**End of Fall Semester Exchange – Marheine-Cooper-Baum-Faculty**

**1. Marheine Letter to PCC Board**

November 21, 2012

Open Letter to the Pasadena City College Board of Trustees,

I am writing to you as an English teacher who has been at the college since 1980 and who has dedicated his life to our excellent institution. Sadly, I must report to you that we faculty are suffering a crisis of confidence in our administration.

A PCC Faculty Association (FA) letter to you, dated August 28, 2012, stated, “We are writing to you to make an urgent and formal request to postpone any vote to change the academic calendar.”   Unfortunately, upon President Rocha’s encouragement, you voted the following evening (August 29th) to cancel Winter 2013.

The much heralded passage of Proposition 30 has provided the college with $6.7 million, the equivalent of funding for 1218 class sections ($5,500 per section).  However, the premature elimination of Winter has triggered a crisis.  As a result of the college cutting over 1,000 class sections over the past three years and cancelling Winter Intersession, we are now under our FTES allotment and are in danger of losing state apportionment. How could such mismanagement occur?  How can the problem be resolved?

Incredibly, this week faculty received a memo from administration which makes null and void a critical part of Shared Governance.  We are being told that our class sizes are to be increased to solve the FTES crisis. Faculty are being punished because of mismanagement of the college calendar which now hinders any viable solution.

You may not be aware but in academic year 2011-12, faculty joined together in one of the most dynamic and creative projects in decades. They entered into extensive a discipline-driven program review.  They analyzed data, assessed pedagogy, and deliberated collegially under the auspices of the Curriculum and Instruction Committee to arrive at a totally innovative conceptualization of Normal Closing Numbers (NCNs).   You may also be unaware, but the FA had negotiated with the District to establish firm NCNs as part of contractual integrity since class size is a work condition.

The cancellation of Winter 2013 has had disastrous repercussions. The FA letter (August 28th) outlined critical areas of concern:

1)      A violation of shared governance and deliberative process

2)      A violation of contract, effectively an unfair labor practice

3)      A woefully disruptive action that would undermine both student success and access, causing academic regression for thousands of students

4)      A significant loss of institutional credibility in the community

5)      A loss of confidence in the Board’s willingness to hear our collegial voices

6)      A questioning of why such an action of enormous consequences should be taken at the very end of summer and early fall when most faculty and students have been away from campus.

**As a thirty-year faculty member,  I urge you to reinstate Winter Session 2013.** If Santa Monica College can provide Winter session classes for 10,000 students, why can’t we do the same?  Winter 2013 needs to be reinstated immediately to resolve the FTES crisis.

Your cancellation of Winter is perceived by many faculty as ill-advised and mismanaged. Many are wondering aloud, if you the Board members, did not want Proposition 30 to pass. They are asking what possible reason could the Board have had to cut the Winter session a full ten weeks before the November elections.  Many are looking to Santa Monica College’s rapid response to the election and note its opening of Winter 2013 classes to meet students’ needs and facilitate matriculation. PCC faculty are angrily asking what precisely is PCC administration doing.  The answer was received this week. We are to increase class sizes.

I must report to you that faculty see your actions as woefully out-of-touch and even mean-spirited. What possible motive could there be for dragging the college into contractual mediation and demonstrating blatant disregard for the Shared Governance processes? Many feel that the Board and Administration are waging war on the faculty and students.  Faculty are asking what have we done to warrant such actions that curtail the meaningful functioning of the college.

We are PCC.  We deserve better. We are at a leadership moment. We need visionary leadership that responds to Shared Governance committee input.   We need confidence in your leadership at this moment of crisis.

Sincerely,

Roger Marheine

English Division

**2. Baum Response to Marheine**

**From:** Geoffrey Baum [glbaum@msn.com]

**Sent:** Wednesday, November 21, 2012 6:43 PM

**To:** Roger C. Marheine

**Cc:** Jeanette Mann; John H. Martin; Anthony Fellow; Linda S. Wah; William E. Thomson; Berlinda J. Brown; Mark W. Rocha; Hanna M. Israel; Gail S. Cooper; Bruce A. Barsook

**Subject:** Re: Open Letter to the Pasadena City College Board of Trustees

Dear Professor Marheine:

Thank you for your passionate advocacy and note detailing your concerns about recent decisions made by the Board of Trustees.

Through our actions and the very generous contract offer to faculty--which was rejected by you and your colleagues on the PCCFA leadership team--the Board of Trustees has made clear its policy priorities for the District.

If you have issues you wish to continue to pursue, I again express my encouragement for you to raise them with our designated negotiators.

Sincere good wishes for a wonderful Thanksgiving holiday.

Geoffrey Baum

President, Board of Trustees

Pasadena Area Community College District

**3. Marheine Response to Baum**

On Nov 26, 2012, at 9:43 AM, "Roger C. Marheine"

President Baum and Board Members

Thank you for your prompt reply.

I would point out that the FA finds it curious that

we have not heard from the District's team since Monday

November 5th, the day before the elections.  We were told

by the Chief Negotiator that we would be hearing back

from the District.

Given the extraordinary change in funding due to the passage

of Prop 30, the FA assumes that we will negotiating again soon.

Is that a correct assumption?

Sincerely,

Roger Marheine

**4. Gail Cooper Response to Marheine**

Dear Roger,

November 26, 2012

***Re: “Open Letter to Board of Trustees” of November 21, 2012***

Your “open letter” to the Trustees was far more than that; you distributed this letter campus-wide. As you are well aware, the issue of the impacts of the Board-adopted calendar is presently before a PERB mediator. This is a result of PCCFA declaring impasse and requesting mediation. Your “open letter” is clearly an effort to negotiate in public in violation of PERB regulations, and worse, it is replete with misrepresentations.

You state, “What possible motive could there be for dragging the college into contractual mediation and demonstrating blatant disregard for the Shared Governance processes?” Lest you have forgotten, it was PCCFA that declared impasse and requested mediation on the calendar. You personally served me and served me with Dr. Rocha’s copy of PCCFA’s declaration of impasse and request for mediation, which you filed with PERB, at the Board meeting on October 3, 2012, and you did so after Dr. Rocha, Bruce Barsook and I repeatedly invited you to negotiate the impact of the calendar change, including the start date. Not only haven’t you negotiated to date, but you haven’t identified a single impact of the calendar change to date.

You state to the Trustees, “You may not be aware, but the FA had negotiated with the District to establish firm NCNs as part of contractual integrity since class size is a work condition.” This is a blatant misstatement: The NCNs have been determined by C & I; however, they have never been negotiated with the District, nor even approved by the District as required by the Tentative Agreement entered in January 2011. During sessions at the negotiation table, you have acknowledged that both the District and PCCFA must approve the NCNs before they may be implemented. The recent memo to the deans to which you refer is not in any way a change but an operational instruction to revert to the course NCN's that have been longstanding for many years. Unless and until these NCN's are changed through the process stipulated in our current contract and Tentative Agreement, the college will continue to use the standing NCN's.

You call the elimination of Winter intersession a “crisis” and “mismanagement” when in fact, the faculty and students are prepared to start Spring semester on January 7, 2012. All faculty who have raised any individual issues with the start date have been accommodated notwithstanding PCCFA’s failure to represent them with respect thereto. The students who have

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Roger Marheine November 26, 2012 Page 2

raised any issues with scheduling have also been accommodated. In the wake of Proposition 30’s success, and in compliance with the law, the Administration is planning to add many sections for spring and summer. The college will meet and earn its state-assigned FTES apportionment.

The student calendar was adopted by the Board of Trustees in accordance with the authority vested by law. The Board's authority was clearly established when PERB dismissed the FA's complaint on winter session classes several years ago. While you may continue to disagree with that decision, PCCFA has had every opportunity to negotiate its impacts, if any, on the working conditions of faculty. You have persisted in failing to negotiate and have turned the matter over to PERB.

As for the negotiations on the successor agreement, President Baum has already called to your attention that the FA has turned down the District's offer. We communicated many times publicly that the District’s offer was based on Prop 30 passing, and that it would expire on November 5, 2012. Neither I nor anyone else on behalf of the District told you that if it passed we would be returning with a greater offer. We will of course continue the terms of the current contract.

We echo President Baum’s admonishment to you: Any issues you wish to raise need to be addressed to the District’s negotiating team.

Very truly yours,

Gail S. Cooper General Counsel

cc: Dr. Mark Rocha (via email) Bruce Barsook, Esq. (via email)

**5. Concerned Faculty Response to Gail Cooper (cc: Board+all faculty)**

November 27, 2012

Dear Ms. Cooper,

As faculty members vested in the well-being of PCC, we are extremely disappointed in how blatantly you disregard our well-being. Your response letter dated November 26, 2012 to our colleague’s sincere concerns shows the disdain you have for faculty in general.

In your letter, you state that “the students who have raised any issues with scheduling have been accommodated.” That is shocking news to us because the majority of the students in our classes continue to lament the loss of winter and the detrimental effects it’s having on their academic year. And how exactly have you “accommodated” the 2700+ students who have signed the student petition to reinstate Winter?

In your letter to Professor Marheine, not only is the tone of your letter condescending but also the assumptions you made are unfair to faculty. You grossly state that “’All’ faculty who have raised individual issues have been accommodated.” How are you accommodating the faculty who were planning to start the third week of February?

You stated that faculty and staff are ready to start classes on January 7 when in fact, we were never given a choice nor even a chance to analyze the pedagogical implications of cancelling winter session. In fact, the recent Senate survey reveals how 76% of surveyed faculty (259 faculty out of 341 respondents) are dissatisfied with the process that was imposed.

The Faculty Association has worked tirelessly and endlessly on our behalf. They are professors with a sincere interest in the well-being of students and faculty. They get minimal reassigned time, unlike you and the other legal counsel at PCC that are paid hundreds of thousands of dollars a year solely to represent the District. We fully support the efforts of the Faculty Association.

We should hope that other faculty who are equally disturbed by your letter respond as they feel fit, but don’t take their silence as apathy. The hostile work conditions fueled by letters such as yours and the administration’s bullying, along with the complete disregard for faculty, staff and students, resonate throughout every classroom and office and only perpetuate an environment of anger and distrust.

Sincerely,

Concerned Faculty (see attached signature pages)