



March 3, 2017

To: Jim Salt, Association President
Adrienne Mitchell, Association Bargaining Co-Chairperson

From: Dennis Carr, Chief Human Resource Officer and College Bargaining Chairperson

A handwritten signature in black ink that reads "Dennis Carr".

Re: Association Communication, Program Review and Assessment Work – Duty to Bargain

This communication is the college's response to the Association communication dated February 21, 2017. The College bargaining team denies the Association's assertion that the College has refused to bargain over the Association's proposals regarding what the Association team believes is additional and required work in program review and assessment of learning. Quite to the contrary, the College has never refused to bargain over these topics.

You will find the College's counterproposal covering program review attached. Regarding the general responsibilities related to assessment of learning, it is first important to note that assessment of learning is a core instructional responsibility for all Lane faculty. The College has consistently clarified to Association leadership that the Office of Academic Affairs and instructional Deans will be reasonable in implementing assessment of learning assignments. In addition, through ongoing initiatives led by Lane's Office of Academic and Student Affairs (ASA), college faculty have been involved in leading assessment of learning projects and activities since at least the 1990s. Moreover, in 2003 College faculty assignments and activities related to assessment of learning were formalized through ASA's support for an "Assessment Team" that includes faculty leadership.

The college (Office of Academic Affairs and HR) is paying the faculty who are currently involved in the assessment of learning projects and program review work at the regular contracted faculty and part-time faculty pay rates and/or we are providing what we believe is an appropriate amount of release/reassignment time for "lead" faculty to engage in the Assessment of Learning and/or Program Review work. Currently, faculty may apply for project work to learn how to align their course outcomes with the college's core learning outcomes and other components of assessment work. Faculty are paid at their contractual rates, or at the curriculum development rate when contractually appropriate, for such assessment work. There is also a model developing for "Assessment Fellows" for a limited number of faculty to take a deeper dive into assessment work. We have considered these initiatives as professional development work for faculty to learn enhanced assessment strategies, tools and practices with an expectation that faculty would continue the assessment of learning work systematically once they gain competencies. Our support for faculty who may lead program review initiatives is to provide a one course release during one term per year for faculty who take the lead role on program review work.

The college/HR has historically followed the LCCEA contract to pay for – or provide release/reassignment time for – similar faculty work in the past. Examples include FASAs under article 38, overload pay when appropriate for contracted faculty and the appropriate rates of hourly pay for part-time faculty. We are not deviating from established and contractual pay and release/reassignment time rates or practices for the Assessment of Learning or Program Review faculty work assignments.

Historically, when the College is audited or reviewed for accreditation by some governing body, it is common that documentation and evidence of improved practices or curriculum updates are required, necessitating work in developing, updating and/or revising instructional programs. The College is continuing its past practices of completing this work through a combination of faculty participation and leadership with administrative support including additional compensation or release time if and when additional compensation or release time are appropriate. Most Lane faculty complete assessment of learning and program review work as a part of their regular instructional activities involving assessment of student learning, instructional planning, and discipline/department curriculum and program work that are inherent, included and expected for all full-time faculty assignments.

As you know, the PECBA's obligation to bargain in good faith does not require the making of any concession or agreement on a topic being bargained. Evidence that the College has bargained in good faith is reflected by the College's counterproposal concerning program review work. Note that the College's counterproposal covers faculty leadership roles in program review that merit additional compensation, not otherwise provided for by existing contract language. The College's position regarding assessment of learning is that this core faculty work is encompassed within the instructional assignments and duties for all Lane faculty. In addition, there is existing contractual language in articles 4, 26, 32 and 35 of the LCCEA contract that provides guidance for faculty assignments involving assessment of learning and program review work.

In summary, the College's taking positions in bargaining not to the Association's liking does not amount to a refusal to bargain.

C: Mary Spilde, Lane Community College President
Dawn DeWolf, Lane Vice President for Academic and Student Affairs
College Bargaining Team Administrators
Nancy Hungerford, Labor Relations Counsel
Margaret Olney, LCCEA Counsel