

EXECUTIVE COUNCIL MINUTES
Meeting Held December 6, 2023

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

GUESTS: Jack Morton, Daniel Solomon.

M/S Agenda approved as written with switch in the order of items 4 and 5. Vote unanimous.

M/S Minutes approved as written. Vote unanimous.

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

REVIEW OF FA FINANCES AND TAX RETURN

CPA Jack Morton, whose firm prepared a review of FA's financial report and tax return, attended the meeting and went over the main points of the financial statement. Morton reminded the Executive Council that annual approval of this document by the governing board is required under IRS regulations because it forms the basis of the tax return.

M/S to accept the Financial Report. Vote unanimous.

A HEALING POEM

President Tim Shively stated that he had been unable to find a speaker to present on anti-Semitism for this meeting, but had one lined up for January to speak about multiple viewpoints on the complex Israel-Palestine conflict. He read a poem "I Give You Back, For Fear Only" by former Poet Laureate Joy Harjo, that he felt contextualized the human need to recognize that which we fear before we can begin to address it.

MEMBERSHIP DRIVE

Vice President Jim Nguyen pointed out that the first article in the December *FA News* had been aimed at reaching out to non-members and encouraging them to join the union. Efforts are also underway to reach out individually to non-members as a follow up to the blast email sent a few weeks ago, including the creation of a draft email template for council members to send to individuals with whom they might have a personal connection. Executive Secretary Bob Stockwell stressed the need for everyone to work together to make this drive successful, outlining several possible strategies for effective outreach.

DISTRICT BUDGET UPDATE

Chief Negotiator Kathy Perino reported that the District Budget Committee had met on November 28 and reviewed the 1st Quarter Budget Report, although there had been no significant changes in the report from the 2023-24 adopted budget. The revenue projection for

non-resident tuition was increased by \$1 million. While budgeters admitted that this was a rather conservative estimate, the increase was still allocated to temporary, not ongoing, revenue.

The 2024 property tax projections in the County Assessor's Report indicate a drop from the average of a 6 to 7 percent increase seen in recent years to about 4 to 5 percent because higher interest rates are slowing sales in this area. Since our district is not in Basic Aid this will not have an immediate impact on the budget but will have an effect later on because of the overall decline in state budget revenue.

The state chancellor's office provides fiscal training for new senior administrators and created a "Fiscal Forward" report for Chancellor Lee Lambert in which our district was compared to statewide averages on several key points. Perino reviewed some of the data from this report, which indicated that the productivity of our faculty was substantially higher than that in other districts. This point, once again, calls into question the reliability of the data reported by the District on the number of Full-time Equivalent Faculty (FTEF). The report also indicated that the district was in line with other districts in the percentage of the general fund used for salary and benefits, is maintaining about two months of funding in reserves and uses a much smaller percentage of general fund surplus than do other districts.

The projected employer contribution rates for CalSTRS and CalPERS were presented, indicating that, while the CalSTRS rates are fixed at 19.1 percent, the CalPERS rates are anticipated to climb to 30 percent in 2027-28. This increase will have an impact on salary negotiations.

The 2023-24 Student Centered Funding Formula (SCFF) rates were reported, indicating how much the district will receive. The Full-time Equivalent Student (FTES) credit rate is \$5,238. There is a much higher rate of \$7,346 for Special Admit Students, which in our district largely pertains to dual-enrolled students. \$7,346 is also the rate for Incarcerated Students, prompting the District's interest in teaching students in correctional facilities like Elmwood.

Board Policy (BP) 3115 is about District Reserves. The District is recommending that the policy be revised to require a minimum of two months of total general fund operating expenses be held in reserves. The current Policy states that it be five percent of the general fund revenue. Perino stated that two months of reserves is substantially more than five percent but noted that the Fiscal Forward report showed that the district was already holding two months of funds in the reserve. Perino and ACE President Scott Olsen volunteered to be on the Subcommittee that will explore revising BP 3115.

NEGOTIATIONS/CONTRACT REVIEW UPDATE

The negotiating team met with the District on November 26 and December 6. The District negotiations team is currently being led by Foothill President Kristina Whalen and interim Vice Chancellor of Human Resources Pat Hyland.

In Contract Review there was a discussion about the amount of release time for the tenure review coordinators. The exact amount is not specified in the *Agreement* because the number of new hires varies each year. Each campus has its own job description and release time

amount, which is slightly lower at De Anza. In discussions, De Anza declined to alter their job description, so the campus duties and release time amounts will remain unchanged.

Problems with student evaluations for Zoom appointments with counselors and librarians were discussed as the current Smartsheets method is not working. The administration is working on a viable alternative using Adobe Workflow.

The Commencement Memorandum of Understanding (MOU) was reviewed. The current MOU does not require attendance, but states that FA, the administration, and the Academic Senates will work cooperatively to ensure that half of the full-time faculty will be there. The District would like something stronger, but FA responded with the feedback from faculty which indicates that they want credit for their participation in the myriad other events celebrating graduation. The District will respond at the next session.

Perino shared the draft of an MOU that is currently being negotiated on AB 288 classes. AB 288 classes are taught in the high school, only to high school students and on the high school's schedule. The only agreement reached so far is that, if our District is paying for the labor, they must follow the reemployment preference (REP) list when making these assignments. Other decisions regarding scheduling and evaluations are still being worked out. Perino reviewed the draft MOU with the Executive Council and took feedback on its various provisions, noting that FA would be asking for a sunset date on the document in case of unanticipated issues.

The state program that would reimburse the District for 100 percent of the cost of part-time health benefits was discussed. Under this plan, part-time faculty with a 0.400 load or higher would be eligible to participate in district plans at the same employee contribution rate as full-time faculty. The program also requires that part-time faculty who accrue a 0.400 or higher load through work in multiple districts be reimbursed a partial amount for their self-purchased health benefits plans. The District is concerned that the workload generated by this latter provision will be too burdensome for Human Resources staff, but they are willing to do some research regarding the likely number of participants.

FA submitted the draft of the proposed new article on Faculty Investigations and some additional policy language in Article 14, "Travel Expenses," for assignments outside our service area. Perino added that compensation for part-time faculty teaching in two locations on the same day was also being explored.

PRESIDENT'S REPORT

Shively stated that Faculty Association of California Community Colleges (FACCC) President Wendy Brill-Wynkoop had agreed to be a guest at the FA Retreat in February. Shively solicited ideas for other possible agenda items that included a follow-up Equity workshop with Alex Locust, membership recruitment training, a Political Action Committee (PAC) session and a Jeopardy game around Know Your Contract.

Shively noted that there had not been a Board of Trustees meeting since the last council meeting and that the Chancellor's Advisory Council (CAC) meeting had been largely uneventful, although the District was revising its "red-state" travel policy following such changes at the state level. While no official numbers have been released yet, enrollment does appear to be up.

Anu Khanna, Senior Advisor to the Chancellor for Reimagining Foothill-De Anza, has applied for a grant through the Institutional Effectiveness Partnership Initiative. Perino noted that this program was offered for free by the State Chancellor's Office and involved visits by Partnership Resource Teams who assess the current environment and help the district make plans for professional development opportunities to help develop leaders from within the current employee groups.

Shively stated that he had been involved in the faculty prioritization processes on both campuses through De Anza's Resource Allocation and Program Planning (RAPP) Committee and Foothill's Faculty Hiring Prioritization Committee and was planning to put together a comparison of the processes which he felt would be instructive on both sides. Foothill is going out for nine new positions in addition to six failed searches from last year. There is no word yet from De Anza on how many positions they will be filling.

Board member Patrick Ahrens will not be seeking another term on the Board of Trustees but is instead running for a seat on the California Assembly.

FOOTHILL GOVERNANCE UPDATE

Jordana Griffiths reported that the Committee on Online Learning (COOL) Chair Allison Meezan had attended the December 4 Academic Senate meeting and proposed some amendments to the proposal on regular and substantive interactions (RSIs). These include incorporating accessibility training to the requirement, providing a test-out documentation option for faculty who have completed training elsewhere, and passing a clean Canvas Accessibility Audit. The RSI discussion revealed different views of the requirements, with some seeing this as an opportunity to improve instruction for online students and others finding them to be burdensome.

DE ANZA GOVERNANCE UPDATE

Mary Donahue suggested to the Academic Senate that they work with Foothill to better align the RSI requirements. Felisa Vilaubi added that the two groups were far apart in where they were in the development process, with De Anza behind where Foothill is at this point.

Donahue stated that she had volunteered to update the Academic Senate's Model Course Syllabus and asked for input on which items were required to be included on the course syllabus under the *Agreement*, like office hours and Student Learning Outcomes (SLOs).

Fifteen faculty positions were ranked as high priority by the RAPP Committee, necessitating a process for re-ranking within that priority group. Shively noted that some of the ranking was surprising given the over-reliance in many departments on a single full-time faculty member and opined that De Anza should incorporate some of Foothill's ideas for identifying troubled programs and allocating resources to them, including full-time faculty positions.

EQUITY TASK FORCE UPDATE

Vilaubi verified, for planning purposes, that there would not be an Executive Council meeting during the first week of January. Work is proceeding on an Open House to be held on January

24. Gamez stated that they would be sending out “to dos” to the Equity Task Force Committee members soon.

PART-TIME REPORT

Associate Secretary for Part-time Faculty Interests Raymond Brennan reported that between 27 and 30 part-time faculty had attended the Zoomed Know Your Contract workshop on November 29. Attendees found the event to be very helpful and so sessions are now planned to be held every month.

PAC UPDATE

Stockwell passed out some paper copies of the payroll deduction form for the Political Action Committee (PAC) for those who wanted to start or increase their monthly contributions. Following Congresswoman Anna Eshoo’s announcement that she would not be seeking re-election, Evan Low has announced that he will be running for that seat. In turn, three former De Anza students are now running for Low’s State Assembly seat including Patrick Ahrens, who has been endorsed by the PAC. Omar Din is also running and will be meeting with PAC members at 6:00 pm tonight, although Stockwell already warned him that an endorsement was unlikely.

State Senator Josh Becker has announced that he will be running for Eshoo’s seat and the PAC will start looking at him and other candidates as they become known.

Executive Secretary Jim Nguyen reported that he had tickets to a fundraiser next Tuesday for Betty Duong, who is running for County Board of Supervisors and asked anyone interested in attending to talk to him.

Shively stated that the California Faculty Association (CFA) had gone ahead with its rolling one-day strikes across the California State University (CSU) campuses, noting that a resolution in support of the action might be brought forward if the labor action were still continuing in January.

FOR THE GOOD OF THE ORDER

Vilaubi invited everyone to join them for a drink in celebration of the end of the quarter at State Street Market immediately following the meeting.

Julie Jenkins said that a disturbing email chain out of a December 1 Foothill Department Chair’s meeting was causing alarm and confusion because it mistakenly stated that deans could not see the tabulation of student evaluations. It also seemed to imply that they thought the deans should be allowed to see the written comments, which is currently prohibited by the *Agreement*.

Stockwell announced that FACCC’s Advocacy and Policy (A&P) Conference had been scheduled for February 25 and 26 in Sacramento. Anyone interested in becoming part of the Foothill-De Anza delegation should contact Stockwell for more information.