

EXECUTIVE COUNCIL MINUTES
Meeting Held June 5, 2024

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

ABSENT: Ben Kline, Robert Stockwell.

GUEST: Nicole Gray.

M/S Agenda approved as written. Vote unanimous.

M/S Minutes approved as written. Vote unanimous.

EQUITY TASK FORCE UPDATE

Felisa Vilaubi reported that the Equity Task Force was hoping for approval to spend money during the summer in order to prepare for the planned Fall mediation training to continue improving internal communications. They have identified a group that they would like to work with, the Peninsula Conflict Resolution Center and Laura Gamez will be sharing a link to their website so that the council can make sure that they are happy with this organization and have the opportunity to raise any concerns. Estimated costs would be between \$1,500 and \$2,500.

The Task Force is also considering holding a workshop on opening day for discussion of the same kind of concerns that will be addressed at the open house being held by President Tim Shively on June 6. Vilaubi noted that faculty had been expressing the need for a safe place to talk about these issues around Academic Freedom and Freedom of Speech amidst the current global conflict problems.

M/S to approve the Equity Task Force request to spend between \$1,500 and \$2,500 on Fall mediation training. 14 – in favor, 1 – opposed, 0 – abstentions.

MEMBERSHIP DIRECTOR REPORT

Membership Director Ellen Judd gave a report on what she had been doing so far in this new role. Judd sent personalized emails to all 45 part-time faculty who were hired in either the winter or spring quarters, and included links to the *Agreement* and an offer to meet and answer any questions. There have only been eight responses so far, and Judd met with four of these faculty either via Zoom or on the telephone. Judd noted that, while there had been zero new members out of this group, when she had reached out to a full-time colleague within her own department, that person had immediately signed up. This demonstrated the importance of having personal connections in outreach and was why Judd's initial efforts had been more about building community and teaching new faculty about what FA is and does.

In investigating FA membership enrollment Judd discovered that eight of 18 new part-time faculty at De Anza had become members and zero of 18 had done so at Foothill. Judd is

investigating the onboarding processes to find out the differences at the two campuses that might account for this discrepancy. Judd is also working to put a system in place to improve FA membership recruitment during onboarding and orientation. Judd will be attending the upcoming orientations and has already met with Sal Breiter, who organizes the orientations at De Anza, to get his input on ideas for making FA's presence there more effective.

Judd is also developing a welcome procedure for when faculty do join FA, including inviting them to attend a council meeting so that they can meet FA and see how the organization works. Other welcome possibilities were discussed including quarterly open houses that could be coordinated with the Equity Committee or a welcome video. Judd solicited input on the composition and frequency of communications for soliciting membership as well as methods for utilizing those council members who have a personal connection to non-members and can assist with recruitment.

DISTRICT BUDGET UPDATE

Chief Negotiator Kathy Perino reported that the District Budget Committee met on May 28 to go over the May revise of the 2024-25 state budget and the District's 3rd Quarter budget report. While funding under the governor's proposal does not include cuts to the community colleges, it may involve some payment deferrals. The final budget will be approved in June after the governor and the legislature come to agreement. Perino noted that the legislature's version includes additional reimbursement for part-time faculty office hours. Currently the state reimburses districts 50 percent of these costs, however, many districts have not negotiated this for their part-time faculty, leaving a lot of the allocation unclaimed. If funds are regularly unspent, they could be swept away as the state budget gets tighter. Under the legislature's proposal those districts who do offer paid office hours would get reimbursed up to 100 percent of their costs. It remains to be seen whether this particular item will make it into the final June budget.

The 3rd Quarter Budget Report includes the updated enrollment numbers for 2023-24 and indicates an overall increase in enrollment of 7.1 percent. The resident portion, which affects the Student-Centered Funding Formula (SCFF) and Hold Harmless amounts, is up 6.2 percent. Non-resident enrollment is up 17 percent. Since non-resident students pay a per-unit fee this means an increase in District revenue. This increased enrollment will bring in \$4.5 million more than was budgeted this year. The District wants to put all of this into the stability fund, meaning there is no money to offer additional course sections. Perino inquired at the Foothill Budget Forum last week whether the colleges shouldn't be receiving part of this increased revenue to offer classes for the additional students. President Kristina Whalen and Vice President of Finance Bret Watson responded that they were advocating for this but had not been given permission yet.

NEGOTIATIONS/CONTRACT REVIEW UPDATE

Perino stated that in Article 16, "Leaves," the three-year restriction on transfer of sick leave is no longer in Ed. Code and so the language in the *Agreement* was deleted to reflect this change. The same article was also updated to reflect that personal necessity leave could be taken for educational activities, bringing it into compliance with labor law.

Most of the rest of the discussion at the June 5 negotiations session was about Regular and Substantive Interaction (RSI). Perino reviewed FA's initial proposal as discussed at the last meeting. The District has since responded that it wants the training portion of RSI to take place on opening days. FA's request that an asynchronous option also be offered at that time was rejected by the District which wants all faculty to be in a room together. They have proposed that this summer 20 faculty from each campus be taught how to do the opening day training. There was no proposal on how they would be compensated for doing this. Since full-time faculty are required to attend opening days they would receive no additional compensation for completing the training. Part-time faculty who complete the training on opening days would receive their usual \$150 per day for attendance. Part-time faculty who cannot attend opening days would receive asynchronous training. While the District initially proposed \$150 for doing this, Perino noted that FA would expect at least \$300 to match the opening day attendance rate. After training, faculty would have the option of asking for an Appendix J1 evaluation of RSI implementation in their courses or joining a cohort of other faculty. The District had no proposal for either a Professional Growth Activity (PGA) credit or a dollar amount to compensate faculty who chose the cohort option. FA stressed that an agreement would have to be reached on all of this before the District could require that RSI training be completed in order to teach online.

PRESIDENT'S REPORT

Shively presented Erika Cervantes as the new FA Office Manager and the council members introduced themselves to her.

An FA Open Office Hour will be taking place on June 6 at noon in the FA Office, with faculty invited to participate via Zoom as well. Subjects discussed will be anything that faculty want to talk about, including Free Speech versus Academic Freedom and the protest at the Board of Trustees meeting on June 10.

Shively stated that about 10 faculty had committed to attending the Board meeting to speak about their concerns regarding approval of the new Vice Chancellor position. A Zoom session will be scheduled for later this week to discuss talking points. Student interns are working to bring in some student speakers as well.

The annual FA barbecue will be held at De Anza Park in Sunnyvale from 4:00 to 7:00 pm on June 13. Vice President Jim Nguyen stated that he had received about 35 RSVPs so far. Nguyen encouraged the council to contact their colleagues, particularly new faculty, about coming to the event.

Shively reported that since the last council meeting he had been solicited by Adriana Garcia, Program Coordinator at De Anza's Office of Equity, Social Justice and Multicultural Education, about having FA sponsor Classified Staff Appreciation week. Because of the timing and since this was a no-cost item, Shively went ahead and gave approval before bringing it to the Executive Council. Garcia is now requesting that FA sponsor the Latinx Graduation at De Anza in an amount to cover the cost of eight cases of water. Shively estimated that this would be about \$50. The council agreed to do this.

Planning for an opening day workshop on Academic Freedom versus Freedom of Speech has been suspended until decisions regarding RSI training have been finalized.

Shively reminded the council about a presentation made several years ago by Cynthia Kaufman regarding fossil fuel divestment from pension funds. That struggle is still ongoing, but SB 252 is currently making its way through the legislature and support for the bill is ramping up. The organizers have revised their initial materials and wanted to make sure that all groups that signed on were still okay with giving their support. Shively circulated this information and asked for anyone who had problems with it to let him know.

Shively will be meeting with Chancellor Lee Lambert on June 6 and one of the issues to be discussed will be the lack of restroom access for those working in the FA office. Prior to the pandemic the facilities in the Educational Technology Services (ETS) building next door were available but access is now being denied due to new security protocols. Shively is going to suggest that FA be allowed to move into the newly remodeled Carriage House which has both restrooms and a large meeting space.

FOOTHILL GOVERNANCE UPDATE

Julie Jenkins reported that at the Academic Senate meeting two weeks ago she had inquired of Associate Vice President of Instruction Kurt Hueg why it was that Foothill was cutting courses at the same time that a new Vice Chancellor position was being created. Hueg's response had been that he would forward the question to the appropriate people. Jenkins noted that there was a lot of tension at the Senate meeting and faculty appeared to be very stressed out. Fatima Jinnah added that the resolution on Sustained Dialog had been withdrawn.

President Whalen's Advisory Committee on Political, Social and Civic Engagement Issues will be meeting for the third time on June 10. Jinnah noted that the charge of this committee had been somewhat vague so far.

DE ANZA GOVERNANCE UPDATE

Shively stated that the Resource Allocation and Program Planning (RAPP) Committee had been broken into small groups in order to rank positions, and then those groups were to meet with other groups to try and reconcile these rankings. In his own group Shively reported that three positions had been ranked as moderate and the rest as low. Shively expressed his frustration about how few instructional positions were being considered and the lack of guidance regarding the Fifty Percent Law. Shively opined that once the official reports were filed with the state at the end of this fiscal year that things might change.

Mary Donahue reported that most of the De Anza Academic Senate meeting had been a presentation on proposed changes to the General Education (GE) requirements in order to bring them into compliance with Title 5. Nguyen had brought forward a proposal that the Rising Scholars students receive priority registration. In a break with their usual protocol, this was passed by acclamation on its first read.

Nguyen stated that Chancellor Lambert had announced at a recent meeting which included members of the Asian Law Alliance and a number of student organizers that the District would not be moving forward at this time on the proposal for police officers to carry tasers.

PART-TIME REPORT

Associate Secretary for Part-time Faculty Interests Raymond Brennan reported that on June 6 at 3:00 pm he would be offering a Zoom workshop focusing on unemployment, PGA and changes in the part-time health benefits program.

AB 2277, which would raise the cap on part-time teaching load, has successfully passed through all steps on the assembly side and is now expected to pass those on the senate side. Hopefully it will not receive another governor's veto at the end of this process.

Brennan is currently reviewing part-time faculty items on the FA website that need to be either updated or removed.

PAC UPDATE

There was no report.

FOR THE GOOD OF THE ORDER

Mary Donahue stated that a student journalist had been arrested at Stanford University alongside the students who had stormed the President's office, even after stating that they were a journalist. Shively added that he had been asking District leadership to hold preemptive meetings with our own students to hear their viewpoints and mitigate some of the tensions on the campuses.