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Warmest wishes to you and yours this holiday
season

FA NEWS

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Foothill De
Anza Facul
ty
Association



Volume 45 Number 4



Don't Poke the Bear!

--An FA News Article

by Tim Shively

The leaves have fallen, the air is crisp, the days are shorter, and as faculty prepare for our annual hibernation, I wish I had cheerier news to impart--a *Miracle on 34th Street* rather than a "Bah, Humbug."

And indeed, that, as of today, December 9, the Daily

Dashboard shows Winter enrollment is up 2% District-wide compared to last year--this, against the backdrop of a *national* decline in higher ed enrollment, particularly for community colleges--should be cause for jubilation, or at least a more jovial swagger in FHDA's stride. But as is often the case in this pandemic era, what seem harbingers of better times often end up emptied of promise, and silver linings turn out to be tin. In this instance, it's Fulltime Equivalent Faculty (FTEF), the aggregate instructional presence, that is down 3.2%. It's in even more dramatic contrast at Foothill, where, despite enrollment being up 10.2%, FTEF is stalled at -4.2%. This...does not compute. Shouldn't there be more faculty working, not fewer, relative to an increased student demand for classes?

I neglected to mention one other number that's significantly up: productivity, at 5.4% (15% at Foothill). Winter, in short, is shaping up to be a repeat of Fall, when, early in the registration process, enrollment was likewise high but the District, chasing Basic Aid status, refused to allocate additional FTEF. In the end, De Anza, which had been down early on, came in slightly higher by census (+1.1%), which helped balance out the ultimately meteoric decline at Foothill, which came in 3.2% lower than it had a year ago, leaving us barely flat as a District (-.05%). FTEF was significantly down, however, at -3.3% (-8.2% at Foothill). And productivity--surprise, surprise--was up again (2.9%). As this pattern begins to duplicate--and indeed, Foothill has already begun its parabolic decline, from an enrollment high of 13.6% on December 3--it's almost as if the District is purposely trying to remain flat rather than growing enrollment. But wait a second--if we're no longer actively trying to shrink to a Basic Aid District, and we have the budget reduction plans with zero cuts to personnel behind us...what gives? The only explanation that makes any sense is that the District is banking on a hugely bad budget coming out of Sacramento in January. The reasoning seems to be that if the majority of the California Community College system is experiencing shrinkage, the state is unlikely to maintain system funding at current levels. And if the budget comes in badly enough, say, by last year's May revise standards, our apportionment would likely be shrunk to the point that property tax revenues would be higher, and we would, by default, become a Basic Aid district. And then we wouldn't have to worry about hold harmless, fiscal cliffs or any of that--assuming of course that property tax revenue holds to its current levels.

In the interim, there are class cancellations for employees to look forward to. I referenced the preemptive Winter pruning, three weeks before the start of the quarter, in our last *FA News*. But on top of the already reduced course offerings, this year's cancellations will be absolutely devastating to our most at risk employees, who are already struggling to make ends meet in a devastated economy. At De Anza, the process has been codified in an annual holiday email: classes with an enrollment of fewer than 17 (a number which had been 15 last Winter, and 10 in the Fall!) will be cancelled Monday, December 14th and those with enrollment under 20 on Thursday, December 17th. The college gives the explanation that because of negotiated holidays and a vacation request, "there will be no one available after

Thursday, December 17th" to perform the cancellations. All the more reason not to cancel, I say. Hell, train me--I will come in, even on Christmas Eve, if that's what it takes to circumvent this needlessly self-inflicted damage. Talk about shooting oneself in the foot! But the real salt in the wound comes in the attempted justification: "for the sake of our students who will need to find a replacement class." After reading that inspiring call to self-abnegation, I'm absolutely certain that letters from students thanking admin for cancelling their classes three weeks out just litter the desktops of administration. How about if we actually *ask* students their preference? I'll bet the vast majority would confirm that they would much rather make schedule changes even *after* the start of the quarter if it meant saving them the trouble of doing so for classes that would meet the minimum enrollment threshold given adequate time to fill. At least that's what's been communicated to me from the students I've spoken with. Ah, but it's not minimum enrollment the District is after, but maximum enrollment which, again, translates into higher productivity.

At its core, enrollment management in our District is an equity issue, on a range of fronts. The District has been virtually peacocking us with their embrace of equity over the past several months. I'm thinking of the recently passed "Board Priorities for 2020-2021," in which the word equity appears no fewer than 13 times, and towards which the Board of Trustees commits itself to "work with District constituents at all levels to identify systemic inequities and elements of institutional racism in District policies and practices and adopt strategies aimed at dismantling those oppressive structures." Well, how about this systemic inequity: the exploitation of adjunct faculty labor. While it's true that this is a system-wide issue which must be addressed on the state level, it's also true that our District has done little to ameliorate its own overreliance on part-time faculty. These are the folks who will be most impacted by class cancellations, just as they were most impacted by the reduced offerings of assignments for Winter. Even while full-time faculty might be inconvenienced by having to find a less than ideal replacement class/day/time should they have a class cancelled, the shortfall is ultimately dumped on the shoulders of part-time instructors who are "bumped" to fill full-time loads. To some degree, this is part of keeping our District fiscally sound--we can't sustain allowing every class under 10 to continue. But the degree to which cancellations have been normalized weeks

before they need to occur, and the repeated lack of intervention to at least minimize the impact on individual faculty, quarter after quarter, is appalling. While we're in this pandemic, we can certainly use what financial leverage we have (and we do have that budget reduction "collateral"). To refer back to the Board Priorities, I understand the need to prioritize addressing racial inequity. But doing so shouldn't entail a willful turning away from other, institutionally embraced structural inequities. Please Santa, put some intersectionality in those stockings.

Then there's the inequity to students. With all the talk about Guided Pathways, Course Completion, and other such references to furthering student success in the Board Priorities document, we might expect there'd be at least some attention to how the District's own practices undermine it. Prioritizing productivity (i.e. the maximum number of students to a class) over the range of course offerings and an adequate number of class sections for those courses, does nothing to promote equity or student success. What it does promote is a quasi-corporate sensibility of how our colleges should operate. Students are forced to adapt to a supply-demand system, which places emphasis not on their educational goals and the classes by which they can most effectively be attained, but in filling spaces in existing class sections, even if they aren't the classes students originally wanted. It fosters this perverse enrollment incentive whereby students avoid the classes that have low numbers in favor of getting on waitlists for classes which are obviously going to make. That's the model of "success" our District ultimately promotes, canned banalities about how everything the District and Colleges do is "all" for the students, drops for non-payment withstanding, I assume. Again, I'm not suggesting that we should abandon fiscal prudence; rather, I would like to emphasize that it is but one measure of institutional success.

Above all, the District needs to be more careful when handling such sharp, double-edged instruments as equity. Once you let that tiger out of the cage, Roy, it ain't so easy to keep it on a leash. Equity is more than spouting platitudes; institutionally, it should go beyond merely promoting diversity; it's not just about finding the inequitable "data" and informing faculty how they can do better with students. It requires self-reflection and a commitment to addressing the structural flaws which enable and feed inequity. The Faculty Association is doing its own

house cleaning, and is more than happy to pitch in institutionally--even if it entails holding the District's feet to the fire to achieve it. May you all squeeze what good you can out of this Winter break and create some joy in whatever holidays you celebrate.



Negotiations Update by Amy Edwards

Here is a brief update concerning negotiations in the final weeks of 2020.

Evaluations

FA and the District have been in discussions this quarter about strategies for conducting peer/ administrative (J1) evaluations of the new virtual course offerings (fully synchronous, fully asynchronous, or a combination of both) There are two main areas that we have clarified concerning the application of the J1:



- First, for a [J1 evaluation](#) of an asynchronous course, or an asynchronous portion of a course, evaluators must use Section II. A2 “Online Instruction.” For an evaluation of a synchronous portion of a course, evaluators may use either Section II A1 “Classroom Instruction” or A2 “Online Instruction.”

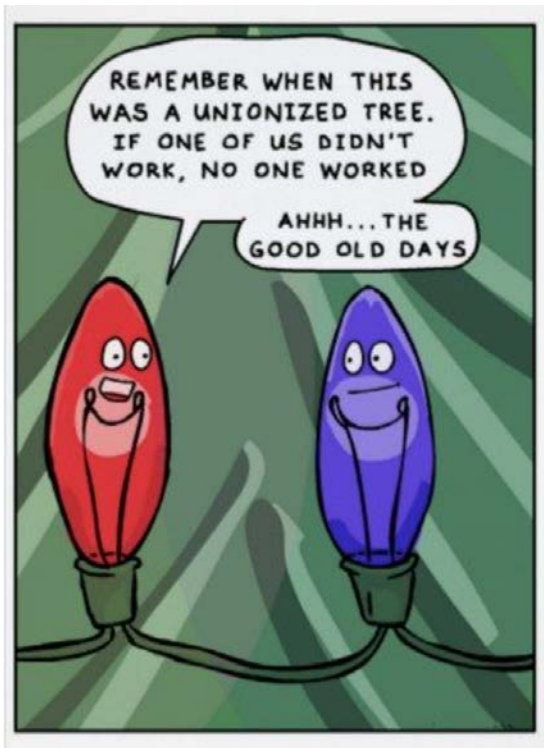
- Secondly, we have agreed on the observations allowed for each of the three types of virtual courses:
 - **Fully asynchronous:** We will adhere to the standing contract policy for evaluation of traditional online courses, which allows between 50-100 minutes of access over a consecutive seven-day period.
 - **Fully synchronous:** Observation and evaluation of a fully synchronous class should reflect the policies of a face-to-face course evaluation, which allows a 50-minute observation. This observation will necessarily be completed via Zoom or another appropriate video communication platform.
 - **Combination of synchronous/asynchronous courses:** Not surprisingly then, evaluation can be completed using either the 50-minute observation plan of the synchronous portion **or** between 50 and 100 minutes of access in the Canvas course to observe the asynchronous portion of the course.
- Pre- and post-observation meetings are strongly encouraged for all evaluations. For asynchronous courses, the pre-meeting can be used to orient the evaluator to the structure and the key components of the course. For synchronous courses, the pre-and post-observation meetings can be used to share tools and resources (the syllabus, exams, writing and activity prompts, and other appropriate documents) through screen share.

Equity-Focused Flex Days

FA and the District are currently negotiating two equity-focused flex days (in lieu of instruction): one in each Winter and Spring 2021. These events, facilitated by Dr. Joy De Gruy, will be a continuation of the valuable work already done to address systemic and instructional inequities in our district. We will send a separate communication when the details have been confirmed.

FA Break Schedule

The FA Office will be closed Friday December 11 and reopen Monday January 6, the first day of winter quarter. Faculty in need of assistance may email [Susanne Elwell](#) or leave voicemail on the FA phone (650.949.7544), which will be monitored only periodically. Unless extremely urgent, a message will not be responded to until January 4.



Article 19 Emeritus Program for Full-Time Faculty

By Lisa Markus

[Article 19](#) is a program for eligible full-time faculty to return to work after resignation from the district and retirement from the California State Teachers' Retirement System (CalSTRS) or California Public Employees' Retirement System (CalPERS). It is worth reviewing some vocabulary here: resignation is when you quit your job for any reason, retirement is when you apply to CalSTRS or CalPERS and collect a pension.

Employees must meet these basic **eligibility requirements**:

- Be age 55+
- Have served as a regular (tenured) or contract (tenure track) faculty member for at least 10 years immediately prior to retirement
- Retired (applied for a pension) under CalSTRS/CalPERS,



Application process:

Before the first year: Submit a letter of resignation to your dean or the college president at least 2 months prior to resignation for purposes of retirement date, which will be given to the Board of Trustees for review and acceptance. This letter should state that you wish to partake of Article 19, for example: “*I wish to resign for the purposes of retirement under Article 19*”. Be sure to add your date of retirement, which is often the Friday of finals week.

You will receive the Annual Plan form (Appendix U1) from the district within 10 days of Board approval, and this must be filled out and submitted within 30 days, but must (also) be submitted by end of Academic Year. Note that Appendix U1 must be signed by you, your dean, and the Vice President. The faculty member is entirely responsible for submitting the completed form with all the signatures to the district by the deadline. Fortunately, the Faculty Association and the district have collaborated to come up with an online form which uses online signatures, making the signature gathering process easier.

Subsequent years: By February 15 in subsequent years the district will issue you a copy of Appendix U1, which must be completed with all required signatures and submitted to the District Human Resources by March 15.

The **advantages** of the program include the following:

- Income is in addition to your pension and is paid on *Appendix A* including PAA
- Article 19 assignments are given prior to Article 7 (part-time and overload) and Article 21
- Paid district Life Insurance
- Non-cumulative pro-rated sick leave and personal leave

The **disadvantages** of this program include the following:

- Assignments are subject to availability
- No “bumping” rights if a class is cancelled
- The Board may decline to approve an assignment
- Reemployment Preference will be lost if you are on Article 19 for 2 or more years (6 consecutive quarters without an Article 7 assignment)
- Maximum participation is 5 years
- Earnings count toward STRS/PERS yearly limit (see notes below)

Additional notes on this program include the following:

- Your quarterly load can't exceed "regular" quarter load
- Start 180 days after retirement, else your pension will be reduced by the amount you earn during the 180 days.
- CalSTRS imposes an earnings limit, and anything you earn from STRS-covered employment above this limit is deducted from your pension. For 2020-21, the earnings limit is \$47,713. Your maximum allowable workload is based on this earnings limit, which in subsequent years is the lower of the limit your first year in the program and any new limit.

Full-time faculty with questions about Article 19 are welcome to contact me at markuslisa@fhda.edu or attend the workshop:

18 OR
19?



Pre-retirement planning for full-time faculty: Articles 18 and 19.

Friday, January 8th, 2021

12pm-2pm

Zoom Link:

<https://fhda-edu.zoom.us/j/98282909405?pwd=cmpGZDcxbVJVNmV6QTFzQU1DNlFndz09>

Thinking about retirement? In this Faculty Association sponsored workshop, Lisa Markus and Amy Edwards will discuss Articles 18 and 19 from the *Agreement*: the qualifications, requirements, and the pros and cons of working under these articles. Please bring your questions!



FA Seeks Executive Council Member

FA has an opening for one three-term replacement starting in Winter 2021. The prospective member should be a full-time faculty from Foothill. Meetings are on the first and third Wednesday of the month from 3:00 to 5:30 p.m. Winter and Spring quarter meetings will be held on Zoom. Council members are assigned to act as liaisons from FA to an academic division on their campus, to which they will forward meeting summaries and minutes. While there is no release time for these positions, council members are paid \$100.00 for each executive council meeting attended. FA encourages faculty who are interested in participating in their union to "test-drive" a temporary union position. To apply, send a letter of introduction addressed to the Executive Council to office manager [Susanne Elwell](#) by January 5, 2021.



FAFHDA Thanks and Welcomes Our New Member!

Louis Prusa: Foothill Biology

Particularly for Part-timers

by Raymond Brennan

Part-Time Associate Secretary

As we head into the weeks of the quarter, Part-time faculty should have the following information:

- Part-time faculty are eligible for unemployment support during the break. This is true whether you have been offered a class or not. If you have previously filed for unemployment, simply reopen your claim. Those who have not yet applied for unemployment should start a new claim with California's Employment Development Department (EDD) <https://portal.edd.ca.gov>. Should you require any help applying or should you run into problems with a claim, please **contact me** for assistance.
 - Though it seems odd to follow instructions for applying for unemployment with a note about retirement, it is never too soon to start planning for that. CalSTRS will be offering a retirement webinar specifically for FHDA Part-time faculty on January 26th at 1 p.m. The registration link will be available in early January and will be posted in the *FA News*. All Part-time faculty are encouraged to check their current status in CalSTRS to ensure that any initial selection from among the three retirement options available is still optimal. Part-time faculty are reminded that they are contracted and paid only for teaching and required office hours. Work, meetings, or training outside of those two obligations should be compensated. An offer of compensation does not oblige acceptance of work or participation in meetings or trainings.
 - Finally, FA exists to serve all faculty, and my role as the Part-time Associate Secretary is to provide that support. To that end, I will facilitate two webinars in the spring quarter to review the Agreement's many articles pertaining to part-time faculty. The second webinar will also include a review of any changes in the unemployment application process. Those webinars notwithstanding, should any Part-time faculty person need assistance with issues related to working conditions, please do not hesitate to contact me at brennanraymond@fhda.edu
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Diversity is who we are, but inclusion is how we show up, and we are lucky to have people who show up in a range of ways in our FHDA family. In an effort to honor everyone's traditions, we have included holiday greetings in this issue. While you may not see visible displays for all holidays, our attempt is to provide a joyous and reverent atmosphere that will appeal to a broad range of employees. If you don't see a representation of your holiday celebrated here, please [send me a note](#) so that I can include a visual in an issue next year. FA is dedicated to showing up to do the work of equity, diversity, and inclusion.

FA News is normally published nine times during the academic year by the Foothill-De Anza Faculty Association, an independent California corporation certified by the California Public Employment Relations Board as the exclusive employee representative for the faculty of the Foothill-De Anza Community College District. Letters and articles from District faculty are invited. FA, 12345 El Monte Road, Los Altos Hills, CA 94022. Ph: 650.949.7544 Email: ElwellSusanne@fhda.edu Website: <http://fafhda.org>

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FOOTHILL-DE ANZA FACULTY ASSOCIATION

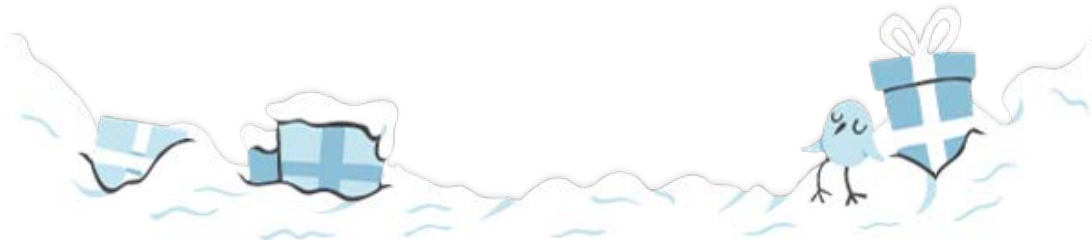
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