PRESENT:  Bea Cashmore, Susanne Chan, Amy Edwards, Karen Erickson, Mary Ellen Goodwin, Nicole Gray, Richard Hansen, Meredith Heiser, MaryAnne Ifft, Zaki Lisha, Roger Mack, Anne Paye, Bob Pierce, Tim Shively, Alan Simes, Chris Storer, Laurel Torres.

ABSENT:  Kathy Terry.

M/S Agenda approved as written with deletion of Item 7: FH PaRC since there was no meeting.  Vote unanimous.

M/S Minutes approved as written.  Vote unanimous.

PRESIDENT’S REPORT

Reduction in Force (RIF) Meetings:  Hansen reported that he had been in meetings between administrators and the four full-time faculty, all from Foothill, who are subject to a Reduction in Force due to program reductions or elimination.  Two of these faculty will retire, one will take a reduced contract under Article 18 and one will be reassigned to another division.  One of the programs to be eliminated, the Reach Program for post-stroke rehabilitation, may be recreated as a community education program that would be entirely funded by student fees.  Foothill President Judy Miner has pledged the use of the current facilities at the Middlefield campus toward this endeavor.  Since De Anza has taken an overall leveling approach for addressing their budget cuts rather than targeting programs, no full-time De Anza faculty are facing a RIF.

Chancellor’s Advisory Council (CAC):  Cynthia Kaufman, President of the Multicultural Staff Association (MSA), presented MSA’s Solidarity statement at the February 5 Chancellor’s Advisory Council meeting.  The statement, in part, states that minority populations will be hit hardest by the classified layoffs.  Hansen noted that representatives from MSA will be meeting with FA staff tomorrow.

Academic and Professional Matters (APM) Committee:  Hansen attended his first APM meeting on February 5 with an agenda that focused on enrollment and process issues for adds and drops, summer session calendar, and faculty reductions.  The APM Committee was established a few years ago out of the old Joint Development Group (JDG).  At that time FA was removed from membership in the committee with assurances that they would receive copies of the agenda and be invited if negotiable items were going to be discussed.  So far, this policy has not been followed, and at a recent FA/Senate Liaison meeting, it was agreed that FA should attend, especially during these difficult budget times.

403(b)/457 Accounts:  A meeting to review the regulations and vendors of the Tax Sheltered Annuity 403(b) and 457 accounts was held on February 4.  A lengthy discussion took place about the two 457 account providers, AIG/Valic and TDS, both of which offer very similar high cost/high service products.  Hansen noted that he would be writing an article for the
February FA News apprising faculty of the latest contribution limits and querying what changes they would like, if any, in their 457 options.

Educational Technology Advisory Committee (ETAC): A security problem in a De Anza on-line class was explained at the February 10 ETAC meeting. A student was caught by ETS logging in as the course instructor using a password that had been inadvertently revealed to the class. Following the discovery, ETS blocked the student from all access to the course; however, the instructor intervened to keep the student enrolled. As a result of the confusion generated around this incident, an ETS Policy is being developed to address security breaches and the consequences attendant on their occurrence.

Faculty Association of California Community Colleges (FACCC) Conference: Hansen reminded the Council that FACCC’s Advocacy and Policy Conference is coming up on Sunday, February 28, with Lobby Day on Monday, March 1. A breakfast is being held at the conference to honor Assemblymember Warren Furutani for his work in support of the community colleges. Several community colleges are giving money to sponsor the event and Hansen queried the Executive Council on whether or not FA should also make a contribution. After discussion it was decided that it would be more appropriate to approach FA’s Political Action Committee (PAC) about making such a contribution.

NEGOTIATIONS UPDATE

Chief Negotiator Anne Paye outlined the District’s interests for negotiations on the 2010-13 Agreement. With regard to the first of these, load for possible standardization, Paye indicated that it was unclear what the District will be seeking. The District is interested in looking at science lab loads but has stated that any changes must be cost neutral. Since increasing the load factors on labs will increase their cost, something of equal value would need to be given up in order to meet this stipulation. Paye noted that the solution, if any were possible, would need to be very creative.

The District is seeking a proportional minimum cutoff class size. A minimum enrollment of 20 has been the long established past practice for all courses. The District noted that 20 makes sense if the seat count for the course is 25 but not for classes with larger seat counts. Vice President of Instruction Christina Espinosa-Pieb stated that the enrollment needed to be at least 37 in order for a course to pay for itself, but FA questions a number that high.

In Article 17, Professional Development Leaves (PDLs), the District wants to look at cost reduction and containment measures in response to the budget challenges. It is also seeking the addition of “enhanced criteria” to more easily determine the merit of some of the PDL requests.

The District is still seeking a salary cut under Article 24, Salary, and under the same article, it has added “Part-time Parity” as an interest. Paye speculated that this was arising out of the state budget cuts to this categorical line item.

In Article 25, Special Assignments, Espinosa-Pieb wanted faculty to be aware that De Anza is looking to reduce its Reassigned Time budget by $200,000.
Paye reported that she is writing an article for the February FA News to respond to various lobbying efforts FA has been receiving for faculty to take a salary cut in order to save classified staff positions. Paye noted that the planned cuts were going to net $15 million in savings to the District. To reap the same savings from salary cuts would require that all employees take a permanent 12% pay reduction, a loss that is unrealistic and unsustainable into the future. Part-time faculty have already been the largely unrecognized victims of the budget crisis as demonstrated by the fact that there were 143 fewer part-time instructors employed in Fall 2009 in comparison to Fall 2008. At the same time, faculty workload has increased dramatically as demonstrated by the increasing productivity numbers and the addition of SLO and accreditation tasks.

Paye stated that FA had been receiving criticism for going ahead with PDLs for next year. Paye reminded the Council that PDLs were suspended during the 2003-04 budget crisis and then, when that crisis disappeared before the year was over, faculty on PDL ended up being the only employees to suffer any ill-effects.

Paye restated FA’s position that concessions will not be considered unless next year’s state budget is worse than the current one. The District has other options that they could be considering in lieu of layoffs as can be seen in other area community colleges, including closing the campuses down in summer or having all staff reduce the hours in their work week.

Contract Review took up Article 18, Reduced Workload Program, following inquiries from faculty and deans about how the program is supposed to work. The general provisions allow a faculty member to reduce their contract as low as 50% for up to 10 years prior to retirement from STRS or 5 years prior to retirement from PERS. Contract Review will clarify the procedures, scheduling, and faculty rights. The Executive Council discussed this item at length since Contract Review has brought to light some misapplications and misinterpretations of the Article in the past that will need to be addressed. Further discussion of the issue was tabled until the next meeting when additional data will be available.

DISTRICT BUDGET UPDATE:

There was no report at this time.

PART-TIME REPORT

Part-time Associate Secretary Mary Ellen Goodwin reported that a workshop on STRS issues specific to part-time faculty will be held on Friday, March 5, from 11:00 a.m. to 1:30 p.m. in De Anza’s Conference Room B. Workshops will also be held on each campus on Filing for Unemployment Insurance. At Foothill the workshop will be on Tuesday, March 16, from 5:00 to 7:30 p.m. in the Toyon Room and at De Anza on Friday, March 19, from 12:00 to 2:30 p.m. in Conference Room B.

Assembly Bill 1807 will be going before the legislature and, if passed, will make it a requirement for all districts to implement a seniority system for part-time faculty scheduling.
Districts that have such a system already in place, like Foothill-De Anza, would not have to give up their established practice.

FOR THE GOOD OF THE ORDER

Hansen reported that, due to the length of time between the interviews and the next Executive Council meeting, the appointment of the interim De Anza Conciliator will be processed with an email Council vote. The letters of interest from the four candidates were distributed and reviewed. Council members who were familiar with the candidates commented on their strengths and weaknesses. Hansen stated that the interviews would be concluded on Friday, February 19. The staff recommendation will be emailed to the Executive Council on Monday, February 22, and Council members will have until Wednesday, February 24, to return their vote.

Bea Cashmore stated that many faculty members had reported problems about the evaluation of administrators. Complaints included breaches of confidentiality and lack of action on areas identified as problems.

Cashmore also inquired about rumors that the Chancellor for the California Community Colleges had signed a Memorandum of Understanding (MOU) with Kaplan University. Hansen responded that, indeed, the Chancellor had surprised everyone by signing this agreement that would allow for cross-transfer of courses and a discount for students who later transfer to Kaplan. The issue is to be discussed at the February 18 meeting of the Consultation Council in Sacramento.