

EXECUTIVE COUNCIL MINUTES  
Meeting Held March 20, 2024

PRESENT: Erick Aragon, Mary Donahue, Laura Gamez, Jordana Griffiths, Julie Jenkins, Ellen Judd, Brendan Mar, Kim Palmore, Kathy Perino, Tim Shively, Robert Stockwell, Felisa Vilaubi.

ABSENT: Rich Booher, Raymond Brennan, Rachel Mudge, Jim Nguyen.

GUEST: Isabel Caballero-Teixera, Antonio Facio, Rolando Robles Ramirez.

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 DIRECTOR POSITION

Chief Negotiator Kathy Perino shared a draft job description that had been created for an FA Membership Director. President Tim Shively reported that the intention was to run the position on a trial basis in Spring quarter and then make revisions as necessary for next year. Pay during the Spring will be based on an hourly rate at Step 1, Column 1 of Appendix G. Ideally the position will be filled by a part-time faculty member since most non-members are part-time.

M/S to approve the position. Vote unanimous.

EQUITY TASK FORCE UPDATE

Laura Gamez reported that the Equity Task Force had met last week and, after reviewing feedback and notes, came up with the charge of the committee which was “to look internally at FA’s processes to evaluate equitable practices. This includes applying an equity lens to our contract language, the tenure process and its forms, how we recruit and retain membership, work in FA subcommittees, etc., as a way to be intentional about how FA as an organization participates actively in equity work within our district community.” The goal for Spring quarter will be to address the internal issues surrounding inequity within FA and the Executive Council. Felisa Vilaubi added that the Task Force had decided to create one goal to work on each quarter and that the internal issues appeared to be the most pertinent.

DISTRICT BUDGET UPDATE

Perino reported that the District Budget Committee had met on March 19 and the single agenda item was the 2<sup>nd</sup> Quarter Budget Report. Perino stated that, while there were seldom changes seen in the 1<sup>st</sup> Quarter, the 2<sup>nd</sup> Quarter Report was where they could start to see the effects of whatever is happening in the district. The adjustments are projecting that overall resident enrollment will be up 3.1 percent this year. This is based on Foothill’s projection of an 8 percent increase and De Anza’s projection that enrollment will remain flat. These projections

come from the enrollment numbers that were reported to the state on the November P1 report. The P2 report will be submitted in April and Perino inferred that the numbers would likely be a lot higher than those conservatively selected by the District. While the increased enrollment is good, state funding is based on a 3-year averaging, so this is only the first step towards closing the hold harmless gap.

In non-resident enrollment, the number of units enrolled is up 20 percent which means that revenue is \$4.5 million higher than what had been projected in the adopted budget, but the increased funding is going to be put into the Stability Fund as the District believes the revenue amount is too volatile to classify as ongoing.

The state Chancellor's office is recommending that all districts keep two months of operating expenses in reserves, which would be about \$40 million for our district if they follow this "Fiscal Forward" recommendation. While the District would like to do so, Perino asked if some of the additional non-resident funds could be used at the campuses to offer additional sections of classes with large waitlists or allow for low-enrolled sections of in-person classes to go forward, as had been done last year to help boost enrollment. The District responded that they would consider this after evaluating whether or not those efforts had been successful in producing additional enrollment.

The line item for certificated employees is currently \$450,000 over projections but, since these include both faculty and administrative positions, it's hard to know where the additional expense is coming from. The District stated that it was primarily due to increased part-time faculty costs, offset by full-time faculty vacancies. Benefit costs are also \$1.3 million over-budget. The District blamed this on increased part-time faculty benefits costs, as well as an overall increase in the cost of medical benefits. Perino asked if this figure had taken into account the state's reimbursement of 50 percent of the part-time faculty benefits costs. The District's response was confusing because they stated that the reimbursement was accounted for but in a different fund.

#### NEGOTIATIONS/CONTRACT REVIEW UPDATE

The ratification vote took place on March 18 and 19 with 88 percent voting in favor of the changes in Articles 10, 14 and 34 and 12 percent opposed. The new language can now be used for scheduling.

The negotiating team has set its priorities for Spring quarter which include updating the Memorandum of Understanding (MOU) on Academic Senate Released Time, working on the Faculty Service Area (FSA) list, forming a committee to investigate moving to a semester or compressed quarter calendar, and addressing some load issues in Foothill Allied Health.

The Joint Labor Management Benefits Council (JLMBC) is looking into new health provider options given the recent spike in rates from CalPERS. The group is looking at options under the Self-Insured Schools of California (SISC) and San Mateo Healthcare Consortium (SMHC). These providers were more expensive than CalPERS when this was investigated a few years ago, however, they may prove to be more cost-effective now given the CalPERS rate increases.

JLMBC is looking into complaints that large numbers of area dentists are dropping out of the Delta Dental network. This was investigated about a year ago but, at that time, Delta was still

the best option. After a cost analysis is completed, the in-network coverage on the dental plan may be increasing from \$1,700 to \$2,000 and on out-of-network from \$1,500 to \$1,800 for the next plan year.

Both FA and the Association of Classified Employees (ACE) have received requests to research adding Family Forming Benefits coverage to the health plans. Currently the CalPERS plans only cover the testing and diagnosis of infertility and some artificial insemination. There is no coverage for things like adoption, in-vitro fertilization (IVF) or surrogacy. Perino stated that many local employers offer a flat-rate dollar amount for these types of services. JLMBC is researching the possibility of adding these benefits; however, this may prove to be cost prohibitive.

A Dependent Verification Audit may be taking place this Spring under which all employees would be required to provide documentation to a Third-Party Administrator (TPA) of their eligibility to provide coverage to their claimed dependents, i.e. birth and marriage certificates. An audit like this typically takes place every few years but has not been done for ten years. Prior audits have saved around \$100,000 to \$300,000 from the removal of ineligible dependents.

### PRESIDENT'S REPORT

Shively reported that the new tenure candidates were recognized at the March 11 Board of Trustees meeting, as well as a review of the budget information already presented by Perino. There was some discussion of the Measure G projects; in particular, how the reallocation of Events Center funds could be used at De Anza.

Both Shively and Perino recently attended the National Center for the Study of Collective Bargaining in Higher Education and the Professions Conference at Hunter College in New York City. Shively noted that there had been many interesting panels since presentations were geared to both labor and management representatives. In the opening remarks a panel that included the interim president of Hunter College as well as the Chancellor of the Pennsylvania State System of Higher Education and was moderated by the former General Counsel of the CUNY system discussed institutional neutrality and how they didn't find it to be a viable position when it came to current political tensions on campus. Another session on librarians provided a lot of interesting information from a panel representing many diverse institutions. Shively asked why no-one was included from a right-to-work states like Florida or Texas where librarians are really getting squeezed and the response was that institutions in these states were unwilling to sponsor their participation. An Artificial Intelligence (AI) panel that included an AFT bargainer and a New York City lawyer warned that AI was already here, and institutions need to be figuring out how to work with it now. A board member from City College of San Francisco was part of a panel about the role of the Board of Trustees which emphasized that they tried not to interfere with the day-to-day work of administrators. Perino added that the most interesting thing to her had been the incorporation of both labor and management into every panel and seeing the issues under discussion being addressed from both sides.

## FOOTHILL GOVERNANCE UPDATE

Perino reported that the Mission Informed Planning Council (MIPC) meeting had been held on March 16 while she had been away at the conference. Perino had reviewed the agenda and subsequent meeting notes and noted that there did not appear to have been any items of significance to FA.

Julie Jenkins stated that Vice President of Finance Bret Watson had attended the March 18 Academic Senate meeting to report on the use of Measure G funds at Foothill. Jenkins opined that decisions on how this money would be allocated have probably already been made by the administration. In response to questions about using some of the money to fix the problems with classroom door locks, Watson had stated that safety issues were a District, and not campus, responsibility.

About 40 community members and students attended the Senate meeting to give public comment regarding their proposed resolution on the situation in Gaza. Jenkins noted that some of these attendees had been quite intimidating with passionate opinions given in 1-minute addresses both for and against the resolution. In the end, there was not enough time left to conduct a vote and the item will be returned at the next meeting on April 8.

Laura Gamez said that the Committee on Online Learning (COOL) had been renamed as the Teaching with Technology Committee. The group is now working on building a better strategic alliance with De Anza's Online Learning committee to work on Regular and Substantive Interaction (RSI).

## DE ANZA GOVERNANCE UPDATE

Shively stated that the Resource Allocation and Program Planning (RAPP) Committee had been reviewing Program Reviews and, while the charge had **included reviewing** mission statements to see if they aligned with that of the campus, Shively was more interested in looking at their program needs and figuring out how to address them.

Mary Donahue reported that, at the De Anza Academic Senate meeting, a resolution had been passed on the first read regarding the alignment of Career Fair Practices with the College's Mission and Values. The resolution basically stated that the Spring Career Fair should be cancelled or postponed if there was no clear policy regarding the appropriateness of who should be invited to participate. This was in response to Immigration and Customs Enforcement (ICE) being a participant last year, traumatizing some of the students.

The De Anza Student Government (DASG) has passed a resolution asking for block scheduling in Biology, Chemistry and Physics lab sections in reaction to problems with time conflicts given the erratic nature of De Anza class scheduling.

## PART-TIME REPORT

Associate Secretary for Part-time Faculty Interests Raymond Brennan was absent but had sent word that Assembly Bill 2277, which would raise the cap on part-time teaching load to 85 percent, was looking very promising.

## PAC UPDATE

Isabel Caballero-Teixera, the current Political Action Committee (PAC) Intern Coordinator and Antonio Facio, a current intern who might be assuming that role next year, attended the meeting to give a summary of recent PAC activities. These included coordinating with about 85 volunteers on Patrick Ahrens' campaign for the state assembly. After 29 phone banking sessions and the walking of more than 60 precincts, Ahrens was the winner with 34.4 percent of the primary vote.

The interns also carried out a non-partisan Why Voting Matters voter registration drive through classroom presentations and participation in Know Your Ballot and Political Awareness days at De Anza. At the Faculty Association of California Community Colleges (FACCC) Advocacy and Policy Conference interns participated in 13 legislative visits advocating for increased community college funding and student housing and later took part in their March in March. They have been attending Board of Trustees meetings to advocate for De Anza Arts and affordable housing and have secured a larger allocation of \$12,639 from DASG for 2024-25 to include an intern pay increase and a special allocation of \$4,288 to work on Ahrens' general election campaign.

Executive Secretary Bob Stockwell praised the work of the interns and distributed forms to the Executive Council to become new contributors or increase their current contribution amounts to support the work of the PAC.

## FA CEASE FIRE RESOLUTION

Shively shared the draft cease fire resolution that had been created in collaboration with Stockwell, Nguyen, and Brennan. Shively stated that the intent had been to strip the document down to just focus on the humanitarian needs and minimize the political issues. Stockwell added that they also wanted to speak to the Academic Freedom and Freedom of Speech concerns affecting faculty, without adjudicating tensions about who was in the right. The focus was on mitigating the suffering that cannot be relieved without a cease fire.

Shively reported that in addition to faculty who supported the union advocating for a cease fire he had heard from a couple of faculty who were unhappy with FA taking any kind of position on this issue, raising the question about what role a local independent union had in this kind of international issue. Shively responded that social changes often had to be started through this type of local mobilization in order to build momentum.

The Executive Council discussed the resolution and how it would be used if passed. A revision was proposed to strike a duplicate sentence regarding releasing hostages to further remove political overtones.

M/S to adopt the resolution with that amendment. Vote unanimous.

## FOR THE GOOD OF THE ORDER

There were no items.