As representatives of the faculty of JCCC we wish to address the draft Interim Report to Higher Learning Commission (the “Report”) recently posted on the JCCC website. As detailed below, we believe the Report contains some factual errors and misleading statements. It also expresses views about shared governance at JCCC that are of considerable concern to faculty. We note here that the statement on shared governance attached to the Report as Appendix A (the Statement) was prepared without any faculty involvement—we will not comment further on the irony of this. The first section of this document will address the factual matters and the second our more philosophical concerns.

Section 1

On page 2 of the Report, reference is made to “a lack of boundaries and understanding of the separate roles of the Faculty Association (FA)…and the Faculty Senate (Senate).” We believe this overstates disagreement between FA and Senate leadership in recent years, and we question how much “confusion” such disagreements might have caused. *The Report should note that the FA and Senate leadership have cooperated on a number of initiatives, that the unique legal standing of the FA is well recognized and respected, and disagreements that have arisen in recent years have been addressed and resolved collegially.* While it is clear work needs to be done to address persistent uncertainties about the role, standing, and function of the Senate, we do not agree that this is the most pressing concern regarding shared governance at JCCC. More on this in Section 2.

Also on page 2, the Report states that the JCCC Faculty Association “functions as a local arm of the NEA.” This is misleading and by omission distorts the nature and function of the FA. While the FA is affiliated with NEA there is no meaningful organizational or functional relationship between the two. The FA has a more immediate relationship with the state level KNEA and an intermediate organization within the KNEA known as the Alliance Uniserve. These affiliations notwithstanding, the FA maintains complete organizational and functional autonomy—when it comes to its goals, membership, leadership, finances, and operations, the JCCC FA is an independent and entirely local organization.

Nor it is adequate to note simply that the FA is the “legally designated negotiating arm of the faculty with regard to the collectively bargained Master Agreement…” (pg. 2). While this is true, the role of the FA at JCCC has always gone and continues to go well beyond exercising its legal authority as a party to a negotiated contract. The FA has historically cooperated with the administration on many matters outside the contract, and a number of the items that are included in the Master Agreement guarantee the FA a role in matters of broad concern to the college. More on this below.

*We ask that the Report be corrected to reflect more accurately and fully the role and aims of the JCCC FA as detailed in its Constitution and By-laws.* (See JCCCFA [By-laws and Constitution](http://blogs.jccc.edu/fa/fa-by-laws/), Section 2: Purpose and Goals).

Continuing on page 2, the Report characterizes the Faculty Senate as “a younger body that exists outside the purview of the FA.” Two things need to be noted here. *First, the FS came into existence as an initiative of the FA, and has always sought to coordinate its actions and initiatives with the FA. Secondly, to date that FS has not secured a recognized place or function within the college and this needs to be stated clearly if the relationship between the two faculty organizations is to be accurately described.*

After noting ongoing discussions between FA and Senate leadership regarding shared governance, the Report claims on page 2 that “the work with the two groups is focused on coming to a schematic realignment that will create one body that functions as a stable faculty conduit [that] feeds information from the entire body of the faculty to the CAO and upper administration.” This is problematic. First there is no agreement that this is the aim of the current discussions. Second, on a plausible reading this goal is legally possible only with the dissolution of the Senate, something which has not been decided or agreed to by faculty leadership. Thirdly, there currently exist a number of faculty committees, such as OLAC and Ed Affairs, that speak to the CAO on behalf of the faculty on subjects specific to the respective committees. We see these and other faculty committees as successful and valuable examples of shared governance at JCCC. *The roles of these committees should be noted and it is important to stress that they will continue to function as they currently do regardless of the eventual outcome of the discussion about the Senate.*

Appendix B presents a schematic representation of the organization of the instructional branch pertaining to committee reports. This schematic mistakenly indicates that the Peer Review Committee reports to the Instructional Deans Council (IDC), which it does not. The Peer Review Council (not “Committee”) reports to the Faculty Association. The FA President is responsible for populating the PRC which in turns sees to the creation of and oversees the operations of individual Peer Review Committees. The PRC is also charged with handling grievances arising within individual committees and will involve the FA President as needed.

Appendix B indicates that the Copyright Committee reports to the CAO. Per the Master Agreement, however, there is a separate Intellectual Property Ownership Committee put together by “the College President or his or her designee”, and its determinations are delivered to the Office of the President. This committee addresses copyright questions arising work done by full time faculty as detailed in the Master Agreement as a negotiated item. This committee also needs to be represented in the organizational chart of the Instructional Branch.

The organizational chart presented in Appendix B also represents a number of additional committees whose work is explicitly structured by the Master Agreement as reporting to the CAO. While this is not inaccurate, it should be noted in this Report that matters pertaining to College Scholars, Faculty Portfolio, Copyright, and Sabbatical Leave are all constrained by the Master Agreement and that substantive changes to charge of any of them would happen only through a negotiated agreement between the Board of Trustees and the Faculty Association.

*As these items indicate, this chart needs to be redrawn so that it accurately represents the current place and role of the FA in the organization and operations of the Instructional Branch*.

Section 2

We will begin this section with the two points on page 3 of the Report, which are presented as “requirements” for successful conclusions of the discussions under way regarding shared governance and then move to a consideration of the Statement regarding Shared Governance attached to the Report as Appendix A.

We reject both of the points on page 3. We frankly do not know what is meant by “the concept of arguments to “strengthen the Master Agreement”’, but we cannot agree that anything pertaining to the Master Agreement can or should be “segregated” from considerations of shared governance. *Collective bargaining is in no way antithetical to shared governance and the reality at JCCC is that it is through the collective bargaining agreement with the Board of Trustees that full time faculty makes its most robust contributions to the college and its governance. This is indicated by the number of committees and processes focused on negotiated items.*

We are equally unclear as to what is meant by “a structure that ensures that the entire faculty are considered equally and given full access without regard for issues of membership in a specific body.” To avoid any possible misunderstandings, we will take this opportunity to remind the administration that *by law only the JCCCFA can represent full time faculty in any matter defined as a mandatory negotiable item by the Kansas Professional Negotiations Act, or any matter that is covered by the current Master Agreement, or any matter that is implicated by either*. We also reject the implication, if such was intended, that any faculty are currently given anything less than equal consideration or “full access” to anything based on membership in the FA.

We now turn to our concerns about the understanding of shared governance at JCCC as set forth in the Report as well as the Statement attached as Appendix A. With laudable clarity the Report states that the Statement was delivered to the faculty by the CAO, who was its sole author. We are convinced this document is flawed in ways that reflect its genesis. Badly needed was substantive discussion among those who will implement and work within the operationalized interpretation of shared governance at jCCC. Even on a charitable reading the Statement evinces misunderstanding of the beliefs and attitudes of faculty (and perhaps staff and administrators) and fails to identify the real issues surrounding shared governance that need to be addressed. Accordingly, we believe that *as it stands the Statement is an inadequate basis for understanding shared governance at JCCC as it currently exists and does little to establish a sound basis for badly needed further discussion.*

We begin by acknowledging that much of what is expressed in the Statement is unobjectionable as it draws from well-recognized sources and reiterates principles that few would dispute. Quoting a well-known AAUP document, the Statement notes that principles cannot “serve as a blueprint for governance on a specific campus or as a manual for the regulation of controversy among the components of an academic institution.” *What now needs attention at JCCC, we believe, is the “blueprint”, a conversation the Statement neither invites nor initiates because it does not identify entities and processes at JCCC that successfully implement the principles of shared governance or those areas in which improvement is badly needed*.

To be more specific, much of the statement is concerned to reject an understanding of shared governance that we doubt many people hold, one according to which everyone should have “an equal voice in all matters”, or that everyone should have a vote or hold veto power over decisions “outside of their bailiwick.” To be clear, the faculty do not claim or expect any such powers, either individually or collectively. We suspect that there is a misunderstanding here born of some specific events that could have been cleared up had we just been asked. *As it stands, this is a missed opportunity to address real issues about powers and authority delegated to faculty members and faculty groups (inter alia) outside the Master Agreement and Board Policy*.

In a related vein, point 5 (page 6) seems to assume the faculty needs reminding that “a wide range of stakeholder groups, not just the faculty, have a right to provide input.” We do not need reminding of this, and find it puzzling that a statement purporting to “enumerate [shared governance’s] values, [and] setting clear parameters for all constituents within the institution” should dwell on such an obvious point. Again, prior discussion could have easily provided clarity and in its absence we must speculate as to what occasioned these remarks. *Here too we suspect specific events are driving perceptions, rather than a full and open consideration of, and the operational means by which “stakeholder groups” provide input across the college. We believe it is the latter that needs the attention.*

Point 4 states “it must not be confused that a fair expectation of communication is not a right to decision making authority.” We note in passing, that again we are not sure who suffers from this confusion, but wish here to focus on the word “communication.” This can mean many things, ranging from a one-way transmission of information to the kind of exchange of ideas that goes into collaborative decision-making. It would be uncharitable to read the Statement as holding only the former is to be expected as part of shared governance at JCCC, but neither is it made clear just what else is meant by communication. While we are fine with technological means of dispensing information (such as the newly adopted Infohub) we believe that kind of communication is far from sufficient to enable meaningful shared governance. *Communication is a singularly persistent and deep problem, and what JCCC needs most is a focused discussion on the processes, or lack thereof, by which meaningful communication can take place.*

Conclusion

In conclusion, we find the current draft Statement to be in need of a number of corrections. As it stands, it does not convey accurately either how the principles of governance are instantiated at JCCC, or identify those areas in which problems persist. We strongly urge the document be redrafted with these concerns in mind, and that the administration take that opportunity to commit to meaningful dialogue with faculty.