

EXECUTIVE COUNCIL MINUTES  
Meeting Held March 6, 2024

PRESENT: Erick Aragon, Rich Booher, 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.

GUEST: Nicole Gray.

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.

MEMBERSHIP COMMITTEE FORMATION

President Tim Shively stated that, as discussed at the retreat, FA was creating a Membership Director position and the staff has been working on a job description and stipend amount to implement on a trial basis for Spring quarter. This position will include strategizing with and directing the activities of a new membership committee to assist with recruitment. The job description will be released internally to Executive Council members. Part-time faculty in particular are encouraged to apply, as the majority of non-members are part-time.

ARTICLE 10

Chief Negotiator Kathy Perino reviewed the proposed scheduling changes in Article 10, Hours and Scheduling, which apply only to full-time faculty, and Article 34, Online Learning, which would set aside a proportional number of online assignments for part-time faculty. Perino stated that she was hoping for Executive Council approval so that a ratification vote could take place soon to have everything in place for Fall scheduling. The Council discussed the concerns that they had heard from faculty regarding these proposals and a minor modification to the language was made.

Perino shared changes proposed in Article 14, Travel Expenses. The article previously applied only to full-time faculty who had to travel to multiple locations on the same day and allowed for mileage reimbursement between locations. The new language would expand this reimbursement to part-time faculty. A new section is also being introduced to address reimbursement for travel to locations more than 15 miles away from campus. Perino noted that these changes would only affect a small number of faculty.

M/S to approve the proposed changes to Article 10, 14 and 34. Vote unanimous.

CONSIDERATION OF AFT RESOLUTION

Shively reflected on the flop of the Geopolitical Principles document that was discussed at the FA Retreat, noting that it may have been too broad for FA to adopt. Legal counsel

recommended looking at the American Federation of Teachers (AFT) Resolution on the situation in Gaza, noting that it was very balanced. There was some discussion of this document, and it was noted that if FA decided to adopt a similar resolution, counsel recommended that it focus on the humanitarian need for a ceasefire and include language regarding FA's role in protecting the rights of and supporting faculty. After extensive discussion it was decided that a subcommittee should be formed to draft this resolution since the task was so complex.

#### EQUITY TASK FORCE UPDATE

Laura Gamez reported that the Equity Task Force had not met since the FA retreat, noting that the committee had already achieved their two major goals for this year which were to hold the Open Houses and organize the continuing equity training with Alex Locust.

Felisa Vilaubi added that the Task Force was now looking at what their mission should be moving forward. Perino stated that the Task Force had originally been formed to decide which parts of the Appendix J1 Administrative Evaluations needed to be changed. Since that work was now completed, it would be appropriate to start looking at the Appendix J2 Student Evaluations, as well as any other areas of the *Agreement* that did not match up to equity standards. Vice President Jim Nguyen added that it would also be important to continue the internally focused work of the organization that Locust had begun. Other ideas included outreach to faculty regarding the upcoming council elections and working with the new membership committee.

#### DISTRICT BUDGET UPDATE

Perino stated that the District Budget Committee had met at the end of February to go over the initial January state budget proposal for 2024-25 and the discussion had been uneventful. A list was distributed at this meeting of all positions that were vacant as of December, with notes regarding the status of each. This list had been produced in response to a request from the bargaining units and had apparently been very difficult to compile. Perino opined that this was because of multiple reorganizations and the shifting of resources, which would account for why many of the classified positions on the list were scheduled to be eliminated. Information was incomplete on the filling of the faculty positions, with updates scheduled to come from De Anza following their next Resource Allocation and Program Planning (RAPP) meeting.

#### NEGOTIATIONS/CONTRACT REVIEW UPDATE

Although the document has not been signed yet, the District has agreed to a Memorandum of Understanding (MOU) regarding Faculty Investigations. This contains a set of rules about what should be done whenever a faculty member is under investigation including the information that should be shared and the timelines to be followed. The MOU will be in effect until the next *Agreement* is negotiated, at which point the negotiating team will see about getting it included in the document.

#### PRESIDENT'S REPORT

The search for a new Office Manager is proving to be a drawn-out process since the District wants a new job description as Union Office Manager due to the confidentiality element of the

position. This change brought up concerns with the Association of Classified Employees (ACE); however, ACE President Scott Olsen has now agreed to let Human Resources (HR) move ahead with the position announcement. Questions remain about how soon it can be posted and for how long. Nevertheless, Shively hoped that interviews could take place early in Spring quarter.

Shively stated that there had been an unusual number of Board of Trustees meetings recently with the upcoming March 11 meeting being the third in as many weeks. The non-resident tuition rate was on the February 26 meeting agenda and was debated as the proposed increase puts the per-unit cost near that of the California State Universities (CSUs). The March 4 meeting was focused on the \$75 million in Measure G funds which had been earmarked to replace the Flint Center with an Events Center. This money has now been reallocated with \$30 million going to De Anza infrastructure, \$15 million for Foothill infrastructure, and \$10 million to Central Services for wiring and data storage cooling rooms. This retains only \$20 million for a "Flexible Events Space." There has been no real discussion of the County Health Clinic which, if approved, would potentially further delay other planned construction projects at De Anza and further erode the Measure G funds. It has also been reported that some of the Santa Clara County Board of Supervisors are not happy with the idea of locating the facility in Cupertino, since the greatest demand for services is on the east side of the county.

In technological issues, FA is investigating getting its own Zoom account following Chancellor Lambert's email about not using district resources for political content. Shively noted that the Supreme Court's Janus decision deemed that all union activity is inherently political. A second item is that Shively was recently contacted by a De Anza faculty member concerned about the Semantic virus protection software that is required to be installed on all district computers. This software can apparently track web searches and monitor network activities and is not appropriate in an educational setting. Shively will be meeting with this faculty member and Vice Chancellor of Technology Jory Hadsell to try to get some sense of the District's interests and the possibility of modifying the software to remove the tracking features.

The recent resignation of President Lloyd Holmes represents some challenges and opportunities for De Anza. The decision to have Christina Espinosa-Pieb as the Acting President is good as she is well familiar with the internal workings of the campus.

Shively met with the Director of Professional Development, together with the Vice President and Associate Vice President of Instruction at De Anza to talk about expanding the scope of activities that could be approved for Professional Conference funds or for establishing an additional fund for this purpose. Shively added that he had also spoken with the Chancellor and the Foothill President about this and reported that everyone seemed open to discussing the idea.

At the February Bay Faculty Association (BFA) meeting there was discussion about revising the Fifty Percent Law to be Sixty Percent and include non-instructional faculty in the numerator of the calculation. This would allow administrators some of the flexibility that they have been looking for in providing student services but protect the funds from further encroachment for non-instructional projects. Executive Secretary Bob Stockwell added that SB 1039 was being introduced in the senate in an effort to enshrine these proposed changes. The Faculty Association of California Community Colleges (FACCC) is supporting this bill and might become a sponsor.

## FOOTHILL GOVERNANCE UPDATE

Perino stated the Mission Informed Planning Council (MIPC) meeting had been cancelled.

Julie Jenkins reported that discussion at the Academic Senate meeting which had followed the joint session with De Anza regarding Regular and Substantive Interaction (RSI) reflected disappointment in the lack of progress and an apparent breakdown in the conversation. Perino added that sometimes it took chaos to motivate action and, whatever happened in the Senates, FA would have to negotiate a single process for both campuses in the Spring quarter. Jenkins stated that RSI revisions and a resolution were on the agenda for the next Academic Senate meeting.

Jenkins added that the Police Department had been inquiring about being able to buy and start carrying tasers, noting that a lot of money was potentially being spent on safety items like this and license plate readers. Meanwhile, at Foothill, many classroom doors cannot be locked, or be known to be locked, from inside the room, noting that this might be a better use of safety funds.

## DE ANZA GOVERNANCE UPDATE

Nguyen reported that there has been a push by administrators to increase their number of representatives on the De Anza College Council. They were opposed to having these additions be non-voting members. This provoked a discussion about parity and the need for a similar increase in the number of faculty, classified and student representatives. This raised the fear that the size of the committee would become too unwieldy.

Shively stated that the Resource Allocation and Program Planning (RAPP) Committee had sent forward a list of the prioritized buckets of positions they had selected for hiring to the College Council based on the amount of funding they had been told was available. These were returned to RAPP when it turned out there was not as much money as had been previously believed. Although RAPP was then supposed to consider where the cuts would be made, they returned the buckets unchanged to the College Council. Shively spoke to Acting President Espinosa-Pieb about his concern that many of these positions were non-instructional and might push the district under the 50 percent requirement. Espinosa-Pieb responded that she had concerns about this as well. This will likely be resolved at the next College Council meeting.

## PART-TIME REPORT

Associate Secretary for Part-time Faculty Interests Raymond Brennan reported that he was hearing of a few problems regarding part-time faculty collecting unemployment, but nothing out of the ordinary. A couple of faculty wanted him to thank the negotiating team for making sure that a proportional number of online assignments were set aside for part-time faculty during scheduling.

A third legislative attempt is underway to raise the load cap on part-time teaching from 67 to 85 percent and Republican Assemblymember Greg Wallis has agreed to sponsor the bill, AB 2277. The first two attempts went through the legislature easily but were vetoed by Governor Newsom because of his concerns about health benefits liability. It is hoped that, after working

to educate Newsom's staffers, this will no longer be an issue and he would not be likely to veto this no-cost item again. The first hearing before the Assembly Higher Education Committee has been scheduled for April 2.

#### PAC UPDATE

Stockwell reported that FHDA Board member Patrick Ahrens had been the top vote getter in his run for the 26<sup>th</sup> Assembly District in the March 5 primary election, receiving around 35 percent of the vote. Although the final tallies are not in yet, he will likely be facing a Republican opponent in the November general election. Stockwell noted that Ahrens' campaign had been the primary focus of the Political Action Committee (PAC) internship program, turning out about 85 volunteers for canvassing and phone banking.

PAC representatives met with 13 different legislators or staffers during the recent FACCC Advocacy and Policy (A&P) Conference in Sacramento.

Interns had been disheartened at the March 4 Board of Trustees meeting by the apparent decisions on Measure G projects regarding Arts at De Anza; however, Stockwell also reported that there does appear to be some movement on the housing front.

#### FOR THE GOOD OF THE ORDER

Jordana Griffiths expressed concerns that she had been hearing about the lack of administrators at the new Appendix J1 training sessions. Grievance Officer Nicole Gray responded that, while administrators were on the committee and had helped develop the resources, they had not volunteered to attend any of the training workshops.