

EXECUTIVE COUNCIL MINUTES  
Meeting Held June 7, 2023

PRESENT: Erick Aragon, Steve Batham, Rich Booher, Raymond Brennan, Mary Donahue, Amy Edwards, John Fox, Laura Gamez, Jordana Griffiths, Salvador Guerrero, Julie Jenkins, Rachel Mudge, Jim Nguyen.

ABSENT: Lydia Botsford, Kim Palmore, Felisa Vilaubi.

GUESTS: Nicole Gray, Kathy Perino, Daniel Solomon.

M/S Agenda approved as written. Vote unanimous.

M/S Minutes approved as written. Vote unanimous.

M/S Financial Statements approved as written. Vote unanimous.

FA OFFICER APPOINTMENTS

Acting President John Fox shared the letters of interest for the four officer positions, noting that each opening had received only one applicant.

M/S to approve Tim Shively as President, James Nguyen as Vice President, Robert Stockwell as Executive Secretary and Raymond Brennan as Associate Secretary for Part-time Faculty Interests for 2023-24. Vote unanimous.

NEGOTIATION TEAM APPOINTMENTS

Chief Negotiator Kathy Perino reviewed the process and duration of the Negotiating Team's appointment stating that these were typically three-year appointments made around each *Agreement* cycle. Perino brought forward a proposal based on both current members who wished to continue on the team and recent interviews with other interested faculty. For the *2025-28 Agreement* cycle the proposal is that Perino continue as Chief Negotiator for at least one more year and that FH History instructor Steve Batham, DA Philosophy instructor Rich Booher and DA Anthropology instructor Daniel Solomon remain on the team. DA Communications instructor Brandon Gainer, who is completing his three-year term as DA Conciliator, was also recommended to join. This proposal retains a good amount of the skills and experience that will be needed to transition to a new Chief Negotiator during this cycle.

M/S to accept the negotiating team as proposed. Vote unanimous.

DA CONCILIATOR APPOINTMENT

Grievance Officer Nicole Gray stated that there had been three applicants for the DA Conciliator position. Gray outlined the strengths and weaknesses of each, summarized the most important skills that were desirable for success in the position and made a recommendation based on all these factors.

M/S to appoint DA Music instructor Ilan Glasman as the next DA Conciliator. Vote unanimous.

### CSEA RESOLUTION

Fox stated that he had been contacted by Adriana Garcia, President of the De Anza Classified Senate regarding their joint solidarity resolution with the California School Employees Association (CSEA), which represents the custodial, maintenance, grounds and trades workers at De Anza. Fox reviewed this resolution calling for planning to improve the working conditions and numbers of custodial and grounds workers. Mary Donahue noted that the De Anza Academic Senate had unanimously supported this resolution at their last meeting. The Executive Council briefly discussed the pros and cons of supporting the resolution.

M/S to support the joint De Anza Classified Senate and CSEA resolution. 11 – in favor, 0 – opposed, 1 – abstention.

### FH GOVERNANCE UPDATE

Fox reported that the new Foothill President, Kristina Whalen, had been meeting with the various constituency groups including a meeting on June 5 with Fox and Perino. Fox stated that Whalen appeared to be approachable and a good listener.

The Foothill Academic Senate meetings have included a lot of talk about Regular and Substantive Interactions (RSIs) for online classes with discussion focusing on establishing guidelines and training requirements.

### DA GOVERNANCE UPDATE

Executive Secretary Jim Nguyen reported that De Anza College Council would be meeting tomorrow and would include a discussion of the Measure G projects. Work on this is at a standstill because of confusion about the scope of the Measure G Task Force. The Task Force members believed they would be focusing on the Arts, Student Services and Events Center proposals but have instead been bogged down with very technical decisions.

The Resource Allocation and Program Planning (RAPP) committee has finished prioritization of hiring for next year which will include 16 faculty as well as two administrator and one classified positions. These recommendations will be forwarded to the College Council for approval. Many of the new faculty hires will be starting mid-year which will delay the start of their tenure process until Fall, 2024 in most cases.

Mary Donahue reported that the De Anza Academic Senate had been having trouble getting a quorum because voting members must be physically present to be counted for the quorum. Options were investigated including changing the days and/or times of the meetings but it was finally decided to leave these unchanged. A new rule will take effect that all voting members must be physically present effective Fall quarter. Donahue reintroduced the notion that part-time faculty should be paid for their attendance to encourage their filling the vacant seats.

The Academic Senate also reviewed a resolution passed by the Foothill Classified Senate calling for a restructuring of the academic calendar so that opening days and the start of the

quarter would not conflict with major cultural and religious holidays. Donahue stated that the resolution had not been voted on as scheduling conflicts and additional costs made this accommodation, while desirable, unworkable. Perino responded that there had been extensive investigation and discussion on this issue and that, outside of changing to semesters or compressed quarters, there was no solution. The District was supposed to have messaged faculty and students to this effect months ago but still had not done so despite multiple promises to do so.

Nguyen reported that there had been an incident on-campus about two weeks ago in which armed Border Patrol officers had been seated at a job fair right next to some undocumented students, who had been traumatized by this. President Lloyd Holmes later apologized for the poor planning. Students are expected to address the Board of Trustees about this episode during the public comments section of the next Board meeting.

### DISTRICT BUDGET UPDATE

Perino reported that the 3<sup>rd</sup> Quarter Budget Report, which includes revenue and expense data through the end of March, would be going to the Board of Trustees at their June 12 meeting. In the 3<sup>rd</sup> Quarter Report the budget for certificated positions, which is largely the cost of full- and part-time faculty, is projected to be over budget by about \$3 million. Perino opined that this was primarily due to the campuses using their carryover funds to supplement part-time sections to keep up enrollment. The retroactive nature of the part-time parity increase from 83.5 to 85.0 percent had also not been factored in correctly. The classified and administrator budget, meanwhile, is underspent because of unfilled positions. Money from vacant positions is known as “float” and is entered as one-time funding in the following year’s budget.

International student enrollment remains flat but because of fee increases the revenue generated is up by \$2.75 million. District budgeteers do not consider that this increased amount can be considered to be on-going revenue and so will use it to help build the stability fund. Perino noted that the District was prioritizing building up the stability fund so that when they stop getting the COLAs in two years, they will have enough funds available to cover the increased costs of items like power and maintenance.

### NEGOTIATIONS UPDATE

Perino stated that she believed they had reached agreement with the District on job descriptions and compensation for Department Chairs. The campuses have agreed to the amounts for reassigned time or additional pay for each department under the new Appendix Z. This form also went to Chancellor’s Cabinet yesterday and while Perino believes it was approved, final sign-off has not taken place yet.

In the prior version of Article 25 presented at the last meeting there were three departmental job descriptions: Chair, Coordinator and Scheduler. After receiving faculty input the Coordinator position was eliminated leaving just Chairs and Schedulers, with faculty in some departments doing both. If the reassigned time for a department is 0.125 or less faculty have the option of either taking the reassigned time or extra pay, with the calculation for extra pay being the load factor x \$8,000.

Part-time Health Benefits discussion was on the negotiations agenda to try and negotiate an increase in District contributions from the current 50/60/70 percent of the cost of the Kaiser plan to 60/70/80 percent of those costs. New categorical funds in the state budget mean that the District will now be reimbursed 50 percent of the part-time health benefits costs, netting about \$500,000 of the approximately \$1 million expense. In prior years the District received less than \$50,000 in state reimbursement. While FA's proposal to increase District coverage would cost around \$100,000 more, this would only use a portion of the increased reimbursement rate and bring coverage close to parity with full-time faculty, who currently have around 86 percent of their Kaiser plan costs covered by the District.

Vice Chancellor of Business Services Susan Cheu and Executive Director of Fiscal Services Raquel Puentes were invited to the negotiation session to present the District's response to the benefits proposal, but they instead gave a presentation on the 2023-24 state COLA, outlining what the District could afford, and how they would like to distribute this increase. Perino stated that, while this information was very interesting, the current proposal was that salary would be negotiated jointly with the other bargaining units and so discussion at this negotiation's session had been inappropriate.

M/S to approve joint negotiations with the other bargaining units on salary. Vote unanimous.

Once sign-off takes place on the final items, Article 25 and Appendix Z, then FA will be ready to ratify the *2022-25 Agreement*. Ratification will likely take place in week 11 to allow time to put together summary information on changes and hold informational forums for the members.

### PRESIDENT'S REPORT

Fox thanked those who had applied for the Executive Council and also congratulated them as all seats were uncontested. Professional Development Leave (PDL) replacements will be needed next year for Fox, Amy Edwards and Rich Booher. Fox encouraged council members to talk to their colleagues about these openings.

A special thank you was given to Nguyen for his work organizing the recent FA barbeque, as well as serving as grill master for the event. Rachel Mudge was also thanked for providing the music. The idea of making this a regular potluck event was briefly discussed.

Fox stated that the second June Executive Council meeting was likely to be cancelled unless something urgent were to come up in the next few days. A notification will go out early next week to let the council members know.

A new chancellor has been named, Lee Lambert, who is currently chancellor at Pima Community College in Arizona. The appointment has been a little controversial but a wait and see attitude is being taken.

The feasibility study on affordable student housing has been released and Eric Reed, Chair of the Housing Task Force made a presentation on the results at the Chancellor's Advisory Council (CAC) and Foothill Academic Senate meetings. The study, conducted by Brailsford & Dunlavy, gives five possible sites for a 450-bed facility: one at De Anza, three at Foothill and one in Sunnyvale. The proposal would also leave enough money to provide for things like a Title-V officer to oversee the facility. Fox noted that, in general, the administrators tended to

favor public/private partnerships over on-campus housing, but Foothill President Kristina Whalen believed that affordable student housing would be necessary to solve the enrollment problems.

#### PART-TIME REPORT

Associate Secretary for Part-time Faculty Interests Raymond Brennan reminded the council that two annual end-of-year webinars covering unemployment, health benefits and know your contract had been scheduled for June 8 and 9 from 1:00 to 3:30 pm via Zoom. In the Friday session a district-sanctioned Professional Financial Advisor would be joining the end of the meeting to help answer retirement questions.

#### EQUITY TASK FORCE UPDATE

Laura Gamez reported that the Equity Task Force had met to get feedback on the May 17 equity training and to share ideas about the next steps. Nguyen added that ideas included having a follow-up session with Alex Locust in the Fall and some possibilities for bringing what had been learned to the larger membership.

#### PAC UPDATE

Fox stated that the Political Action Committee (PAC) had been experiencing some tension between its Foothill and De Anza members. Several Foothill faculty and students had been disappointed by the experience and stepped off the committee. While there has been some discussion about splitting the PAC into two separate entities it was recognized that this would not be an ideal solution.

#### FOR THE GOOD OF THE ORDER

Salvador Guerrero thanked everyone for the experience of being on the Executive Council and announced that he would be stepping off since he had just received a full-time position at Pasadena College.

Perino announced that she would be sending an email soon about ratification and the informational sessions that will be held via Zoom.

Fox was thanked for filling in as acting president during Tim Shively's PDL.