

**Resolution Urging Amendments to California SB 520 (Steinberg) Creating the
"California Online Student Access Platform"**

RESOLVED, That the California State University San Marcos Academic Senate affirm the principle that the State of California established under the California Higher Education Employer-Employee Relations Act (HEERA) that "academic and professional matters" be determined by "faculty shared governance mechanisms" (Sec. 3561) rather than legislatively or administratively; and be it further

RESOLVED, That the California State University San Marcos (CSUSM) Academic Senate welcome Senator Darrell Steinberg's commitment to fostering innovation in teaching and access to courses in California public higher education; and be it further

RESOLVED, That the CSUSM Academic Senate endorse the findings in the April 4, 2013, letter from The Executive Committee of the Academic Senate CSU to Senator Steinberg, which provides useful analysis of the problems in the existing draft of SB 520; and be it further

RESOLVED, That the CSUSM Academic Senate urge Senator Steinberg and all interested stakeholders to come together to modify SB 520 to achieve its worthy goals without sacrificing the principle of faculty control of the curriculum established in HEERA; and be it further

RESOLVED, That the CSUSM Academic Senate maintain that SB 520 and any similar legislation should abide by principles linked to existing academic and professional standards, among which are:

1. All classes offered for credit in California public higher education should be taught by faculty-of-record who have been hired and evaluated according to professional standards established by the three segments' shared governance and should originate in accredited institutions of higher education;
2. All classes offered for credit in California public higher education should be approved by the offering campus according to the curricular standards established by the shared governance bodies on that campus;
3. All classes accepted for transfer in California public higher education should originate in or be formally approved through established curricular review processes in accredited institutions of higher education;
4. In order to maintain the quality of coursework used to satisfy degree requirements, students wishing to substitute coursework from non-accredited institutions/entities for requirements in California's institutions of public higher education, should be advised to use existing mechanisms for credit by exam (or an institution's alternative such as a

portfolio) to demonstrate satisfactory attainment of course/program learning objectives; and be it further

RESOLVED, That copies of this resolution be distributed to Senator Darrell Steinberg, all members of the California State Legislature, the Academic Senates and systemwide administrations of all institutions of California Public Higher Education, the California Faculty Association, and to the press (San Diego Union Tribune, Los Angeles Times, New York Times, Chronicle of Higher Education, Inside Higher Ed).

Rationale: *Senate President Pro Tem Darrell Steinberg (D, Sacramento) has introduced SB 520 with the laudable goal of creating a "quality-first, faculty-led framework" for online education targeted toward "rapidly developing innovation in online delivery models" (SB 520, Sec. 1 d and e). This bill would establish the California Online Student Access Platform under the administration of the California Open Education Resources Council, (a group of nine faculty originally established under SB 1052 to solicit, review and approve requests for proposal for open access textbooks for 50 of the most in-demand courses in public higher education in the state). The bill would require the platform, among other things, to provide an efficient statewide mechanism for online course providers to offer transferable courses for credit and to create a pool of these online courses. The bill does not restrict the definition of online course providers to accredited institutions of higher education. The bill would require the council, among other things, to develop a list of the 50 most impacted lower division courses at the University of California, the California State University, and the California Community Colleges that are deemed necessary for program completion or fulfilling transfer requirements, or deemed satisfactory for meeting general education requirements. The bill would establish the California Student Access Pool, through which students could access online courses, and would require the online courses approved by the council under the bill to be placed in this pool. The bill would require that students taking online courses available in the pool and achieving a passing score on course examinations be awarded full academic credit for the comparable course at the University of California, the California State University, or the California Community Colleges. (From Legislative Counsel's Digest)*

Some provisions of SB 520 intrude on areas best left to academic and professional personnel and mechanisms as envisioned by HEERA. The April 4, 2013 Academic Senate CSU letter to Senator Steinberg provides useful analysis of the problems with the current language in the bill. The CSUSM Academic Senate is particularly concerned that the bill would allow for the possibility that courses offered by unaccredited providers of educational content could be used in satisfaction of degree requirements. In addition, the mechanism SB 520 establishes to approve online courses for satisfaction of degree requirements does not ensure that discipline faculty with the appropriate expertise will be responsible for course review and approval. Faculty in the California State University are already demonstrating their willingness to experiment with innovative pedagogy and technology, when that pedagogy and technology are implemented by discipline faculty and subjected to rigorous assessment and evaluation to high quality results. Prime examples of that innovation are the current San Jose State University – Udacity pilot program and CSU Fresno's

SPOT program for online writing instruction. In addition, the CSU is a leader in online degree programs (more information available at:

<http://odp.csusuccess.org/> and

<http://www.calstate.edu/extension/programs/online.shtml>

for examples). CSU faculty welcome Legislative support and resources to foster innovation and technology in teaching, provided that the support respects our professional and curricular standards. The CSUSM Academic Senate looks forward to working with Senator Steinberg and his colleagues as we move forward to provide our students with access to a high quality education in the State of California.

Sources

SB520:

http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0501-0550/sb_520_bill_20130401_amended_sen_v98.html

California Higher Education Employee Relations Act <http://www.perb.ca.gov/laws/heera.asp>

Academic Senate CSU April 4, 2012 Letter to Senator Darrell Steinberg