

EXECUTIVE COUNCIL MINUTES
Meeting Held October 18, 2023

PRESENT: Raymond Brennan, Mary Donahue, Laura Gamez, Jordana Griffiths, Julie Jenkins, Ellen Judd, Rachel Mudge, Jim Nguyen, Kim Palmore, Kathy Perino, Tim Shively, Robert Stockwell, Felisa Vilaubi.

ABSENT: Erick Aragon.

GUESTS: Nicole Gray, 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.

EXECUTIVE COUNCIL APPOINTMENTS

The Executive Council reviewed the letters of application that had been received for the current council openings. An extensive discussion took place during which members spoke to their knowledge about each of the candidates.

M/S to appoint Kathy Perino by acclamation to one of the two Foothill full-time openings. Vote unanimous.

M/S to appoint Viviana Alcazar to the fall-quarter De Anza full-time opening. Vote unanimous.

M/S to appoint Robert Stockwell and Brendan Mar to the two full-year De Anza full-time openings. Vote unanimous.

MEMBERSHIP DRIVE

President Tim Shively stated his goal of having more faculty become members of FA this year, noting that to this end Vice President Jim Nguyen and Executive Secretary Bob Stockwell had started a membership team to work on the project. Stockwell shared data on the current non-members organized by campus, division and department, reporting that he hoped to be able to strategize effective methods of reaching out to these faculty, the majority of whom are part-time. Stockwell related a personal anecdote regarding the most recent sign-up, showing how effective a one-on-one intentional approach could be, although he noted that the use of an informational email about the work of FA could still be an effective measure.

Nguyen shared some of the initial plans including forming a subcommittee, holding get-to-know FA events, Zoom listening sessions, an email targeting new faculty and utilizing FA council and staff members to have one-on-one sessions focusing on listening to faculty questions and concerns. The council brainstormed ideas for improving communications with new faculty and shared their own experiences, particularly as part-time faculty, in learning

about FA and the important protections under the *Agreement* that many may be unaware of like reemployment preference and health benefits. Council members shared their interest in further participating in this project.

DISTRICT BUDGET UPDATE

Chief Negotiator Kathy Perino reported that there had been two budget meetings so far this quarter. The first was a review of the approved budget after the incorporation of the 7.22 percent COLA. At the October 17 meeting there was a report on how the three rounds of special funding during the Covid crisis had been utilized. Over 50 percent of these went directly to student aid. Of the funds that were used institutionally, the majority were used to cover lost revenue in areas like dining services and parking. Some of the projects utilizing these funds are still ongoing, like upgrades to drinking fountains, WiFi and HVAC systems. The District did make use of all the available funds and Perino opined that the expenditures reported appeared to be reasonable.

The amount of a Covid Block Grant in the 2023-24 state budget fluctuated during budget negotiations but ended up being \$16.1 million for our district. This money can be used over the next five years to cover Covid related expenses, including building and facilities costs if they can be tied to Covid. A list has been created on how to spend this money and, when Perino inquired about who made this list, she was informed that it was done by a senior leadership team based on requests made by campus administrators. Perino shared the chart of planned expenses which includes Foothill's request for money to pay for tutoring. Since this is mostly done by part-time faculty through supplemental instruction at Foothill, using the grant funds would free up part-time faculty funds for other positions. Other projects include \$500,000 for the Teaching Excellence and Professional Development Institute, although it's not clear at the moment what this is. Perino stated that these plans still seemed quite loose and that shared governance currently had no role in their development.

NEGOTIATIONS/CONTRACT REVIEW UPDATE

There has only been one negotiation's session so far this year. Perino outlined the main topics currently on the table, noting that discussions were very preliminary, and the District's response was not known. The first is the drafting of a Memorandum of Understanding (MOU) on the rules related to dual-enrollment assignments when classes are held at the high school during the regular workday. The MOU will address when the reemployment preference (REP) list must be followed, when a high school instructor can be hired, how classes will be evaluated etc. Perino stated that the goal is for the MOU to protect both part-time faculty who want this work and those who don't.

Further improvements to Part-time Health Benefits using recently available state funds are being brought forward as an FA interest, although the District still believes it will create too much additional work for its staff. The employee share of costs was increased last year from 40/50/60 percent of the cost of the Kaiser plan to 60/70/80 percent using the increased state reimbursement. The option for 100 percent reimbursement of district costs through a program that extends benefits to multi-district part-time faculty members with at least a 40 percent load has been rejected by the District because of the additional documentation and monitoring expenses as well as fear that funding will be insufficient to reimburse districts once participation expands. Last year only \$22 million of the available \$200 million was requested

and Perino hopes the District can still be persuaded that participation would not be as difficult as they currently perceive it to be.

The negotiating team is also conducting preliminary research on a proposed new article for Faculty Rights during Investigations and planning a review of all the MOUs regarding general and embedded counselors at De Anza.

PRESIDENT'S REPORT

Perino attended the October 18 Academic and Professional Matters (APM) Committee meeting and stated that there had been an extensive discussion of the Academic Procedures regarding Dual Enrollment, but that the document appeared to be fine.

Enrollment is up 6.6 percent districtwide as of census date. At the October Board of Trustees meeting De Anza President Lloyd Holmes further stated that face-to-face enrollment was up 26 percent.

Shively has been getting to know the new chancellor and Foothill president. Shively stated that Chancellor Lambert appeared to actually listen to employees and had recently contacted Shively to facilitate a meeting with the De Anza track team regarding their concerns over how their coach and program were being treated. Shively noted that a good article about this meeting could be found in *La Voz*.

The District is facing a number of major lawsuits including from the former Foothill President, a former De Anza faculty member, a current Board of Trustees member, and an Unfair Labor Practice (ULP) complaint from FA.

The Fall Conference of the California Community College Independents (CCCI) will be held October 26 to 28. The group meets twice each year to confer on negotiations, hear about latest statewide trends from legal counsel, and get updates on current legislation from the Faculty Association of California Community Colleges (FACCC).

Recent Board of Trustees meetings have been very varied. The August meeting included a two-hour discussion on the Foothill swimming pool, which has been closed for repairs for more than a year. The lowest-cost option to replace the current gas heating system is also the one with the highest environmental impact. Using an all-electric system would be environmentally friendly but is cost prohibitive. Other options include simply filling in the pool and eliminating all the associated programs which would be detrimental to students and faculty. The issue will be revisited at the November or December Board meetings.

Discussion of the Measure G Projects at De Anza has begun again. The last plan approved by the Board called for a mixed Events Center/Arts Complex and new Student Services building. Because of project overruns, the latest proposal is for a new Student Service/Events Center, with Arts to be left where they are and possibly upgraded.

Shively is currently sitting as the FA rep on Foothill's Mission Informed Planning Committee (MIPC) but stated that this role should more appropriately be filled by a Foothill faculty member. Meetings are held on the first and third Fridays from 1:00 to 3:00 p.m. and anyone interested in taking over this role should let Shively know. The only meeting thus far included

a review of the group's mission statement and charges. Going forward, this venue will be where spending and other significant shared governance decisions will be made at Foothill.

FOOTHILL GOVERNANCE UPDATE

Laura Gamez reported that the Committee on Online Learning (COOL) had been working on regular and substantive interaction (RSI) in asynchronous classes and had just sent their draft to the Academic Senate for discussion and endorsement. Gamez stated that it would likely be coming to FA next and included several items affecting working conditions. Perino clarified that the language in the Administrative Procedures states that each campus will offer training on how to document RSI and verify that the training has been completed. FA would become involved in negotiations to make sure that the two campus programs be similar in terms of required time and labor and any possible compensation.

DE ANZA GOVERNANCE UPDATE

Mary Donahue reported that the De Anza Academic Senate was using a Jamboard to set its priorities and one of the post-it notes called for exploring the possibility of full-time and part-time faculty being paid at the same rates. While Senate President Erik Woodbury was clear that this was an FA issue, Donahue suggested that it might be good for Perino to talk at an upcoming meeting about the history of negotiations on this. Perino agreed to reach out to Woodbury about this.

Shively stated that the Resource Allocation and Program Planning (RAPP) Committee had started doing a preliminary assessment of the Student Services Comprehensive Program Reviews before looking at funding requests. Shively noted his surprise that general counseling was now working with a ratio of 1,200 students per counselor, noting that non-instructional areas often appeared to get short-changed.

EQUITY TASK FORCE UPDATE

Gamez reported that there were three Equity Task Force meetings planned for this quarter and they would be from 4:30 to 5:30 pm beginning October 24. An Outlook calendar invitation will be sent to all council and staff members. Since Nguyen is busy in his role as Vice President, another De Anza Co-Chair is being sought to help with setting the agenda and goals of the committee. Nguyen added that they had been in contact with Alex Locust who did the equity presentation last Spring quarter to review ideas for his next workshop.

PART-TIME REPORT

Associate Secretary for Part-time Faculty Interests Raymond Brennan reported that AB 811, the repeatability bill, had been vetoed by Governor Newsom as being contrary to the mission of the community colleges as defined by the legislation of recent years.

There was a good turnout on October 13 for the rally outside the San Jose-Evergreen District offices in support of part-time health benefits, including several faculty and students from Foothill-De Anza. Brennan shared the link to an article about the event in *San Jose Spotlight*, noting that hopefully there will now be some movement towards an affordable benefits option for part-time faculty.

Movement is also ongoing in meetings with state legislators to try and get language changes into Ed. Code to protect seniority rights for part-time faculty, or at least require an explanation when assignments are denied.

PAC UPDATE & BUDGET APPROVAL

Executive Secretary Robert Stockwell shared the link to the payroll deduction form to support the Political Action Committee (PAC), noting that about 150 faculty, classified staff and administrators currently did so. Stockwell also encouraged council members to become involved with the PAC, giving an overview of the group's activities as the political arm of FA, including meeting next with two board candidates who are seeking endorsement. Meetings are typically held on the fourth Wednesday for the month from 3:30 to 4:30 pm. The committee also works with the Internship program to do advocacy work, mobilize volunteers, and promote voter registration.

Stockwell shared the outline of the 2023-24 PAC budget, stating that he would bring the final version for approval at the next meeting. In addition to around \$14,000 in payroll contributions, funds are received from both the Associated Students of Foothill College (ASFC) and the De Anza Student Government (DASG) to cover the cost of the internship program.

FOR THE GOOD OF THE ORDER

There were no items.