

**MSAC Faculty Association  
Representative Council Meeting  
December 3, 2019**

**Present:** Anders, Berch, Boyer, Burnett, Caldwell, Chan, Christ, Crichlow, Esslinger, Foisia, Greco, Greenberg, E. Hernandez, Holbert, James-Perez, Jones, Kirchgraber, Komrosky, Lancaster, Lavery, McIntosh, McLaughlin, Necke, Norvell, Olds, Ott, Page, Piluso, Scott, Sholars, Simon, Straw, Summers, Thomas, Uyeki, Ward, Wasson, Wolf, Wood, Woolery.

**Absent:** Adamiak, Aguilar, Barrios, Birca, Blyzka, Bowers, Brantingham, Burman, Calzada, Chen, Condra, Coreas, Cridland, Daland, Engisch, Ezzell, Flisik, Frickert, Garcia, Hamby, Heard, Hernandez-Magallon, Horton, Howell, Hughey, Impara, Jollivet, Kaljumagi, Knapp, Kung, Lackey, Lopez, Luther, McLeod, Meyer, Miho, Nakamura, Nejad, Ngo, Nixon, Pham, Richardson, Romero, Shiff, Stringfellow, Uranga, Velasquez, Vo.

**I. Call to Order and Approval of the Agenda**

President Joan Sholars called the meeting to order and the Agenda was approved at 11:37 a.m.

**II. Approval of Minutes**

The minutes of November 5, 2019 were approved as written.

**III. President's Report – Joan Sholars**

A. Executive Board Position – Gary Enke has submitted his resignation from the Executive Board. The Executive Board recommends that we do not fill the position and hold it open until regular elections in Spring 2020.

B. MOUs – In an effort to be more transparent, Joan will be reporting to the Executive Board and Rep Council any side letters or MOUs that are signed between the FA and the District. In that vein, she signed a side letter allowing classroom visitations for one of our probationary faculty to extend past the 12th week deadline due to a family emergency. Karelyn Hoover and Joan are talking to Richard Mahon on Monday concerning a faculty member's request to spread load and teaching more units than allowed online. Both Karelyn and Joan agree that there was a misunderstanding with this professor who thought that their request had already been approved. We are willing to agree to a side letter for this one semester only. Richard Mahon and Joan will be signing a side letter to allow the spreading of load for this professor.

C. CTA State Council – Joan has resigned her position at CTA State Council effective June 15, 2020. Antoine Thomas had mentioned that he would be interested in running for this position.

D. Board of Trustees Meeting – At the Board of Trustee meeting on Wednesday, November 13, Joan asked to pull an item from the Board agenda concerning management contracts. Joan specifically asked that the Board look closely at dean and associate deans' contracts. Joan asked the Board to do an investigation into the claims by faculty that they are being retaliated against. The Board did pull the item and discussed it. The agenda item was passed with the caveat that the District investigate some of the allegations. Joan has not heard anything about the investigation as of yet.

E. Temporary Replacement Board Member Jay Chen – The Board of Trustees is looking at a temporary replacement for Jay Chen's Board seat. They have no policy on filling a seat temporarily as Jay will be returning during the summer. The District is looking at writing policy in order for the Board to appoint someone and applications are being accepted now for the temporary seat. The Board is split whether this is a good idea or not. Both 262 and 651 sunshined their reopeners at this Board meeting.

F. Expanded PAC – At Expanded PAC on Wednesday, November 13, the strategic plan was discussed. The main idea that Joan heard expressed is that we hope to have a written strategic plan before the end of this year. We also talked about what do we want to see in PIE.

G. FA Office – The FA Office will be open through December 18 and will reopen on January 7. During Winter Intersession the office will be open on Tuesdays and Wednesdays from 8:30 – 12:30. Both Joan and Emily will be in the office other days unless they are in meetings.

H. Spring 2020 Negotiation Team – The Spring 2020 negotiation team is Joan Sholars (Lead), Sandra Esslinger and Emily Woolery. Linda Chan will be a resource for negotiations. Joan has heard from Maria Davis, Judy Lawton and Tania Anders concerning being either a shadow or a resource for negotiations. If you are interested, please contact Joan at [jsholars5@gmail.com](mailto:jsholars5@gmail.com).

#### **IV. Vice President's Report – Emily Woolery**

A. President's Advisory Council (PAC) – Expanded PAC met on November 13. Presentation topics were: Student Centered Funding Formula (SCFF) – Overview, Update on Budget and Projects; Strategic Planning (SP): The Next Generation; PIE Summary Report – What would you like to see in it? PAC met on November 27 but was cancelled due to lack of quorum.

B. Board of Trustees – The BoT met on November 13. We heard informational reports on Measure GO Quarterly Project Update and Transfer Outcome Report. The BoT discussed appointing a temporary interim member of the Board of Trustees representing Area 5. The BoT will meet again on December 11.

C. AP 3445 Accessibility of Electronic Media Workgroup – The Academic Senate established this workgroup. Professor Ellen Caldwell (Art History) chairs the workgroup, which also includes professors Todd Clements (Chemistry), Tony Rivas (Counseling), and Emily Woolery (FA). The workgroup also includes Uyen Mai (Marketing and Communication) and Eric Turner (Information Technology). The workgroup is charged with reviewing the AP language. The group met on October 30 and November 20. The FA Executive Board is reviewing the workgroup's draft language, notes, and recommendations.

D. Inclusion Summit – Emily attended the Inclusion Summit: Critical Conversations About Our Students on November 15. We heard presentations and participated in breakout sessions on: 1) Placement, Accessibility, and Meeting our Students' Needs Through the Equity Lens (AB 705 and Developmental Education); 2) Academic Support Services Through the Equity Lens; 3) GPS Through the Equity Lens.

E. Grievances – The following are grievances that the FA is involved in: a) The FA filed a Level 3 Grievance concerning salary schedule placement for the full-time non-credit faculty. Dr. Scroggins did not accept the grievance as he states the contract is silent on this issue and should be negotiated. The FA Executive Board is considering its next steps; b) A division asserted that faculty shall fulfill their teaching assignment in a minimum of three (3) on-campus days. This assertion goes against contract language of fulfilling the teaching assignment and office hours in a minimum of three (3) on-campus days. The FA sent a "cease and desist" notice to the district to stop this assertion or bargain it; c) A faculty member asked whether they must use their \$200 professional development allocation before they can receive POD Conference & Travel funding. Some full-time faculty prefer to give the \$200 allocation to adjunct faculty colleagues, who wish to attend conferences; d) Human Resources (HR) and the FA agreed to solutions for probationary faculty, who are not present for at least 75% of their contract; e) The FA accompanied multiple adjunct faculty to a meeting with HR to express concerns about the adjunct faculty evaluation process; f) A faculty member's request to spread load across Winter Intersession 2020 and Spring Semester 2020 would exceed the maximum distance learning workload. Because the District agreed to the request, the District and FA agreed to sign a side letter for this year only; g) An adjunct faculty member with rehire rights was found to "not meet standard" in teaching their discipline's revised curriculum. The FA is available if this faculty requests representation; h) A complaint was filed against a hiring committee. HR is investigating the complaint. If the FA is brought in, multiple FA leaders will represent the two parties; i) The FA is investigating whether a part-time faculty member requires a paid administrative leave; j) A fourth-year probationary faculty seeks representation regarding potential discipline; k) HR received a complaint of harassment against FA leadership. HR is investigating the complaint and will involve the FA and CTA if representation is needed; l) The FA was informed that two probationary faculty members may not receive contract renewals. HR is reviewing their evaluation processes to ensure contract was followed; m) Department chairs expressed concern about leaves impacting future scheduling. The FA is investigating the situation.

## **V. Treasurer's Report – Steve Lancaster**

Treasurer Lancaster reviewed the September 1, 2019 – November 26, 2019 Treasurer's Report and stated that we have received the official letter from CTA stating the installments will be \$11,285 up from last year's installments of \$10,450. This is an increase of \$835 per month.

## **VI Director J Report – Linda Chan**

Linda Chan provided the CCA Director J Report and highlighted the following items: 1) Merced – faculty being falsely accused of dishonesty; 2) San Joaquin Delta – new contract with 3.5% increase this year, and 3% next year; 3) Rio Hondo – prioritization of part time faculty assignments; 4) North Orange – change in negotiations leadership, board meetings open to all members and communication from leadership has improved; 5) Citrus College – challenging a discrimination claim by student against a faculty member feeling the faculty member did not receive due process; 6) Rancho Santiago – ratified a 12% raise over 3 years (4% this year, 4% next year, and 4% the following year); 7) Mira Costa – negotiating noncredit salaries increased to .817 load parity; 8) South Orange County – negotiated 2.85% salary increase for 2019-20 and 2.92% for 2020-21; 9) Norco – large number taking the Golden Handshake, 2 hours of compensation for sexual harassment training, 3 hours extra pay for PT faculty teaching at high schools and prisons, and PT faculty allowed to evaluate each other; 10) Committee Concerns: a) Racial & Ethnic Minority Committee – what are statistics of new hires in terms of ethnicity, gender, race, gender identification and please submit the name of contact for your equity team; b) Budget Committee – considering a new auditor. The next board meeting will be on February 7, 2020. Please let Linda know what issues should be brought to the CCA Board.

## **VII. SOne/CTA State Council – Joan Sholars – No Report**

## **VIII. Adjunct Faculty Advisory Committee – Linda Chan/Herschel Greenberg**

A. Adjunct Faculty Advisory Committee – The Adjunct Faculty Advisory Committee (AFAC) met November 19, 2019. Topics discussed: 1) English department issues were resolved; 2) We would like to have two workshops in the Spring: "How to Diffuse Difficult Situations with Students" & "Open Forum – by adjuncts, for adjuncts Q & A"; 3) The success of the Adjunct Appreciation Day on October 22; 4) Brochure; 5) Having possible virtual meetings. Our belief is that we may need to continue discussions on ongoing issues and the allotted once per month meeting may not be enough; 6) How to counter negative and unprofessional messages by adjuncts. The following are the goals for 2019-2020: 1) Increase membership by reaching out to adjuncts, having workshops and being a resource to adjuncts; 2) Act as a conduit of communication between adjunct and FA; 3) Become a permanent committee. A huge issue facing adjunct faculty is the discontinuance of the Office license. Adjuncts will not have the access to Word, Excel, PowerPoint, etc. as do the full-time faculty. It will increase the difficulty to access for adjuncts who use the Microsoft Office program, especially for the non-credit adjunct since they teach these programs to the students. This is an issue of equity and student success. The AFAC would like to request \$500 for food for each of the workshops (\$1000 total) and use of the Founders Hall for March 17th at 11:30 a.m. for the first workshop the second workshop; date is to be determined. Our next scheduled meeting is Tuesday, December 17th at 11:30 a.m. on ZOOM.

## **IX. Academic Senate Report – Chisa Uyeki**

A. Appointments – The following appointments have been made: 1) Monica Chavez, Librarian, has been appointed to the ASCCC LSP (Library Services Platform) Governance Committee. This is a project formed to enable all California community college libraries to make the transition to the same cloud-based LSP. Consideration of ongoing operation of the project and exploration of ways to increase collaboration in areas such as resource sharing, regional collaboration with advanced features and collection development are part of the group's goals; 2) Elizabeth Casian, AMLA to SSSPAC (2019-2021); 3) David Mrofka, Earth Sciences, to the Climate Commitment Implementation Committee for Spring 2020; 4) Susan Chavez (Hospitality and Restaurant Management) to CTEAC.

B. Spring Flex Day – Spring Flex Day is February 21, 2020 and we are soliciting proposals for breakout workshops. Surveys of faculty have indicated that there is particular interest in sessions regarding innovative pedagogy, student engagement, and teaching with technology. Students equity and sustainability will also be central themes of the day. Faculty, staff, or managers are encouraged to share your expertise and insight by submitting a proposal on any topic with a connection to the improvement of staff, students, or instruction. If you have previously presented a breakout session at Flex Day that was well received, feel free to submit again. Proposals are due December 9, 2019.

C. Senator-at-Large – At the last Senate meeting, nominations for the vacant Senator-at-Large position were closed. There were four nominees: Sara Mestas, Ali Oliver, Tony Rivas, and Susan Wright. The election ended last night and the elected Senator-at-Large will be announced at the Senate meeting on Thursday. Thank you to all of the faculty who ran. Nominations for two-year terms commencing in June 2020 will open in Spring.

D. Events Committee – The Events Committee received three nominations and following the review of applications, forwarded their recommendations to nominate the Speech and Sign Center for the ASCCC Exemplary Program Award. President Scroggins and Chisa are sending a joint letter of support with the nomination. Chisa recommended that the programs that were locally nominated the submitted for the 10+1 awards.

E. ASCCC Fall Plenary – The ASCCC Fall Plenary was from November 7-9, 2019. The final resolutions which were passed are available on the ASCCC website:  
<https://www.asccc.org/sites/default/files/Final%20Resolutions%20F19.0.pdf>

F. Exec Task Force – Under the direction of the Senate Exec Board, a Task Force of members of the Executive Board (Kristina Allenda, Lance Heard, Serena Ott, Kelly Rivera, Chisa Uyeki and Emily Versace) formed. The charge for this TF is to develop recommendations on the integration of GPS, Equity, and Sustainability into the Senate Committee structure and shared governance process, and to address a number of unresolved issues that Exec Board identified. The TF report and recommendations were approved for recommendation to full Senate by Exec, and will be discussed at Senate on Thursday.

G. Inclusivity Summit 11/15/19 – Faculty, managers from instruction and Student Services gathered learn about the current status and give further consideration to AB 705, Academic Support, and Guided Pathways. This is the first that the Senate has been explicitly involved in planning for the Summit. This year we will be continuing our equity efforts by examining our work on current initiatives through an equity-lens. In the past, program coordinators and department chairs were invited. This year the invitation was extended to the entire campus. Thank you to all the presenters and the attendees.

H. El Camino Visit 11/1/19 – A team from El Camino College were on campus to visit our School of Continuing Ed and to learn about our noncredit programs. Chisa was invited to speak to how we integrate and involve noncredit faculty in our Senate governance program. Unfortunately, Chisa was ill but Kristina Allenda stepped in for her.

I. Guided Pathways – Chisa has been in correspondence with Richard Mahon regarding the implementation of Guided Pathways. The implementation of Guided Pathways deadline is March 1, 2020.

## X. **Negotiations Report – Joan Sholars**

A. TA #12 – Article 18L: Adjunct and Partial Contract Professors Evaluation –  
**18.L.1.Responsibility:** Evaluation of adjunct and partial contract professors is the responsibility of: Division Dean or **designee**, Department chairpersons or designee, Other administrators assigned by the Chief Instructional Officer of the Chief Student Services Officer;  
**18.L.3. Evaluation Process:** **18.L.3.a.** Professors with Rehire Rights: The evaluation of adjunct professors with rehire rights and partial contract professors will be conducted on a **within the fall or spring semester of the first year of their rehire right status and every sixth primary term thereafter.** The process will consist of student evaluations, classroom evaluations, and **summary evaluation pursuant to Article 18.L.7; 18.L.3.b.** Professors

without Rehire Rights: Professors without rehire rights will be evaluated on a four-year (4) process that begins the first **primary term** of their employment;

**18.L.4. Classroom Visitation: 18.L.4.a.** Professors with Rehire Rights: **Adjunct professors** with rehire rights shall be evaluated **every sixth primary term. Through mutual agreement, the division dean or designee and the department chair shall determine which mode of delivery (Distance Learning or face-to-face) will be evaluated, if applicable.** A single visitation shall occur by the end of the twelfth (12<sup>th</sup>) week of the semester. A meeting ~~will~~ **shall** be held within two (2) weeks of the visitation with the adjunct professor to review the classroom evaluation and teaching materials and to give feedback regarding teaching performance. Additional visitation evaluations may be conducted when: **(a)** a pattern of student complaints becomes evident to the department chair or dean; **or (b)** the most recent evaluation had an overall rating of improvement recommended **(3) or performance does not meet the standard (4).** Adjunct and partial contract professors ~~will~~ shall be evaluated on the appropriate classroom visitation evaluation form (Appendix H.4.).

**18.L.5. Student Evaluations: 18.L.5.a.** Professors with Rehire Rights: After an adjunct professor has established rehire rights, they shall conduct student evaluations **within the established evaluation period** for each preparation. **These evaluations will be conducted online unless requested by the professor. If the professor requests paper student evaluations, then the professor** shall submit the student evaluations, including a tally of the ratings and a file of scanned written comments, to the department chair or appropriate manager by the end of the 11<sup>th</sup> week of the semester.

B. TA #13 Appendix B: Department Chair Remuneration – This TA did not change the formula – it was an update on the data. The FA did ask that the data be checked.

C. TA #14 Reassigned Time for Faculty Leaders –

**Article 23.A. Reassigned Time for Representatives:** The District shall provide the Association with **24** LHE annual reassigned time for purposes of representation. The President of the Faculty Association will inform the District on how the reassigned time will be distributed. **23.A.1. Reassigned time for Full Negotiations:** During full contract negotiations, the District shall provide the Association with **12** LHE per term in reassigned time to be distributed to members of the Association's bargaining team, not to exceed five (5) members during negotiations, until the contract is ratified. **23.A.2. Reassigned Time for Re-opener Negotiations:** During re-opener contract negotiations, the District shall provide the Association with **6** LHE per term in reassigned time to be distributed to members of the Association's bargaining team, not to exceed three (3) members during negotiations, until the contract is ratified. **23.A.3. Reassigned time for the Lead Negotiator:** **During negotiations (both full and re-opener), the District shall provide the Association with 10 LHE annually.**

**Article 10.H.3.b. Other Faculty with 12 month contracts:** 214 work days with a required load of 36 LHE plus hours of service to the college. This assignment is limited to faculty in instructional programs with a mandated 12 month program **except for the faculty leadership in the Academic Senate and the Faculty Association. The Faculty Association President, the Faculty Association Vice President, and the Academic Senate President shall be assigned a twelve-month, 100% reassigned time position with 214 work days and a required annual load of 36 LHE. The Academic Senate shall be given 36 LHE to use for their other officers (Vice President(s) and Secretary). The President of the Academic Senate will inform the District on how the reassigned time will be distributed.**

D. TA #15 Appendix E: Reassigned Time for Special Assignments – We took out the Academic Senate Secretary, AWE Assistant Coordinator and the AWE Coordinator. We added in AB 705 Coordinators for Math, English and AMLA, a Faculty Accreditation Assistant Coordinator, an increase for the Honors Coordinator, a 2<sup>nd</sup> New Faculty Seminar Facilitator if more than 25 new full-time faculty are hired, an increase for the Paralegal Coordinator, the Radiologic Technology Program Coordinator and the Real Estate Program Coordinator, and a new Sustainability Coordinator. Appendix E is always hard for both the faculty and the District. We also agreed to change when and how these positions are reviewed. Instead of reviewing these every two years, we are going to review them every three years and then review them by who the responsible manager is. If no change is requested and the responsible manager and appropriate Vice President agree, then a form stating that will be sent to the Instruction Office when requested. If a change is requested, the form will ask how the work has increased or changed. Also, both the FA and the District have agreed to set up a workgroup of faculty and managers to work on the defining coordinators job descriptions better to help us in determining the amount of LHE required to do the job.

E. TA #16 Appendix D: Coaches – This TA adds an Assistant Diving Coach and a Reader's Theater Director.

F. Future Meetings – We have scheduled two more meetings in January: January 17 and January 31. Most of the time at these meetings will be to finish Salary and Health Benefits. This means that ratification of the contract cannot happen any earlier than Spring 2020. Joan thanked the FA Negotiation Team (FANT) for all of their hard work and their dedication to the cause. This has been a long and exhausting process. Thank you to Emily Woolery, Sandra Esslinger, Linda Chan, and Masoud Roueintan for all of their work on behalf of all faculty.

**XI. Discussion Item – What Does It Mean for the FA to be Wall-to-Wall?**

“Wall-to-Wall” means that we have a united front for ALL faculty; that all faculty belong to same bargaining unit and that the Faculty Association advocates for both full-time and adjunct faculty.

**XII. Old Business – Action Items – None**

**XIII. New Business – Discussion Items**

A. Schools and Community First Resolution – A motion to suspend the rules and approve the Resolution in Support of Schools and Communities First Initiative was made, seconded and carried.

B. Calendar – It has been proposed that an “Indigenous Peoples Day” be an individually selected floating holiday in October for support staff. We need to determine if we are in favor of supporting them having this floating holiday.

C. AP on Electronic Media – This item has been postponed to the first Representative Council meeting in Spring.

**XIV. Announcements**

A. Next Executive Board Meeting – December 10, 11:30–1:00 in the FA Office.

B. Next Adjunct Advisory Committee Meeting – December 17, 11:30–1:00 via ZOOM.

C. Next Representative Council Meeting – March 3, 11:30–1:00 in Founders Hall.

D. Next Board of Trustees Meeting – December 11, 6:30 pm in Founders Hall.

E. Next CCA Conference – February 7 – 9 at the Doubletree San Diego.

F. Next SCOne Council Meeting – January 21, 4:30-9:00 p.m. at the San Dimas Country Club.

G. Puttin' On the Hits – March 22, 2020.

**XV. Adjournment**

The meeting was adjourned at 1:00 p.m.

The minutes were respectfully submitted by Liz Ward, Faculty Association