

Mt. SAC Faculty Association
Executive Board Meeting
April 13, 2021 via Zoom

Present: Alvarez-Galvan, Chan, Esslinger, Greenberg, Heard, Howell, Kaljumagi, Lawton, Piluso, Rivera, Thomas, Uyeki, Ward, Woolery. **Absent:** Christ. **Guest:** Robin Devitt, CTA Primary Contact Staff

I. Call to Order and Approval of Agenda

A motion to call the meeting to order and approve the amended agenda with flexibility was made (Uyeki), seconded (Chan) and carried at 11:35 a.m.

II. Approval of Minutes

A motion was made (Rivera), seconded (Chan) and carried to approve the minutes of March 30, 2021.

III. President's Report – Emily Woolery

A. Return to Campus Fall Semester 2021 – Faculty continue to reach out about the College's plans to return to on-campus instruction in Fall Semester 2021. Questions concern the COVID-19 Vaccine, return dates for 11-/12-month faculty, and PPE.

B. Know Your Contract Event – Emily and Tamra discussed this event in greater detail. Tamra suggests the event be held in the week following the end of spring semester – sometime between June 14 – 30. This item has been added to our meeting agenda.

C. FA Grievance Committee – The Grievance Committee met on April 2. We discussed documenting our arbitration procedures in the FA Standing Rules. This item has been added to our meeting agenda.

D. FA Organizing Committee – The FA organizing leaders will meet with Arleigh Kidd, CTA Consultant/Organizer, and Robin Devitt, CTA Consultant/Labor Relations tomorrow – Wednesday, April 14.

E. Campus Equity and Diversity Committee (CEDC) – CEDC met on April 5. We discussed a campus climate survey and hiring committee survey. Both surveys have subgroups to draft and refine surveys. The committee also discussed its membership.

F. President's Advisory Council – Expanded PAC meets tomorrow – Wednesday, April 14.

G. Board of Trustees (BoT) – The BOT meets tomorrow – Wednesday, April 14.

H. FA Membership – Emily is becoming familiar with membership details through different reports. Robin Devitt will provide training to Vera and Emily. 1.) CTA360Pro Database reports we have 916 active members and 735 non-members. 2.) Mt. SAC Payroll reports we have 405 full-time members and 32 full-time non-members. 3.) Since July 1, 2020, the FA processed 4 drops – 2 full-time faculty and 2 part-time faculty. 4.) Since March 15, 2021, the FA processed 3 new members.

IV. Vice President's Report – No Report

V. Treasurer's Report – Linda Chan

Treasurer Chan reviewed the September 1, 2020 – April 13, 2021 Treasurer's report and stated there was little change since the Representative Council report last week. Treasurer Chan reported that we will be transferring money to our CDs. Emily will be scheduling a meeting with Joan this week to acquire the checkbook. **MOTION:** A motion was made (Rivera), seconded (Heard) and carried that if we do not get the checkbook within a reasonable amount of time, that we close the FA bank accounts and roll them over to new FA accounts. We would need to get signature approvals on new FA accounts and this may take some time to process.

VI. Closed Session – Grievance and Negotiations Report

The Executive Board reviewed and discussed the Grievance and Negotiations reports.

VII. Old Business – Action Items

A. Celebration of Adjunct Faculty – This item was postponed and will be an Old Business item at the next FA Executive Board meeting on April 27, 2021.

B. Committee Openings and Appointments – There are several FA committee member openings that need to be filled. This item was postponed and will be an Old Business item at the next FA Executive Board meeting on April 27, 2021.

VIII. New Business – Discussion

A. Competency Based Education – This item was postponed and will be a New Business item at the next FA Executive Board meeting on April 27, 2021.

B. FA Award to Faculty Dependent – This item was postponed and will be a New Business item at the next FA Executive Board meeting on April 27, 2021.

C. Bylaws and Standing Rules – This item was postponed and will be a New Business item at the next FA Executive Board meeting on April 27, 2021.

D. Grievance Procedures for Standing Rules – Robin Devitt presented the issue that our current Standing Rules do not address Arbitration Procedures and there are current grievance case/es that need arbitration direction. **MOTION:** A motion was made (Rivera), seconded (Howell) and carried to suspend the rules and add to our Standing Rules the CTA recommended Grievance Procedures. The following is the CTA recommended and approved language: **RULES FOR ARBITRATION REQUESTS: 1.)** Upon denial at level 4, the grievant submits in writing to the Faculty Association their request for a grievance to be considered for submission to arbitration. **2.)** Upon receiving the request, the Executive Board shall review the request at the next meeting. **3.)** The Executive Board shall determine the appropriateness for arbitration using the following criteria: Scope, Timeliness, Validity, Appropriateness, Effect, DFR, Feasibility, Justification, Cost, Any available settlement offer to resolve. **4.)** If the Executive Board approves the request for arbitration, the FA will follow the steps agreed upon in the faculty contract. **5.)** If the Executive Board denies the request for arbitration, the grievant may appeal the decision by attending the following Executive Board meeting. **a)** If the Executive Board overturns the denial upon hearing the appeal, the FA will follow the steps to arbitration as agreed upon in the faculty contract. **b)** If the Executive Board sustains the denial, the grievance process is concluded.

E. Student Awards – Students of Distinction – A motion to suspend the rules was made (Kaljumagi), seconded (Piluso), and carried. After a discussion of the FA Students of Distinction Awards proposal, a motion was made (Alvarez-Galvan), seconded (Chan) and carried to award \$100 to each Student of Distinction Awards recipient. A proposal to increase award amounts will be made at the next Representative Council meeting.

F. Know Your Contract – On March 30, the FA Executive Board approved a “Know Your Contract” event. Tamra Horton has recommended that a “Know Your Contract” event be held as a single-day event during the week of June 14 – 18. A motion to suspend the rules was made (Kaljumagi), seconded (Piluso), and carried. A motion was then made (Alvarez-Galvan) and seconded (Howell) to hold the “Know Your Contract” event the Friday of the first week of Summer session (June 25th). Discussion followed and since this was not one of the proposed dates originally suggested by Tamra, the motion was withdrawn. A proposed date will be forthcoming.

G. Commencement 2021 – This item was postponed and will be a New Business item at the next FA Executive Board meeting on April 27, 2021.

IX. Adjournment

The meeting was adjourned at 1:34 p.m.

The minutes were respectfully submitted by Liz Ward, Faculty Association Secretary

Other Reports – Due to time restraints, the following reports were provided but not reviewed:

X. Academic Senate – Chisa Uyeki

A. Approved Action – The only Senate Action that has happened since the Senate FA Rep Council report is that Senate approved the SEAP Carryover Budget Process. The following is the link to the informational PowerPoint:

[https://go.boarddocs.com/ca/mtsac/Board.nsf/files/BZPP3T61610C/\\$file/SEAP%20Budget%20Rationale%203.15.21%20SPEAC.pdf](https://go.boarddocs.com/ca/mtsac/Board.nsf/files/BZPP3T61610C/$file/SEAP%20Budget%20Rationale%203.15.21%20SPEAC.pdf)

B. Senate Resolutions – Senate considered State Senate resolutions to be voted on at Plenary this week. https://asccc.org/sites/default/files/Resolutions%20Spring%202021%20For%20Review%20Period--To%20Send%20%20Out_0.pdf

XI. PGI – Tamra Horton provided PGI Report

Tamra Horton provided the following PGI report: • The Professional Growth Increment is currently \$3,736 per year ongoing. • PGI is included in your STRS retirement calculation, so it's never too late to earn it. • PGI requires only 96 hours of approved on- or off-campus professional development activities (or 6 semester units of approved college work). • Many previously completed professional development activities count towards PGI. • Many online professional development activities count towards PGI. • Since the PGI Project began last year, 75 faculty members have earned PGI. Schedule a PGI Consultation today using the link below. <https://calendly.com/mtsacappt/30min>. thorton@mtsac.edu

CTA Rep Report Out from April State Council – 04/13/2021

XII. CTA Rep Report from April State Council – 04/13/2021 – Joshua Christ

Early Childhood Ed Committee –

- Passed – Recommendation for Full-Day compulsory Kinder by age 5 as a prerequisite for advancement to 1st grade.
 - No effect on us at Mt.SAC, but may impact faculty with young children

School Safety/School Management Committee –

- Guidance is coming down the pipe for police presence on campus guidelines, but nothing passed or discussed this council. Will provide an update when the direction of this discussion becomes more clear.

Personal Rights and Responsibilities Committee –

- CTA Policy Update: Permanent Status: Non-Administrative Certificated Employees (page 233)
 - CTA believes that all non-administrative employees serving in a position or positions requiring certification shall be classified as and become permanent employees following the completion of a probationary period. CTA believes that a probationary period of no more than two (2) years is adequate to achieve permanent status the existing probationary periods are adequate provided there are good personnel practices and supervision by the administration. Furthermore, ADA should not be a determining factor in the length of the probationary period. (PRR: March 1999, June 2015)
 - Rationale: This update to CTA policy reflects current conversations on permanent status of all non-administrative employees serving in positions requiring certification.

Civil Rights in Education Committee –

- Major Policy – FIRST READING
 - P.391 School-to-Prison-Pipeline and Incarceration Prevention
 - CTA believes that schools should be places where all students feel safe and supported and not targeted by the police. CTA denounces police brutality and the criminalization of students.
 - Rationale: Students of color and special education students are frequently identified as disruptive or defiant. When police are present on a campus, that defiance can unnecessarily involve law enforcement or legal consequences for students; pushing them into the school to prison pipeline for behavior that should be dealt with via restorative practices. Schools should be a place where students are free to learn and grow and not be worried about being arrested or incarcerated.
- CTA African American Caucus Call to Action –

Communication Committee –

- CTA Policy Update: Technology; Internet page 402
 - Students who take distance education courses should receive the preparation, *technology*, and support necessary to enable them to function effectively in an online environment. Technical assistance should be available whenever needed by students and faculty.
 - Rationale: The need to provide access to technology is paramount to meeting the educational needs of our students.

Credentials and Professional Development Committee –

- Matter Pending Prevalent to Higher Ed – Referral from the Board:
 - The recommendation submitted by the liaison to State Board of Ed to co-work together and push the CA DoE State Board to have a real discussion in order to remove the barriers in order to get access to credentialed teachers for Career and Technical Education (mostly pertains to K-12, but drips up to CE in Higher Ed)
- Matters Pending Prevalent to Higher Ed – NBI 1/21-12
 - CTA actively work with higher education institutions to advocate for an increase in the Librarian credential programs offered.

Curriculum and Instruction Committee –

- No major matters pending or read at April Council

Retirement Committee –

- No major matters pending or read at April Council. When asked about divestment from controversial investment funds, response was:

Chris Ailman, Chief Investment Officer for CalSTRS, reported that CalSTRS fund has doubled in the last 10 years. Much of the growth is due to the Federal Reserve pumping a lot of money into the economy. CalSTRS has had a very steady, long-term, diversified investment strategy.

Half of the resources that CalSTRS invests are in global stocks and the rest is invested in a variety of sectors such as real estate, cash, and fixed income. The California Constitution requires diversification so CalSTRS funds are invested in countries around the world. Most international funds are invested in the UK and Japan. In 2020, CalSTRS had a 13% return on investment due to the impact of the Federal Reserve propping up the economy. Over the last 10 years, the annualized return has been 9.4%.

Chris addressed the committee about divesting from fossil fuels and other politically volatile entities. He shared that CalSTRS believes that engaging companies to change them as a large investor is a better way to get change than divesting, pulling out money, and walking away. **Divestment is not a responsible investment.**

Mr. Ailman reported that if CalSTRS divests from fossil fuels, other investors will just come in and buy up the stock. He shared that when CalSTRS divested from tobacco 10 years ago the CalSTRS fund lost 5 billion dollars and tobacco stocks increased. He noted that those opposed to fossil fuel companies would have a larger impact if they boycotted fossil fuel derived products. CalSTRS's constitutional charge as fiduciaries is to ensure the fund meets its financial obligations so that all educators receive their fully earned pension when they retire.

Adult, Alternative, and Career Technical Education –

- Major Policy for Immediate Action – Passed
 - Pg. 286 – Health, Welfare and Safety
 - CTA further believes the state must also provide the necessary funding for alternative programs for students who engage in violent acts or other disruptive behavior. In addition, local education agencies should enact policies to deal with students who commit drug offenses, bring weapons to school or engage in hate crimes.

Law Enforcement activities on school campuses must not be the responsibility of school budgets. The state must dedicate funds for this purpose and / or require local jurisdiction to provide for public safety on all grounds, including alternative education and county office of education sites.

- Major Policy – FIRST READING
 - Pg. 268 – Career Technical Education
 - CTA believes a comprehensive program of career technical education must be available to all students from the elementary level through college. and one year of CTE course work must be part of the course of sequence of classes required for high school graduation. Career technical education is defined as that segment of education which relates to the fifteen recognized Industry Sectors in California: Agriculture and Natural Resources; Arts, Media and Entertainment; Building Trades and Construction; Education, Child Development and Family Services; Energy and Utilities; Engineering and Design; Fashion and Interior Design; Finance and Business; Health Science and Medical Technology; Hospitality, Tourism, and Recreation; Information Technology; Manufacturing and Product Development; Marketing, Sales, and Service; Public Services; and Transportation. These components aid the student in the marketplace and in the orientation to, selection of, preparation for, and placement in a job. (ACT: June 2014)
 - This policy, if enacted, would have a MAJOR impact on higher ed and CE in higher ed. We are being asked to weigh in on the addition of a graduation requirement at the high school level that forces exposure of students to CE through at least one class. Please send me your thoughts, and I will relay them prior to June conference. Remember CE can look like a lot of things, from Aeronautics, to traditional service work like plumbing and construction, to agriculture, to Audio Arts and Technical Theater. This is a very wide area.

Financing Public Education Committee –

- No major matters pending or read at April Council.

Assessment and Testing Committee –

- Immediate Action Item
 - NBI 1/21 – 3: I move that CTA oppose the use of the SAT and ACT for UC and Cal State Admissions
 - Position: APPROVE
 - Rationale: After a review of current UC and CSU policies on the use of the SAT and ACT in UC and CSU admissions and CTA policy on Equal Education Access (p.315), Admission Requirements (p.297) and Standardized Testing (p.348), AST recommends an approval on this NBI

Student Support Services Committee –

- No major matters pending or read at April Council

Negotiations Committee –

- The committee would like to draw council's attention to SB95, recently signed and enacted, which provides a new 80 hours of Covid leave, effective January 2021

Special Education Committee –

- No major matters pending or read at April Council

Language Acquisition Committee –

- No major matters pending or read at April Council
- Wanted to bring attention to the educational resource that is <https://doloreshuerta.org/dolores-huerta-day-curriculum/> where teachers can find lesson plans about Dolores Huerta for all student age groups if they choose to in their classes (can also add lesson plans, if they wish)

Political Involvement Committee –

- No major matters pending or read at April Council.

Teacher Evaluation and Academic Freedom Committee –

- Two bills they are keeping an eye on:
 - AB1505 – working with the authors – to suspend evaluations during widespread emergency circumstances
 - AB1284 – OPPOSED – to extend probationary period from current to 3 years and up to 5 years.

State Legislation Committee – by Committee in Alpha Order, a selection

- **Recommendations from the C&I Committee:**

- SUPPORT – SB532 – 3/15/21

Requires local education agencies (LEAs) to inform highly mobile students of their right to remain in school for a 5th year, to complete the statewide course requirements to graduate from high school, and eligibility to be exempted from local graduation requirements that exceed statewide graduation requirements, when requested; streamlines a student's ability to opt in to these exemption options, if they are a highly mobile student in foster care, a homeless child or youth, a former student in a juvenile court school, military family, or a migratory child; and requires LEAs to report annually to the California Department of Education, the number of students that graduate with an exemption from LEA graduation requirements for students graduating in the fourth year and fifth year cohorts, disaggregated by student category. SB 532 is necessary to protect students' educational access to graduate by strengthening existing law to mitigate a post-pandemic departure from school for our vulnerable, highly mobile, and at-risk students.

- **Recommendations from the CCA:**

- SUPPORT – AB275 – 2/26/21 – Classified Community College Employees
Shortens the maximum length of a prescribed period of probation for classified employees to six months or 130 days of paid service, whichever is longer. This change would apply to a conflicting collective bargaining agreement entered into before January 1, 2022, until the expiration or renewal of that collective bargaining agreement.

- SUPPORT – AB337 – 2/26/21 – Board of Gov. of the CCC
Eliminates the prohibition against a student member voting during the student member's first

year on the Board of Governors of the California Community Colleges.

- SUPPORT – SB 228 – 3/16/21 – Public Postsecondary Education: support services for foster youth: Cooperating Agencies Foster Youth Education Support Program

Extends the requirement and request for enrollment priority for certain foster youth or former foster youth to those whose dependency was established or continued by the court on or after the youth's 13th birthday.

- **Recommendations from the CRE Committee:**

- SUPPORT – AB26 – 3/16/21 – Peace Officers: use of force.

Ensures law enforcement policies require police officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force; disqualifies a person from being a police officer if they have been found by a law enforcement agency that employees them to have either used excessive force that resulted in great bodily injury or death, or to have failed to intercede in that incident as required by a law enforcement agency's policies.

- SUPPORT – AB1119 – 3/16/21 – Employment Discrimination

Expands California Fair Employment and Housing Act (FEHA) protected characteristics to include family responsibilities, defined to mean the obligations of an employee to provide direct and ongoing care for a minor child or a care recipient; expands reasonable accommodation protections under the FEHA to include the known family responsibilities of an applicant or employee related to obligations arising from needing to care for a minor child or care recipient whose school or place of care is closed or otherwise unavailable.

- **Recommendations from the Negotiations Committee:**

- SUPPORT – AB84 - 2/26/21 – Employment: COVID-19: Supplemental paid sick leave.

Provides 80 hours of additional emergency paid sick leave until September 30, 2021, although employers are not required to provide this in addition to paid sick leave under federal or local law that already meets these requirements; the bill will include vaccines appointments and recovering from the vaccine as a reason to take this new leave and applies retroactively back to January 1, 2021 to fill the gap in coverage left by the State and Federal Government.

- **Recommendations from the Retirement Committee:**

- OPPOSE – Voted at Council to send back to Committee to reconsider position – Public Employee retirement systems: prohibited investments: Turkey

Requires CalSTRS, CalPERS, and other public pension funds to divest from investment vehicles issued or owned by the government of Turkey, unless the government of Turkey adopts a policy to acknowledge the Armenian Genocide and embarks on a path of affording justice to its victims.

- This position sparked debate on the floor about why, with the biggest pension system in the country, CTA was not looking to make its investment policies line up with their other supported legislative policies. Rebuttal and support of this opposition can be found in the note from Retirement Committee, summarized as, "Divestment is not a responsible investment."

If you have any questions regarding this report, or would like the full sampling of all legislation CTA is looking to take a position on, please reach out and I would be happy to provide that for you. If you want to look over the full CTA Report / Agenda from council, I can provide that as well.

Thank you all for your time and continued work,

Joshua Christ