

EXECUTIVE COUNCIL MINUTES
Meeting Held May 1, 2024

PRESENT: Rich Booher, Raymond Brennan, Mary Donahue, Laura Gamez, Jordana Griffiths, Julie Jenkins, Fatima Jinnah, Ellen Judd, Ben Kline, Brendan Mar, Rachel Mudge, Jim Nguyen, Kim Palmore, Kathy Perino, Chai Schweikert, Tim Shively, Felisa Vilaubi.

ABSENT: Robert Stockwell.

GUESTS: Nicole Gray.

M/S Agenda approved as written. 10 – in favor, 0 – opposed, 1 - abstention.

M/S Minutes approved as written. 8 – in favor, 0 – opposed, 3 - abstentions.

INTRODUCTIONS (NEW MEMBERS)

All members of the Executive Council introduced themselves and shared information regarding their faculty work, FA roles, and imparted a personal anecdote.

ARBITRATION REQUEST

Grievance Officer Nicole Gray distributed a document outlining the criteria that should be used in deciding whether or not to carry a case to arbitration: 1) the likelihood of a favorable ruling by an arbitrator 2) the potential impact on the *Agreement*, 3) the recommendations of legal counsel, and 4) the cost to the Association both in staff time and money. Gray then distributed the contract language relevant to today's case.

Cautioning the need for strict confidentiality and to restrict decisions to the facts as presented, Gray gave the particulars of the case in which a faculty member had been subject to administrative evaluations in what they perceived to be a discriminatory manner. Gray reported the recommendations of legal counsel and an extensive discussion took place on the merits of the case.

M/S that FA does not carry this case to arbitration. 15 – in favor, 0 – opposed, 1 - abstention.

FOOTHILL STUDENT ACTIVISM

President Tim Shively reported that he had learned that some students were leading a class walkout at Foothill today to protest the situation in Gaza and he had invited some of the participants to come and talk to the Executive Council about what they were hoping to achieve. Shama, one of the organizers of this May Day Walkout for Palestine, outlined the list of demands that they had of the Foothill administration which were 1) to end the silence, 2) to end the repression, 3) to divest from weapons manufacturers like Lockheed Martin and 4) to educate the campus faculty. For the protest specifically the goal was to gather the community and to let them speak both directly and indirectly about their unhappiness with the actions of the administration and the current culture of censorship. About 140 people attended the event,

including a few faculty and Jewish community members who spoke in support of the protestors. Overall, the event had gone well with minimal negative disruptions.

DISTRICT BUDGET UPDATE

Chief Negotiator Kathy Perino stated that the District Budget Committee meeting would not be taking place until next week.

NEGOTIATIONS/CONTRACT REVIEW UPDATE

Perino reported that, in Contract Review, it had been resolved that salary placement would be maintained when faculty move between Appendix C, the Part-time Salary Schedule and Appendix C.1, the Full-time Overload Salary Schedule. Perino noted that the situation which gave rise to this clarification was unusual, in which a full-time faculty member had resigned their position but opted to continue teaching part-time.

During the pandemic several Memoranda of Understanding (MOUs) were signed regarding Professional Conference Funds. These contained agreements to roll over unused funds and transfer some of them to the Professional Development Office to address the differing faculty needs of this time. Perino noted that the negotiating team had recently discovered that nobody had really been keeping track of all these agreements or of how much money should currently be available in Professional Conference Funds. Work is now being undertaken to research this and could result in a pot of unused funds that might be used to seed the proposal discussed at the FA retreat of having a Professional Development Fund for uses other than conferences.

A preliminary discussion has begun on the negotiation of the Regular and Substantial Interaction (RSI) training requirement. The District was surprised to learn that there would be a dollar amount attached to this item but acknowledged that the funds would need to be found.

The issue of moving to a different academic calendar has been abandoned for now due to the lack of time and interest.

The improvements to Part-time Health Benefits may be close to being finalized. If agreement is reached on all the details before the end of the quarter, then the District can move ahead with sign-ups during the October Open Enrollment, meaning that the new rates would take effect in January for the 2025 plan year.

The number of complaints regarding the MOUs in De Anza Counseling has grown. Perino stated that they were hoping to organize one big meeting to address all concerns being raised at once. Most of these issues are in regard to the scheduling of part-time/overload assignments.

The negotiating team is investigating the Self-Sustaining funds as a possible source of money for items like the RSI training. These funds are supposed to be net-zero for things like Facilities and the Apprenticeship Programs, however, the amount has been steadily growing with the ending balance predicted to be around \$20 million.

PRESIDENT'S REPORT

Shively reported that, as of yesterday, there had not been any applicants for the Working Out of Class (WOC) position for the FA Office Manager. Shively has been working with Scott Olsen, President of the Association of Classified Employees (ACE) on finding possible candidates and has been assured that at least one applicant would be applying ahead of today's 5:00 pm deadline. The permanent position is now working its way through the approval process.

The California Community College Independents (CCCI) Spring Conference took place this last weekend and several FA staff were in attendance to learn about latest developments across the state and to share information on their recent negotiations.

Shively noted that, while his April *FA News* article had discussed the administration's reactions to protest efforts regarding Gaza, he had omitted mentioning many of the actions that had been taking place across the campuses including letters from the Anti-Defamation League naming faculty, California Public Records Act requests being made of faculty and faculty being prevented from posting about incidents taking place in their classrooms. Shively stated that this was not a healthy environment for either students or faculty and that he would be meeting with Chancellor Lambert on May 3 to discuss this. Shively noted that FA should be supportive about social and political events of all sorts and drew attention to the Queer and Now Conference taking place at De Anza on May 2, which was going to be including information on Queer Solidarity with Palestine.

FOOTHILL GOVERNANCE UPDATE

Julie Jenkins stated that the Academic Senate had been focusing on RSI.

Perino reported that two new subcommittees were being developed by the Mission Informed Planning Council (MIPC). The first will work to provide advice to the Professional Development Office on activities for all employees. The second will collaborate with the Institutional Research Office to coordinate work between different groups that are undertaking related tasks.

DE ANZA GOVERNANCE UPDATE

Shively stated that the Resource Allocation and Program Planning (RAPP) Committee had been looking at instructional equipment requests and Lottery Funds. Next week they will be ranking position requests. Shively noted that there had been some interesting discussions about how many faculty vacancies are being used to fund non-faculty positions and the probable impact on the 50 Percent Law.

Mary Donahue reminded the Executive Council that De Anza Student Government (DASG) had brought forward a resolution to the Academic Senate on block scheduling because of the many conflicts arising for students needing to take certain lab classes. The Biological Sciences division had responded that scheduling of lab classes was constrained by the number of facilities, as well as budgetary and staffing shortages but that they were working to do what they could to address this problem. Police Chief Danny Acosta attended the Senate meeting to talk about tasers, bringing statistics on their use from local community colleges who had already adopted them. Donahue requested a complete report on their use from across the state.

Chief Acosta mentioned a local incident in which a burglary suspect had come back with an axe, noting that his officers needed a non-lethal alternative for dealing with this kind of violence.

EQUITY TASK FORCE UPDATE

Laura Gamez stated that the Equity Task Force had been compiling a list of possible groups that might be able to provide communication workshops to address FA's internal issues but that they needed to know what the budget was before coming back with a proposal. Felisa Vilaubi also asked if the Executive Council would be alright with postponing the activity until fall quarter if it were necessary to allow time to find the best fit for the organization. The council agreed that this was preferable to having to make a hasty decision.

PART-TIME REPORT

Associate Secretary for Part-time Faculty Interests Raymond Brennan gave an update on AB 2277 which would raise the cap on part-time teaching load. The bill has moved unopposed through the Assembly Higher Education Committee and is now in suspense in Appropriations. They now have until May 10 to get the bill out of suspense and to a floor vote.

Brennan is thinking about holding another Zoom listening session to answer part-time faculty questions but noted that only four people had attended the last one. Suggestions were given about focusing on one issue of particular interest to part-time faculty, perhaps health benefits, Professional Growth Activity (PGA) credit or scheduling.

PAC UPDATE

Vice President Jim Nguyen reported that the Political Action Committee (PAC) had met last week and was continuing to track legislative and budgetary developments, including AB 2277. Priorities for fall quarter are being set in advance of the November general election including supporting Patrick Ahrens' campaign for Assembly District 26 and Forest Petersons' campaign for the Board of Trustees. The PAC is also looking at endorsing and supporting other candidates running for the Board.

The PAC has expressed interest in participating in and helping out with FA's End-of-the-Quarter Barbeque if one is planned for this year. The Executive Council agreed to move ahead with planning an event in Shoup Park in Los Altos.

Intern recruitment efforts are underway to hire two to three students at De Anza and one to two students at Foothill for next year. Interviews are planned for the end of May, with orientation and training to take place in June. The PAC is also looking for faculty mentors.

FOR THE GOOD OF THE ORDER

Shively reminded the Executive Council that FA leadership positions are open for 2024-25. The deadline to apply for these one-year positions is May 13, with appointments made at the May 15 council meeting.

Perino announced that the recount results for second position in the California District 16 Congressional race had just been released and Evan Low had beaten Joe Simitian by five votes.