculty professional development, the Faculty Senate will ensure that faculty will grow and educate themselves on matters of oppression, racial injustice, implicit bias, and related issues and their impact on pedagogy by participating in appropriate professional development activities.

Be it resolved that, the Faculty Senate will advocate that resources are provided for the activities mentioned herein.

Be it resolved that, in matters related to faculty hiring, the Faculty senate will carefully assess diversity in hiring and work diligently with relevant groups on campus to expand and improve diverse hiring practices.

Be it therefore resolved that, the Palomar College Faculty Senate commits to actions that will address the inequality and oppression of Black, Indigenous, Latinx, and People of Color and celebrate the cultural contributions of BILPOC students, faculty, and staff.

*Academic Senate for California*

*Community Colleges*

**Protecting the Future of Academic  
Freedom During a Time of Significant  
Change**

## **Educational Policies Committee 2019-2020**

Nathaniel Donahue, ASCCC At Large Representative (Chair)

Stephanie Curry, ASCCC North Representative

Wendy-Brill-Wynkoop, College of the Canyons

Julie Bruno, Sierra College

Angela Echeverri, Los Angeles Mission College

Manuel Valez, San Diego Mesa College

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## **Introduction**

### **Academic Freedom Defined**

Academic Freedom is a fundamental concept which exists to ensure that our institutions of higher education function for the public good and assures that our colleges are constructed on the foundations of genuine trust. For over a century, members of The American Association of University Professors (AAUP) have been agile guardians, careful stewards, and erudite experts regarding the principle of academic freedom and its application in the faculty profession. In their historic “Statement on Academic Freedom and Tenure”<sup>1</sup> from 1940 ([Appendix 1](#)), the AAUP provides the definitive definition of academic freedom. Their major parameters state that the privilege and responsibility of academic freedom guarantees faculty “freedom in the classroom in discussing their subject,” “full freedom of research and in the publication of the results,” and the freedom from “institutional censorship or discipline” in their extramural speech. These three foundational principles protect discipline-based academic work from being corrupted or conducted for any other reason than the advancement of the public good.

### **California Community College Changing Demographics**

When the AAUP first presented their “Statement of Principles on Academic Freedom and Tenure” in 1940 the community college campus was certainly a different place in terms of student and faculty demographics. In fact, in the California Community Colleges during that time, students of color (Latinx, Black, Native American, and Asian students) collectively made

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<sup>1</sup> <https://www.aaup.org/file/1940%20Statement.pdf>

up less than half of the students enrolled in courses, while white students made up the largest group. Today, student makeup is quite different. In terms of ethnicity, for example, according to demographic data from the CCC Chancellor's office, students of color make up close to 65% of students body while our White students represent 26%.

For faculty the shift has not been as significant; however, changes in faculty demographics have been noticeable. Whereas in the 1940s faculty of color on college campuses were severely under-represented, today that representation has improved slightly. In fact, in the California community colleges today, tenured or tenure-track faculty of color comprise over 34% of the total faculty while White faculty comprise over 58% (adjunct demographics are similar to tenure/tenure track). Similarly, when looking over demographics of faculty in relation to gender, a significant difference can be seen between 1940 and today. Whereas in the 1940s women made up only a small fraction of faculty on our campuses, today according to the Chancellor's Office, 54% of all full-time tenured or tenure track faculty identify as female. Finally, in reference to LGBTQ faculty and students, noticeable changes can also be discerned despite the fact that little data currently exists in this area (while California's AB 620 encourages CCCs to collect aggregate data on gender identity and sexual orientation, it doesn't require it). However, it's important to recognize that the passage of AB 620 in 2011 as well as the establishment and increase of LGBTQ centers/alliances on college campuses certainly indicates positive trends in recognizing and creating space for LGBTQ faculty and students. In the CCCs alone, at least 17 colleges have established LGBTQ safe-zones and alliances reflecting this trend. All of this indicates that today's college campus is vastly different in terms of "diversity" than it was certainly in the 1940s when the AAUP presented their "Statement of



Principles on Academic Freedom and Tenure” and raises important questions of the role of Academic Freedom in relation to these historically and currently marginalized communities. Can a concept developed during a time when these communities were minimally considered (if at all) apply equally to them today? Are there other considerations that must be identified and addressed in regards to Academic Freedom given the changes in diversity of today’s campus community?

In considering these questions, the Academic Senate for California Community Colleges began a deep and sustained conversation on academic freedom. California Community Colleges are in a period of significant and systemic change. Faculty are engaging with and challenging each other to act in adopting culturally responsive teaching, in eliminating racism in all its forms (interpersonal, institutional, systemic), and in serving the whole student in ways that provide care and support as well as ensure a clear and direct path toward reaching their educational goal. At this time of change in our system, academic freedom may not be on the minds of many faculty. However, the principles in academic freedom are at the core of what we do as professionals in our classrooms, at our colleges, and in our communities and should not be forgotten or overlooked. The purpose of this paper is not to be the definitive word on academic freedom in our system. Rather, it is to begin an exploration of what academic freedom means and how it should be protected and implemented in the California Community Colleges. This paper does not attempt to cover every aspect or nuance of academic freedom and its practice by faculty. Rather this paper strives to lay a foundation to ensure the principles remain strong and flexible to adapt to the changing dynamics in the California Community Colleges and academia.

## Academic Freedom and Free Speech

Sometimes the concept of academic freedom is confused with the Constitutional Right to Free Speech<sup>2</sup>, presumably because both concepts regard principles of free expression. But these rights differ both in those who possess them, and what they guarantee. Free Speech is the right of every individual in the United States and is enshrined by the First Amendment. The freedom of speech protects a wide range of all-encompassing expression, including “the right to one’s own opinion, however unfounded, however ungrounded, and extends to every venue and institution.”<sup>3</sup> Furthermore, first amendment freedom of speech guarantees the right of all people in the United States “the expression of their ideas, no matter how true or false they may be.”<sup>4</sup> Academic Freedom is different, and in many ways more restrictive. It is a right held by “educators in pursuit of their discipline,”<sup>5</sup> and “addresses rights within the education contexts of teaching, learning, and research both in and outside the classroom for individuals at private as well as public institutions” and is “based in the pursuit of truth.”<sup>6</sup> Whereas, freedom of speech makes no requirement on the quality and type of expression, and indeed protects all forms of expression almost unconditionally, academic freedom is very concerned with the quality and context of expression in order that it may contribute to both the academic discipline and the public good in “the pursuit of truth.” The absence of strong academic freedom policies and practices with protection of those practices leave knowledge, teaching, learning, and our students at risk of influence from outside forces who would like to harness

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<https://constitution.congress.gov/constitution/amendment-1/#:~:text=Constitution%20of%20the%20United%20States&text=Congress%20shall%20make%20no%20law,for%20a%20redress%20of%20grievances.>

<sup>3</sup> <https://www.amacad.org/news/free-speech-and-academic-freedom.>

<sup>4</sup> <https://www.aaup.org/sites/default/files/Dutt-Ballerstadt.pdf>

<sup>5</sup> <https://www.oah.org/about/governance/policies/academic-freedom-guidelines-and-best-practices/>

<sup>6</sup> <https://www.oah.org/about/governance/policies/academic-freedom-guidelines-and-best-practices/>

the power and promise of education for motives focused on profit, social oppression, and the political suppression of critical thinking and informed dialogue.

Academic Freedom is preserved and strengthened by the tenure process, which like academic freedom exists to ensure the public trust in institutions of higher education and the public servants who work in them. Without the professional security that tenure provides, faculty, their teaching, and their research may be subject to influences that possess motivations misaligned with the stewardship of the public good and the “pursuit of truth.”

### **The Practice of Academic Freedom**

The practice of academic freedom assures that the conditions are created for the unfettered advancement of knowledge “in the pursuit of truth.” It promises that the contributions faculty make to their disciplines, in teaching and research, are uncorrupted by outside forces who would seek to harness the power of education, and the students who seek it, for their own self-centered selfish ends or to maintain the status quo. These motivations may not necessarily be in alignment with the creation of an informed citizenry and an educated society. Indeed, this point deserves emphasis right away: Academic Freedom is required so that the faculty professionals who teach and research are protected from external forces that might try to influence the development of culture, science, and knowledge in order to serve any interest other than the intellectual, socioeconomic, and socioemotional advancement of students through the attainment of an education. Often misunderstood and nefariously cast as a principle that exists to advance the political opinions or interests of a learned elite, on the contrary, academic freedom is a requisite that protects against the political, economic, moral,

and intellectual corruption of our institutions of higher education. It does not give teachers the right to impose their personal or political views upon students, ignore college or university regulations, to defend any form of professional incompetence, or to teach outside their subject matter or the official course outline of record. Academic Freedom is a fundamental concept that exists to ensure that our institutions of higher education function for the public good, and assures that our colleges are constructed on the foundations of genuine trust.

### **Academic Freedom and Marginalized Communities**

When we discuss diversity in a campus community we refer to a demographic perspective of it that reflects the diverse nature of those communities and those students. In this sense, discussions such as hiring, retention, and support of faculty are important but are only indirectly related to academic freedom. Instead, academic freedom, as defined by the AAUP, relates to freedom of research and publication, freedom in the classroom to discuss their subjects, and freedom to have public discussions. In this sense, while discussions of retention and hiring are certainly important in terms of diversity, discussions on academic freedom in relation to these communities should focus more on issues related to these three “freedoms” and how they relate to them.

### **Freedom of Research and Publication**

It’s important to consider the demographic change on our campuses not only as one that has created a more diverse population, but more importantly one that has introduced diverse concepts and ideas into an academic environment that has and continues to be dominated by patriarchal euro-centric paradigms. This is evident especially in CCCs where the

growth of Ethnic Studies related programs has continued to increase yearly and the introduction of General Education courses with emphases on marginalized communities has as well. These are strong indications of the growing influence of a diverse faculty on the academic discourse in our colleges and certainly a benefit for our students. In many ways academic freedom has played an important role in ensuring that this influence could exist. Not only is this evident in the establishment of Ethnic Studies programs but perhaps even more so in the proliferation of publications and research related to marginalized communities. Scholars in the recent years have placed much emphasis on researching communities who have once been ignored by academia. Scholarly texts on Black, Latinx, Women's and LGBTQ History are beginning to fill our bookshelves as faculty exercise their freedom to research what they believe to be relevant. This proliferation in publications leads to more exposure of these communities and ideas to our students as faculty introduce them in their curriculum and, as indicated in extensive research, provide our students with a stronger education.

However, this change does not come without resistance. Because the focus on historically marginalized communities must also include an analysis of the forces responsible for that marginalization, research from these communities tends to challenge and undermine long-held academic paradigms which are based on patriarchal and Eurocentric notions, and which still dictate academic discourse and curriculum today. For this reason, the introduction of this research tends to come with controversy and resistance. Today, this controversy can be found in the focus on "Decolonization of curriculum" a growing academic concept that attempts to challenge the long-established traditional notions of pedagogy and academics by focusing on paradigms that replace and undermine those established by colonization. As

discussions of “decolonization” grow, attempts to dismiss it can also be found. Opponents of this concept dismiss it as “political activism” or attempts at “political correctness” and as such remove it from the realm of academic discourse. This “trivialization” often serves to discourage faculty from pursuing research in these areas and serves to protect patriarchal and Eurocentric paradigms. In this sense then, academic freedom serves a function counter to what it was intended to serve. Rather than encouraging the freedom to research and publish, academic freedom can be used by those opposed to new paradigms and focuses as a means of protecting traditional ones and discourage faculty from marginalized communities from introducing concepts which may address and improve the campus experience for all faculty and students.

Another area where academic freedom in research and publication has been an engine for progress and the common good is in medicine and the sciences. The ability to challenge prevailing wisdom or the status quo always has been instrumental to significant advances in our understanding of the natural world. In many cases new ways of thinking and free inquiry were initially vehemently opposed by other scholars and society at large, but when the truth eventually prevailed, it led to monumental paradigm shifts. Whether it involved challenging creationism, geocentrism, Lamarkism, spontaneous generation, or the etiology of infectious diseases, history is replete with cases in which the pursuit of knowledge and progress have been hindered by the lack of academic freedom in research and publication. For example, Ignaz Semmelweis’ groundbreaking studies in the 1840s on the cause of childbirth fever in obstetric wards and the importance of handwashing in its prevention, was met with such ridicule,

hostility, and resistance from his fellow physicians, that he was forced to leave his job<sup>7</sup>. An untold number of women and children tragically and unnecessarily lost their lives as a result of the initial suppression of his findings. While today most of us understand that handwashing is essential in preventing the spread of infectious disease, at one point in history making doctors wash their hands was considered a radical notion. Clearly this is one example where academic freedom could have protected not only Semmelweis' job and right to publish his research, but also the pursuit of knowledge and the common good.

### **Freedom in the Classroom**

The second freedom identified by the AAUP recognizes the freedom of faculty to teach and discuss the subjects they choose within the classroom. This freedom is of particular relevance for students in that it directly relates to their rights to learn, a right also specifically identified by the AAUP. This freedom has allowed for faculty to introduce concepts to their students that are free from political, administrative, or monetary influence and recently has also allowed for a more diverse perspective in regards to marginalized communities within the classroom directly. By introducing concepts and topics into an academic setting such as a classroom, faculty in essence validate those concepts and topics as worthy of academic discourse for their students. In cases where topics reflect the students' own background and cultural history this validation serves to validate their own presence on campus and give them a sense of belonging. Examples of this have become more and more common since the beginning of the early 1900s. One such example is the publication of the book, *With His Pistol in*

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<https://www.npr.org/sections/health-shots/2015/01/12/375663920/the-doctor-who-championed-hand-washing-and-saved-women-s-lives>

*His Hand* by Dr. Americo Paredes. This book focused on the role of the *Corrido* in Mexican-American society in the early 1900s and represented thorough research on the Mexican-American experience in the Southwest at that time. Dr. Paredes' work became the first extensive research of Mexican-American folklore in the United States and served as the foundation for continued research in that culture. Today, Paredes' book is still widely read and discussed in college courses throughout California as are other topics related to Mexican-American and other ethnic cultures. Such teachings help to give students a well-rounded and comprehensive perspective of their societies and a stronger education overall and once again academic freedom has served as a driving force in its proliferation. In fact, today the number of courses that focus on marginalized communities continues to increase and academic freedom can be directly attributed to this increase

Unfortunately, as with the freedom to research and publish, the freedom to teach and introduce these new concepts and topics can come with resistance as well. This resistance may come in the form of lack of administrative support at the campus level or even from within the faculty itself. Once again, because the study and as such the teaching of marginalized communities necessarily includes a discussion of the conditions that cause their marginalization, it is often challenged and discouraged by those who embrace more traditional paradigms and trivialized by those who don't see it as fitting within the traditional paradigms of academia. In his article, "How and Why is Academic Freedom Important for Ethnic Studies" David Palumbo-Liu echoes this idea:

"Ethnic studies is particularly vulnerable to denials of or infringements upon academic freedom not only because the kinds of knowledge it generates are considered



peripheral to the core mission of the university, but also because its modality of opposition and contestation wins it no friends among most administrators.”<sup>8</sup>

At the administrative level this may mean that courses with focus on such communities are given less priority and as such offered less than other courses. It may also mean less priority on the hiring of faculty who emphasize these communities in their research. Resistance may also come from faculty who oppose these new concepts and perspectives. This resistance often comes as challenges to the academic integrity of the concepts or topics and thus removes them from the protection of academic freedom.

### **Freedom for Public Discussion**

Perhaps no other freedom as defined by the AAUP has been most impacted by modern developments than the freedom for public discussion. Twenty-first Century technological advancements have enabled a level of public discourse never even imaginable in the 1940s. This advancement certainly comes with myriad advantages in regards to freedom of expression for everyone, however in regards to academic freedom it has added layers of complexities and challenges that cannot be completely addressed in this paper. However, it is important to note the important role that these advancements have played in the evolution of college curriculum and the inclusion of new and dynamic pedagogical approaches that challenge long-standing academic norms. While social media sites such as Twitter and Facebook can serve as volatile spaces for discussion, nevertheless they offer a level of discursive engagement for marginalized communities that did not previously exist.

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<sup>8</sup>[https://www.researchgate.net/publication/298209175\\_Why\\_and\\_How\\_Is\\_Academic\\_Freedom\\_Important\\_for\\_Ethnic\\_Studies](https://www.researchgate.net/publication/298209175_Why_and_How_Is_Academic_Freedom_Important_for_Ethnic_Studies)

Unfortunately, the volatility of social media can also threaten academic freedom. The case of Steven Salaita, a newly-hired tenured faculty member of the Indian Studies department at the University of Illinois in Urbana-Champaign, is a clear example of this threat. In 2014 Salaita criticized U.S. policy in regards to Israel and Palestine via social media platforms. This criticism, along with growing public demands, drove the University of Illinois to rescind its offer of employment<sup>9</sup>. Certainly, this case exemplifies the complexities of academic freedom in this social media age. While Salaita's comments weren't made in an academic environment nor in a peer-reviewed article, they still fall under the definition of "public discussion" and as such can be categorized as academic freedom. However, given that social media is a recent phenomenon it is something that deserves and necessitates stronger focus.

### **Academic freedom, tenure, and shared governance for full and part time faculty**

In the California Community College system, college governance must adhere to Education Code and Title 5 regulation, as codified in local policies, procedures, and practices.<sup>10</sup> Academic senates spend an extraordinary amount of time and energy ensuring that governance, as it relates to academic and professional matters, follows the law and is effective for the institution. However, in focusing on the effectiveness of college governance, faculty tend not to pay as close attention to academic freedom as the "indispensable requisite for unfettered teaching and research in institutions of higher education"<sup>11</sup> nor to the role that tenure affords in safeguarding the protections of academic freedom. The principles inherent in both academic freedom and tenure provide not only protections for the profession but also

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<sup>9</sup> <https://www.insidehighered.com/news/2015/04/28/aaup-slams-u-illinois-handling-steven-salaita-case>

<sup>10</sup> For more information, see the ASCCC Local Senates Handbook, <https://www.asccc.org/papers/handbook2015>

<sup>11</sup> Protecting Academic Freedom, <https://www.aaup.org/our-work/protecting-academic-freedom>

delineate the responsibilities faculty have to their disciplines, the students, the institution, the public, and each other. Since the strength of the protection of academic freedom and tenure affects all faculty, it is an issue that should be of deep concern for both academic senates and collective bargaining units. As such, it is imperative that both organizations work together to ensure the vitality and survival of academic freedom and tenure within our system. In recognizing how important academic freedom is to our profession, we must also recognize that its very existence is inextricably dependent upon tenure. As confirmed by AAUP, a principle purpose of tenure is to safeguard academic freedom.<sup>12</sup>

### **Academic Freedom and Tenure**

In 1988, AB 1725 (Vasconcellos)<sup>13</sup> included mention of the importance of full-time faculty to the community colleges. This sentiment was later included in Title 5 as an aspirational goal (frequently referred to as 75/25) for 75% of instruction to be performed by full time, tenured or tenure track faculty. The goal is also referenced in Education Code 87482.6<sup>14</sup> and details the use of full-time obligation number (FON) and funding in an effort to make progress on the goal. Regardless of the support of both Education Code and Title 5, the community college system has never met that goal, which has critical implications for tenure, academic freedom, and governance, particularly in regards to collegial consultation.

Tenure in the California Community Colleges is threatened and has been for many years; consequently, so has academic freedom. Funding for the California Community College system

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<sup>12</sup> Tenure, <https://www.aaup.org/issues/tenure>

<sup>13</sup> <https://edsource.org/wp-content/uploads/old/ab1725.PDF>

<sup>14</sup> [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=87482.6#:~:text=\(1\)%20in%20computing%20the%20percentage.instruction%20taught%20by%20full%2Dtime](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=87482.6#:~:text=(1)%20in%20computing%20the%20percentage.instruction%20taught%20by%20full%2Dtime)

has always been unstable, dependent upon state allocations, property taxes, and political will. Overall, the state allocation per student had declined over time<sup>15</sup> and with the 2018 alteration in the system funding formula to include performance-based funding. District budgets have gone through considerable change both in the amount of funding colleges receive as well as the predictability of that funding. That uncertainty has only been exacerbated in recent times by the economic fallout caused by a global pandemic. In response to these financial uncertainties, historically community colleges have increasingly relied on part-time faculty who by the very nature of their employment status are easily hired or terminated depending on fluctuation in funding, in student headcount, course offerings, and staffing needs. Additionally, the community college system continues to rely on the Faculty Obligation Number (FON) to determine the minimum number of full-time faculty per district as required by the Board of Governors. Unfortunately, the FON has remained relatively unchanged since its inception in 1989. Rather than making progress toward the 75/25 goal, districts tend to use the FON as a ceiling rather than the floor to benchmark the number of full-time faculty to hire each year resulting in stagnant and even decreasing numbers of tenure track faculty in the CCC system.<sup>16</sup> Currently, the community colleges have approximately 16,451 full-time faculty and 37,918 part time faculty.<sup>17</sup> Thus, approximately 70% of faculty within the system and do not have the protections of tenure status. The static number of full-time tenured faculty and the necessary corollary of reliance on part-time faculty has left colleges in a weakened position regarding

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<sup>15</sup> 2019 – CCCCCO data mart funding per student funding remained relatively flat over past 10 years.

<sup>16</sup> <https://www.asccc.org/sites/default/files/50-percent-Law-and-FON-Updated-Proposal.pdf>

<sup>17</sup> (Fall 2019 CCCCCO Data mart)

tenure. This weakening of tenure adversely affects the protection and benefits of academic freedom, including participation in governance, for all faculty.

The numbers of full and part time faculty have a direct impact on academic freedom and the ability of faculty and colleges to engage in robust participatory or shared governance. Although academic senates represent all faculty in academic and professional matters, regardless of employment status, and all faculty share a commitment to fulfilling academic and professional responsibilities outlined in Title 5 (the 10+1), there exist structural barriers for part-time faculty to participate in the governance of the college. One of the fundamental purposes of tenure is to protect a faculty member's ability to speak truth to power without retribution. Although the strength of this protection varies widely across the system since it is frequently dependent upon college policies, contract language (Appendix 2), and due process procedures, the fact that tenure provides some protection for full-time faculty is a privilege not experienced by part-time faculty. Even if some, albeit weaker, form of tenured protection extends to part-time faculty through seniority or rehire rights or due process rights under law, there still exists the pervasive threat of losing employment and minimal or nonexistent processes to grieve the encroachment into areas of academic freedom. This threat has a chilling effect on participation in college governance. Furthermore, part time faculty are frequently unable to participate in governance due to their workload and, if they are able, are rarely compensated for governance work. This burden was recognized as far back as 1988 in a passage from AB1725 (Vasconcellos):

“If the community colleges are to respond creatively to the challenges of the coming decades, they must have a strong and stable core of full-time faculty with long-term

commitments to their colleges. There is proper concern about the effect of an over-reliance upon part-time faculty, particularly in the core transfer curricula. Under current conditions, part-time faculty, no matter how talented as teachers, rarely participate in college programs, design departmental curricula, or advise and counsel students. Even if they were invited to do so by their colleagues, it may be impossible if they are simultaneously teaching at other colleges in order to make a decent living” (AB 1725 Vasconcellos 1988 Section 4.b)<sup>18</sup>

If the majority of faculty within the community college system are uncompensated and/or unable to participate in college governance, then that burden falls solely on the full-time faculty.

### **Importance of academic senates and unions working together**

In assessing the state of academic freedom, tenure and governance within the community college system, it is obvious that faculty organizations must collaborate to improve the status of all three for the benefit of faculty, students, and the community at large. Although there may be times that a local academic senate has found itself at odds with interests or positions taken by the local collective bargaining unit or union, these conflicts, potentially pitting one faculty group against another, do not serve faculty nor the institution well. It is important for both academic senates and unions to be clear of their purview in governance of the college and it benefits all for both entities to “stay in their respective lanes” and yet continue to collaborate on shared interests and issues. Academic freedom is one shared issue

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<sup>18</sup>[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=87482.6#:~:text=\(1\)%20in%20computing%20the%20percentage,instruction%20taught%20by%20full%2Dtime](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=87482.6#:~:text=(1)%20in%20computing%20the%20percentage,instruction%20taught%20by%20full%2Dtime)

that is frequently neglected by both academic senates and unions. Although colleges have academic freedom policies and some unions have negotiated language into the contract, it may not be enough as faculty face direct threats to academic freedom.

### **ASCCC Academic Freedom Survey**

An 2019 Academic Senate for California Community Colleges survey on Academic Freedom (Appendix 3), sent through the local Academic Senate Presidents, showed that more than 50% of those responding indicated that their contract did not contain a robust policy on academic freedom with due process for both full and part time faculty. In another finding, approximately 47% of those surveyed indicated that their academic senate had not created a strong statement that defined the parameters of academic freedom for faculty. Only about half of respondents agreed that their local Academic Freedom statement and Board Policy were widely distributed and easily accessible to all faculty. More than 90% of respondents indicated that faculty did not receive training on academic freedom at their campuses. Respondents identified several topics that had been debated with regards to academic freedom on their campuses including textbook selection, teaching methodology, implementation of statewide initiatives, faculty evaluations, grading policies, freedom of speech (in and out of the classroom), and curriculum offerings. More than 13% of those surveyed reported that outside organizations had been involved with the surveillance and censoring of college faculty and/or others on their campus. The survey results support the need for collective bargaining units/ unions and senates to work together to protect academic freedom, tenure, and shared governance for all faculty.

### **Academic Freedom Policies and Collective Bargaining Agreements**

In 2020 there were eighty-three faculty collective bargaining agreements in the California Community College system yet only forty have some mention of Academic Freedom.

Many simply include reference to the local district board policy on academic freedom noting that faculty have a contractual obligation to observe all policies. When Academic Freedom is included in the collective bargaining agreement, this is the default. However, listing Academic Freedom in collective bargaining agreements, not as a right of faculty, but yet as another task that they must absorb as part of their workload is insufficient. The recent ASCCC survey on Academic Freedom revealed that only 45% of respondents agreed or strongly agreed that their contract contained a robust policy on Academic Freedom and due process for Academic Freedom for both full-time and part-time faculty. In order to protect academic freedom, the collective bargaining agreement should strive to assert the unique right of academia particularly in the area of tenure, evaluation, and due process. The agreements must acknowledge academic freedom as a right of a profession of the faculty and reference the standard definition in the 1940's AAUP statement of principles. In the AFT Guild Local 1931 2020-2022 Collective Bargaining agreement with San Diego Community College District,<sup>19</sup> the faculty rights to academic freedom permeate the document not only by acknowledging the 1940 Statement of Principles but specifically called out in the right to faculty privacy including use of email and a noted expectation of the faculty to protect student's academic freedom. The collective bargaining agreement stands out in particular as an example incorporating the importance of academic freedom in the faculty evaluation process.

### **Academic Senate and Union Partnerships regarding Academic Freedom**

Academic senates must recognize that unions can be a powerful force to help combat the erosion of academic freedom and ensure faculty certain protections under academic

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<sup>19</sup> <https://aftguild.org/contracts/contracts.html>



freedom. According to the 2005 AAUP Academic Unionism Statement, there are a number of benefits from being a member of a union that complement the benefits of being a member of the academic senate including:

- Unions enable faculty and other members of the academic community, who would be powerless alone, to safeguard their teaching and working conditions by pooling their strengths.
- Unions make it possible for different sectors of the academic community to secure contractual, legally enforceable claims on college administrations, at a time when reliance on traditional advice and consent has proved inadequate.
- Unions may provide members with critical institutional analyses—of budget figures, enrollment trends, and policy formulations—that would be unavailable without the resources provided by member dues and national experts.
- Unions increase the legislative influence and political impact of the academic community as a whole by maintaining regular relations with state and federal governments and collaborating with affiliated labor organizations.
- Unions reinforce the collegiality necessary to preserve the vitality of academic life under such threats as de-professionalization and fractionalization of the faculty, privatization of public services, and the expanding claims of managerial primacy in governance.<sup>20</sup>

In support of academic senates and unions working together, the 2005 AAUP statement goes on to say that “[s]trong senates and strong union chapters can work together to preserve and protect academic freedom on campus. Together, they establish the institutional terrain and precedents on which individual rights are defined, defended, and sometimes adjudicated.”<sup>21</sup>

### **Protecting Academic Freedom Together: Effective practices for Academic Senates and Unions**

In order to effectively represent faculty, local academic senates and unions should strive to create a collegial and collaborative relationship – one that delineates and respects the unique role of each entity and strives to support the other. Faculty are best served when both the academic senate and the union are strong. A faculty divided against itself undermines

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<sup>20</sup> <https://www.aaup.org/academic-unionism-statement>

<sup>21</sup> <https://www.aaup.org/academic-unionism-statement>

faculty academic and professional standards, impairs working conditions, and damages the educational integrity of the institution.

In defining the relationship, faculty need to be aware of the different approaches used by academic senates and unions. Negotiation is the primary tool used by unions to draft the contract between faculty and the district to determine the conditions of employment, such as but not limited to, wages, working hours, overtime, safety conditions, class size, evaluations procedures, due process for discipline, seniority, academic calendar, sick leave, retirement benefits, health benefits, professional development, grievance methods, and participation in the academic senate. On the other hand, academic senates develop policies and processes regarding academic and professional matters through collegial consultation with the board of trustees (or its designee). Collegial Consultation is defined as either or both relying primarily upon the advice and judgment of the academic senate or by reaching mutual agreement.<sup>22</sup> Although very different, the approaches work as counterbalances to each other. When the union and the academic senate collaborate, the benefits of both approaches are clearly visible in the strengthening of the faculty as a whole and support the design of mutually beneficial college policies and processes that are culturally informed and responsive to our diverse students, their dreams, goals and needs.

To reach a beneficial state, it may be helpful to create a joint agreement or memorandum of understanding between the academic senate and the union(s) to clearly define the role and purview of each entity and the working relationship between the two. In developing the agreement, it is best to do so when the entities are not in conflict or stressed in

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<sup>22</sup> Title 5 Section 53200

dealing with major concerns (Appendix 4). A collegial relationship between the academic senate and the union is critical so that each entity may represent faculty within its purview. A written agreement is one way to ensure the effectiveness of working together particularly as a road map to continue collaboration in the future through the change of faculty leaders of both bodies.<sup>23</sup>

As academic senates and unions establish strong working relationships, one of the first items on the collective agenda should be to review the institution's policy on academic freedom and ensure that it is codified in the contract to protect both full and part time faculty. Academic senates should take the lead on defining the parameters of academic freedom (e.g. instructional methodology, textbook selection, syllabi, etc.) through resolution, policy, or other means as dictated by local process. These parameters will help to support and inform contractual agreements on academic freedom negotiated by the union. The unions should negotiate protections for both full and part time faculty, including due process for violations and ensuring the faculty evaluation process does not encroach on academic freedom.

Once the union has negotiated robust protections for academic freedom into the collective bargaining agreement, professional development for faculty is crucial. Again, this is an area where the academic senate and the union should collaborate. Training should be provided for all faculty, part time, tenure-track and tenured, on academic freedom and participating in the evaluation process. Special consideration should be given to how faculty evaluate faculty in the classroom, both on-ground and on-line. It is important to note that the

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<sup>23</sup> For more information on establishing a collegial working relationship between the academic senate and union, refer to ASCCC Developing a Model for Effective Senate/Union Relations [https://www.asccc.org/sites/default/files/publications/senate\\_union\\_relations\\_1996\\_0.pdf](https://www.asccc.org/sites/default/files/publications/senate_union_relations_1996_0.pdf)

tenure process for faculty in community colleges relies heavily on student evaluations.

According to one recent study of tenure-track faculty, the factors most associated with higher student ratings were the attractiveness of the faculty and the student's interest in the class; the factors most associated with lower student ratings were course difficulty and whether student comments mentioned an accent or a teaching assistant. Not surprisingly, faculty tended to be rated more highly when they were young, male, White, in the Humanities, and held a rank of full professor.<sup>24</sup>

Faculty should be aware of the scope of evaluations and how to ensure that the evaluation does not infringe upon the academic freedom of the faculty member being evaluated. If a faculty member has questions about what another faculty member is doing regarding anything that is within the faculty members academic freedom parameters as established by the academic senate, those conversations must be collegial and nonevaluative. They should be professional with the goal of understanding different ways of teaching and should in no way be brought up during the evaluation process. Ultimately, the academic senate and the union should work together so that all faculty understand and protect the academic freedom rights and responsibilities of all faculty.

Once protections are in place, it is important to consider who or what will be the arbiter in a case where there is a perceived violation of a faculty member's academic freedom. As an academic and professional matter, it is important that these violations go before a duly constituted (appointed or elected) faculty committee to review and recommend action. The

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<sup>24</sup> Citation: Murray D, Boothby C, Zhao H, Minik V, Be' rube' N, Larivière V, et al. (2020) Exploring the personal and professional factors associated with student evaluations of tenure-track faculty. PLoS ONE 15(6): e0233515. <https://doi.org/10.1371/journal.pone.0233515>

committee should be composed of members who are knowledgeable of both the parameters of academic freedom as determined by the academic senate and members who know the contract and due process for violations of those parameters. Committee members should undergo regular training on the academic freedom parameters and due process to remain current and effective. Such a committee may act as a source of campus expertise on academic freedom.

### **Other Considerations in Protecting Academic Freedom**

Other areas that the senate and union should collaborate regarding academic freedom include providing joint union and academic senate professional development and training for faculty and academic senate leaders. In a survey on Academic Freedom conducted by the ASCCC (Appendix C), an overwhelming majority of respondents, 93% indicated that their college provided no professional development on academic freedom for faculty. Ideally, professional development regarding academic freedom should be provided for all faculty locally including implementing local board policies and procedures in light of the parameters set by academic senates and the contract obligations negotiated by the union. Academic senates, with the assistance of union colleagues, should review their own procedures and those of their standing committees for possible constraining or incursion into areas of academic freedom.

Finally, senates and unions should educate administrators, board members, and the campus community as well as the larger community on the importance of academic freedom, tenure and shared governance as the most effective methods in ensuring the integrity of the institution and enduring public trust.

## **Supporting the Academic Freedom of Colleagues**

Faculty can take many actions to strengthen and support the academic freedom of their colleagues across the system and indeed across the nation. First, local academic senates can encourage the creation and adoption of a supportive board policy delineating the parameters of academic freedom on each campus. Further, each local senate can create their own statement regarding the practice of academic freedom at a variety of levels, including the generation of new curriculum and retirement of older courses, professional development, the implementation of diverse and innovative pedagogies in the individual classroom, evaluations, and grading policy, among others.

Sometimes supporting the academic freedom of colleagues at the department level can become fraught, especially because individual academic freedom can find itself in tension with local departmental policies, procedures, and the collective decision-making process. Decisions regarding common course materials and textbooks can often intersect with individual academic freedom. For example, what if a faculty member desires to use open educational resources (OER) for a course that makes use of a common print textbook chosen by the department. In this case, the department may have chosen a common text in order so that students do not have to purchase additional course materials (though the use of an OER would not require them to do so). Oftentimes there are departmental questions regarding the quality and rigor of the materials that can inspire intense feelings among discipline faculty who are passionate about their subjects and student success. As long as the faculty are choosing course materials that are in alignment with the course outline of record, individual faculty do in fact have the right to choose their course materials under the tenets of academic freedom.

In the aforementioned example, robust discussion should take place within the department, and ideally a consensus solution could be found. The same type of discussion may be had for student learning outcomes (SLOs) another area in which departments also adopted common standards and policies across courses. Another intra-faculty issue that can sometimes cause consternation among colleagues regarding the practice of academic freedom is grading policies. Academic freedom allows faculty to evaluate student work in a manner that they best see fit in order to teach the material. This is an especially important point to acknowledge, because commentary surrounding grading policies can often appear in evaluations of faculty work within the classroom by their peers during the tenure process. Some faculty equate rigor with a standard bell curve, while others believe that courses may be rigorously designed in ways in which most students master the material and earn high marks. In either case, it would infringe upon the parameters of academic freedom to use grade distribution in the evaluation of faculty work. Ideally, local academic senates and communities of practice within departments would set suggested guidelines for the evaluation of student work and grading policies, but not act as bodies of surveillance and enforcement.

One of the best and most important ways faculty can support the academic freedom of their peers is for local academic senates along with their union colleagues to develop robust professional development opportunities regarding the parameters and practice of academic freedom. Without a clear understanding of the boundaries and responsibilities attendant on the privilege of academic freedom, without a clear delineation of why academic freedom is practiced in service of our students and the public good in order to create a foundation of trust in our public institutions of education, and without a sound articulation of how the tenure

process is the essential basis of academic freedom, then the future of academic freedom will teeter in jeopardy.

### **Academic Freedom and Systemwide Initiatives**

Our system is constantly engaged in a process of continuous improvement, in order so that we may educate the whole student in the best way possible. As faculty we are always interrogating our pedagogies, improving our services, and innovating change so that we can be as effective as possible. The dialectic of continuous improvement may take place at a variety of levels in which faculty take the lead: the individual classroom, the department, or on local and statewide academic senate committees.

Sometimes, however, change knocks on our doors from outside our system, and is encouraged by entities who have different prerogatives and intentions than faculty. However, because academic freedom exists to protect education for the public good, and to ensure that students are allowed free inquiry, it must be the faculty, whose expertise is teaching and student engagement, who lead the effort to improve the quality and delivery of the education we deliver. Faculty must be properly resourced so that they may have the time and space to genuinely collaborate with administrators and system partners in a meaningful way that reflects the best principles of participatory governance and collegial consultation. Faculty engaged in a constant process of improvement, welcome the suggestions, expertise, and help of enthusiastic partners in student success, both because we believe through the process of collaboration and shared governance we can achieve the best results, and we require financial support in order to achieve the mission of the system for our students and for the state. But most of all, the faculty of the California community college system understand that they are



living in the “fierce urgency of now,” and will not be satisfied until all students are achieving their self-stated goals, and that the system is achieving equitable results. However, when the goals of system partners intersect with the responsibilities of faculty as delineated in the 10+1, then academic freedom may become threatened.

Many well-intentioned system initiatives and grant-funded projects can inadvertently encroach upon the boundaries of academic freedom, and it is incumbent upon faculty not only to be vigilant, but to step up and take ownership of the change management process in a meaningful way. This means that resources must be devoted to some faculty with pertinent expertise regarding whatever innovation is being implemented or project is at hand, and that they have access to robust professional development which ensures that they become leaders and agents of systemic change.

Specifically, in the area of curriculum development there are many pratfalls which can be avoided in order to protect the integrity of academic freedom. Take, for example, the recent implementation of AB 705, a well-intentioned law designed to support students completing transfer level Math, English, and/or ESL in their first year (or three years in the case of ESL). Nowhere in the law did it necessarily recommend curricular changes; it was intended to change the placement of students in courses in order to increase their timely success. However, a variety of external organizations campaigned and applied significant political pressure with varying degrees of effectiveness to eliminate entry-level courses, and many districts followed suit. Because each campus in the system is so different, and because student bodies are so diverse in their needs and composition, careful and intentional collaboration is instead needed to make sure all of the implications for equity and student success have been considered on

each individual campus as everyone is engaged with systemic change. For these reasons, reform and redesign movements like Guided Pathways must be firmly grounded in the “10+1” as outlined in Ed Code and Title 5. Specifically, curriculum development, student learning outcomes, the organization of programs within clusters, and the way that we deliver counseling services, among many others, require a strong process of collaboration grounded in the principles of shared governance in order to preserve the essential tenets of academic freedom.

## **Conclusion**

Academic freedom is an essential aspect of education that protects the free exchange of ideas and should be at the forefront of our Senate conversations. The opportunities afforded by Academic Freedom including areas of teaching, research and extramural speech are at the cornerstone of free education. Because faculty members have the right to teach, research and speak freely on their areas of expertise, community dialogue is expanded and equitized.

Academic freedom allows new ideas and marginalized stories to be brought to the forefront of academic discussion. The tenure structure is essential to providing faculty the safety and protections to fully embrace their Academic Freedom. Senates and Unions should work together to create process, procedures and contract language to protect all faculty’s academic freedom. They should also support and train faculty in the facets of academic freedom through multiple and systematic professional development opportunities. Below are a few specific recommendations to bring the discussion of Academic Freedom to individual campuses.

## **Recommendations**

### **Recommendations for local senates:**

1. Recommend that local senates create a statement on academic freedom, in addition to the board policy, that delineates the specific issues and parameters of academic freedom for faculty. (this needs refining)
2. Recommend that local senates provide consistent and ongoing professional development for full and part-time faculty and senate leaders (curriculum, program review, policy chairs, senators, etc.) in the principles and tenets of academic freedom including in onboarding new faculty.
3. Recommend that local senates work to review, revise and strengthen shared governance processes, policies and procedures in relation to academic freedom so that shared governance protects dissenting opinions in the decision-making process. Dissent is vital to protect Academic Freedom.

### **Recommendations for local senates in collaboration with union colleagues:**

4. Recommend that local senates work with union colleagues to develop due process around violations or perceived violations that fall within academic freedom that includes a duly constituted (appointed or elected) faculty committee to review and recommend action.
5. Recommend that local senates collaborate with union colleagues on codifying the protection and parameters of academic freedom in contract in light of faculty evaluations, curriculum, online instruction, dual enrollment, open educational resources, guided pathways, etc.
6. Recommend that local senates work with union colleagues to train faculty on engaging in tenure and faculty evaluations in light of academic freedom.
7. Recommend that local senates support union colleagues in negotiating compensation for adjunct faculty participation in shared governance.
8. Recommend that local senates and union colleagues review AAUP resources and recommendations

## Academic Freedom Resources

AAUP 1940 Statement of Principles on Academic Freedom and Tenure

<https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>

AAUP Academic Unionism Statement

<https://www.aaup.org/academic-unionism-statement>

Assembly Bill 1725 Vasconcellos (1988)

<https://www.asccc.org/sites/default/files/1988%20AB%201725%20Community%20College%20Reform%20Act%20%28Vasconcellos%29.pdf>

AAUP Red Book – Policy Documents and Reports, American Association of University Professors, 2015

<https://www.aaup.org/reports-publications/publications/redbook>

Academic Freedom in the 21st-Century College and University: *Academic Freedom for All Faculty and Instructional Staff*

<https://www.aft.org/sites/default/files/academicfreedomstatement0907.pdf>

AAUP Statement on Academic Government for Institutions Engaged in Collective Bargaining

<https://www.aaup.org/report/statement-academic-government-institutions-engaged-collective-bargaining>

Messier, John “Shared Governance and Academic Freedom: Yes, This Is Union Work” 2017, NEA

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Reichman, Henry “Professionalism and Unionism: Academic Freedom, Collective Bargaining, and the American Association of University Professors” AAUP Journal of Academic Freedom, 2015

[https://www.aaup.org/sites/default/files/Reichman\\_0.pdf](https://www.aaup.org/sites/default/files/Reichman_0.pdf)

Reichman, Henry, The Future of Academic Freedom, John Hopkins University Press, 2019

# Appendices

## Appendix 1: 1940 Statement of Principles on Academic Freedom and Tenure with 1970

### Interpretive Comments

Insert from

<https://www.aaup.org/file/1940%20Statement.pdf>

## Appendix 2: Academic Freedom Contract Language

Insert from

[https://drive.google.com/file/d/1N2vwAQRdLFSyDn6xTM5f1KffLpibh1\\_8/view?usp=sharing](https://drive.google.com/file/d/1N2vwAQRdLFSyDn6xTM5f1KffLpibh1_8/view?usp=sharing)

## Appendix 3: Executive Summary of ASCCC Academic Freedom Survey Results

- Based on a recommendation from the Educational Policies Committee, the ASCCC conducted a statewide online survey on Academic Freedom during January of 2020.
- Responses were submitted during a two-week period between 1/14/20 to 1/25/20.
- The survey contained a total of 13 questions.
  - Two questions obtained information on college demographics and faculty role.
  - Nine questions were multiple choice or True/False and are summarized below.
  - Two questions were open ended:
    - Question 7: How often do your faculty receive professional development regarding Academic Freedom?
    - Question 10: If a faculty member on your campus believes their Academic Freedom has been violated, what happens? Has your senate been involved with the creation of a due process?
- The survey elicited 66 responses from faculty representatives at 39 different colleges.
  - A total of 37 colleges submitted a single response to the survey.
  - Two institutions, Taft and LA Southwest Colleges, had multiple responses, 12 and 15 respectively.

**Figure 1 summarizes responses to the following two statements (Survey Questions 3 & 4):**

1. Our local Academic Senate participated in the creation and/or review of a **Board Policy** regarding Academic Freedom

2. Our **Academic Senate** has created a strong **Statement** regarding Academic Freedom that defines the parameters of Academic Freedom on our campus.

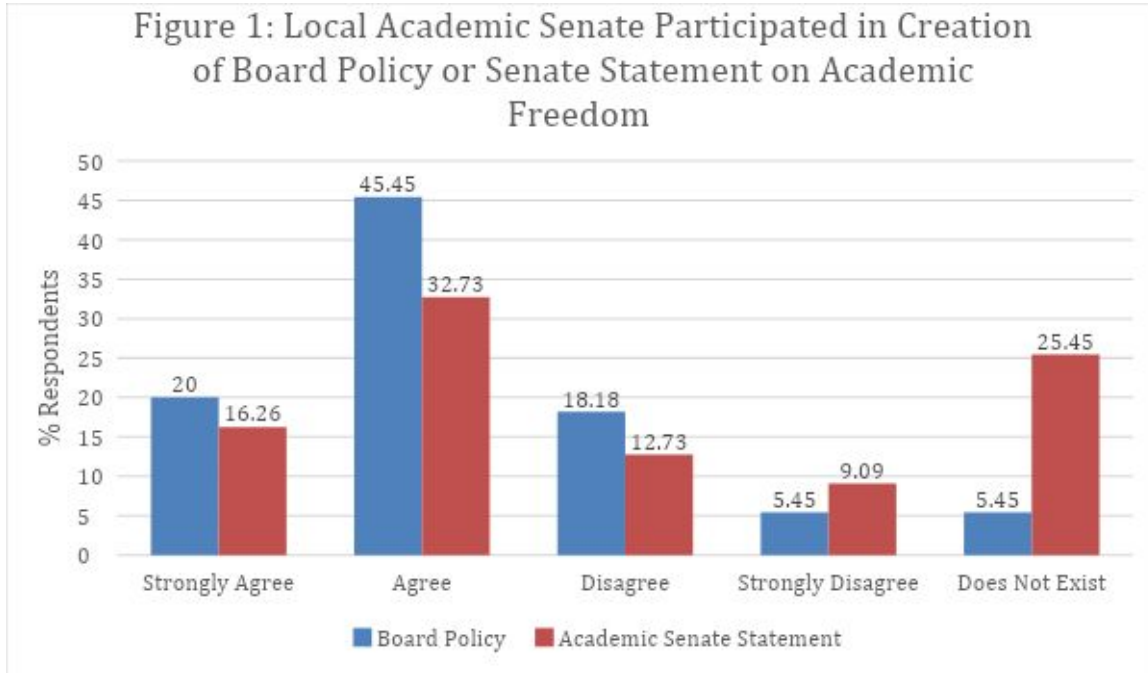
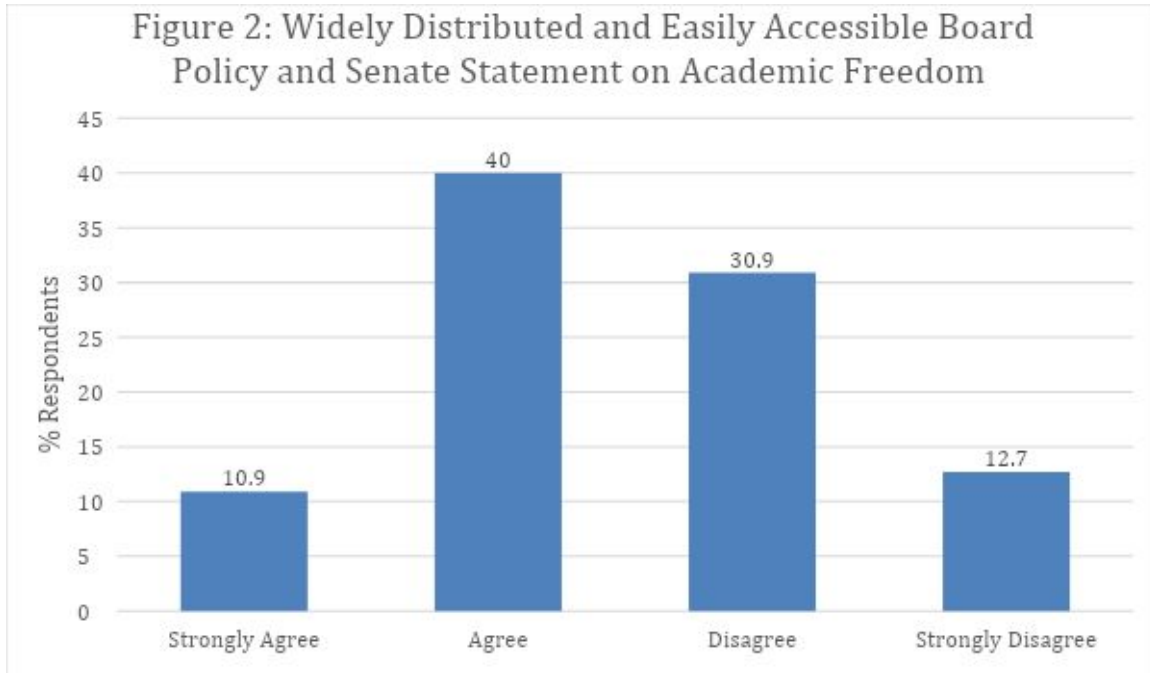


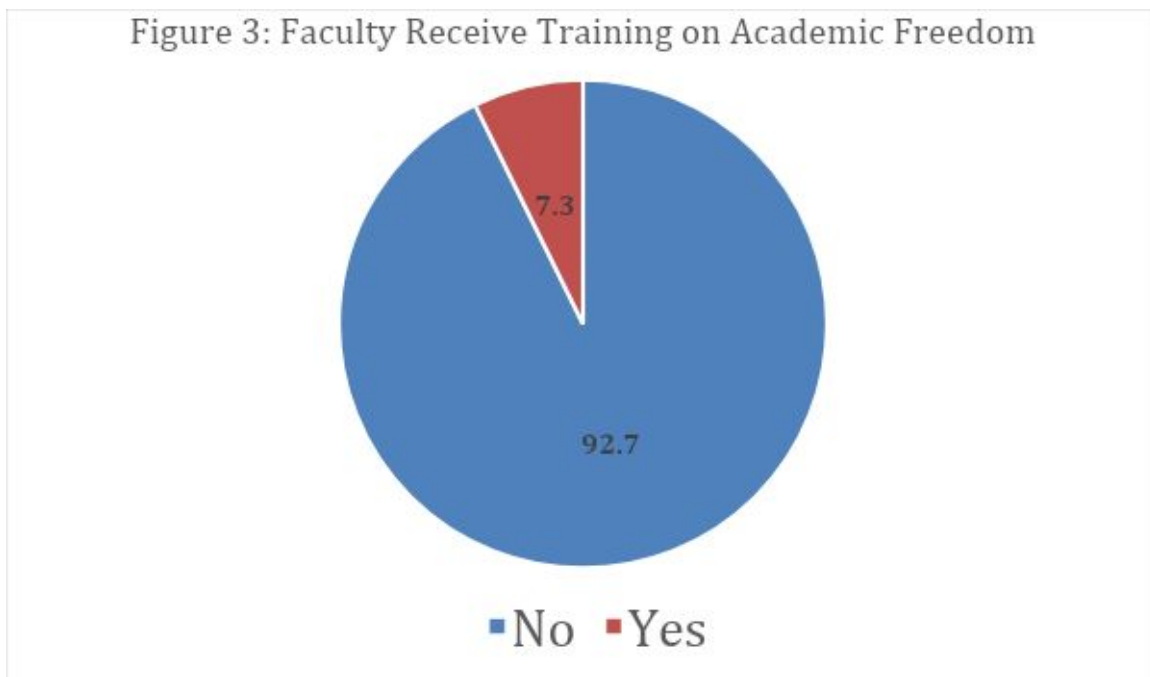
Figure 2 summarizes responses to the following statement (Survey Question 5):

Our Academic Freedom statement and Board Policy are *widely distributed and easily accessible* to full-time and part-time faculty.



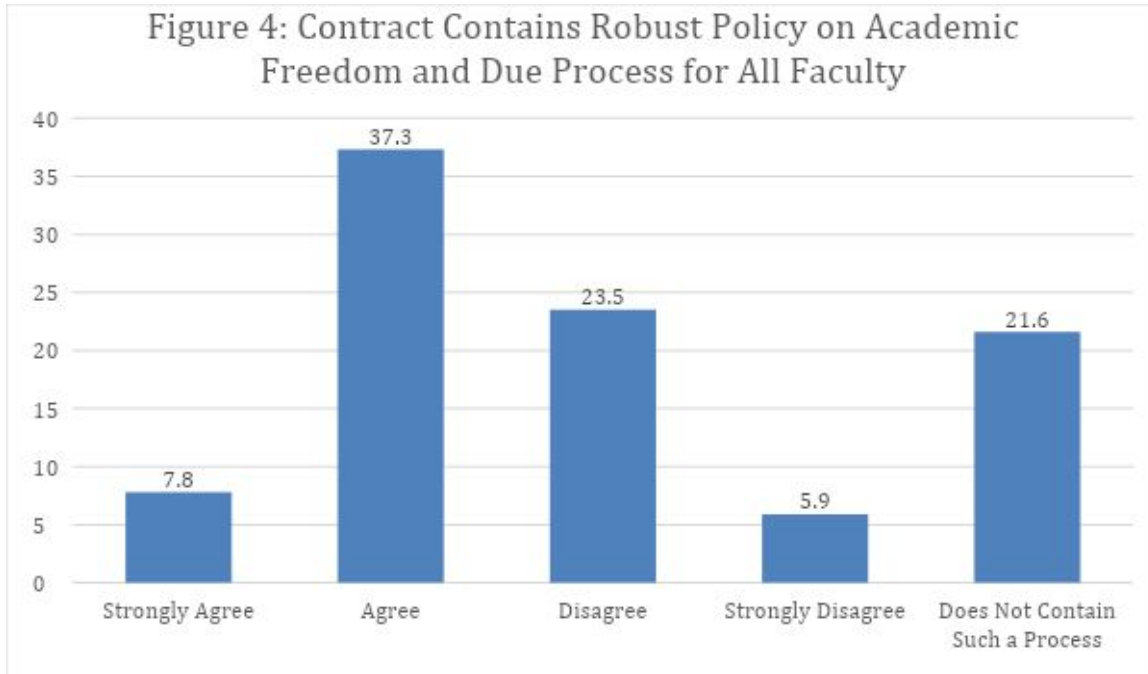
**Figure 3 summarizes responses to the statement (Survey Question 6):**

Faculty receive professional development training regarding Academic Freedom on our campus



**Figure 4 summarizes responses to the statement (Survey Question 8):**

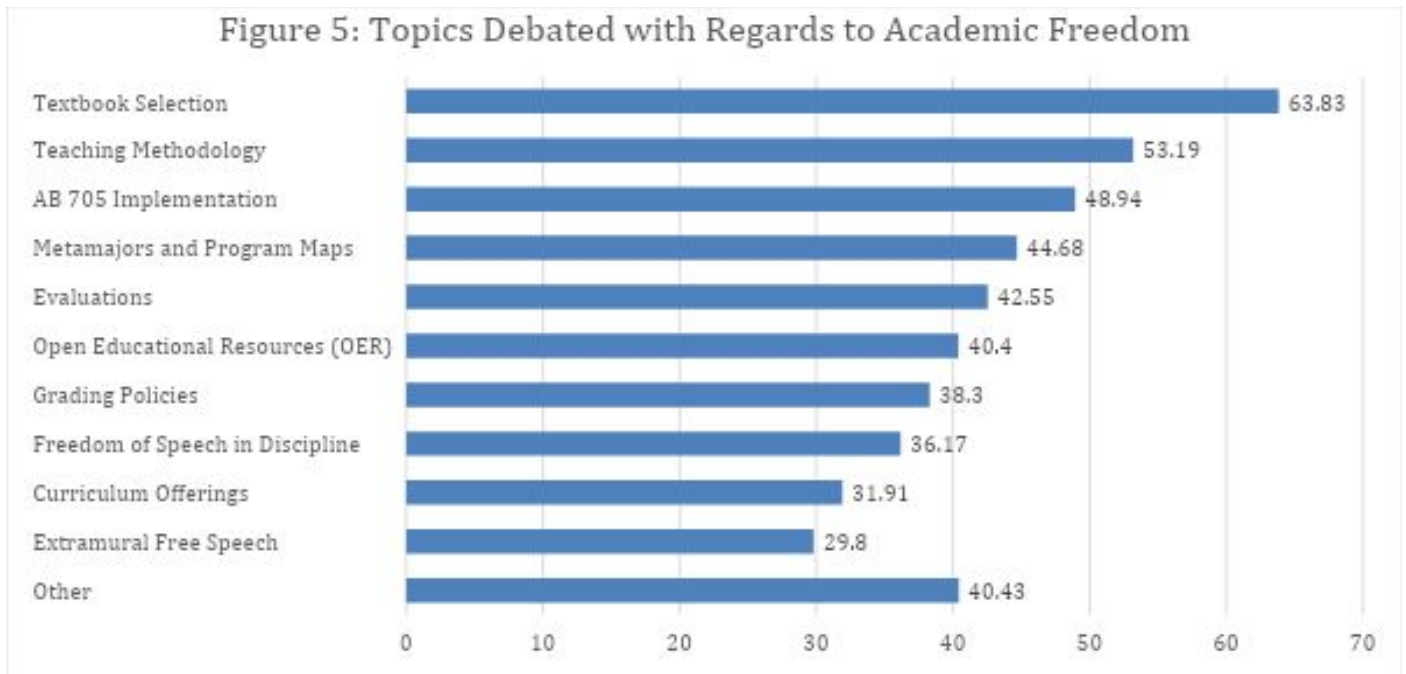
Our **contract** contains a robust policy on Academic Freedom and **due process** for Academic Freedom for both full-time and part-time faculty:



**Figure 5 summarizes responses to the statement (Survey Question 9):**

Please indicate if any of the below subjects have been debated on your campus with regards to how they intersect with Academic Freedom (you may select more than one).

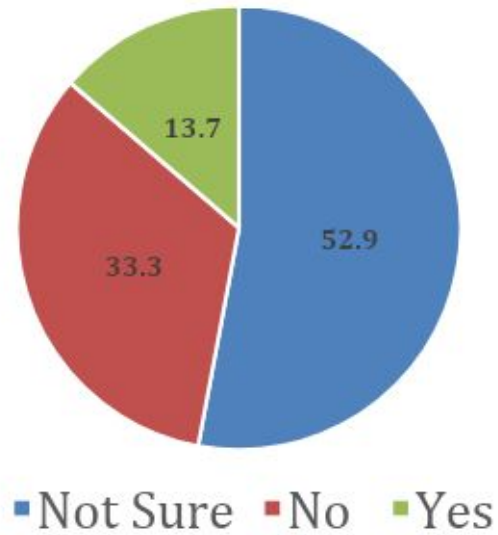




**Figure 6 summarizes responses to the following question (Survey Question 11):**

Have outside organizations been involved with the surveillance and censoring of college faculty and/or administrators and staff on your campus? If so, please explain.

Figure 6: Surveillance and Censuring by Outside Organizations



**Figure 7 summarizes responses to the following question (Survey Question 12):**

Has the ratio of hours taught by full-time tenure track faculty fallen in the past five years when compared with the number of hours taught by part-time faculty on your campus?

Figure 7: Has the Ratio of Hours Taught by Full-time Faculty Dropped in Last 5 years?

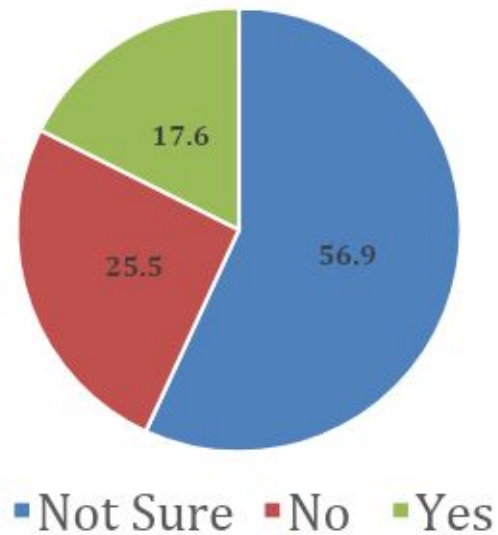
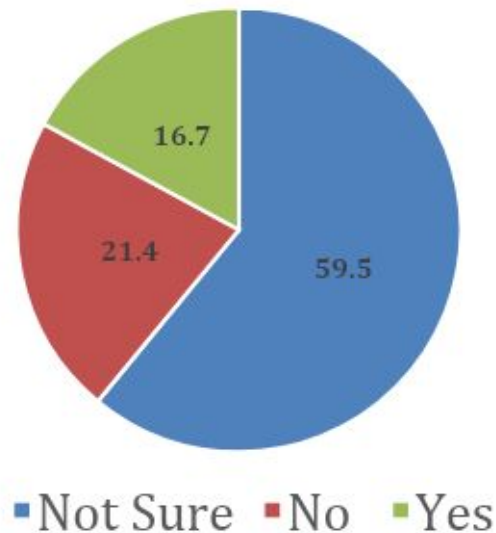


Figure 8 summarizes responses to the following question (Survey Question 13):

If the ratio of hours taught by full-time tenure track faculty has fallen when compared to hours taught by part-time faculty, do you believe this has had any effect on the security of academic freedom on your campus? If so, please explain.

Figure 8: Has a Lower Ratio of Hours Taught by Full-time Faculty Affected Academic Freedom on Your Campus?



### Conclusions and Findings

- **Board Policy on Academic Freedom:** 65% respondents agreed or strongly agreed that the senate had participated in Board Policy on Academic Freedom, 24% disagreed or strongly disagreed, and 5% indicate the Board had no Academic Freedom Policy.
- **Senate Statement on Academic Freedom:** 49% respondents agreed or strongly agreed that the senate had created a statement on Academic Freedom, 21.8% disagreed or strongly disagreed, and 25.5% indicate the Senate had no Academic Freedom statement.
- **Widely Distributed and Easily Accessible Academic Freedom Policy and Statement:** 50.9% agreed or strongly agreed, while 43.6% disagreed or strongly disagreed.
- **Training on Academic Freedom:** Over 92.7% of respondents indicated faculty did not receive training on Academic Freedom, only 7.3% reported faculty received training on this topic.
- **Contract Policy and Due Process for Academic Freedom:** 45.1% respondents agreed or strongly agreed that their contract had a robust policy on Academic Freedom, 29.4% disagreed or strongly disagreed, and 21.6% indicate their contract had no Academic Freedom policy.
- **Topics debated with regards to Academic Freedom:**
  1. Textbook selection: 63.8%
  2. Teaching methodology: 53.2%
  3. AB 705 implementation: 48.9%
  4. Faculty Purview in Metamajors and Program Maps Creation: 44.7%
  5. Evaluations: 42.6%
  6. Open Educational Resources Implementation or Prohibition: 40.4%
  7. Grading policies: 38.3%
  8. Freedom of Speech in Discipline: 36.2%
  9. Curriculum offerings: 31.9%
  10. Extramural Free Speech: 29.8%

11. Other: 40.4%

- **Surveillance or censoring by outside organizations:** 13.7% reported surveillance or censoring by outside groups, 33.3% reported none, and 52.9% were not sure.

#### **Appendix 4: College of the Canyons Joint Understanding Between Senate and Union**

**Insert from**

[https://www.canyons.edu/\\_resources/documents/administration/academicsenate/documentspage/academicsenatestandingrulesandstatements/JointCollaborativeconsultationUnderstandingJCCUsigned.pdf](https://www.canyons.edu/_resources/documents/administration/academicsenate/documentspage/academicsenatestandingrulesandstatements/JointCollaborativeconsultationUnderstandingJCCUsigned.pdf)

## Competency Based Education

Four key readings that were helpful for members of the California Community College Curriculum Committee (5C) as they worked to develop a common understanding of the need for CBE, briefly what it is and how it's different than traditional credit instruction, and how it can advance learning for people of color and adults who may traditionally struggle with time-based structures of traditional credit instruction. Titles link to articles.

- [“Cracking the Credit Hour” by Amy Laitinen](#)  
*A review of policies needing update, with a focus on the origins of the credit hour (hint: it had nothing to do with student learning) and the faulty assumption that seat time equals learning. Includes suggestions for policy revisions and lists some innovative programs as examples, including Western Governors University and its use of competency-based education.*
- [“Competency-Based Education: A Strategy for Skills Upgrading in California” by California Edge Coalition](#)  
*An overview of competency based education and how it can be utilized as a one means of delivering instruction and facilitating learning and meeting California workforce needs.*
- [“How Competency-Based Education May Help Reduce Our Nation’s Toughest inequities” by Stephanie Malia Krauss](#)  
*Reviews how CBE can be used to reach and empower learners who struggle in postsecondary learning programs. Includes recommendations for where to start and how to prioritize equity. Also includes the recommendation that three learner populations be prioritized, including learners of color.*
- [“Understanding by Design Framework” by Jay McTighe and Grant Wiggins](#)  
*Effective CBE utilizes Understanding by Design (UbD), also called backwards design, for curriculum planning and design. This article highlights seven tenets of backward design, with four having direct application to CBE:*
  1. *“The UbD framework helps to focus curriculum and teaching on the development and deepening of student understanding and transfer of learning.”*
  2. *“Understanding is revealed when students autonomously make sense of and transfer their learning through authentic performance. Six facets of understanding – the capacity to explain, interpret, apply, shift perspective, empathize, and self-assess – can serve as indicators of understanding.*
  3. *“Effective curriculum is planned backwards from long-term, desired results through a three-stage design process (Desired Results, Evidence, and Learning Plan). This process helps avoid the common problems of treating the textbook as the curriculum rather than a resource and activity-oriented teaching in which no clear priorities and purposes are apparent.”*
  4. *“Teachers are coaches of understanding, not mere purveyors of content knowledge, skill, or activity. They focus on ensuring that learning happens, not just teaching (and assuming that what was taught was learned); they always aim and check for successful meaning making and transfer by the learner.”*

These additional documents were released or updated following 5C's Spring 2020 work but have been helpful in further understanding elements of CBE as it applies to implementation.

- [“Side by Side: Comparing Credit for Prior Learning and Competency Based Education”](#) by California Competes  
This recent document from California Competes graphically highlights the differences between competency based education (CBE) and credit for prior learning (CPL).
- [“Research Explainers: What Are We Learning about Post-Secondary Competency-Based Education?”](#) by American Institutes for Research (AIR)  
This recent document explores research about CBE implementation and results as CBE increases as a means of program design and instruction.

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EQUITY, AND ANTI-RACISM)  
IN ACADEMIC AND  
PROFESSIONAL MATTERS



Photo by  
Dr. Rachel N. Hastings,  
MiraCosta College

New Horizons:  
Competency Based Education  
& The CCC CBE Collaborative





# Presenters / Introductions

## From the Chancellor's Office

- Aisha Lowe, Vice Chancellor for Educational Services and Support
- Chantée Guiney, Specialist, Academic Planning and Support

## From the Student Success Center at the Foundation for CCCs

- Nadia Leal-Carrillo, Director of Policy Development
- Amparo Diaz, Senior Policy Specialist

## From ASCCC

- Karen Chow, ASCCC Area B Representative
- Cheryl Aschenbach, ASCCC Secretary



# Overview

- Direct Assessment Competency-Based Education (DA CBE)
  - What is it?
  - Why implement it? Why now?
  - What are the differences between CBE, CPL, and traditional instruction?
- CBE Collaborative
  - What is it?
  - What is the timeline
  - Who at colleges will be involved?
- Anticipated Roles of Senate Presidents and Faculty





# Direct Assessment Competency-Based Education

- What is it?
- Why implement it? Why now?
- What are the differences between CBE, Credit for Prior Learning (CPL), and traditional instruction?



# What is Competency Based-Education (CBE)?

- CBE in CCC context is Direct Assessment Competency-Based Education
- “Direct assessment competency-based education” in the California community colleges is an intentional outcomes-based and equity-minded approach to earning a college degree in which the expectations of learning are held constant, but time is variable through a flexible, self-paced, high-touch and innovative learning practice (from proposed Title 5 regulations)
- CBE is already possible within courses and programs. This effort is to now apply it to design and delivery of entire degree programs
- CBE is a change from courses comprising a degree to competencies and sub-competencies within learning modules comprising a degree



# What is Competency-Based Education (CBE)?

- Both the evaluation of student achievement and the award of a degree or credential are based solely on the demonstration and mastery of competencies
- Students proceed at their own pace rather than progressing through courses in a traditional academic term timeline; faculty assist and facilitate the progress of each student individually
- Students are expected to demonstrate the competency at a high level of achievement (mastery = 80%)
- Conventional grades are not necessarily assigned; mastery is recorded
  - No punitive grades
- Establishes “credit-hour equivalencies” between CBE competencies and traditional course student learning outcomes



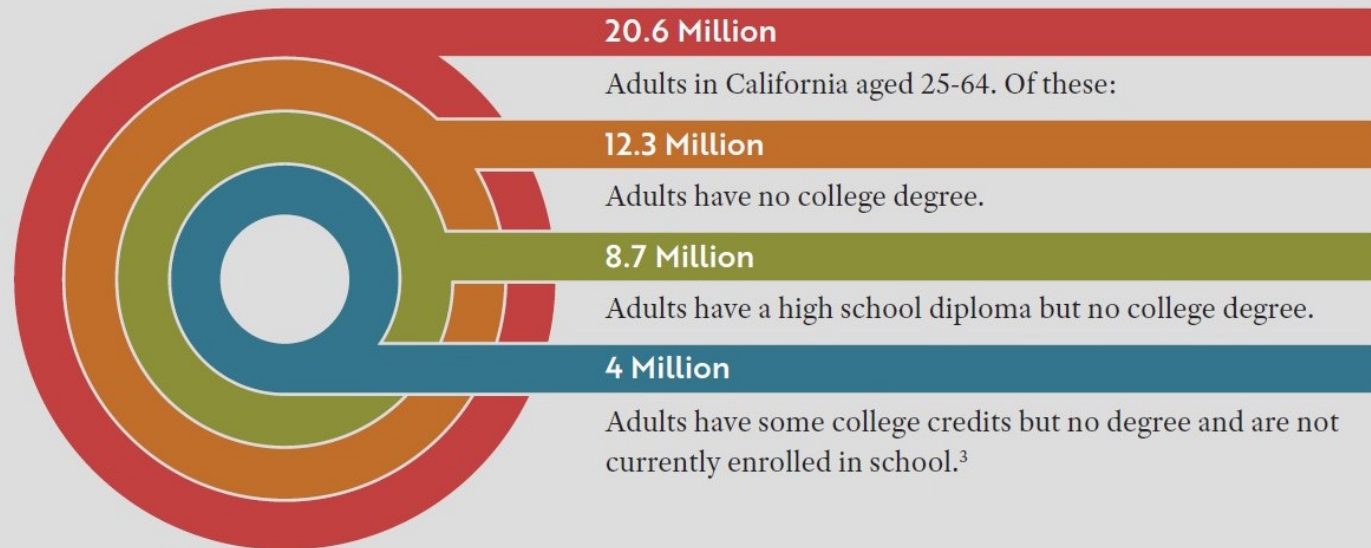
# Why Implement It? Why Now?

- Vision for Success & Core Commitments
- Guided pathways: 4 pillars
- Equity Imperative
- Increased access and opportunity for working Californians with no college or some college but no degree



# Why Implement It? Why Now?

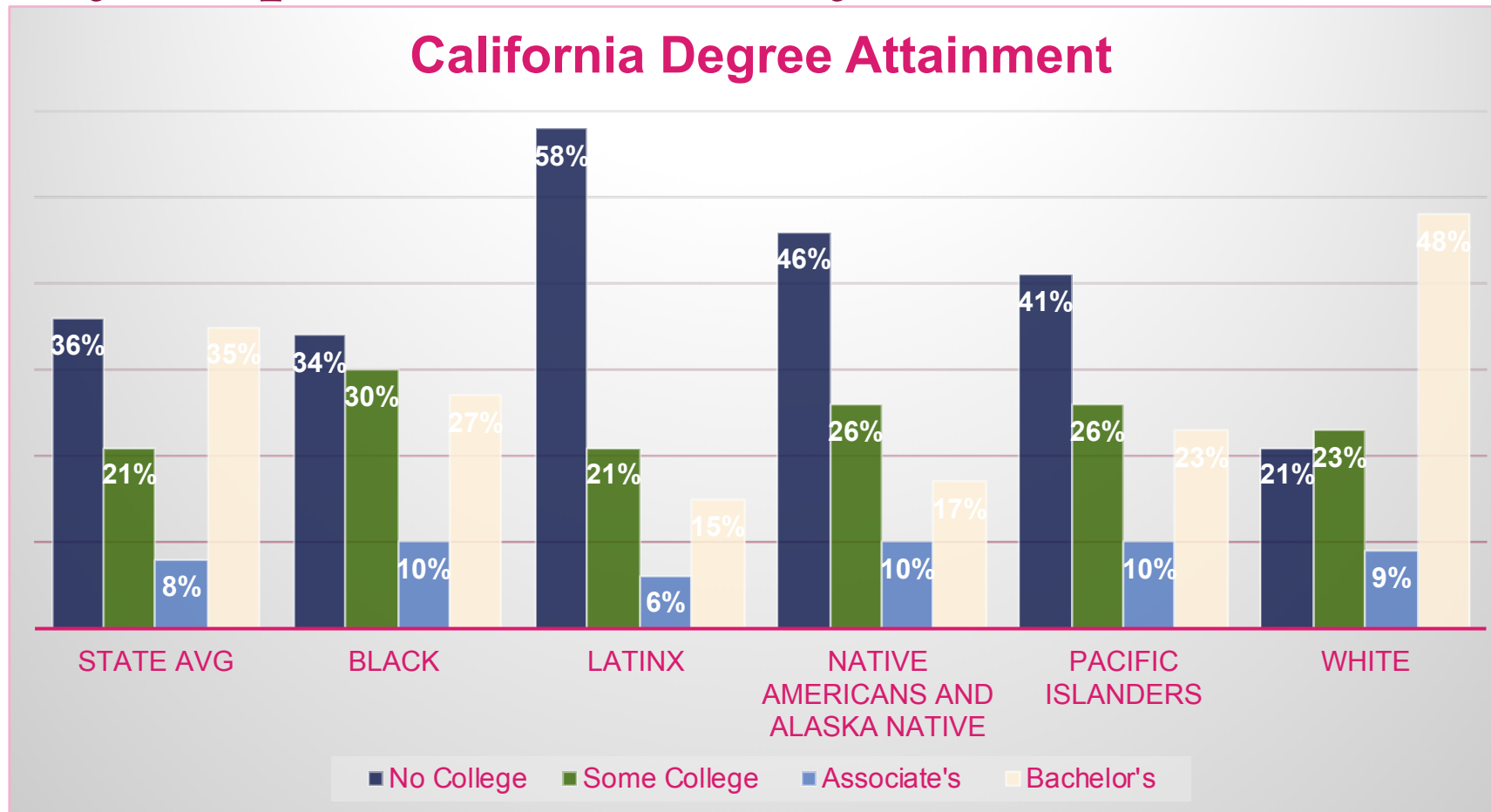
Figure 1. Adult Educational Attainment by the Numbers



Sources: California Competes' calculations of American Community Survey Public Use Microdata Sample (PUMS) 2016 five-year estimate data and the National Student Clearinghouse



# Why Implement It? Why Now?





# Why Implement It? Why Now?

- Teaching & Learning must evolve to meet student needs
  - CBE is an addition to the CCC instructional portfolio
- Students are seeking programs that are personalized, flexible, and relevant
  - COVID-19 demonstrated the need for flexibility
  - CBE degree programs can be designed for more integration between major preparation and general education (relevance)
- CBE degree programs are emerging across the United States
- Degree attainment increasingly important for attainment of living wage and as an economic driver



# How is CBE Different?

- CBE is not CPL: Credit for Prior Learning (CPL) is the awarding credit to eligible students based on previous collegiate-level learning, often in a non-accredited space, outside of a recognized college classroom.
- Shifts in thinking from traditional instruction
  - From courses to modules
  - From seat time as a partial measure of learning to demonstration of competencies as a measure of learning
  - From fixed semesters and starting points to rolling “non-terms” and frequent individual starting points
  - From average is adequate to mastery at a minimum
  - From grading based on a collection of activities, exams, etc., to achievement of mastery based on completion of 80% on a rigorous authentic summative assessment
  - From faculty at the center of the learning experience to students at the center





# CCC CBE Collaborative

What is it?

What is the timeline?

Who at colleges will be involved?



# What is the CCC CBE Collaborative?

- Colleges working together to implement DA CBE as early adopters
- Goals:
  - Establish a Direct Assessment CBE implementation collaborative of early implementer colleges
  - Provide funding and implementation support to participating colleges
  - Create a blueprint (roadmap) for implementation of programs system-wide
  - Evaluate the implementation process and early student outcomes



# What is the CCC CBE Collaborative?

- Objectives:
  - Establish a local structure to support the development and implementation of DA CBE
  - Coordinate local implementation efforts and corresponding state supports
  - Inform regulatory policy and system-wide change needed to support implementation
  - Support the development and dissemination of a direct assessment CBE program blueprint for system-wide implementation
  - Cultivate a peer-learning community and network of CBE champions with the tools to support, education, and lead implementation efforts system-wide
  - Evaluate implementation opportunities, challenges, and outcomes



# What is the CCC CBE Collaborative?

## Module I: (6 mon)

- Establish local infrastructure for innovation

## Module II: (3 mon)

- Select the program

## Module III: (9 mon)

- Design the program

## Module IV: (6-12 mon)

- Obtain regional accreditation and program approval

## Module V: (8 – 12 mon)

- Build Operational Model

## Module VI: (3 mon)

- Obtain CCCCO Approval

## Module VII: (4 mon)

- Launch the program

## Module VIII: (1 yearr post-implementation)

- Continued action research and scalability



# Module Example

## Module I : Establish local Infrastructure for Innovation (6 months)

<b>Timing</b>	<ul style="list-style-type: none"><li>• 6 Months: Jan – June 2021</li></ul>
<b>Objective</b>	<ul style="list-style-type: none"><li>• Generate local support for CBE programs and establish a CBE implementation team that is representative of the campus community.</li></ul>
<b>Milestones</b>	<ul style="list-style-type: none"><li>• 1.1 CBE implementation committee with cross department representatives including representatives from the local academic senate, student services, institutional research, information technology services, and financial aid as well as relevant and appropriate faculty, staff and administrators is established.</li><li>• 1.2 Decision making protocol is determined.</li><li>• 1.3 Local board amends local policies in alignment with direct assessment CBE title 5 regulations.</li><li>• 1.4 Local academic senate resolution to support the development of direct assessment CBE programs is adopted.</li></ul>
<b>Required Products</b>	<ul style="list-style-type: none"><li>• Copy of local Implementation committee charter</li><li>• Documentation of policy changes adopted locally</li><li>• Copy of local academic senate resolution</li><li>• Summary of process for creating an implementation committee, roster of implementation committee representatives, committee members' roles &amp; responsibilities, and a planning timeline</li></ul>
<b>Payment</b>	<ul style="list-style-type: none"><li>• 2% of total funding (\$10,000)</li></ul>



## Collaborative Program Application Timeline

September 2020	<ul style="list-style-type: none"><li>• Proposed direct assessment CBE regulations presented at Consultation Council</li><li>• Proposed direct assessment CBE regulations first reading at BOG</li></ul>
October 2020	<ul style="list-style-type: none"><li>• CBE Collaborative Webinar</li><li>• Complete Collaborative Interest Form</li></ul>
November 2020	<ul style="list-style-type: none"><li>• Proposed direct assessment CBE regulations second reading at BOG</li><li>• Collaborative application made available</li></ul>
November - January	<ul style="list-style-type: none"><li>• Complete the pre-application activities of Module I</li></ul>
February 2021	<ul style="list-style-type: none"><li>• Collaborative application due</li></ul>
March 2021	<ul style="list-style-type: none"><li>• Selected colleges notified</li></ul>
March 2021	<ul style="list-style-type: none"><li>• Direct Assessment CBE Collaborative launch</li></ul>
June 2021	<ul style="list-style-type: none"><li>• Module 1 deliverables due</li></ul>





# Funding CBE Collaborative Programs

Program funding to support this work:

- A total of \$515,000 is available to each participating college and is contingent on the college meeting key milestones during each phase of the project.
- Of this amount, \$100,000 will be made available as seed funding.



# Who Will Be Involved at Colleges ?

- Implementation Committee should include cross department representatives, including representatives from the local academic senate, student services, institutional research, information technology services, and financial aid
- Implementation Committee should include diverse representation of college departments and students

The following individuals and groups will need to be actively engaged in preliminary planning, support for the effort, and participate as needed

- Governing Board, College President, and Lead Administrators
- Academic Senate
- Program faculty and program administrators (for selected program)
- Academic Services
- Counseling and Advising; Financial Aid
- Information technology
- Institutional Research
- Human Resources
- Student Senate





# Anticipated Roles of Senate Presidents and Faculty

- CBE Collaborative applications require support from local academic (resolution or action) and signature of senate president
- CBE is curriculum...10+1 is applicable
  - Curriculum
  - Program development
  - Degree and certificate requirements
  - Standards or policies regarding student preparation and success
  - +Academic policy development within 10+1



# Which faculty will need to be involved?

## **Definitely:**

- Academic Senate presidents
- Curriculum Chairs
- Discipline faculty (within a designated major)
- General education faculty
- Articulation Officers

## **Possibly:**

- Guided pathways leads
- Accreditation leads
- Outcomes leads/coordinators
- And...?



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Questions?

Thank you!



# Appendix Slides



# Vision for Success

1. Increase credential attainment by 20%
2. Increase transfer by 35% to UC & CSU
3. Decrease unit attainment for a degree
4. Increase employment for CTE students
5. Reduce and erase equity gaps
6. Reduce regional gaps

# Core Commitments

1. Focus on students' goals
2. Design and decide with the student in mind
3. Pair high expectations and high support
4. Evidence-based decisions
5. Own student performance
6. Enable innovation and action
7. Cross-system partnership



# Guided Pathways Principles



Create Clear  
Curricular  
Pathways to  
Employment  
and Further  
Education



Help  
Students  
Choose and  
Enter Their  
Pathway



Help  
Students  
Stay on  
Their Path



Ensure that  
Learning Is  
Happening  
with  
Intentional  
Outcomes

