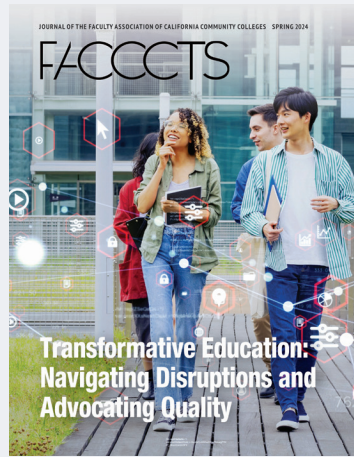


FACCOCTS



Transformative Education: Navigating Disruptions and Advocating Quality



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We value the growth and development of all faculty members as professionals in service of their communities, their institutions, and their students.

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SPRING 2024

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The Chatbot-Assisted Learning Environments: Navigating the Labyrinth

by David E. Balch, PhD, Rio Hondo College and Robert Blanck, MA

Note: This article was the result of a collaboration between the human author and two AI programs; *Bard* and *Bing*.

Artificial intelligence, or AI, has led to the development of sophisticated conversational systems, known as chatbots. These AI-powered programs can provide information, answer questions, and even complete tasks. Chatbots are increasingly common in customer service, healthcare, and education. However, in education, chatbots have been used to generate false or misleading information, called “hallucinations” and create fake students.

Chatbot Hallucinations in Higher Education

Chatbot hallucinations in higher education are caused by the complex nature of educational queries and the diverse range of topics encountered. Community college chatbots need to understand a wide range of academic subjects, courses, and student queries. This is different from generic applications where chatbots may only handle customer service inquiries.

Ambiguity in Educational Queries: students often ask complex and context-specific questions about course requirements, program details, and academic pathways. The inherent ambiguity in these queries can challenge chatbots, leading to misinterpretations and, subsequently, hallucinated responses. For instance, a student inquiring about the prerequisites for a specific course may provide incomplete information, triggering a chatbot hallucination if the system fails to infer the intended meaning accurately.

- **Data Bias and Inconsistencies:** The reliance on educational databases and resources for chatbot training data introduces the risk of bias and outdated information. Inaccuracies in the training data, whether reflecting biased perspectives or containing outdated facts, can contribute to the generation of hallucinated responses. Chatbots must navigate a vast array of academic subjects, making it crucial to address bias and ensure the accuracy of information embedded in their knowledge base.
- **Human-Chatbot Interaction Dynamics:** The unique dynamics of human-chatbot interactions further complicate the issue of hallucinations. College settings foster collaborative learning environments, where students engage in dynamic discussions and group activities. Chatbots operating in such settings must navigate the complexities of ambiguous queries arising from collaborative interactions, increasing the risk of misinterpretations and subsequent hallucinations. Additionally, feedback loops in educational

contexts, where students inadvertently provide incorrect information during interactions with chatbots, can reinforce inaccurate patterns and perpetuate hallucinations in subsequent interactions.

Implications of Chatbot Hallucinations in Higher Education

The implications of chatbot hallucinations extend beyond the general concerns seen in broader applications. In the educational domain, where precision and reliability are paramount, the consequences of misleading information can significantly impact students' academic journeys.

- **Academic Performance:** Misleading information related to course prerequisites or curriculum details can have tangible effects on students' academic performance. If a chatbot provides inaccurate details about the requirements for a specific course, students may enroll without the necessary preparation, potentially leading to suboptimal academic outcomes.
- **Career Guidance:** Hallucinated responses regarding career advice or program recommendations can misguide students, influencing their educational and professional trajectories. Inaccurate guidance may lead students to

pursue paths that are not aligned with their interests or long-term goals, hindering their overall development.

- **Application Processes:** Chatbots often assist students with inquiries about application procedures, deadlines, and required documentation. Inaccurate information in these critical areas can result in students missing opportunities or facing unnecessary challenges during the enrollment process. The potential for confusion and frustration among students underscores the importance of mitigating hallucinations in these specific contexts.

The Growing Problem and Motives Behind Bots Posed as Students

In higher education, there is a troubling trend: the use of bots to register as students, particularly in online classes. This may sound far-fetched, but it is a reality that colleges and universities are facing today. The motive behind the use of bots is to defraud colleges and universities. By registering for classes without any intention of attending, these bots can inflate enrollment numbers, leading to financial losses for institutions. Universities are still responsible for paying faculty members for the classes, even if the seats are filled with bots.

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These automated programs are being used for various reasons, ranging from gaining access to popular classes to scamming institutions out of money. According to Tytunovich (2023) in California, over 65,000 fake applications for financial aid were submitted in the state’s community college system in 2021, with one community college identifying and blocking approximately \$1.7 million in attempted student aid fraud. The San Diego Community College District was not so lucky and paid out over \$100,000 in fraudulent claims before catching on. According to the Chancellor’s Office, about 20% of the traffic coming to the system’s online application portal is from bots and other “malicious” actors (West et al., 2021). **Figure 1.** “Bots vs Chatbots” gives examples of each.

Figure 1. “Bots vs Chatbots”

Feature	Bots	Chatbots
Primary function	Automate tasks	Communicate and provide information
User interaction	No direct user interaction	Direct user interaction through natural language
Typical use cases	Customer service, marketing, social media	Customer service, education, e-commerce

Potential Use and Misuse by Students

In the article “OpenAI’s Custom Chatbots Are Leaking Their Secrets” the author discusses how OpenAI’s GPTs give individuals the ability to create custom bots. A more recent development is the creation of custom bots by users. Open AI subscription holders can now create custom bots, also known as AI agents. These versatile tools can be tailored for personal use or shared publicly on the web.

The positive use would include the transformation of the online learning experience for students by offering personalized learning support, enhancing engagement and interaction, providing real-time feedback, assisting with study preparation, and offering language support. Despite the potential benefits in classroom settings, their use also raises concerns. These include over-reliance, plagiarism, bias, limited creativity, ethical considerations, accessibility issues, oversimplification, distraction, and dehumanization of the learning experience.

Utilizing CAPTCHA Responses to Differentiate Humans from Bots

CAPTCHA (Completely Automated Public Turing test to tell Computers and Humans Apart) is a widely employed tool for distinguishing between human users and automated programs. By presenting challenges that are straightforward for humans to solve but difficult for bots to overcome, CAPTCHAs can effectively filter out bots and protect online platforms from malicious activity (Stec, 2023).

Common CAPTCHA Types

There are various types of CAPTCHAs, each with their strengths and limitations. Some common CAPTCHA types include:

- Text-based CAPTCHAs: These CAPTCHAs display a series of distorted letters or numbers that are difficult for bots to read, but easy for humans to decipher. For instance, a CAPTCHA might present a sequence of distorted letters like “594nB” and ask the user to type it out correctly.
- Image-based CAPTCHAs: These CAPTCHAs present a grid of images and ask the user to identify specific objects in the images. For instance, a user might be asked

What is CAPTCHA and What are its different types?



to select all the images containing traffic lights or all the images featuring cats. Image-based CAPTCHAs are particularly useful for individuals with visual impairments, as they can utilize audio CAPTCHAs as an alternative.

- Audio-based CAPTCHAs: These CAPTCHAs play a recording of spoken words or numbers and ask the user to type what they hear. This type of CAPTCHA is particularly useful for individuals with visual impairments who may struggle with text-based or image-based CAPTCHAs.

Examples of CAPTCHA Challenges

Specific examples of CAPTCHA challenges that can be used to distinguish between humans and bots include:

- Distorted Text CAPTCHA: The user is presented with a sequence of distorted letters or numbers and asked to correctly type them out. The distortion makes it difficult for bots to accurately identify the characters, while humans can easily read them.
- Object Recognition CAPTCHA: The user is shown a grid of images and asked to select all the images containing a specific object, such as cats, traffic lights, or mountains. This challenge relies on human visual perception, which bots often struggle with.

- Audio CAPTCHA: The user is played a recording of spoken words or numbers and asked to type out what they hear. This challenge tests the user’s ability to understand and transcribe spoken language, a task that is difficult for bots.
- Tile Sorting CAPTCHA: The user is presented with a set of scrambled tiles and asked to arrange the tiles to form a complete image. This challenge requires spatial reasoning and pattern recognition skills, which are not well-developed in bots.

By employing CAPTCHAs in various forms, online platforms can effectively distinguish between genuine human users and automated programs, safeguarding the integrity of their services and protecting against malicious activities. Figure 2. “What is CAPTCHA and what are its different Types?” gives examples.

Additional Considerations for CAPTCHA Implementation

While CAPTCHAs are an effective tool for distinguishing between humans and bots, it is important to consider their potential impact on user experience. CAPTCHAs that are too difficult or time-consuming can frustrate users and lead

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The Revolution Starts Now: Embracing the Disruption of ZTC Pathways

By Amy Leonard, De Anza College

The revolution is coming, and it will be disrupting textbooks at your campus. You've likely heard discussions about OER and ZTC, possibly noticing markers next to courses in your

college catalog. You might have even been asked to create an OER or ZTC pathway for your college. If you have been sitting on the sidelines, clinging to your textbooks and hoping to avoid the next wave of disruption at your campus, now is the time to start exploring and perhaps embrace this revolution before becoming the rotary phone in this digital age.

Before diving into the nuances of OER and ZTC, let's clarify these acronyms.

"OER" stands for "open educational resources." These are freely accessible, openly licensed educational materials that can be used for teaching, learning, and research. OER can include a variety of resources such as textbooks, lecture notes, videos, quizzes, and more. The key characteristic of OER is their open licensing, meaning that users have the permission to freely use, adapt, and share the materials.

The open licenses associated with OER allow educators to customize and tailor the content to better suit their specific teaching needs. This approach promotes collaboration and the sharing of knowledge, making education more accessible and affordable.

"ZTC" refers to "zero textbook cost" programs. These programs focus on using educational resources, including textbooks and course

materials, that are freely available and openly licensed as OER. The goal is to reduce or eliminate the cost of textbooks for students.

What are ZTC degrees? In essence, "zero-textbook-cost degrees" pertain to community college associate degrees or career technical education certificates earned exclusively through courses that eradicate conventional textbook costs, employing alternative instructional materials and methodologies, including open educational resources. Printing instructional materials at the discretion of students is not considered a cost under this program (California Education Code – EDC Section 78052).

The California Community Colleges actively advocate ZTC pathways for degrees and certificates, recognizing their significance, especially for traditionally marginalized populations and at-risk populations. ZTC is vital to retaining the students. Why? ZTC pathways contribute to creating a more inclusive and cost-effective educational environment, allowing students to focus on their studies without the financial burden of expensive textbooks.

Here are six reasons you might want to look more deeply into this for your classroom, or at least learn about the potential benefits for your department.

- 1. Financial Savings:** Of course, one of the primary benefits is cost savings. Traditional textbooks are typically pricey to the average student, and the cumulative cost of course materials can add a significant financial burden. This burden frequently deters at-risk and low-income populations from enrolling in courses or pursuing degree pathways with elevated textbook costs. ZTC pathways aim to eliminate these costs, making education more affordable.
- 2. Increased Access:** The objective in creating an entire general education (GE) pathway or degree pathway that is fully ZTC is to ensure universal access for all students. This is achieved by incorporating ZTC courses at each juncture along the pathway, easing students from the financial burden of textbook costs. Instructors creating a

ZTC course often use OER materials, which are freely accessible and openly licensed. This implies that students can access course materials without restrictions, promoting greater equity and access to educational resources. Furthermore, forward-thinking departments are creating OER for their courses and/or involve students in creating OER resources for their class, which has the added benefit of giving students a publishing credit.

- 3. Customization and Adaptability:** Instructors who are not yet aboard the ZTC initiative should note that OER utilized in ZTC pathways are typically accessible under open licenses. These licenses allow educators to personalize and modify the content to align with their teaching preferences. Essentially, this process involves decentralizing the idea of a copyrighted textbook into an adaptable resource catering to the needs of the community. The flexibility empowers instructors to tailor materials better suited to meet the specific requirements of their courses and students.
- 4. Collaboration and Sharing:** The creation of the ZTC pathway is designed to encourage sharing educational resources among educators, not only within a single college but throughout an entire discipline. The collaborative effort allows educators to create a common ZTC knowledge base for a specific class. This approach can lead to development of high-quality, peer-reviewed materials with the potential to benefit a broader audience, fostering a sense of community in education. Moreover, if students are encouraged to partake in the creation, the process can truly embody equity in learning by removing hierarchies in the classrooms.
- 5. Digital Accessibility:** While community colleges embrace distance learning, hybrid, and hyflex learning, accessibility for all students continues to be a flashpoint for instructors. The benefit of OER used in ZTC pathways is that it is available in digital formats, making them easily accessible to students with various learning preferences. Digital materials offer the universal benefit

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What Is Education For?

The End of Repeatability, the Case of AB 811, and the Ultimate Downsizing of Community College

By John Fox, Foothill College

Education is not preparation for life; education is life itself.

– John Dewey

Few instructors I know planned to teach at a community college, but once they found themselves in front of a classroom they became enamored with the experience and grateful for the opportunity to share their discipline with others. The best instructors I know embody an approach to education that goes beyond achieving degrees and getting a job. In fact, teaching gets to deeper endeavors, from self-actualization to changing the world. Changes in the community college system in the past 10 to 15 years, advocated by special interest groups and passed through legislation and Title V changes, have devalued the learning experience and reduced the community college mission to certificate, degree, and transfer to four-year institutions. Nothing is wrong with certificates, degrees, and transfer—in fact, we wouldn't be in our positions without them—but things that have intrinsic value that used to be integral to community colleges, such as basic skills and lifelong learning, have been deprioritized and defunded. This started happening in the early 2010s, with the end of repeatability, when students could enroll in activity classes multiple times for credit, thus gaining an enriching learning experience that goes beyond one semester. This past year, an attempt to bring back some semblance of repeatability emerged in the form of AB 811 (Fong), and in spite of it passing in the Legislature overwhelmingly, it faced opposition from special interest groups that resulted in Governor Gavin Newsom's veto.

The fight over the bill shows two visions of education that are not necessarily contradictory but show vastly different priorities between faculty and special interest groups. One vision, the one I and others embrace, values certificates, degrees, and transfer but sees learning as valuable in and of itself. The other vision sees learning as a means to an end—students learn the material in order to pass classes that lead to certificates, degrees, and transfer. Student success, then, becomes defined according to external accom-

plishments of the student, and the personal enrichment of the student is incidental. Education itself becomes reduced to the hoops students jump through, and instructors are reduced to placeholders of those hoops.

A Bit of History and Numbers

The end of repeatability was a process over a couple of years in the early 2010s. The 2012 report from the California Community College Task Force, Advancing Student Success in California Community Colleges, reshaped community college education. The task force, mandated in 2011 by SB 1143, was charged “to examine specified best practices and models for accomplishing student success” (SB 1143). The report contained 22 recommendations, but one that has proven to have a major impact on lifelong learning stands out:

The Board of Governors and the Legislature should ensure that state subsidization for instruction ... is used to offer those courses that support a program of study and

are informed by student education plans. *Courses that do not support programs of study and that solely serve an enrichment or recreational purpose should not be subsidized with state funds.* Rather, colleges should utilize community education and other local funding options to support such classes *if they choose to offer them* [emphases added].

In its November 2013 document “Credit Course Repeatability Guidelines,” the State Chancellor's Office further solidified its opposition to repeatability by specifying that colleges should “limit to one time the number of times a student could enroll in the same physical education, visual arts, or performing arts courses” (29). This restriction against course repeatability contributed to a decline in enrollment in California Community Colleges. While overall enrollment fell between 2010 and 2022, enrollment in Fine and Applied Arts and Physical Education classes fell at a steeper rate. **Table 1** shows the numbers of Full-Time Equivalent Students lost, and **Table 2** shows the percentage change in enrollment:

Table 1:
Full Time Equivalent Students in the Community College System, Fine and Applied Arts, and Physical Education for Selected Years.

	Fall 2010	Fall 2011	Fall 2012	Fall 2013	Fall 2014	Fall 2022
State of CA	570,411.15	538,749.08	514,026.69	524,920.35	524,811.20	436,310.54
Fine and Applied Arts	49,372.65	45,464.49	42,490.95	41,170.65	40,246.33	32,299.51
Physical Education	19,014.32	16,511.76	14,633.00	11,898.08	11,272.52	5,935.57

Source: California Community College Chancellor's Website

Table 2:
Percent Change in Enrollment in the Community College System, Fine and Applied Arts, and Physical Education for Selected Years.

	Fall 2010–11	Fall 2011–12	Fall 2012–13	Fall 2013–14	Fall 2010–22
State of CA	-5.55	-4.59	2.12	-0.02	-30.73
Fine and Applied Arts	-7.92	-6.54	-3.11	-2.25	-52.86
Physical Education	-13.16	-11.38	-18.69	-5.26	-220.35

Source: California Community College Chancellor's Website (calculations by author)

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Here's another way to look at these data: Between 2010 and 2022, the State of California lost about 134,000 full-time equivalent students. Fine and Applied Arts lost about 17,000 full time equivalent students and Physical Education lost about 14,000, with a decline of 220% (that is not a typo). This means that about 13% of the loss in enrollment occurred in the areas that the new repeatability rules targeted.

Enter (and Exit) AB 811

In this context, last year Assemblymember Mike Fong introduced AB 811, which would allow “for a student to repeat, up to, but not exceeding, 2 times, a credit course in arts, humanities, kinesiology, foreign languages, and English as a second language, for which the student previously received a satisfactory grade and which the student is retaking for enrichment or skill-building purposes”¹ (California legislative information). Not only was AB 811 an opportunity to recapture some enrollment, but to enhance lifelong learning and strengthen ties to the local community. Supporters of AB 811 noted the connection in the following statements:

- » Representative Mike Fong: “AB 811 lifts the cap on the number of times a community college student may re-take a course ... they are taking a class for enrichment or professional development purposes” (Assembly Committee on Higher Education).
- » California Federation of Teachers: “Expanded repeat-

ability options provide students who are not concerned necessarily with transferring to another institution with more practice, and more engagement in their community to hone their skills and enjoy a lifelong learning benefit by the community college system” (Assembly Committee on Higher Education).

- » Academic Senate for California Community Colleges (as stated by Virginia May): “[A]llowing a student to repeat a credit course for which they have secured a satisfactory grade gives them the opportunity for additional enrichment and improved skills that can significantly augment their personal and professional abilities, leading to improved employability and emotional, mental, and physical well-being” (Academic Senate for California Community Colleges).
- » City College of San Francisco Student Chancellor Heather Brandt: “Current limits on course repeatability disproportionately harm underserved students such as students of color, system-impacted students, and students with dependents, like myself. AB 811 is the difference California community college students need—an important step towards creating accessible, equitable, and inclusive learning institutions” (California Federation of Teachers).

The Student Senate for California Community Colleges, California Community College Independents, and several community college districts also supported AB 811. The

opposition was led by, shall we say, “the usual suspects.” A “diverse coalition of higher education equity research, civil rights, social justice, and student leadership organizations,” including Education Trust-West, The Campaign for College Opportunity, and California Acceleration Project, stated in a “letter of concern” after the introduction of AB 811, “Allowing students to repeat ... a credit course for which the student previously received a satisfactory grade for enrichment and skill-building purposes could have a significant impact on those college aspirations, including time-to-degree and college affordability” (The Institute for College Access and Success). Bringing in an equity argument Education Trust-West went further, as recorded in the AB 811 hearings: “We are concerned that repetition of credit courses will lead to Black and Latinx students repeating credit courses they do not need for their degree OR not receiving the necessary academic supports to succeed on their first try” (Assembly Committee on Higher Education).

After several amendments and iterations, the bill finally went to Governor Newsom’s desk. In his veto message, Newsom wrote,

In recent years, the California Community Colleges (CCC) have been intently focused on improving student success, reducing excess course units and improving transfer rates. While one of the main goals of this bill is to help increase enrollment at the CCC, it also creates a fiscal incentive for community colleges to encourage

The framing of the arguments prompts a fundamental question: What is education for?

repeating certain credit courses.... My administration continues to be committed to working with the Legislature, the CCC and stakeholders to find other ways to increase enrollment at the CCC. But this bill moves us away from our shared, stated goals [Newsom 2023].

Predictably, Education Trust-West responded much like Newsom’s veto message. Speaking for Education Trust-West, Rachel Ruffalo wrote, “for the roughly 80% of community college students who intend to transfer, taking additional courses unnecessarily can prolong their efforts to earn transfer credit and lead to greater attrition” (<https://west.edtrust.org/press-release/the-education-trust-west-responds-to-governor-newsoms-veto-of-ab811/>).

¹ The original version of AB 811 allowed for students to repeat a course up to five times but was reduced to twice in subsequent versions.

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One Email and Over a Decade Of Leadership and Advocacy Later...



By Evan Hawkins, Former FACCC Executive Director

During the spring of 2012, I opened an email from the then-president of the Sacramento County Young Democrats.

At the time, I was serving as the organization's elected political director and getting prepared for the upcoming general election cycle. This email included a job posting for an open membership director position at FACCC. As a proud community college graduate, I was hoping my next career step would be working on community college issues. The email was my opening, and after a few interviews I was offered the job.

Eleven years and six months later I'm writing this FACCTS article reminiscing on the privilege I've had to serve in many roles for the association, including membership director, associate director, and executive director. I am grateful to have partnered with faculty leaders to accomplish FACCC's goals. During my tenure, faculty achieved a number of significant wins that FACCC played a large role in:

Proposition 30's Passage: Officially known as the Schools and Local Public Safety Protection Act, was a tax initiative passed by California voters in 2012. The measure temporarily increased both the state sales tax by 0.25% and income taxes on high earners to provide additional funding for education and public safety. The sales tax and income tax increases were both temporary, scheduled to expire after four years (a 2016 initiative that FACCC also supported extended the

income tax component permanently). Prop 30 helped prevent additional cuts and provided community colleges with a more stable funding source to maintain classes and services for students. Prop 30 played a major role in restoring funding to California's public education system after years of austerity brought on by the Great Recession.

FACCC PAC Champions Elected to Office: Due to my political background, I staffed FACCC's PAC (Political Action Committee) shortly after joining FACCC. During this time, FACCC PAC's endorsed candidates achieved success rates between 85-100% and a few FACCC members were even elected to the Legislature. The PAC's talented faculty members, with political instincts that rival any political consultant, were instrumental in expanding the influence of the PAC. Nearly every candidate running for the state legislature and many running for local trustee boards seek to earn FACCC's endorsement in each election cycle.

Increased Funding for Faculty: As the state recovered from the Great Recession, state budgets began to grow. FACCC joined its union partners to maximize funding for faculty by taking the lead in advocating for increased funding for faculty priorities. These efforts paid off as hundreds of millions of increased (ongoing and one-time) funds were allocated to full-time faculty hiring and part-time faculty support. While these unprecedented augmentations did not fix the inequities that our part-time faculty face or close the 75/25 deficit, they were political wins that made important progress.

Increased Funding for Student Services: FACCC represented the EOPS association in its statewide advocacy work for many years and the MESA directors association joined during my tenure as executive director. Partnering with their leadership, we were able to secure millions of dollars in additional funding for their programs, allowing both to expand beyond their expectations. As true equity programs that have decades of demonstrated results, these additional resources allow for the programs to expand and benefit our students for years to come.

Navigating COVID-19 Disruptions: While community college faculty heroically transitioned their courses online when the pandemic hit, my role was to support FACCC's members and staff. Faculty were focused on ensuring their students could continue their educational aspirations during the pandemic, and FACCC was focused on supporting its members and informing legislators of the critical work faculty were engaged in.

New Membership Partnerships: As membership director and later executive director, I led successful efforts to expand FACCC's membership and statewide presence. My outreach to faculty unions in the Contra Costa and Chabot-Las Positas community college districts brought their locals into FACCC as contract members. I also secured contract membership for the faculty unions of College of the Redwoods and Mendocino College during my tenure as executive director. Partnering with these unions allowed FACCC to extend its reach and augment the advocacy power of these locals.

While there is still much work ahead, I feel honored to have contributed to furthering FACCC's mission during such a pivotal time for California's community colleges.

Governance Updates: In partnership with FACCC's Presidents, the association's governance structure was refreshed to be more inclusive and member driven. The president became a role with 100% reassigned time, similar to the position's statewide peers. The organization focused on an updated process to create more faculty leadership roles, revamped its mission, vision, and values, and embedded new inclusivity and belonging principles into the fabric of FACCC.

Although I have moved on from my previous positions with FACCC, I am confident the organization is well-positioned to continue effectively advocating for community college faculty thanks to the strong foundation built by its dedicated faculty leaders and exceptional staff. While there is still much work ahead, I feel honored to have contributed to furthering FACCC's mission during such a pivotal time for California's community colleges. I'm also thankful to be able to continue to serve the association in a consultant role during this leadership transition.

Faculty faced many policy and regulatory challenges during my nearly 12 years at FACCC. However, without supported faculty, none of the goals from the Governor or Legislature will happen. We will continue facing interests hostile to faculty and the mission of our colleges. But the faculty voice is essential to ensure student-centered policies from Sacramento. Faculty can't assume policymakers will recognize their value as educators or the value of our open access community college mission, so faculty must always proactively advocate for themselves and their students. As I look back on my time with FACCC, I hope I better positioned our organization and members to achieve this. ■



The 50% Law: A Critical Protection for Quality Education

By Wendy Brill-Wynkoop, FACCC President

For over 60 years, California’s “50% Law” has upheld the core mission of community colleges—high-quality, affordable education centered on engaged classroom instruction with hands-on faculty support for learning.

By requiring districts to devote at least half of their unrestricted budgets toward salaries for instructors, this law ensures that our limited resources directly serve students’ academic development rather than contributing to unchecked administrative bloat. However, some critics call for repealing or significantly changing the 50% Law, claiming it arbitrarily limits districts’ flexibility to fund student support services. While thoughtful reforms reflecting current data could allow for reasonable flexibility while retaining core protections, outright elimination based on political rhetoric could damage student success by increasing class sizes, overstressing faculty, minimizing counselor and librarian positions, and reducing student-faculty engagement. The 50% Law should be protected and updated, not dismantled.

The Value of the 50% Law for Students

Enacted in 1961, the 50% Law recognizes that high-quality education depends first and foremost on a strong, stable core of knowledgeable, committed, and diverse faculty focused intensely on teaching, mentoring, guiding, and engaging directly with students.

By setting a reasonable minimum instructional spending level, the law aims to:

1. Maintain small class sizes to increase hands-on educational engagement
2. Support instructional quality and effectiveness through investment in diverse faculty
3. Improve student learning outcomes and academic success

This law prevents uncontrolled non-instructional cost increases from coming at the expense of student learning. Instructional costs go toward exactly what students entrust their precious time, money, and

dreams in community colleges to receive—engaged teaching and guidance from committed faculty experts in their subjects.

In reality, the 50% Law applies only to districts’ unrestricted general funds, just one portion of overall community college budgets. Many additional funding streams tied to categorical programs also play an important role, as they are allocated for essential student support services including counseling, mental health resources, basic needs assistance, and more. However, while wraparound supports are undoubtedly vital, funding them should not come at the cost of high-quality classroom instruction and faculty engagement, which remains the central purpose of a college education. Considering California’s total allocated budget enveloping all categorical programs and funding streams, only an estimated 37% of expenditures are directed toward colleges’ core instructional costs. This demonstrates that the 50% Law is barely a minimum safeguard, preventing an even greater imbalance favoring non-teaching functions. Recent audits confirm that without the 50% framework, districts could continue shifting away from the classrooms and faculty those funds that were meant to catalyze students’ academic and career growth.

Recent audits demonstrate why upholding the 50% Law remains critically important. According to a 2022 state audit, districts were improperly using or failing to use \$450 million specially allocated by California’s Legislature for hiring full-time faculty. This exacerbates the fact that almost 70% of community college classes are taught by adjunct faculty rather than full-time permanent professors aligned with

a single college. This overreliance on part-time contingent faculty starkly contrasts with the system’s 75/25 goal, envisioning no more than 25% of instruction by temporary part-time staff. Extensive research shows that student success and completion rates improve when faculty teaching conditions allow deeper engagement in college communities. Well-supported full-time faculty committed to a single campus spend more time guiding struggling students, refining curriculum, and participating in shared governance to advocate for resources benefiting classrooms.

Simply put, faculty working conditions are student learning conditions. Without guardrails like the 50% Law, districts could further diminish full-time faculty while expanding bureaucracy. Under this scenario colleges count on knowledgeable, available faculty to fulfill administrative roles at their colleges, detracting from their time available to teach and thereby directly diminishing the quality of education.

A Closer Look at Staffing Trends

Recent data reveals concerning trends regarding the populations of full-time faculty and administrators. The Chancellor’s Office approved implementing the full Faculty Obligation Number (FON) for 2024–25. However, the calculated FON dropped dramatically, requiring only one district to hire any new full-time faculty next year. Comparing 2019 pre-pandemic numbers reported in the system’s Datamart to 2023, the statewide FON fell from 17,350 positions to 16,304. Actual full-time faculty declined from 19,482 serving 1.053 million students to 18,696 serving 1.029 million students. So, post-pandemic, student enrollment is only down 2.3%, but the number of full-time faculty

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plummeted by 16.3%. In stark contrast, the number of college administrators increased by 15.5% during the same period. Realization that the number of students has remained roughly the same while the number of full-time faculty has declined by 16.3% as 15.5% more administrators have been added brings clarity to understanding why more districts struggle to meet the 50% instructional spending minimum: expanding bureaucracy at the expense of educating students. The 50% Law aims to prevent precisely this scenario.

Growing Reserves Reveal Flexibility

The most glaring contradiction of the claim that limited financial flexibility prevents college from meeting student basic needs is districts' fiscal data trends. According to statewide reserve balances,

In reality, no existing framework matches the consistent systemwide protections the 50% law provides students through enforced budgeting discipline and class size reduction.

community college districts increased reserves substantially from an average of 16.1% in 2009–10 to over 35% by 2021–22. Nearly half of districts now report reserves exceeding 25% of expenditures, suggesting sizable and growing fiscal latitude absent the 50% Law.

This trend prompts valid questions about colleges' cries of poverty. What explains their proven ability to amass rising reserves

if districts face debilitating financial limitations? Why do opponents of the 50% Law protest restrictions in spending power, yet districts demonstrate a capacity to stockpile institutional savings? Any district genuinely needing more budget leeway could draw from already robust and mounting reserves.

Additionally, a recent report revealed that many districts are consciously deciding against spending available funds, including those intended for

pandemic relief. California allocated \$650 million to community colleges for COVID support in 2021, yet 80% remained unspent as of January 2023. Though the needs for which these funds were earmarked persist, bureaucratic hurdles and conservative budgeting—not insufficient funding—slow colleges' outlay. The 50% Law rightly compels prioritizing classroom investment as intended rather than accumulating reserves while services lag. Preserving instructional integrity should remain the priority if student learning matters most.

With systemic reserves now double their pre-recession levels, districts possess options despite claims otherwise. Attempts at repealing instructional spending safeguards reflect misplaced priorities, not financial necessity.

Flawed Alternatives to 50% Law Protections

Some critics claim that faculty unions could negotiate class size caps through collective bargaining without the 50% Law. However, significant variation exists across districts' 80+ contracts, and there is no guarantee that class size protections would persist. Eliminating standardized instructional spending minimums without replacing them invites larger classes, impeding learning.

Similarly, suggestions that shared governance alone suffices also fall short. While governance provides faculty input on planning and budgets, ultimate decision-making authority resides with administrators and trustees, not classroom instructors. Data shows that executive staffing and salaries have swelled while instructional support roles have remained understaffed. Rarely do boards or presidents voluntarily curb administrative growth without external accountability measures.

In reality, no existing framework matches the consistent systemwide protections that the 50% Law provides students through enforced budgeting discipline and class size reduction. Claims otherwise ignore governance and bargaining inconsistencies, while disregarding documented administrative expansion trends.

Updating Through Data-Driven Reforms

While outright repeal could clearly damage student success, thoughtful updates grounded in data could allow reasonable flexibility while retaining protections. For instance, some have proposed amending the definition of "instructional costs" to include faculty release time, professional development, and vital non-classroom academic support personnel, including counselors, librarians, and tutors. However, that would require adjusting the current 50% benchmark upward proportionally; otherwise, even less funding would flow to core instructional capacity involving faculty and classrooms. Simply incorporating non-teaching personnel definitions without raising the defined instructional spending minimum would dilute the law's intent to uphold educational quality. Any changes must retain the spirit of 50% as a meaningful, data-driven floor for investing in engaged faculty instruction as the heart of community colleges.

Crucially, such changes should mandate minimum staffing ratios to students based on evidence of need and impact. Students benefit from both expanded academic support services and sustained investment in faculty.

Additionally, stronger requirements explicitly limiting the year-over-year expansion of administrative and non-instructional staffs could prevent administrative bloat from crowding out classroom investment under the guise of "flexibility." Rather than requiring districts to spend 50% on instruction, the law could cap non-instructional staffing budgets.

In all cases, changes must retain the 50% Law's spirit: upholding quality, hands-on, high-impact education as the heart of community colleges' purpose and budget bottom line.

Talking Points for 50% Law Conversations

WHAT IS IT?

The 50% law requires community college districts to devote at least 50% of their unrestricted general funds to instructional salaries. Categorical and other funding are exempt.

WHY DO WE NEED IT?

The 50% helps maintain small class sizes, support faculty, and improve student outcomes.

WHAT WOULD HAPPEN IF WE ELIMINATED IT?

Eliminating the 50% law without equivalent protections risks larger classes, overburdened faculty, uncontrolled administrative cost increases, and reduced student-faculty engagement, which is vital for learning.

THE STATS

- Overall, only about 37% of total budgets, including categorical funding, go towards instructional costs.
- Between 2012 and 2022, student enrollment decreased by 20%, yet college administrators increased by 45% while faculty decreased by 2.6%.
- District reserves have grown significantly, reaching over 35% of expenditures by 2021-22.

THE SOLUTION

- A state audit reviewing 50% law compliance, which will be completed in the fall of 2024, will help guide data-driven reforms. We should wait for these findings before significantly altering the law.
- Reasonable updates could redefine "instructional costs" and raise the 50% benchmark accordingly, but the core focus must remain on classroom instruction and student-faculty engagement.

Waiting on Audit Findings

Notably, the California State Auditor is currently conducting an audit approved by the Joint Legislative Audit Committee reviewing the compliance of 10 districts with the 50% Law. The audit also will assess increasing district expenditures and compensation for administrative positions over the past decade compared to changes in faculty and staff positions and student enrollment. It was requested to address concerns over continued non-compliance with the 50% Law based on past audits and the rapid expansion in the number of administrators amid declining student enrollment.

FACCC strongly urges policymakers and stakeholders to wait for the findings of this audit, which should be released this fall, before proposing any significant legislative changes to the 50% Law. Understanding the current reality based on data is crucial. Attempting

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FACCC Welcomes Emily Haraldson as Interim Executive Director



As the year 2023 drew to a close, the FACCC community received the announcement of a significant change in leadership. Evan Hawkins, the Executive Director, was stepping down from his role, prompting the Board to initiate a search for a suitable long-term candidate. To ensure a seamless transition, FACCC is delighted to welcome Emily Haraldson as the Interim Executive Director, effective January of 2024.

Emily's Background and Experience:

Emily Haraldson brings a wealth of experience and leadership to her new position. Previously serving as the President of the Glendale College Guild, AFT-2276, she demonstrated exceptional resilience and strategic acumen in navigating the challenges posed by the COVID-19 pandemic. Her ability to address the myriad issues faced by college faculty and forge common ground with administration to improve the health, welfare, and working conditions of faculty members has been commendable.

Currently an Associate Professor and the Chair of the Art History Department at Glendale Community College, Emily's expertise extends to 20th-century European and American Modernism, Contemporary Art, Feminist Art, and Political Visual Culture. Beyond the traditional classroom, she utilizes her platform to illuminate social and political issues embedded in historical and contemporary art.

Contributions to FACCC:

Emily's involvement with FACCC goes beyond her new role, as she has actively participated and provided leadership within FACCC Communications Committee. Her numerous contributions advocating for the California Community Colleges reflect her commitment to the betterment of higher education.

Anticipating a Flourishing Transition:

FACCC expresses confidence in Emily Haraldson's ability to lead during this transitional period. Leveraging her fulfilling work in guiding community college students through their academic journeys, as well as her advocacy efforts, Emily is well-equipped to navigate the responsibilities of the Interim Executive Director role. With the immediate transition and the support of the capable and committed staff, FACCC anticipates not only the continuation but the flourishing of its impactful work.

Expressing Gratitude:

FACCC extends gratitude to Emily for her expertise and vision. Additionally, the organization appreciates the ongoing support of its members during this time of change and growth. As Emily assumes her new role, FACCC remains dedicated to its mission of supporting and advancing the interests of California Community Colleges.

Chatbot-Assisted Learning Environments | Continued from page 7

to increased abandonment rates. Additionally, CAPTCHAs should be designed to be accessible to individuals with disabilities, such as those with visual or auditory impairments.

Overall, CAPTCHAs can play a crucial role in protecting online platforms from automated attacks and ensuring that they are used by genuine human users. By carefully selecting and implementing appropriate CAPTCHA challenges, online platforms can balance security with user experience and maintain a safe and reliable environment for all users.

Combating Bot Misuse in Higher Education

Faculty can play a crucial role in mitigating the misuse of bots in Higher Education by implementing proactive measures and fostering a culture of academic integrity. Key strategies include:

- **Educating Students:** Dedicate class time to discuss the impact of bots, outline course policies, and organize workshops on academic integrity.

- **Implementing Technology-Based Detection:** Collaborate with IT to integrate CAPTCHA challenges and plagiarism detection software. Establish clear reporting procedures for suspected bot usage.
- **Designing Effective Assessments:** Emphasize critical thinking, incorporate open-ended questions, and utilize a variety of assessment methods. Implement authenticity checks for online submissions.
- **Proactive Monitoring:** Regularly review online discussions, encourage student engagement, and collaborate with teaching assistants to identify potential bot activity.
- **Fostering Open Communication:** Maintain an open-door policy, promote peer support, collaborate with colleagues, and participate in institutional initiatives focused on academic integrity.

By implementing these comprehensive measures, faculty can effectively address the growing challenge of bots and safeguard academic integrity for all students. ■

The Revolution Starts Now | Continued from page 9

of being accessed anywhere with an internet connection, providing convenience and flexibility. Tangible resources, such as textbooks, pose potential accessibility problems for students who cannot easily access the material to meet their unique needs.

6. **Encourages Innovation:** Finally, and probably most importantly, ZTC pathways encourage educators to explore innovative and effective teaching methods on a wider platform. Requiring students to purchase a printed textbook may limit adaptability to varied learning needs or contexts within your class. ZTC options offer flexibility allowing instructors to modify and tailor resources, empowering them to experiment with innovative approaches in real time. These resources, developed by a community of scholars,

not only encourage dynamic teaching methods but also adhere to accessibility requirements. In fact, these collaborations enable OER and ZTC faculty to create and share some innovative strategies to fit the evolving needs of students.

Ultimately, the world of ZTC pathways offers educators a chance to create vibrancy in their discipline, fostering living texts that adapt to the needs of individual students. This not only enhances the learning experience but also responds to the requirements of at-risk and traditionally marginalized student populations. Take the first step and contact your OER or ZTC coordinator to become a part of this educational revolution. It just might be our most promising avenue as educators for keeping our disciplines not only current, but also relevant. ■

What is Education For? | Continued from page 13

The framing of the arguments prompts a fundamental question: What is education for? Some would argue that personal enrichment, lifelong learning, skill development, and promoting democracy are valuable in and of themselves and that community colleges are ideal venues for these purposes. The winning side obviously disagrees.

Lessons from AB 811

The first lesson from AB 811 is that the idea of “community” is being taken out of community colleges. In theory, the state Board of Governors is supposed to help “maintain as much local authority and control as possible” (Galizio 2021: 27). With the end of repeatability and the veto of AB 811, the state Chancellor’s office and Governor Newsom’s veto are denying use of state resources for the needs of the local populations. This was put to me more bluntly by an administrator at my own college who said to me about the ending of repeatability: “The thinking is ‘if you want to take an exercise class, join a gym.’”

Second, the veto of AB 811 shows the power of the special interest groups such as Campaign for College Opportunity and Education Trust-West. These special interest groups are heavily funded by educational philanthro-capitalists such as the Bill and Melinda Gates Foundation (among

many others). The role that foundations are playing in shaping education policy is vast, growing, and undemocratic. Those of us who work in education should have a stronger voice in shaping policy than those who do not.

Third, the end of repeatability is part of a larger picture to turn community colleges from places of exploration and self-development to “get ’em in, get ’em out,” like widgets on an assembly line. AB 705 and 1705, which effectively ended remedial education in math and English, also have a similar effect—reducing enrollment. Although many colleagues whom I respect are supporters of Guided Pathways, the argument for implementing it has been “students are taking too many classes”—classes that they end up not applying to a degree. This means that classes are hoops for students to jump through and instructors are the hoop holders.

Finally, if we downsize the community college mission to focus solely on certificates, degrees, and transfer, the logical outcome will mean the downsizing of community colleges as institutions. This means less access for our students and the loss of faculty and staff jobs throughout the system. How much can we shrink and still be viable? AB 811 was an attempt to bring students, as well as the value of lifelong learning, back to community colleges, and unfortunately it was shot down by those with other agendas. ■

The 50% Law | Continued from page 19

substantial modifications without evidence risks severe consequences. If the audit confirms the persistence of compliance infractions along with disproportionate administrative spending growth, that will strengthen the case for retaining the core protections of the existing 50% Law. However, the audit also could reveal opportunities for more nuanced, incremental improvements. In any case, informed policy is better policy. With the integrity of community college education at stake, a pause for greater wisdom once audit details emerge later this year remains prudent statesmanship.

Shared Goals, With Care for Students

Student access, learning, and success are shared goals for all community college faculty, staff, administrators, and policymakers. Each plays a vital collaborative role, ensuring colleges have the resources to fulfill the promise of life-changing, affordable higher education.

With care, wisdom, and facts driving decisions, not institutional politics, California’s 50% Law could be

responsibly updated to address valid concerns from all parties while retaining its essential purpose – upholding investment in engaged faculty at the core of quality instruction.

But by outright eliminating this law, critics who offer no equivalent replacement invite disaster. Without guardrails on spending, districts could expand administration and overburden faculty with larger classes while claiming that “flexibility” helps instruction. This ambivalent path forward benefits no one, especially students, who count on the proven successful formula of engaged teaching faculty.

FACCC urges faculty to engage with elected representatives and policymakers to avoid reactionary steps toward eliminating the 50% Law. We must reinforce and not dismantle the law, protecting committed investment in community college classrooms, faculty, and, most importantly, students. The future of the affordable, quality community college education we all believe in depends on it. ■

MARCH IN MARCH 2024

On March 7, both faculty and students gathered in Sacramento for the March in March. With spirited chants and vibrant signs, participants marched across Tower Bridge to the California State Capitol. At the Capitol, attendees had the honor of listening to speakers including James McKeever, President of American Federation of Teachers (AFT) 1521 Faculty Guild, Assemblywoman Pilar Schiavo, Jason Newman, President of Los Rios College Federation of Teachers (LRCFT) 2279, and our very own Advocacy Manager, Anna Mathews, among others.

It was an inspiring afternoon, and we are excited to persist in our efforts, alongside our community college students, to bring community back to community colleges.





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