

July 15, 2019

Board of Trustees
California Community Colleges
1102 Q Street, 6th Floor
Sacramento, CA 95814

Dear Board of Trustees of the Online College:

As you are all well aware, the CFT has not supported the statewide Online College, and remains in opposition to its continuance. The arguments CFT made when this legislation was first being considered are just as valid today as they were then, and we are finding the very concerns that we brought forward are becoming reality.

We have steadfastly argued that the creation of this Online College would be duplicative of existing programs. Sure enough, now that the Online College has announced that its initial three core curricular programs would be Medical Coding, Information Technology, and Cyber Security, CFT researchers have found a minimum 15 examples where these programs already exist in other community college districts. This is in direct violation of CA Education Code §75001(f) (1) which explicitly states: “It is the intent of the Legislature that the California Online Community College create unique content and deliver it in a manner that is not duplicative of programs offered at other local community colleges.”

Additionally, the subsequent paragraph of Education Code goes on to state: “(f) (2) For each new program created, the chancellor’s office shall notify the Legislature and Department of Finance on how the program is not duplicative of programs offered at other community colleges.” In fact, please consider this to be CFT’s formal request to obtain a copy of all such correspondence submitted under this section of the Ed Code.

Secondly, we have also argued that the creation of this Online College and the diversion of taxpayer resources to service this new college would come at the expense of other current initiatives and programs. And again, true enough, this has come to pass. If funding for the Online College were redirected to existing programs, *all* of the current Online CTE Pathways grant funded programs would have been able to be funded, in addition to being able to fully fund the Student Centered Funding Formula. Instead, this redirection of resources is causing the majority of our existing community college districts to make do with less.

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Thirdly, CA Education Code § 78032 (c) (1) explicitly states “No community college district shall recruit any student who is a resident of any other community college district, except where an agreement exists between those districts authorizing each district to recruit within the boundaries of the other district.” However, in direct conflict with this statute, in a recent published EdSource article, President Heather Hiles stated that the mission of the Online College would be changing to include face-to-face meetings. When CFT contacted the Online College attorney regarding this apparent conflict, we were told, essentially, that since that part of the Education Code existed prior to the existence of the Online College that it didn’t apply.

However, CA Education Code § 75001 (a) (4) clearly states: “The [online] college shall be considered a district and community college within the California Community Colleges system and the state’s public system of higher education.” Thus, it would be readily apparent to even the most casual observer that *all* sections of the Education Code which apply to community colleges would also apply to the Online College, including this aforementioned section. CFT’s follow-up correspondence with your attorney seeking clarity on these points went unanswered.

Fourthly, CA Education Code § 75007 (b) (A) (4) clearly states: “The college shall inform potential and enrolled students regarding the implications of taking courses prior to accreditation and how the college will help students rectify this issue in the future.” However, the Calbright website merely states: “Calbright College holds itself to the highest educational standards. We are currently under review and seeking accreditation.” That statement is a far cry from complying with the legal requirements for transparency with respect to accreditation as intended by the legislature.

Finally, CA Education Code § 75009 clearly states: “(a) By July 1, 2019, the college shall be expected to, at a minimum, meet the following milestones:

- (1) Fully develop a seven-year implementation plan, validate a business plan, and develop three program pathways designed in partnership with employers and industry groups.
- (2) Develop internal business processes and personnel policies, such as hiring, salaries, and evaluations, and establish outcomes goals including the classifications necessary to support instructional development, and activities and other elements of the student experience.
- (3) Map the student experience, including, but not necessarily limited to, recruiting, onboarding, transcriptions, instructional experience, billing, entry into internship if applicable to the student’s programs, and entry into jobs.
- (4) Develop an accreditation plan.
- (5) Create a statewide outreach plan, which includes working with immigrant groups and community-based organizations to reach the target population of working learners and help design educational opportunities that work for these learners.
- (6) Define the duties for instructional support, program development, and other student experience activities.
- (7) Establish a process for the recognition of prior learnings into the student onboarding experience.”

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Have any of these milestones been met? If so, we have yet to be able to find any evidence which would substantiate these requirements being completed.

This letter is intended to give notice that unless the Online College immediately becomes compliant with all aspects of the CA Education Code under which it was intended to open and operate, the CFT will initiate legal proceedings to protect the existing community colleges in this state to provide the best education for the students of those communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Freitas". The signature is fluid and cursive, with the first name "Jeffrey" written in a larger, more prominent script than the last name "Freitas".

Jeffery Freitas
President

/av/dlb:opeiu29-afl-cio

cc: Gavin Newsom, California Governor
Eloy Oakley, California Community Colleges Chancellor